

## **Appendix A**

State Historic Preservation Office (SHPO)  
Concurrence Letter

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**Florida Department of Transportation**

**RICK SCOTT  
GOVERNOR**

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

**RACHEL D. CONE  
INTERIM SECRETARY**

February 23, 2017

Dr. Timothy Parsons, Director and  
State Historic Preservation Officer  
Division of Historical Resources  
500 South Bronough Street  
Tallahassee, Florida 32301

2017 FEB 24 10 12 59

**Subject: Request for Review**  
Cultural Resource Assessment Survey  
Project Development and Environment (PD&E) Study  
Boynton Beach Boulevard and Gateway Boulevard Interchanges along State Road (SR)  
9/Interstate 95 (I-95)  
Palm Beach County, Florida  
Financial Management Nos.: 435804-1 and 231932-1

Attention: Ginny Jones

Dear Ms. Jones;

Enclosed please find one copy of the report titled *Cultural Resource Assessment Survey in Support of The Boynton Beach Boulevard (From West of Industrial Avenue to East of Seacrest Boulevard) and Gateway Boulevard (From West of High Ridge Road to East of Seacrest Boulevard) Interchange Improvements, Palm Beach County, Florida*. This report presents the findings of a CRAS conducted in support of the proposed improvements to the Boynton Beach Boulevard and Gateway Boulevard Interchanges along State Road (SR) 9/Interstate 95 (I-95) in Palm Beach County, Florida. The Florida Department of Transportation (FDOT), District 4, is proposing improvements to these two interchanges in order to improve the operational capacity and overall traffic operations. In accordance with the Section 106 Programmatic Agreement which was executed on March 15, 2016, this report is not being reviewed by FHWA.

The project Area of Potential Effect (APE) was defined to include the existing and proposed Boynton Beach Boulevard, Gateway Boulevard, and SR 9 right-of-way and was extended to the back or side property lines of parcels adjacent to the right-of-way for a distance of no more than 100 meters (330 feet) from the maximum right-of-way.



***Florida Department of Transportation***

**RICK SCOTT  
GOVERNOR**

3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309

**MIKE DEW  
SECRETARY**

July 14, 2017

Timothy A. Parsons, Ph.D.,  
Director and State Historic Preservation Officer  
Florida Division of Historical Resources  
Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Attn: Ms. Ginny Jones, Transportation Compliance Review Program

RE: Cultural Resource Assessment Survey  
Project Development and Environment (PD&E) Study  
Boynton Beach Boulevard and Gateway Boulevard Interchanges along State Road (SR)  
9/Interstate 95 (I-95)  
Effects Finding for 8PB00177 and 8PB12917  
Palm Beach County, Florida  
Financial Management Nos.: 435804-1 and 231932-1

Dear Ms. Jones,

In March 2017, the Florida Department of Transportation (FDOT), District 4, submitted a report entitled *Cultural Resource Assessment Survey (CRAS) in Support of the Boynton Beach Boulevard (from West of Industrial Avenue to East of Seacrest Boulevard) and Gateway Boulevard (from West of High Ridge Road to East of Seacrest Boulevard) Interchange Improvements, Palm Beach County, Florida*. This survey was carried out by SEARCH on behalf of Arcadis, Inc. and the District. During the investigation, the project architectural historians documented 79 previously and newly recorded resources within the Area of Potential Effect (APE). Of the 79 recorded resources, two historic resources were recommended to remain eligible in the National Register of Historic Places (NRHP): the Robert E. & Margaret Stogdill House (8PB00177), located at 206 NW 6<sup>th</sup> Street, and a segment of the Seaboard Air Line Railroad (8PB12917). Resource 8PB00177 was previously recommended significant at the local level in 1996 by Research Atlantica, Inc.; however, the building was not evaluated by the Florida State Historic Preservation Officer (SHPO). The Seaboard Air Line Railroad (8PB12917) linear resource has previously been determined eligible for listing in the NRHP by the Florida SHPO.

*Section 106 Determination of Effects  
Boynton Beach Blvd/Gateway Blvd @ I-95 PD&E  
FM 435804.1/231932.1*

Based on the results of previous and the current surveys, this survey recommended Resource 8PB00177 and the portion of Resource 8PB12917 within the Boynton Beach Boulevard and Gateway Boulevard Interchanges APE as NRHP-eligible. As such, the report recommended the avoidance of Resources 8PB00177 and 8PB12917.

Upon reviewing the CRAS, the Division of Historical Resources (DHR) concurred with the eligibility determinations. However, the DHR requested that additional documentation be provided to consider and address any effects the project may have to Resources 8PB00177 and 8PB12917. This letter is intended to provide the requested information.

As illustrated in the attached roadway design exhibit for the Interstate 95 (I-95) and Boynton Beach Boulevard Interchange (**Figure 1**), improvements proposed in the vicinity of Resources 8PB00177 and 8PB12917 are limited to the expansion of existing turning lanes and ramps and the expansion of existing median areas. These improvements pose no significant alterations to the surrounding landscape or setting, as they consist of features that are similar in regards to design, materials, and function as those that currently exist. In addition, because the proposed improvements are confined to the existing right-of-way, the project will not encroach upon Resources 8PB00177 and 8PB12917 and will not compromise or diminish those features and characteristics that qualify Resources 8PB00177 and 8PB12917 as eligible for inclusion in the NRHP. Based on these observations, it is the opinion of the District that the project will have no adverse effect on Resources 8PB00177 and 8PB12917.

As illustrated in the attached roadway design exhibit for the I-95 and Gateway Beach Boulevard Interchange (**Figure 2**), improvements proposed in the vicinity of Resource 8PB12917 are limited to expansion of existing turning lanes, ramps, roadway, and bridges, and the expansion of existing median areas. These improvements pose no significant alterations to the surrounding landscape or setting, as they consist of features that are similar in regards to design, materials, and function as those that currently exist. In addition, because the project undertakings in the vicinity are confined to the existing right-of-way, the project will not encroach upon Resource 8PB12917, nor will it impede upon existing railway traffic and will not compromise or diminish those features and characteristics that qualify Resource 8PB12917 as eligible for inclusion in the NRHP. Based on these observations, it is the opinion of the District that the project will have no adverse effect on 8PB12917.

Section 106 Determination of Effects  
Boynton Beach Blvd/Gateway Blvd @ I-95 PD&E  
FM 435804.1/231932.1

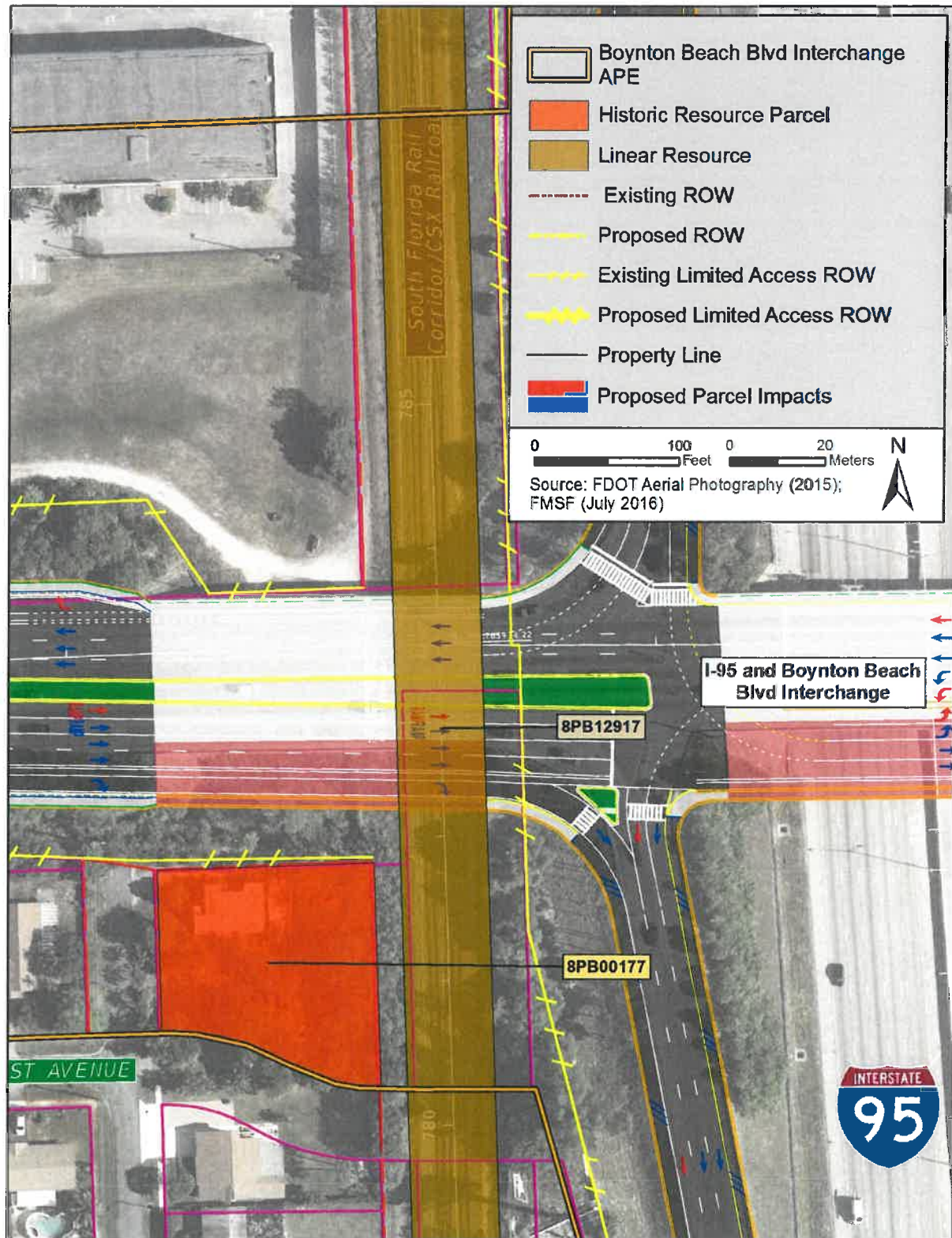


Figure 1. Proposed improvements in the vicinity of 8PB00177 and 8PB12917.

Section 106 Determination of Effects  
 Boynton Beach Blvd/Gateway Blvd @ I-95 PD&E  
 FM 435804.1/231932.1

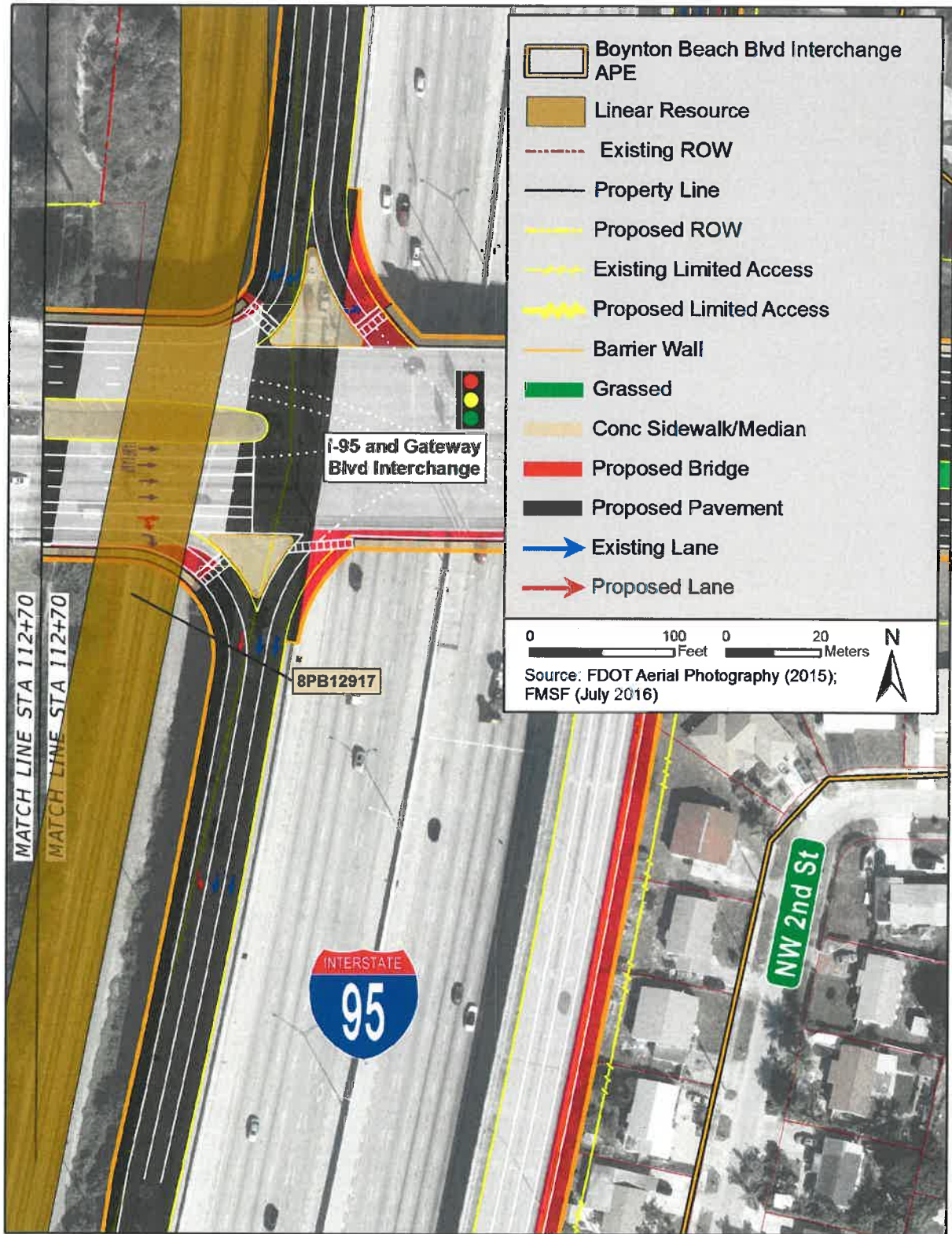


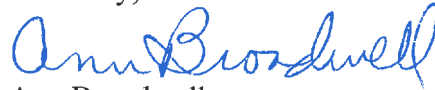
Figure 2. Proposed improvements in the vicinity of 8PB12917.

*Section 106 Determination of Effects  
Boynton Beach Blvd/Gateway Blvd @ I-95 PD&E  
FM 435804.1/231932.1*

I respectfully request your concurrence with the finding of no adverse effect.

If you have any questions or need further assistance, please contact Lynn Kelley, District Cultural Resources Coordinator, at 954-777-4334.

Sincerely,



Ann Broadwell  
District Environmental Administrator

cc: file



**The Florida State Historic Preservation Officer:**

\_\_\_ has reviewed the provided information and \_\_\_ concurs/ \_\_\_ does not concur with the findings and recommendations contained in this cover letter.

\_\_\_ requires additional information in order to provide an opinion on the potential effects of the proposed project on historic resources.

/s/

\_\_\_\_\_  
**For: Timothy A. Parsons, Ph.D.**  
**Director, Division of Historical Resources**  
**& State Historic Preservation Officer**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**DHR No.**

This CRAS was conducted in accordance with the requirements set forth in the National Historic Preservation Act of 1966, as amended, and Chapter 267, Florida Statutes (F.S.). The investigations were carried out in conformity with Part 2, Chapter 12 (Archaeological and Historical Resources) of FDOT's Project Development and Environment (PD&E) Manual, FDOT's Cultural Resources Manual, and the standards contained in the Florida Division of Historical Resources (FDHR) Cultural Resource Management Standards and Operations Manual (FDHR 2003). In addition, this survey meets the specifications set forth in Chapter 1A-46, Florida Administrative Code.

The archaeological reconnaissance survey included pedestrian survey within the project right-of-way to determine if the excavation of subsurface tests would be possible. Due to extensive urban development and the presence of buried electrical utilities within the Boynton Beach Boulevard and Gateway Boulevard Interchanges, no shovel testing was possible within the existing right-of-way. It is the opinion of the District that, based on the heavily disturbed nature of the soils, there is no potential for intact archaeological sites to be located within the right-of-way. No archaeological sites or occurrences have been identified and no further archaeological survey is recommended.

The architectural survey resulted in the identification and evaluation of 79 previously and newly recorded resources within the Boynton Beach Boulevard and Gateway Boulevard Interchanges APE. The Seaboard Air Line Railroad (8PB12917) linear resource group has previously been determined eligible for listing in the National Register of Historic Places (NRHP) by the Florida State Historic Preservation Officer (SHPO). The portion of the railroad within the Boynton Beach Boulevard and Gateway Boulevard Interchanges APE is recommended eligible as a contributing segment to the linear resource group. Resource 8PB00177 was previously recommended significant at the local level in 1996 by Research Atlantica, Inc.; however, the building was not evaluated by the SHPO. Based on the results of previous and the current survey, the District recommends Resource 8PB00177 as NRHP-eligible. One previously recorded resource, 8PB00493, is recommended ineligible by the District. The newly recorded resources include one resource group (8PB16399) and 75 buildings. No existing or potential historic districts were identified.

The District recommends avoidance of Resources 8PB00177 and 8PB12917, if possible. If avoidance is not possible, an effects evaluation will be prepared to assess project-related effects, if any, to these two NRHP-eligible resources.

\* see SHPO note on page 3.

If there are any questions, please feel free to contact me at (954) 777-4324 or Lynn Kelley at (954) 777-4334.

Sincerely,



Ann Broadwell  
Environmental Administrator  
FDOT - District 4

Enclosures  
cc. file

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number 2015-2320.

**SHPO Comments:**


*For* Timothy A. Parsons Deputy SHPO  
**Timothy A. Parsons**  
**State Historic Preservation Officer**  
**Florida Division of Historical Resources**

3/31/2017  
**Date**

\* SHPO/DHR wishes to postpone an effects finding until a case study can be completed.  
SHPO/DHR concurs with the eligibility determinations in this letter & document.

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## **Appendix B**

Build Alternatives

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**PD&E Study**

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
SR-9/I-95 at Gateway Boulevard Interchange



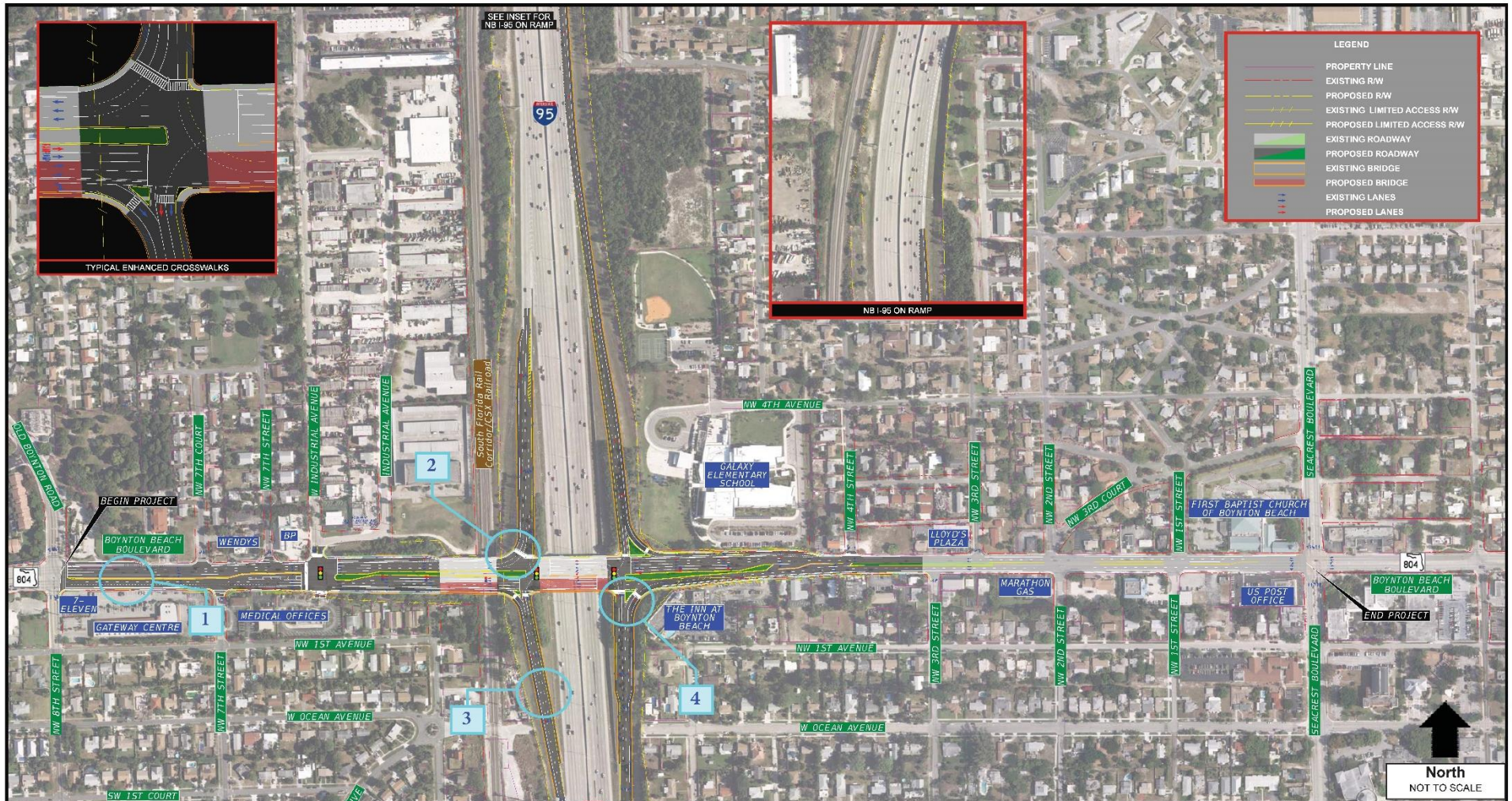
PD&E Study  
SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange  
SR 9/I-95 at Gateway Boulevard Interchange  
FPID Nos.: 435804-1-22-01; 231932-1-22-01  
ETDM Nos.: 14180 and 14181



**SR 9/I-95 at  
SR 804/Boynton Beach Boulevard Interchange  
Alternative 1 - Conceptual Development Alternative (CDA)**

**PD&E Study**

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
SR-9/I-95 at Gateway Boulevard Interchange



PD&E Study  
SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange  
SR 9/I-95 at Gateway Boulevard Interchange  
FPID Nos.: 435804-1-22-01; 231932-1-22-01  
ETDM Nos.: 14180 and 14181



**SR 9/I-95 at  
SR 804/Boynton Beach Boulevard Interchange  
Alternative 2 - Streamlined CDA**

North  
NOT TO SCALE



**PD&E Study**

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
SR-9/I-95 at Gateway Boulevard Interchange



PD&E Study  
SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange  
SR 9/I-95 at Gateway Boulevard Interchange  
FPID Nos.: 435804-1-22-01; 231932-1-22-01  
ETDM Nos.: 14180 and 14181

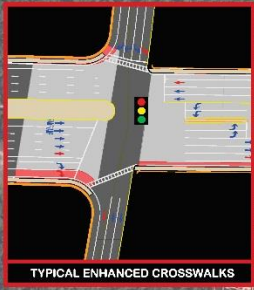
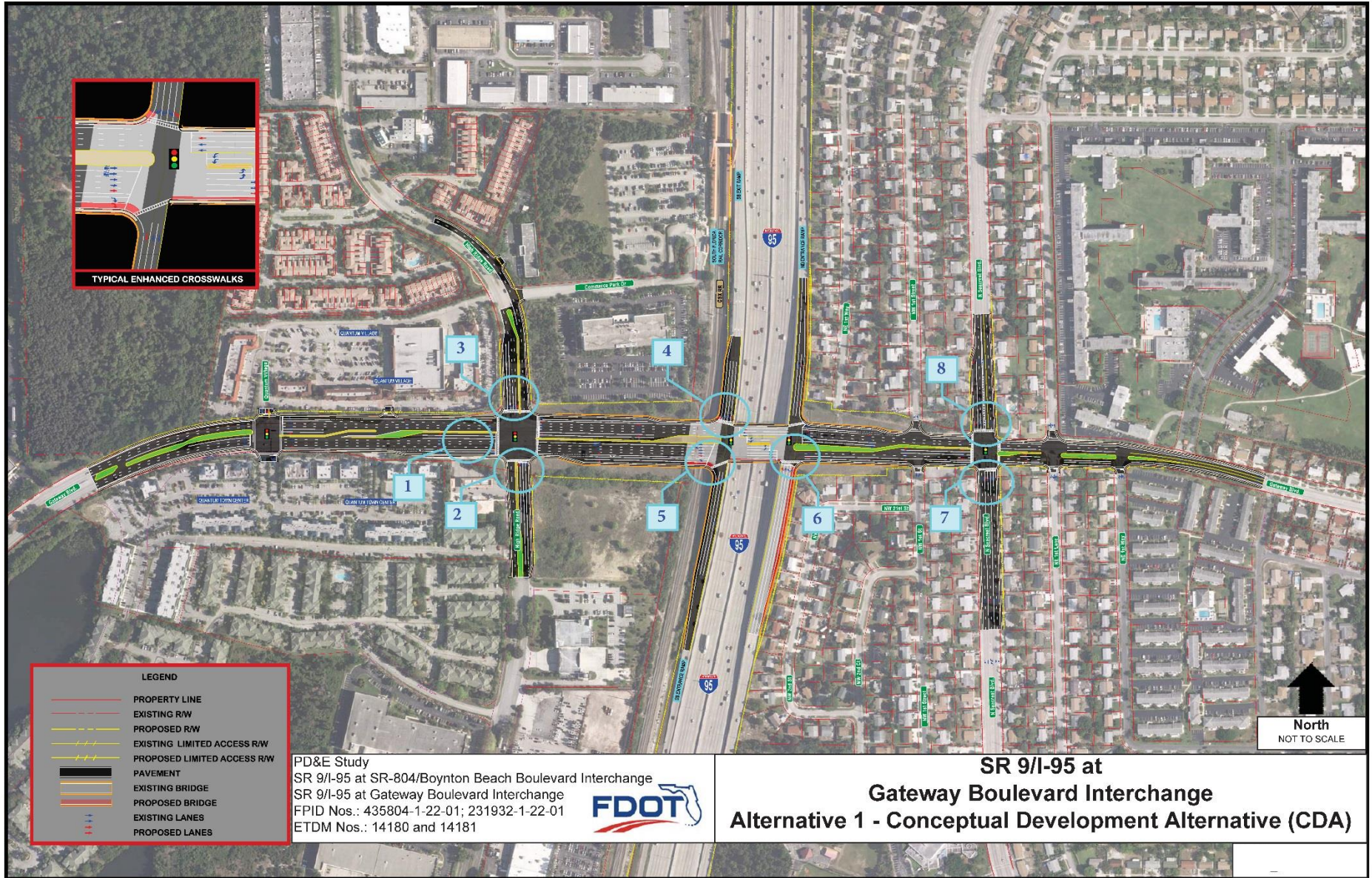


**SR 9/I-95 at  
SR 804/Boynton Beach Boulevard Interchange  
Alternative 3 - Single Point Urban Interchange (SPUI)**

North  
NOT TO SCALE

# PD&E Study

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
SR-9/I-95 at Gateway Boulevard Interchange



LEGEND	
	PROPERTY LINE
	EXISTING RW
	PROPOSED RW
	EXISTING LIMITED ACCESS RW
	PROPOSED LIMITED ACCESS RW
	PAVEMENT
	EXISTING BRIDGE
	PROPOSED BRIDGE
	EXISTING LANES
	PROPOSED LANES

PD&E Study  
SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange  
SR 9/I-95 at Gateway Boulevard Interchange  
FPID Nos.: 435804-1-22-01; 231932-1-22-01  
ETDM Nos.: 14180 and 14181

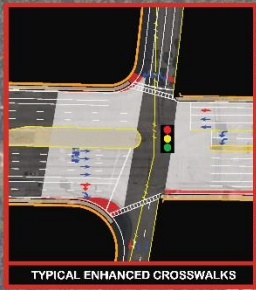
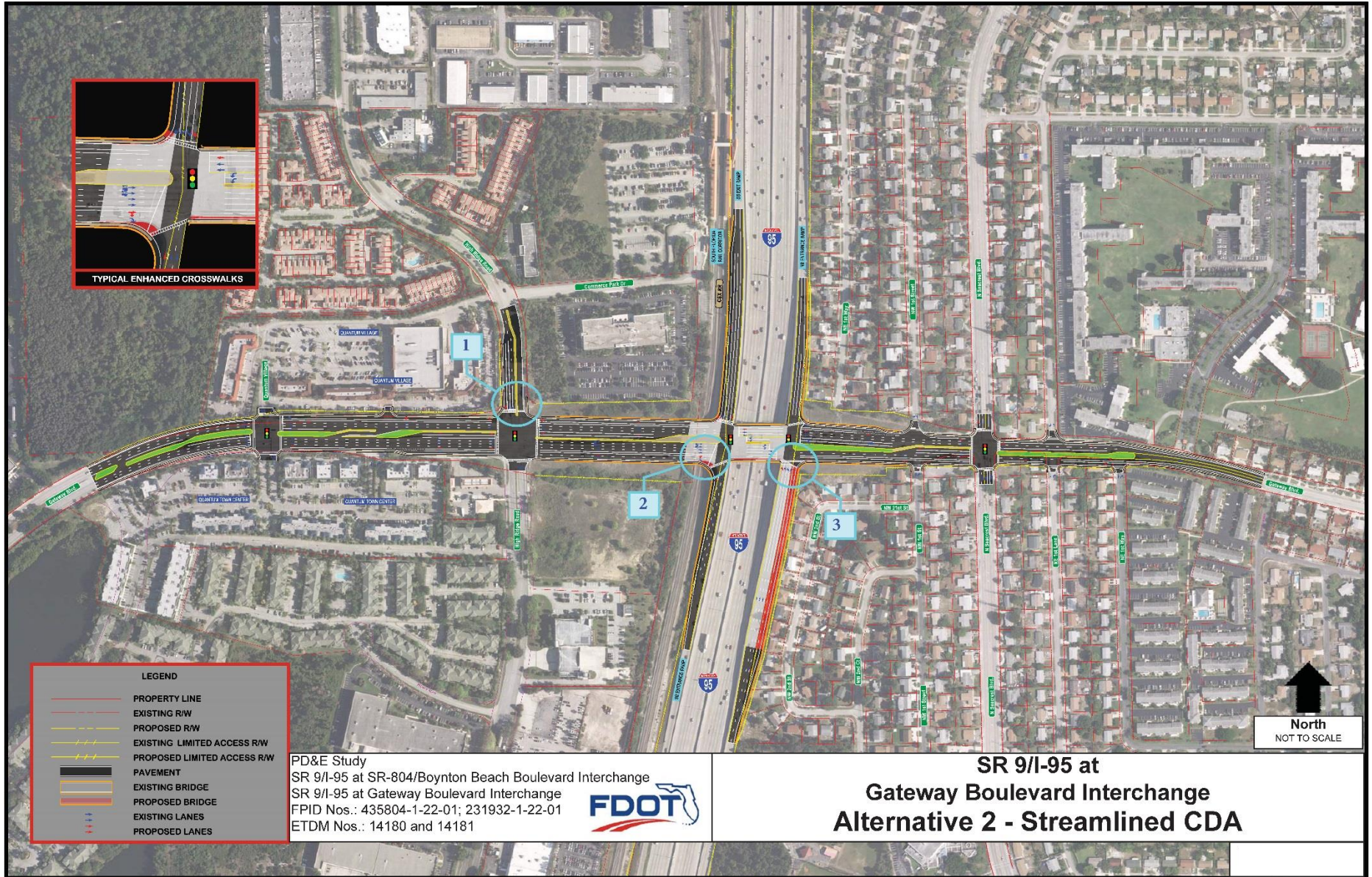


**SR 9/I-95 at  
Gateway Boulevard Interchange  
Alternative 1 - Conceptual Development Alternative (CDA)**



**PD&E Study**

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
SR-9/I-95 at Gateway Boulevard Interchange



**LEGEND**

- PROPERTY LINE
- EXISTING R/W
- PROPOSED R/W
- EXISTING LIMITED ACCESS R/W
- PROPOSED LIMITED ACCESS R/W
- PAVEMENT
- EXISTING BRIDGE
- PROPOSED BRIDGE
- EXISTING LANES
- PROPOSED LANES

PD&E Study  
SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange  
SR 9/I-95 at Gateway Boulevard Interchange  
FPID Nos.: 435804-1-22-01; 231932-1-22-01  
ETDM Nos.: 14180 and 14181



**SR 9/I-95 at  
Gateway Boulevard Interchange  
Alternative 2 - Streamlined CDA**



**PD&E Study**

SR 9/I-95 at SR-804/Boynton Beach Boulevard Interchange and  
 SR-9/I-95 at Gateway Boulevard Interchange

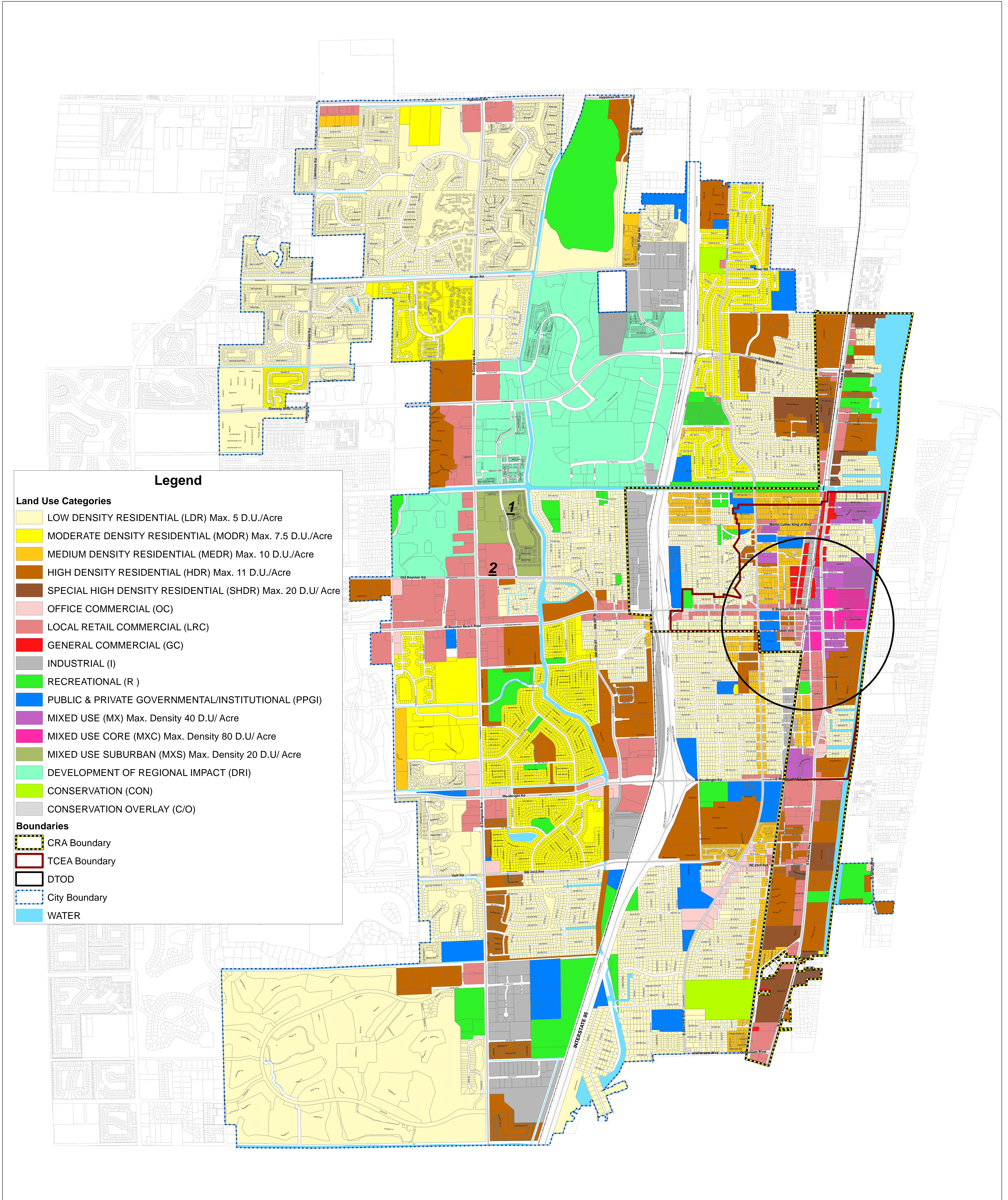


## **Appendix C**

City of Boynton Beach Land Use Map

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# City of Boynton Beach Official Future Land Use Map



## Legend

### Land Use Categories

- LOW DENSITY RESIDENTIAL (LDR) Max. 5 D.U./Acre
- MODERATE DENSITY RESIDENTIAL (MODR) Max. 7.5 D.U./Acre
- MEDIUM DENSITY RESIDENTIAL (MEDR) Max. 10 D.U./Acre
- HIGH DENSITY RESIDENTIAL (HDR) Max. 11 D.U./Acre
- SPECIAL HIGH DENSITY RESIDENTIAL (SHDR) Max. 20 D.U./Acre
- OFFICE COMMERCIAL (OC)
- LOCAL RETAIL COMMERCIAL (LRC)
- GENERAL COMMERCIAL (GC)
- INDUSTRIAL (I)
- RECREATIONAL (R)
- PUBLIC & PRIVATE GOVERNMENTAL/INSTITUTIONAL (PPGI)
- MIXED USE (MX) Max. Density 40 D.U./Acre
- MIXED USE CORE (MXC) Max. Density 80 D.U./Acre
- MIXED USE SUBURBAN (MXS) Max. Density 20 D.U./Acre
- DEVELOPMENT OF REGIONAL IMPACT (DRI)
- CONSERVATION (CON)
- CONSERVATION OVERLAY (C/O)

### Boundaries

- CRA Boundary
- TCEA Boundary
- DTOD
- City Boundary
- WATER

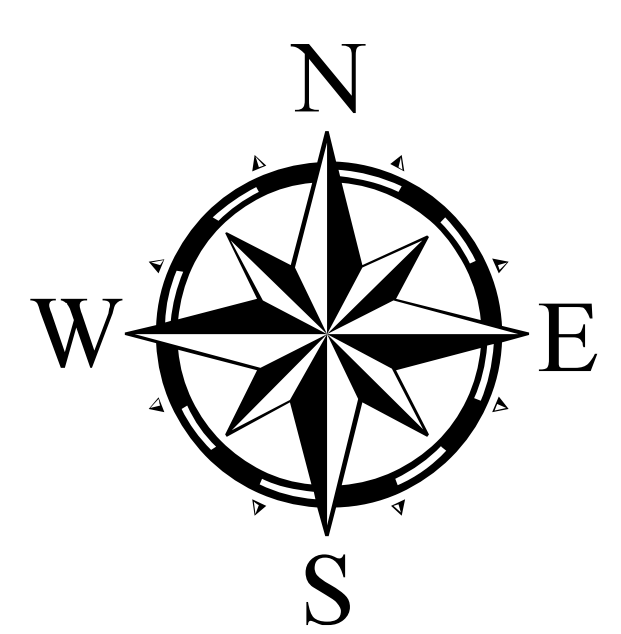
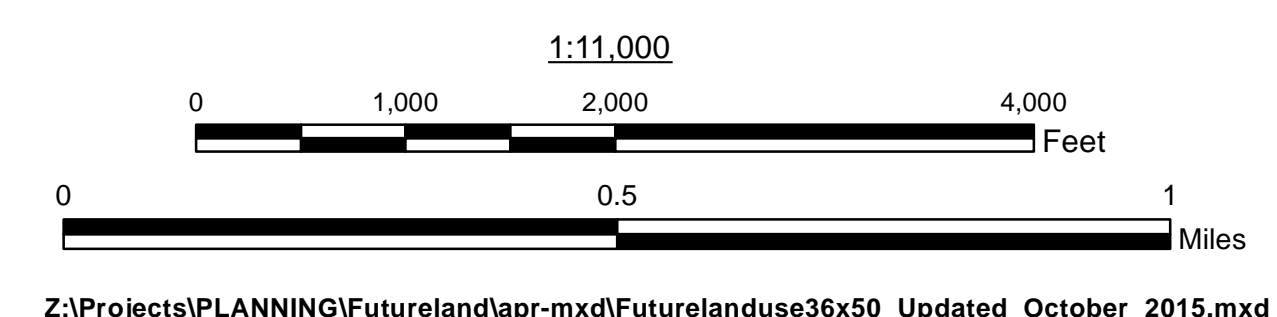


1. This property is restricted to a maximum of 1,120 high density residential units, 10,000 s.f. of office commercial use and 149,000 s.f. of local retail commercial use.

2. This property is restricted to a maximum of 250,000 s.f. of local retail commercial use.

*The information depicted on this map was correct as of (date of last amendment) and should be used for informational purpose only. More recent versions of the map may be available. Please do not make any decisions based on the information herein without consulting someone on the Planning and Zoning Staff.*

October 20, 2015  
 Source: Palm Beach County GIS Digital Data 2006-2014  
 Copyright Palm Beach County Florida, 2006-2014  
 All Rights Reserved - Subject to a License Agreement



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## **Appendix D**

ETDM #14180 Summary Report SR 804/Boynton Beach Boulevard  
ETDM #14181 Summary Report Gateway Boulevard

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## Florida Department of Transportation

**RICK SCOTT**  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

**JIM BOXOLD**  
SECRETARY

# ETDM Summary Report

Project #14180 - SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange

Programming Screen - Published on 05/27/2015

Printed on: 7/01/2015

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## Introduction to Programming Screen Summary Report

The Programming Screen Summary Report shown below is a read-only version of information contained in the Programming Screen Summary Report generated by the ETDM Coordinator for the selected project after completion of the ETAT Programming Screen review. The purpose of the Programming Screen Summary Report is to summarize the results of the ETAT Programming Screen review of the project; provide details concerning agency comments about potential effects to natural, cultural, and community resources; and provide additional documentation of activities related to the Programming Phase for the project. Available information for a Programming Screen Summary Report includes:

- Screening Summary Report chart
- Project Description information (including a summary description of the project, a summary of public comments on the project, and community-desired features identified during public involvement activities)
- Purpose and Need information (including the Purpose and Need Statement and the results of agency reviews of the project Purpose and Need)
- Alternative-specific information, consisting of descriptions of each alternative and associated road segments; an overview of ETAT Programming Screen reviews for each alternative; and agency comments concerning potential effects and degree of effect, by issue, to natural, cultural, and community resources.
- Project Scope information, consisting of general project commitments resulting from the ETAT Programming Screen review, permits, and technical studies required (if any)
- Class of Action determined for the project
- Dispute Resolution Activity Log (if any)

The legend for the Degree of Effect chart is provided in an appendix to the report.

For complete documentation of the project record, also see the GIS Analysis Results Report published on the same date as the Programming Screen Summary Report.



**#14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange**

**District:** District 4

**Phase:** Programming Screen

**County:** Palm Beach

**From:**

**Planning Organization:** FDOT District 4

**To:**

**Plan ID:** Not Available

**Financial Management No.:** 43580412201

**Federal Involvement:** Maintain Federal Eligibility Federal Action

**Contact Information:** Gaspar Jorge Padron (850) 777-4320 gaspar.padron@dot.state.fl.us

**Snapshot Data From:** Summary Report Re-Published 5/27/2015

*Issues and Categories are reflective of what was in place at the time of the screening event.*

	Social and Economic						Cultural			Natural				Physical							
	Land Use Changes	Social	Relocation Potential	Farmlands	Aesthetic Effects	Economic	Mobility	Section 4(f) Potential	Historic and Archaeological Sites	Recreation Areas	Wetlands	Water Quality and Quantity	Floodplains	Wildlife and Habitat	Coastal and Marine	Noise	Air Quality	Contamination	Infrastructure	Navigation	Special Designations
Alternative #1 From: To: <i>Re-Published: 05/27/2015 Reviewed from 07/10/2014 to 08/24/2014</i>	2	3	2	0	2	2	1	3	3	3	2	2	0	2	0	2	2	3	2	0	0

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## Purpose and Need

### Purpose and Need

The purpose of the project is to enhance overall traffic operations at the existing interchange of SR-9/I-95 and SR-804/Boynton Beach Boulevard by providing improvements to achieve acceptable Levels of Service (LOS) at the interchange in the future condition (2040 Design Year). Conditions along Boynton Beach Boulevard are anticipated to deteriorate below acceptable LOS standards if no improvements occur by 2040; the interchange will have insufficient capacity to accommodate the projected travel demand. The need for the project is based on the following primary and secondary criteria:

### PRIMARY CRITERIA

#### **CAPACITY/TRANSPORTATION DEMAND: Improve Operational Capacity and Overall Traffic Operations (Level of Service)**

The project is anticipated to improve traffic operations at the SR-9/I-95 and SR-804/Boynton Beach Boulevard interchange and study area roadways/intersections by implementing operational and capacity improvements to meet the future travel demand projected as a result of Palm Beach County population and employment growth.

Based upon the traffic operations analysis conducted for the SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange and adjacent signalized intersections [as documented in the *I-95 (SR-9) Interchange at Boynton Beach Boulevard (SR-804) in Palm Beach County Interchange Concept Development Report*], the existing and future AM and PM peak hour traffic conditions for the four study intersections along SR-804/Boynton Beach Boulevard are as follows:

#### ***-Existing AM Peak Hour Conditions [2012/2013]-***

##### **Boynton Beach Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)**

Industrial Avenue / B (12.5)

SR-9/I-95 Southbound Ramps / E (68.4)

SR-9/I-95 Northbound Ramps / C (31.9)

Seacrest Boulevard / D (45.0)

#### ***-Existing PM Peak Hour Conditions [2012/2013]-***

##### **Boynton Beach Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)**

Industrial Avenue / C (24.9)

SR-9/I-95 Southbound Ramps / B (19.5)

SR-9/I-95 Northbound Ramps / D (44.4)

Seacrest Boulevard / D (35.6)

#### ***-Future AM Peak Hour Conditions [2040 Design Year No-Build]-***

##### **Boynton Beach Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)**

Industrial Avenue / C (26.7)

SR-9/I-95 Southbound Ramps / F (138.2)

SR-9/I-95 Northbound Ramps / F (130.0)

Seacrest Boulevard / F (158.7)

#### ***-Future PM Peak Hour Conditions [2040 Design Year No-Build]-***

## **Boynton Beach Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)**

Industrial Avenue / E (58.4)

SR-9/I-95 Southbound Ramps / D (43.1)

SR-9/I-95 Northbound Ramps / F (144.5)

Seacrest Boulevard / F (178.6)

Although the intersections operate at LOS E or better under the existing conditions scenarios, it should be noted that many of the individual through and turning movements at the intersections (which include approaches to SR-9/I-95) operate at LOS F during both the AM and PM peak periods. Without the proposed improvements, the intersections will continue to experience excessive delays and queuing and operate below acceptable LOS standards.

### **GROWTH MANAGEMENT: Accommodate Future Redevelopment and Growth**

The area surrounding the SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange is urbanized containing a mixture of commercial, industrial, and residential land uses. According to the City of Boynton Beach Future Land Use Map, the SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange falls within the designated Community Redevelopment Area. The residential neighborhoods and business districts of this area are intended to be redeveloped by implementing compact, more intensive urban growth patterns that provide opportunities for more efficient use and development of infrastructure, land, and other resources and services.

While population within the vicinity of the interchange is anticipated to grow by approximately 10% from 2005 to 2035, employment is anticipated to grow by approximately 147% from 2005 to 2035 based on data derived from the enhanced Southeast Regional Planning Model (SERPM) version 6.5 Managed Lanes Model (upgraded to include specific subarea improvements for the I-95 Interchange Master Plan). Population growth is expected to occur primarily in the areas northeast and southwest of the interchange. Employment is predominantly anticipated to grow in the areas northeast, east, and southwest of the interchange.

As such, the interchange improvements will be critical in supporting redevelopment efforts in the vicinity of the interchange and the overall vision of the City of Boynton Beach.

## **SECONDARY CRITERIA**

### **SAFETY: Improve Safety Conditions**

The *I-95 (SR-9) Interchange at Boynton Beach Boulevard (SR-804) in Palm Beach County Interchange Concept Development Report* included a safety analysis of the project area. The following provides a summary of the crash data and analysis results for the three-year period from 2010 through 2012:

#### **Year / Number of Crashes**

2010 / 66

2011 / 64

2012 / 84

Total Crashes: 214

Predominant Crash Type:Rear-end (145 / 69% of total)

High crash locations along SR-804/Boynton Beach Boulevard are reported through FDOT's high crash location reports (for the period 2009 through 2011) indicating that each location has a higher crash rate as compared to crash rates for similar statewide roadways. The high crash locations along SR-804/Boynton Beach Boulevard include:

- SR-9/I-95 Northbound On-Ramp (2009 - 2011)
- SR-9/I-95 Northbound Off-Ramp (2010)
- SR-9/I-95 Southbound Off-Ramp (2010)

The interchange improvements are anticipated to provide free-flow movements and additional storage lengths which, in turn, will reduce conflict points and the potential occurrence of rear-end collisions.

### EMERGENCY EVACUATION: Enhance Emergency Evacuation and Response Times

SR-9/I-95 and SR-804/Boynton Beach Boulevard serve as part of the emergency evacuation route network designated by the Florida Division of Emergency Management. Also designated by Palm Beach County as evacuation facilities, SR-9/I-95 and SR-804/Boynton Beach Boulevard are critical in facilitating traffic flows during emergency evacuation periods as they connect other major arterials and highways of the state evacuation route network. Specifically, SR-804/Boynton Beach Boulevard is a major east-west corridor in eastern Palm Beach County providing linkage between SR-9/I-95 and Florida's Turnpike. The project is anticipated to:

- Improve emergency evacuation capabilities by enhancing connectivity and accessibility to SR-9/I-95 and other major arterials designated on the state evacuation route network from the west and east, and
- Increase the operational capacity of traffic that can be evacuated during an emergency event.

### Purpose and Need Reviews

#### FDOT District 4

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/21/2014	Gaspar Jorge Padron (gaspar.padron@dot.state.fl.us)	No Purpose and Need comments found.

#### FL Department of Agriculture and Consumer Services

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/14/2014	Steve Bohl (Steve.Bohl@freshfromflorida.com)	No Purpose and Need comments found.

#### FL Department of Economic Opportunity

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/11/2014	Matt Preston (matt.preston@deo.myflorida.com)	No Purpose and Need comments found.

#### FL Department of Environmental Protection

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/22/2014	Lauren Milligan (lauren.milligan@dep.state.fl.us)	No Purpose and Need comments found.

#### FL Department of State

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/07/2014	Ginny Jones (ginny.jones@dos.myflorida.com)	No Purpose and Need comments found.

#### FL Fish and Wildlife Conservation Commission

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/05/2014	Scott Sanders (scott.sanders@myfwc.com)	No Purpose and Need comments found.



**Federal Highway Administration**

<b>Acknowledgement</b>	<b>Date Reviewed</b>	<b>Reviewer</b>	<b>Comments</b>
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10/23/2014

Luis Lopez, P.E.  
(luis.d.lopez@dot.gov)

It is stated that the PD&E for the project is programmed in the Palm Beach MPO's Transportation Improvement Program (2015-2020) but not in the current LRTP. All projects within an MPO boundary that are included in the MPO's TIP must come from the MPO's Cost Feasible LRTP.

When will the PD&E work begin on the project? The MPO is in the process of adopting their 2040 LRP Update. This project should be included in that updated Plan and as noted in the narrative, in the upcoming STIP.

Reference is made in several sections (Consistency with Transportation Plans and Objectives and the Planning Consistency Status sections) that the project will be included in the 2035 LRTP. Will it be the 2035 LRTP or the 2040 LRTP?

Since this project is in the programming screen vs the planning screen why are there not any public comments available in this ETAT Tool? This project, according to the narrative, is included in the MPO TIP for 2015.

The TIP required public involvement and MPO discussion. Please include any feedback and input from these processes regarding this project. How does the public view this project? Has there been any controversy or negative public input on the need for this project or for the project impacts?

Please include the estimated cost for the entire project. The narrative states that \$2 million is programmed for the PD&E study in the FDOT Work Program and the MPO's TIP. Will federal funding be sought for any phases in this project? Please clearly identify what the project costs and phases are anticipated to be for the entire project as well as any programmed funds and project phasing in such a manner that is very clear to the public. This disclosure of information is an important element the public uses during their consideration of the project.

Under the growth management section of the project description provided projected growth percentages for population and employment. But the years cited are 2005-2035. Please provide more updated information and data.

#### Socio Cultural Impacts:

What outreach efforts are planned or have been made to the minority and low income populations along this project? The 100-through 1320 foot buffer identifies substantial minority populations (greater than 40%) and other populations that are considered traditionally underserved (such as aging) that will require specific outreach strategies. Information also shows that there is a population within this buffer with Limited English Proficiency (LEP) accommodations will be required during the Project.

#### Mobility/Freight

Business and commercial - what mitigation coordination has taken place with the commercial businesses within the project area of impact for either continued access to their businesses or any taking/relocation of property for the project? What operational improvements are being considered as part of or independent of this project to assist with access to/from the existing businesses?

Truck traffic - is this a corridor used for freight? Please include truck and commercial vehicle traffic and data. What is the anticipated growth of the freight volume over the next 20 years especially considering the developments and economic centers planned along this corridor? Have any outreach efforts been made to the freight providers for their input for operational improvements?

#### Transit:

The narrative does not identify if there are any operating transit routes or stops within the study area, but the ETAT tool clearly identifies transit routes existing. Coordination with the transit providers will be required throughout the project to minimize impacts service. Are there any transit stops that will be directly impacted by this project?

#### Bicycle/Pedestrian Facilities:

The narrative states that there currently are no designated bicycle lanes in the project study area. It was not clear if bicycle facilities will be included in the project. Are the sidewalks currently used to access the businesses and residences within the project study area? If so, how will this access be maintained?

### National Marine Fisheries Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/12/2014	Brandon Howard (Brandon.Howard@noaa.gov)	None

### National Park Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/28/2014	Anita Barnett (anita_barnett@nps.gov)	No Purpose and Need comments found.

### Natural Resources Conservation Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/14/2014	Rick Robbins (rick.a.robbins@fl.usda.gov)	No Purpose and Need comments found.

### South Florida Water Management District

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/18/2014	Mindy Parrott (mparrott@sfwmd.gov)	No Purpose and Need comments found.

### US Army Corps of Engineers

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/18/2014	Garett Lips (Garett.G.Lips@usace.army.mil)	No Purpose and Need comments found.

### US Coast Guard

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/17/2014	Randall Overton (randall.d.overton@uscg.mil)	No Coast Guard involvement

### US Environmental Protection Agency

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/24/2014	Maher Budeir (budeir.maher@epa.gov)	No Purpose and Need comments found.

### US Fish and Wildlife Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/11/2014	John Wrublik (john_wrublik@fws.gov)	No Purpose and Need comments found.

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## Project Description Data

### Project Description

This interchange improvement is one of seventeen being studied as part of the *I-95 Interchange Master Plan*. This plan will reexamine 1) the 2003 *I-95 Interchange Master Plan Study* and 2) the SR-9/I-95 mainline project, which added a High Occupancy Vehicle (HOV) lane and auxiliary lanes from south of Linton Boulevard to north of PGA Boulevard in Palm Beach County and included minor improvements to eight interchanges. Overall, the *I-95 Interchange Master Plan* will recommend new short-term and long-term improvements to interchanges based on changes in traffic volumes and updated design standards.

The SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange is located on I-95 between the Gateway Boulevard interchange (1.5 miles to the north) and the Woolbright Road interchange (1.0 mile to the south) within the City of Boynton Beach in eastern Palm Beach County. This interchange project proposes to enhance operational capacity, reduce congestion, and increase safety. Based upon the traffic operations analysis conducted for the SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange and adjacent signalized intersections [as documented in the *I-95 (SR-9) Interchange at Boynton Beach Boulevard (SR-804) in Palm Beach County Interchange Concept Development Report* attached in the EST], the following preliminary short-term and long-term improvements have been identified for this interchange:

#### **2020 Opening Year (Short-Term) Recommended Improvements**

- Add a second (dual) eastbound left-turn lane on SR-804/Boynton Beach Boulevard to the SR-9/I-95 northbound on-ramp and extend the auxiliary lane through the SR-9/I-95 southbound ramp intersection.
- Convert yield-controlled westbound right-turn movement to free-flow by adding two additional (triple) receiving lanes on the SR-9/I-95 northbound on-ramp.

#### **2040 Design Year (Long-Term) Recommended Improvements**

- Add a second (dual) westbound left-turn lane on SR-804/Boynton Beach Boulevard to the SR-9/I-95 southbound on-ramp and extend the auxiliary lane through the SR-9/I-95 northbound ramp intersection.
- Add a second (dual) eastbound left-turn lane on SR-804/Boynton Beach Boulevard to the SR-9/I-95 northbound on-ramp and extend the auxiliary lane through the SR-9/I-95 southbound ramp intersection.
- Add a westbound through lane between NW 4th Street and Old Boynton Road.
- Add two additional (triple) right-turn lanes to the SR-9/I-95 southbound off-ramp.
- Convert yield-controlled eastbound right-turn movement to free-flow by adding a second (dual) receiving lane on the SR-9/I-95 southbound on-ramp.
- Convert yield-controlled westbound right-turn movement to free-flow by adding two additional (triple) receiving lanes on the SR-9/I-95 northbound on-ramp.
- Add a third left-turn lane on SR-9/I-95 northbound off-ramp.
- Extend right-turn lane on SR-9/I-95 northbound off-ramp.
- Add a dedicated eastbound right-turn lane at the Seacrest Boulevard intersection.

SR-9/I-95 is currently a ten-lane divided interstate freeway from north of the Congress Avenue interchange (southern limit) to north of the PGA Boulevard interchange (northern limit) providing four general purpose lanes and one High Occupancy Vehicle (HOV) lane in each direction. Auxiliary lanes are also provided in both the northbound and southbound directions between Gateway Boulevard to the north and Woolbright Road to the south. One auxiliary lane is provided in each direction between SR-804/Boynton Beach Boulevard and Gateway Boulevard resulting in a twelve-lane section. Additionally, between SR-804/Boynton Beach Boulevard and Woolbright Road, two auxiliary lanes are provided in the southbound direction and one auxiliary lane is provided in the northbound direction resulting in a thirteen-lane section. The existing right-of-way varies as it approaches the interchange, but the typical right-of-way ranges from approximately 355 to 550 feet. As part of the Strategic Intermodal System (SIS) and one of two major expressways (Florida's Turnpike being the other) that connect the major employment centers and residential areas of Miami-Dade, Broward and Palm Beach Counties, SR-9/I-95 serves an important role in facilitating the north-south movement of traffic in Southeast Florida.

Under the jurisdiction of Palm Beach County, SR-804/Boynton Beach Boulevard is a six-lane divided urban principal arterial west of I-95 and a four-lane divided urban minor arterial east of SR-9/I-95. This east-west facility currently passes over the South Florida Rail Corridor (SFRC)/CSX Railroad (Bridge #930289) and over SR-9/I-95 (Bridge #930285). SR-804/Boynton Beach Boulevard at the SR-9/I-95 overpass has a dedicated left-turn lane in each direction to access the

SR-9/I-95 on-ramps. The existing right-of-way varies from approximately 170 to 195 feet west of SR-9/I-95 and 80 to 200 feet east of SR-9/I-95.

The interchange at SR-9/I-95 and SR-804/Boynton Beach Boulevard is a typical diamond configuration. Adjacent accessible signalized intersections relative to this interchange are located at Industrial Avenue (west) and Seacrest Boulevard (east). The ultimate interchange improvements (2040 Design Year Recommended Improvements) are likely to require minimal additional right-of-way; however, the specific right-of-way requirements are not known at this time and will be determined through further analysis. Based on the Florida Department of Transportation's preliminary Long Range Estimate (LRE), the construction cost estimate for the improvements is \$33,535,148. Detailed cost estimates and right-of-way requirements will be derived as part of the Project Development and Environment (PD&E) Study.

## CONSISTENCY WITH TRANSPORTATION PLAN GOALS AND OBJECTIVES

Funding in the amount of \$1,005,000 is programmed for the PD&E Study under Fiscal Year 2015 in both the FY 2014 - 2019 FDOT Work Program (FM #435804-1) and the FY 2015 - 2019 Transportation Improvement Program (TIP) of the Palm Beach Metropolitan Planning Organization (MPO). The Strategic Intermodal System Cost Feasible Plan 2024 - 2040 additionally identifies this project. While the interchange improvements at SR-9/I-95 and SR-804/Boynton Beach Boulevard Interchange are not included in the Cost-Feasible component of the Palm Beach MPO 2035 Long Range Transportation Plan (LRTP), two highway projects in the vicinity of the interchange are provided in the LRTP Needs component: 1) implementation of Managed Lanes on I-95 from the Palm Beach County/Broward County Line to Indiantown Road and 2) the proposed four-lane to six-lane widening of SR-804/Boynton Beach Boulevard from the SR-9/I-95 northbound ramps to Seacrest Boulevard. The project is also not included in the current State Transportation Improvement Program (STIP). Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance.

### Summary of Public Comments

Summary of Public Comments is not available at this time.

#### Justification

An extensive Public Involvement Plan (PIP) will be prepared and conducted during the PD&E phase of this project. The PIP will (1) outline how project team members will engage the community and other stakeholders in consensus-building/context sensitive solutions for any alternative under consideration, including the No-Build Alternative, and (2) incorporate environmental and community values into the development of the preferred alternative.

### Planning Consistency Status

Planning Consistency Status

Are the limits consistent with the plans?

Yes

No

Currently Adopted CFP-LRTP?

Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance.

Attachments

TIP Pages - <https://etdmpub.flh-dot.org/est/servlet/blobViewer?blobID=17555>

## Federal Consistency Determination

Date: 08/22/2014

Determination: CONSISTENT with Coastal Zone Management Program.

## Lead Agency

Federal Highway Administration

## Participating and Cooperating Agencies

No Cooperating Agencies have been identified.

No Participating Agencies have been identified.

## Exempted Agencies

Agency Name	Justification	Date
Federal Transit Administration	FTA has requested to be exempt from reviewing any non-transit projects.	06/26/2014

## Community Desired Features

No desired features have been entered into the database. This does not necessarily imply that none have been identified.

## User Defined Communities Within 500 Feet

- Boynton Beach
- Boynton Beach CRA
- Boynton South
- Leisureville North Area

## Census Places Within 500 Feet

- Boynton Beach

## Alternative #1

### Alternative Description

Name	From	To	Type	Status	Total Length	Cost	Modes	SIS
Alternative was not named.			Traffic Operation Enhancement	ETAT Review Complete	? mi.	\$33,535,148.00	Roadway	Y

### Project Effects Overview for Alternative #1

Issue	Degree of Effect	Organization	Date Reviewed
<b>Social and Economic</b>			
Land Use Changes	0 None	FL Department of Economic Opportunity	08/11/2014
Land Use Changes	2 Minimal	Federal Highway Administration	10/23/2014
Land Use Changes	2 Minimal	FDOT District 4	08/21/2014
Social	3 Moderate	US Environmental Protection Agency	08/24/2014
Social	2 Minimal	FDOT District 4	08/21/2014
Social	2 Minimal	Federal Highway Administration	10/24/2014
Relocation Potential	2 Minimal	Federal Highway Administration	10/24/2014
Relocation Potential	2 Minimal	FDOT District 4	08/21/2014
Farmlands	0 None	Federal Highway Administration	10/23/2014
Farmlands	0 None	Natural Resources Conservation Service	07/14/2014
Aesthetic Effects	2 Minimal	FDOT District 4	08/21/2014
Aesthetic Effects	2 Minimal	Federal Highway Administration	10/23/2014
Economic	0 None	FL Department of Economic Opportunity	08/11/2014
Economic	2 Minimal	Federal Highway Administration	10/23/2014
Economic	2 Minimal	FDOT District 4	08/21/2014
Mobility	1 Enhanced	Federal Highway Administration	10/23/2014
Mobility	1 Enhanced	FDOT District 4	08/21/2014
<b>Cultural</b>			
Section 4(f) Potential	3 Moderate	Federal Highway Administration	10/24/2014
Section 4(f) Potential	N/A N/A / No Involvement	FL Department of Agriculture and Consumer Services	08/14/2014
Historic and Archaeological Sites	3 Moderate	Federal Highway Administration	10/23/2014
Historic and Archaeological Sites	3 Moderate	FL Department of State	08/07/2014
Recreation Areas	0 None	US Environmental Protection Agency	08/24/2014
Recreation Areas	3 Moderate	Federal Highway Administration	10/24/2014
Recreation Areas	0 None	FL Department of Environmental Protection	08/22/2014

Recreation Areas	0	None	South Florida Water Management District	08/18/2014
Recreation Areas	N/A	N/A / No Involvement	National Park Service	08/01/2014
<b>Natural</b>				
Wetlands	2	Minimal	National Marine Fisheries Service	08/12/2014
Wetlands	0	None	South Florida Water Management District	08/18/2014
Wetlands	0	None	Federal Highway Administration	10/24/2014
Wetlands	2	Minimal	US Fish and Wildlife Service	07/11/2014
Wetlands	0	None	FL Department of Environmental Protection	08/22/2014
Wetlands	0	None	US Environmental Protection Agency	08/24/2014
Wetlands	0	None	US Army Corps of Engineers	08/18/2014
Water Quality and Quantity	0	None	FL Department of Environmental Protection	08/22/2014
Water Quality and Quantity	2	Minimal	Federal Highway Administration	10/24/2014
Water Quality and Quantity	2	Minimal	South Florida Water Management District	08/18/2014
Water Quality and Quantity	0	None	US Environmental Protection Agency	08/24/2014
Floodplains	0	None	Federal Highway Administration	10/23/2014
Floodplains	0	None	South Florida Water Management District	08/18/2014
Floodplains	0	None	US Environmental Protection Agency	08/24/2014
Wildlife and Habitat	0	None	Federal Highway Administration	10/24/2014
Wildlife and Habitat	2	Minimal	FL Fish and Wildlife Conservation Commission	08/05/2014
Wildlife and Habitat	2	Minimal	US Fish and Wildlife Service	07/11/2014
Coastal and Marine	0	None	South Florida Water Management District	08/18/2014
Coastal and Marine	0	None	Federal Highway Administration	10/23/2014
Coastal and Marine	0	None	National Marine Fisheries Service	08/12/2014
<b>Physical</b>				
Noise	2	Minimal	Federal Highway Administration	10/23/2014
Air Quality	2	Minimal	Federal Highway Administration	10/23/2014
Air Quality	0	None	US Environmental Protection Agency	08/24/2014
Contamination	3	Moderate	US Environmental Protection Agency	08/24/2014
Contamination	3	Moderate	Federal Highway Administration	10/23/2014
Contamination	0	None	South Florida Water Management District	08/18/2014
Contamination	3	Moderate	FL Department of Environmental Protection	08/22/2014
Infrastructure	2	Minimal	Federal Highway Administration	10/23/2014



Navigation	0	None	US Army Corps of Engineers	08/18/2014
Navigation	N/A	N/A / No Involvement	US Coast Guard	07/17/2014
Navigation	0	None	Federal Highway Administration	10/23/2014
<b>Special Designations</b>				
Special Designations	0	None	US Environmental Protection Agency	08/24/2014
Special Designations	0	None	South Florida Water Management District	08/18/2014
Special Designations	0	None	Federal Highway Administration	10/24/2014

## ETAT Reviews and Coordinator Summary: Social and Economic

### Land Use Changes

#### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

#### Comments:

FDEO reported that the project is compatible with the development goals of the City of Boynton Beach. FDEO noted that the project is not located in an Area of Critical State Concern or within the Coastal High Hazard Area and does not encroach on a military base; however, since the project is located near public parks, impacts to Section 4(f) resources should be analyzed. The project is included in the FY 2014 - 2019 FDOT Work Program, the Strategic Intermodal System Cost Feasible Plan 2024 - 2040, and the Palm Beach Metropolitan Planning Organization (MPO) FY 2015 - 2019 Transportation Improvement Program (TIP); it is not identified in the Palm Beach MPO Cost Feasible 2035 Long Range Transportation Plan (LRTP) or the State Transportation Improvement Program (STIP). Since the project is intended to enhance access to the City's established Community Redevelopment Area and accommodate future mobility needs of the growing residential and commercial/office activities within the area (through enhanced traffic operations), a Summary DOE of Minimal has been assigned to the Land Use Changes issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach MPO and the City of Boynton Beach to obtain feedback from residents and businesses that may be impacted by the interchange improvement. FDOT District Four will also assess potential Section 4(f) impacts, as well as coordinate with the City of Boynton Beach and the Palm Beach MPO to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO LRTP and 2) funding is identified for all future project phases in the TIP, LRTP, STIP, and FDOT SIS Cost Feasible Plan.

**Degree of Effect:** 0 *None* assigned 08/11/2014 by Matt Preston, FL Department of Economic Opportunity

**Coordination Document:** No Involvement

#### Direct Effects

#### Identified Resources and Level of Importance:

*City of Boynton Beach Comprehensive Plan*, adopted in June, 2014.

#### Comments on Effects to Resources:

The proposed improvements are compatible with the *City of Boynton Beach Comprehensive Plan*, and the development goals of the City. Objective 2.10 and related policies ensure coordination with the Palm Beach MPO and the FDOT Work Plan.

The City's Comprehensive Plan does not include a *Future Transportation Map*. It is recommended that the City adopt a Future Transportation Map consistent with Section 163.3177(b)1, F.S.

The Future Land Use Map (FLUM) of the Comprehensive Plan shows several future land uses surrounding the project, including: Public & Private Governmental/Institutional, Recreation, Low Density Residential, Medium Density Residential, High Density Residential, Local Retail Commercial, Office Commercial, and Industrial.

The project is located within a quarter mile of Laurel Hills Park, a City of Boynton Beach Neighborhood Park. According to the City, the park is a small, basic neighborhood park consisting of open play space, a playground, and basketball courts. FDOT should analyze impacts to these 4(f) resources.

The project is not located in an Area of Critical State Concern, does not encroach on a military base, and is not located within the Coastal High Hazard Area.

#### Additional Comments (optional):

#### CLC Commitments and Recommendations:

**Degree of Effect:** 2 Minimal assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Land use zones have been identified in the area.

**Comments on Effects to Resources:**

Acquiring new R/W doesn't anticipates any land changes.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 Minimal assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

City of Boynton Beach Future Land Use Map

Palm Beach County Future Land Use Map

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 9.8 / 15.59%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 0.1 / 0.22%

- 1400 COMMERCIAL AND SERVICES / 17.0 / 26.90%

- 1411 SHOPPING CENTERS / 3.5 / 5.57%

- 1710 EDUCATIONAL FACILITIES / 4.9 / 7.77%

- 8120 RAILROADS AND RAILYARDS / 3.3 / 5.21%

- 8140 ROADS AND HIGHWAYS / 24.4 / 38.75%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Geocoded Parks (1)**

- GALAXY PARK

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 81.8 / 40.62%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 3.9 / 1.94%

- 1400 COMMERCIAL AND SERVICES / 48.7 / 24.18%

- 1411 SHOPPING CENTERS / 8.0 / 3.99%

- 1710 EDUCATIONAL FACILITIES / 17.1 / 8.49%

- 4340 UPLAND MIXED CONIFEROUS - HARDWOOD / 3.2 / 1.61%
- 5300 RESERVOIRS / 0.1 / 0.05%
- 8120 RAILROADS AND RAILYARDS / 6.7 / 3.32%
- 8140 ROADS AND HIGHWAYS / 31.8 / 15.81%

**1,320-Foot (Quarter-Mile) Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH
- BOYNTON BEACH CRA
- BOYNTON SOUTH
- LEISUREVILLE NORTH AREA

**Geocoded Parks (4)**

- BARTON MEMORIAL PARK
- GALAXY PARK
- HISBISCUS PARK
- LAUREL HILLS PARK

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 331.1 / 61.22%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 13.4 / 2.47%
- 1400 COMMERCIAL AND SERVICES / 99.3 / 18.36%
- 1411 SHOPPING CENTERS / 8.0 / 1.48%
- 1710 EDUCATIONAL FACILITIES / 17.7 / 3.28%
- 4340 UPLAND MIXED CONIFEROUS - HARDWOOD / 11.1 / 2.05%
- 5120 CHANNELIZED WATERWAYS - CANALS / 1.7 / 0.31%
- 5300 RESERVOIRS / 1.6 / 0.30%
- 8120 RAILROADS AND RAILYARDS / 9.3 / 1.72%
- 8140 ROADS AND HIGHWAYS / 47.6 / 8.8%

**Comments on Effects to Resources:**

The SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange occurs within the City of Boynton Beach, specifically within the City's established Community Redevelopment Area. The area surrounding the interchange is urbanized containing a mix of residential and commercial/office activities with pockets of industrial, institutional, and recreational land uses. According to the City of Boynton Beach Future Land Use Map, the area is to continue to primarily support residential and commercial/office activities as consistent with Community Redevelopment Area goals.

Effects on the area's character resulting from the interchange improvement are anticipated to be minimal as the limited additional right-of-way required for this proposed improvement is not expected to result in land changes.

**Transportation Plan Consistency:**

Funding for the project PD&E Study is programmed in the FY 2014 - 2019 FDOT Work Program (FM #435804-1) and the FY 2015 - 2019 Transportation Improvement Program (TIP) of the Palm Beach Metropolitan Planning Organization (MPO). The Strategic Intermodal System Cost Feasible Plan 2024 - 2040 additionally identifies this project. The SR-9/I-95 and SR-804/Boynton Beach Boulevard Interchange improvement is not included in the Cost-Feasible component of the Palm Beach MPO 2035 Long Range Transportation Plan (LRTP) or the State Transportation Improvement Program (STIP). Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance. The project is reflected on Map TE 14.1: Thoroughfare Right of Way Identification Map of the Palm Beach County Comprehensive Plan.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach MPO and the City of Boynton Beach to obtain feedback from residents and businesses that may be impacted by the interchange improvement. FDOT District Four will also coordinate with the City of Boynton Beach and the Palm Beach MPO to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO LRTP and 2) funding is identified for all future project phases in the TIP, LRTP, STIP, and FDOT SIS Cost Feasible Plan.

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## Social

### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/20/2014 by FDOT District 4

**Comments:**

FDEO reported that the project is compatible with the development goals of the City of Boynton Beach. FDEO noted that the project is not located in an Area of Critical State Concern or within the Coastal High Hazard Area and does not encroach on a military base; however, since the project is located near public parks, impacts to Section 4(f) resources should be analyzed. The project is included in the FY 2014 - 2019 FDOT Work Program, the Strategic Intermodal System Cost Feasible Plan 2024 - 2040, and the Palm Beach Metropolitan Planning Organization (MPO) FY 2015 - 2019 Transportation Improvement Program (TIP); it is not identified in the Palm Beach MPO Cost Feasible 2035 Long Range Transportation Plan (LRTP) or the State Transportation Improvement Program (STIP). Since the project is intended to enhance access to the City's established Community Redevelopment Area and accommodate future mobility needs of the growing residential and commercial/office activities within the area (through enhanced traffic operations), a Summary DOE of Minimal has been assigned to the Land Use Changes issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach MPO and the City of Boynton Beach to obtain feedback from residents and businesses that may be impacted by the interchange improvement. FDOT District Four will also assess potential Section 4(f) impacts, as well as coordinate with the City of Boynton Beach and the Palm Beach MPO to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO LRTP and 2) funding is identified for all future project phases in the TIP, LRTP, STIP, and FDOT SIS Cost Feasible Plan.

**Degree of Effect:** 3 *Moderate* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

Several social service facilities, group care facilities, and a health care facility within 200 foot of the project.

**Comments on Effects to Resources:**

In addition to impact to the above listed resources, the project is in an urban area with significant minority community. Social impacts are likely. The significance of the impact should be specifically assessed by a site specific Sociocultural Effect Evaluation. This assessment should also include short term impacts caused by construction during project implementation.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Geocoded Civic Centers (1)**

- HOLIDAY INN EXPRESS HOTELS

**Geocoded Government Buildings (1)**

- U.S. POST OFFICE - DOWNTOWN BOYNTON BEACH

**Geocoded Health Care Facilities (1)**

- FOOT HEALTH CENTER/ADULT & PEDIATRICS

**Geocoded Laser Facilities (1)**

- SNYDER & HODES, DPM, PA

**Geocoded Religious Centers (1)**

- CALVARY CHAPEL OF BOYNTON BEACH

**Geocoded Social Service Facilities (3)**

- EBLING CHIROPRACTIC

- LIGHTHOUSE ACADEMY

- SCHOOL DISTRICT OF PALM BEACH COUNTY

**Group Care Facilities (1)**

- LIGHTHOUSE ACADEMY & CHILD DEVELOPMENT

**Florida Site File Historic Standing Structures (2)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (2)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285

- 930289

**Noise Barriers (1)**

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH

- ROUTE 73 - BOYNTON BCH CROSSTOWN VIA BB BLVD

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION

- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (3)**

- I-95/SR 9

- CSX RR

- SR 804/BOYNTON BEACH BOULEVARD

**Railroads in the State of Florida**

- MAINLINE: 475.6478 Linear Feet

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Geocoded Civic Centers (1)**

- HOLIDAY INN EXPRESS HOTELS

**Geocoded Community Centers (1)**

- AMERICAN LEGION

**Geocoded Government Buildings (2)**

- CITY OF BOYNTON BEACH CITY HALL

- U.S. POST OFFICE - DOWNTOWN BOYNTON BEACH

**Geocoded Health Care Facilities (1)**

- FOOT HEALTH CENTER/ADULT & PEDIATRICS

**Geocoded Laser Facilities (1)**

- SNYDER & HODES, DPM, PA

**Geocoded Law Enforcement (1)**

- BOYNTON BEACH POLICE DEPARTMENT

**Geocoded Parks (1)**

- GALAXY PARK

**Geocoded Religious Centers (5)**

- CALVARY CHAPEL OF BOYNTON BEACH

- FIRST BAPTIST CHURCH BOYNTON

- FIRST PRESBYTERIAN CHURCH OF BOYNTON BEACH

- FIRST UNITED METHODIST CHURCH
- SEED FAITH MISSION

**Geocoded Schools (2)**

- GALAXY ELEMENTARY SCHOOL
- MORNINGSTAR SCHOOL

**Geocoded Social Service Facilities (4)**

- AMERICAN LEGION
- EBLING CHIROPRACTIC
- LIGHTHOUSE ACADEMY
- SCHOOL DISTRICT OF PALM BEACH COUNTY

**Geocoded Veteran Facilities (1)**

- AMERICAN LEGION

**Group Care Facilities (1)**

- LIGHTHOUSE ACADEMY & CHILD DEVELOPMENT

**Florida Site File Historic Standing Structures (22)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (15)
- INSUFFICIENT INFORMATION/NOT EVALUATED BY SHPO (4)
- INSUFFICIENT INFORMATION/ELIGIBLE FOR NRHP (1)
- LIKELY NRHP ELIGIBLE/NOT EVALUATED BY SHPO (1)
- NOT EVALUATED BY RECORDER/NOT EVALUATED BY SHPO (1)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285
- 930289

**Noise Barriers (1)**

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 73 - BOYNTON BCH CROSSTOWN VIA BB BLVD

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**Railroads in the State of Florida**

- MAINLINE: 2792.9215 Linear Feet

**1,320-Foot (Quarter-Mile) Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH
- BOYNTON BEACH CRA
- BOYNTON SOUTH
- LEISUREVILLE NORTH AREA

**Geocoded Civic Centers (1)**

- HOLIDAY INN EXPRESS HOTELS

**Geocoded Community Centers (1)**

- AMERICAN LEGION

**Geocoded Cultural Centers (2)**

- BOYNTON BEACH CITY LIBRARY
- SCHOOLHOUSE CHILDREN'S MUSEUM & LEARNING CENTER

**Geocoded Fire Stations (1)**

- BOYNTON BEACH FIRE DEPARTMENT AND RESCUE STATION 1

**Geocoded Government Buildings (2)**

- CITY OF BOYNTON BEACH CITY HALL

- U.S. POST OFFICE - DOWNTOWN BOYNTON BEACH

**Geocoded Health Care Facilities (1)**

- FOOT HEALTH CENTER/ADULT & PEDIATRICS

**Geocoded Homeowner and Condominium Associations (7)**

- BOYNTON CENTER #1 CONDO

- BOYNTON CENTER #2 CONDO

- BOYNTON CENTER #3 CONDO

- CASABLANCA ISLES CONDO

- MILLICENT CONDO

- PARK LANE CONDO

- VIVIENNE CONDO

**Geocoded Laser Facilities (1)**

- SNYDER & HODES, DPM, PA

**Geocoded Law Enforcement (1)**

- BOYNTON BEACH POLICE DEPARTMENT

**Geocoded Parks (4)**

- BARTON MEMORIAL PARK

- GALAXY PARK

- HISBISCUS PARK

- LAUREL HILLS PARK

**Geocoded Religious Centers (5)**

- CALVARY CHAPEL OF BOYNTON BEACH

- FIRST BAPTIST CHURCH BOYNTON

- FIRST PRESBYTERIAN CHURCH OF BOYNTON BEACH

- FIRST UNITED METHODIST CHURCH

- SEED FAITH MISSION

**Geocoded Schools (2)**

- GALAXY ELEMENTARY SCHOOL

- MORNINGSTAR SCHOOL

**Geocoded Social Service Facilities (8)**

- AMERICAN LEGION

- BOYNTON BEACH CITY - RECREATION, MADSEN SENIOR CENTER

- BOYNTON BEACH CITY - RECREATION & PARKS, ADMINISTRATION, CIVIC CENTER

- EBLING CHIROPRACTIC

- GIRTMANS TREASURE CHEST EARLY LEARNING CENTER

- LIGHTHOUSE ACADEMY

- SCHOOL DISTRICT OF PALM BEACH COUNTY

- NURTURING CHILD CARE

**Geocoded Veteran Facilities (1)**

- AMERICAN LEGION

**Group Care Facilities (8)**

- DAVE SARDO

- LIGHTHOUSE ACADEMY & CHILD DEVELOPMENT

- FIRST ANGEL

- FIRST UNITED METHODIST CHURCH

- SANDRA MCHERSON FOSTER CARE

- T.C.B. TAKING CARE BABIES

- TINA'S BABY CENTER, INC.

- TREASURE CHEST EARLY LEARNING

**Florida Site File Historic Standing Structures (69)**

- ELIGIBLE FOR NRHP (1)

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (55)

- INSUFFICIENT INFORMATION/NOT EVALUATED BY SHPO (10)

- INSUFFICIENT INFORMATION/ELIGIBLE FOR NRHP (1)

- LIKELY NRHP ELIGIBLE/NOT EVALUATED BY SHPO (1)

- NOT EVALUATED BY RECORDER/NOT EVALUATED BY SHPO (1)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**National Register of Historic Places (1)**

- BOYNTON SCHOOL [PB00171]

**Cultural Field Survey Areas (6)****FDOT RCI Bridges (2)**

- 930285

- 930289

**Noise Barriers (1)****Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH

- ROUTE 73 - BOYNTON BCH CROSSTOWN VIA BB BLVD

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION

- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (3)**

- I-95/SR 9

- CSX RR

- SR 804/BOYNTON BEACH BOULEVARD

**Railroads in the State of Florida**

- MAINLINE: 4619.8459 Linear Feet

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 331.1 / 61.22%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 13.4 / 2.47%

- 1400 COMMERCIAL AND SERVICES / 99.3 / 18.36%

- 1411 SHOPPING CENTERS / 8.0 / 1.48%

- 1710 EDUCATIONAL FACILITIES / 17.7 / 3.28%

- 4340 UPLAND MIXED CONIFEROUS - HARDWOOD / 11.1 / 2.05%

- 5120 CHANNELIZED WATERWAYS - CANALS / 1.7 / 0.31%

- 5300 RESERVOIRS / 1.6 / 0.30%

- 8120 RAILROADS AND RAILYARDS / 9.3 / 1.72%

- 8140 ROADS AND HIGHWAYS / 47.6 / 8.8%

**Comments on Effects to Resources:**

By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate the future travel demand projected as a result of Palm Beach County population and employment growth and 2) allow SR-9/I-95 to continue to serve as a critical arterial in facilitating the north-south movement of traffic in Southeast Florida as it connects major employment centers, residential areas, and other regional destinations between Miami-Dade, Broward and Palm Beach Counties.

The SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange occurs within the City of Boynton Beach, specifically within the City's established Community Redevelopment Area. The area surrounding the interchange is urbanized containing a mix of residential and commercial/office activities with pockets of industrial, institutional, and recreational land uses. According to the City of Boynton Beach Future Land Use Map, the area is to continue to primarily support residential and commercial/office activities as consistent with Community Redevelopment Area goals.

Community features that occur within the vicinity of the project include: one civic center, one community center, two cultural centers, one fire station, two government buildings (including the City of Boynton Beach City Hall), one health care facility, seven homeowner and condominium associations, one laser facility, one law enforcement facility, four parks, five religious centers, two schools, several social service and group care facilities, two bus transit routes, fixed-guideway transit service, two transportation disadvantaged services, railway, and cultural resources.

The table below presents the demographic data for both the 500-foot project buffer and Palm Beach County. According to the EST GIS analysis results, the demographic profile of the buffer area differs from the profile of Palm Beach County as a whole in that it contains a significantly higher African-American population percentage and a significantly lower White population percentage. The buffer area also contains a higher percentage of individuals under age 18 and a notably lower percentage of persons of age 65 or above compared to the county population. In addition, the buffer area has a higher percentage of housing units with no vehicle available and a lower median family income (\$24,067 less) compared to Palm Beach County.

**Demographic / 500-Foot Buffer / Palm Beach County**

White (Race)\* / 43.7% / 73.5%



African-American (Race)\* / 49.7% / 17.3%

"Other" \*\*\* (Race)\* / 6.6% / 9.2%

Hispanic (Ethnic Group)\* / 13.4% / 19.0%

Age 65+\*\* / 11.0% / 21.6%

Under Age 18\*\* / 23.1% / 20.4%

Housing Units with No Vehicle Available\*\* / 7.5% / 6.2%

Averaged Median Family Income\*\* / \$40,378 / \$64,445

\* Source: US Census Bureau (2010 US Census)

\*\* Source: US Census Bureau (2010 American Community Survey)

\*\*\* "Other" includes American Indian & Alaska Native, Asian, Native Hawaiian & Other Pacific Islander, & Other Race.

It should be noted that 34 census blocks within the 500-foot project buffer contain a minority population greater than 40%. A total of 3,237 individuals comprise the minority population of these census blocks. It should further be noted that 3,021 persons within the 500-foot project buffer (27.53% of the total buffer population) indicated a deficiency in English proficiency. Limited English Proficiency (LEP) accommodations will be required during the Project Development phase as the demographic data indicates that 5.0% or 1,000 persons or more in a project area speak a language other than English (per Part 1, Chapter 11, Section 11-1.2.4 of the FDOT PD&E Manual). Based on the notable presence of minority and low-income households within the buffer area, civil rights and environmental justice considerations will be accounted for in subsequent project phases.

The project is expected to support the vision of both Palm Beach County and the City of Boynton Beach as it will accommodate the expanding residential and commercial uses within the vicinity of the interchange, including goals of the established City of Boynton Beach Community Redevelopment Area. While access to residences and businesses could temporarily be affected and/or modified as a result of the interchange improvement, overall impacts of the project on the social environment and community cohesion are anticipated to be minimal.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from the general public to ensure that both the social and transportation needs of the community are addressed through the project.

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**Degree of Effect:** 2 *Minimal* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

The 100-through 1320 foot buffer identifies substantial minority populations (greater than 40%) and other populations that are considered traditionally underserved (such as aging) that will require specific outreach strategies.

**Comments on Effects to Resources:**

Access to residences and businesses could temporarily be affected and/or modified.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Relocation Potential**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

Minor right-of-way acquisition is proposed along SR-804/Boynton Beach Boulevard. No residences are expected to be impacted by the proposed right-of-way acquisition only businesses - specifically eleven commercial businesses located west of the interchange and eight businesses east of the interchange. While access to businesses could temporarily be affected and/or modified during project construction, no relocations are anticipated. For these reasons, a Summary DOE of Minimal has been assigned to the Relocation Potential issue.

Potential relocation effects will be assessed further during Project Development as more detailed and finalized project information regarding right-of-

way needs becomes available. The proposed interchange improvements will be adjusted so as to avoid or minimize impacts to identified features.

**Degree of Effect:** 2 *Minimal* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Relocations are not anticipated.

**Comments on Effects to Resources:**

A Conceptual Stage Relocation Plan will be prepared if relocations are determined to be necessary.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH
- BOYNTON BEACH CRA
- BOYNTON SOUTH
- LEISUREVILLE NORTH AREA

**Florida Site File Historic Standing Structures (2)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (2)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285
- 930289

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 9.8 / 15.59%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 0.1 / 0.22%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH
- BOYNTON BEACH CRA
- BOYNTON SOUTH
- LEISUREVILLE NORTH AREA

**Geocoded Parks (1)**

- GALAXY PARK

**Florida Site File Historic Standing Structures (22)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (15)
- INSUFFICIENT INFORMATION/NOT EVALUATED BY SHPO (4)
- INSUFFICIENT INFORMATION/ELIGIBLE FOR NRHP (1)
- LIKELY NRHP ELIGIBLE/NOT EVALUATED BY SHPO (1)
- NOT EVALUATED BY RECORDER/NOT EVALUATED BY SHPO (1)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285
- 930289

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 81.8 / 40.62%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 3.9 / 1.94%

**Comments on Effects to Resources:**

The interchange at SR-9/I-95 and SR-804/Boynton Beach Boulevard is a typical diamond configuration. SR-9/I-95 is currently a ten-lane divided interstate freeway with eight general use and two High Occupancy Vehicle (HOV) lanes. The existing right-of-way varies as it approaches the interchange, but the typical right-of-way ranges from approximately 355 to 550 feet. SR-804/Boynton Beach Boulevard is a six-lane divided urban principal arterial west of SR-9/I-95 and a four-lane divided urban minor arterial east of SR-9/I-95. The existing right-of-way varies from approximately 170 to 195 feet west of SR-9/I-95 and 80 to 200 feet east of SR-9/I-95. The proposed project is anticipated to occur within the existing right-of-way, for the most part.

Minor right-of-way acquisition is proposed along the westbound lanes (northern side) of SR-804/Boynton Beach Boulevard east and west of the interchange and along the eastbound lanes (southern side) of SR-804/Boynton Beach Boulevard east of the interchange. No residences are anticipated to be impacted by the proposed right-of-way acquisition, only businesses (specifically eleven commercial businesses located west of the interchange and eight businesses east of the interchange). However, all of these proposed right-of-way acquisitions are of such a minor nature that no relocations are anticipated. While access to businesses could temporarily be affected and/or modified during project construction, minimal involvement regarding relocation potential is anticipated.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

It is recommended that further assessment of relocation effects be conducted during the Project Development phase as more detailed and finalized project information regarding right-of-way needs becomes available. The proposed interchange improvements will be adjusted so as to avoid or minimize impacts to identified features.

**Farmlands**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 None assigned 11/20/2014 by FDOT District 4

**Comments:**

NRCS determined that there are no Prime, Unique or Locally Important Farmland soils within the 500-foot project buffer. In addition, the project is located within the Miami Urbanized Area. According to Part 2, Chapter 28, Section 28-2.1 of the FDOT PD&E Manual, transportation projects situated within urbanized areas with no adjacent present or future agricultural lands are excluded from Farmland Assessments. Since the project is located within a designated urban area anticipated to continue to support residential and commercial uses, a Summary DOE of None has been assigned to the Farmlands issue.

**Degree of Effect:** 0 None assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 07/14/2014 by Rick Allen Robbins, Natural Resources Conservation Service

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

Conducting GIS analysis of Prime Farmland (using USDA-NRCS data) and Important (Prime, Unique, Local) Farmland Analysis (using existing SWFWMD land use data and 2010 SSURGO data) has resulted in the determination that there are no Prime, Unique, or Locally Important Farmland soils within the 100 to 500 footbuffer width within the Project Area. There are Farmland Soil of Unique Importance at the 5,280 foot buffer width but this project is not expected to impact these soils. Therefore, no degree of effect to agricultural resources.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Aesthetic Effects**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

The project is consistent with the area's future land use vision as it is expected to enhance access to the established Community Redevelopment Area of the City of Boynton Beach and support growing residential and commercial activities. Given the urban nature of the surrounding project area, impacts to aesthetics/the existing visual environment should be limited. Therefore, a Summary DOE of Minimal has been assigned to the Aesthetic Effects issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit opinions and preferences from residents and businesses on potential project effects and general design concepts related to aesthetics.

**Degree of Effect:** 2 *Minimal* assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Florida Site File Historic Standing Structures (2)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (2)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285

- 930289

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 9.8 / 15.59%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 0.1 / 0.22%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH
- BOYNTON BEACH CRA
- BOYNTON SOUTH
- LEISUREVILLE NORTH AREA

**Geocoded Parks (1)**

- GALAXY PARK

**Florida Site File Historic Standing Structures (22)**

- INELIGIBLE FOR NRHP/NOT EVALUATED BY SHPO (15)
- INSUFFICIENT INFORMATION/NOT EVALUATED BY SHPO (4)
- INSUFFICIENT INFORMATION/ELIGIBLE FOR NRHP (1)
- LIKELY NRHP ELIGIBLE/NOT EVALUATED BY SHPO (1)
- NOT EVALUATED BY RECORDER/NOT EVALUATED BY SHPO (1)

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (2)**

- 930285
- 930289

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 81.8 / 40.62%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 3.9 / 1.94%

**Comments on Effects to Resources:**

Notable community features associated with aesthetics within the 500-foot project buffer include: 85.7 acres of residential uses, one park, and cultural resources. Impacts to aesthetics/the existing visual environment as a result of the interchange improvement are anticipated to be minimal given the urbanized nature of the area and the fact that the project supports the area's land use vision.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit opinions and preferences from residents and businesses on potential project effects and general design concepts related to aesthetics.

**Degree of Effect:** 2 *Minimal* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Barton Memorial Park, Galaxy Park, Galaxy Elementary School, City of Boynton Beach City Hall, Downtown Boynton Beach US Post Office, First

**Comments on Effects to Resources:**

Potential visual effects.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Economic**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

By improving operational capacity and overall traffic operations, the project is intended to accommodate future travel demand as a result of expanding commercial and residential uses within the vicinity of the interchange. In addition, the improvements will enhance access to SR-9/I-95 (from the east and west) and other major transportation facilities and employment centers (including freight facilities) of Southeast Florida. While no business relocations are anticipated, access to residences and businesses could temporarily be affected and/or modified during construction. Therefore, a Summary DOE of Minimal has been assigned to the Economic issue.

During Project Development, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from residents and businesses (located within the vicinity of the interchange) regarding potential economic enhancements/impacts (particularly access to businesses) as a result of the project.

**Degree of Effect:** 0 *None* assigned 08/11/2014 by Matt Preston, FL Department of Economic Opportunity

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

*City of Boynton Beach Comprehensive Plan*, adopted in June, 2014.

**Comments on Effects to Resources:**

The project is not located in a Rural Area of Critical Economic Concern (RACEC). Economic development as a result of the project would be related to improved traffic circulation to the City and the local businesses, and improved I-95 level of service.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Numerous businesses exist throughout the project corridor on the north and south side of Boynton Beach Boulevard, east and west of the existing interchange. Only temporary impacts are anticipated during construction.

**Comments on Effects to Resources:**

Temporary effects are anticipated during the construction.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Geocoded Government Buildings (1)**

- U.S. POST OFFICE - DOWNTOWN BOYNTON BEACH

**Railroads in the State of Florida**

- MAINLINE: 475.6478 Linear Feet

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (4)**

- BOYNTON BEACH

- BOYNTON BEACH CRA

- BOYNTON SOUTH

- LEISUREVILLE NORTH AREA

**Geocoded Government Buildings (2)**

- CITY OF BOYNTON BEACH CITY HALL

- U.S. POST OFFICE - DOWNTOWN BOYNTON BEACH

**Geocoded Law Enforcement (1)**

- BOYNTON BEACH POLICE DEPARTMENT

**Railroads in the State of Florida**

- MAINLINE: 2792.9215 Linear Feet

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 81.8 / 40.62%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 3.9 / 1.94%

- 1400 COMMERCIAL AND SERVICES / 48.7 / 24.18%

- 1411 SHOPPING CENTERS / 8.0 / 3.99%

- 1710 EDUCATIONAL FACILITIES / 17.1 / 8.49%

- 4340 UPLAND MIXED CONIFEROUS - HARDWOOD / 3.2 / 1.61%

- 5300 RESERVOIRS / 0.1 / 0.05%

- 8120 RAILROADS AND RAILYARDS / 6.7 / 3.32%

- 8140 ROADS AND HIGHWAYS / 31.8 / 15.81%

**Comments on Effects to Resources:**

The SR-9/I-95 at SR-804/Boynton Beach Boulevard interchange within the City of Boynton Beach, specifically within the City's established Community Redevelopment Area. The area surrounding the interchange is urbanized containing a mix of residential and commercial/office activities with pockets of industrial, institutional, and recreational land uses. According to the City of Boynton Beach Future Land Use Map, the area is to continue to primarily support residential and commercial/office activities as consistent with Community Redevelopment Area goals.

The project is expected to support the vision of both Palm Beach County and the City of Boynton Beach as it will accommodate the expanding residential and commercial uses within the vicinity of the interchange. By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate the future travel demand projected as a result of Palm Beach County population and employment growth, 2) allow for more efficient access to SR-9/I-95 from the east and west along SR-804/Boynton Beach Boulevard, and 3) maintain viable access to the major transportation facilities and employment centers of Southeast Florida (including connectors to freight activity centers/local distribution facilities or between the regional freight corridors).

While economic enhancements are generally expected since the improvements are consistent with economic development efforts of the area, access to residences and businesses could temporarily be affected and/or modified during construction; however, no business relocations are anticipated. Overall,

economic effects as a result of the interchange improvement are anticipated to be minimal.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from residents and businesses (located within the vicinity of the interchange) regarding potential economic enhancements/impacts (particularly access to businesses) as a result of the project.

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## Mobility

### Project Effects

**Coordinator Summary Degree of Effect:** 1 *Enhanced* assigned 11/20/2014 by FDOT District 4

**Comments:**

Through improved operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate future travel demand (thus achieving acceptable Levels of Service at the interchange), 2) allow SR-9/I-95 to continue to facilitate the north-south movement of local and regional traffic, 3) enhance access to SR-9/I-95 and other major transportation facilities and employment centers in Southeast Florida, 4) improve freight mobility, 5) enhance emergency evacuation and response times, and 6) reduce conflict points and the potential occurrence of rear-end collisions. Therefore, a Summary DOE of Enhanced has been assigned to the Mobility issue.

During Project Development, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit community opinions and preferences, targeting input from the transportation disadvantaged population, regarding the project.

**Degree of Effect:** 1 *Enhanced* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

### Direct Effects

**Identified Resources and Level of Importance:**

I-95 at Boynton Beach Blvd. interchange.

**Comments on Effects to Resources:**

Enhancement on access/mobility and congestion at this interchange.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 1 *Enhanced* assigned 08/21/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

### Direct Effects

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**FDOT RCI Bridges (2)**

- 930285

- 930289

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH

- ROUTE 73 - BOYNTON BCH CROSSTOWN VIA BB BLVD

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION

- MV CONTRACT TRANSPORTATION, INC.



**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**Railroads in the State of Florida**

- MAINLINE: 475.6478 Linear Feet

**500-Foot Buffer:****FDOT RCI Bridges (2)**

- 930285
- 930289

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 73 - BOYNTON BCH CROSSTOWN VIA BB BLVD

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (3)**

- I-95/SR 9
- CSX RR
- SR 804/BOYNTON BEACH BOULEVARD

**Railroads in the State of Florida**

- MAINLINE: 2792.9215 Linear Feet

**Number of Housing Units with No Vehicle Available: 322 (7.5%)**

**Comments on Effects to Resources:**

By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) achieve acceptable Levels of Service (LOS) at the interchange in the future condition by accommodating future travel demand projected as a result of Palm Beach County population and employment growth; 2) allow SR-9/I-95 to continue to serve as a critical arterial in facilitating the north-south movement of traffic in Southeast Florida as it connects major employment centers, residential areas, and other regional destinations between Miami-Dade, Broward and Palm Beach Counties; 3) allow for more efficient access to SR-9/I-95 and Florida's Turnpike from the east and west along SR-804/Boynton Beach Boulevard; and 4) enhance freight mobility by maintaining viable access to the major transportation facilities and businesses of the area (including connectors to freight activity centers/local distribution facilities or between the regional freight corridors).

Further, as both SR-9/I-95 and SR-804/Boynton Beach Boulevard serve as part of the emergency evacuation route network designated by the Florida Division of Emergency Management, the proposed project is anticipated to enhance emergency evacuation and response times by 1) improving connectivity and accessibility to SR-9/I-95 and other major arterials designated on the state evacuation route network and 2) increasing the number of residents that can be evacuated during an emergency event through expanded operational capacity.

The interchange improvement is also anticipated to provide free-flow movements and additional storage lengths which, in turn, will reduce conflict points and the potential occurrence of rear-end collisions.

While potential temporary impacts to residences and businesses may occur during project construction as a result of alterations to vehicular access, the proposed project is anticipated to enhance overall access/mobility options and ease traffic congestion at the interchange during peak traffic periods.

**Additional Comments (optional):****CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit community opinions and preferences, targeting input from the transportation disadvantaged population, regarding the project.

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**ETAT Reviews and Coordinator Summary: Cultural**

## Section 4(f) Potential

### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/21/2014 by FDOT District 4

**Comments:**

Potentially protected Section 4(f) resources reported within the 200-foot project buffer include Barton Memorial Park and Galaxy Park. Access to these recreational features could be temporarily impeded and/or modified by project construction. In addition, unrecorded cultural resources (eligible or potentially eligible for listing in the National Register of Historic Places) may exist since a comprehensive survey has not been conducted for the project area. For these reasons, a Summary DOE of Minimal has been assigned to the Section 4(f) Potential issue.

During Project Development, a Section 4(f) Determination of Applicability (DOA) will be conducted in coordination with FHWA (in accordance with Part 2, Chapter 13 of the FDOT PD&E Manual) to determine the extent of Section 4(f) involvement and focus any required documents on the avoidance and/or minimization of impacts.

**Degree of Effect:** 3 *Moderate* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

Barton Memorial Park and Galaxy Park have been identified within the buffer zone. Other surveys and studies will take place in order to identify any other resources and their level of importance.

**Comments on Effects to Resources:**

It has been identified the potential effect on the access to both Barton Memorial Park and Galaxy Park during the construction phase. Studies and surveys will provide more information regarding any effects on this or other resources.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** N/A *N/A / No Involvement* assigned 08/14/2014 by Steve Bohl, FL Department of Agriculture and Consumer Services

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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## Historic and Archaeological Sites

### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/20/2014 by FDOT District 4

**Comments:**

FDOS commented that there is one known significant resource in the project area (the Seaboard Air Line Railway); other recorded structures of potential significance within the area have not been evaluated to date by the SHPO. FDOS also indicated that four neighborhoods within the immediate project vicinity may be historic districts; while portions of all four have been surveyed, none have been evaluated by the SHPO. For these reasons and due to the possible presence of unrecorded cultural resources [eligible or potentially eligible for listing in the National Register of Historic Places (NRHP)] within the project area, a Summary DOE of Moderate has been assigned to the Historic and Archaeological Sites issue.

During Project Development, a Cultural Resource Assessment Survey will be conducted (in accordance with Part 2, Chapter 12 of the FDOT PD&E Manual) to determine the presence of historic, cultural and archeological resources in the area and evaluate their eligibility for listing in the NRHP. Any potential impacts to such resources will be avoided and/or minimized during the process.

**Degree of Effect:** 3 *Moderate* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

##### Identified Resources and Level of Importance:

One State Historic Preservation Officer (SHPO) Resource Group (Seaboard Air Line Railroad (PB12917)), as well as 20 SHPO structures have been identified within 500 feet of the proposed interchange improvements.

##### Comments on Effects to Resources:

Need to be identified during the CRAS report to identify other resources and identify eligibility and possible effects.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** **3** *Moderate* assigned 08/07/2014 by Ginny Leigh Jones, FL Department of State

**Coordination Document:** PD&E Support Document As Per PD&E Manual

##### Coordination Document Comments:

As proposed in the PED, the project area should be comprehensively surveyed for cultural resources. All cultural resources, including potential historic districts, within the area of potential effect should be documented and assessed for NRHP eligibility. The resultant survey report shall conform to the specifications set forth in Chapter 1A-46 Florida Administrative Code, FDOT PD&E Manual Part 2, Chapter 12 and will need to be forwarded to this agency (or the appropriate Federal Agency) for review and comment.

#### Direct Effects

##### Identified Resources and Level of Importance:

As reported in the Preliminary Environmental Discussion (PED) there are potential significant resources adjacent to the current project corridor. There are some recorded structures, but they have not been evaluated by the State Historic Preservation Officer (SHPO). These structures are associated with residential developments that are visible in the 1953 aerials.

The 1953 aerials demonstrate the typical development in Florida - settlement first began along the coast and transportation corridors and moved towards the center of the state. Following this pattern in the current project area, the neighborhoods east of the Seaboard Air Line Railway (PB12102) are more established than those west of PB12102. West of PB12102, Boynton Beach Drive is in its original location (now called Old Boynton Beach Drive). PB12102 is extant and there are a few industrial buildings constructed alongside it. The 4 neighborhoods at the intersection of I-95/PB12102 and Boynton Beach Drive have the potential to be historic districts. Portions of all four have been surveyed, but not officially evaluated by the SHPO.

The 1968 aerials show continued development of the project area and the presence of I-95 alongside PB12102.

There is one known significant resource in the project corridor - the Seaboard Air Line Railway (PB12102).

##### Comments on Effects to Resources:

Since the Seaboard Air Line Railway (PB12102) is directly within the proposed project, the impacts of the proposed project on the resource should be evaluated as part of the consultation during the PD&E Phase of the project.

The potential for direct impacts to adjacent resources depends on the amount of new Right-of-Way (ROW) needed for the proposed project. If other significant resources are identified in the project area of potential effect (APE) the impact of the proposed project on them should be evaluated as part of the PD&E process.

##### Additional Comments (optional):

As proposed in the PED, the project area should be comprehensively surveyed for cultural resources. All cultural resources, including potential historic districts, within the area of potential effect should be documented and assessed for NRHP eligibility. The resultant survey report shall conform to the specifications set forth in Chapter 1A-46 Florida Administrative Code, FDOT PD&E Manual Part 2, Chapter 12 and will need to be forwarded to this agency (or the appropriate Federal Agency) for review and comment.

##### CLC Commitments and Recommendations:

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## Recreation Areas

### Project Effects

**Coordinator Summary Degree of Effect:** **3** *Moderate* assigned 11/21/2014 by FDOT District 4

**Comments:**

While the two parks within the 200-foot buffer, Barton Memorial Park and Galaxy Park, are not anticipated to be directly impacted by the project, access to these features may be temporarily affected during project construction. For this reason, a Summary DOE of Minimal has been assigned to the Recreation Areas issue.

An assessment of potential impacts to recreational features/areas will be conducted during Project Development. Future environmental documentation will include an evaluation of the direct, indirect, and cumulative impacts of the proposed project and construction on any public lands and proposed acquisition sites. Impacts will be avoided and/or minimized during the process. FDOT District Four will coordinate with the appropriate agencies concerning the necessary studies, documentation and commitments needed to adequately address any identified resources in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 3 *Moderate* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Barton Memorial Park and Galaxy Park has been identified within the 200-ft project buffer.

**Comments on Effects to Resources:**

Impacts during construction phase are expected in the access of the resources.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/22/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

## CLC Commitments and Recommendations:

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**Degree of Effect:** N/A N/A / No Involvement assigned 08/01/2014 by Anita Barnett, National Park Service

**Coordination Document:** No Involvement

### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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## ETAT Reviews and Coordinator Summary: Natural

### Wetlands

#### Project Effects

**Coordinator Summary Degree of Effect:** 2 Minimal assigned 11/20/2014 by FDOT District 4

#### Comments:

USACE stated that if work is to be performed within waters of the United States (includes existing ditches, canals, etc.) to improve the stormwater management system, a nationwide permit would likely be required. SFWMD also noted that an Environmental Resource Permit and Water Use Permit may be necessary. While a series of canals and one stormwater retention pond exist within the project area, 0.1 acre of palustrine wetlands is reported within the 500-foot project buffer. Due to the limited amount of wetlands within the vicinity of the project and the fact that no impacts to this resource or surface waters are anticipated, a Summary DOE of Minimal has been assigned to the Wetlands issue.

During Project Development, potential wetland impacts will be evaluated through a Wetlands Evaluation Technical Memorandum to be prepared in accordance with Part 2, Chapter 18 of the FDOT PD&E Manual. All necessary measures will be taken to avoid and/or minimize impacts to wetlands to the greatest extent practicable during project design. Should avoidance and/or minimization not be practicable, a Mitigation Plan will be prepared. In addition, existing compensatory mitigation sites within the area of influence will be identified and reviewed. Further, best management practices will be utilized during project construction and all applicable permits (including an Environmental Resource Permit) will be obtained in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** 2 Minimal assigned 08/12/2014 by Brandon Howard, National Marine Fisheries Service

**Coordination Document:** No Involvement

### Direct Effects

**Identified Resources and Level of Importance:**

None

**Comments on Effects to Resources:**

None

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 07/11/2014 by John Wrublik, US Fish and Wildlife Service

**Coordination Document:** To Be Determined: Further Coordination Required

**Direct Effects**

**Identified Resources and Level of Importance:**

Wetlands

**Comments on Effects to Resources:**

Wetlands provide important habitat for fish and wildlife. If wetlands are found within the project area, we recommend that these valuable resources be avoided to the greatest extent practicable. If impacts to these wetlands are unavoidable, we recommend the FDOT provide mitigation that fully compensates for the loss of important resources.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/22/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** Permit Required

**Direct Effects**

**Identified Resources and Level of Importance:**

The National Wetlands Inventory GIS report indicates that there are 0.1 acres of palustrine wetlands within the 500-ft. project buffer zone.

**Comments on Effects to Resources:**

If new impervious area is proposed, an environmental resource permit (ERP) would likely be required from the South Florida Water Management District for stormwater management at the site.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Garrett Lips, US Army Corps of Engineers

**Coordination Document:** Permit Required

**Coordination Document Comments:**

If work within waters of the United States (includes existing ditches, canals, etc) is needed to improve the stormwater management system a nationwide permit would likely be required.

**Direct Effects**

**Identified Resources and Level of Importance:**

No wetlands or navigable waters are present. Low ecological quality waters may be present.

**Comments on Effects to Resources:**

Minor filling may be needed for stormwater management system improvements, but no ecological losses are anticipated.

**Additional Comments (optional):**

If work within waters of the United States (includes existing ditches, canals, etc) is needed to improve the stormwater management system a nationwide permit would likely be required.

**CLC Commitments and Recommendations:**

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## Water Quality and Quantity

### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

No impaired waters are located within the project vicinity; however, the project may result in construction related disturbances as well as additional stormwater treatment and right-of-way for retention/detention ponds or swales to meet regulatory water quality criteria. SFWMD identified an existing Environmental Resource Permit (50-04473-P) that could potentially be modified to include the project improvements; the permit must meet the criteria of Applicant's Handbook Volume II. Based on the foregoing, a Summary DOE of Minimal has been assigned to the Water Quality and Quantity issue.

During Project Development, FDOT District Four will conduct a Water Quality Impact Evaluation (in accordance with Part 2, Chapter 20 of the FDOT PD&E Manual) and coordinate with all relevant agencies for the design of the proposed stormwater system and the requirements for stormwater treatment, evaluating existing stormwater treatment adequacy and details on the future stormwater treatment facilities. All necessary permits will be obtained in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** 0 *None* assigned 08/22/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** Permit Required

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Additional impervious area.

**Comments on Effects to Resources:**

Additional stormwater treatment, potential need for additional right-of-way to provide for the creation of retention/detention ponds or swales to meet regulatory stormwater treatment and water quality criteria, and potential impacts from construction related disturbances.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

An Environmental Resource Permit modification is necessary unless the project can demonstrate qualification for a general permit or an exemption. Permit 50-04473-P appears to include the project area for I-95.

**Direct Effects**

**Identified Resources and Level of Importance:**

Surface waters of the State and flood protection

**Comments on Effects to Resources:**

No adverse water quality or quantity impacts are anticipated. The project must meet the criteria to obtain an Environmental Resource Permit, including the water quality and quantity criteria in Applicant's Handbook Volume II.

**Additional Comments (optional):**

An Environmental Resource Permit modification is necessary unless the project can demonstrate qualification for a general permit or an exemption. Permit 50-04473-P appears to include the project area for I-95.

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Floodplains**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 *None* assigned 11/20/2014 by FDOT District 4

**Comments:**

The proposed interchange improvements will not encroach into any special flood zone hazard areas (100-year floodplain). Therefore, a Summary DOE of None has been assigned to the Floodplains issue.

**Degree of Effect:** 0 *None* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District



**Coordination Document:** Permit Required

**Coordination Document Comments:**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Wildlife and Habitat**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

The interchange is within the South Florida Ecosystem Management Area; FWS Consultation Areas for the Florida scrub-jay, West Indian Manatee, and Atlantic Coast Plants; and Core Foraging Areas of four active nesting Wood Stork colonies. FWC indicated that the only significant area of natural habitat along the alignment (adjacent to the I-95 right-of-way) is a strip of remnant xeric scrub that is north and west of the Galaxy Elementary School campus located in the northeast quadrant of the interchange. FWC stated that impacts could be minimized if construction takes place in previously disturbed sites and avoids the remaining xeric scrub area or other natural areas. For these reasons and given the urban nature of the area, a Summary DOE of Minimal has been assigned to the Wildlife and Habitat issue.

The final design of the project will avoid and/or minimize impacts to wetlands/wildlife and habitat to the greatest extent practicable (including confining new DRAs to previously disturbed sites), and best management practices will be utilized during project design and construction; appropriate mitigation will also be provided for unavoidable impacts. During Project Development, an Endangered Species Biological Assessment will be prepared in compliance with Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 et seq) and in accordance with Part 2, Chapter 27 of the FDOT PD&E Manual. FWC stated that 1) plant community mapping/wildlife surveys are to be performed along the right-of-way and within sites proposed for Drainage Retention Areas, 2) permits are to be obtained if gopher tortoises or nests of other listed species are present within any permanent or temporary construction areas, and 3) a compensatory mitigation plan is to be prepared including the replacement of any wetland, upland, or aquatic habitat lost as a result of the project. USFWS indicated that a functional assessment using the USFWS's Wood Stork Foraging Analysis Methodology is required on the foraging habitat to be impacted and the foraging habitat provided as mitigation for projects that impact 5 or more acres of wood stork foraging habitat.

**Degree of Effect:** 0 *None* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 Minimal assigned 08/05/2014 by Scott Sanders, FL Fish and Wildlife Conservation Commission

**Coordination Document:** To Be Determined: Further Coordination Required

#### Direct Effects

##### Identified Resources and Level of Importance:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed ETDM #14180, Palm Beach County, and provides the following comments related to potential effects to fish and wildlife resources of this Programming Phase project.

The Project Description Summary states that this project involves increasing the capacity and safety of the I-95 interchange at Boynton Beach Boulevard (SR 804) in the City of Boynton Beach through the addition of turn lanes and ramp lanes. The Project Description did not address the potential need for new Drainage Retention Areas (DRAs) to handle the additional stormwater runoff from the expanded roadway.

An assessment of the project area was performed on lands within 500 feet of the proposed alignment to determine potential impacts to habitat which supports listed species and other fish and wildlife resources. Our inventory included a review of aerial and ground-level photography, various wildlife observation and landcover data bases, along with coordination with FWC biologists and other State and Federal agencies. A GIS analysis was performed using the Florida Department of Transportation's (FDOT) Environmental Screening Tool to determine the potential quality and extent of upland and wetland habitat, and other wildlife and fisheries resource information. We have reviewed the Preliminary Environmental Discussion Comments Report provided by the FDOT, and offer the following comments and recommendations.

Our assessment reveals that the project area is predominantly residential, commercial, and institutional development, with 97.78% classified as High or Low Impact Urban. The only significant area of natural habitat along the alignment is a strip of remnant xeric scrub that is north and west of the Galaxy Elementary School campus located in the northeast quadrant of the interchange. This scrub remnant is adjacent to the I-95 Right-of-way (ROW), and was once part of a larger scrub system that included much of the ROW (before interstate construction) at this location.

Based on range and preferred habitat type, the following species listed by the Federal Endangered Species Act and the State of Florida as Federally Endangered (FE), Federally Threatened (FT), State-Threatened (ST), or State Species of Special Concern (SSC) have the potential to occur in the project area: gopher frog (SSC), Eastern indigo snake (FT), Florida pine snake (SSC), gopher tortoise (T), least tern (T), limpkin (SSC), snowy egret (SSC), little blue heron (SSC), tricolored heron (SSC), white ibis (SSC), wood stork (FE), burrowing owl (SSC), and Florida mouse (SSC). Florida scrub jays (FE) once occupied the xeric scrub around this interchange, but are no longer present because nearly all of their habitat has been developed. FWC wildlife biologists have documented a population of gopher tortoises in the remnant scrub near Galaxy Elementary School, and it is possible that they utilize the sandy soils along the edge of the ROW. Wading birds may utilize the drainage ditches and stormwater ponds in the project area. The project is within the 15-mile-radius core foraging area of three wood stork colonies, and is within the U.S. Fish and Wildlife Service Consultation Areas for Scrub Jay, Manatee, and Atlantic Coast Plants.

Primary wildlife issues associated with this project include: potential adverse effects to a moderate number of species listed by the Federal Endangered Species Act as Endangered or Threatened, or by the State of Florida as Threatened or Species of Special Concern; and potential water quality degradation as a result of additional stormwater runoff from the new roadway surface entering drainage canals and ultimately the Lake Worth Lagoon.

##### Comments on Effects to Resources:

Based on the project information provided, we believe that direct and indirect effects of this project could be minimal, provided that roadway construction avoids the remaining xeric scrub area, any new DRAs are not constructed within areas of natural habitat, and degradation of adjacent or downstream water quality is avoided via inclusion of Best Management Practices in the project design.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** 2 Minimal assigned 07/11/2014 by John Wrublik, US Fish and Wildlife Service

**Coordination Document:** To Be Determined: Further Coordination Required

#### Direct Effects

##### Identified Resources and Level of Importance:

Federally listed species and fish and wildlife resources

##### Comments on Effects to Resources:

Federally-listed species -

The Service has reviewed our Geographic Information Systems (GIS) database for recorded locations of Federally listed threatened and endangered

species on or adjacent to the project study area. The GIS database is a compilation of data received from several sources. Based on review of our GIS database, the Service notes that the following Federally listed species may occur in or near the project area.

#### Wood Stork

The project corridor is located in the Core Foraging Areas (CFA)(within 18.6 miles ) of four active nesting colonies of the endangered wood stork (*Mycteria americana*). The Service believes that the loss of wetlands within a CFA due to an action could result in the loss of foraging habitat for the wood stork. To minimize adverse effects to the wood stork, we recommend that any lost foraging habitat resulting from the project be replaced within the CFA of the affected nesting colony. Moreover, wetlands provided as mitigation should adequately replace the wetland functions lost as a result of the action. The Service does not consider the preservation of wetlands, by itself, as adequate compensation for impacts to wood stork foraging habitat, because the habitat lost is not replaced. Accordingly, any wetland mitigation plan proposed should include a restoration, enhancement, or creation component. In some cases, the Service accepts wetlands compensation located outside the CFA of the affected wood stork nesting colony. Specifically, wetland credits purchased from a "Service Approved" mitigation bank located outside of the CFA would be acceptable to the Service, provided that the impacted wetlands occur within the permitted service area of the bank.

For projects that impact 5 or more acres of wood stork foraging habitat, the Service requires a functional assessment be conducted using our "Wood Stork Foraging Analysis Methodology" (Methodology) on the foraging habitat to be impacted and the foraging habitat provided as mitigation. The Methodology can be found at: <http://www.fws.gov/verobeach/ListedSpeciesBirds.html> .

The Service believes that the following federally listed species have the potential to occur in or near the project site: eastern indigo snake (*Drymarchon couperi* = *Drymarchon corais couperi*), West Indian manatee (*Trichechus manatus*), and wood stork. Accordingly, the Service recommends that the Florida Department of Transportation (FDOT) prepare a Biological Assessment for the project (as required by 50 CFR 402.12) during the FDOT's Project Development and Environment process.

#### Fish and Wildlife Resources -

Wetlands provide important habitat for fish and wildlife. If wetlands are found within the project area, we recommend that these valuable resources be avoided to the greatest extent practicable. If impacts to these wetlands are unavoidable, we recommend the FDOT provide mitigation that fully compensates for the loss of important resources.

#### Additional Comments (optional):

#### CLC Commitments and Recommendations:

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### Coastal and Marine

#### Project Effects

**Coordinator Summary Degree of Effect:** 0 None assigned 11/20/2014 by FDOT District 4

#### Comments:

As the project is located approximately three miles west of the Atlantic Ocean and Intracoastal Waterway, it is not within an area considered to have coastal or marine resources. The NMFS indicated that the proposed work would not directly impact areas that support essential fish habitat (EFH), NOAA trust fishery resources, or wetland areas that support NOAA trust fishery resources. As such, this project will not require an Essential Fish Habitat Assessment, nor is further consultation with the NMFS necessary unless future modifications to the project could result in adverse impacts to EFH. For these reasons, a Summary DOE of None has been assigned to the Coastal and Marine issue.

**Degree of Effect:** 0 None assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

#### Coordination Document Comments:

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

#### Direct Effects

#### Identified Resources and Level of Importance:

#### Comments on Effects to Resources:

#### Additional Comments (optional):

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 *None* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 *None* assigned 08/12/2014 by Brandon Howard, National Marine Fisheries Service

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**

None

**Comments on Effects to Resources:**

None

**Additional Comments (optional):**

#### CLC Commitments and Recommendations:

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## ETAT Reviews and Coordinator Summary: Physical

### Noise

#### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

#### Comments:

Noise sensitive receptors identified within a quarter-mile buffer of the interchange improvements include: one hotel, one funeral home, one health care facility, one laser facility, group care facilities, schools, churches, parks, cultural resources, and single family homes. Currently, there are no sound barriers along the interchange. Although increased noise levels during construction could have potential short-term impacts on nearby residences and businesses, overall noise and vibration related impacts as a result of the project are anticipated to be minor. Therefore, a Summary DOE of Minimal has been assigned to the Noise issue.

During Project Development, a Noise Study Report will be prepared in accordance with Part 2, Chapter 17 of the FDOT PD&E Manual.

**Degree of Effect:** 2 *Minimal* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

Noise sensitive receptors were identified within 1,000 ft of the interchange improvements.

**Comments on Effects to Resources:**

Effects during the construction could have short-term effects on receptors. A study report will be prepared to determine potential noise effects.

**Additional Comments (optional):**

#### CLC Commitments and Recommendations:

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## Air Quality

## Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

### Comments:

The project is not located within a USEPA-designated Air Quality Maintenance or Non-Attainment Area for any of the four pollutants (nitrogen oxides, ozone, carbon monoxide, and small particulate matter) specified by the USEPA in National Ambient Air Quality Standards. Therefore, the Clean Air Act conformity requirements do not apply to this project at this time. While temporary impacts to air quality could occur during project construction as a result of fugitive dust and exhaust emissions, no permanent effects to air quality are anticipated. Overall, minor air quality improvement could result due to reduced emissions from idling traffic with the expansion of operational capacity. Based on the foregoing, a Summary DOE of Minimal has been assigned to the Air Quality issue.

During Project Development, an Air Quality Technical Memorandum will be prepared in accordance with Part 2, Chapter 16 of the FDOT PD&E Manual.

**Degree of Effect:** 2 *Minimal* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

### Direct Effects

#### Identified Resources and Level of Importance:

Air quality

#### Comments on Effects to Resources:

Temporary impacts could occur during construction phase. No permanent effect are anticipated.

#### Additional Comments (optional):

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

### Direct Effects

#### Identified Resources and Level of Importance:

#### Comments on Effects to Resources:

#### Additional Comments (optional):

#### CLC Commitments and Recommendations:

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## Contamination

### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/20/2014 by FDOT District 4

### Comments:

FDEP and USEPA reported several potential contamination sites within the 500-foot project buffer including: three hazardous waste facilities, eight petroleum contamination monitoring sites, thirteen storage tank contamination monitoring sites, four Super Act risk sources, and five USEPA RCRA-regulated facilities. Due to the presence and proximity of these facilities (including potential previous contamination from these sites) and potential presence of hazardous substances associated with the existing bridge over the South Florida Rail Corridor/CSX Railroad line, a Summary DOE of Moderate has been assigned to the Contamination issue.

Contamination (including any required permits) will be evaluated during Project Development in accordance with federal, state and local laws and regulations. A Contamination Screening Evaluation Report (similar to Phase I and Phase II Audits) will be prepared in accordance with Part 2, Chapter 22 of the FDOT PD&E Manual, including site specific surveys to assess existing known subsurface contamination and proximity to construction activities, as well as historical contamination release. Contingency Plans/"Special Provisions for Unidentified Areas of Contamination" shall be included in the project's construction contract documents. These provisions will specify procedures to follow in the event any hazardous material or suspected contamination is encountered during construction or should there be any construction-related spills.

**Degree of Effect:** 3 *Moderate* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

##### Identified Resources and Level of Importance:

Groundwater aquifer and soils

##### Comments on Effects to Resources:

several potential subsurface contamination sites exist within the 500 foot buffer including 3 RCRA regulated sites, and many petroleum storage tank monitoring sites. EPA recommends a site specific assessment to assess specific contamination that may exist. Construction in areas of subsurface contamination may mobilize contaminants. Therefore, remediation and contingency plans to address and manage hazardous substances, contamination and contaminated media must be in place.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** **3** *Moderate* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

##### Identified Resources and Level of Importance:

Potential contamination monitoring sites including an existing bridge need to be evaluated.

##### Comments on Effects to Resources:

Effects need to be evaluated and addressed.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** **0** *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

##### Coordination Document Comments:

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

#### Direct Effects

##### Identified Resources and Level of Importance:

##### Comments on Effects to Resources:

##### Additional Comments (optional):

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

##### CLC Commitments and Recommendations:

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**Degree of Effect:** **3** *Moderate* assigned 08/22/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** To Be Determined: Further Coordination Required

#### Direct Effects

##### Identified Resources and Level of Importance:

GIS data indicates that there are 3 hazardous waste facilities, 8 petroleum contamination monitoring sites, 13 storage tank contamination monitoring sites and 5 RCRA regulated facilities within the 500-ft. project buffer zone.

##### Comments on Effects to Resources:

A Contamination Screening Evaluation (similar to Phase I and Phase II Audits) will need to be conducted along the project right-of-way in considering the proximity to known petroleum and hazardous material handling facilities. The Contamination Screening Evaluation should outline specific procedures that would be followed by the applicant in the event drums, wastes, tanks or potentially contaminated soils are encountered during construction. Special attention should be made in the screening evaluation to historical land uses (such as solid waste disposal) that may have an effect on the proposed project, including any stormwater retention and treatment areas.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Infrastructure**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

Infrastructure-related features identified within the 500-foot project buffer include five compliance and enforcement tracking facilities, five onsite sewage facilities, and the South Florida Rail Corridor/CSX Railroad (located immediately west of the existing interchange). Although the bridge over the existing railroad tracks will be widened, it should have no impact on the existing rail corridor. Given the few features identified and the limited amount of right-of-way acquisition proposed for this project, a Summary DOE of Minimal has been assigned to the Infrastructure issue.

During Project Development, FDOT District Four will coordinate with all appropriate agencies to adequately address potential project effects on infrastructure and acquire all necessary permits.

**Degree of Effect:** 2 *Minimal* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

South Florida Rail Corridor/CSX Railroad. Minimal effects or disruption is expected to occur to the railroad.

**Comments on Effects to Resources:**

Minimal effects or disruption is expected to occur to the railroad.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Navigation**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 *None* assigned 11/20/2014 by FDOT District 4

**Comments:**

USACE stated that if work is to be performed within waters of the United States (includes existing ditches, canals, etc.) to improve the stormwater management system, a nationwide permit would likely be required. The proposed project is not anticipated to impact the navigation of any canal or surface water within the area. Therefore, a Summary DOE of None has been assigned to the Navigation issue.

**Degree of Effect:** 0 *None* assigned 08/18/2014 by Garrett Lips, US Army Corps of Engineers

**Coordination Document:** Permit Required

**Coordination Document Comments:**

If work within waters of the United States (includes existing ditches, canals, etc.) is needed to improve the stormwater management system a nationwide permit would likely be required.

**Direct Effects**

**Identified Resources and Level of Importance:**

No wetlands or navigable waters are present. Low ecological quality waters may be present.

**Comments on Effects to Resources:**

Minor filling may be needed for stormwater management system improvements, but no ecological losses are anticipated.

**Additional Comments (optional):**

If work within waters of the United States (includes existing ditches, canals, etc.) is needed to improve the stormwater management system a nationwide permit would likely be required.

**CLC Commitments and Recommendations:**

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**Degree of Effect:** N/A *N/A / No Involvement* assigned 07/17/2014 by Randall D Overton, US Coast Guard

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

No Coast Guard involvement

**Comments on Effects to Resources:**

No Coast Guard involvement

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 10/23/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**ETAT Reviews and Coordinator Summary: Special Designations**

**Special Designations**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 *None* assigned 11/20/2014 by FDOT District 4

**Comments:**

There are no Outstanding Florida Waters, aquatic preserves, scenic highways/byways, or wild or scenic rivers reported within the project vicinity. Therefore, no impacts to these resources are anticipated and a Summary DOE of None has been assigned to the Special Designations issue.

**Degree of Effect:** 0 *None* assigned 08/24/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

Environmental Resource Permit and Water Use Permit (for construction dewatering if the project does not qualify for the permit by rule).



**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 10/24/2014 by Luis D Lopez, P.E., Federal Highway Administration

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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## Eliminated Alternatives

There are no eliminated alternatives for this project.

## Project Scope

### General Project Commitments

Date	Description
11/21/2014	<p>FDOT commits to the following technical studies: 1. Air Quality Technical Memorandum, 2. Contamination Screening Evaluation Report, 3. Cultural Resource Assessment Survey, 4. Endangered Species Biological Assessment, 5. Noise Study Report, 6. Public Hearing Transcript, 7. Public Involvement Plan, 8. Section 4(f) Determination of Applicability, 9. Sociocultural Effects Evaluation, 10. Water Quality Impact Evaluation, and 11. Wetland Evaluation Technical Memorandum.</p> <p>FDOT commits to the following permits: SFWMD Environmental Resource Permit, SFWMD Water Use Permit, and USACE Nationwide Permit.</p> <p>During Project Development, FDOT District Four will coordinate with the City of Boynton Beach and the Palm Beach Metropolitan Planning Organization (MPO) to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO Long Range Transportation Plan (LRTP) and 2) funding is identified for all future project phases in the Transportation Improvement Program (TIP), LRTP, State Transportation Improvement Program (STIP), and FDOT Strategic Intermodal System (SIS) Cost Feasible Plan.</p> <p>During Project Development, public outreach will require Limited English Proficiency (LEP) accommodations.</p>

### Anticipated Permits

Permit	Type	Conditions	Review Org	Review Date
Department of the Army Corps of Engineers Nationwide Permit	USACE		FDOT District 4	11/21/14
SFWMD Environmental Resource Permit	Water		FDOT District 4	11/21/14
SFWMD Water Use Permit	Water		FDOT District 4	11/21/14

### Anticipated Technical Studies

Technical Study Name	Type	Conditions	Review Org	Review Date
Noise Study Report	ENVIRONMENTAL		FDOT District 4	11/21/2014
Contamination Screening Evaluation Report	ENVIRONMENTAL		FDOT District 4	11/21/2014
Endangered Species Biological Assessment	ENVIRONMENTAL		FDOT District 4	11/21/2014
Wetlands Evaluation Technical Memorandum	Other		FDOT District 4	11/21/2014
Sociocultural Effects Evaluation	Other		FDOT District 4	11/21/2014
Air Quality Technical Memorandum	ENVIRONMENTAL		FDOT District 4	11/21/2014
Water Quality Impact Evaluation (WQIE)	ENVIRONMENTAL		FDOT District 4	11/21/2014
Cultural Resource Assessment Survey	ENVIRONMENTAL		FDOT District 4	11/21/2014
Public Involvement Plan	Other		FDOT District 4	11/21/2014
Public Hearing Transcript	Other		FDOT District 4	11/21/2014
Section 4(f) Determination of Applicability	ENVIRONMENTAL		FDOT District 4	11/21/2014

### Class of Action

#### Class of Action Determination

Class of Action	Other Actions	Lead Agency	Cooperating Agencies	Participating Agencies
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Type 2 Categorical Exclusion	Section 4(f) Evaluation Endangered Species Assessment USACE Department of the Army Corps of Engineers Nationwide Permit	Federal Highway Administration	No Cooperating Agencies have been identified.	No Participating Agencies have been identified.
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### Class of Action Signatures

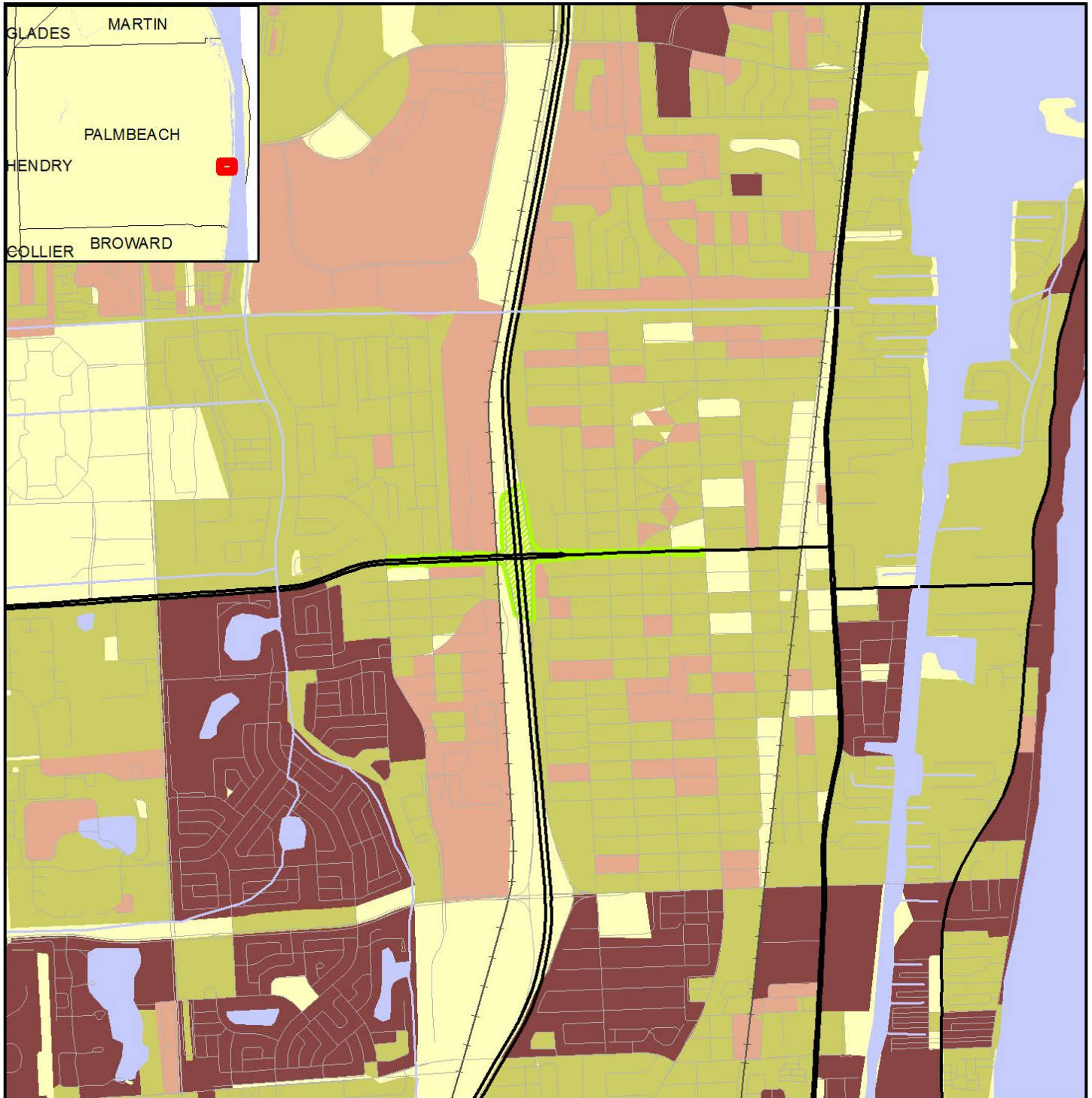
Name	Agency	Review Status	Date	ETDM Role
Richard Young	FDOT District 4	ACCEPTED	04/02/2015	FDOT ETDM Coordinator
Luis D Lopez, P.E.	Federal Highway Administration	ACCEPTED	05/20/2015	Lead Agency ETAT Member

### Dispute Resolution Activity Log

There are no dispute actions identified for this project in the EST.

# Hardcopy Maps: Alternative #1

# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 1 Miles

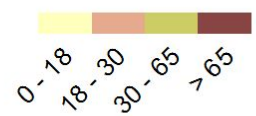
### Population Age Distribution Map



Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

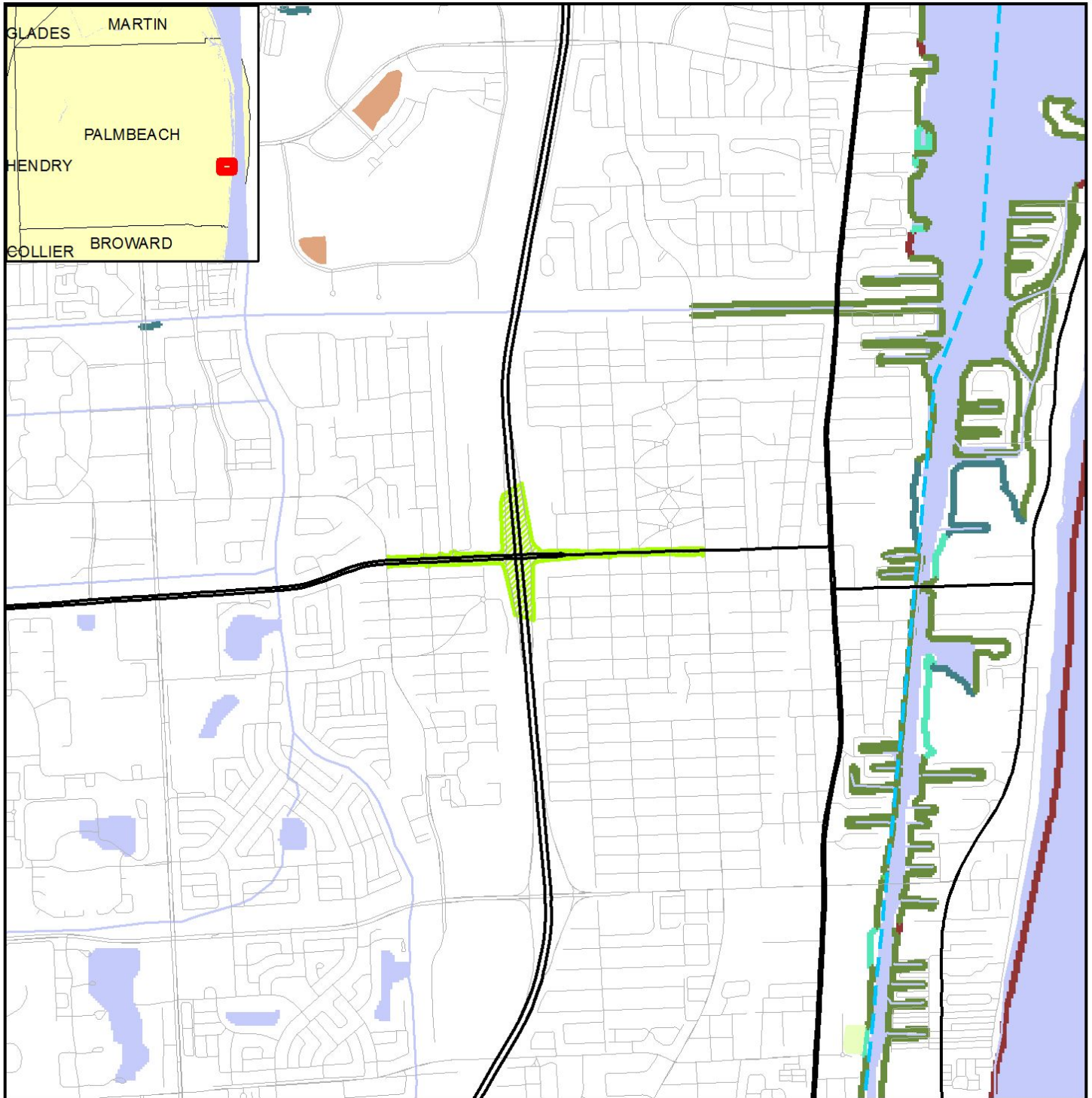
- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body

Median Age



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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.5 Miles



- ### Coastal and Marine Resource Map
- |                           |                        |                               |                                      |
|---------------------------|------------------------|-------------------------------|--------------------------------------|
| ETDM Alternative Point    | Major Road             | Continuous Seagrass           | Gravel Beach/Riprap                  |
| ETDM Alternative Terminus | Local Road or Trail    | Discontinuous Seagrass        | Exposed Tidal Flat                   |
| ETDM Alternative Segment  | River, Stream or Canal | Coastal Barrier Resource Area | Sheltered Tidal Flat                 |
| ETDM Alternative Polygon  | Water Body             | Swamp or Marsh                | Mixed Sand And Gravel Beach          |
|                           | Aquatic Preserve       | Exposed Rocky Platform        | Sheltered Rock/Seawall/Vegetated     |
|                           | Navigable Water Way    | Sand Beach                    | Exposed Vertical Rocky Shore/Seawall |

Data Sources: NAVTEQ; US Geological Survey; Florida Marine Research Institute; Florida Department of Transportation; Florida Department of Environmental Protection; National Oceanic and Atmospheric Association; Florida Water Management Districts

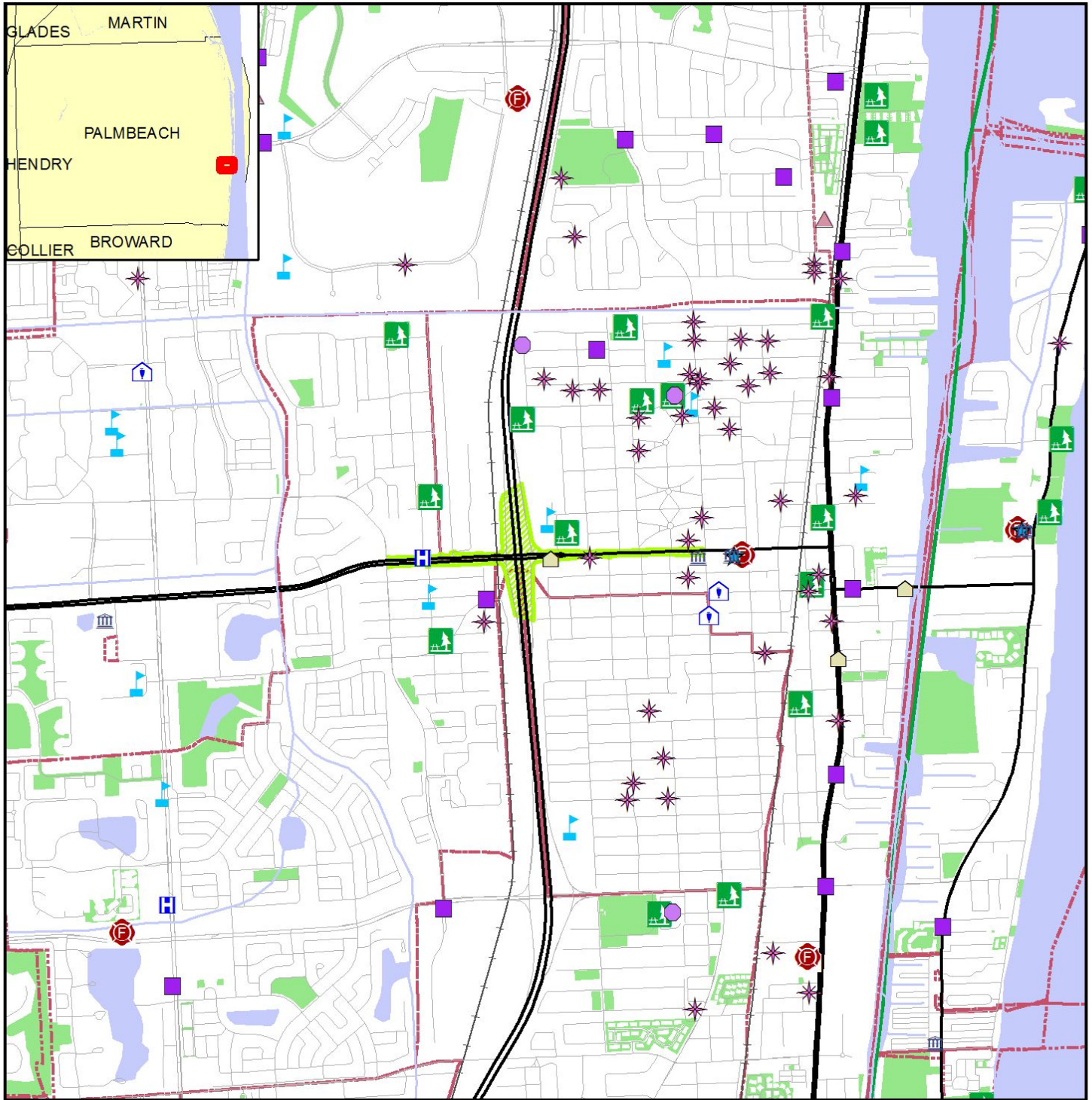
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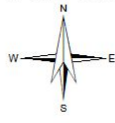
Map Generated on: 7/2/2014



# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.08 Miles



- |                           |                  |                  |                                 |
|---------------------------|------------------|------------------|---------------------------------|
| ETDM Alternative Point    | Government       | Cultural Center  | River, Stream or Canal          |
| ETDM Alternative Terminus | Civic Center     | Fire Station     | Recreational Trail              |
| ETDM Alternative Segment  | Cemetery         | Health Care      | Railroad                        |
| ETDM Alternative Polygon  | Social Service   | School           | Community Boundary              |
| Major Road                | Community Center | Park             | Water Body                      |
| Local Road or Trail       | Law Enforcement  | Place of Worship | Conservation or Recreation Area |

## Community Facilities and Services Map

Data Sources: US Geological Survey; FL Department of Transportation; NAVTEQ; FL Property Appraisers; FL Natural Areas Inventory

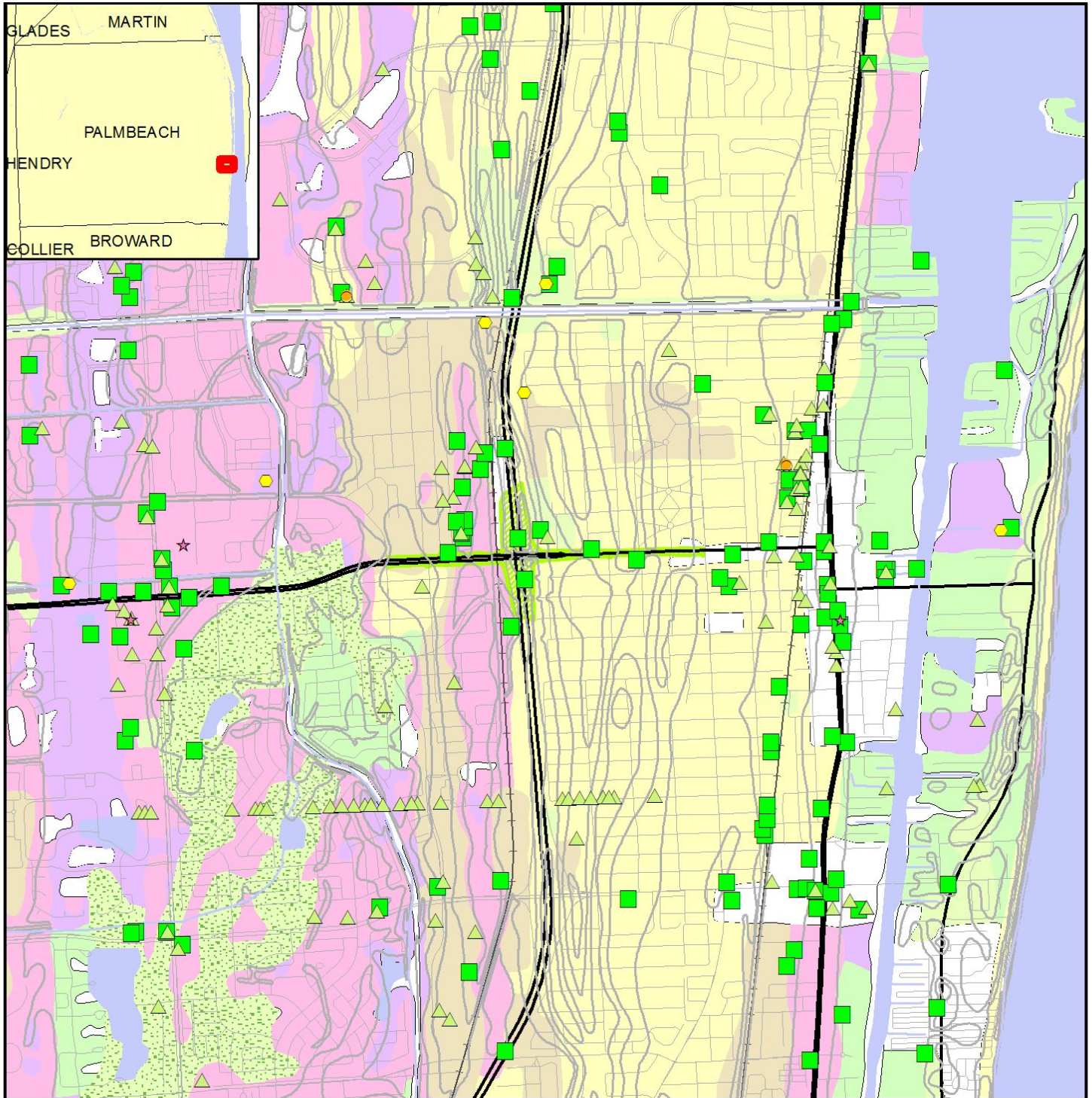


Map Generated on: 7/2/2014





# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



## Potential Contamination Assessment Map

- |  |  |  |   |
|--|--|--|---|
| <p>0 0.5 Miles</p> <p>N<br/>E<br/>S<br/>W</p> <ul style="list-style-type: none"> <li><span style="color: green;">●</span> ETDM Alternative Point</li> <li><span style="color: magenta;">●</span> ETDM Alternative Terminus</li> <li><span style="color: green;">—</span> ETDM Alternative Segment</li> <li><span style="border: 1px solid green; display: inline-block; width: 10px; height: 10px;"></span> ETDM Alternative Polygon</li> <li><span style="color: black;">—</span> Major Road</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: black;">—</span> Local Road or Trail</li> <li><span style="color: black;">—</span> Railroad</li> <li><span style="color: blue;">—</span> River, Stream or Canal</li> <li><span style="color: orange;">●</span> Toxic Release Inventory</li> <li><span style="color: red;">★</span> Dry Cleaning Facility</li> <li><span style="color: yellow;">●</span> Solid Waste Facility</li> </ul> | <ul style="list-style-type: none"> <li><span style="border: 1px dashed yellow; display: inline-block; width: 10px; height: 10px;"></span> NPL Remediation Site</li> <li><span style="color: green;">▲</span> Hazardous Material Site</li> <li><span style="color: blue;">■</span> Power Plant</li> <li><span style="color: black;">●</span> Superfund Site</li> <li><span style="color: lightblue;">■</span> Nuclear Site</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: green;">■</span> FDEP Tanks</li> <li><span style="border: 1px solid yellow; display: inline-block; width: 10px; height: 10px;"></span> Brownfield Area</li> <li><span style="color: blue;">—</span> 5 FT Contour</li> <li><span style="color: lightblue;">■</span> Water Body</li> <li><span style="background-color: lightgreen; border: 1px solid green; display: inline-block; width: 10px; height: 10px;"></span> Swamp/Marsh</li> </ul> |
|--|--|--|---|
- Soil Drainage**
- Excessively Drained
  - Somewhat Excessively Drained
  - Moderately Well Drained
  - Well Drained
  - Somewhat Poorly Drained
  - Poorly Drained
  - Very Poorly Drained
  - Unclassified

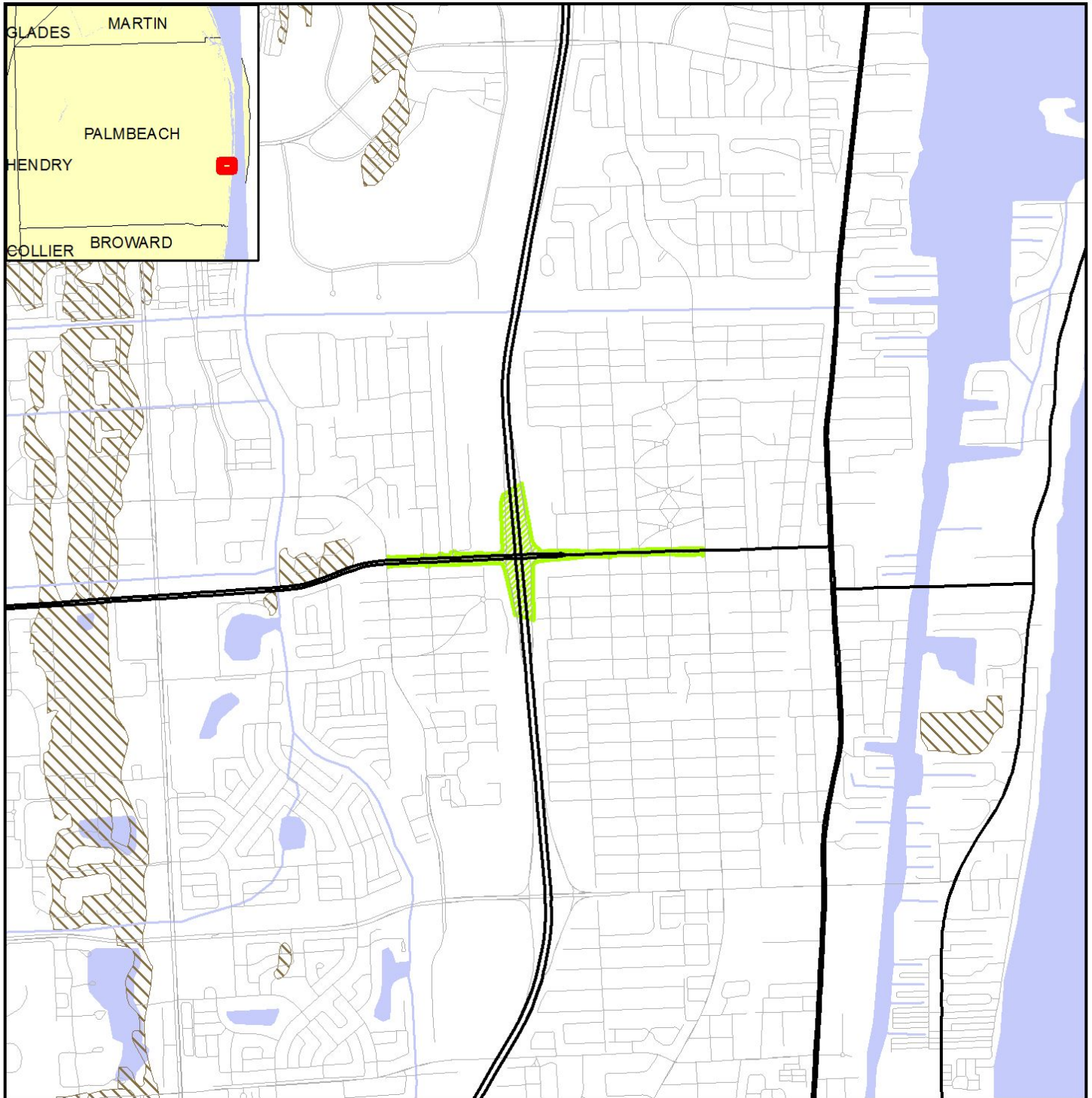
Data Sources:  
 NAVTEQ; US Geological Survey; FL Department of Transportation; FL Department of Environmental Protection;  
 FL Water Management Districts; US Environmental Protection Agency; Natural Resource Conservation Service  
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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



**Farmlands Resource Map**

- 0 0.7 Miles
- ETDM Alternative Point
  - ETDM Alternative Terminus
  - ETDM Alternative Segment
  - ETDM Alternative Polygon
  - Major Road
  - Local Road or Trail
  - River, Stream or Canal
  - Water Body
  - Nurseries/Vineyards
  - Specialty Farms
  - Tree Crops
  - Cropland/Pastureland
  - Rural Open Lands
  - Prime Farmland Soils



Data Sources: NAVTEQ, Florida Water Management Districts, US Geological Survey, Natural Resources Conservation Services

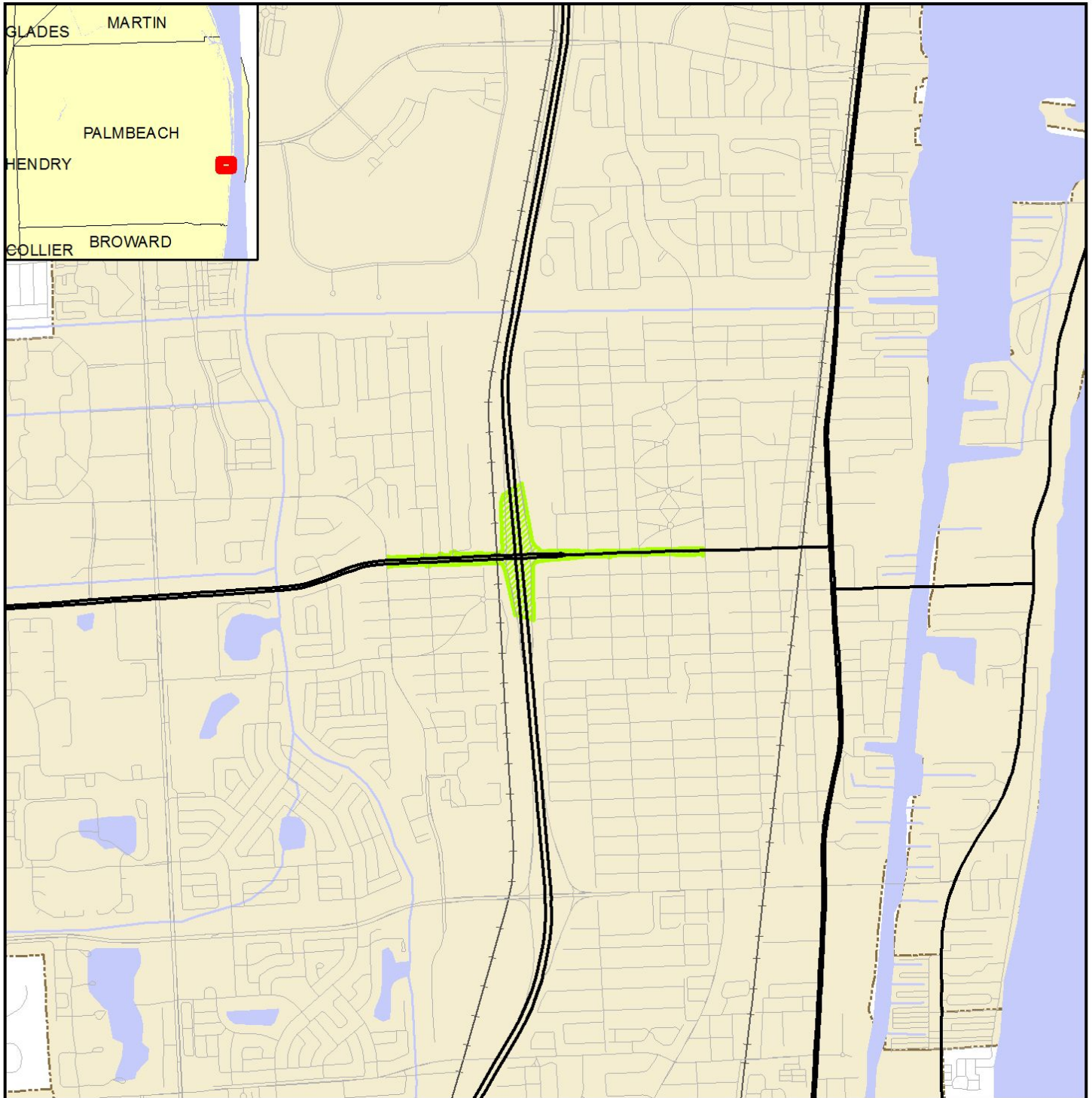
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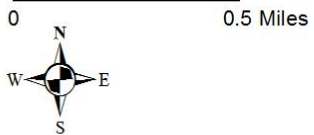
Map Generated on: 7/2/2014



# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



**Floodplain Resource Map**

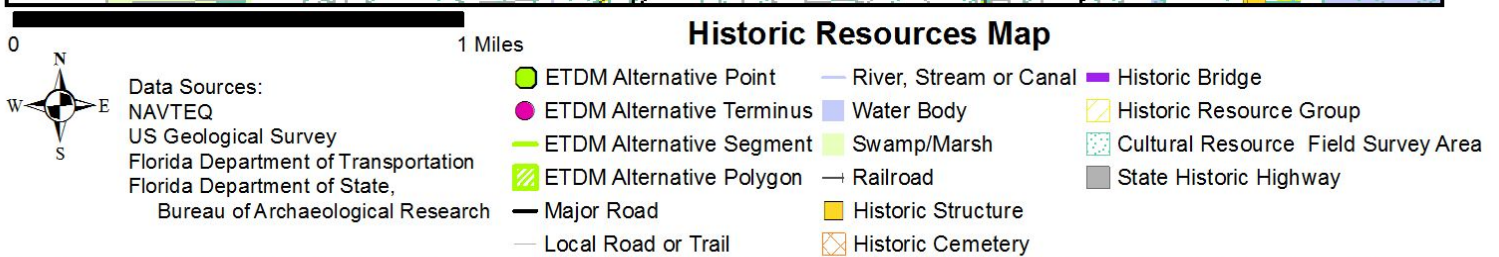
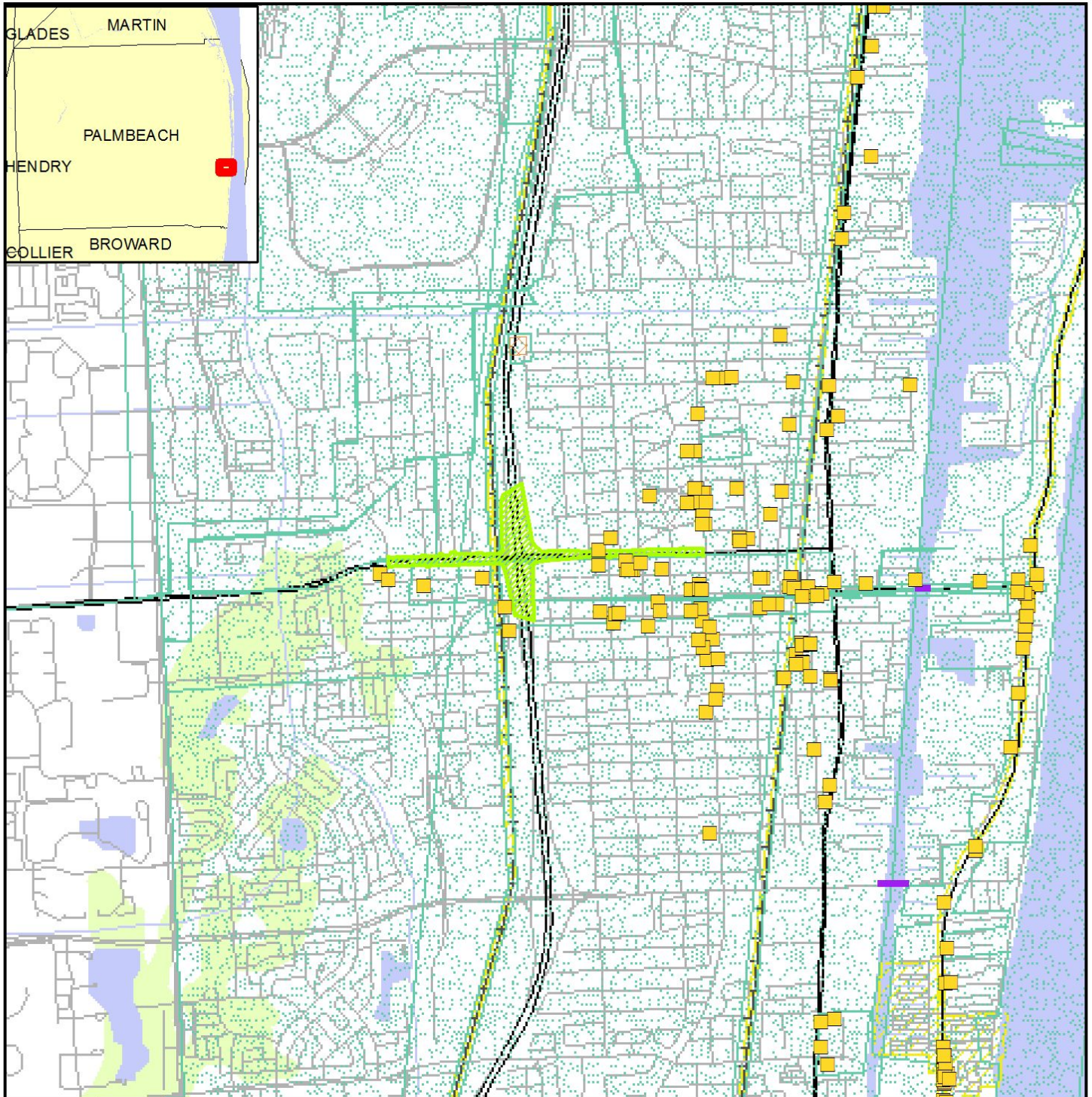


Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Federal Emergency Management Agency

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ▨ ETDM Alternative Polygon
- Major Road
- - - Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body
- City Limits
- County Boundaries
- ▨ Special Flood Hazard Area

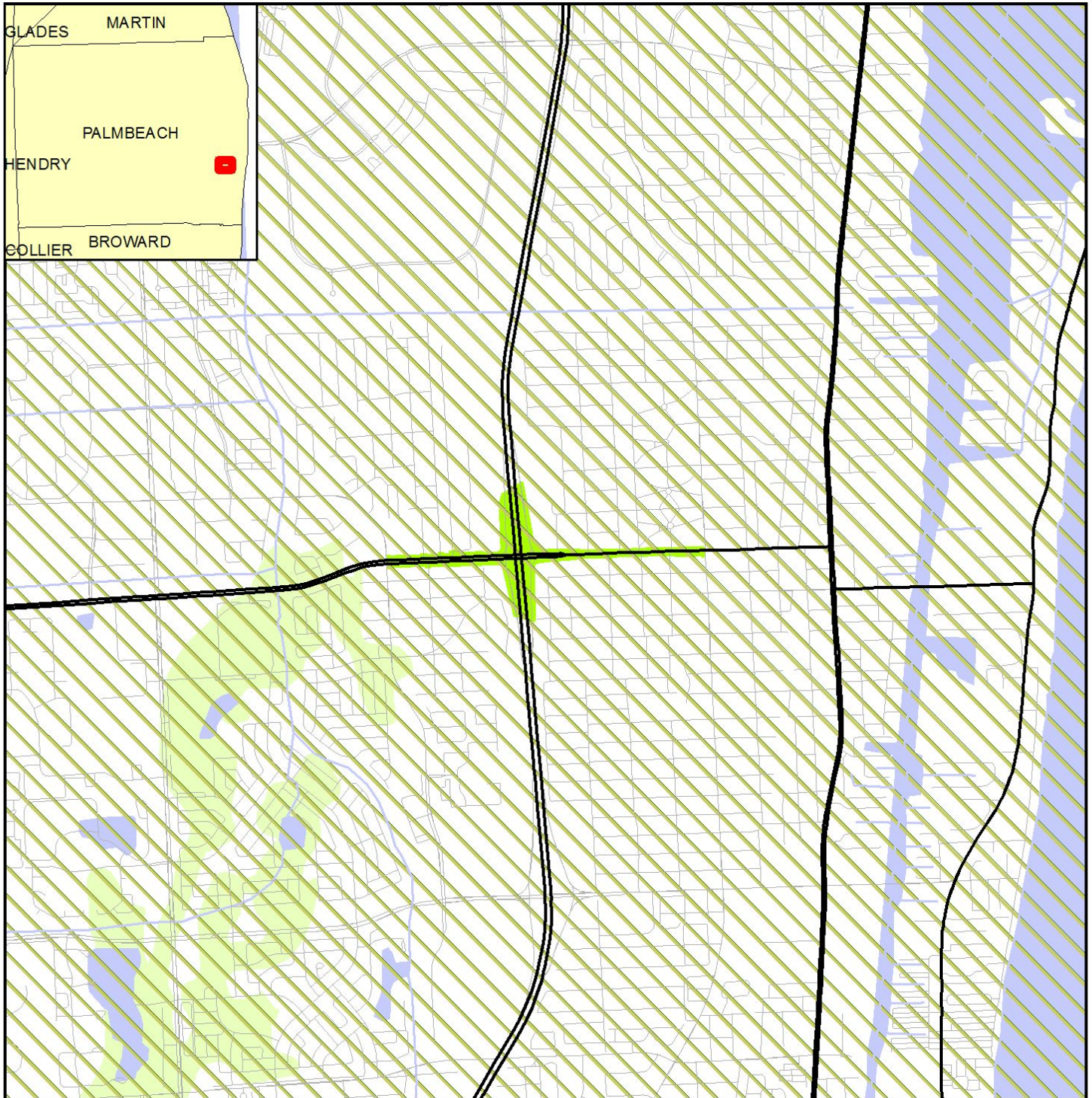
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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



Note: Historic properties depicted on this map represent resources listed in the Florida Master Site File excluding archeological site locations, which, pursuant to Chapter 267.135, Florida Statutes, may be exempt from public record (Chapter 119.07, Florida Statutes). Absence of features on the map does not necessarily indicate an absence of resources in the project vicinity.

# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



## Hydrogeology Resource Map

0 0.5 Miles



- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- River, Stream or Canal
- Water Body
- Swamp/Marsh

- ### Recharge Areas of the Floridan Aquifer
- Discharge 1 TO 5
  - Discharge > 5
  - Discharge < 1
  - Recharge 1 TO 10
  - Recharge > 10
  - Recharge < 1

- ### Geological Epoch
- Eocene
  - Holocene
  - Miocene
  - Miocene/Pliocene
  - Oligocene
  - Oligocene/Miocene
  - Pleistocene
  - Pleistocene & Holocene
  - Pliocene
  - Pliocene/Pleistocene

Data Sources: NAVTEQ; US Geological Survey; Florida Department of Transportation; South West Florida Water Management District; Florida Geological Survey

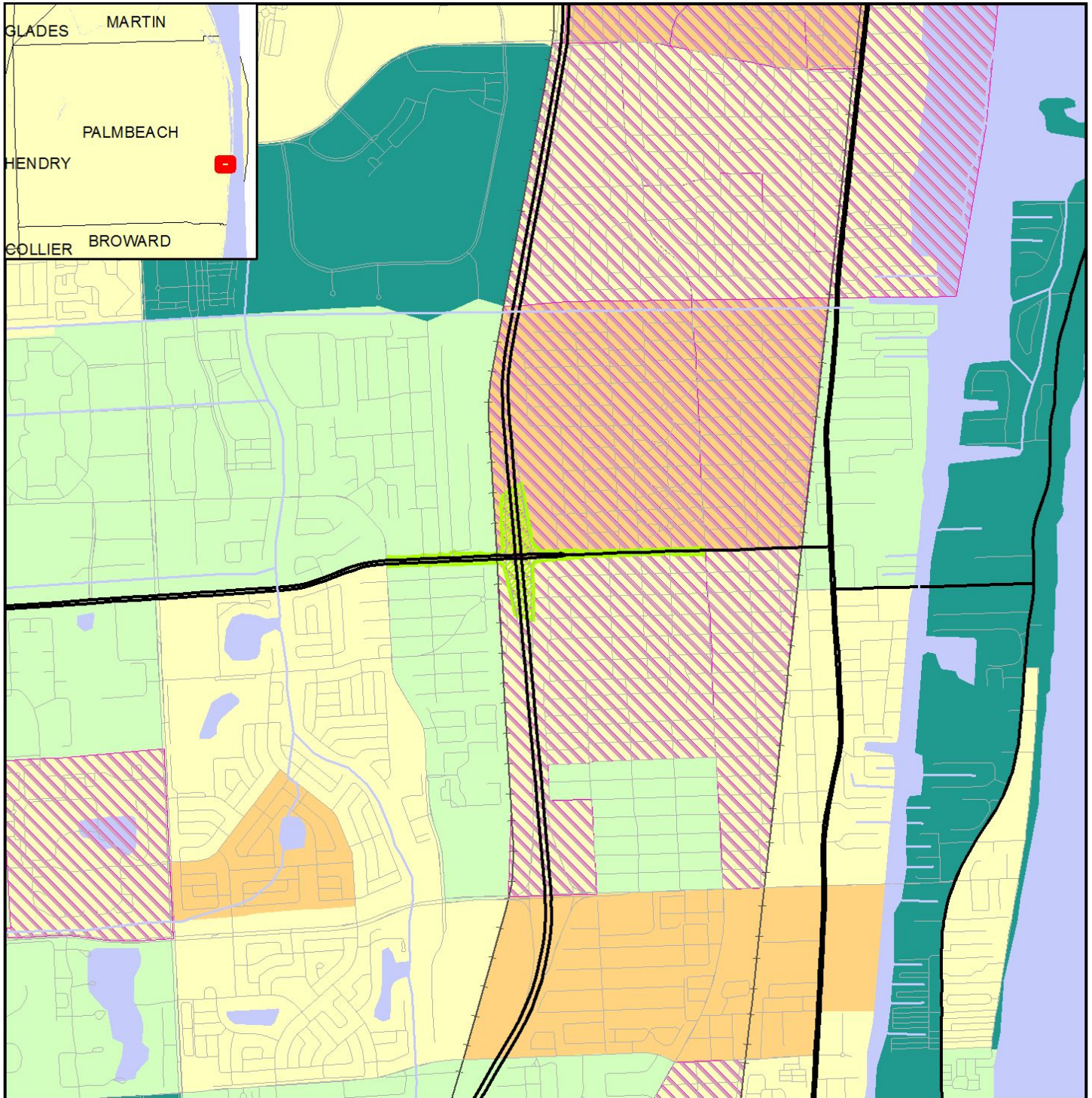
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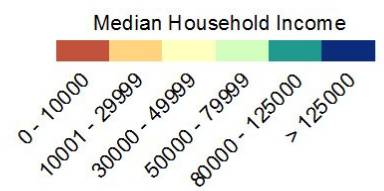


0 0.7 Miles



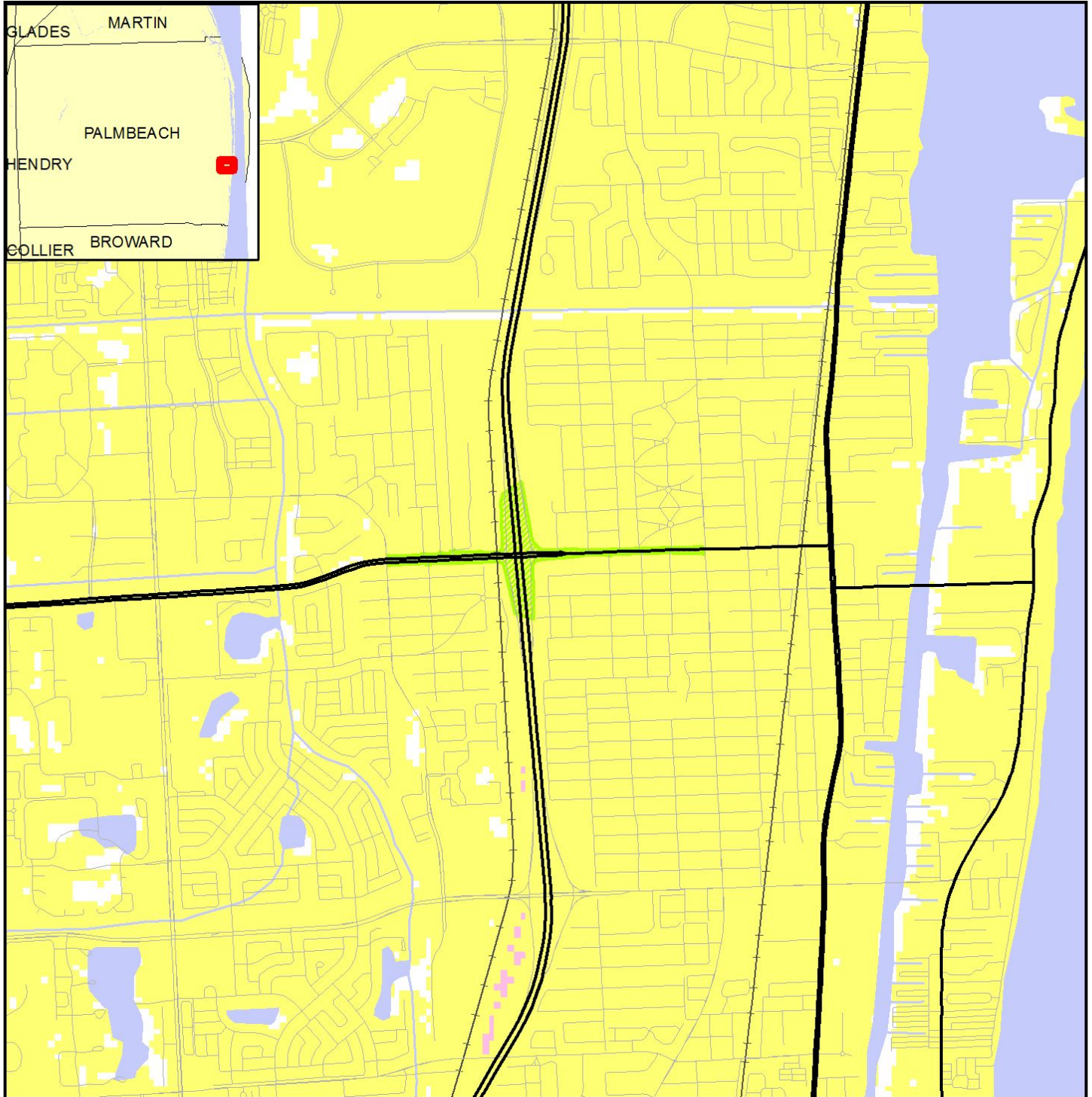
Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body
- > 20% Below Poverty



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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



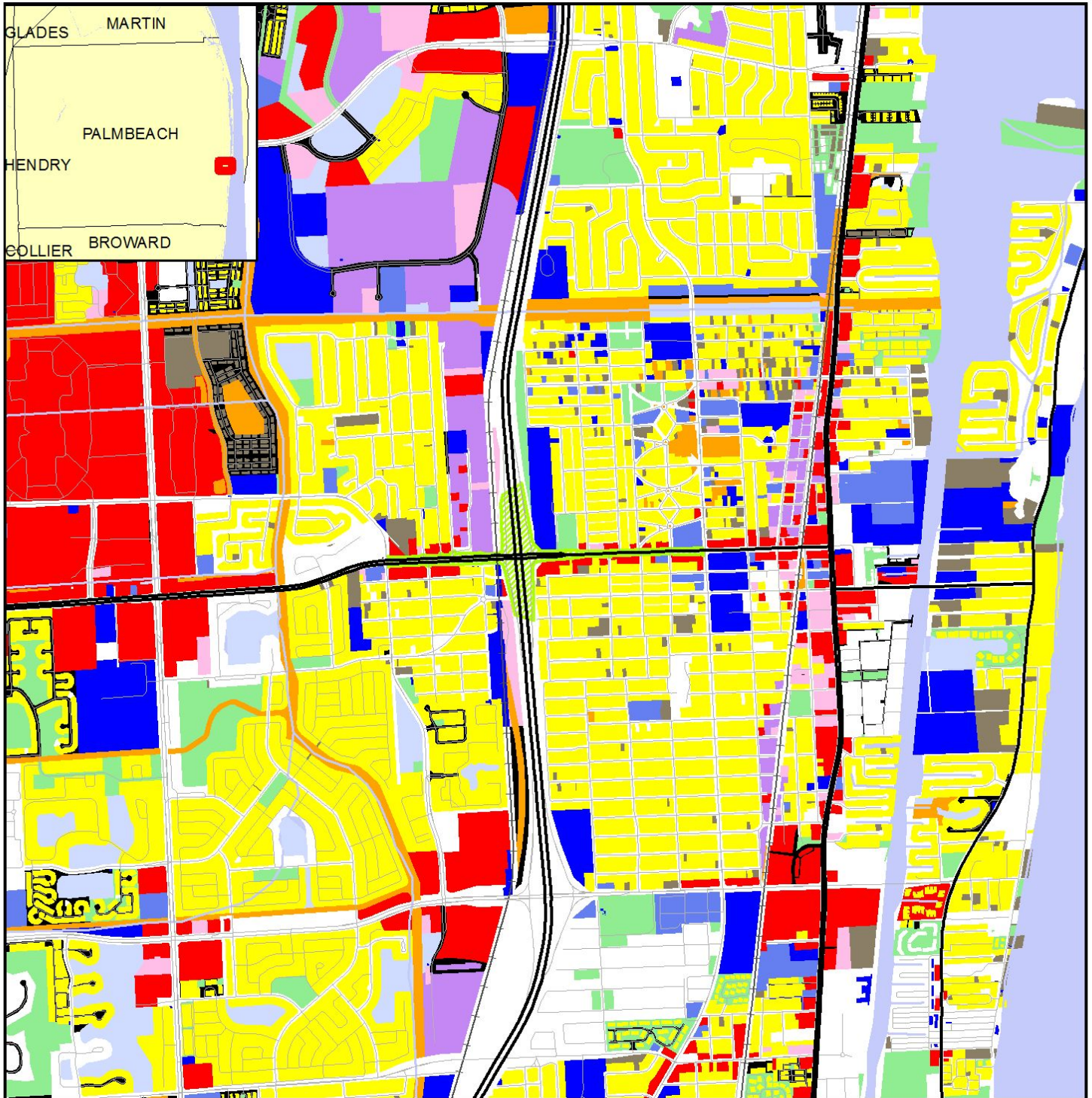
## Integrated Wildlife Habitat Ranking System Map

- |                           |                        |                        |
|---------------------------|------------------------|------------------------|
| ETDM Alternative Point    | Railroad               | Low Habitat Quality    |
| ETDM Alternative Terminus | River, Stream or Canal | Medium Habitat Quality |
| ETDM Alternative Segment  | Water Body             | High Habitat Quality   |
| ETDM Alternative Polygon  | Major Road             |                        |
| Local Road or Trail       |                        |                        |

Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Transportation  
 Florida Fish & Wildlife Conservation Commission

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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.25 Miles



Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Revenue  
 Florida Department of Transportation  
 Florida County Property Appraiser Offices

### Land Use Map

- |                           |                        |                         |                         |
|---------------------------|------------------------|-------------------------|-------------------------|
| ETDM Alternative Point    | Railroad               | Open (Not Agricultural) | Retail/Office           |
| ETDM Alternative Terminus | River, Stream or Canal | Other                   | Vacant (Residential)    |
| ETDM Alternative Segment  | Agricultural           | Public                  | Vacant (Nonresidential) |
| ETDM Alternative Polygon  | Industrial             | Right-of-Way            | Water                   |
| Major Road                | Institutional          | Recreational            | No Data                 |
| Local Road or Trail       | Mining                 | Residential             |                         |

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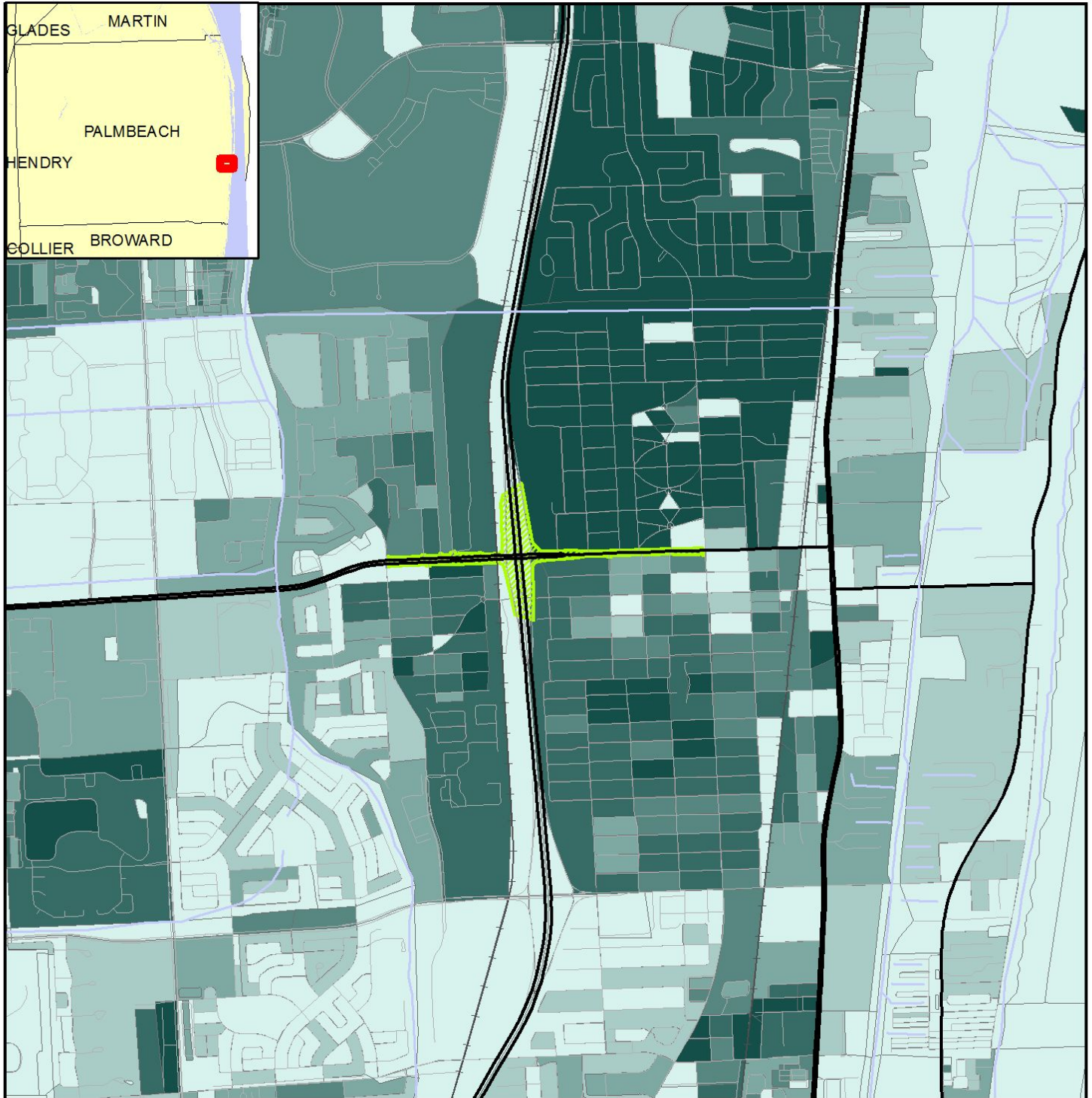


Map Generated on: 7/2/2014





# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



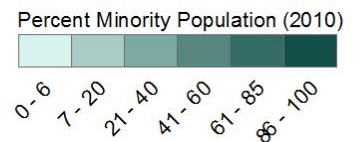
**Minority Population Distribution Map**

0 0.09 Miles



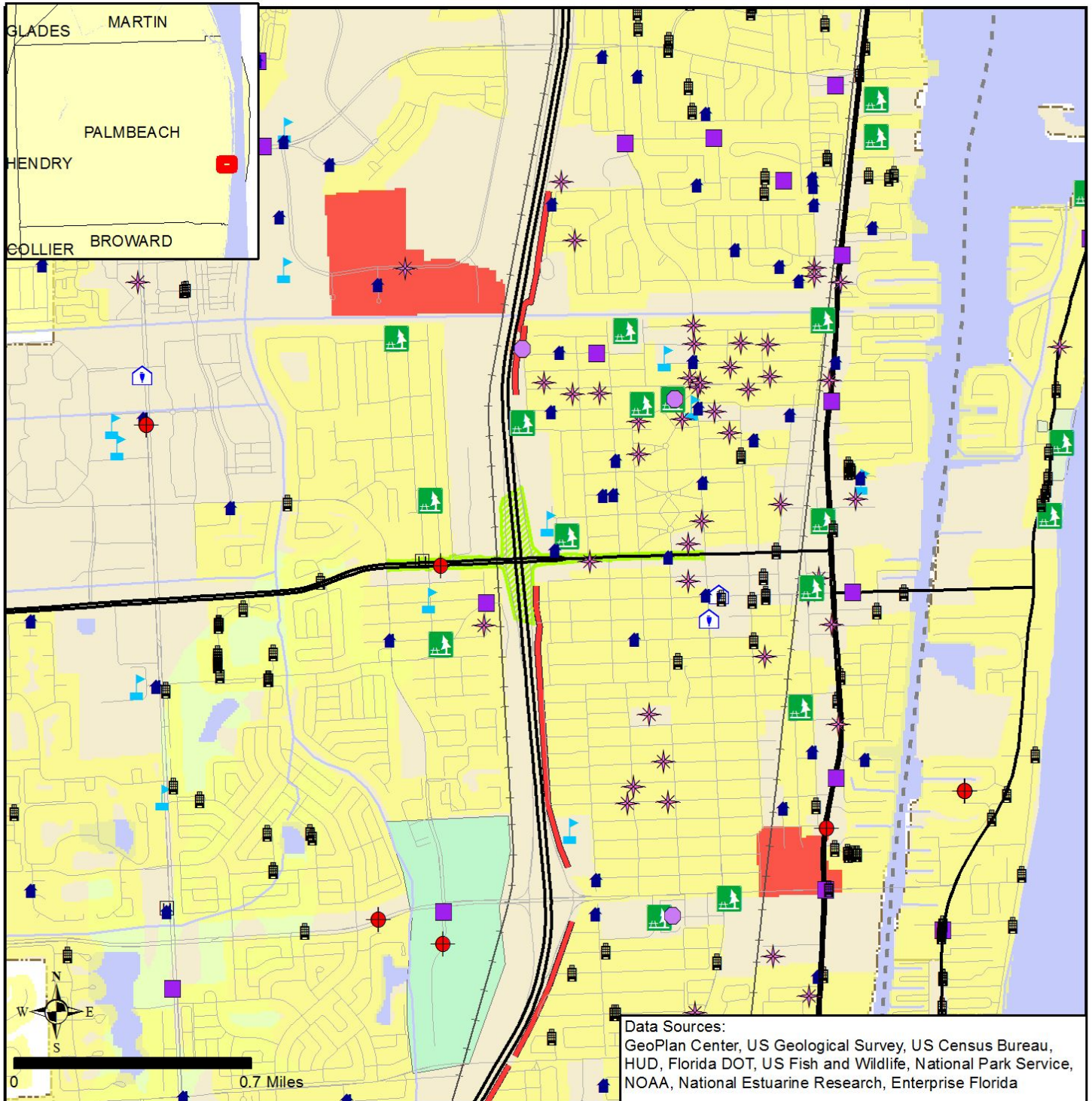
Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body



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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1

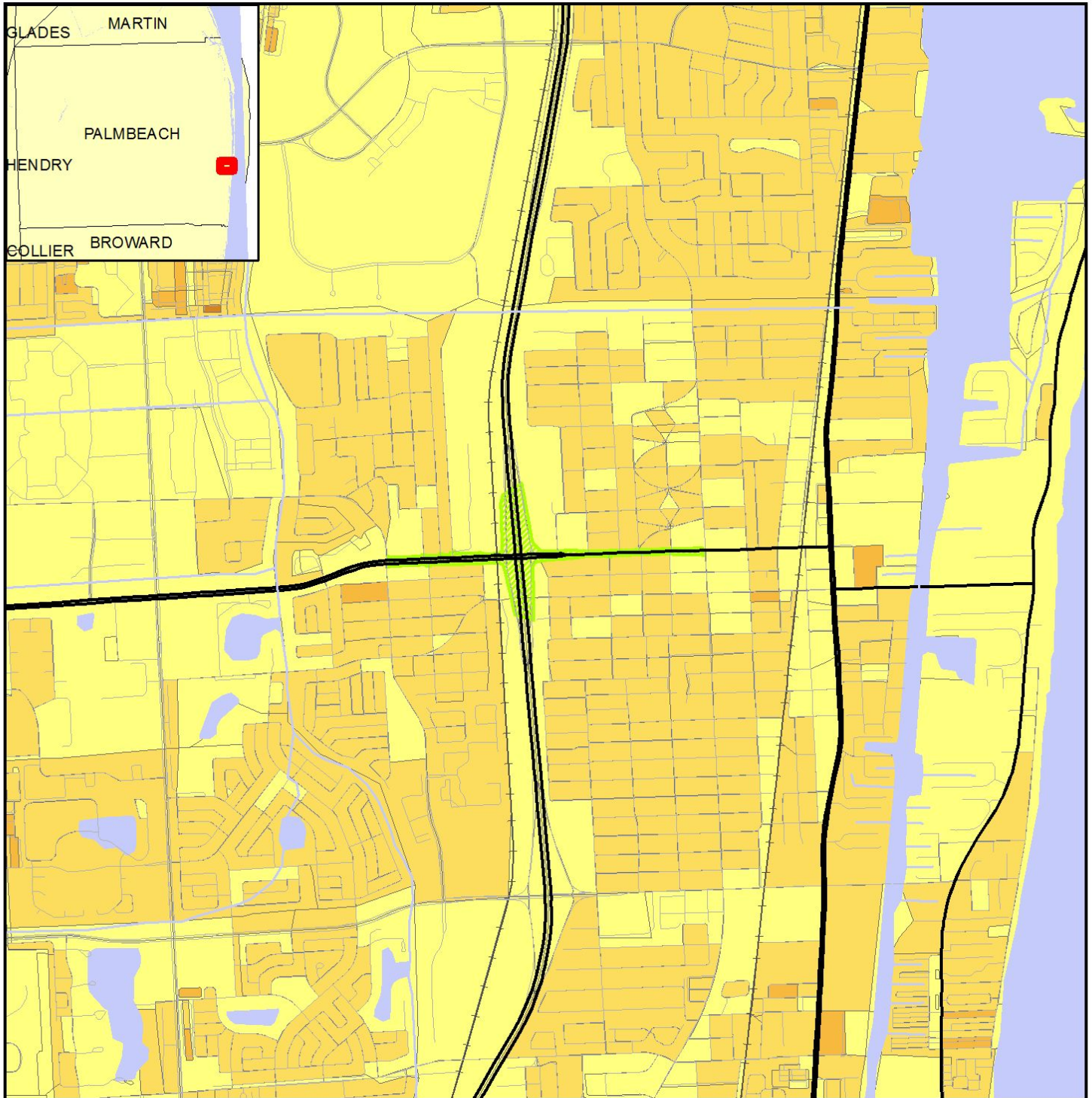


## Noise Map

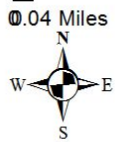
- |                           |                           |                       |                           |                          |
|---------------------------|---------------------------|-----------------------|---------------------------|--------------------------|
| ETDM Alternative Point    | Existing Trails           | Laser On-site         | Place of Worship          | Military Installations   |
| ETDM Alternative Segment  | Railroad                  | Group Care Facilities | School                    | Industrial               |
| ETDM Alternative Polygon  | River, Stream or Canal    | Cemetery              | Historic Cemetery         | Residential              |
| ETDM Alternative Terminus | Water Body                | Community Center      | Planned Unit Developments | HUD Renewal              |
| County Boundaries         | Swamp/Marsh               | Cultural Center       | Wildlife Refuges          | Nat'l Estuarine Reserves |
| City Limits               | Airport                   | Health Care           | National Parks            | Enterprise Zones         |
| Major Road                | Condo Owners Associations | Hospital              | National Park Projects    | DRI                      |
| Local Road or Trail       | Hospitals                 | Park                  | Marine Sanctuaries        |                          |
| Noise Barriers            |                           |                       |                           |                          |

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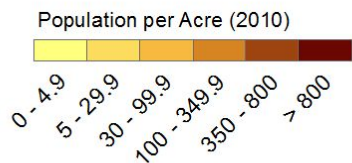


**Population Density Map**



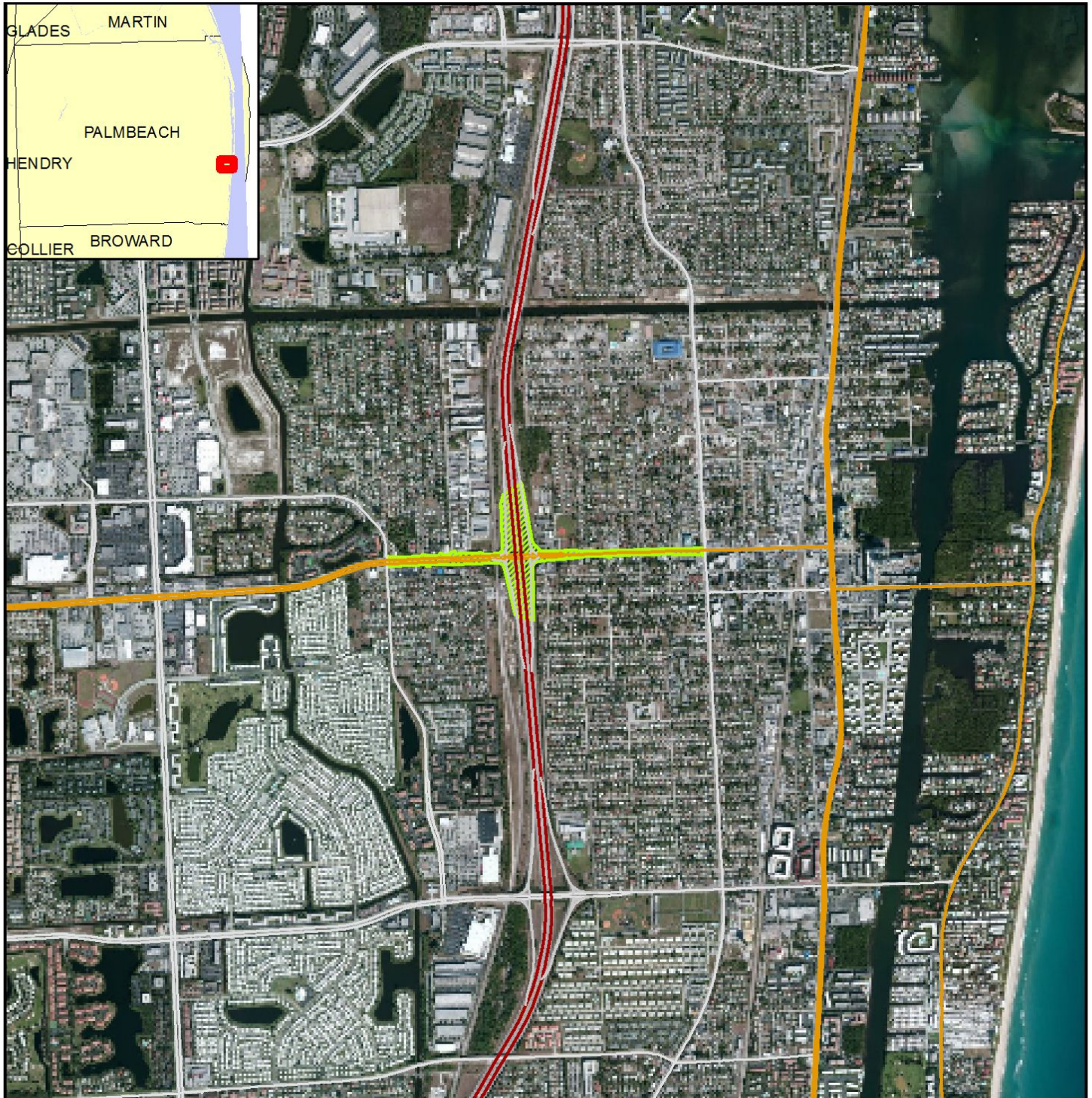
Data Sources:  
US Geological Survey  
FL Department of Transportation  
NAVTEQ  
US Census Bureau (2010)

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ▨ ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body



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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.75 Miles

**Project Aerial Map**

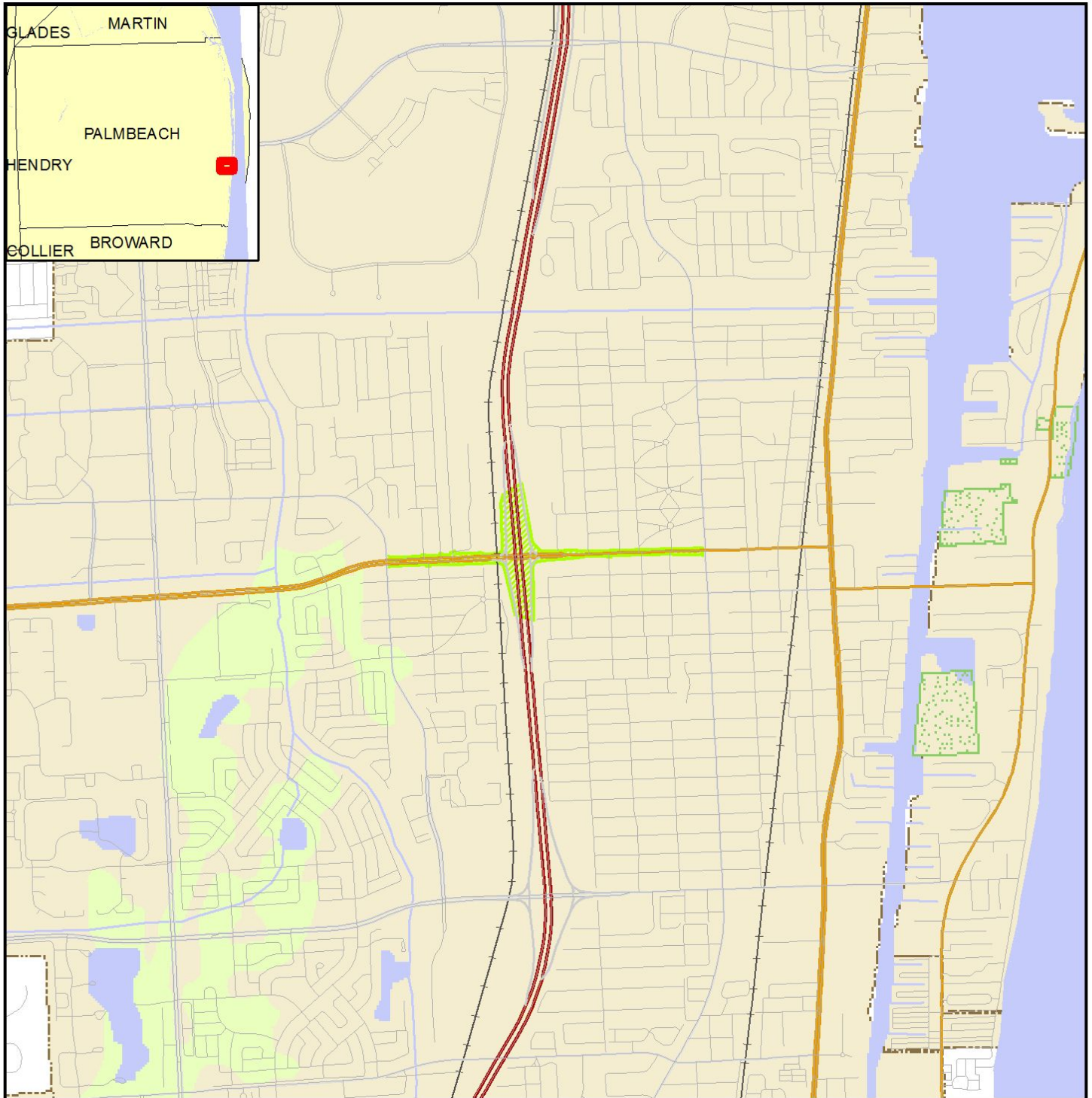


- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Primary and Limited Access Highway
- Secondary, Unlimited Access Highway
- Other Highway Feature
- Local Road

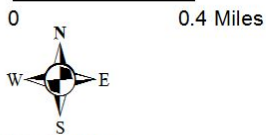
Data Sources:  
 Highways - NAVTEQ  
 Digital Orthophotograph - US Geological Survey

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**Project Location Map**

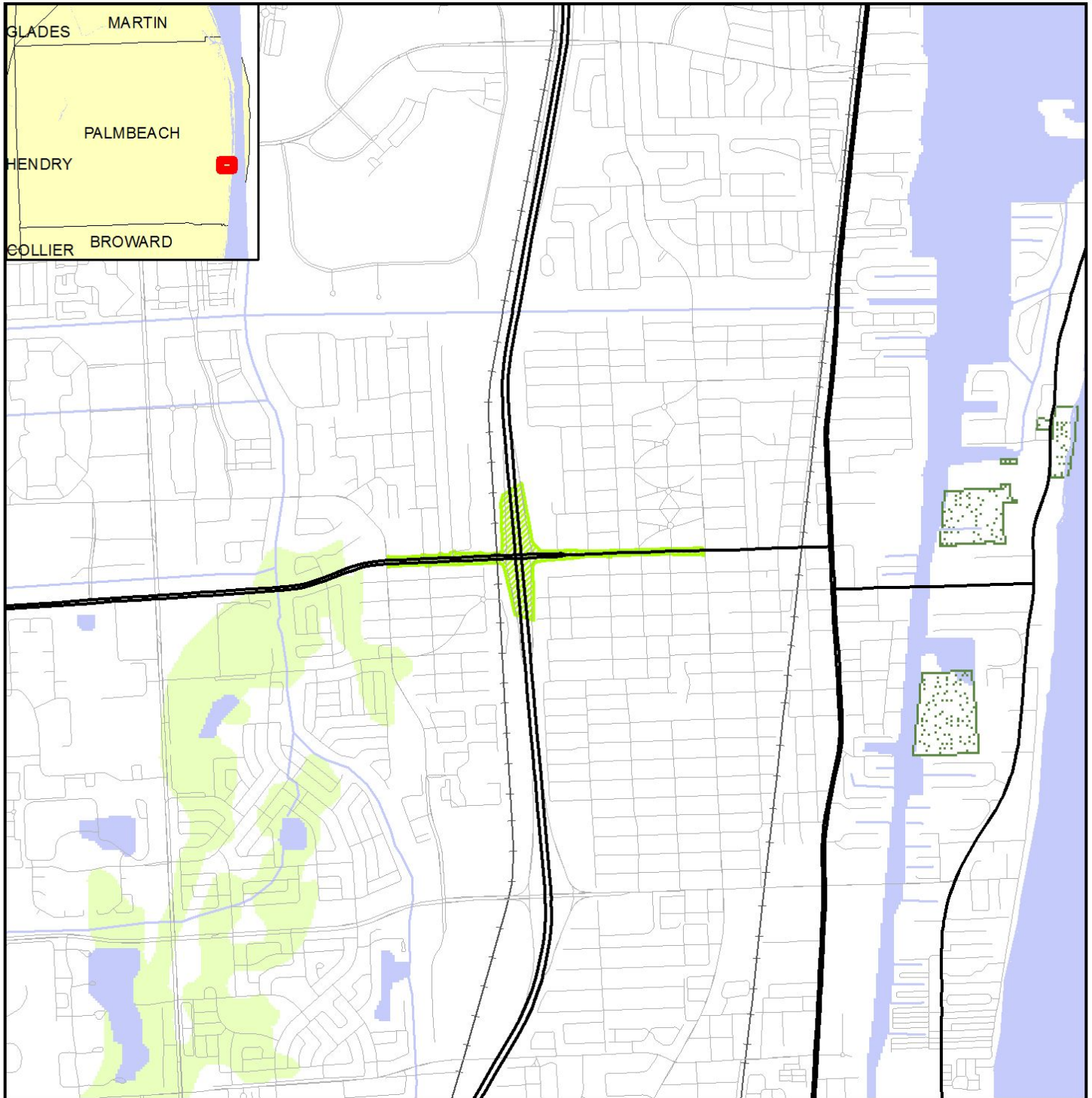


- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- River, Stream or Canal
- Water Body
- Swamp/Marsh
- Managed Conservation Lands
- Toll Road
- Railroad
- Airport
- City Limits
- County Boundaries

Data Sources:  
 NAVTEQ  
 US Geological Survey  
 US Census Bureau  
 County Property Appraisers  
 Florida Natural Areas Inventory

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**Conservation and Recreation Area Map**

0 0.7 Miles

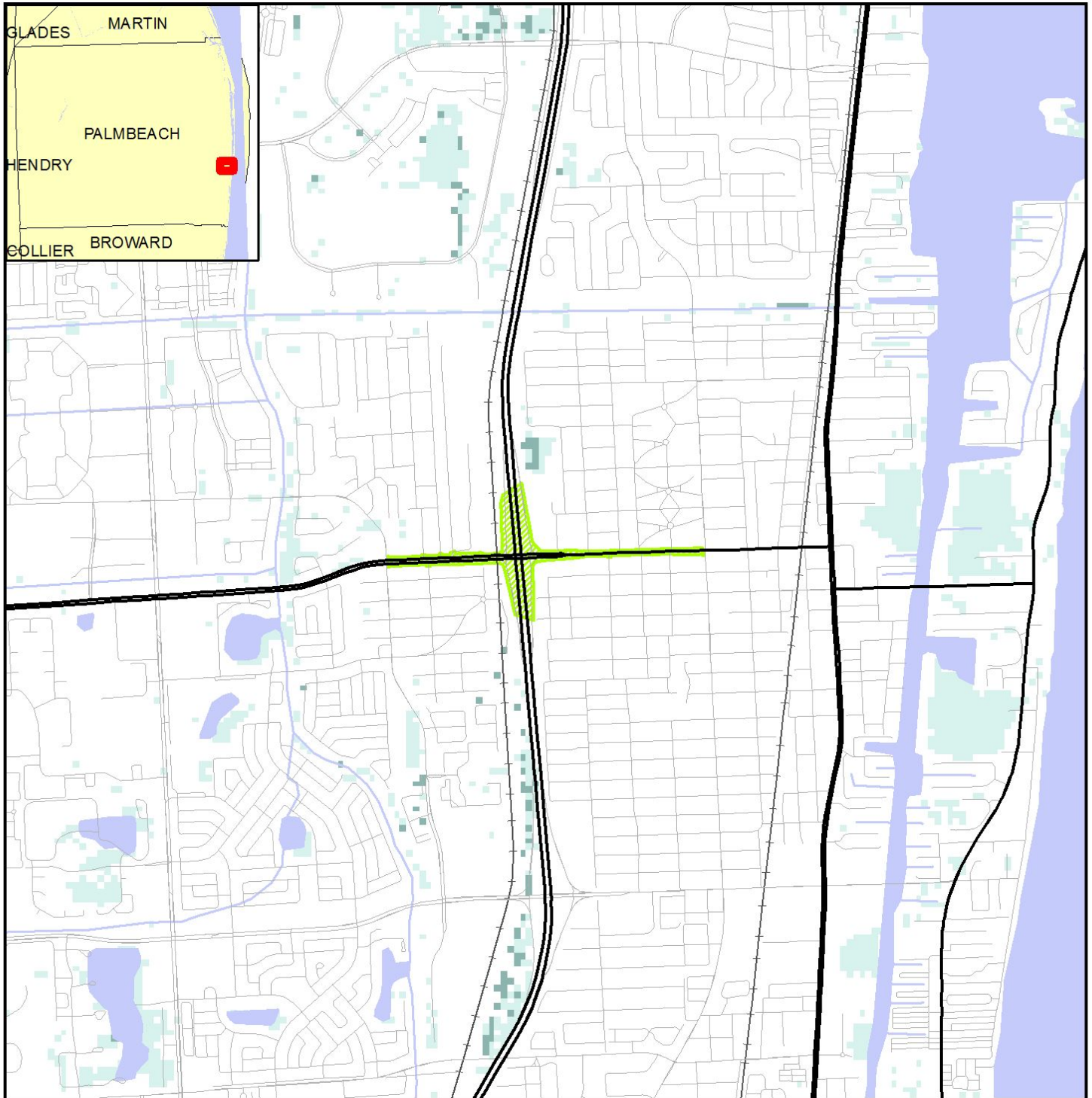


Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Natural Areas Inventory

- ETDM Alternative Point
- ETDM Alternative Segment
- ETDM Alternative Polygon
- ETDM Alternative Terminus
- River, Stream or Canal
- Water Body
- Swamp/Marsh
- Conservation or Recreation Area
- Railroad
- County Boundary
- Major Road
- Local Road or Trail

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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.6 Miles



Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Transportation  
 Florida Fish & Wildlife Conservation Commission

- |                           |                        |                                   |
|---------------------------|------------------------|-----------------------------------|
| ETDM Alternative Point    | Railroad               | <b>Potential Habitat Richness</b> |
| ETDM Alternative Terminus | River, Stream or Canal |                                   |
| ETDM Alternative Segment  | Water Body             |                                   |
| ETDM Alternative Polygon  |                        |                                   |
| Major Road                |                        |                                   |
| Local Road or Trail       |                        | 1 - 2 Species                     |
|                           |                        | 3 - 5 Species                     |
|                           |                        | 6 - 8 Species                     |
|                           |                        | 9 - 10 Species                    |
|                           |                        | 11 - 13 Species                   |

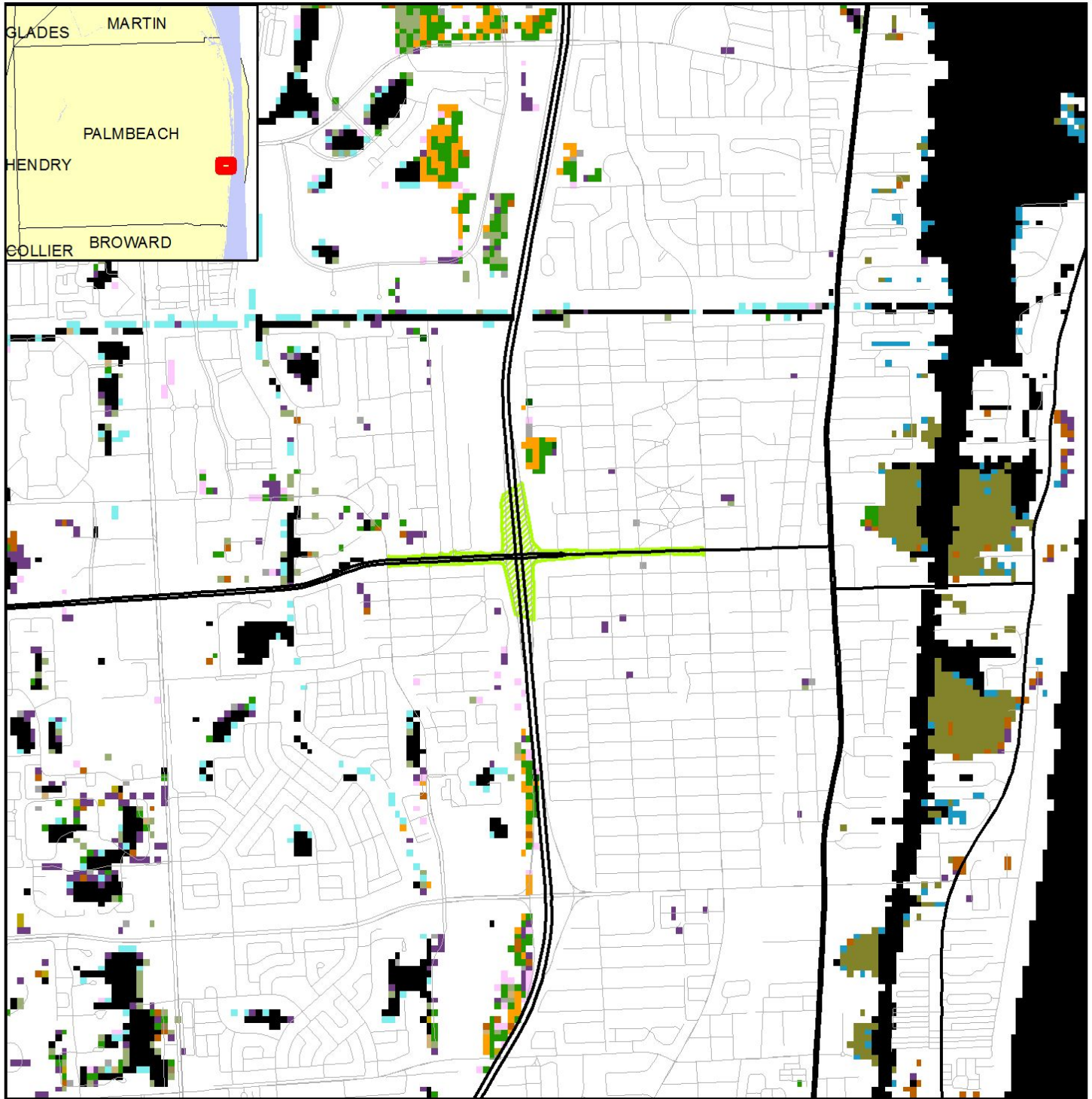
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Vegetation and Land Cover Map

0 0.7 Miles

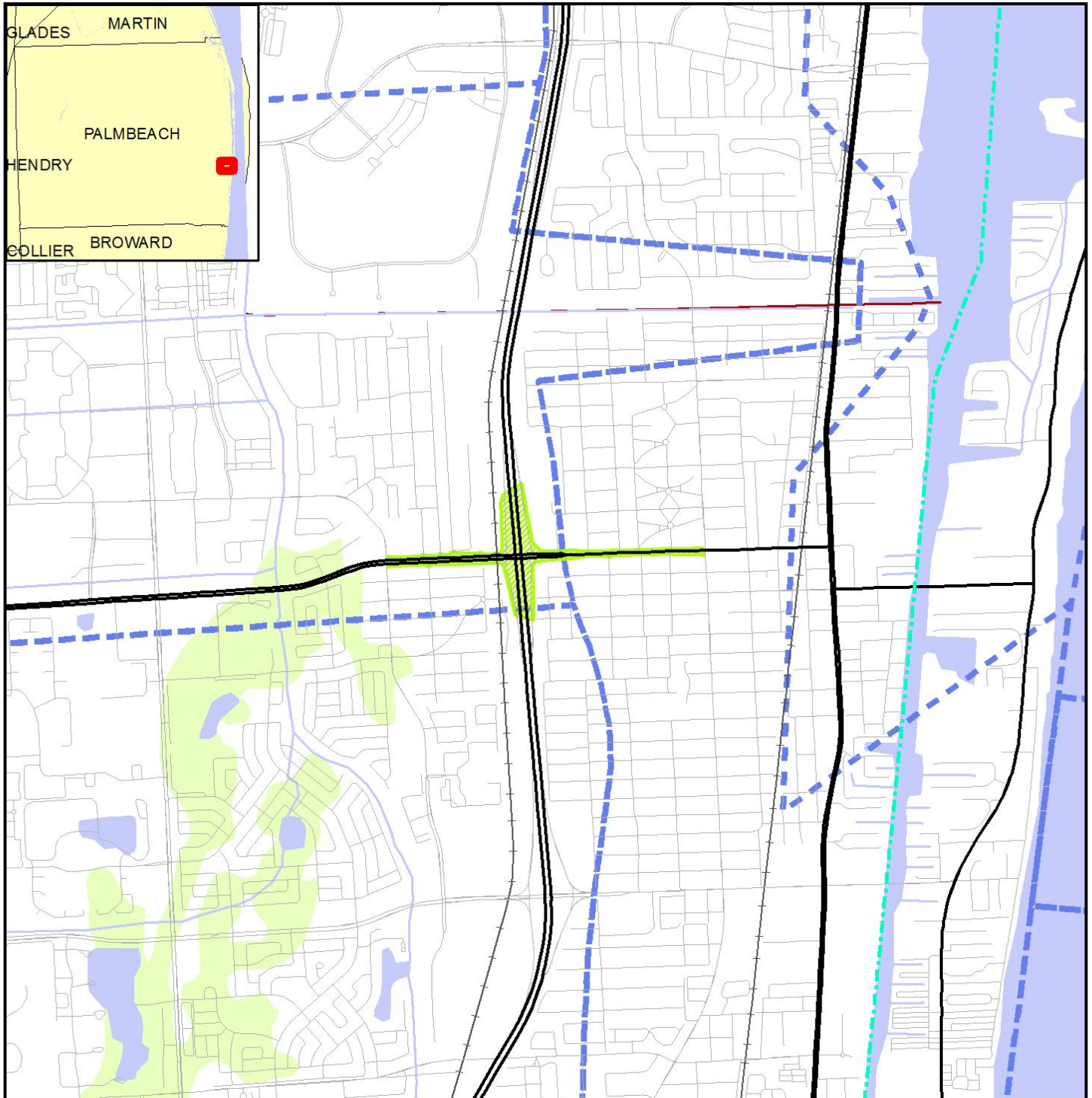
- |                           |                            |                                  |                            |                     |                     |                   |
|---------------------------|----------------------------|----------------------------------|----------------------------|---------------------|---------------------|-------------------|
| ETDM Alternative Polygon  | Not Classified             | Hardwood Hammocks and Forests    | Bay Swamp                  | Mangrove Swamp      | Unimproved Pasture  | Brazilian Pepper  |
| ETDM Alternative Segment  | Coastal Strand             | Pinelands                        | Cypress Swamp              | Scrub Mangrove      | Sugarcane           | High Impact Urban |
| ETDM Alternative Terminus | Sand/Beach                 | Cabbage Palm-live Oak Hammock    | Cypress/Pine/Cabbage Palm  | Tidal Flats         | Citrus              | Low Impact Urban  |
| ETDM Alternative Point    | Xeric Oak Scrub            | Tropical Hardwood Hammock        | Mixed Wetland Forest       | Open Water          | Row and Field Crops | Extractive        |
| Major Road                | Sand Pine Scrub            | Freshwater Marsh and Wet Prairie | Hardwood Swamp             | Shrub and Brushland | Other Agriculture   |                   |
| Local Road or Trail       | Sandhill                   | Sawgrass Marsh                   | Hydric Hammock             | Grassland           | Exotic Plants       |                   |
|                           | Dry Prairie                | Cattail Marsh                    | Bottomland Hardwood Forest | Bare Soil/Clearcut  | Australian Pine     |                   |
|                           | Mixed Hardwood-pine Forest | Shrub Swamp                      | Salt Marsh                 | Improved Pasture    | Melaleuca           |                   |

Data Sources: NAVTEQ; Florida Department of Transportation; Florida Fish and Wildlife Conservation Commission

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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



0 0.7 Miles

<ul style="list-style-type: none"> <li><span style="color: red;">■</span> ETDM Alternative Point</li> <li><span style="color: magenta;">●</span> ETDM Alternative Terminus</li> <li><span style="color: yellow;">—</span> ETDM Alternative Segment</li> <li><span style="border: 1px dashed yellow;">□</span> ETDM Alternative Polygon</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: black;">—</span> Railroad</li> <li><span style="color: green;">▲</span> 1st Magnitude Spring</li> <li><span style="color: blue;">—</span> River, Stream or Canal</li> <li><span style="color: black;">—</span> Navigable Water Way</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> SFWMD Canals</li> <li><span style="border: 1px dashed blue;">□</span> Drainage Basin</li> <li><span style="border: 1px dashed blue;">□</span> Outstanding Florida Water</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: green;">■</span> Surface Water Class I</li> <li><span style="color: blue;">■</span> Surface Water Class II</li> <li><span style="color: lightblue;">■</span> Water Body</li> <li><span style="color: lightgreen;">■</span> Swamp/Marsh</li> </ul>
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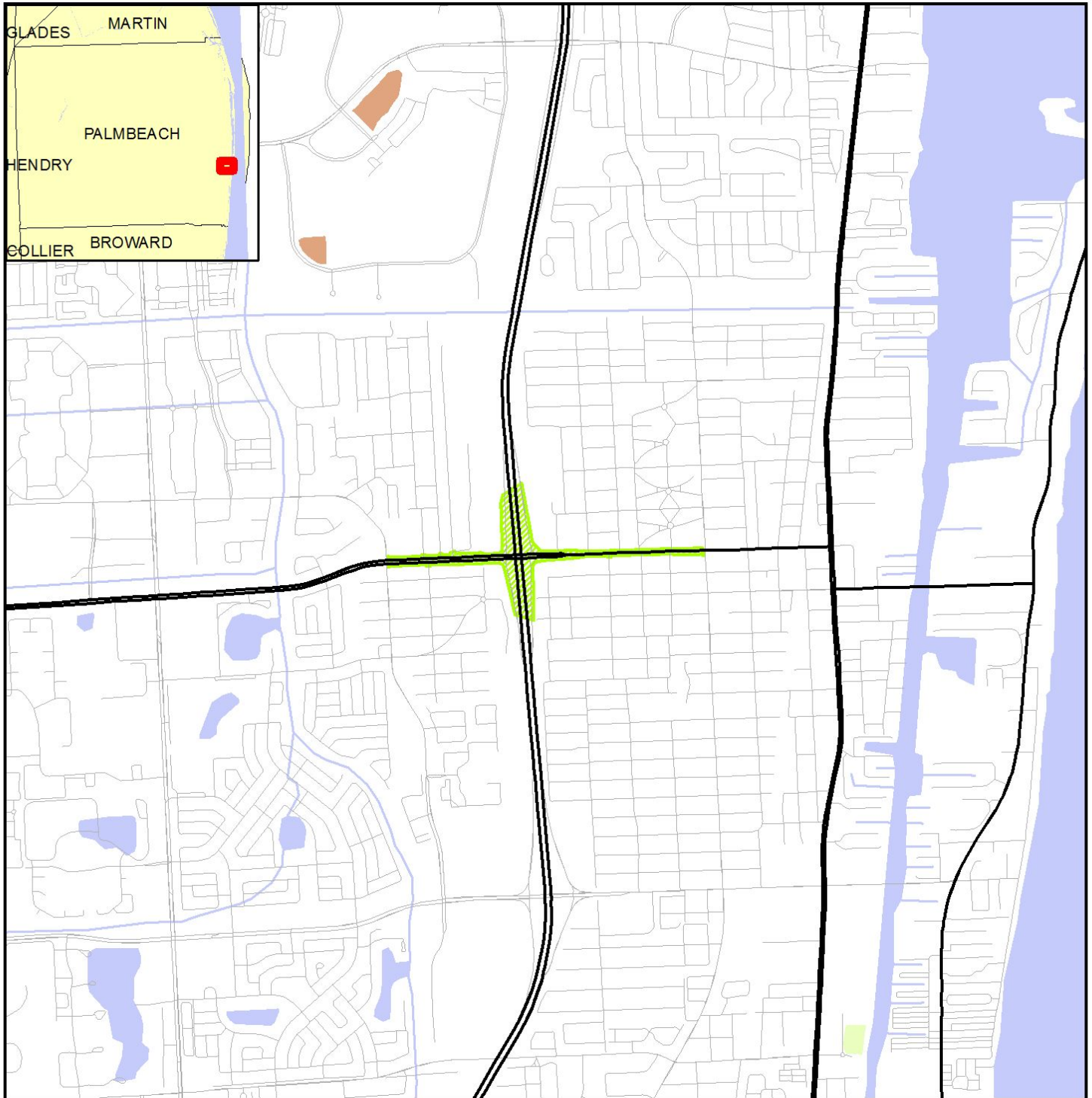
**Data Sources:**

- Major Road
- Local Road or Trail

NAVTEQ      Florida Department of Transportation      Florida Geological Survey  
 US Geological Survey      Florida Department of Environmental Protection      US Bureau of Transportation Statistics

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# 14180 SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, Alternative #1



**Wetland Resource Map**

0 0.3 Miles



- |                           |                        |                                |
|---------------------------|------------------------|--------------------------------|
| ETDM Alternative Polygon  | Major Road             | Non-vegetated Wetland          |
| ETDM Alternative Segment  | Local Road or Trail    | Vegetated Non-forested Wetland |
| ETDM Alternative Terminus | River, Stream or Canal | Wetland Forested Mixed         |
| ETDM Alternative Point    | Water Body             | Wetland Coniferous Forest      |
|                           |                        | Wetland Hardwood Forest        |

Data Sources: NAVTEQ; Florida Water Management Districts; US Geological Survey

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## Appendices

### PED Comments

#### Advance Notification Comments

##### Federal Highway Administration Comment --

- It is stated that the PD&E for the project is programmed in the Palm Beach MPO's Transportation Improvement Program (2015-2020) but not in the current LRTP. All projects within an MPO boundary that are included in the MPO's TIP must come from the MPO's Cost Feasible LRTP.
- When will the PD&E work begin on the project? The MPO is in the process of adopting their 2040 LRP Update. This project should be included in that updated Plan and as noted in the narrative, in the upcoming STIP.
- Reference is made in several sections (Consistency with Transportation Plans and Objectives and the Planning Consistency Status sections) that the project will be included in the 2035 LRTP. Will it be the 2035 LRTP or the 2040 LRTP?
- Since this project is in the programming screen vs the planning screen why are there not any public comments available in this ETAT Tool? This project, according to the narrative, is included in the MPO TIP for 2015. The TIP required public involvement and MPO discussion. Please include any feedback and input from these processes regarding this project. How does the public view this project? Has there been any controversy or negative public input on the need for this project or for the project impacts?
- Please include the estimated cost for the entire project. The narrative states that \$2 million is programmed for the PD&E study in the FDOT Work Program and the MPO's TIP. Will federal funding be sought for any phases in this project? Please clearly identify what the project costs and phases are anticipated to be for the entire project as well as any programmed funds and project phasing in such a manner that is very clear to the public. This disclosure of information is an important element the public uses during their consideration of the project.
- Under the growth management section of the project description provided projected growth percentages for population and employment. But the years cited are 2005-2035. Please provide more updated information and data.

##### Socio Cultural Impacts:

- What outreach efforts are planned or have been made to the minority and low income populations along this project? The 100-through 1320 foot buffer identifies substantial minority populations (greater than 40%) and other populations that are considered traditionally underserved (such as aging) that will require specific outreach strategies. Information also shows that there is a population within this buffer with Limited English Proficiency (LEP) accommodations will be required during the Project.

##### Mobility/Freight

- Business and commercial - what mitigation coordination has taken place with the commercial businesses within the project area of impact for either continued access to their businesses or any taking/relocation of property for the project? What operational improvements are being considered as part of or independent of this project to assist with access to/from the existing businesses?
- Truck traffic - is this a corridor used for freight? Please include truck and commercial vehicle traffic and data. What is the anticipated growth of the freight volume over the next 20 years especially considering the developments and economic centers planned along this corridor? Have any outreach efforts been made to the freight providers for their input for operational improvements?

##### Transit:

- The narrative does not identify if there are any operating transit routes or stops within the study area, but the ETAT tool clearly identifies transit routes existing. Coordination with the transit providers will be required throughout the project to minimize impacts service. Are there any transit stops that will be directly impacted by this project?

##### Bicycle/Pedestrian Facilities:

- The narrative states that there currently are no designated bicycle lanes in the project study area. It was not clear if bicycle facilities will be included in the project. Are the sidewalks currently used to access the businesses and residences within the project study area? If so, how will this access be maintained?

It is mentioned that the bridge over the Florida Rail Corridor/CSX Railroad would be widened as part of the proposed project. Please indicate what type of coordination will be needed with the railroad.

--Luis D Lopez, P.E., 10/23/2014

##### Response --

--, \$tools.date.format("M/d/yyyy"),\$comment.responseTimestamp)

## GIS Analyses

Since there are so many GIS Analyses available for Project #14180 - SR-9/I-95 at SR-804/Boynton Beach Boulevard Interchange, they have not been included in this ETDM Summary Report. GIS Analyses, however, are always available for this project on the Public ETDM Website. Please click on the link below (or copy this link into your Web Browser) in order to view detailed GIS tabular information for this project:

<http://etdmpub.fl.a-etat.org/est/index.jsp?tpID=14180&startPageName=GIS%20Analysis%20Results>

**Special Note:** Please be sure that when the GIS Analysis Results page loads, the **Summary Report Re-Published 5/27/2015 Milestone** is selected. GIS Analyses snapshots have been taken for Project #14180 at various points throughout the project's life-cycle, so it is important that you view the correct snapshot.

## Project Attachments

**Note:** Attachments are not included in this Summary Report, but can be accessed by clicking on the links below:

Date	Type	Size	Link / Description
02/01/2014	Ancillary Project Documentation	5.2 MB	<a href="http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17556">http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17556</a> Concept Plan Sheet
07/09/2014	Ancillary Project Documentation	280 KB	<a href="http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17555">http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17555</a> TIP Pages
02/01/2014	Ancillary Project Documentation	1.52 MB	<a href="http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17554">http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17554</a> Project Concept Report
07/09/2014	Form SF-424: Application for Federal Assistance	981 KB	<a href="http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17553">http://etdmpub.fl.a-etat.org/est/servlet/blobViewer?blobID=17553</a> Form SF-424: Application for Federal Assistance

## Degree of Effect Legend

Color Code	Meaning	ETAT	Public Involvement
N/A	Not Applicable / No Involvement	There is no presence of the issue in relationship to the project, or the issue is irrelevant in relationship to the proposed transportation action.	
0	None (after 12/5/2005)	The issue is present, but the project will have no impact on the issue; project has no adverse effect on ETAT resources; permit issuance or consultation involves routine interaction with the agency. The <i>None</i> degree of effect is new as of 12/5/2005.	No community opposition to the planned project. No adverse effect on the community.
1	Enhanced	Project has positive effect on the ETAT resource or can reverse a previous adverse effect leading to environmental improvement.	Affected community supports the proposed project. Project has positive effect.
2	Minimal	Project has little adverse effect on ETAT resources. Permit issuance or consultation involves routine interaction with the agency. Low cost options are available to address concerns.	Minimum community opposition to the planned project. Minimum adverse effect on the community.
2	Minimal to None (assigned prior to 12/5/2005)	Project has little adverse effect on ETAT resources. Permit issuance or consultation involves routine interaction with the agency. Low cost options are available to address concerns.	Minimum community opposition to the planned project. Minimum adverse effect on the community.
3	Moderate	Agency resources are affected by the proposed project, but avoidance and minimization options are available and can be addressed during development with a moderated amount of agency involvement and moderate cost impact.	Project has adverse effect on elements of the affected community. Public Involvement is needed to seek alternatives more acceptable to the community. Moderate community interaction will be required during project development.
4	Substantial	The project has substantial adverse effects but ETAT understands the project need and will be able to seek avoidance and minimization or mitigation options during project development. Substantial interaction will be required during project development and permitting.	Project has substantial adverse effects on the community and faces substantial community opposition. Intensive community interaction with focused Public Involvement will be required during project development to address community concerns.
5	Potential Dispute (Planning Screen)	Project may not conform to agency statutory requirements and may not be permitted. Project modification or evaluation of alternatives is required before advancing to the LRTP Programming Screen.	Community strongly opposes the project. Project is not in conformity with local comprehensive plan and has severe negative impact on the affected community.
5	Dispute Resolution (Programming Screen)	Project does not conform to agency statutory requirements and will not be permitted. Dispute resolution is required before the project proceeds to programming.	Community strongly opposes the project. Project is not in conformity with local comprehensive plan and has severe negative impact on the affected community.
	No ETAT Consensus	ETAT members from different agencies assigned a different degree of effect to this project, and the ETDM coordinator has not assigned a summary degree of effect.	
	No ETAT Reviews	No ETAT members have reviewed the corresponding issue for this project, and the ETDM coordinator has not assigned a summary degree of effect.	



## Florida Department of Transportation

**RICK SCOTT**  
**GOVERNOR**

605 Suwannee Street  
Tallahassee, FL 32399-0450

**JIM BOXOLD**  
**SECRETARY**

# ETDM Summary Report

Project #14181 - SR-9/I-95 at Gateway Boulevard Interchange

Programming Screen - Published on 11/24/2014

Printed on: 7/02/2015

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## Introduction to Programming Screen Summary Report

The Programming Screen Summary Report shown below is a read-only version of information contained in the Programming Screen Summary Report generated by the ETDM Coordinator for the selected project after completion of the ETAT Programming Screen review. The purpose of the Programming Screen Summary Report is to summarize the results of the ETAT Programming Screen review of the project; provide details concerning agency comments about potential effects to natural, cultural, and community resources; and provide additional documentation of activities related to the Programming Phase for the project. Available information for a Programming Screen Summary Report includes:

- Screening Summary Report chart
- Project Description information (including a summary description of the project, a summary of public comments on the project, and community-desired features identified during public involvement activities)
- Purpose and Need information (including the Purpose and Need Statement and the results of agency reviews of the project Purpose and Need)
- Alternative-specific information, consisting of descriptions of each alternative and associated road segments; an overview of ETAT Programming Screen reviews for each alternative; and agency comments concerning potential effects and degree of effect, by issue, to natural, cultural, and community resources.
- Project Scope information, consisting of general project commitments resulting from the ETAT Programming Screen review, permits, and technical studies required (if any)
- Class of Action determined for the project
- Dispute Resolution Activity Log (if any)

The legend for the Degree of Effect chart is provided in an appendix to the report.

For complete documentation of the project record, also see the GIS Analysis Results Report published on the same date as the Programming Screen Summary Report.

# #14181 SR-9/I-95 at Gateway Boulevard Interchange

**District:** District 4

**County:** Palm Beach

**Planning Organization:** FDOT District 4

**Plan ID:** Not Available

**Federal Involvement:** Maintain Federal Eligibility Federal Action

**Phase:** Programming Screen

**From:**

**To:**

**Financial Management No.:** 23193212201

**Contact Information:** Gaspar Jorge Padron (850) 777-4320 gaspar.padron@dot.state.fl.us

**Snapshot Data From:** Project Published 11/24/2014

*Issues and Categories are reflective of what was in place at the time of the screening event.*

	Social and Economic						Cultural			Natural				Physical							
	Land Use Changes	Social	Relocation Potential	Farmlands	Aesthetic Effects	Economic	Mobility	Section 4(f) Potential	Historic and Archaeological Sites	Recreation Areas	Wetlands	Water Quality and Quantity	Floodplains	Wildlife and Habitat	Coastal and Marine	Noise	Air Quality	Contamination	Infrastructure	Navigation	Special Designations
Alternative #1 From: To: <i>Published: 11/24/2014 Reviewed from 07/23/2014 to 09/06/2014</i>	3	2	4	0	2	2	1	2	3	0	2	2	0	2	0	2	2	2	2	N/A	0

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## Purpose and Need

### Purpose and Need

The purpose of the project is to enhance overall traffic operations at the existing interchange of SR-9/I-95 and Gateway Boulevard by providing improvements to achieve acceptable Levels of Service (LOS) at the interchange in the future condition (2040 Design Year). Conditions along Gateway Boulevard are anticipated to deteriorate below acceptable LOS standards if no improvements occur by 2040; the interchange will have insufficient capacity to accommodate the projected travel demand. The need for the project is based on the following primary and secondary criteria:

### PRIMARY CRITERIA

#### **CAPACITY/TRANSPORTATION DEMAND: Improve Operational Capacity and Overall Traffic Operations (Level of Service)**

The project is anticipated to improve traffic operations at the SR-9/I-95 and Gateway Boulevard interchange and study area roadways/intersections by implementing operational and capacity improvements to meet the future travel demand projected as a result of Palm Beach County population and employment growth.

Based upon the traffic operations analysis conducted for the SR-9/I-95 at Gateway Boulevard interchange and adjacent signalized intersections [as documented in the *I-95 (SR-9) Interchange at Gateway Boulevard in Palm Beach County Interchange Concept Development Report*], the existing and future AM and PM peak hour traffic conditions for the five study intersections along Gateway Boulevard are as follows:

#### ***-Existing AM Peak Hour Conditions [2012/2013]-***

##### ***Gateway Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)***

Quantum Lane / B (12.3)

High Ridge Road / F (111.4)

SR-9/I-95 Southbound Ramps / F (255.7)

SR-9/I-95 Northbound Ramps / D (37.5)

Seacrest Boulevard / D (43.6)

#### ***-Existing PM Peak Hour Conditions [2012/2013]-***

##### ***Gateway Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)***

Quantum Lane / B (16.6)

High Ridge Road / D (40.9)

SR-9/I-95 Southbound Ramps / F (158.0)

SR-9/I-95 Northbound Ramps / E (60.4)

Seacrest Boulevard / D (38.4)

#### ***-Future AM Peak Hour Conditions [2040 Design Year No-Build]-***

##### ***Gateway Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)***

Quantum Lane / C (32.9)

High Ridge Road / F (275.2)

SR-9/I-95 Southbound Ramps / F (146.8)

SR-9/I-95 Northbound Ramps / F (102.2)

Seacrest Boulevard / F (195.2)



**-Future PM Peak Hour Conditions [2040 Design Year No-Build]-**

**Gateway Boulevard Intersection / Overall Intersection LOS (Delay in seconds per vehicle)**

Quantum Lane / C (32.2)

High Ridge Road / F (84.7)

SR-9/I-95 Southbound Ramps / F (251.1)

SR-9/I-95 Northbound Ramps / F (166.9)

Seacrest Boulevard / F (204.9)

Under the existing conditions scenarios, all of the intersections operate at LOS E or better with the exception of the High Ridge Road and SR-9/I-95 southbound ramp intersections at Gateway Boulevard. If no improvements are made by 2040, all of the Gateway Boulevard intersections (except the Quantum Lane intersection) will continue to experience excessive delays and queuing and operate below acceptable LOS standards (LOS F) during both the AM and PM peak periods.

**GROWTH MANAGEMENT: Accommodate Future Growth and Development**

The area surrounding the SR-9/I-95 at Gateway Boulevard interchange is urbanized containing a mixture of residential and recreational land uses to the east and commercial, office, industrial, and residential activities to the west as part of the Quantum Park Development of Regional Impact (DRI). According to the City of Boynton Beach Future Land Use Map, the area will continue to support the noted land uses.

Population within the vicinity of the interchange is anticipated to increase by approximately 46% from 2005 to 2035 with the majority of the growth occurring east of Seacrest Boulevard and within the Quantum Park DRI. Employment is expected to increase by approximately 173% from 2005 to 2035 primarily in the areas west and southeast of the interchange. These projections are based on data derived from the enhanced Southeast Regional Planning Model (SERPM) version 6.5 Managed Lanes Model (upgraded to include specific subarea improvements for the I-95 Interchange Master Plan).

As such, the proposed improvements will be critical in supporting growth within the vicinity of the interchange and the overall vision of the City of Boynton Beach.

**SECONDARY CRITERIA**

**SAFETY: Improve Safety Conditions**

The *I-95 (SR-9) Interchange at Gateway Boulevard in Palm Beach County Interchange Concept Development Report* included a safety analysis of the project area. The following provides a summary of the crash data and analysis results for the three-year period from 2010 through 2012:

***Year / Number of Crashes***

2010 / 42

2011 / 37

2012 / 38

Total Crashes: 117

Predominant Crash Type:Rear-end (56 / 48% of total)

No high crash locations are reported along Gateway Boulevard in the area of the SR-9/I-95 interchange through FDOT's high crash location reports (for the period 2009 through 2011). However, SR-9/I-95 in the vicinity of Gateway Boulevard is

identified as a high crash segment indicating that it has a higher crash rate as compared to crash rates for similar statewide roadways (for the period 2010 through 2012).

The proposed improvements are anticipated to provide additional through and turn lanes, as well as lane assignment signs, to help reduce conflict points and the potential occurrence of collisions at the SR-9/I-95 at Gateway Boulevard interchange.

**EMERGENCY EVACUATION: Enhance Emergency Evacuation and Response Times**

SR-9/I-95 serves as part of the emergency evacuation route network designated by the Florida Division of Emergency Management. Also designated by Palm Beach County as an evacuation facility, SR-9/I-95 is critical in facilitating traffic flows during emergency evacuation periods as it connects to other major arterials and highways of the state evacuation route network. The project is anticipated to:

- Improve emergency evacuation capabilities by enhancing connectivity and accessibility to SR-9/I-95 and other major arterials designated on the state evacuation route network from the west and east, and
- Increase the operational capacity of traffic that can be evacuated during an emergency event.

**Purpose and Need Reviews**

**FDOT District 4**

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	09/03/2014	Gaspar Jorge Padron (gaspar.padron@dot.state.fl.us)	No Purpose and Need comments found.

**FL Department of Economic Opportunity**

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/14/2014	Matt Preston (matt.preston@deo.myflorida.com)	No Purpose and Need comments found.

**FL Department of Environmental Protection**

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	09/04/2014	Lauren Milligan (lauren.milligan@dep.state.fl.us)	No Purpose and Need comments found.

**FL Department of State**

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/14/2014	Ginny Jones (ginny.jones@dos.myflorida.com)	No Purpose and Need comments found.

**FL Fish and Wildlife Conservation Commission**

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/14/2014	Scott Sanders (scott.sanders@myfwc.com)	No Purpose and Need comments found.

**Federal Highway Administration**

Acknowledgement	Date Reviewed	Reviewer	Comments
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Accepted	09/05/2014	Luis Lopez, P.E. (luis.d.lopez@dot.gov)	<p>Safety - it is stated that there are currently no sidewalks along the Gateway Blvd. Is there any accident data for pedestrians available? It is stated that the project is programmed in the Palm Beach MPO's Transportation Improvement Program (2015-2020) but not in the current L RTP. All projects within an MPO boundary that are included in the MPO's TIP a must come from the MPO's L RTP.</p> <p>When will the PD&amp;E work begin on the project? The MPO is in the process of adopting their 2040 LRP Update. This project should be included in that updated Plan and as noted in the narrative, in the upcoming STIP.</p> <p>Reference is made in several sections (Consistency with Transportation Plans and Objectives and the Planning Consistency Status sections) that the project will be included in the 2035 LRTP. Will it be the 2035 LRTP or the 2040 LRTP?</p> <p>Since this project is in the programming screen vs the planning screen why are there not any public comments available in this ETAT Tool? This project, according to the narrative, is included in the MPO TIP for 2015. The TIP required public involvement and MPO discussion. Please include any feedback and input from these processes regarding this project. How does the public view this project? Has there been any controversy or negative public input on the need for this project or for the project impacts?</p> <p>Please include the estimate cost of this project. The narrative states that \$1million is programmed for the PD&amp;E study in the FDOT Work Program and the MPO's TIP. It also states that the FDOT Work program has \$6 million programmed for Preliminary Engineering and \$2 million for environmental. Please clearly identify what the project costs and phases are anticipated to be for the entire project as well as any programmed funds and project phasing in such a manner that is very clear to the public. This disclosure of information is an important element the public uses during their consideration of the project.</p>
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### National Marine Fisheries Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/12/2014	Brandon Howard (Brandon.Howard@noaa.gov)	None

### National Park Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/01/2014	Anita Barnett (anita_barnett@nps.gov)	No Purpose and Need comments found.

### Natural Resources Conservation Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/31/2014	Rick Robbins (rick.a.robbins@fl.usda.gov)	No Purpose and Need comments found.

### South Florida Water Management District

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/18/2014	Mindy Parrott (mparrott@sfwmd.gov)	No Purpose and Need comments found.

### US Army Corps of Engineers

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	08/18/2014	Garett Lips (Garett.G.Lips@usace.army.mil)	No Purpose and Need comments found.

### US Coast Guard

Acknowledgement	Date Reviewed	Reviewer	Comments
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Understood	07/24/2014	Darayl Tompkins (Darayl.Tompkins@uscg.mil)	No Coast Guard involvement.
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### US Environmental Protection Agency

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	09/06/2014	Maher Budeir (budeir.maher@epa.gov)	No Purpose and Need comments found.

### US Fish and Wildlife Service

Acknowledgement	Date Reviewed	Reviewer	Comments
Understood	07/28/2014	John Wrublik (john_wrublik@fws.gov)	No Purpose and Need comments found.

## Project Description Data

### Project Description

This interchange improvement is one of seventeen being studied as part of the *I-95 Interchange Master Plan*. This plan will reexamine 1) the 2003 *I-95 Interchange Master Plan Study* and 2) the SR-9/I-95 mainline project, which added a High Occupancy Vehicle (HOV) lane and auxiliary lanes from south of Linton Boulevard to north of PGA Boulevard in Palm Beach County and included minor improvements to eight interchanges. Overall, the *I-95 Interchange Master Plan* will recommend new short-term and long-term improvements to interchanges based on changes in traffic volumes and updated design standards.

The SR-9/I-95 at Gateway Boulevard interchange is located on SR-9/I-95 between the Hypoluxo Road interchange (1.5 miles to the north) and the Boynton Beach Boulevard interchange (1.5 miles to the south) within the City of Boynton Beach in eastern Palm Beach County. This interchange project proposes to enhance operational capacity to address traffic spillback onto SR-9/I-95, reduce congestion, and increase safety through the 2040 Design Year. Based upon the traffic operations analysis conducted for the SR-9/I-95 at Gateway Boulevard interchange and adjacent signalized intersections [as documented in the *I-95 (SR-9) Interchange at Gateway Boulevard in Palm Beach County Interchange Concept Development Report* attached in the EST], the 2020 Opening Year (short-term) recommended improvements should be constructed at the same time as the 2040 Design Year (long-term) recommended improvements for efficiency as they require right-of-way along Gateway Boulevard and are also needed for the proposed 2040 improvements. The recommended 2040 Design Year improvements are listed below; optional non-critical arterial improvements are additionally provided.

#### **2040 Design Year (Long-Term) Recommended Improvements**

- Add an additional through lane on eastbound Gateway Boulevard from Quantum Lane to east of Seacrest Boulevard.
- Add an additional through lane on westbound Gateway Boulevard from east of Seacrest Boulevard to Quantum Lane.
- Add a second westbound left-turn lane at Quantum Lane.
- Add a second eastbound left-turn lane at High Ridge Road.
- Add a third receiving lane on SR-9/I-95 southbound on-ramp.
- Add a third northbound left-turn lane at SR-9/I-95 northbound ramps.
- Add a third receiving lane on SR-9/I-95 northbound on-ramp.
- Add a second eastbound left-turn lane at Seacrest Boulevard.

#### **2040 Optional Non-critical Arterial Improvements**

These projects are not vital to the operations of the interchange but allow adjacent intersections to meet Level of Service thresholds or benefit other modes of travel in the area.

- Add a second southbound left-turn lane at Quantum Lane.
- Add a third southbound left-turn lane at High Ridge Road.
- Add a dedicated southbound right-turn lane at High Ridge Road.
- Add a dedicated northbound right-turn lane at High Ridge Road.
- Add a dedicated southbound right-turn lane at Seacrest Boulevard.
- Add a second northbound left-turn lane at Seacrest Boulevard.

SR-9/I-95 is currently a ten-lane divided interstate freeway from north of the Congress Avenue interchange (southern limit) to north of the PGA Boulevard interchange (northern limit) providing four general purpose lanes and one High Occupancy Vehicle (HOV) lane in each direction. Auxiliary lanes are also provided in both the northbound and southbound directions between Gateway Boulevard and Boynton Beach Boulevard to the south, resulting in a twelve-lane section. The existing right-of-way at the interchange is approximately 300 feet. As part of the Strategic Intermodal System (SIS) and one of two major expressways (Florida's Turnpike being the other) that connect the major employment centers and residential areas of Miami-Dade, Broward and Palm Beach Counties, SR-9/I-95 serves an important role in facilitating the north-south movement of traffic in Southeast Florida.

Under the jurisdiction of the City of Boynton Beach, Gateway Boulevard is a six-lane divided urban minor arterial with a raised landscape median from the SR-9/I-95 southbound ramps west to Quantum Lane. Gateway Boulevard at the SR-9/I-95 overpass is divided (raised median) with two dedicated left-turn lanes in each direction to access the SR-9/I-95 on-ramps and two through lanes in each direction. A right-turn lane is provided both eastbound and westbound along Gateway Boulevard serving the SR-9/I-95 on-ramps. Gateway Boulevard transitions to a four-lane divided urban major collector with a raised landscape median from the SR-9/I-95 southbound ramps east to Seacrest Boulevard. East of Seacrest Boulevard, Gateway Boulevard is a three-lane minor collector. Sidewalks are provided along both sides of Gateway Boulevard, but no designated bicycle lanes are present. The existing right-of-way varies from 110 to 320 feet west of SR-9/I-95 and 50 to 290 feet east of SR-9/I-95.

The interchange at SR-9/I-95 and Gateway Boulevard is a typical diamond configuration. Adjacent accessible signalized intersections relative to this interchange are located at Quantum Lane and High Ridge Road to the west and Seacrest Boulevard to the east. There are also three existing bridges within this interchange: Gateway Boulevard over SR-9/I-95 (Bridge #930434), Gateway Boulevard over the South Florida Rail Corridor (SFRC)/CSX Railroad (Bridge #930433), and the SR-9/I-95 northbound off-ramp bridge (Bridge #930435). The ultimate interchange improvements (2040 Design Year Recommended Improvements) are likely to require additional right-of-way; however, the specific right-of-way requirements are not known at this time and will be determined through further analysis. Based on the Florida Department of Transportation's preliminary Long Range Estimate (LRE), the construction cost estimate for the improvements is \$22.2 million. Detailed cost estimates and right-of-way requirements will be derived as part of the Project Development and Environment (PD&E) Study.

## **CONSISTENCY WITH TRANSPORTATION PLAN GOALS AND OBJECTIVES**

Funding in the amount of \$1,005,000 is programmed for the PD&E Study under Fiscal Year (FY) 2015 in both the FY 2015 - 2020 FDOT Work Program (FM #231932-1) and the FY 2015 - 2019 Transportation Improvement Program (TIP) of the Palm Beach Metropolitan Planning Organization (MPO). The FY 2015 - 2020 FDOT Work Program also identifies \$6,000,000 for Preliminary Engineering and \$20,000 for Environmental under FY 2020. The Strategic Intermodal System Cost-Feasible Plan 2024 - 2040 additionally identifies this project. While the interchange improvements at SR-9/I-95 and Gateway Boulevard Interchange are not included in the Cost-Feasible component of the Palm Beach MPO 2035 Long

Range Transportation Plan (LRTP), two highway projects in the vicinity of the interchange are provided in the LRTP Needs component: 1) implementation of Managed Lanes on I-95 from the Palm Beach County/Broward County Line to Indiantown Road and 2) the proposed six-lane to eight-lane widening of Gateway Boulevard from Renaissance Commons Boulevard to SR-9/I-95. The project is also not included in the current State Transportation Improvement Program (STIP). Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance.

### Summary of Public Comments

Summary of Public Comments is not available at this time.

#### Justification

An extensive Public Involvement Plan (PIP) will be prepared and conducted during the PD&E phase of this project. The PIP will (1) outline how project team members will engage the community and other stakeholders in consensus-building/context sensitive solutions for any alternative under consideration, including the No-Build Alternative, and (2) incorporate environmental and community values into the development of the preferred alternative.

### Planning Consistency Status

Planning Consistency Status

Are the limits consistent with the plans?

Yes

No

Currently Adopted CFP-LRTP?

Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance.

Attachments

TIP Pages - <https://etdmpub.flas-etat.org/est/servlet/blobViewer?blobID=17619>

### Federal Consistency Determination

Date: 09/04/2014

Determination: CONSISTENT with Coastal Zone Management Program.

### Potential Lead Agencies

- Federal Highway Administration

### Exempted Agencies

Agency Name	Justification	Date
Federal Transit Administration	FTA has requested to be exempt from reviewing any non-transit projects.	06/26/2014

### Community Desired Features

No desired features have been entered into the database. This does not necessarily imply that none have been identified.

### User Defined Communities Within 500 Feet

- Boynton Beach
- Boynton North

### Census Places Within 500 Feet

- Boynton Beach

## Alternative #1

### Alternative Description

Name	From	To	Type	Status	Total Length	Cost	Modes	SIS
Alternative was not named.			Traffic Operation Enhancement	ETAT Review Complete	? mi.	\$22,200,000.00	Roadway	Y

### Project Effects Overview for Alternative #1

Issue	Degree of Effect	Organization	Date Reviewed
<b>Social and Economic</b>			
Land Use Changes	1 Enhanced	FL Department of Economic Opportunity	08/14/2014
Land Use Changes	3 Moderate	FDOT District 4	09/03/2014
Social	2 Minimal	FDOT District 4	09/03/2014
Social	2 Minimal	US Environmental Protection Agency	09/06/2014
Relocation Potential	4 Substantial	FDOT District 4	09/03/2014
Farmlands	0 None	Natural Resources Conservation Service	07/31/2014
Aesthetic Effects	2 Minimal	FDOT District 4	09/03/2014
Economic	0 None	FL Department of Economic Opportunity	08/14/2014
Economic	2 Minimal	FDOT District 4	09/03/2014
Mobility	1 Enhanced	FDOT District 4	09/03/2014
<b>Cultural</b>			
Historic and Archaeological Sites	3 Moderate	FL Department of State	08/14/2014
Recreation Areas	N/A N/A / No Involvement	National Park Service	08/01/2014
Recreation Areas	0 None	US Environmental Protection Agency	09/06/2014
Recreation Areas	0 None	FL Department of Environmental Protection	09/04/2014
Recreation Areas	0 None	South Florida Water Management District	08/18/2014
<b>Natural</b>			
Wetlands	0 None	US Environmental Protection Agency	09/06/2014
Wetlands	0 None	National Marine Fisheries Service	08/12/2014
Wetlands	0 None	US Army Corps of Engineers	08/18/2014
Wetlands	0 None	South Florida Water Management District	08/18/2014
Wetlands	2 Minimal	US Fish and Wildlife Service	07/28/2014
Wetlands	0 None	FL Department of Environmental Protection	09/04/2014
Water Quality and Quantity	0 None	US Environmental Protection Agency	09/06/2014
Water Quality and Quantity	0 None	FL Department of Environmental Protection	09/04/2014

Water Quality and Quantity	2	Minimal	South Florida Water Management District	08/18/2014
Floodplains	0	None	US Environmental Protection Agency	09/06/2014
Floodplains	0	None	South Florida Water Management District	08/18/2014
Wildlife and Habitat	2	Minimal	US Fish and Wildlife Service	07/28/2014
Wildlife and Habitat	2	Minimal	FL Fish and Wildlife Conservation Commission	08/14/2014
Coastal and Marine	0	None	South Florida Water Management District	08/18/2014
Coastal and Marine	0	None	National Marine Fisheries Service	08/12/2014
<b>Physical</b>				
Air Quality	2	Minimal	US Environmental Protection Agency	09/06/2014
Contamination	0	None	South Florida Water Management District	08/18/2014
Contamination	2	Minimal	FL Department of Environmental Protection	09/04/2014
Contamination	2	Minimal	US Environmental Protection Agency	09/06/2014
Navigation	N/A	N/A / No Involvement	US Coast Guard	07/24/2014
Navigation	N/A	N/A / No Involvement	US Army Corps of Engineers	08/18/2014
<b>Special Designations</b>				
Special Designations	0	None	US Environmental Protection Agency	09/06/2014
Special Designations	0	None	South Florida Water Management District	08/18/2014

## ETAT Reviews and Coordinator Summary: Social and Economic

### Land Use Changes

#### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/20/2014 by FDOT District 4

#### Comments:

FDEO reported that the project is compatible with the development goals of the City of Boynton Beach. FDEO noted that the project is not located in an Area of Critical State Concern or within the Coastal High Hazard Area and does not encroach on a military base; however, since the project is located near public recreational features, impacts to Section 4(f) resources should be analyzed. The project is included in the FY 2014 - 2019 FDOT Work Program, the Strategic Intermodal System Cost Feasible Plan 2024 - 2040, the Palm Beach Metropolitan Planning Organization (MPO) FY 2015 - 2019 Transportation Improvement Program (TIP), and the Palm Beach County Comprehensive Plan (reflected on Map TE 14.1). It is not identified in the Palm Beach MPO Cost Feasible 2035 Long Range Transportation Plan (LRTP) or the State Transportation Improvement Program (STIP). While the project is expected to accommodate expanding residential and industrial activities within the area, potential impacts to residential uses are anticipated as a result of additional right-of-way required for the improvements. Therefore, a Summary DOE of Moderate has been assigned to the Land Use Changes issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach MPO and the City of Boynton Beach to obtain feedback from residents and businesses that may be impacted by the interchange improvement. FDOT District Four will also coordinate with the City of Boynton Beach and the Palm Beach MPO to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO LRTP and 2) funding is identified for all future project phases in the TIP, LRTP, STIP, and FDOT SIS Cost Feasible Plan.

**Degree of Effect:** 1 *Enhanced* assigned 08/14/2014 by Matt Preston, FL Department of Economic Opportunity

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**



**Comments on Effects to Resources:**

The proposed improvements are compatible with the *City of Boynton Beach Comprehensive Plan*, and the development goals of the City. Objective 2.10 and related policies ensure coordination with the Palm Beach MPO and the FDOT Work Plan.

The City's Comprehensive Plan does not include a *Future Transportation Map*. It is recommended that the City adopt a Future Transportation Map consistent with Section 163.3177(b)1, F.S.

The Future Land Use Map (FLUM) of the Comprehensive Plan shows several future land uses surrounding the project, including: Moderate Density Residential, Conservation, Conservation Overlay (overlying Industrial and Recreation), Office Commercial, DRI, and Industrial.

The project is located within a quarter mile of Ezell Hester Jr. Community Park and Community Center, a City of Boynton Beach Park. According to the City, this 23.7-acre park includes the following amenities: baseball/softball field, basketball courts, benches, bike rack, concession building, cricket pitch, drinking fountain, fitness trail, football field, gazebo, open play area, rental pavilions, playground, racquetball court, restrooms, tennis courts, picnic shelters, a nature preserve, and a recreation center (with gymnasium, locker room, computer lab, game room, meeting room, and offices). FDOT should analyze potential impacts to these 4(f) resources.

The Quantum DRI, a mixed use DRI that includes industrial, residential, commercial, and office uses, is located within the western portion of the project area.

The project is not located in an Area of Critical State Concern, does not encroach on a military base, and is not located within the Coastal High Hazard Area.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** **3** Moderate assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

City of Boynton Beach Future Land Use Map  
Palm Beach County Future Land Use Map

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH  
- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 24.2 / 31.97%  
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 4.3 / 5.71%  
- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 1.5 / 1.92%  
- 1390 HIGH DENSITY UNDER CONSTRUCTION / 9.0 / 11.90%  
- 1400 COMMERCIAL AND SERVICES / 17.6 / 23.21%  
- 4240 MELALEUCA / 0.6 / 0.80%  
- 8140 ROADS AND HIGHWAYS / 18.5 / 24.48%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH
- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 71.9 / 31.34%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 33.5 / 14.58%
- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 11.1 / 4.82%
- 1390 HIGH DENSITY UNDER CONSTRUCTION / 18.8 / 8.21%
- 1400 COMMERCIAL AND SERVICES / 51.9 / 22.59%
- 1550 OTHER LIGHT INDUSTRY / 2.0 / 0.87%
- 1850 PARKS AND ZOOS / 7.7 / 3.34%
- 4110 PINE FLATWOODS / 0.2 / 0.08%
- 4240 MELALEUCA / 7.5 / 3.28%
- 6440 EMERGENT AQUATIC VEGETATION / 0.2 / 0.07%
- 8140 ROADS AND HIGHWAYS / 24.9 / 10.84%

**1,320-Foot (Quarter-Mile) Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH
- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 153.8 / 29.37%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 60.7 / 11.60%
- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 38.9 / 7.43%
- 1390 HIGH DENSITY UNDER CONSTRUCTION / 20.0 / 3.82%
- 1400 COMMERCIAL AND SERVICES / 99.0 / 18.92%
- 1550 OTHER LIGHT INDUSTRY / 38.2 / 7.29%
- 1710 EDUCATIONAL FACILITIES / 1.8 / 0.34%
- 1850 PARKS AND ZOOS / 26.5 / 5.07%
- 1900 OPEN LAND / 2.9 / 0.54%
- 3300 MIXED RANGELAND / 5.0 / 0.95%
- 4110 PINE FLATWOODS / 12.6 / 2.40%
- 4240 MELALEUCA / 17.3 / 3.31%
- 5300 RESERVOIRS / 2.3 / 0.44%
- 6440 EMERGENT AQUATIC VEGETATION / 7.0 / 1.34%
- 8140 ROADS AND HIGHWAYS / 37.6 / 7.19%

**Comments on Effects to Resources:**

The SR-9/I-95 at Gateway Boulevard interchange occurs within the City of Boynton Beach. The area surrounding the interchange is urbanized containing residential uses to the east and a mix of commercial, office, industrial, and residential activities to the west as part of the Quantum Park at Boynton Beach Development of Regional Impact. The project is expected to support the vision of both Palm Beach County and the City of Boynton Beach (based on Future Land Use Maps) as it will continue to accommodate the expanding residential and industrial uses within the vicinity of the interchange. Effects on the area's character resulting from the interchange improvement are anticipated to be moderate as additional right-of-way required is expected to potentially impact residential areas.

**Transportation Plan Consistency:**

Funding for the project PD&E Study is programmed in the FY 2015 - 2020 FDOT Work Program (FM #231932-1) and the FY 2015 - 2019 Transportation Improvement Program (TIP) of the Palm Beach Metropolitan Planning Organization (MPO). The Strategic Intermodal System Cost Feasible Plan 2024 - 2040 additionally identifies this project. The SR-9/I-95 and Gateway Boulevard Interchange improvement is not included in the Cost-Feasible component of the Palm Beach MPO 2035 Long Range Transportation Plan (LRTP) or the State Transportation Improvement Program (STIP). Coordination will occur with the Palm Beach MPO during the PD&E Study to identify and include funding for the project in the Palm Beach MPO 2035 LRTP Cost-Feasible component and the FDOT STIP prior to requesting Federal Highway Administration (FHWA) Location and Design Concept Acceptance. The project is reflected on Map TE 14.1: Thoroughfare Right of Way Identification Map of the Palm Beach County Comprehensive Plan.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach MPO and the City of Boynton Beach to obtain feedback from residents and businesses that may be impacted by the interchange improvement. FDOT District Four will also coordinate with the City of Boynton Beach and the Palm Beach MPO to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO LRTP and 2) funding is identified for all future project phases in the TIP, LRTP, STIP, and FDOT SIS Cost Feasible Plan.

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**Social**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 Minimal assigned 11/20/2014 by FDOT District 4

**Comments:**

While access to residences and businesses could temporarily be affected and/or modified as a result of the interchange improvement, overall impacts on the social environment and community cohesion are anticipated to be limited as the project will accommodate the expanding residential and industrial uses within the vicinity of the interchange (supporting goals of both Palm Beach County and the City of Boynton Beach). However, given the fact that the project is in an area with minority and low-income households and a population deficient in English proficiency, a Summary DOE of Minimal has been assigned to the Social issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from the general public to ensure that both the social and transportation needs of the community are addressed through the project. To avoid and/or minimize potential impacts to the greatest extent practicable, FDOT District Four will also prepare an Air Quality Technical Memorandum (see Air Quality issue), Noise Study Report (see Noise issue), and Sociocultural Effects Evaluation (in accordance with Part 2, Chapter 9 of the FDOT PD&E Manual) with particular focus on civil rights and environmental justice considerations. It should additionally be noted that Limited English Proficiency (LEP) accommodations will be required during public outreach.

**Degree of Effect:** 2 Minimal assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Social Service Facilities (1)**

- BOYNTON BEACH FAITH BASED CDC

**Group Care Facilities (1)**

- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433
- 930434
- 930435

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 71 - BOYNTON BEACH CROSSTOWN VIA LAWRENCE

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**Railroads in the State of Florida**

- MAINLINE: 2231.0352 Linear Feet

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH
- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**Geocoded Fire Stations (1)**

- BOYNTON BEACH FIRE DEPARTMENT AND RESCUE STATION 5

**Geocoded Homeowner and Condominium Associations (6)**

- VILLAGE ROYALE EMERALD GREEN
- VILLAGE ROYALE GREENBRIAR
- VILLAGE ROYALE GREENHILL
- VILLAGE ROYALE GREENRIDGE
- VILLAGE ROYALE GREENSIDE
- VILLAGE ROYALE ON THE GREEN

**Geocoded Social Service Facilities (2)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER
- BOYNTON BEACH FAITH BASED CDC

**Group Care Facilities (2)**

- COLLIE & GLORIA ANDERSON FOSTE
- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433
- 930434
- 930435

**Noise Barriers (1)**

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 71 - BOYNTON BEACH CROSSTOWN VIA LAWRENCE

**Fixed-Guideway Transit and Ferry Network (2)**

- TRI-COUNTY COMMUTER RAIL (2)

**Fixed-Guideway Transit Network Stations (1)**

- BOYNTON BEACH - TRI-COUNTY COMMUTER

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**Railroads in the State of Florida**

- MAINLINE: 3059.2494 Linear Feet

**1,320-Foot (Quarter-Mile) Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH
- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**Geocoded Fire Stations (1)**

- BOYNTON BEACH FIRE DEPARTMENT AND RESCUE STATION 5

**Geocoded Homeowner and Condominium Associations (13)**

**Geocoded Religious Centers (3)**

- FIRST CONGREGATIONAL CHRISTIAN CHURCH
- INTERNATIONAL PENTACOSTAL CITY MISSION
- SEACREST BOULEVARD PRESBYTERIAN CHURCH

**Geocoded Social Service Facilities (3)**

- A & D GROUP HOME
- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER
- BOYNTON BEACH FAITH BASED CDC

**Group Care Facilities (3)**

- A & D GROUP HOME
- COLLIE & GLORIA ANDERSON FOSTE
- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433
- 930434
- 930435

**Noise Barriers (2)**

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 71 - BOYNTON BEACH CROSSTOWN VIA LAWRENCE

**Fixed-Guideway Transit and Ferry Network (2)**

- TRI-COUNTY COMMUTER RAIL (2)

**Fixed-Guideway Transit Network Stations (1)**

- BOYNTON BEACH - TRI-COUNTY COMMUTER

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**Railroads in the State of Florida**

- MAINLINE: 4702.4676 Linear Feet

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 153.8 / 29.37%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 60.7 / 11.60%

- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 38.9 / 7.43%
- 1390 HIGH DENSITY UNDER CONSTRUCTION / 20.0 / 3.82%
- 1400 COMMERCIAL AND SERVICES / 99.0 / 18.92%
- 1550 OTHER LIGHT INDUSTRY / 38.2 / 7.29%
- 1710 EDUCATIONAL FACILITIES / 1.8 / 0.34%
- 1850 PARKS AND ZOOS / 26.5 / 5.07%
- 1900 OPEN LAND / 2.9 / 0.54%
- 3300 MIXED RANGELAND / 5.0 / 0.95%
- 4110 PINE FLATWOODS / 12.6 / 2.40%
- 4240 MELALEUCA / 17.3 / 3.31%
- 5300 RESERVOIRS / 2.3 / 0.44%
- 6440 EMERGENT AQUATIC VEGETATION / 7.0 / 1.34%
- 8140 ROADS AND HIGHWAYS / 37.6 / 7.19%

**Comments on Effects to Resources:**

By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate the future travel demand projected as a result of Palm Beach County population and employment growth and 2) allow SR-9/I-95 to continue to serve as a critical arterial in facilitating the north-south movement of traffic in Southeast Florida as it connects major employment centers, residential areas, and other regional destinations between Miami-Dade, Broward and Palm Beach Counties.

The SR-9/I-95 at Gateway Boulevard interchange occurs within the City of Boynton Beach. The area surrounding the interchange is urbanized containing residential uses to the east and a mix of commercial, office, industrial, and residential activities to the west as part of the Quantum Park at Boynton Beach Development of Regional Impact. According to the City of Boynton Beach Future Land Use Map, the area is to continue to primarily support residential and industrial uses.

Community features that occur within the vicinity of the project include: one community center and park, one fire station, thirteen homeowner and condominium associations, three religious centers, social service and group care facilities, two bus transit routes, fixed-guideway transit service (along with a station), two transportation disadvantaged services, railway, and cultural resources.

The table below presents the demographic data for both the 500-foot project buffer and Palm Beach County. According to the EST GIS analysis results, the demographic profile of the buffer area differs from the profile of Palm Beach County as a whole in that it contains a significantly higher African-American population percentage and a significantly lower White population percentage. The buffer area also contains a higher percentage of individuals under age 18 and a notably lower percentage of persons of age 65 or above compared to the county population. In addition, the buffer area has a higher percentage of housing units with no vehicle available and a lower median family income (\$13,314 less) compared to Palm Beach County.

**Demographic / 500-Foot Buffer / Palm Beach County**

- White (Race)\* / 48.6% / 73.5%
- African-American (Race)\* / 43.1% / 17.3%
- "Other" \*\*\* (Race)\* / 8.3% / 9.2%
- Hispanic (Ethnic Group)\* / 14.1% / 19.0%
- Age 65+\*\* / 15.4% / 21.6%
- Under Age 18\*\* / 21.4% / 20.4%
- Housing Units with No Vehicle Available\*\* / 8.2% / 6.2%
- Averaged Median Family Income\*\* / \$51,131 / \$64,445

\* Source: US Census Bureau (2010 US Census)

\*\* Source: US Census Bureau (2010 American Community Survey)

\*\*\* "Other" includes American Indian & Alaska Native, Asian, Native Hawaiian & Other Pacific Islander, & Other Race.

It should be noted that 20 census blocks within the 500-foot project buffer contain a minority population greater than 40%. A total of 3,150 individuals comprise the minority population of these census blocks. It should further be noted that 2,640 persons within the 500-foot project buffer (23.79% of the total buffer population) indicated a deficiency in English proficiency. Limited English Proficiency (LEP) accommodations will be required during the Project Development phase as the demographic data indicates that 5.0% or 1,000 persons or more in a project area speak a language other than English (per Part 1, Chapter 11, Section 11-1.2.4 of the FDOT PD&E Manual). Based on the notable presence of minority and low-income households within the buffer area, civil rights and environmental justice considerations will be accounted for in subsequent project phases.

The project is expected to support the vision of both Palm Beach County and the City of Boynton Beach as it will accommodate the expanding residential and industrial activities within the vicinity of the interchange, including uses of the established Development of Regional Impact (Quantum Park at Boynton Beach). While access to residences and businesses could temporarily be affected and/or modified as a result of the interchange improvement, overall impacts of the project on the social environment and community cohesion are anticipated to be minimal.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from the general public to ensure that both the social and transportation needs of the community are addressed through the project.

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**Degree of Effect:** 2 *Minimal* assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

NEighboring residential communitied within 500 feet of the project.

**Comments on Effects to Resources:**

The impact on the community in the project vicinity needs to be assessed. The area consists of mostly low-income households. Since the project is about improvements of existing roads, impacts are not likely to be significant. However, long term and short term impact on community character and cohesion should be assessed.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Relocation Potential**

**Project Effects**

**Coordinator Summary Degree of Effect:** 4 *Substantial* assigned 11/20/2014 by FDOT District 4

**Comments:**

The proposed project is anticipated to require additional right-of-way along the northern and southern portions of Gateway Boulevard, both east and west of the interchange. The acquisition of new right-of-way has the potential to impact approximately eleven commercial businesses located within 1,000 feet to the west of the interchange (no relocations are anticipated) and twenty-seven residential units located within 1,000 feet to the east of the interchange (this may result in the relocation of up to twenty-four units). Further, access to businesses and residences could temporarily be affected and/or modified during project construction. For these reasons, a Summary DOE of Substantial has been assigned to the Relocation Potential issue.

A Conceptual Stage Relocation Plan will be prepared during the Project Development stage if relocations are determined to be necessary. Potential relocation effects should be assessed further during Project Development as more detailed and finalized project information regarding right-of-way needs becomes available. The proposed interchange improvements will be adjusted so as to avoid or minimize impacts to identified features.

**Degree of Effect:** 4 *Substantial* assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433

- 930434

- 930435

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 24.2 / 31.97%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 4.3 / 5.71%

- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 1.5 / 1.92%

- 1390 HIGH DENSITY UNDER CONSTRUCTION / 9.0 / 11.90%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**Geocoded Homeowner and Condominium Associations (6)**

- VILLAGE ROYALE EMERALD GREEN

- VILLAGE ROYALE GREENBRIAR

- VILLAGE ROYALE GREENHILL

- VILLAGE ROYALE GREENRIDGE

- VILLAGE ROYALE GREENSIDE

- VILLAGE ROYALE ON THE GREEN

**Group Care Facilities (2)**

- COLLIE & GLORIA ANDERSON FOSTE

- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433

- 930434

- 930435

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 71.9 / 31.34%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 33.5 / 14.58%

- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 11.1 / 4.82%

- 1390 HIGH DENSITY UNDER CONSTRUCTION / 18.8 / 8.21%

**Comments on Effects to Resources:**

The interchange at SR-9/I-95 and Gateway Boulevard is a typical diamond configuration. SR-9/I-95 is currently a ten-lane divided interstate freeway with eight general use and two High Occupancy Vehicle (HOV) lanes. The existing right-of-way at the interchange is approximately 300 feet. Gateway Boulevard is a six-lane divided urban minor arterial west of SR-9/I-95 and a four-lane divided urban major collector east of SR-9/I-95. The existing right-of-way varies from approximately 110 to 320 feet west of SR-9/I-95 and 50 to 290 feet east of SR-9/I-95.

The proposed project is anticipated to require additional right-of-way along the northern and southern portions of Gateway Boulevard, both east and



west of the interchange. Gateway Boulevard is to be widened to accommodate both eastbound and westbound through lanes, turn lanes, bike lanes, sidewalks, and curb and gutter. These improvements, as well as the addition of a dedicated right-turn lane on High Ridge Road west of the interchange, a new right turn lane on southbound Seacrest Boulevard north of Gateway Boulevard, and widening of all on- and off-ramps to SR-9/I-95 will result in acquisition of new right-of-way that has the potential to impact approximately eleven commercial businesses located within 1,000 feet to the west of the interchange and twenty-seven residential units located within 1,000 feet to the east of the interchange. The proposed right-of-way acquisitions affecting commercial businesses to the west are of such a minor nature that no relocations are anticipated. However, the right-of-way acquisitions affecting residential units to the east may require the relocation of up to twenty-four units. Further, access to businesses and residences could temporarily be affected and/or modified during project construction. For these reasons, substantial involvement regarding relocation potential is anticipated.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

It is recommended that further assessment of relocation effects be conducted during the Project Development phase as more detailed and finalized project information regarding right-of-way needs becomes available. The proposed interchange improvements will be adjusted so as to avoid or minimize impacts to identified features. A Conceptual Stage Relocation Plan will be prepared if relocations are determined to be necessary.

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## Farmlands

### Project Effects

**Coordinator Summary Degree of Effect:** 0 *None* assigned 11/20/2014 by FDOT District 4

**Comments:**

NRCS determined that there are no Prime, Unique or Locally Important Farmland soils within any of the project buffers. In addition, the project is located within the Miami Urbanized Area. According to Part 2, Chapter 28, Section 28-2.1 of the FDOT PD&E Manual, transportation projects situated within urbanized areas with no adjacent present or future agricultural lands are excluded from Farmland Assessments. Since the project is located within a designated urban area anticipated to continue to support residential and industrial uses, a Summary DOE of None has been assigned to the Farmlands issue.

**Degree of Effect:** 0 *None* assigned 07/31/2014 by Rick Allen Robbins, Natural Resources Conservation Service

**Coordination Document:** No Involvement

### Direct Effects

**Identified Resources and Level of Importance:**

The USDA-NRCS considers soil map units with important soil properties for agricultural uses to be Prime Farmland. In addition, the USDA-NRCS considers any soils with important soil properties and have significant acreages that are used in the production of commodity crops (such as, cotton, citrus, row crops, specialty crops, nuts, etc.) to be considered as Farmlands of Unique Importance or Farmlands of Local Importance. Nationally, there has been a reduction in the overall amount of Prime and Unique Farmlands through conversion to non-farm uses. This trend has the possibility of impacting the nation's food supply and exporting capabilities.

**Comments on Effects to Resources:**

Conducting GIS analysis of Prime Farmland (using USDA-NRCS data) and Important (Prime, Unique, Local) Farmland Analysis (using existing SFWMD land use data and 2010 SSURGO data) has resulted in the determination that there are no Prime, Unique, or Locally Important Farmland soils within any buffer width within the Project Area. Therefore, no degree of effect to agricultural resources.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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## Aesthetic Effects

### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

The project is consistent with the area's future land use vision as it is expected to enhance access to the Quantum Park at Boynton Beach Development of Regional Impact and support growing residential and industrial activities. Given the urban nature of the surrounding project area, impacts to aesthetics/the existing visual environment should be limited. Therefore, a Summary DOE of Minimal has been assigned to the Aesthetic

Effects issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit opinions and preferences from residents and businesses on potential project effects and general design concepts related to aesthetics.

**Degree of Effect:** 2 Minimal assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Group Care Facilities (1)**

- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433

- 930434

- 930435

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 24.2 / 31.97%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 4.3 / 5.71%

- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 1.5 / 1.92%

- 1390 HIGH DENSITY UNDER CONSTRUCTION / 9.0 / 11.90%

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Geocoded Community Centers (1)**

- CITY OF BOYNTON BEACH HESTER COMMUNITY CENTER & PARK

**Geocoded Homeowner and Condominium Associations (6)**

- VILLAGE ROYALE EMERALD GREEN

- VILLAGE ROYALE GREENBRIAR

- VILLAGE ROYALE GREENHILL

- VILLAGE ROYALE GREENRIDGE

- VILLAGE ROYALE GREENSIDE

- VILLAGE ROYALE ON THE GREEN

**Group Care Facilities (2)**

- COLLIE & GLORIA ANDERSON FOSTE

- WILLIE MAE CAVE

**Florida Site File Resource Groups (1)**

- SEABOARD AIR LINE RAILROAD [PB12917]

**Cultural Field Survey Areas (5)**

**FDOT RCI Bridges (3)**

- 930433

- 930434

- 930435

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**SFWMD Residential Areas 2008**

- 1210 FIXED SINGLE FAMILY UNITS / 71.9 / 31.34%

- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 33.5 / 14.58%

- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 11.1 / 4.82%

- 1390 HIGH DENSITY UNDER CONSTRUCTION / 18.8 / 8.21%

**Comments on Effects to Resources:**

Notable community features associated with aesthetics within the 500-foot project buffer include: 135.3 acres of residential uses (including six homeowner and condominium associations as well as a Development of Regional Impact), one park, two group care facilities, and cultural resources. Impacts to aesthetics/the existing visual environment as a result of the interchange improvement are anticipated to be minimal given the urbanized nature of the area and the fact that the project supports the area's land use vision.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit opinions and preferences from residents and businesses on potential project effects and general design concepts related to aesthetics.

**Economic**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

By improving operational capacity and overall traffic operations, the project is intended to accommodate future travel demand as a result of expanding industrial and residential uses within the vicinity of the interchange. In addition, the improvements will enhance access to SR-9/I-95 (from the east and west) and other major transportation facilities and employment centers (including freight facilities) of Southeast Florida. While no business relocations are anticipated, access to residences and businesses could temporarily be affected and/or modified during construction. Therefore, a Summary DOE of Minimal has been assigned to the Economic issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from residents and businesses (located within the vicinity of the interchange) regarding potential economic enhancements/impacts (particularly access to businesses) as a result of the project.

**Degree of Effect:** 0 *None* assigned 08/14/2014 by Matt Preston, FL Department of Economic Opportunity

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

*City of Boynton Beach Comprehensive Plan*, adopted in June, 2014.

**Comments on Effects to Resources:**

The project is not located in a Rural Area of Critical Economic Concern (RACEC). Economic development as a result of the project would be related to improved traffic circulation to the City and the local businesses, and improved I-95 level of service.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 Minimal assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Railroads in the State of Florida**

- MAINLINE: 2231.0352 Linear Feet

**500-Foot Buffer:**

**2010 Census Designated Places (1)**

- BOYNTON BEACH

**Community Boundaries (2)**

- BOYNTON BEACH

- BOYNTON NORTH

**Developments of Regional Impact (1)**

- QUANTUM PARK AT BOYNTON BEACH [ADA NO: 1984-048]

**Railroads in the State of Florida**

- MAINLINE: 3059.2494 Linear Feet

**2008 SFWMD FL Land Use and Land Cover / Acres / Percent**

- 1210 FIXED SINGLE FAMILY UNITS / 71.9 / 31.34%
- 1330 MULTIPLE DWELLING UNITS - LOW RISE / 33.5 / 14.58%
- 1340 MULTIPLE DWELLING UNITS - HIGH RISE / 11.1 / 4.82%
- 1390 HIGH DENSITY UNDER CONSTRUCTION / 18.8 / 8.21%
- 1400 COMMERCIAL AND SERVICES / 51.9 / 22.59%
- 1550 OTHER LIGHT INDUSTRY / 2.0 / 0.87%
- 1850 PARKS AND ZOOS / 7.7 / 3.34%
- 4110 PINE FLATWOODS / 0.2 / 0.08%
- 4240 MELALEUCA / 7.5 / 3.28%
- 6440 EMERGENT AQUATIC VEGETATION / 0.2 / 0.07%
- 8140 ROADS AND HIGHWAYS / 24.9 / 10.84%

**Comments on Effects to Resources:**

The SR-9/I-95 at Gateway Boulevard interchange occurs within the City of Boynton Beach. The area surrounding the interchange is urbanized containing residential uses to the east and a mix of commercial, office, industrial, and residential activities to the west as part of the Quantum Park at Boynton Beach Development of Regional Impact. The project is expected to support the vision of both Palm Beach County and the City of Boynton Beach (based on Future Land Use Maps) as it will continue to accommodate the expanding residential and industrial uses within the vicinity of the interchange.

By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate the future travel demand projected as a result of Palm Beach County population and employment growth, 2) allow for more efficient access to SR-9/I-95 from the east and west along Gateway Boulevard, and 3) maintain viable access to the major transportation facilities and employment centers of Southeast Florida (including connectors to freight activity centers/local distribution facilities or between the regional freight corridors).

While economic enhancements are generally expected since the improvements are consistent with economic development efforts of the area, access to

residences and businesses could temporarily be affected and/or modified during construction; however, no business relocations are anticipated. Overall, economic effects as a result of the interchange improvement are anticipated to be minimal.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit input from residents and businesses (located within the vicinity of the interchange) regarding potential economic enhancements/impacts (particularly access to businesses) as a result of the project.

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## Mobility

### Project Effects

**Coordinator Summary Degree of Effect:** 1 *Enhanced* assigned 11/20/2014 by FDOT District 4

**Comments:**

Through improved operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) accommodate future travel demand (thus achieving acceptable Levels of Service at the interchange), 2) allow SR-9/I-95 to continue to facilitate the north-south movement of local and regional traffic, 3) enhance access to SR-9/I-95 and other major transportation facilities and employment centers in Southeast Florida, 4) improve freight mobility, 5) enhance emergency evacuation and response times, and 6) reduce conflict points and the potential occurrence of collisions. Therefore, a Summary DOE of Enhanced has been assigned to the Mobility issue.

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit community opinions and preferences, targeting input from the transportation disadvantaged population, regarding the project.

**Degree of Effect:** 1 *Enhanced* assigned 09/03/2014 by Gaspar Jorge Padron, FDOT District 4

**Coordination Document:** PD&E Support Document As Per PD&E Manual

### Direct Effects

**Identified Resources and Level of Importance:**

**100-Foot Buffer:**

**FDOT RCI Bridges (3)**

- 930433
- 930434
- 930435

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 71 - BOYNTON BEACH CROSSTOWN VIA LAWRENCE

**Fixed-Guideway Transit and Ferry Network (1)**

- TRI-COUNTY COMMUTER RAIL

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**Railroads in the State of Florida**

- MAINLINE: 2231.0352 Linear Feet

**500-Foot Buffer:**

**FDOT RCI Bridges (3)**

- 930433
- 930434
- 930435

**Bus Transit Routes (2)**

- ROUTE 70 - LANTANA TO DELRAY BEACH
- ROUTE 71 - BOYNTON BEACH CROSSTOWN VIA LAWRENCE

**Fixed-Guideway Transit and Ferry Network (2)**

- TRI-COUNTY COMMUTER RAIL (2)

**Fixed-Guideway Transit Network Stations (1)**

- BOYNTON BEACH - TRI-COUNTY COMMUTER

**Transportation Disadvantaged Service Provider Areas in Florida-2010 (2)**

- PALM TRAN CONNECTION
- MV CONTRACT TRANSPORTATION, INC.

**Facility Crossings (1)**

- GATEWAY BOULEVARD/22ND AVENUE

**Railroads in the State of Florida**

- MAINLINE: 3059.2494 Linear Feet

**Number of Housing Units with No Vehicle Available: 385 (8.2%)**

**Comments on Effects to Resources:**

By improving operational capacity and overall traffic operations, the proposed interchange improvement is anticipated to 1) achieve acceptable Levels of Service (LOS) at the interchange in the future condition by accommodating future travel demand projected as a result of Palm Beach County population and employment growth; 2) allow SR-9/I-95 to continue to serve as a critical arterial in facilitating the north-south movement of traffic in Southeast Florida as it connects major employment centers, residential areas, and other regional destinations between Miami-Dade, Broward and Palm Beach Counties; 3) allow for more efficient access to SR-9/I-95 from the east and west along Gateway Boulevard; and 4) enhance freight mobility by maintaining viable access to the major transportation facilities and businesses of the area (including connectors to freight activity centers/local distribution facilities or between the regional freight corridors).

Further, as SR-9/I-95 serves as part of the emergency evacuation route network designated by the Florida Division of Emergency Management, the proposed project is anticipated to enhance emergency evacuation and response times by 1) improving connectivity and accessibility to SR-9/I-95 and other major arterials designated on the state evacuation route network and 2) increasing the number of residents that can be evacuated during an emergency event through expanded operational capacity.

The interchange improvement is also anticipated to provide additional through and turn lanes, as well as lane assignment signs, to help reduce conflict points and the potential occurrence of collisions at the interchange.

While potential temporary impacts to residences and businesses may occur during project construction as a result of intermittent road closures, the proposed project is anticipated to enhance overall access/mobility options and ease traffic congestion at the interchange during peak traffic periods.

**Additional Comments (optional):****CLC Commitments and Recommendations:**

During the Project Development phase, public outreach will be conducted by FDOT District Four in coordination with the Palm Beach Metropolitan Planning Organization and the City of Boynton Beach to solicit community opinions and preferences, targeting input from the transportation disadvantaged population, regarding the project.

**ETAT Reviews and Coordinator Summary: Cultural****Section 4(f) Potential****Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

Potentially protected Section 4(f) resources within proximity to the interchange include a native preservation area associated with the Palm Beach County Children's Services Council building [although not considered a public park, a Section 4(f) Determination of Applicability (DOA) should be prepared and coordinated with FHWA] and the Ezell Hester, Jr. Community Center and Park. Access to these features could be temporarily affected

during project construction. In addition, unrecorded cultural resources (eligible or potentially eligible for listing in the National Register of Historic Places) may exist since a comprehensive survey has not been conducted for the project area. For these reasons, a Summary DOE of Minimal has been assigned to the Section 4(f) Potential issue.

During Project Development, a Section 4(f) Determination of Applicability (DOA) will be conducted in coordination with FHWA (in accordance with Part 2, Chapter 13 of the FDOT PD&E Manual) to determine the extent of Section 4(f) involvement and focus any required documents on the avoidance and/or minimization of impacts.

None found

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## Historic and Archaeological Sites

### Project Effects

**Coordinator Summary Degree of Effect:** 3 *Moderate* assigned 11/20/2014 by FDOT District 4

#### Comments:

FDOS commented that there is one known significant resource in the project area (the Seaboard Air Line Railway); it has not been evaluated by the SHPO. FDOS also noted that since the project area has not been comprehensively surveyed, other resources of potential significance may be present. Due to the possible presence of cultural resources eligible or potentially eligible for listing in the National Register of Historic Places (NRHP) within the project area, a Summary DOE of Moderate has been assigned to the Historic and Archaeological Sites issue.

During Project Development, a Cultural Resource Assessment Survey will be conducted (in accordance with Part 2, Chapter 12 of the FDOT PD&E Manual) to determine the presence of historic, cultural and archeological resources in the area and evaluate their eligibility for listing in the NRHP. Any potential impacts to such resources will be avoided and/or minimized during the process.

**Degree of Effect:** 3 *Moderate* assigned 08/14/2014 by Ginny Leigh Jones, FL Department of State

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Coordination Document Comments:

As proposed in the PED, the project area should be comprehensively surveyed for cultural resources. All cultural resources, including potential historic districts, within the area of potential effect should be documented and assessed for NRHP eligibility. The resultant survey report shall conform to the specifications set forth in Chapter 1A-46 Florida Administrative Code, FDOT PD&E Manual Part 2, Chapter 12 and will need to be forwarded to this agency (or the appropriate Federal Agency) for review and comment.

### Direct Effects

#### Identified Resources and Level of Importance:

As reported in the Preliminary Environmental Discussion (PED) there is a recorded significant resource (Seaboard Air Line Railroad - 8PB12917) adjacent to the current project corridor. There are no other recorded resources in the project vicinity (within 1,320 ft).

According to historic aerials, the neighborhood located immediately east of I-95 on either side of Gateway Boulevard developed between 1953 and 1968. Therefore, there is a possibility that the structures in this neighborhood have reached 50 years of age. There is no other development shown in the historic aerials.

#### Comments on Effects to Resources:

Since the Seaboard Air Line Railway (PB12917) is directly within the proposed project, the impacts of the proposed project on the resource should be evaluated as part of the consultation during the PD&E Phase of the project.

Since there is a possibility that additional/new ROW will be needed for this project and there may be unrecorded historic structures adjacent to the project corridor there is a potential for direct impacts to adjacent resources. If other significant resources are identified in the project area of potential effect (APE) the impact of the proposed project on them should be evaluated as part of the PD&E process.

#### Additional Comments (optional):

As proposed in the PED, the project area should be comprehensively surveyed for cultural resources. All cultural resources, including potential historic districts, within the area of potential effect should be documented and assessed for NRHP eligibility. The resultant survey report shall conform to the specifications set forth in Chapter 1A-46 Florida Administrative Code, FDOT PD&E Manual Part 2, Chapter 12 and will need to be forwarded to this agency (or the appropriate Federal Agency) for review and comment.

#### CLC Commitments and Recommendations:

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## Recreation Areas

### Project Effects

**Coordinator Summary Degree of Effect:** 0 None assigned 11/20/2014 by FDOT District 4

**Comments:**

While a native preservation area associated with the Palm Beach County Children's Services Council building (although not considered a public park, but has the potential to be a Section 4(f) resource) and the Ezell Hester, Jr. Community Center and Park are located within proximity to the interchange, no recreation areas/features are present within the 200-foot project buffer. No direct impacts to these resources are anticipated. For this reason, a Summary DOE of None has been assigned to the Recreation Areas issue.

An assessment of potential impacts to recreational features/areas will be conducted during Project Development. Future environmental documentation will include an evaluation of the direct, indirect, and cumulative impacts of the proposed project and construction on any public lands and proposed acquisition sites. Impacts will be avoided and/or minimized during the process. FDOT District Four will coordinate with the appropriate agencies concerning the necessary studies, documentation and commitments needed to adequately address any identified resources in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** N/A N/A / No Involvement assigned 08/01/2014 by Anita Barnett, National Park Service

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 09/04/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

#### Direct Effects



**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**CLC Commitments and Recommendations:**

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**ETAT Reviews and Coordinator Summary: Natural**

**Wetlands**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 Minimal assigned 11/20/2014 by FDOT District 4

**Comments:**

USACE stated that if work is to be performed within waters of the United States (includes existing ditches, canals, etc.) to improve the stormwater management system, a nationwide permit would likely be required. SFWMD also noted that multiple existing Environmental Resource Permits cover portions of the project area; these permits will likely need to be modified. Due to the limited amount of wetlands within the vicinity of the project and the fact that no impacts this resource or surface waters are anticipated, a Summary DOE of Minimal has been assigned to the Wetlands issue.

During Project Development, potential wetland impacts will be evaluated through a Wetlands Evaluation Technical Memorandum to be prepared in accordance with Part 2, Chapter 18 of the FDOT PD&E Manual. All necessary measures will be taken to avoid and/or minimize impacts to wetlands to the greatest extent practicable during project design. Should avoidance and/or minimization not be practicable, a Mitigation Plan will be prepared. In addition, existing compensatory mitigation sites within the area of influence will be identified and reviewed. Further, best management practices will be utilized during project construction and all applicable permits (including an Environmental Resource Permit) will be obtained in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** 0 None assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 08/12/2014 by Brandon Howard, National Marine Fisheries Service

**Coordination Document:** No Involvement

**Direct Effects**

**Identified Resources and Level of Importance:**

None

**Comments on Effects to Resources:**

None

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 None assigned 08/18/2014 by Garrett Lips, US Army Corps of Engineers

**Coordination Document:** Permit Required

**Coordination Document Comments:**

Likely a nationwide permit would be needed for minor work in waters of the United States including existing stormwater treatment areas, ditches or canals.

### Direct Effects

#### Identified Resources and Level of Importance:

Low ecologically functioning canals and ditches may be present. No wetlands appear to be present, but a wetland assessment should be done to verify.

#### Comments on Effects to Resources:

No ecological functional losses are anticipated if the work is limited to stormwater management system improvements.

#### Additional Comments (optional):

Likely a nationwide permit would be needed for minor work in waters of the United States including existing stormwater treatment areas, ditches or canals.

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

#### Coordination Document Comments:

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

### Direct Effects

#### Identified Resources and Level of Importance:

#### Comments on Effects to Resources:

#### Additional Comments (optional):

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 2 *Minimal* assigned 07/28/2014 by John Wrublik, US Fish and Wildlife Service

**Coordination Document:** To Be Determined: Further Coordination Required

### Direct Effects

#### Identified Resources and Level of Importance:

Wetlands

#### Comments on Effects to Resources:

Wetlands provide important habitat for fish and wildlife. If wetlands are found within the project area, we recommend that these valuable resources be avoided to the greatest extent practicable. If impacts to these wetlands are unavoidable, we recommend the FDOT provide mitigation that fully compensates for the loss of important resources.

#### Additional Comments (optional):

#### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 *None* assigned 09/04/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** Permit Required

### Direct Effects

#### Identified Resources and Level of Importance:

The National Wetlands Inventory GIS report indicates that there are 0.2 acres of palustrine wetlands within the 500-ft. project buffer zone.

#### Comments on Effects to Resources:

If new impervious area is proposed, an environmental resource permit (ERP) would likely be required from the South Florida Water Management District for stormwater management at the site.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Water Quality and Quantity**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

No impaired waters are located within the project vicinity; however, the project may result in construction related disturbances as well as additional stormwater treatment and right-of-way for retention/detention ponds or swales to meet regulatory water quality criteria. SFWMD identified multiple existing Environmental Resource Permits within the project area that will likely need to be modified; the project permit must meet the criteria of Applicant's Handbook Volume II. Based on the foregoing, a Summary DOE of Minimal has been assigned to the Water Quality and Quantity issue.

During Project Development, FDOT District Four will conduct a Water Quality Impact Evaluation (in accordance with Part 2, Chapter 20 of the FDOT PD&E Manual) and coordinate with all relevant agencies for the design of the proposed stormwater system and the requirements for stormwater treatment, evaluating existing stormwater treatment adequacy and details on the future stormwater treatment facilities. All necessary permits will be obtained in accordance with federal, state, and local laws and regulations.

**Degree of Effect:** 0 *None* assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 09/04/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** Permit Required

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 *Minimal* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

An Environmental Resource Permit and/or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**Direct Effects**

**Identified Resources and Level of Importance:**

Surface waters and flood protection

**Comments on Effects to Resources:**

No adverse water quality or quantity impacts are anticipated. The project must meet the criteria to obtain an Environmental Resource Permit, including the water quality and quantity criteria in Applicant's Handbook Volume II.

**Additional Comments (optional):**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**CLC Commitments and Recommendations:**

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**Floodplains**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 *None* assigned 11/20/2014 by FDOT District 4

**Comments:**

The proposed interchange improvements will not encroach into any special flood zone hazard areas (100-year floodplain). Therefore, a Summary DOE of None has been assigned to the Floodplains issue.

**Degree of Effect:** 0 *None* assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**Direct Effects**

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**CLC Commitments and Recommendations:**

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**Wildlife and Habitat**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

The interchange is within the South Florida Ecosystem Management Area; FWS Consultation Areas for the Florida scrub-jay, West Indian Manatee, and Atlantic Coast Plants; and Core Foraging Areas of four active nesting Wood Stork colonies. FWC indicated that the only remaining natural habitat along the alignment is north of Gateway Boulevard at the west end of the project area, where a strip of remnant sand pine scrub on the west side of the Quantum Village commercial area grades into a shrub swamp; there is also a hardwood/pine forested "native preservation area" of approximately one acre located between the Children's Services Council facility and High Ridge Road. FWC stated that impacts could be minimized if construction takes place in previously disturbed sites and avoids the remaining xeric scrub area or other natural areas. For these reasons and given the urban nature of the area, a Summary DOE of Minimal has been assigned to the Wildlife and Habitat issue.

The final design of the project will avoid and/or minimize impacts to wetlands/wildlife and habitat to the greatest extent practicable (including confining new DRAs to previously disturbed sites), and best management practices will be utilized during project design and construction; appropriate mitigation will also be provided for unavoidable impacts. During Project Development, an Endangered Species Biological Assessment will be prepared in compliance with Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 et seq) and in accordance with Part 2, Chapter 27 of the FDOT PD&E Manual. FWC stated that 1) plant community mapping/wildlife surveys are to be performed along the right-of-way and within sites proposed for Drainage Retention Areas, 2) permits are to be obtained if gopher tortoises or nests of other listed species are present within any permanent or temporary construction areas, and 3) a compensatory mitigation plan is to be prepared including the replacement of any wetland, upland, or aquatic habitat lost as a result of the project. USFWS indicated that a functional assessment using the USFWS's Wood Stork Foraging Analysis Methodology is required on the foraging habitat to be impacted and the foraging habitat provided as mitigation for projects that impact 5 or more acres of wood stork foraging habitat.

**Degree of Effect:** 2 Minimal assigned 07/28/2014 by John Wrublik, US Fish and Wildlife Service

**Coordination Document:** To Be Determined: Further Coordination Required

#### Direct Effects

##### Identified Resources and Level of Importance:

Federally listed species and fish and wildlife resources

##### Comments on Effects to Resources:

Federally-listed species -

The Service has reviewed our Geographic Information Systems (GIS) database for recorded locations of Federally listed threatened and endangered species on or adjacent to the project study area. The GIS database is a compilation of data received from several sources. Based on review of our GIS database, the Service notes that the following Federally listed species may occur in or near the project area.

Wood Stork

The project corridor is located in the Core Foraging Areas (CFA)(within 18.6 miles) of two active nesting colonies of the endangered wood stork (*Mycteria americana*). The Service believes that the loss of wetlands within a CFA due to an action could result in the loss of foraging habitat for the wood stork. To minimize adverse effects to the wood stork, we recommend that any lost foraging habitat resulting from the project be replaced within the CFA of the affected nesting colony. Moreover, wetlands provided as mitigation should adequately replace the wetland functions lost as a result of the action. The Service does not consider the preservation of wetlands, by itself, as adequate compensation for impacts to wood stork foraging habitat, because the habitat lost is not replaced. Accordingly, any wetland mitigation plan proposed should include a restoration, enhancement, or creation component. In some cases, the Service accepts wetlands compensation located outside the CFA of the affected wood stork nesting colony. Specifically, wetland credits purchased from a "Service Approved" mitigation bank located outside of the CFA would be acceptable to the Service, provided that the impacted wetlands occur within the permitted service area of the bank.

For projects that impact 5 or more acres of wood stork foraging habitat, the Service requires a functional assessment be conducted using our "Wood Stork Foraging Analysis Methodology" (Methodology) on the foraging habitat to be impacted and the foraging habitat provided as mitigation. The Methodology can be found at: <http://www.fws.gov/verobeach/ListedSpeciesBirds.html> .

The Service believes that the following federally listed species have the potential to occur in or near the project site: eastern indigo snake (*Drymarchon couperi* = *Drymarchon corais couperi*), West Indian manatee (*Trichechus manatus*), and wood stork. Accordingly, the Service recommends that the Florida Department of Transportation (FDOT) prepare a Biological Assessment for the project (as required by 50 CFR 402.12) during the FDOT's Project Development and Environment process.

Fish and Wildlife Resources -

Wetlands provide important habitat for fish and wildlife. If wetlands are found within the project area, we recommend that these valuable resources be avoided to the greatest extent practicable. If impacts to these wetlands are unavoidable, we recommend the FDOT provide mitigation that fully compensates for the loss of important resources.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** 2 Minimal assigned 08/14/2014 by Scott Sanders, FL Fish and Wildlife Conservation Commission

**Coordination Document:** To Be Determined: Further Coordination Required

**Direct Effects**

**Identified Resources and Level of Importance:**

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed ETDM #14180, Palm Beach County, and provides the following comments related to potential effects to fish and wildlife resources of this Programming Phase project.

The Project Description Summary states that this project involves increasing the capacity and safety of the I-95 interchange at Gateway Boulevard in the City of Boynton Beach through the addition of turn lanes and ramp lanes, including additional lanes on High Ridge Road, Quantum Lane, and Seacrest Boulevard. The Project Description did not address the potential need for new Drainage Retention Areas (DRAs) to handle the additional stormwater runoff from the expanded roadway.

An assessment of the project area was performed on lands within 500 feet of the proposed alignment to determine potential impacts to habitat which supports listed species and other fish and wildlife resources. Our inventory included a review of aerial and ground-level photography, various wildlife observation and landcover data bases, along with coordination with FWC biologists and other State and Federal agencies. A GIS analysis was performed using the Florida Department of Transportation's (FDOT) Environmental Screening Tool to determine the potential quality and extent of upland and wetland habitat, and other wildlife and fisheries resource information. We have reviewed the Preliminary Environmental Discussion Comments Report provided by the FDOT, and offer the following comments and recommendations.

Our assessment reveals that the project area is predominantly residential and commercial development, with over 90% classified as High or Low Intensity Urban or Transportation. The only remaining natural habitat along the alignment is north of Gateway Boulevard at the west end of the project area, where a strip of remnant sand pine scrub on the west side of the Quantum Village commercial area grades into a shrub swamp. This scrub remnant was once part of a larger scrub system that included much of the I-95 Right-of-way (ROW) before interstate construction. There is also a hardwood/pine forested "native preservation area" of approximately one acre, located between the Children's Services Council facility and High Ridge Road.

Based on range and preferred habitat type, the following species listed by the Federal Endangered Species Act and the State of Florida as Federally Endangered (FE), Federally Threatened (FT), State-Threatened (ST), or State Species of Special Concern (SSC) have the potential to occur in the project area: gopher frog (SSC), Eastern indigo snake (FT), Florida pine snake (SSC), gopher tortoise (T), least tern (T), limpkin (SSC), snowy egret (SSC), little blue heron (SSC), tricolored heron (SSC), white ibis (SSC), wood stork (FE), burrowing owl (SSC), and Florida mouse (SSC). Florida scrub jays (FE) once occupied the xeric scrub around this interchange, but are no longer present because nearly all of their habitat has been developed. Gopher tortoises and their commensals may occur in the sandy soils of the open field immediately southeast of the interchange, as well as in the remnant scrub or "native preservation area". Wading birds may utilize the shrub swamp or the stormwater pond southwest of the project area. The project is within the 15-mile-radius core foraging area of three wood stork colonies, and is within the U.S. Fish and Wildlife Service Consultation Areas for Scrub Jay, Manatee, and Atlantic Coast Plants.

Primary wildlife issues associated with this project include: potential adverse effects to a moderate number of species listed by the Federal Endangered Species Act as Endangered or Threatened, or by the State of Florida as Threatened or Species of Special Concern; and potential water quality degradation as a result of additional stormwater runoff from the new roadway surface entering drainage canals and ultimately the Lake Worth Lagoon.

**Comments on Effects to Resources:**

Based on the project information provided, we believe that direct and indirect effects of this project could be minimal, provided that roadway construction avoids the remaining xeric scrub area, any new DRAs are not constructed within areas of natural habitat, and degradation of adjacent or downstream water quality is avoided via inclusion of Best Management Practices in the project design.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Coastal and Marine**

**Project Effects**

**Coordinator Summary Degree of Effect:** 0 None assigned 11/20/2014 by FDOT District 4

**Comments:**

As the project is located approximately two miles west of the Atlantic Ocean and Intracoastal Waterway, it is not within an area considered to have coastal or marine resources. The NMFS indicated that the proposed work would not directly impact areas that support essential fish habitat (EFH), NOAA trust fishery resources, or wetland areas that support NOAA trust fishery resources. As such, this project will not require an Essential Fish Habitat Assessment, nor is further consultation with the NMFS necessary unless future modifications to the project could result in adverse impacts to

EFH. For these reasons, a Summary DOE of None has been assigned to the Coastal and Marine issue.

**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

**Coordination Document Comments:**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

#### Direct Effects

**Identified Resources and Level of Importance:**

**Comments on Effects to Resources:**

**Additional Comments (optional):**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 0 *None* assigned 08/12/2014 by Brandon Howard, National Marine Fisheries Service

**Coordination Document:** No Involvement

#### Direct Effects

**Identified Resources and Level of Importance:**

None

**Comments on Effects to Resources:**

None

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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## ETAT Reviews and Coordinator Summary: Physical

### Noise

#### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

Single family homes are located at the northeast and southeast corners of the interchange. Currently, there are sound barriers adjacent to these houses. For this reason, a Summary DOE of Minimal has been assigned to the Noise issue.

During Project Development, a Noise Study Report will be prepared in accordance with Part 2, Chapter 17 of the FDOT PD&E Manual.

None found

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### Air Quality

#### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

**Comments:**

The project is not located within a USEPA-designated Air Quality Maintenance or Non-Attainment Area for any of the four pollutants (nitrogen oxides, ozone, carbon monoxide, and small particulate matter) specified by the USEPA in National Ambient Air Quality Standards. Therefore, the Clean Air Act conformity requirements do not apply to this project at this time. While temporary impacts to air quality could occur during project construction as a result of fugitive dust and exhaust emissions, no permanent effects to air quality are anticipated. Overall, minor air quality improvement could result due to reduced emissions from idling traffic with the expansion of operational capacity. Based on the foregoing, a Summary DOE of Minimal has been assigned to the Air Quality issue.

During Project Development, an Air Quality Technical Memorandum will be prepared in accordance with Part 2, Chapter 16 of the FDOT PD&E Manual.

**Degree of Effect:** 2 *Minimal* assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

##### Identified Resources and Level of Importance:

Air Quality

##### Comments on Effects to Resources:

Short term impact on air quality could occur during construction. Measures should be taken to minimize short term air quality impacts.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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## Contamination

### Project Effects

**Coordinator Summary Degree of Effect:** 2 *Minimal* assigned 11/20/2014 by FDOT District 4

#### Comments:

FDEP and USEPA reported the following potential contamination sites within the 500-foot project buffer: one hazardous waste facility, three petroleum contamination monitoring sites, seven storage tank contamination monitoring sites, one Super Act risk source, and two USEPA RCRA-regulated facilities. Due to the presence and proximity of these facilities (including potential previous contamination from these sites) and potential presence of hazardous substances associated with the existing bridge over the South Florida Rail Corridor/CSX Railroad line, a Summary DOE of Minimal has been assigned to the Contamination issue.

Contamination (including any required permits) will be evaluated during Project Development in accordance with federal, state and local laws and regulations. A Contamination Screening Evaluation Report (similar to Phase I and Phase II Audits) will be prepared in accordance with Part 2, Chapter 22 of the FDOT PD&E Manual, including site specific surveys to assess existing known subsurface contamination and proximity to construction activities, as well as historical contamination release. Contingency Plans/"Special Provisions for Unidentified Areas of Contamination" shall be included in the project's construction contract documents. These provisions will specify procedures to follow in the event any hazardous material or suspected contamination is encountered during construction or should there be any construction-related spills.

**Degree of Effect:** 0 *None* assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

#### Coordination Document Comments:

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

#### Direct Effects

##### Identified Resources and Level of Importance:

##### Comments on Effects to Resources:

##### Additional Comments (optional):

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

##### CLC Commitments and Recommendations:

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**Degree of Effect:** 2 *Minimal* assigned 09/04/2014 by Lauren P. Milligan, FL Department of Environmental Protection

**Coordination Document:** To Be Determined: Further Coordination Required

#### Direct Effects



**Identified Resources and Level of Importance:**

GIS data indicates that there is 1 hazardous waste facility, 3 petroleum contamination monitoring sites, 7 storage tank contamination monitoring sites and 2 RCRA regulated facilities within the 500-ft. project buffer zone.

**Comments on Effects to Resources:**

A Contamination Screening Evaluation (similar to Phase I and Phase II Audits) will need to be conducted along the project right-of-way in considering the proximity to known petroleum and hazardous material handling facilities. The Contamination Screening Evaluation should outline specific procedures that would be followed by the applicant in the event drums, wastes, tanks or potentially contaminated soils are encountered during construction. Special attention should be made in the screening evaluation to historical land uses (such as solid waste disposal) that may have an affect on the proposed project, including any stormwater retention and treatment areas.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Degree of Effect:** 2 Minimal assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

**Direct Effects**

**Identified Resources and Level of Importance:**

Groundwater aquifer and surfce water bodies: Cananl E-4 and Boynton Canal

**Comments on Effects to Resources:**

Several potential contamination sources exist within 500 feet of the propsoed project including two RCRA regulated sites and some petroleum contamination monitoring sites. A site specific survey will be necessary to further identify any historic releases that may have caused subsurface cintamination. Contingencies should be in place to identify and properly manage contaminated media or hazardous waste or materials.

**Additional Comments (optional):**

**CLC Commitments and Recommendations:**

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**Infrastructure**

**Project Effects**

**Coordinator Summary Degree of Effect:** 2 Minimal assigned 11/20/2014 by FDOT District 4

**Comments:**

Infrastructure-related features identified within the 500-foot project buffer include three compliance and enforcement tracking facilities, one onsite sewage facility, one wireless antenna structure location, one USEPA water quality data monitoring station, and the South Florida Rail Corridor/CSX Railroad (located immediately west of the existing interchange). Although the bridge over the existing railroad tracks will be widened, it should have no impact on the existing rail corridor. Given the few features identified and the limited amount of right-of-way acquisition proposed for this project, a Summary DOE of Minimal has been assigned to the Infrastructure issue.

During Project Development, FDOT District Four will coordinate with all appropriate agencies to adequately address potential project effects on infrastructure and acquire all necessary permits.

None found

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**Navigation**

**Project Effects**

**Coordinator Summary Degree of Effect:** N/A N/A / No Involvement assigned 11/20/2014 by FDOT District 4

**Comments:**

No navigable waterways are present within the project area. Therefore, a Summary DOE of N/A / No Involvement has been assigned to the Navigation issue.

**Degree of Effect:** N/A N/A / No Involvement assigned 07/24/2014 by Darayl Tompkins, US Coast Guard

**Coordination Document:** No Involvement

#### Direct Effects

##### Identified Resources and Level of Importance:

No Coast Guard involvement.

##### Comments on Effects to Resources:

No Coast Guard involvement

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** N/A N/A / No Involvement assigned 08/18/2014 by Garrett Lips, US Army Corps of Engineers

**Coordination Document:** No Involvement

#### Direct Effects

##### Identified Resources and Level of Importance:

No navigable waterways are present

##### Comments on Effects to Resources:

No adverse effect on navigation is anticipated.

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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## ETAT Reviews and Coordinator Summary: Special Designations

### Special Designations

#### Project Effects

**Coordinator Summary Degree of Effect:** 0 None assigned 11/20/2014 by FDOT District 4

##### Comments:

There are no Outstanding Florida Waters, aquatic preserves, scenic highways/byways, or wild or scenic rivers reported within the project vicinity. Therefore, no impacts to these resources are anticipated and a Summary DOE of None has been assigned to the Special Designations issue.

**Degree of Effect:** 0 None assigned 09/06/2014 by Maher Budeir, US Environmental Protection Agency

**Coordination Document:** PD&E Support Document As Per PD&E Manual

#### Direct Effects

##### Identified Resources and Level of Importance:

##### Comments on Effects to Resources:

##### Additional Comments (optional):

##### CLC Commitments and Recommendations:

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**Degree of Effect:** 0 None assigned 08/18/2014 by Mindy Parrott, South Florida Water Management District

**Coordination Document:** Permit Required

##### Coordination Document Comments:

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

#### Direct Effects

##### Identified Resources and Level of Importance:

##### Comments on Effects to Resources:

**Additional Comments (optional):**

An Environmental Resource Permit and/ or modification will be necessary. Multiple existing permits cover portions of the project area. These permits may need to be modified. Please consult [www.flwaterpermits.com](http://www.flwaterpermits.com) and/or [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) for more information.

**CLC Commitments and Recommendations:**

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## Eliminated Alternatives

There are no eliminated alternatives for this project.

## Project Scope

### General Project Commitments

Date	Description
11/21/2014	<p>FDOT commits to the following technical studies: 1. Air Quality Technical Memorandum, 2. Conceptual Stage Relocation Plan, 3. Contamination Screening Evaluation Report, 4. Cultural Resource Assessment Survey, 5. Endangered Species Biological Assessment, 6. Noise Study Report, 7. Public Hearing Transcript, 8. Public Involvement Plan, 9. Section 4(f) Determination of Applicability, 10. Sociocultural Effects Evaluation, 11. Water Quality Impact Evaluation, and 12. Wetland Evaluation Technical Memorandum.</p> <p>FDOT commits to the following permits: SFWMD Environmental Resource Permit and USACE Nationwide Permit.</p> <p>During Project Development, FDOT District Four will coordinate with the City of Boynton Beach and the Palm Beach Metropolitan Planning Organization (MPO) to ensure that 1) the project is included on the Future Transportation Map of the adopted City of Boynton Beach Comprehensive Plan and is consistent with the adopted Palm Beach MPO Long Range Transportation Plan (LRTP) and 2) funding is identified for all future project phases in the Transportation Improvement Program (TIP), LRTP, State Transportation Improvement Program (STIP), and FDOT Strategic Intermodal System (SIS) Cost Feasible Plan.</p> <p>During Project Development, public outreach will require Limited English Proficiency (LEP) accommodations.</p>

### Anticipated Permits

Permit	Type	Conditions	Review Org	Review Date
Department of the Army Corps of Engineers Nationwide Permit	USACE		FDOT District 4	11/20/14
SFWMD Environmental Resource Permit	Water		FDOT District 4	11/21/14

### Anticipated Technical Studies

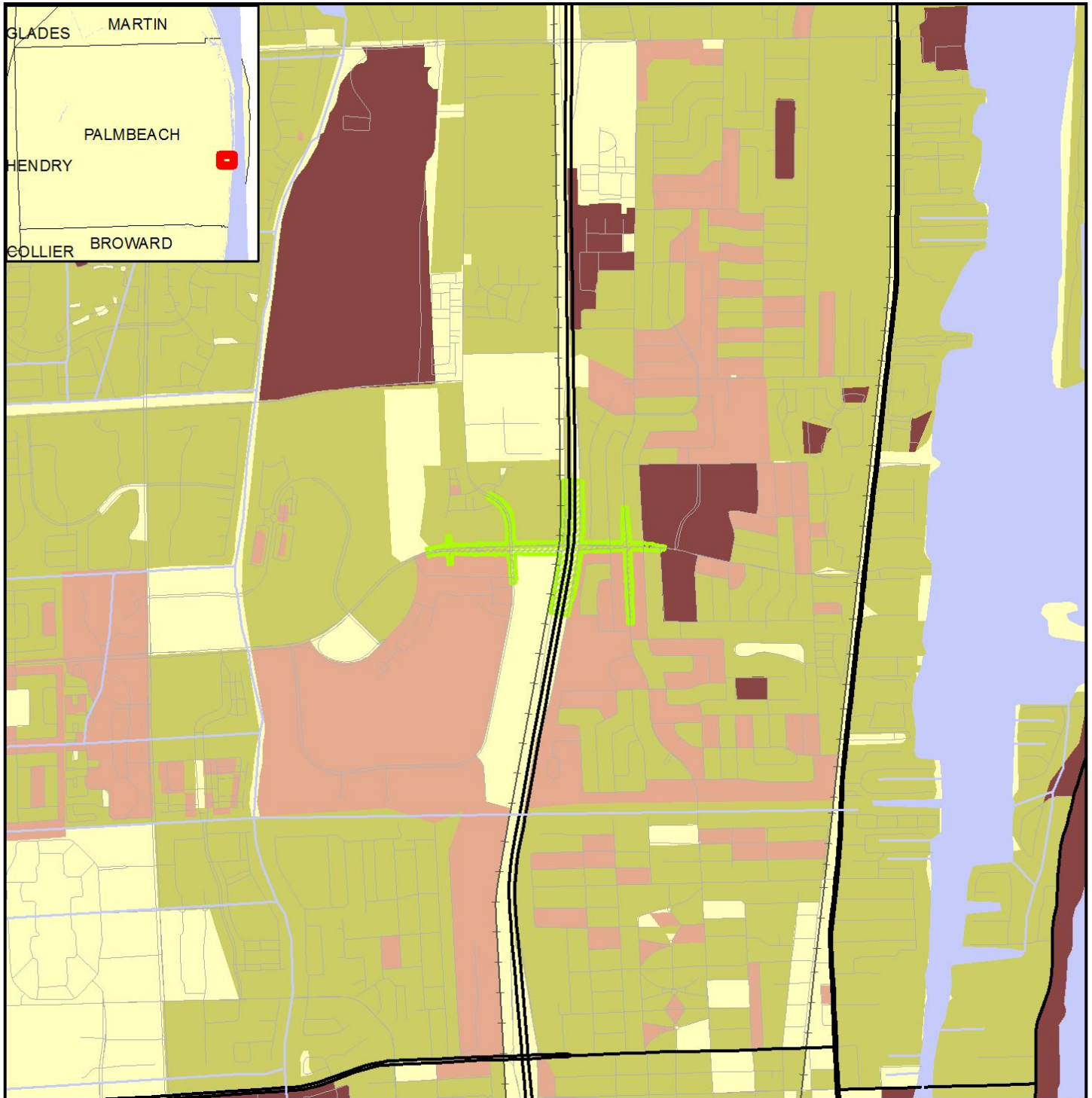
Technical Study Name	Type	Conditions	Review Org	Review Date
Noise Study Report	ENVIRONMENTAL		FDOT District 4	11/21/2014
Contamination Screening Evaluation Report	ENVIRONMENTAL		FDOT District 4	11/21/2014
Conceptual Stage Relocation Plan	ENVIRONMENTAL		FDOT District 4	11/21/2014
Endangered Species Biological Assessment	ENVIRONMENTAL		FDOT District 4	11/21/2014
Wetlands Evaluation Technical Memorandum	Other		FDOT District 4	11/21/2014
Sociocultural Effects Evaluation	Other		FDOT District 4	11/21/2014
Air Quality Technical Memorandum	ENVIRONMENTAL		FDOT District 4	11/21/2014
Water Quality Impact Evaluation (WQIE)	ENVIRONMENTAL		FDOT District 4	11/21/2014
Cultural Resource Assessment Survey	ENVIRONMENTAL		FDOT District 4	11/21/2014
Public Involvement Plan	Other		FDOT District 4	11/21/2014
Public Hearing Transcript	Other		FDOT District 4	11/21/2014
Section 4(f) Determination of Applicability	ENVIRONMENTAL		FDOT District 4	11/21/2014

### Dispute Resolution Activity Log

There are no dispute actions identified for this project in the EST.

# Hardcopy Maps: Alternative #1

# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Population Age Distribution Map**

0 1 Miles

Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

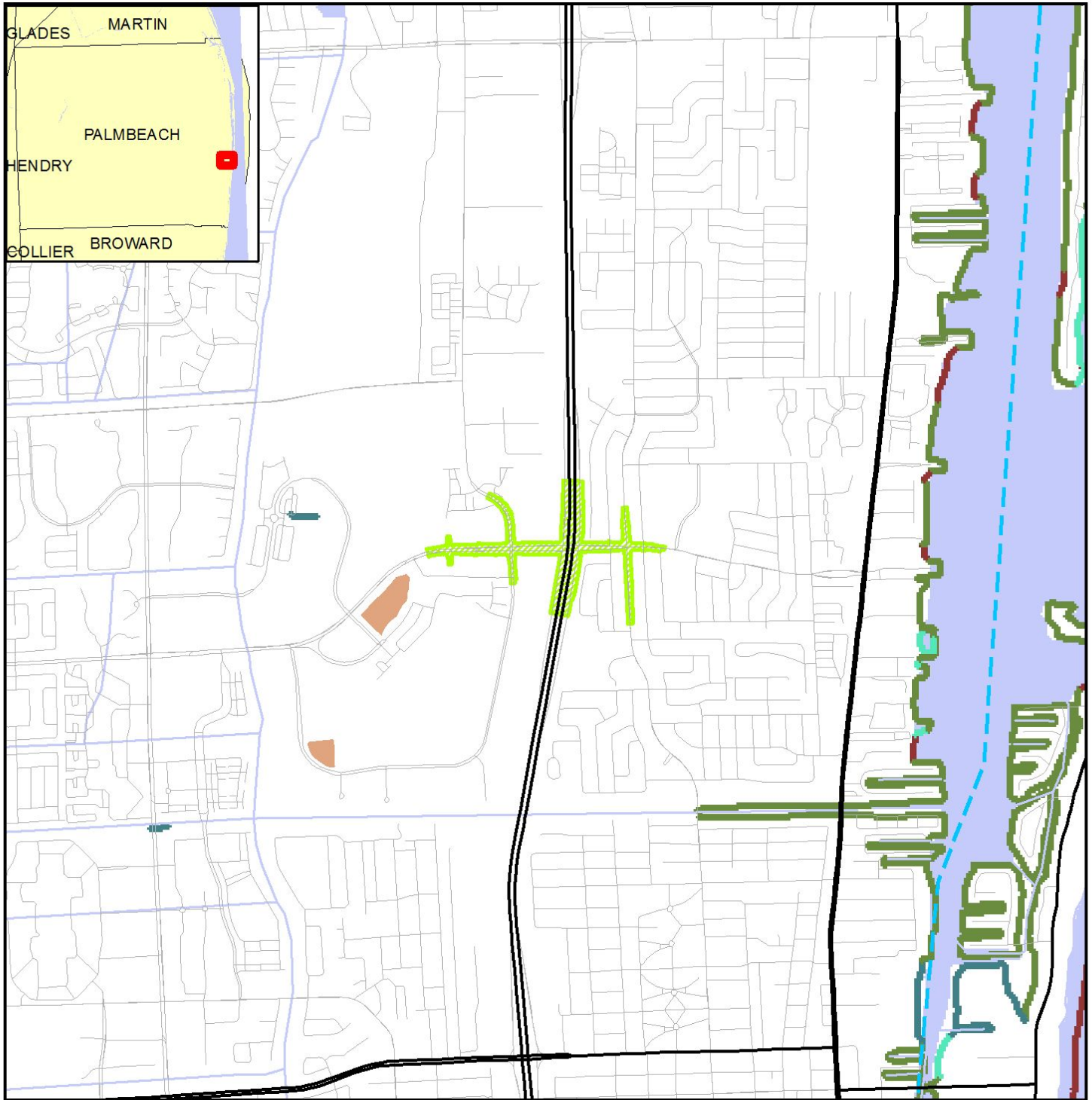
<span style="color: green;">●</span> ETDM Alternative Point	— Major Road
<span style="color: pink;">●</span> ETDM Alternative Terminus	— Local Road or Trail
<span style="color: green;">—</span> ETDM Alternative Segment	— Railroad
<span style="color: green;">▨</span> ETDM Alternative Polygon	— River, Stream or Canal
	■ Water Body

Median Age

0 - 18	18 - 30	30 - 65	> 65

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1

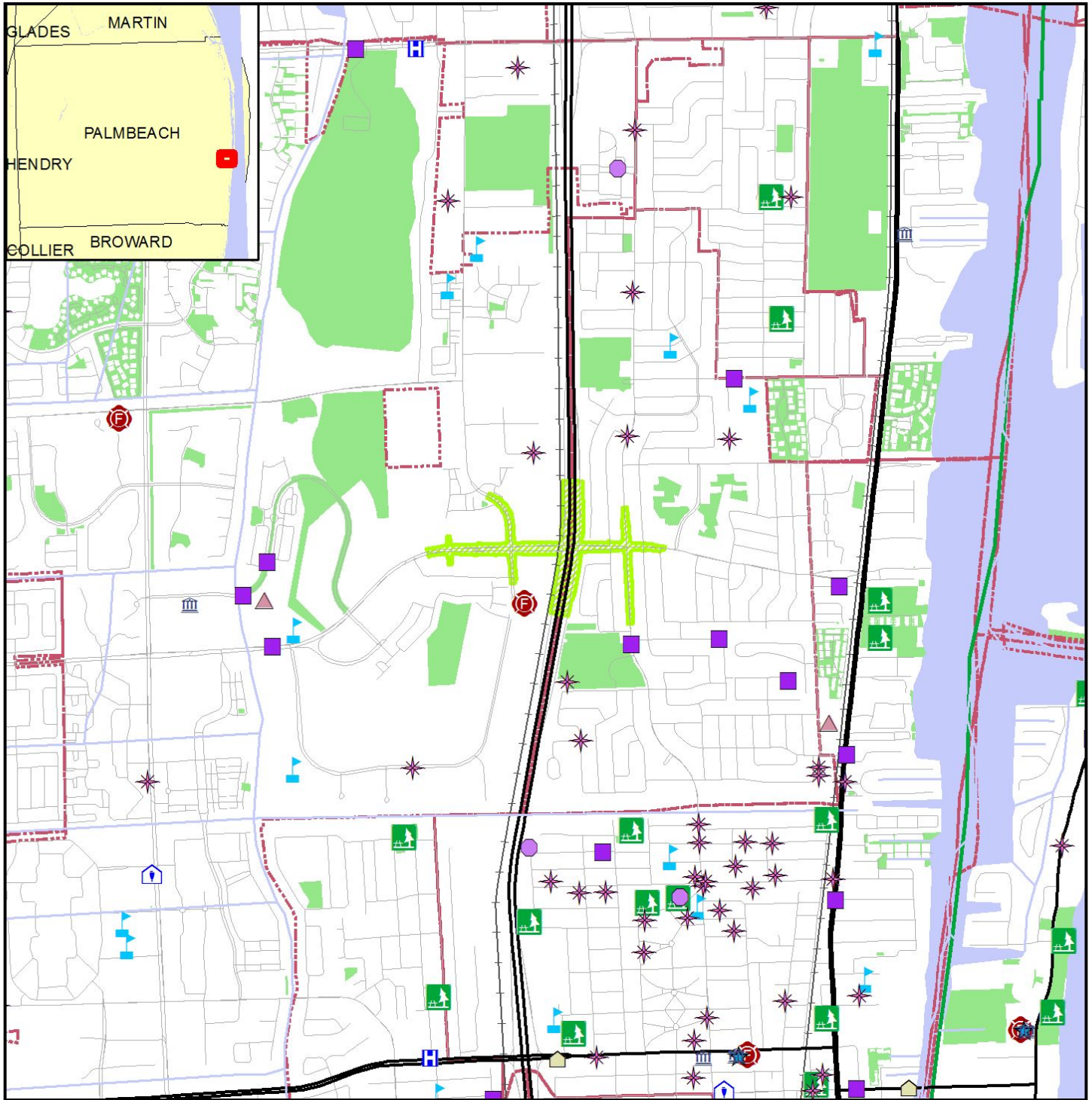


Data Sources: NAVTEQ; US Geological Survey; Florida Marine Research Institute; Florida Department of Transportation; Florida Department of Environmental Protection; National Oceanic and Atmospheric Association; Florida Water Management Districts

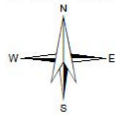
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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



0 0.08 Miles



- |                           |                  |                  |                                 |
|---------------------------|------------------|------------------|---------------------------------|
| ETDM Alternative Point    | Government       | Cultural Center  | River, Stream or Canal          |
| ETDM Alternative Terminus | Civic Center     | Fire Station     | Recreational Trail              |
| ETDM Alternative Segment  | Cemetery         | Health Care      | Railroad                        |
| ETDM Alternative Polygon  | Social Service   | School           | Community Boundary              |
| Major Road                | Community Center | Park             | Water Body                      |
| Local Road or Trail       | Law Enforcement  | Place of Worship | Conservation or Recreation Area |

## Community Facilities and Services Map

Data Sources:

US Geological Survey; FL Department of Transportation; NAVTEQ; FL Property Appraisers; FL Natural Areas Inventory

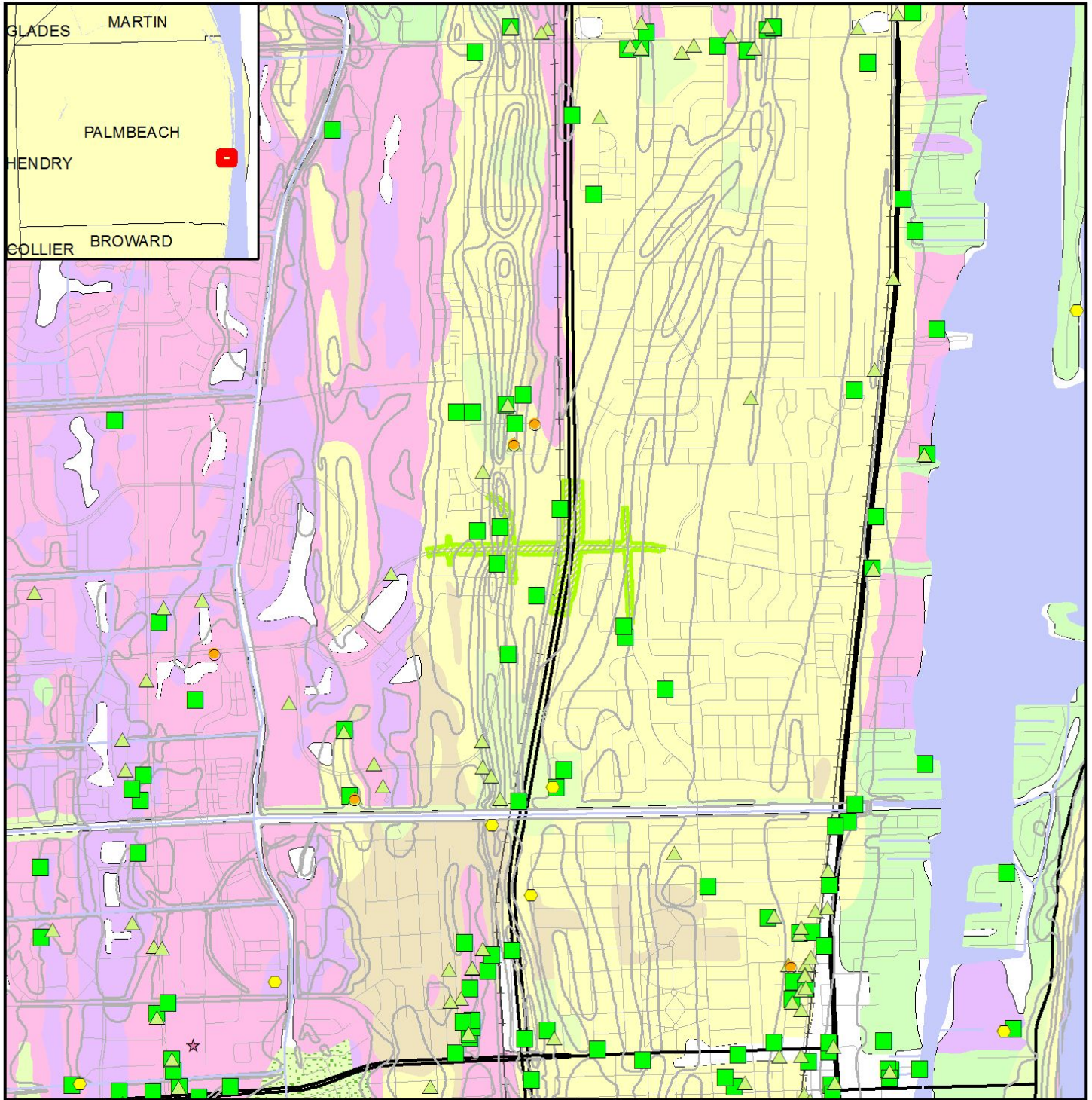
**etdm**  
Efficient Transportation Decision Making

**est**  
Environmental Screening Tool

Map Generated on: 7/17/2014



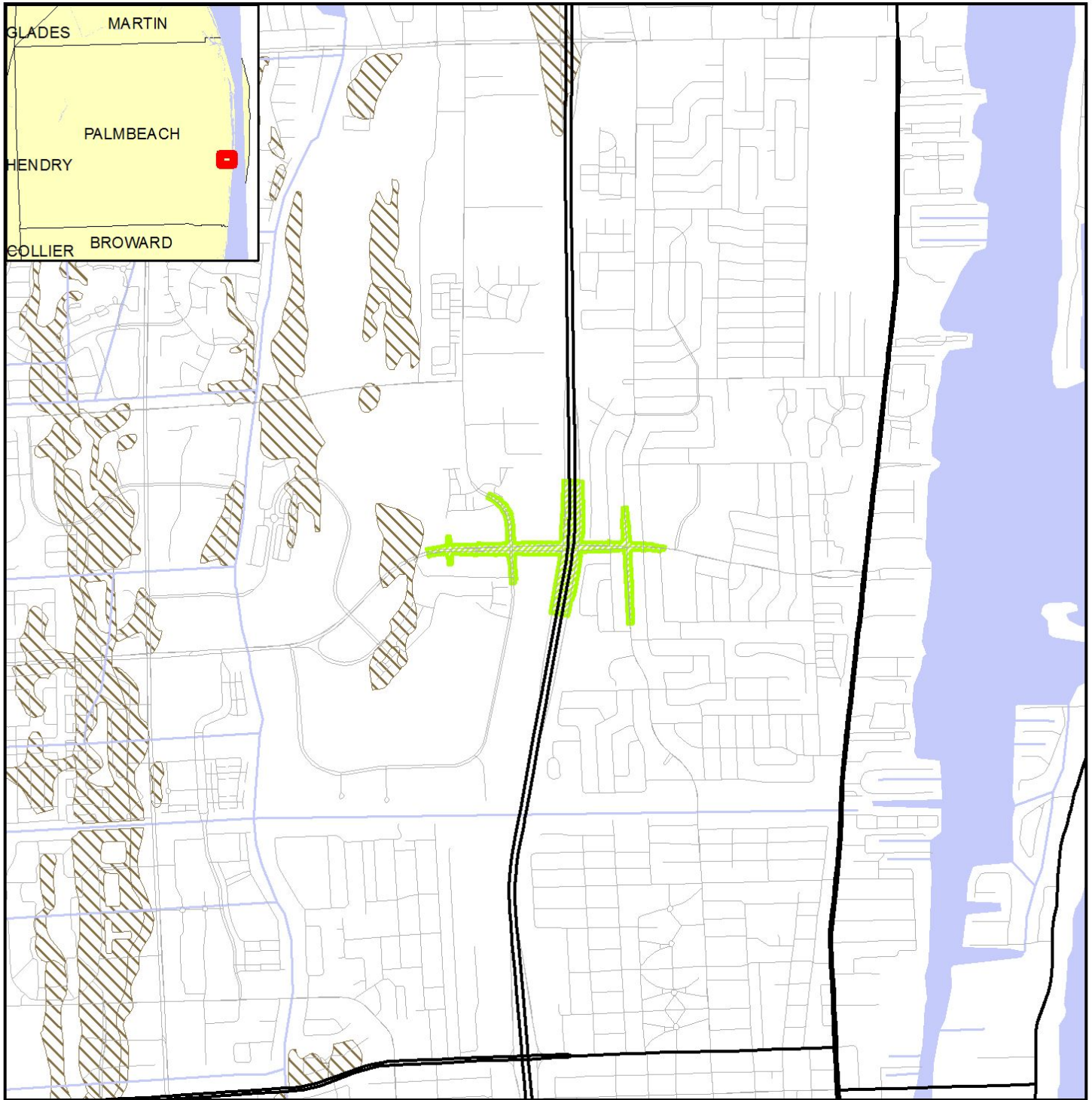
# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



## Potential Contamination Assessment Map

- |   |           |                           |                           |                   |                                |
|---|-----------|---------------------------|---------------------------|-------------------|--------------------------------|
| 0 | 0.5 Miles | — Local Road or Trail     | ▲ NPL Remediation Site    | ■ FDEP Tanks      | <b>Soil Drainage</b>           |
| ⬆ |           | — Railroad                | ▲ Hazardous Material Site | ■ Brownfield Area | ■ Excessively Drained          |
| ⬆ |           | — River, Stream or Canal  | ■ Power Plant             | — 5 FT Contour    | ■ Somewhat Excessively Drained |
| ⬆ |           | ● Toxic Release Inventory | ● Superfund Site          | ■ Water Body      | ■ Moderately Well Drained      |
| ⬆ |           | ★ Dry Cleaning Facility   | ■ Nuclear Site            | ■ Swamp/Marsh     | ■ Well Drained                 |
| ⬆ |           | ● Solid Waste Facility    |                           |                   | ■ Somewhat Poorly Drained      |
|   |           |                           |                           |                   | ■ Poorly Drained               |
|   |           |                           |                           |                   | ■ Very Poorly Drained          |
|   |           |                           |                           |                   | □ Unclassified                 |
- Data Sources:  
 NAVTEQ; US Geological Survey; FL Department of Transportation; FL Department of Environmental Protection;  
 FL Water Management Districts; US Environmental Protection Agency; Natural Resource Conservation Service  
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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Farmlands Resource Map**

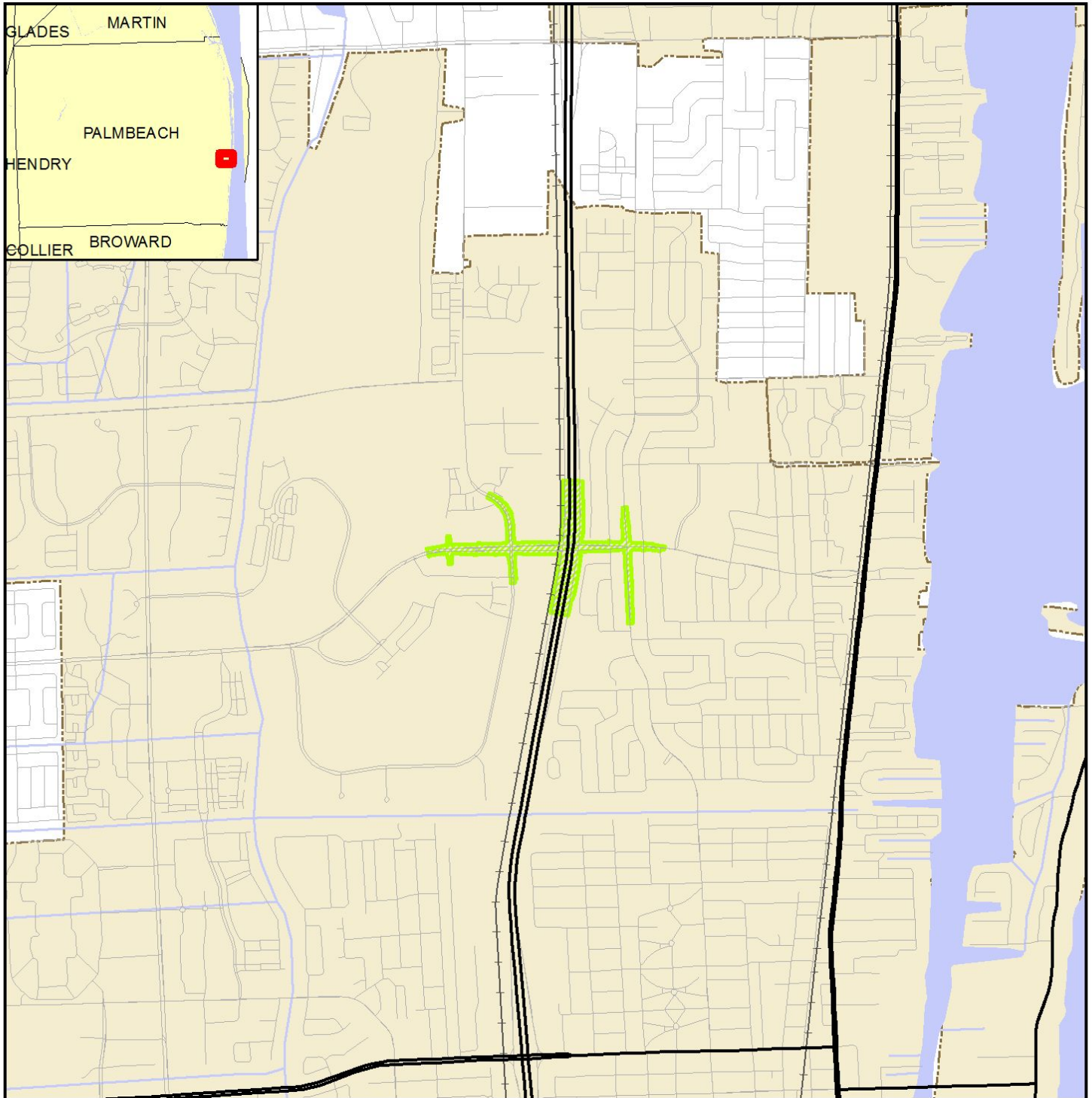
- 0 0.7 Miles
- |                           |                        |                     |
|---------------------------|------------------------|---------------------|
| ETDM Alternative Point    | River, Stream or Canal | Nurseries/Vineyards |
| ETDM Alternative Terminus | Water Body             | Specialty Farms     |
| ETDM Alternative Segment  | Prime Farmland Soils   | Tree Crops          |
| ETDM Alternative Polygon  | Cropland/Pastureland   | Rural Open Lands    |
| Major Road                |                        |                     |
| Local Road or Trail       |                        |                     |



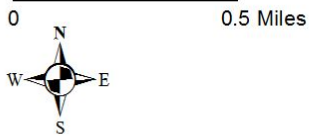
Data Sources: NAVTEQ, Florida Water Management Districts, US Geological Survey, Natural Resources Conservation Services

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Floodplain Resource Map**

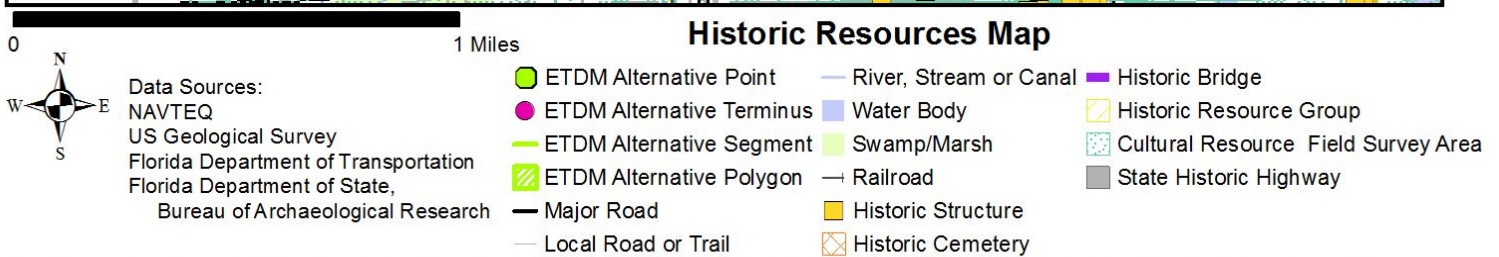
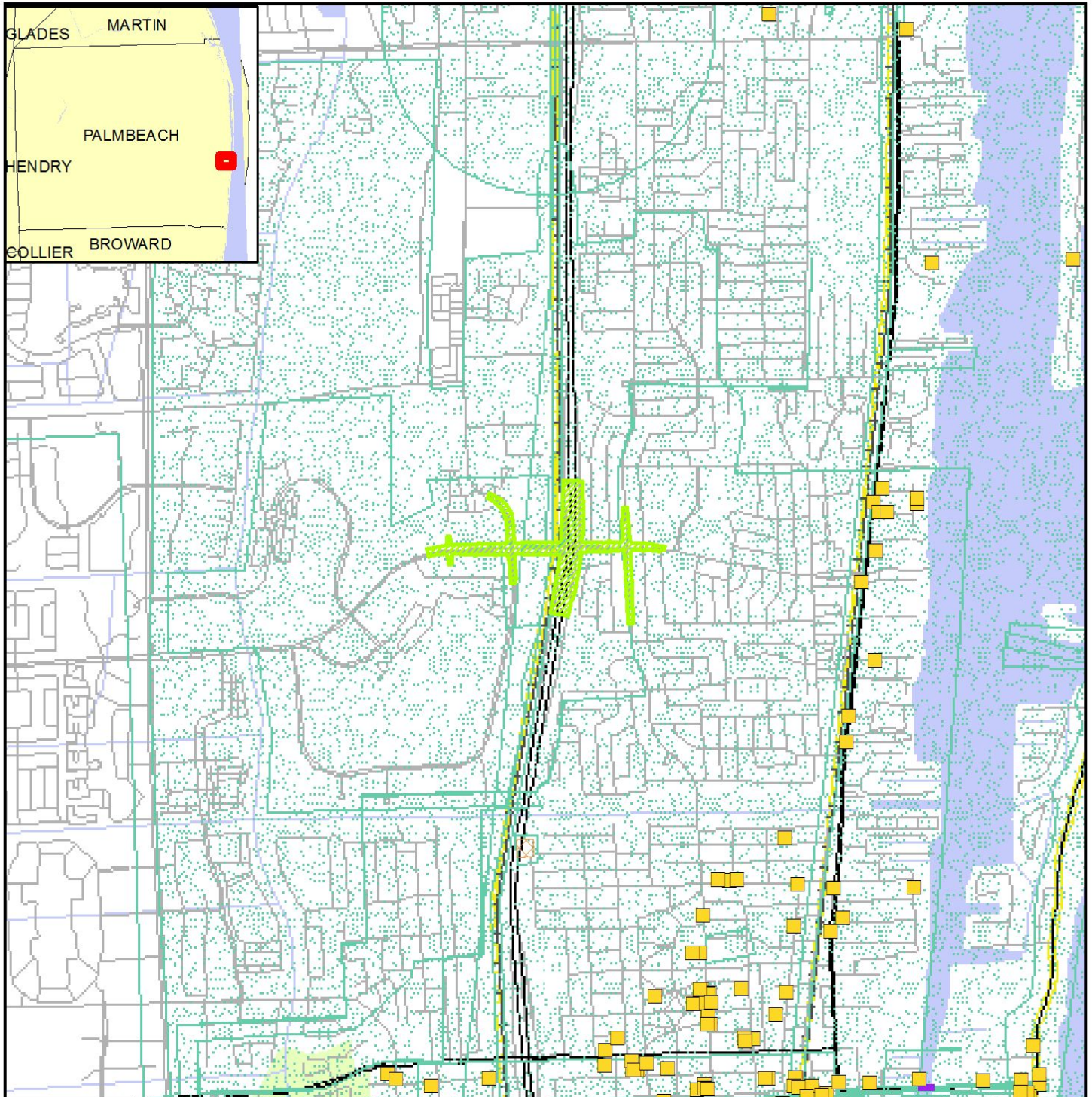


Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Federal Emergency Management Agency

- |                           |                           |
|---------------------------|---------------------------|
| ETDM Alternative Point    | Railroad                  |
| ETDM Alternative Terminus | River, Stream or Canal    |
| ETDM Alternative Segment  | Water Body                |
| ETDM Alternative Polygon  | City Limits               |
| Major Road                | County Boundaries         |
| Local Road or Trail       | Special Flood Hazard Area |

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1

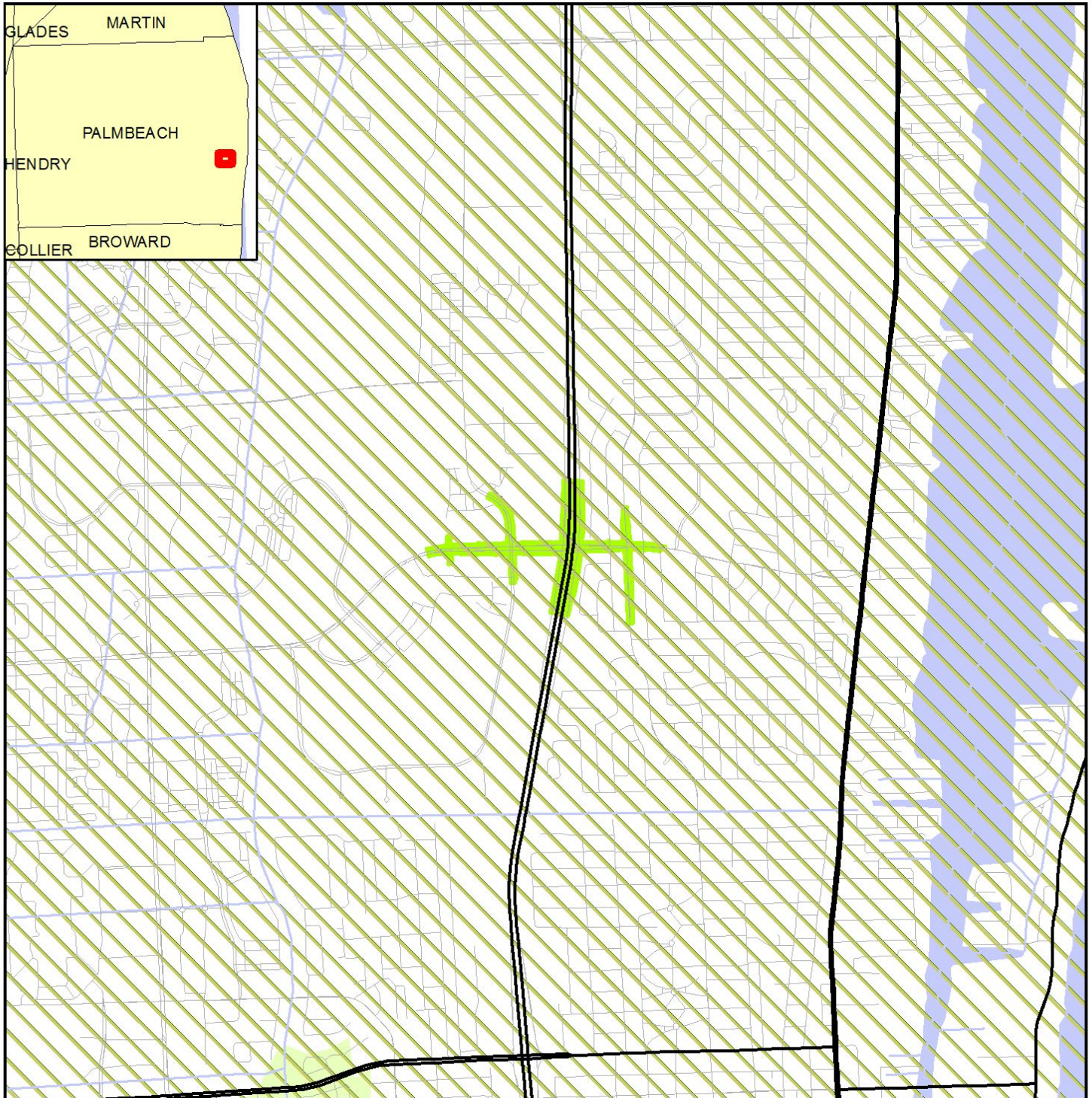


Note: Historic properties depicted on this map represent resources listed in the Florida Master Site File excluding archeological site locations, which, pursuant to Chapter 267.135, Florida Statutes, may be exempt from public record (Chapter 119.07, Florida Statutes). Absence of features on the map does not necessarily indicate an absence of resources in the project vicinity.

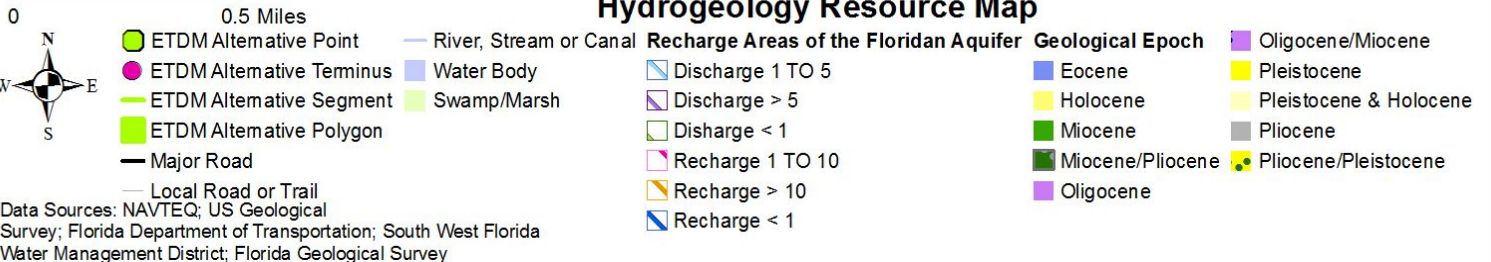


Map Generated on: 7/17/2014

# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



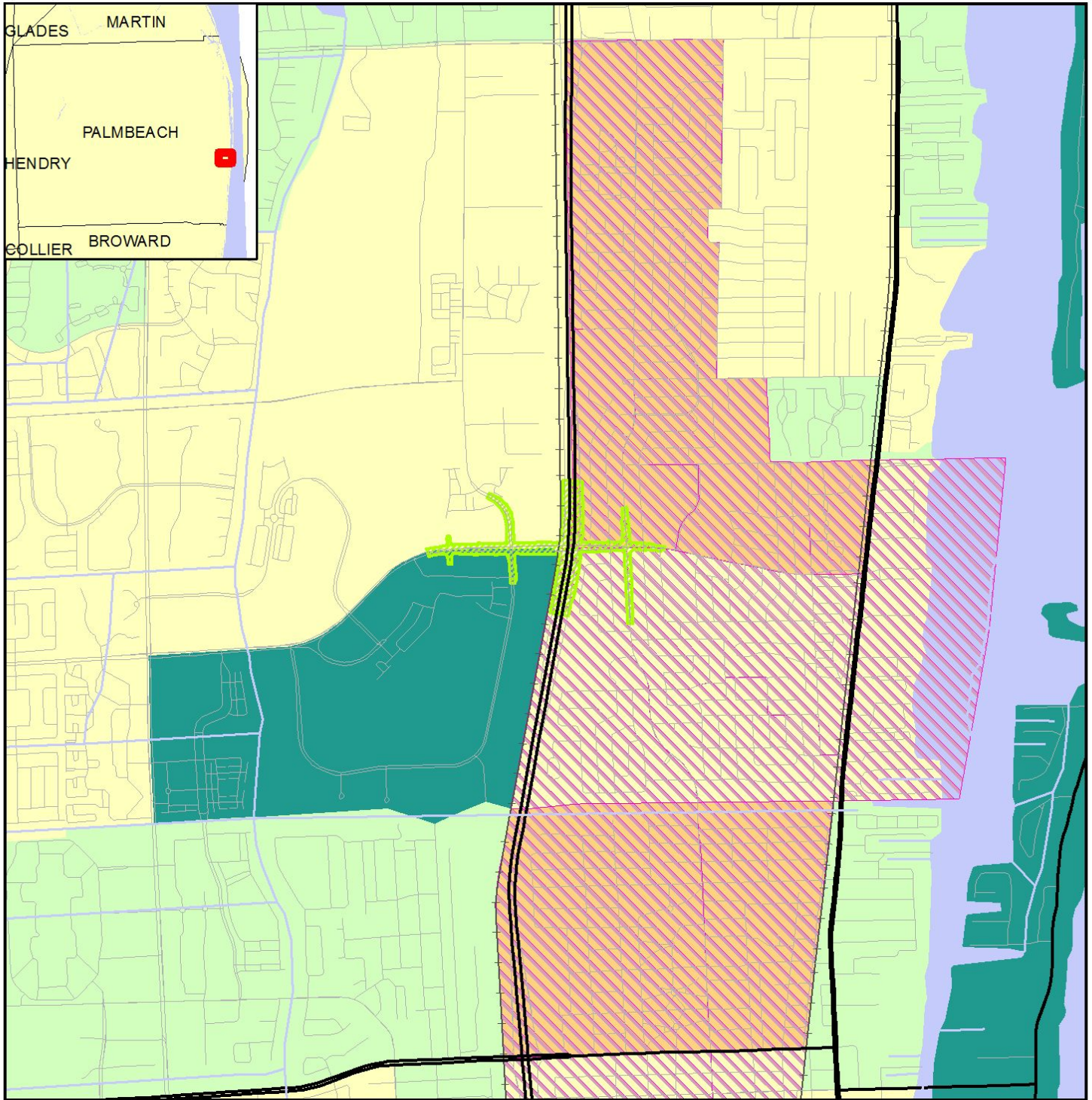
## Hydrogeology Resource Map



Data Sources: NAVTEQ; US Geological Survey; Florida Department of Transportation; South West Florida Water Management District; Florida Geological Survey

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1

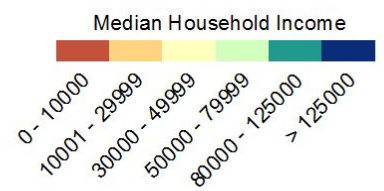


0 0.7 Miles



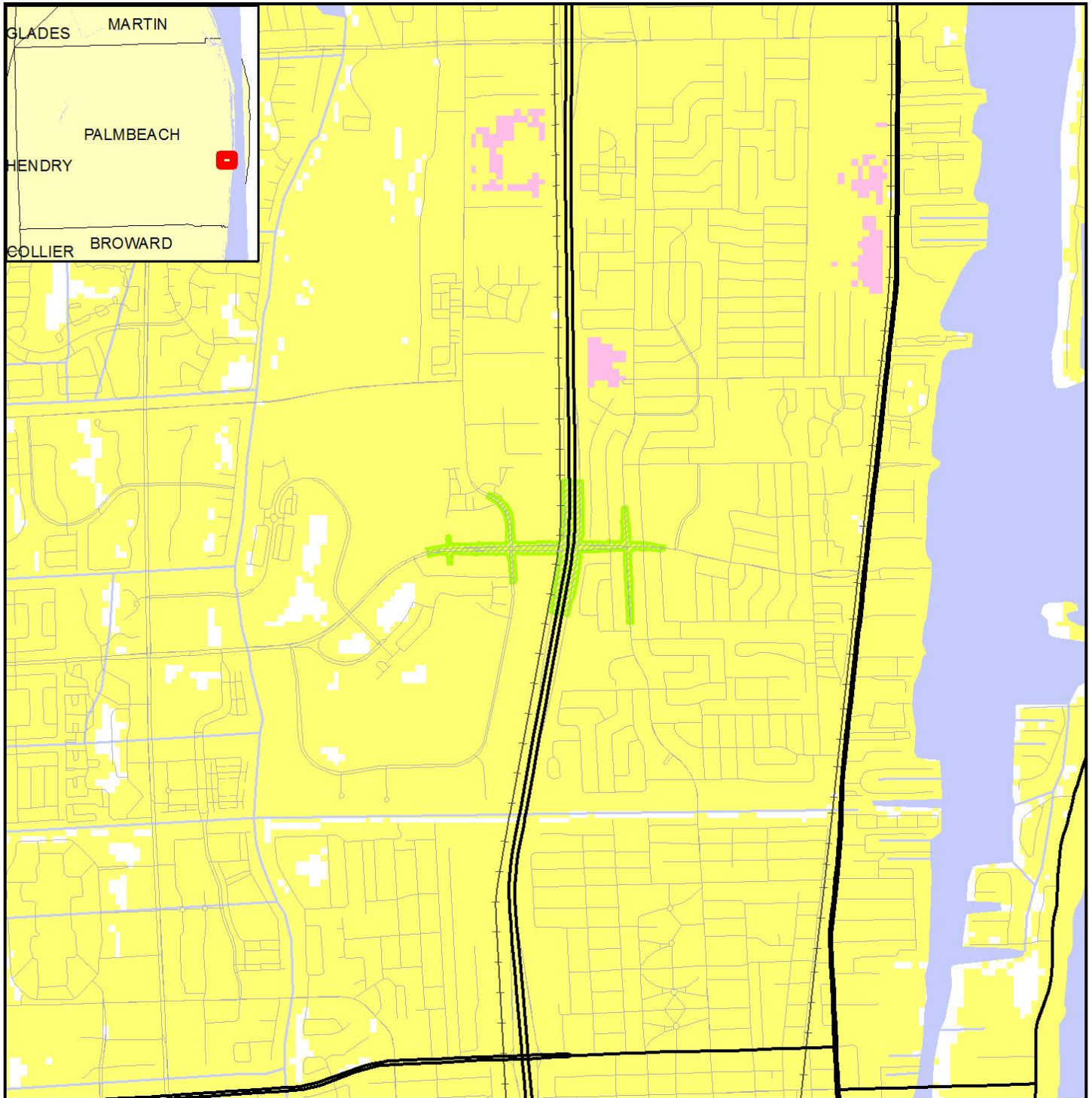
Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- > 20% Below Poverty
- Water Body



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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



## Integrated Wildlife Habitat Ranking System Map

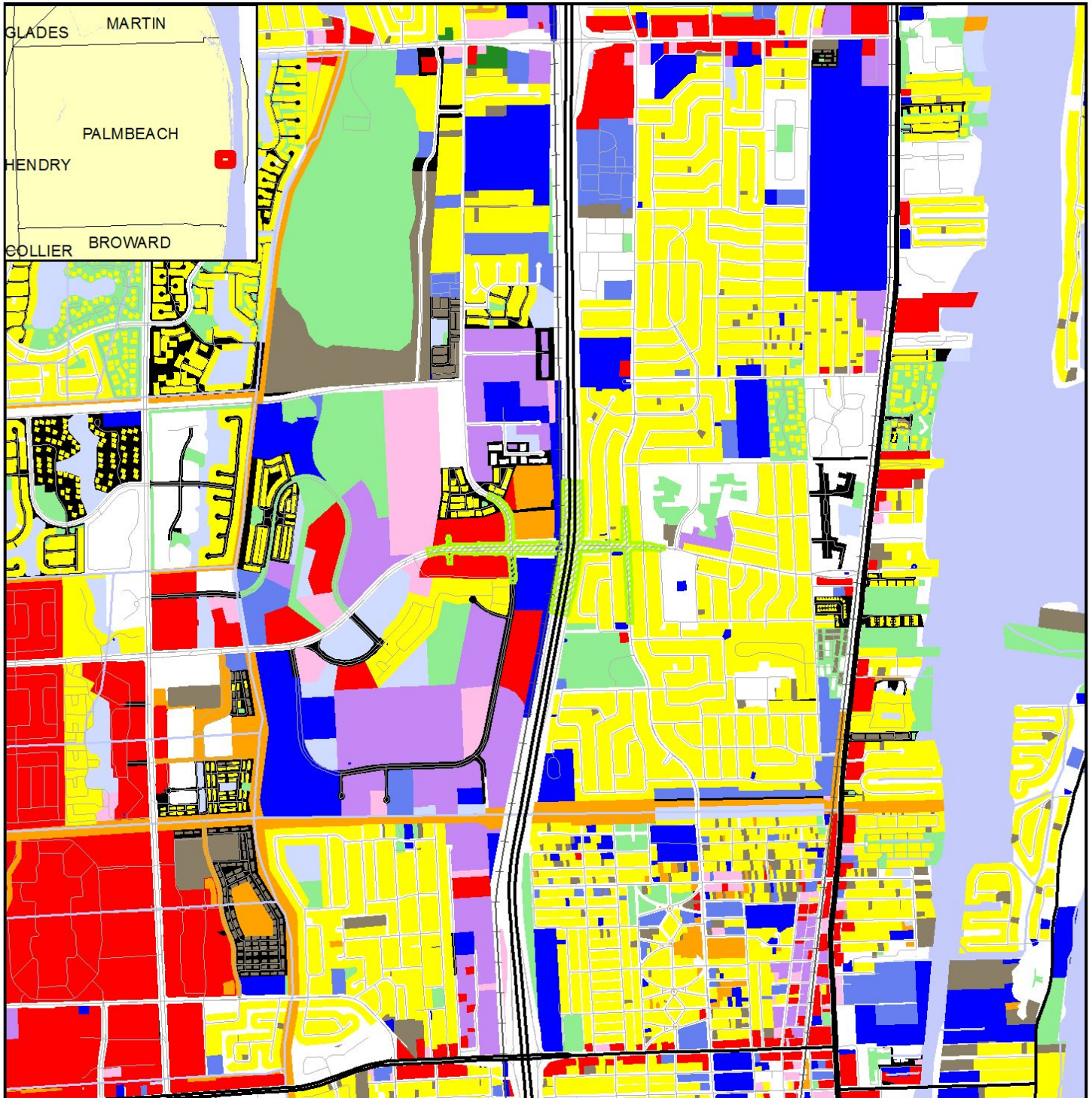
- |                           |                        |                        |
|---------------------------|------------------------|------------------------|
| ETDM Alternative Point    | Railroad               | Low Habitat Quality    |
| ETDM Alternative Terminus | River, Stream or Canal | Medium Habitat Quality |
| ETDM Alternative Segment  | Water Body             | High Habitat Quality   |
| ETDM Alternative Polygon  | Major Road             |                        |
| Local Road or Trail       |                        |                        |

Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Transportation  
 Florida Fish & Wildlife Conservation Commission

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



0 0.25 Miles



Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Revenue  
 Florida Department of Transportation  
 Florida County Property Appraiser Offices

### Land Use Map

- |                           |                        |                         |                         |
|---------------------------|------------------------|-------------------------|-------------------------|
| ETDM Alternative Point    | Railroad               | Open (Not Agricultural) | Retail/Office           |
| ETDM Alternative Terminus | River, Stream or Canal | Other                   | Vacant (Residential)    |
| ETDM Alternative Segment  | Agricultural           | Public                  | Vacant (Nonresidential) |
| ETDM Alternative Polygon  | Industrial             | Right-of-Way            | Water                   |
| Major Road                | Institutional          | Recreational            | No Data                 |
| Local Road or Trail       | Mining                 | Residential             |                         |

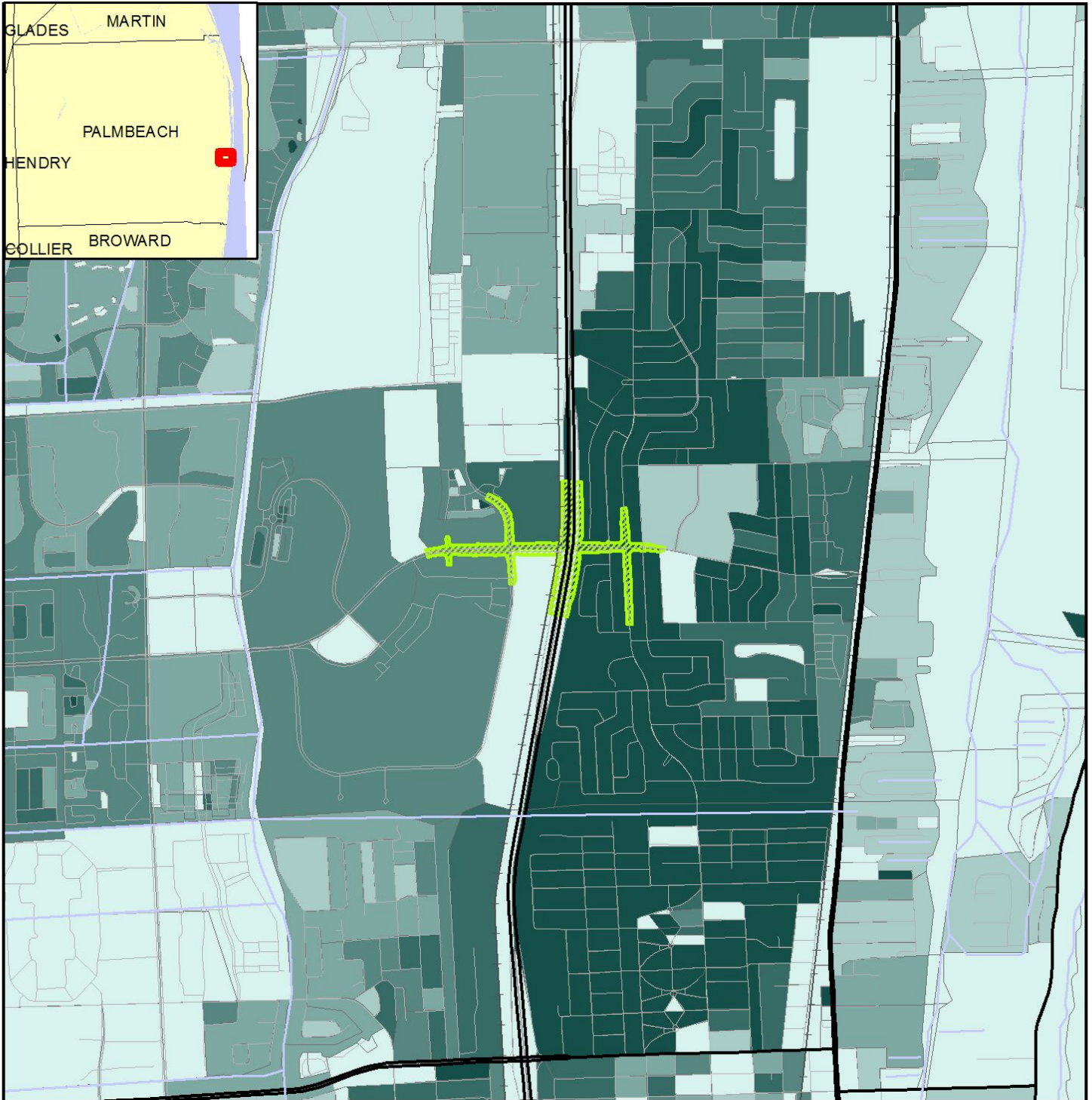
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Map Generated on: 7/17/2014



# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



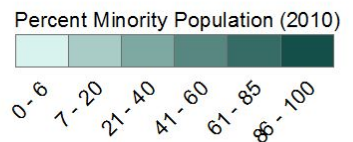
0 0.08 Miles



Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

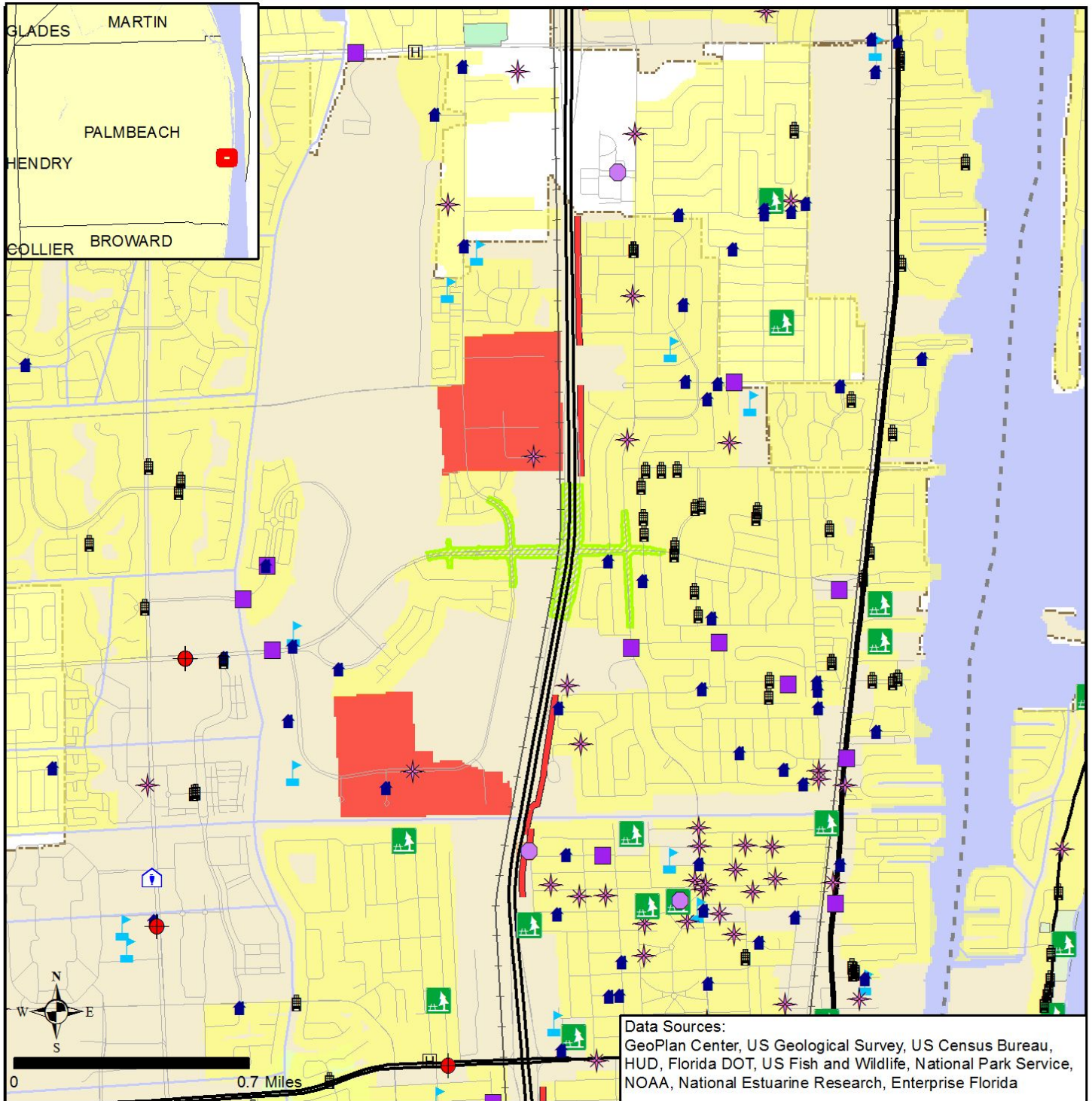
### Minority Population Distribution Map

- ETDM Alternative Point
- ETDM Alternative Terminus
- ETDM Alternative Segment
- ETDM Alternative Polygon
- Major Road
- Local Road or Trail
- Railroad
- River, Stream or Canal
- Water Body



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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



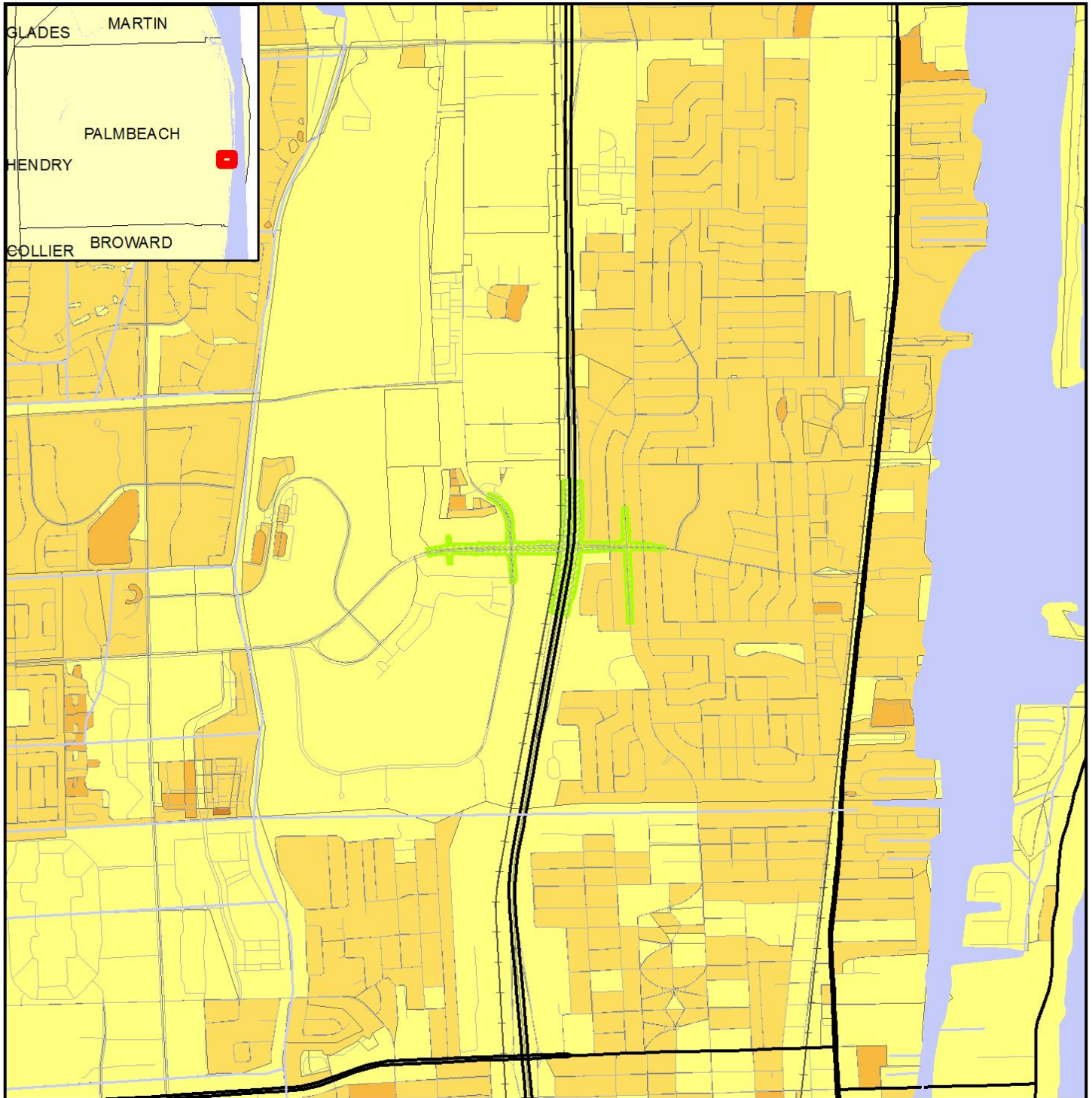
Data Sources:  
 GeoPlan Center, US Geological Survey, US Census Bureau,  
 HUD, Florida DOT, US Fish and Wildlife, National Park Service,  
 NOAA, National Estuarine Research, Enterprise Florida

## Noise Map

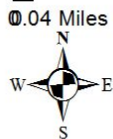
- |                           |                           |                       |                           |                          |
|---------------------------|---------------------------|-----------------------|---------------------------|--------------------------|
| ETDM Alternative Point    | Existing Trails           | Laser On-site         | Place of Worship          | Military Installations   |
| ETDM Alternative Segment  | Railroad                  | Group Care Facilities | School                    | Industrial               |
| ETDM Alternative Polygon  | River, Stream or Canal    | Cemetery              | Historic Cemetery         | Residential              |
| ETDM Alternative Terminus | Water Body                | Community Center      | Planned Unit Developments | HUD Renewal              |
| County Boundaries         | Swamp/Marsh               | Cultural Center       | Wildlife Refuges          | Nat'l Estuarine Reserves |
| City Limits               | Airport                   | Health Care           | National Parks            | Enterprise Zones         |
| Major Road                | Condo Owners Associations | Hospitals             | National Park Projects    | DRI                      |
| Local Road or Trail       | Hospitals                 | Park                  | Marine Sanctuaries        |                          |
| Noise Barriers            |                           |                       |                           |                          |

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1

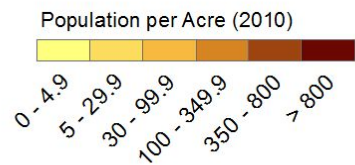


**Population Density Map**



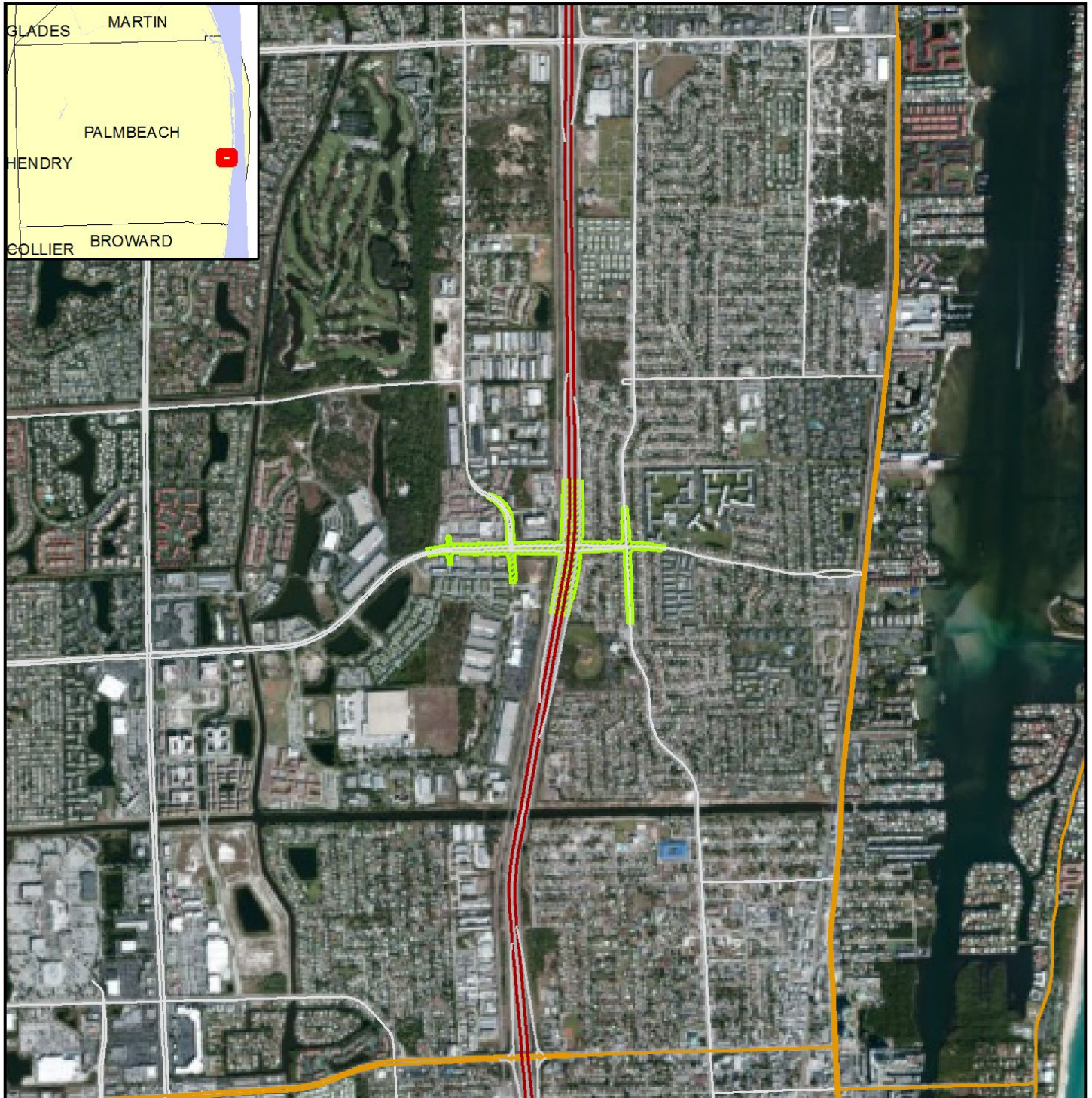
Data Sources:  
 US Geological Survey  
 FL Department of Transportation  
 NAVTEQ  
 US Census Bureau (2010)

- ETDM Alternative Point      — Railroad
- ETDM Alternative Terminus      — River, Stream or Canal
- ETDM Alternative Segment      ■ Water Body
- ▨ ETDM Alternative Polygon
- Major Road
- Local Road or Trail



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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Project Aerial Map**

0 0.75 Miles

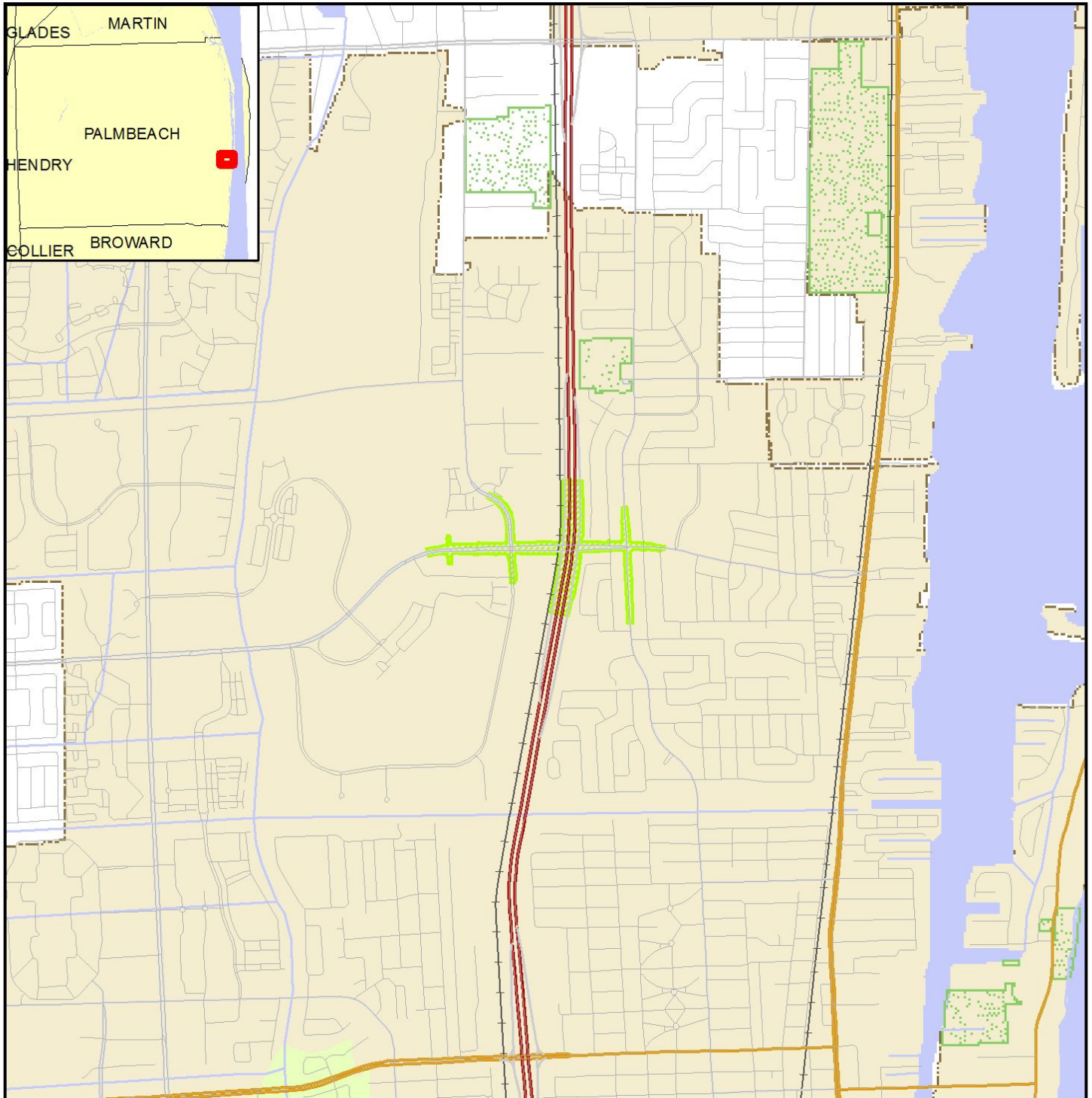


Data Sources:  
 Highways - NAVTEQ  
 Digital Orthophotograph - US Geological Survey

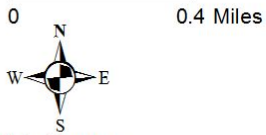
- ETDM Alternative Point      — Primary and Limited Access Highway
- ETDM Alternative Terminus      — Secondary, Unlimited Access Highway
- ETDM Alternative Segment      — Other Highway Feature
- ETDM Alternative Polygon      — Local Road

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Project Location Map**

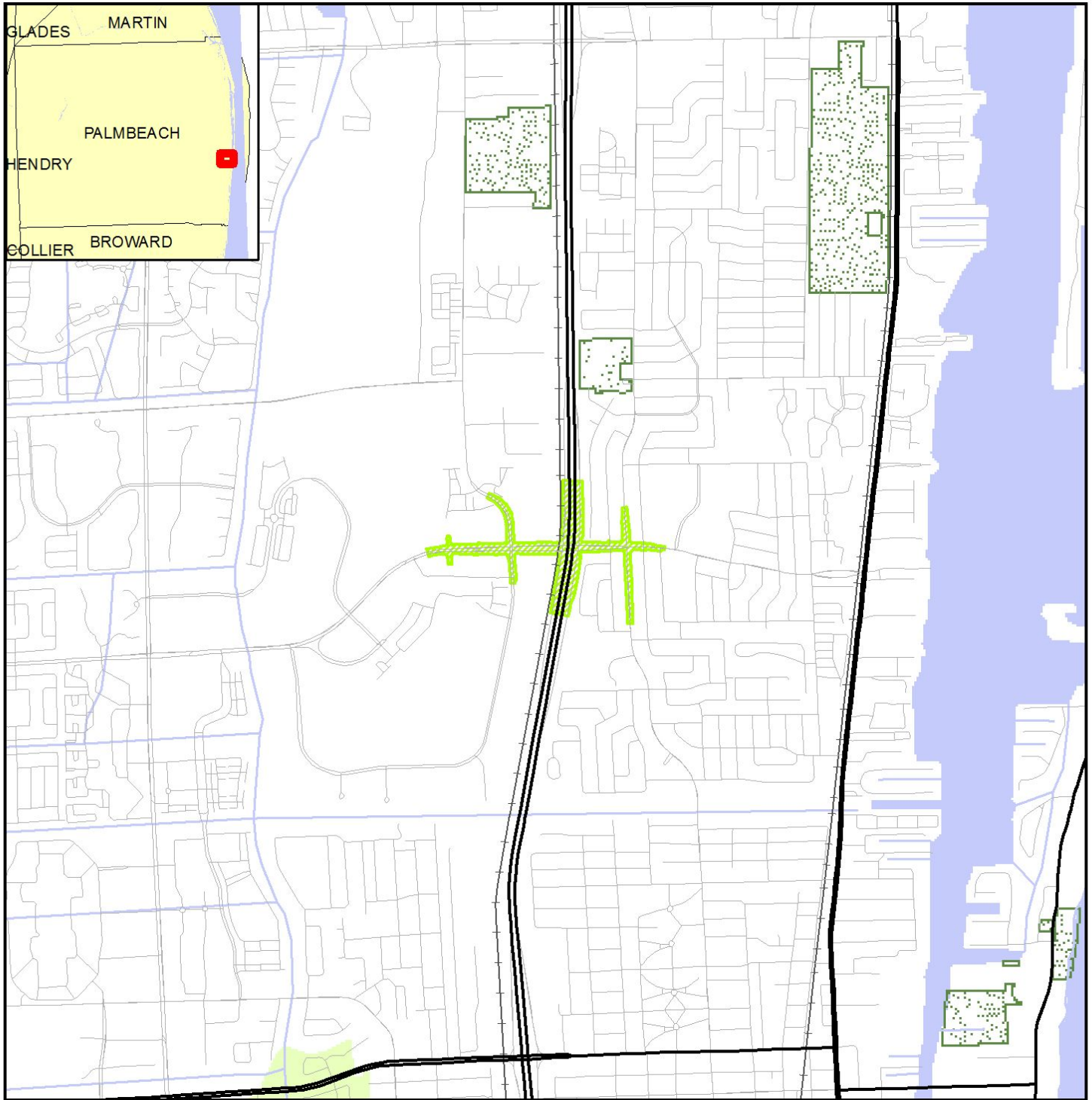


- |                           |                            |             |
|---------------------------|----------------------------|-------------|
| ETDM Alternative Point    | River, Stream or Canal     | Toll Road   |
| ETDM Alternative Terminus | Water Body                 | Railroad    |
| ETDM Alternative Segment  | Swamp/Marsh                | Airport     |
| ETDM Alternative Polygon  | Managed Conservation Lands | City Limits |
|                           | County Boundaries          |             |

Data Sources:  
 NAVTEQ  
 US Geological Survey  
 US Census Bureau  
 County Property Appraisers  
 Florida Natural Areas Inventory

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Conservation and Recreation Area Map**

0 0.7 Miles

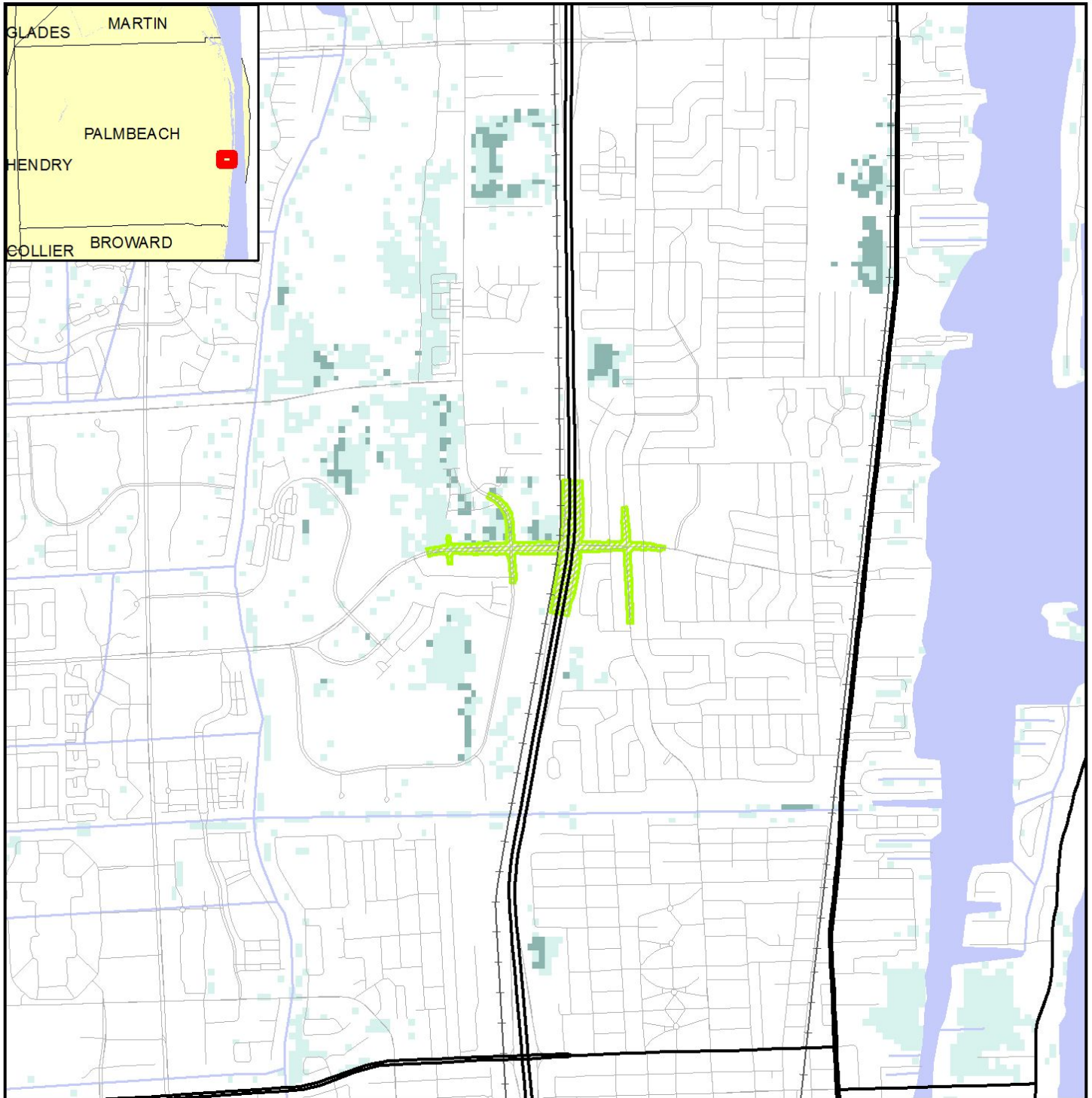


Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Natural Areas Inventory

- |                           |                        |                                 |
|---------------------------|------------------------|---------------------------------|
| ETDM Alternative Point    | River, Stream or Canal | Conservation or Recreation Area |
| ETDM Alternative Segment  | Water Body             | Railroad                        |
| ETDM Alternative Polygon  | Swamp/Marsh            | County Boundary                 |
| ETDM Alternative Terminus | Major Road             | Local Road or Trail             |

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



## Species Potential Habitat Model Map

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li><span style="color: green;">●</span> ETDM Alternative Point</li> <li><span style="color: magenta;">●</span> ETDM Alternative Terminus</li> <li><span style="border-bottom: 2px dashed green; width: 20px; display: inline-block;"></span> ETDM Alternative Segment</li> <li><span style="background-color: yellow; border: 1px solid black; width: 20px; height: 10px; display: inline-block;"></span> ETDM Alternative Polygon</li> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Major Road</li> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Local Road or Trail</li> </ul> | <ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Railroad</li> <li><span style="border-bottom: 1px solid blue; width: 20px; display: inline-block;"></span> River, Stream or Canal</li> <li><span style="background-color: lightblue; width: 20px; height: 10px; display: inline-block;"></span> Water Body</li> </ul> | <h3 style="margin: 0;">Potential Habitat Richness</h3> <ul style="list-style-type: none"> <li><span style="background-color: lightgray; width: 20px; height: 10px; display: inline-block;"></span> 1 - 2 Species</li> <li><span style="background-color: lightblue; width: 20px; height: 10px; display: inline-block;"></span> 3 - 5 Species</li> <li><span style="background-color: blue; width: 20px; height: 10px; display: inline-block;"></span> 6 - 8 Species</li> <li><span style="background-color: darkblue; width: 20px; height: 10px; display: inline-block;"></span> 9 - 10 Species</li> <li><span style="background-color: black; width: 20px; height: 10px; display: inline-block;"></span> 11 - 13 Species</li> </ul> |
|--|--|--|

Data Sources:  
 NAVTEQ  
 US Geological Survey  
 Florida Department of Transportation  
 Florida Fish & Wildlife Conservation Commission

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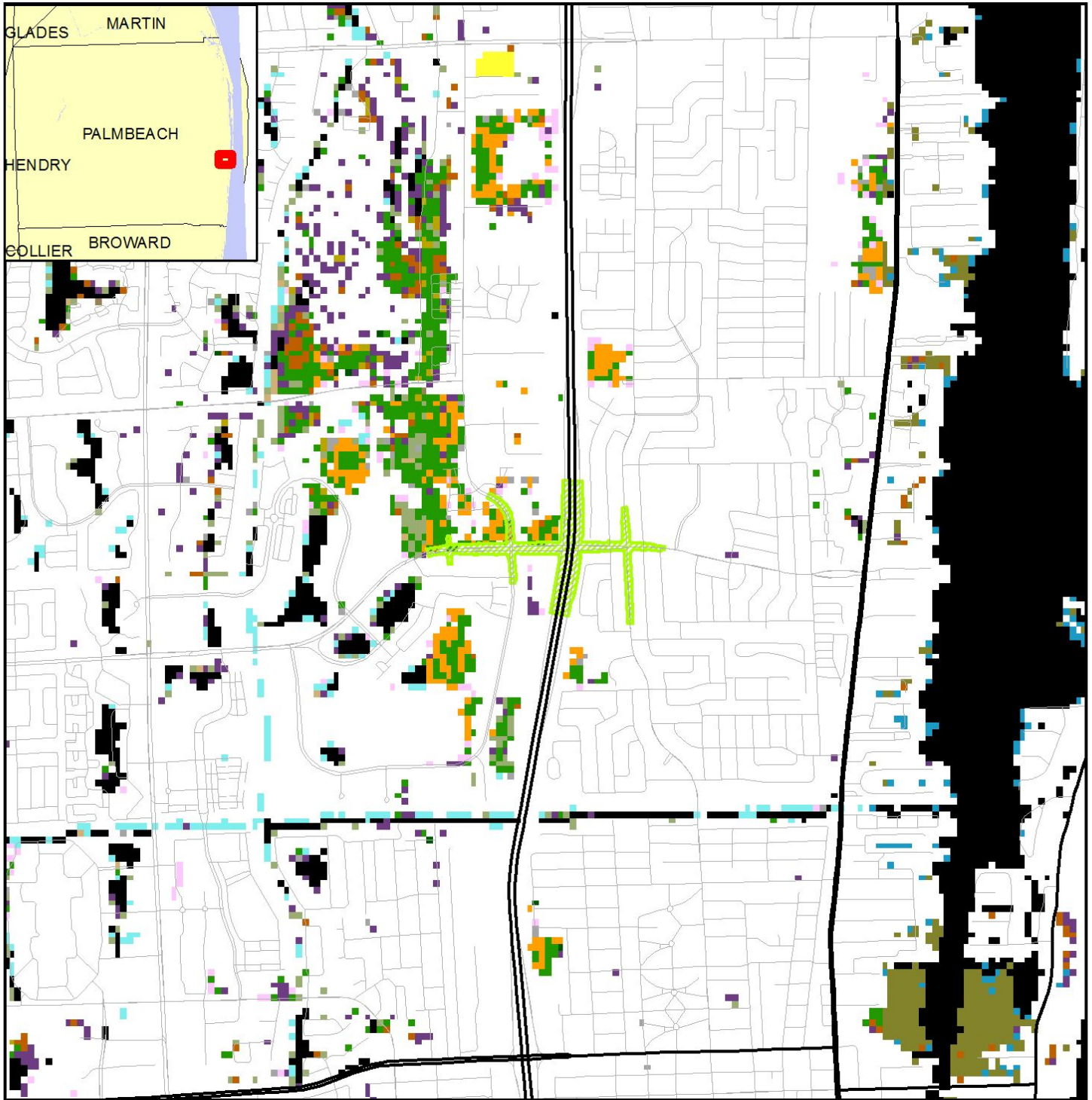


Map Generated on: 7/17/2014





# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



0 0.7 Miles

### Vegetation and Land Cover Map

- |                           |                            |                                  |                            |                     |                     |                   |
|---------------------------|----------------------------|----------------------------------|----------------------------|---------------------|---------------------|-------------------|
| ETDM Alternative Polygon  | Not Classified             | Hardwood Hammocks and Forests    | Bay Swamp                  | Mangrove Swamp      | Unimproved Pasture  | Brazilian Pepper  |
| ETDM Alternative Segment  | Coastal Strand             | Pinelands                        | Cypress Swamp              | Scrub Mangrove      | Sugarcane           | High Impact Urban |
| ETDM Alternative Terminus | Sand/Beach                 | Cabbage Palm-live Oak Hammock    | Cypress/Pine/Cabbage Palm  | Tidal Flats         | Citrus              | Low Impact Urban  |
| ETDM Alternative Point    | Xeric Oak Scrub            | Tropical Hardwood Hammock        | Mixed Wetland Forest       | Open Water          | Row and Field Crops | Extractive        |
| Major Road                | Sand Pine Scrub            | Freshwater Marsh and Wet Prairie | Hardwood Swamp             | Shrub and Brushland | Other Agriculture   |                   |
| Local Road or Trail       | Sandhill                   | Sawgrass Marsh                   | Hydric Hammock             | Grassland           | Exotic Plants       |                   |
|                           | Dry Prairie                | Cattail Marsh                    | Bottomland Hardwood Forest | Bare Soil/Clearcut  | Australian Pine     |                   |
|                           | Mixed Hardwood-pine Forest | Shrub Swamp                      | Salt Marsh                 | Improved Pasture    | Melaleuca           |                   |

Data Sources: NAVTEQ; Florida Department of Transportation; Florida Fish and Wildlife Conservation Commission

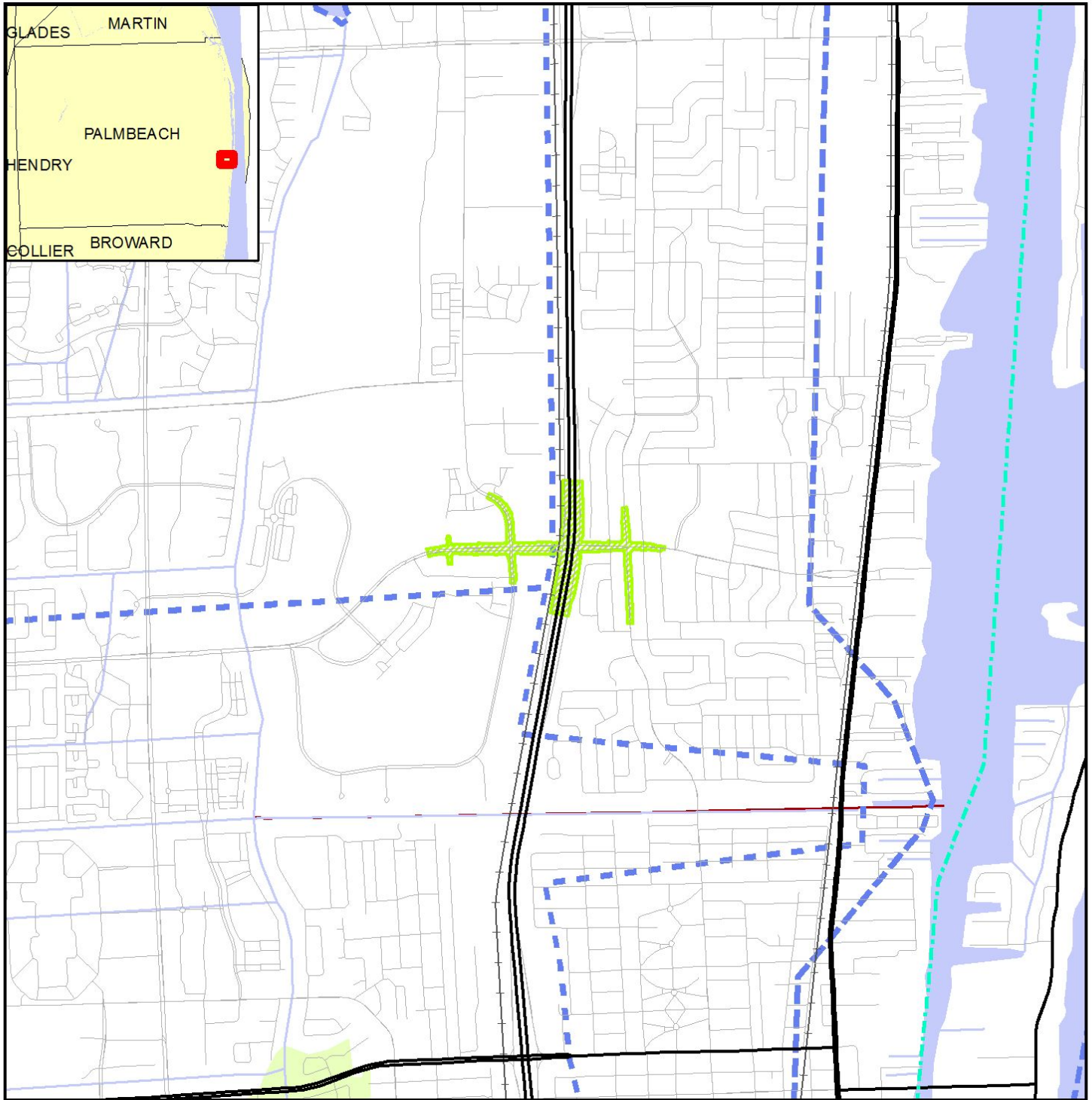
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Map Generated on: 7/17/2014



# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



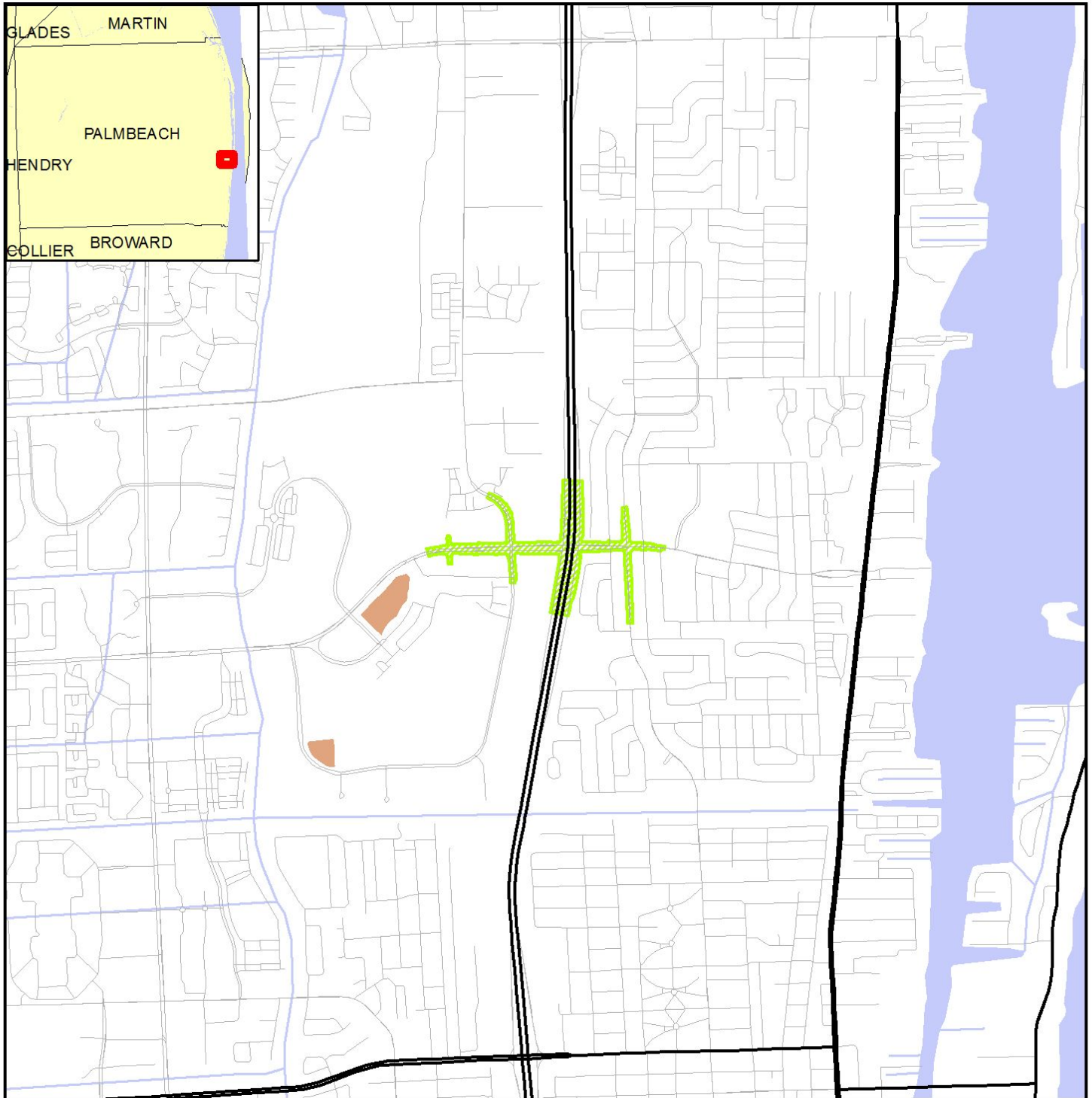
**Water Resources Map**

<p>0 0.7 Miles</p> <p>W N S E</p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> ETDM Alternative Point</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: magenta; border: 1px solid black; margin-right: 5px;"></span> ETDM Alternative Terminus</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, yellow 2px, yellow 4px); border: 1px solid black; margin-right: 5px;"></span> ETDM Alternative Polygon</li> </ul>	<ul style="list-style-type: none"> <li> Railroad</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> 1st Magnitude Spring</li> <li> River, Stream or Canal</li> <li> Local Road or Trail</li> </ul>	<ul style="list-style-type: none"> <li> SFWMD Canals</li> <li> Drainage Basin</li> <li> Outstanding Florida Water</li> <li> Navigable Water Way</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> Surface Water Class I</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> Surface Water Class II</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> Water Body</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Swamp/Marsh</li> </ul>
---------------------------------------	--	--	--	---

Data Sources: NAVTEQ, US Geological Survey, Florida Department of Transportation, Florida Department of Environmental Protection, Florida Geological Survey, US Bureau of Transportation Statistics

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# 14181 SR-9/I-95 at Gateway Boulevard Interchange, Alternative #1



**Wetland Resource Map**

0 0.3 Miles



- |                           |                        |                                |
|---------------------------|------------------------|--------------------------------|
| ETDM Alternative Polygon  | Major Road             | Non-vegetated Wetland          |
| ETDM Alternative Segment  | Local Road or Trail    | Vegetated Non-forested Wetland |
| ETDM Alternative Terminus | River, Stream or Canal | Wetland Forested Mixed         |
| ETDM Alternative Point    | Water Body             | Wetland Coniferous Forest      |
|                           |                        | Wetland Hardwood Forest        |

Data Sources: NAVTEQ; Florida Water Management Districts; US Geological Survey

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## Appendices

### PED Comments

#### Advance Notification Comments

##### Federal Highway Administration Comment --

###### Purpose and Need:

- Safety - it is stated that there are currently no sidewalks along the Gateway Blvd. Is there any accident data for pedestrians available?
- It is stated that the project is programmed in the Palm Beach MPO's Transportation Improvement Program (2015-2020) but not in the current LRTP. All projects within an MPO boundary that are included in the MPO's TIP a must come from the MPO's LRTP.
- When will the PD&E work begin on the project? The MPO is in the process of adopting their 2040 LRP Update. This project should be included in that updated Plan and as noted in the narrative, in the upcoming STIP.
- Reference is made in several sections (Consistency with Transportation Plans and Objectives and the Planning Consistency Status sections) that the project will be included in the 2035 LRTP. Will it be the 2035 LRTP or the 2040 LRTP?
- Since this project is in the programming screen vs the planning screen why are there not any public comments available in this ETAT Tool? This project, according to the narrative, is included in the MPO TIP for 2015. The TIP required public involvement and MPO discussion. Please include any feedback and input from these processes regarding this project. How does the public view this project? Has there been any controversy or negative public input on the need for this project or for the project impacts?
- Please include the estimate cost of this project. The narrative states that \$1million is programmed for the PD&E study in the FDOT Work Program and the MPO's TIP. It also states that the FDOT Work program has \$6 million programmed for Preliminary Engineering and \$2 million for environmental. Please clearly identify what the project costs and phases are anticipated to be for the entire project as well as any programmed funds and project phasing in such a manner that is very clear to the public. This disclosure of information is an important element the public uses during their consideration of the project.

###### Socio Cultural Impacts:

- There are medium density (fixed single family) dwelling units within 1320 feet of the project. How will access to these home sites be maintained? Will there be a need to take any of the property for this project?
- What outreach efforts are planned or have been made to the minority and low income populations along this project? There appears to be at least one residential area that has been identified in the ETDM tool as having a 100% minority population. Additionally, the ETDM tool identifies a small percentage of the population that does not speak English well and will require special outreach efforts.

###### Mobility/Freight

- Business and commercial - what mitigation coordination has taken place with the commercial businesses within the project area of impact for either continued access to their businesses or any taking/relocation of property for the project? What operational improvements are being considered as part of or independent of this project to assist with access to/from the existing businesses?
- Bicycle/Pedestrian facilities - The narrative states that there currently are no designated bicycle lanes in the project study area. It was not clear if bicycle facilities will be included in the project. Are the sidewalks currently used to access the businesses and residences within the project study area? If so, how will this access be maintained?
- Truck traffic - is this a corridor used for freight? Please include truck and commercial vehicle traffic and data. What is the anticipated growth of the freight volume over the next 20 years especially considering the developments and economic centers planned along this corridor? Have any outreach efforts been made to the freight providers for their input for operational improvements?

###### Transit -

- The narrative does not identify if there are any operating transit routes or stops within the study area. Are these services part of the planned/proposed improvement to this facility in this location?

--Luis D Lopez, P.E., 9/5/2014

##### Response --

--, \$tools.date.format("M/d/yyyy"),\$comment.responseTimestamp)

### GIS Analyses

Since there are so many GIS Analyses available for Project #14181 - SR-9/I-95 at Gateway Boulevard Interchange, they have not been included in this ETDM Summary Report. GIS Analyses, however, are always available for this project on the Public ETDM Website. Please click on the link below (or copy this link into your Web Browser) in order to view detailed GIS tabular information for this project:

<http://etdmpub.fl.a-etat.org/est/index.jsp?tpID=14181&startPageName=GIS%20Analysis%20Results>

**Special Note:** Please be sure that when the GIS Analysis Results page loads, the **Project Published 11/24/2014 Milestone** is selected. GIS Analyses snapshots have been taken for Project #14181 at various points throughout the project's life-cycle, so it is important that you view the correct snapshot.

## Project Attachments

**Note:** Attachments are not included in this Summary Report, but can be accessed by clicking on the links below:

Date	Type	Size	Link / Description
07/22/2014	Form SF-424: Application for Federal Assistance	988 KB	<a href="http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17635">http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17635</a> Form SF-424: Application for Federal Assistance
06/01/2014	Ancillary Project Documentation	4.31 MB	<a href="http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17621">http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17621</a> Concept Plan Sheet
06/01/2014	Ancillary Project Documentation	1.92 MB	<a href="http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17620">http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17620</a> Project Concept Report
07/21/2014	Ancillary Project Documentation	229 KB	<a href="http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17619">http://etdmpub.fla-etat.org/est/servlet/blobViewer?blobID=17619</a> TIP Pages

## Degree of Effect Legend

Color Code	Meaning	ETAT	Public Involvement
N/A	Not Applicable / No Involvement	There is no presence of the issue in relationship to the project, or the issue is irrelevant in relationship to the proposed transportation action.	
0	None (after 12/5/2005)	The issue is present, but the project will have no impact on the issue; project has no adverse effect on ETAT resources; permit issuance or consultation involves routine interaction with the agency. The <i>None</i> degree of effect is new as of 12/5/2005.	No community opposition to the planned project. No adverse effect on the community.
1	Enhanced	Project has positive effect on the ETAT resource or can reverse a previous adverse effect leading to environmental improvement.	Affected community supports the proposed project. Project has positive effect.
2	Minimal	Project has little adverse effect on ETAT resources. Permit issuance or consultation involves routine interaction with the agency. Low cost options are available to address concerns.	Minimum community opposition to the planned project. Minimum adverse effect on the community.
2	Minimal to None (assigned prior to 12/5/2005)	Project has little adverse effect on ETAT resources. Permit issuance or consultation involves routine interaction with the agency. Low cost options are available to address concerns.	Minimum community opposition to the planned project. Minimum adverse effect on the community.
3	Moderate	Agency resources are affected by the proposed project, but avoidance and minimization options are available and can be addressed during development with a moderated amount of agency involvement and moderate cost impact.	Project has adverse effect on elements of the affected community. Public Involvement is needed to seek alternatives more acceptable to the community. Moderate community interaction will be required during project development.
4	Substantial	The project has substantial adverse effects but ETAT understands the project need and will be able to seek avoidance and minimization or mitigation options during project development. Substantial interaction will be required during project development and permitting.	Project has substantial adverse effects on the community and faces substantial community opposition. Intensive community interaction with focused Public Involvement will be required during project development to address community concerns.
5	Potential Dispute (Planning Screen)	Project may not conform to agency statutory requirements and may not be permitted. Project modification or evaluation of alternatives is required before advancing to the LRTP Programming Screen.	Community strongly opposes the project. Project is not in conformity with local comprehensive plan and has severe negative impact on the affected community.
5	Dispute Resolution (Programming Screen)	Project does not conform to agency statutory requirements and will not be permitted. Dispute resolution is required before the project proceeds to programming.	Community strongly opposes the project. Project is not in conformity with local comprehensive plan and has severe negative impact on the affected community.
	No ETAT Consensus	ETAT members from different agencies assigned a different degree of effect to this project, and the ETDM coordinator has not assigned a summary degree of effect.	
	No ETAT Reviews	No ETAT members have reviewed the corresponding issue for this project, and the ETDM coordinator has not assigned a summary degree of effect.	

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## **Appendix E**

Boynton Beach Recreation & Parks Department  
Facility and Parks Guide

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**City of Boynton Beach  
Recreation & Parks Department**

**FACILITY and PARKS  
GUIDE**



**P.O. Box 310**

**Boynton Beach, FL 33425-0310**

**recdept@bbfl.us**

**[www.boynton-beach.org/recreation](http://www.boynton-beach.org/recreation)**

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**PARKS ACREAGE.....ACRES**

**Community Parks**

Congress Avenue (includes Tennis Ctr & Barrier Free).....	24.05
Ezell Hester Jr.....	15.82
Wilson.....	3.85
<i>Sub-Total</i> .....	<i>43.72</i>

**Conservation Lands**

Galaxy Scrub.....	5.48
Rolling Green Scrub (Ezell Hester, Jr. Park)...	8.0
*Rosemary Scrub.....	13.44
*Seacrest Scrub.....	53.41
<i>Sub-Total</i> .....	<i>80.33</i>

*\*owned by Palm Beach County (66.85 acres)*

**Greenways/Bikeways**

Palmetto Greens Linear.....	1.0
Barton.....(included in cemetery acreage)	
<i>Sub-Total</i> .....	<i>1.00</i>

**Neighborhood**

Betty Thomas.....	2.34
Boynton Lakes.....	7.94
Forest Hills.....	4.75
Galaxy.....	3.95
Hibiscus.....	0.83
Knollwood.....	3.01
Laurel Hills.....	1.31
Meadows.....	7.20
Pence.....	2.84
Pioneer Canal.....	2.32
<i>Sub-Total</i> .....	<i>36.49</i>

**Special Use**

Barton Memorial.....	6.26*
<i>(*Barton Memorial scrub acreage included in location acreage; scrub is 2 acres)</i>	
Boynton Beach Memorial Park.....	11.78
Boynton Village Dog Park.....	3.00
Kids Kingdom.....	0.44
Little League.....	12.31
Sara Sims.....	6.86
<i>Sub-Total</i> .....	<i>40.65</i>

**Urban Open/Civic Space**

Arbor, Edward F. Harmening.....	0.46
Dewey.....	0.29
Heritage.....	0.22
Kiwanis/Sierra.....	0.19
Veterans Memorial.....	0.59
<i>Sub-Total</i> .....	<i>1.75</i>

**PARKS ACREAGE, cont. ....ACRES**

**Water/Beach Access**

Harvey E. Oyer, Jr.....	8.79
Intracoastal.....	8.97
Jaycee.....	5.31
Mangrove.....	10.72
Oceanfront.....	6.89
<i>Sub-Total</i> .....	<i>40.68</i>

**Total Parks Acreage .....177.77**  
*(not including the 66.85 acres of scrub owned by PBC)*

**FUTURE PARKS (property currently owned) ..ACRES**

FP&L/Golf Road.....	7.14
Girl Scout.....	6.39
Meadows I.....	3.99
Nautica Sound.....	5.00
Nickels Road.....	14.74
Quantum.....	17.47
Woolbright Place.....	3.62

**Total Future Parks Acreage .....58.35**

**PALM BEACH COUNTY.....ACRES**  
*(in or adjacent to the corporate City limits)*

Caloosa Park.....	58.30
Gulfstream Park.....	6.37
High Ridge Scrub.....	39.0
Ocean Inlet Park.....	10.29
Ocean Ridge Hammock Park.....	8.54
West Boynton Park and Recreation Center....	47.12
<b>Total.....</b>	<b><u>175.9</u></b>

**RECREATION FACILITIES.....SQ. FT.\***

Art Center.....	6,642
Civic Center.....	9,771
Denson Pool, John (building).....	2,909
Ezell Hester, Jr. Community Center.....	21,921
Intracoastal Park Clubhouse.....	7,303
Ocean Rescue – Oceanfront Park.....	468
Oyer Park Clubhouse.....	2,084
Senior Center.....	9,891
Tennis Center.....	1,596
Sims Center, Carolyn.....	13,816

**Total Rec Facilities Square Footage.....76,401**  
*\*from Facilities Inventory 3/23/10*

## ACKNOWLEDGEMENT

Many thanks to the Recreation and Parks Department staff for all the hard work that made this comprehensive book a success, including Ginny Shea for her extraordinary role and intern Alan Corscadden for his contribution.

John Wildner, former Parks Director, provided the original parks inventory under the direction of the previous Recreation and Parks Director, Charlie Fredrick. Throughout John's career with the City of Boynton Beach, he was a great resource for historical information on the City's parks and park-designated property.

## INTRODUCTION

Florida is home to the third-largest and fastest-growing recreation and park industry in the nation. The Boynton Beach Recreation and Parks Department is a member of the Florida Recreation and Park Association (FRPA) and the National Recreation and Parks Association (NRPA). Members of these organizations represent the \$51 billion industry, which include private parks to universities to health and fitness clubs. Our Department is dedicated to keeping staff up-to-date on industry news, the latest trends and legislative happenings.

*~ Vicki L. Robertson, 2003*

### *It Starts In Parks...*

#### Community Engagement

Community Engagements is the process of working collaboratively with individuals and groups to achieve specific goals. Parks support community engagement by providing residents with a venue for participation in and attachment to their communities. - APA, *City Parks Forum*

#### Community Revitalization

"Parks act to define the shape and feel of a city and its neighborhoods. They also function as a conscious tool for revitalization." - APA, *City Parks Forum*

#### Create Safer Neighborhoods

"When adjacent to residential areas, green spaces have been shown to create neighborhoods with fewer violent and property crimes and where neighbors tend to support and protect one another." - APA, *City Parks Forum*

#### Economic Development

"Parks provide intrinsic environmental, aesthetic, and recreation benefits to our cities. Understanding the economic impacts of parks can help decision makers better evaluate the creation and maintenance of urban parks." - APA, *City Parks Forum*

#### Green Infrastructure

Green infrastructure is a community's natural life support system, the ecological framework needed for environmental and economic sustainability. In their role as green infrastructure, parks and open space are a community necessity. - APA, *City Parks Forum*

#### Help Children Learn

City parks engage children in informal, experiential learning through play and shared experiences with peers, laying the foundation for effective formal education. - APA, *City Parks Forum*

## **PARK DESIGNATION DEFINITIONS**

Open space and park areas are classified according to a number of characteristics, including size, service area, population served, facility development, and general function.

### **Community Parks**

Community parks are the largest active parks in the City and serve the largest population base. Community parks are the most comprehensive in terms of recreation activities provided. These parks are the most expensive to build and maintain.

The optimum service area of the community park is three miles. Community park sites should be serviced by arterial and collector streets and be easily accessible throughout the service area by way of interconnecting trails. While community parks should be strategically located throughout the community, their location can be significantly impacted by other types of parks, most notably regional parks, which can contain some of the same recreational opportunities provided in community parks.

Demographic profiles, population density, resource availability and recreation demand within its service area are the primary determinants of a community park's size. Although the optimal size of a community park in Boynton Beach is 15 acres, its actual size should be based on the land area needed to accommodate the desired uses and ease of access from throughout the service area. Being geographically centered and relationship to other park areas are also key concerns in the site selection. The accepted level of service included in the Comprehensive Plan is 2.5 acres per 1,000 residents.

Neighborhood and community input through the public input process should be the primary determinant of development of a park. These guidelines should be used as a framework to guide program development and ensure consistency with other park system components. They should not be used as an impediment to creative and unique design concepts.

Community parks can become the major civic and social focus for each community in addition to their recreational emphasis. As such, they should be designed as a true reflection of the spirit of the citizens of each community.

A typical community park could include:

- Playground
- Game Courts
- Athletic/Sports Fields
- Tennis Courts
- Open Play Areas
- Gardens
- Pool or Aquatic Playground
- Community Center
- Exercise/Walking s
- Picnic Areas
- Performance Venue
- Restroom
- Parking

## **Neighborhood Parks**

Neighborhood parks are the basic unit of the Boynton Beach park system and serve as the recreational and social focus of each neighborhood. They should be developed for both active and passive activities geared specifically for those living within the neighborhood service area. These parks should accommodate a wide variety of age and user groups, including children, adults, seniors, family groups, and special populations. Creating a sense of place in each park by bringing together the unique character of each site with the social character of the neighborhood is vital to creating a successful design.

Neighborhood parks should be centrally located within each service area, which should encompass a ½ mile distance, and if possible, uninterrupted by non-residential streets or other physical barriers. Each site should be accessible from throughout its service area by way of interconnecting trails, sidewalks or low-volume streets. Ease of access and walking distance are critical factors in locating a neighborhood park. A person's willingness to use a neighborhood park is greatly reduced if they perceive it to be difficult to access or not within a reasonable walking distance. Ease of access, central location and linkage to greenways are the key concerns when selecting a site.

The site itself should exhibit the physical characteristics appropriate for both active and passive recreational uses. Since one of the primary reasons people go to a park is to experience a pleasant outdoor environment, the site should have some inherent aesthetic qualities. "Leftover" parcels of land that are undesirable for development are generally undesirable for neighborhood parks as well and should be avoided. Additionally, it is more cost effective to select a site with inherent aesthetic qualities, rather than trying to create them through extensive site development. Given the importance of location, neighborhood parks should be selected before a subdivision is platted and acquired as part of the development process.

Industry standards recommend that 5 acres be the generally accepted minimum size necessary to provide space for a menu of activities; however, the actual size should be based on the land area needed to accommodate the desired activities. The accepted level of service included in the Comprehensive Plan is 2.5 acres per 1,000 residents.

Since each park is unique, input from neighborhood residents should be used to determine the development program for the park. The guidelines presented here should be used as a framework to guide program development and ensure consistency with other park system components. They should not be used as an impediment to creative design possibilities.

Development of a neighborhood park should seek to achieve a balance between active and passive uses. Active recreational facilities are intended to be used in an informal and unstructured manner. Neighborhood parks are not intended to be used for programmed activities that result in overuse, noise, parking problems and congestion.

A typical neighborhood park could include:

- Playground
- Open Play Field
- Volleyball Court
- Basketball Court
- Tennis Courts
- Picnic Areas
- Restroom
- Parking

## **Urban/Open Civic Spaces**

Urban parks provide civic open space in the City for the enjoyment of all residents and visitors. Some will serve as elegant public spaces that are designed to complement the urban patterns of downtown Boynton Beach and will become urban oases amongst the bustle of downtown activity.

Urban parks should be located according to traditional town planning principles and good urban design.

A typical urban park could include:

- Urban Gardens
- Shaded Seating Areas
- Esplanade
- People Watching Areas
- People Gathering Areas
- Festival Spaces
- Market Spaces
- Cafés
- Sculpture Gardens
- Plaza Fountains
- Interactive Fountains
- Performance Pavilions
- Amphitheaters
- Mixed-Use Retail
- Concessions
- News Stands
- Open Play Field
- Picnic Spaces
- Historic Elements
- Interpretation/Educational Venues

## **Greenways/Bikeways**

Greenways serve several functions:

- They tie park components together to form a cohesive park, recreation and open space system.
- They emphasize harmony with the natural environment.
- They allow for uninterrupted and safe pedestrian movement throughout the community.
- They provide residents with a resource-based outdoor recreation opportunity and experience.

Land availability and opportunity are the primary factors in determining location. “Natural” greenways generally follow suitable natural resource areas. “Man-made” greenways are corridors that are built as part of development projects or during renovation of older development areas. Man-made greenways include residential subdivisions, revitalized waterfronts, abandoned railroad beds, safe power line right-of-way, pipeline easements, etc. Since greenways are the preferred way to get people from their homes and into parks, adjacency to development areas and parks is important. The best way to develop the greenways trail system is to have new developments incorporate and contribute these facilities as they are approved. In anticipation of this process, planning and design standards need to be developed and incorporated into the land development regulations.



Greenways include:

- Trails/Trailheads
- Restrooms
- Picnic Areas
- Seating Areas
- Interpretive Features
- Natural Resource Access
- Parking

Bikeways are urban trails that are paved segments of roadways that serve to safely separate cyclists and pedestrians from traffic. Bikeways are those trails through the City that connect significant pedestrian destinations such as schools, parks, neighborhoods, libraries, shopping, etc.

There are two types of bikeways – those that are incorporated into existing roadways and those that are separate from the roadway and designated for non-motorized use only. The decision to use one over the other is based on application and opportunity. It is desirable to use separated facilities where traffic volumes are heavy, where possible. Although adequate rights-of-way may not always be available in existing transportation systems, proper planning in evolving systems will preclude this from happening in the future.

It is important to recognize that the cycling community is made up of three distinct groups:

- Commuters – those who use their bicycle as a means to get from point A to point B as expeditiously as possible.
- Fitness enthusiasts – those who cycle for fitness as well as recreation.
- Competitive athletes – those who cycle competitively.

Other user groups for bikeways include walkers, joggers, rollerbladers, skateboarders, and those using other methods of non-motorized transportation. Given this, it is important that the inherent differences in user groups be recognized and incorporated into the design of the trails.

### **Special Use Parks**

Special use parks are those parks that have a unique use. In Boynton Beach, they include Little League Park, Kids Kingdom and the cemeteries.

### **Water/Beach Access Parks**

Parks in Boynton Beach that have access to the Atlantic Ocean or Intracoastal Waterway include Harvey E. Oyer, Jr. Park, Intracoastal Park, Jaycee Park, Mangrove Park and Oceanfront Park.

### **Conservation Lands**

Conservation lands are those properties that include environmental elements that require protection. These lands usually are not developed or are developed with interpretive features only. Conservation land in Boynton Beach includes Seacrest Scrub, Rosemary Scrub, and Rolling Green Scrub.

### **Regional Parks**

Regional parks are distinguished from neighborhood and community parks by the fact that they are resource based rather than user oriented. They provide unique recreational opportunities not available elsewhere, such as camping, hunting, picnicking, golfing and nature walks. They are normally at least 100 acres and serve approximately 50,000 people. The City of Boynton Beach relies on the county or state to provide regional parks.

*Updated 12/12*

## PARKS AMENITIES SUMMARY

TYPE	No.
Baseball/Softball Field	6
Basketball Court	15
Bicycle Path	1
Boardwalk	3
Boat Ramp (fresh water)	2
Boat Ramp (salt water)	4
Bocce Court	3
Concession Building	2
Flag Pole	13
Fishing Pier	4
Fitness Trail/Walking Path	9
Football Field	1
Gazebo	5
Gymnasium	1
Multipurpose (Soccer) Field	2
Nature Preserve <i>(*Two are County areas within the City)</i>	6 <i>(does not include mitigation areas)</i>
Open Play Area	20
Pavilion	25
Playground	20*
Pool	1
Racquetball Court	8
Recreation Building	7
Restrooms	16
Shuffleboard Court (Madsen Center)	16
Tennis Court	29 <i>(12 hard; 17 soft)</i>
Volleyball Court (sand)	3

*\*19 at parks, 1 adjacent to the Civic Center*

### PARKS

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Water/Beach Access	5

# CONGRESS AVENUE COMMUNITY PARK

3111 South Congress Avenue  
(includes the Tennis Center grounds and Barrier Free Park)



**Type:** Community  
**Acreage:** 24.05  
**PCN:** 08-43-46-06-00-000-1000; 08-43-46-06-00-000-1050  
**Built:** 1982  
**Renovations:** 2011 (developed 13.5 acres for Barrier Free Park)  
 2015 (addition of Fit Zone)

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	Available
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	6	Electrical Outlet	3
Flag Pole	1 - lighted	Fishing Pier	
Fitness Trail	Available 17 piece Fitness Zone	Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – Sunset (see Tennis Center page for Pro Shop hours)	Irrigation	Yes – Reclaimed Water
Kiosk		Lifeguard Tower	
Lighting	Yes	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	125 (116 regular; 9 handicapped)	Pavilion	1
Picnic Table	Available	Playground	1 (4 areas, including a splash pad)
Pool		Racquetball Court	
Recreation Building	Tennis Pro Shop *For more information see Tennis Center.	Rental Shelter	1
Restrooms	3 – (1 in the Pro Shop with showers, 1 regular and 1 family in the park)	Sand Box	
Soccer Field		Tennis Court	21 – lighted (17 soft and 4 hard)
Trees	Yes	Turf	Yes – St. Augustine, Rye
Volleyball Court		Water	Yes – fresh water pond
Water Spigot	2	Wishing Well	

**Comments:** This is the location of the City’s Tennis Center. The City’s newest park, Barrier Free, is just to the south of the Tennis Center.

## **HISTORY OF CONGRESS AVENUE COMMUNITY PARK**

This is the location of the City's barrier free playground, park and tennis center. Three separate sections were acquired over a period and the City eventually had 30 acres of property. The property was given to the City before 1979, prior to there being any requirements for land dedication from developers. Five acres were given to WXEL as the public television station grew.

The Tennis Center was built in three phases. There are 17 har-tru and four composite courts. Adjacent to the tennis courts and the Pro Shop are canopy areas with tables and chairs. The west side of the property backs up to a lake and in the center of the property is a small pond. There are wetlands on the property where the City planted native vegetation.

Realizing the need for a barrier-free park in Palm Beach County where over 187,000 disabled residents reside, in 2005 representatives of agencies that offer services for special needs individuals, including the United Way, United Cerebral Palsy, Lions Club, American Red Cross, The ARC and Deaf Service Center were invited to participate in a design charette to determine the elements needed in a "barrier-free" park. The design charette helped to create the master plan for this unique and special park. Construction of the first phase of the 13.5 acre Congress Avenue Barrier Free Park began in 2010. The park is designed to accommodate people of all ages and abilities on an equal level. The park is themed around a Florida Swamp. The central public space was designed to allow access to three play areas, two of which have been constructed, and the third will be constructed during a future phase of development. One is a free formed play structure that resembles a spider. It emulates the insect critters of the swamp. The other is a fish camp theme. The two ponds on the park are connected through a metaphorical "stream bed" that allows children and adults to climb through and experience rocks, spray misters, water and nature. Trails meander through the park leading to the different play and sensory experiences. Other park features include restored wetlands, picnic areas, and restrooms. Ultimately, the purpose of the park is to create an exciting, inspiring and accessible passive park and playground for adults and children of all ages and abilities to enjoy.

In February 2015, the Fitness Zone was opened to the public. With a grant from the Quantum Foundation, the Trust for Public Land partnered with the City of Boynton Beach to install the 17 pieces of outdoor exercise equipment, five of which are wheelchair accessible.

*Updated 5/15*



# EZELL HESTER, JR. COMMUNITY PARK

1901 North Seacrest Boulevard

**Type:** Community  
**Acreage:** 23.82 (includes 8 acres of Rolling Green Scrub)  
**PCN:** 08-43-45-16-01-013-0010  
**Built:** 1992  
**Renovations:** 2006

<b>Baseball/Softball Field</b>	<i>1 – lighted</i>	<b>Basketball Court</b>	<i>3 (2 outdoor, lighted; 1 in gymnasium)</i>
<b>Batting Cage</b>		<b>BBQ Grills</b>	
<b>Beach</b>		<b>Benches</b>	<i>Available</i>
<b>Bicycle Path</b>		<b>Bike Rack</b>	<i>2</i>
<b>Boardwalk</b>		<b>Boat Ramp/Dock</b>	
<b>Bocce Court</b>		<b>Cemetery</b>	
<b>Concession Building</b>	<i>1</i>	<b>Cricket Pitch</b>	<i>1</i>
<b>Drinking Fountain</b>	<i>2 (in gymnasium)</i>	<b>Electrical Outlet</b>	<i>1</i>
<b>Flag Pole</b>	<i>1</i>	<b>Fishing Pier</b>	
<b>Fitness Trail</b>	<i>1 ( 1/2-mile path with no exercise stations; around football field)</i>	<b>Football Field</b>	<i>1 (established 1998)</i>
<b>Garbage Can</b>	<i>Available</i>	<b>Gazebo</b>	<i>1</i>
<b>Gymnasium</b>	<i>1</i>	<b>Horseshoe Court</b>	
<b>Hours</b>	<i>Sunrise – Sunset (lighted facilities open until 10:00 p.m.)</i>	<b>Irrigation</b>	<i>Yes (City water – building; well – other areas)</i>
<b>Kiosk</b>		<b>Lifeguard Tower</b>	
<b>Lighting</b>	<i>Yes – all outdoor fields/courts and parking lot</i>	<b>Meeting Space</b>	<i>Available (call 742-6550 for community center info)</i>
<b>Monofilament Box</b>		<b>Nature Preserve</b>	<i>8-Acres (natural area scrub - *not open to the public; for a guided tour call 742-6225)</i>
<b>Nature Trail</b>	<i>Yes – natural area scrub</i>	<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>200 spaces (194 regular; 6 handicapped)</i>	<b>Pavilion</b>	<i>2 – lighted</i>
<b>Picnic Table</b>	<i>9</i>	<b>Playground</b>	<i>1</i>
<b>Pool</b>		<b>Racquetball Court</b>	<i>4 – lighted</i>
<b>Recreation Building</b>	<i>Yes</i>	<b>Rental Shelter</b>	<i>2</i>
<b>Restrooms</b>	<i>2 (office bldg @ basketball courts, football field concession bldg,)</i>	<b>Sand Box</b>	
<b>Soccer Field</b>		<b>Tennis Court</b>	<i>2 – lighted (hard)</i>
<b>Trees</b>	<i>Yes – Slash Pine, Southern Magnolia, Sabal Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine, Bermuda</i>
<b>Volleyball Court</b>		<b>Water</b>	
<b>Water Spigot</b>	<i>2</i>	<b>Wishing Well</b>	

**Comments:** Bleachers are available along the football field.

Updated 8/14/15

## **HISTORY OF EZELL HESTER, JR. COMMUNITY PARK AND ROLLING GREEN SCRUB**

The facility and park opened in 1992 on 23 acres. Various phases of development and expansion have occurred since. The center is named after former Vice Mayor Ezell Hester, Jr.

Half or more of the 23-acre site the park and recreation center sit on was once one of the largest remainders of native Florida scrubland in Palm Beach County (in 1988). As a part of the construction, scrub preserve fencing was placed around the Rolling Green Scrub, a collection of five scrub sites located in and around Hester Park.

The property was owned by a developer who was developing property on Congress Avenue. The developer was not interested in developing the property so to satisfy land dedication requirements this land was given to the City. Rolling Green Park (not to be confused with Rolling Green Elementary School) was originally the park's name before the community center was built (near where the football field and scrub areas are now), and it was much smaller. In planning the park, the City was required to preserve about 25% of the total acreage as scrubland.

The recreation center includes a full size gymnasium, lobby area, weight room, meeting room, craft room, a game room, computer lab and office space for staff.

The press box was built adjacent to the football field in 2003 and was dedicated to former Recreation and Parks Department employee Tom Williams. A new playground was built in 2006, replacing the old sand volleyball court. In the summer of 2009, the football field was dedicated to longtime PAL (Police Athletic League) officer Bill Tome. An energy retrofit project completed in 2011 included replacement of all external athletic lights and internal building lights with energy efficient systems. New perimeter fencing was installed in 2015.

*Updated 12/15*



# WILSON PARK

225 N.W. 12<sup>th</sup> Avenue


**Type:** Community

**Acreage:** 5.44

**PCN:** 12 parcels (on file in Park Acreage Documentation book)

**Built:** 1961

**Renovations:** 2007 (rebuilt)

Baseball/Softball Field		Basketball Court	2
Batting Cage		BBQ Grills	
Beach		Benches	Available
Bicycle Path		Bike Rack	Available
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	4	Electrical Outlet	Available
Flag Pole	1	Fishing Pier	
Fitness Trail		Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – 9:00 p.m.	Irrigation	Yes (adjacent C-16 Canal)
Kiosk		Lifeguard Tower	
Lighting	Yes – parking lot	Meeting Space	Available (call 742-6640 for community center info)
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	95 spaces (90 regular; 5 handicapped)	Pavilion	3
Picnic Table	3	Playground	1
Pool	 <p>1 - built in 2008 (See Denson Pool page for more info)</p>	Racquetball Court	
Recreation Building	Yes	Rental Shelter	
Restrooms	Available ( inside the recreation center)	Sand Box	
Soccer Field	1 – Multipurpose Field	Tennis Court	
Trees	Yes- Royal Poinciana, Southern Magnolia, Live Oak, Gumbo Limbo, Sabal Palm, Crape Myrtle, Silver Buttonwood	Turf	Yes – St. Augustine, Bermuda
Volleyball Court		Water	Yes – C-16 canal (no swimming)
Water Spigot	Available	Wishing Well	

**Comments:** From 2006-2008 the pool, park, and community center were rebuilt, and the new community center was named in honor of former Recreation & Parks Department employee Carolyn Sims.

Updated 8/14/15

## **HISTORY OF WILSON PARK**

The original facility was built in 1961. This was at about the same time as the Civic Center was being planned and built. Mr. Wilson, an advocate for recreation and parks, went to the City Commission with a request to build a center and pool in the northeast neighborhood of Boynton Beach. The ball field hosted the Boynton Beach Red Sox. In spite of the fact that the field was under-sized, it was used often until the early 1990's.

In 1982, Palm Beach County contributed \$32,274 for Wilson Park improvements, which included adding a basketball court, additional fencing around the ball fields and security lighting. In 2003, county voters approved a \$50M Recreation and Cultural Facilities Bond and Palm Beach County designated \$1,000,000 for renovation of the Wilson Park area. The project included the construction of a new center, renovations and improvements to the pool, basketball courts, a multi-purpose field and a playground with updated play equipment.

The Grand Opening of the Carolyn Sims Community Center and John Denson Pool at Wilson Park was held on February 9, 2008, with a special sky jump by the US Special Ops Command Parachute Team.

*Updated 12/12*





# ROSEMARY SCRUB

2901 North Seacrest Boulevard

**Type:** Conservation Lands

**Acreage:** 13.44

**PCN:** 08-43-45-09-00-000-7080

**Established:** 1995

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		<b>Bike Rack</b>	<i>1</i>
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	Irrigation	
<b>Kiosk</b>	<i>1 – with plant identification brochure</i>	Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		<b>Nature Preserve</b>	<i>Yes – natural scrub area</i>
<b>Nature Trail</b>	<i>Yes - natural area scrub</i>	Open Play Area	
<b>Parking</b>	<i>5 spaces (4 regular; 1 handicapped)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes</i>	Turf	
Volleyball Court		Water	
Water Spigot		Wishing Well	

## HISTORY OF ROSEMARY SCRUB

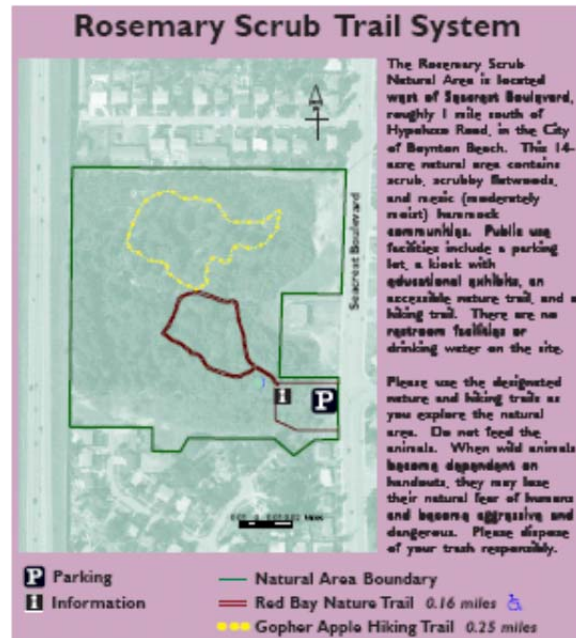
In January 1995, Palm Beach County bought 5 acres of the natural area from Resolution Trust Corporation. In March 1995, the County purchased an additional 8.6 acres from Janmar Properties, Ltd. The State of Florida provided Preservation 2000 matching funds for these acquisitions through the Florida Communities Trust. This natural area is managed as part of a countywide system of natural areas protected to maintain the diversity of biological communities and species found in Palm Beach County. Rosemary Scrub is open to the public for environmental education, scientific research and passive recreational activities such as bird watching, nature walks and photography.

Rosemary Scrub is one of the few remaining examples of the Florida Scrub ecosystem left in Palm Beach County. The site contains sand pine scrub, scrubby pine flatwoods and mesic hammock communities. Less than 2% of the historic scrub ecosystem still exists in the County, making preservation of this endangered natural community extremely important. Rosemary Scrub does not contain many animals because of its small size and urban location. The site does protect a small population of gopher tortoises, and serves as a sanctuary for migratory birds. It will be managed to create favorable conditions for the return of listed species such as the Florida scrub jay. Other animals present on the site include the green anole and six-lined racerunner.

Various rare plants recorded on the site include the endangered Curtiss' milkweed, large-flowered rosemary, nodding pinweed and erect prickly pear. Other plants found on the site include giant air plant, coast plain staggerbush, deer moss, netted pawpaw and several species of native bromeliads.

For information about the scrub, call (561) 963-6737. (Information courtesy of Palm Beach County)

*Updated 12/12*





# SEACREST SCRUB

3400 South Seacrest Boulevard

**Type:** Conservation Lands  
**Acreage:** 53.41  
**PCN:** 08-43-46-04-00-002-0010  
**Established:** 1994

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		<b>Bike Rack</b>	<i>1</i>
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	Irrigation	
<b>Kiosk</b>	<i>1 – with plant identification brochure</i>	Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		<b>Nature Preserve</b>	<i>Yes – natural scrub area</i>
<b>Nature Trail</b>	<i>Yes - natural area scrub</i>	Open Play Area	
<b>Parking</b>	<i>10 spaces (9 regular; 1 handicapped)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes</i>	<b>Turf</b>	<i>Yes (in parking lot)</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

Updated 8/14/15

## HISTORY OF SEACREST SCRUB

The site was purchased in 1994 with funding from Palm Beach County and the City of Boynton. State Preservation 2000 matching funds were provided by the Florida Communities Trust. The property is maintained jointly by Palm Beach County and the Recreation and Parks Department.

The natural area is managed as part of a countywide system of natural areas, protected to maintain the diversity of biological communities and species in Palm Beach County. The natural area is open to the public for environmental education, scientific research and passive recreation activities such as photography, bird watching and nature walks.

Many of the species of plants recorded for this natural area are endemic to the Florida scrub ecosystem. Endangered or threatened plant species on the site include large-flowered rosemary, nodding pinweed, pine pinweed, Curtiss' milkweed, twisted and banded air plant and giant wild pine. The site also contains other unusual plant species including scrub palmetto, sand spike moss and silk grass. Many species of animals inhabit the scrub including the gopher tortoise, a species of special concern in Florida. Other species known to reside on the site include painted lady butterfly, golden silk spider, prairie warbler, great horned owl, red-bellied woodpecker, ring neck snake and common gray fox.

The scrub contains Florida scrub and scrubby pine flatwoods communities and is one of the largest remaining scrub sites in southern Palm Beach County. Florida scrub occurs on sandy ridges along ancient shorelines, and exists on well-drained sandy coastal ridge soils. They act as recharge areas for underground drinking water aquifers and may limit saltwater intrusion into these aquifers. Scrub is a dry ecosystem regulated by fire and composed primarily of sand pines, saw palmettos, dwarf oaks, lichens and barren patches of sand. Many of these plants have developed water-conserving strategies such as thick, wax-coated leaves to survive in the harsh conditions of this environment. Except for a few small areas in neighboring states, Florida scrub is a plant community unique to Florida. It is an important part of Palm Beach County's natural heritage.

For information about the scrub, call (561) 963-6737. (Information courtesy of Palm Beach County)

*Updated 12/12*






# PALMETTO GREENS LINEAR PARK

421 N.E. 13<sup>th</sup> Avenue

**Type:** Greenways/Bikeways  
**Acreage:** 1.0 (park area is .3 acres; greenway is 3,709 linear feet; .7 acres)  
**PCN:** 6 parcels (on file in Park Acreage Documentation book)  
**Built:** 1994  
**Renovations:** 1997, 1998, 2011

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	4
Beach		Benches	Available
<b>Bicycle Path</b>	1 – 7/10-mile	Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	1	Electrical Outlet	
Flag Pole		<b>Fishing Pier</b> 	2 – fresh water, C-16 canal
Fitness Trail		Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset	<b>Irrigation</b>	Yes – City water
Kiosk		Lifeguard Tower	
<b>Lighting</b>	Yes – parking lot, pavilion and restroom	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	Yes
<b>Parking</b>	13 spaces (12 regular; 1 handicapped)	<b>Pavilion</b>	1
<b>Picnic Table</b>	Available	<b>Playground</b>	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	1	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	Yes – Banyan, Coconut Palm, Live Oak, Sabal Palm	<b>Turf</b>	Yes – St. Augustine
Volleyball Court		<b>Water</b>	Yes – C-16 canal
<b>Water Spigot</b>	1	Wishing Well	

## **HISTORY OF PALMETTO GREENS LINEAR PARK**

Palmetto Greens Linear Park is the beginning of the greenways/bikeways plan, but it did not start that way. The initial concept of the park was for redevelopment of the area south of the C-16 Canal and east of Seacrest Boulevard in the Community Redevelopment Agency (CRA) area. The park was built in the mid 1990's. It was canal right-of-way that was used as an illegal dumpsite. The South Florida Water Management District was concerned about the canal's appearance. When the City approached them about creating a linear park, they very quickly saw the benefits of cooperation with the City. The City offered all homeowners adjacent to the park site the option of having a gate in their backyard to give them access to the canal, walking path and fishing piers. Following the construction of the first phase of the park, new homes were built which helped to improve the area, and the park gave homeowners waterfront property. A second phase of the park provided a playground to act as an anchor for the eastern end of the park.

The City, in conjunction with Palm Beach County, received \$229,508 in Community Development Block Grant (CDBG) funds for park improvements in 1995. The park was built in three phases with the expansion phase completed in September 1998. The project first started in 1993 with the submission of the application for the CDBG for funding to construct the park. Parcels were acquired in phases between 1994 and 1997. Phase One in 1994 cost approximately \$180,000; this included \$42,000 for the two fishing piers over the C-16 canal. The South Florida Water Management District included a partial grant of \$71,000 towards the original linear park construction. Phase Two included acquisition of 1.6 acres of land that included three FEC Railroad lots and four residential lots.

In 2007-08, the City received \$303,420 in grant funding from the Florida Department of Transportation via the Metropolitan Planning Organization (MPO) to extend Palmetto Greens Park west of Seacrest Boulevard, along the south side of the C-16 canal, as a Greenways/Bikeways project. This was a major step in the Greenways/Bikeways program. A unique feature of this park is the bicycle path that runs adjacent to the C-16 canal between Federal Highway and Seacrest Boulevard.

The entrance to the linear path is on Seacrest Boulevard adjacent to the C-16 canal; entrance to the mid-point of the path is located between 227 and 237 N.W. 13th Avenue, and the parking lot and open areas are located at the intersection of N.W. 13th Avenue and Railroad Avenue. This linear path is recognized by the State of Florida as a portion of the State Greenways System.

*Updated 12/12*



# BETTY THOMAS PARK

2882 S.E. 2<sup>nd</sup> Street

**Type:** Neighborhood  
**Acreage:** 2.34  
**PCN:** 08-43-45-33-14-000-0245  
**Built:** 2007  
**Renovations:** none

Baseball/Softball Field		<b>Basketball Court</b>	2
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		<b>Bike Rack</b>	1
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	1	Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	1 - 4/10 mile path ( no exercise stations)	Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – 9:00 p.m.	<b>Irrigation</b>	Yes – well water
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	Yes
<b>Parking</b>	5 spaces (4 regular, 1 handicapped)	<b>Pavilion</b>	1 – with four picnic tables
<b>Picnic Table</b>	Available	<b>Playground</b>	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	Yes – Sabal Palm	<b>Turf</b>	Yes – St. Augustine
Volleyball Court		Water	
Water Spigot		Wishing Well	

**Comments:** Undeveloped property was referred to as Southeast Neighborhood Park.

## HISTORY OF BETTY THOMAS PARK

The City acquired the property in 2001. The undeveloped property was referred to as Southeast Neighborhood Park. It was the last piece of property acquired under the City's land dedication ordinance before it was changed to a recreation impact fee requirement. The developers of an apartment/condo complex (Villa Del Sol) that borders the property on Federal Highway were required to give land or pay a fee in lieu of land. Since the project was multi-family zoned, the amount of land they were going to have to dedicate was significant, which had the developers concerned about the costs.

When the original Recreation and Open Space Element of the Comprehensive Master Plan was developed in the early 1980's, the City had been aware that there was a need for a neighborhood park in the southeast section of the City, and began looking for properties that would be suitable for a park. A local resident, Walter Zill, owned 5 acres that was a mango nursery/orchard adjacent to the property where the developers were building the apartments/condos. This property was deemed to be in the right area to develop a park and the City contacted the developer to purchase part of the nursery property for the City to meet the requirements of land dedication. The fees that the developer would have had to pay were higher than the cost of the Zill property. Therefore, the land was purchased and donated to the City in lieu of the fee. The remaining 2.7 acres of Mr. Zill's property is zoned residential, and he will be selling the lots for homes.



The grand opening of the park, named for longtime resident and former Recreation & Parks Advisory Board chair, Betty Thomas, was held on March 24, 2007.



*March 24, 2007*

*Updated 12/12*





# BOYNTON LAKES PARK

300 Boynton Lakes Boulevard

**Type:** Neighborhood  
**Acreage:** 7.94  
**PCN:** 08-43-45-08-06-014-0000  
**Built:** 1994  
**Renovations:** 2005

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		<b>Bike Rack</b>	<i>1</i>
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	<i>1 - 1/2-mile path with 12-exercise stations</i>	Football Field	
<b>Garbage Can</b>	<i>Available</i>	<b>Gazebo</b>	<i>1</i>
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – well water</i>
Kiosk		Lifeguard Tower	
<b>Lighting</b>	<i>Yes – parking lot</i>	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>4 spaces (3 regular; 1 handicapped)</i>	Pavilion	
Picnic Table		<b>Playground</b>	<i>1</i>
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Southern Magnolia, Sable Palm, Pink Tabebuia</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

Updated 8/14/15

## **HISTORY OF BOYNTON LAKES PARK**

Boynton Lakes Park is located in the Boynton Lakes neighborhood. The master plan was completed in 1992 for this and Meadows Park; the land for both was acquired through land dedication from the developer. The park includes a walking/jogging path, playground equipment, open play field and a ½-mile fitness trail with 12 exercise stations. The playground equipment was replaced in 2005 and the bocce court removed in 2015. As part of Arbor Day, five trees (silver and green buttonwoods and Royal Poinciana) were planted in 2015.

*Updated 6/15*



# FOREST HILLS PARK

2500 S.W. 8<sup>th</sup> Street

**Type:** Neighborhood  
**Acreage:** 4.75  
**PCN:** 08-43-45-32-00-000-5050, 08-43-45-32-01-001-0070  
**Built:** 1972  
**Renovations:** 2007, 2011, 2013

<b>Baseball/Softball Field</b>	<i>1</i>	<b>Basketball Court</b>	<i>2</i>
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>2</i>
Bicycle Path		<b>Bike Rack</b>	<i>1</i>
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – well water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>6 spaces (5 regular; 1 handicapped)</i>	<b>Pavilion</b>	<i>1</i>
<b>Picnic Table</b>	<i>Available</i>	<b>Playground</b>	<i>1</i>
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Slash Pine, Royal Poinciana, Banyan</i>	<b>Turf</b>	<i>Yes – Bahia</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

## HISTORY OF FOREST HILLS PARK

Forest Hills Park is part of the Rolling Green Ridge and is named after the Forest Hill subdivision. It was built from property that was left over when I-95 was built in the 1970's. The property was given to the City from the Department of Transportation. The City's Deputy Engineer (Bill Flushing) and a former Recreation and Parks Director (Charlie Frederick) designed the park in-house. The City offered the adjacent property owners the option of having a backyard gate into the park.

The park includes a playground, basketball courts and a small softball field. The playground equipment was replaced in 2007, and the basketball court was resurfaced in 2011.

In 2013 a local Girl Scout, as part of her requirement to earn a prestigious merit badge, organized and gathered the necessary resources to remove graffiti, re-mulch the playground and other areas within the park, perform general landscaping improvements, and convinced the Florida Department of Transportation to paint the adjacent sound wall.

*Forest Hills Park got a makeover during the summer of 2013 when local teenager Savannah Lashley, a high school senior seeking her Girl Scout Gold Award, decided one of the neighborhood parks where she played as a child need some sprucing up. Savannah still visits the park regularly, and noticed that one of her favorite spots in Boynton Beach was looking a little le run down. "Whenever I went there, it was kind of, sort of abandoned. I was like 'Why don't I just fix it up?'" she said. The Girl Scout Gold Award represents the highest achievement in Girl Scouting. Open only to girls in high school, this prestigious award challenges girls to change the world—or at least their corner of it, and be eligible for college scholarships, too. The park is dear to Savannah and she wanted to help make it a better place for her neighborhood. Savannah recruited other teens in her senior class to assist with the project, and got mulch and other supplies donated. They re-mulched the playground, did some weeding and light landscaping and repainted several pieces of play equipment including the swings, benches and the basketball and pavilion posts. She was even able to get the Florida Department of Transportation on to repaint the I-95 retaining wall adjacent to the park. For her hard work, Savannah was recognized at the October 1 City Commission meeting. "This community couldn't be more proud of you," Mayor Jerry Taylor said. Savannah offered these words of advice for other teenagers thinking about community service. "It doesn't matter how big or small the project is, as long as it matters to you. That's what can make a difference." From Funfare Magazine, Spring 2014*

Updated 12/15





# GALAXY PARK

301 NW 4<sup>th</sup> Ave (Galaxy Way)


**Type:** Neighborhood

**Acreage:** 3.95

**PCN:** 08-43-45-21-00-000-7020

**Built:** 1950, 2013

**Renovations:** 1974, 1986, 2007; School completely rebuilt during 2011-2012 and opened August 2013

<b>Baseball/Softball Field</b>	<i>1</i>	<b>Basketball Court</b>	
<b>Batting Cage</b>		<b>BBQ Grills</b>	
<b>Beach</b>		<b>Benches</b>	
<b>Bicycle Path</b>		<b>Bike Rack</b>	
<b>Boardwalk</b>		<b>Boat Ramp/Dock</b>	
<b>Bocce Court</b>		<b>Cemetery</b>	
<b>Concession Building</b>		<b>Cricket Pitch</b>	
<b>Drinking Fountain</b>		<b>Electrical Outlet</b>	
<b>Flag Pole</b>		<b>Fishing Pier</b>	
<b>Fitness Trail</b>		<b>Football Field</b>	
<b>Garbage Can</b>		<b>Gazebo</b>	
<b>Gymnasium</b>		<b>Horseshoe Court</b>	
<b>Hours</b>	Sunrise – Sunset	<b>Irrigation</b>	
<b>Kiosk</b>		<b>Lifeguard Tower</b>	
<b>Lighting</b>		<b>Meeting Space</b>	
<b>Monofilament Box</b>		<b>Nature Preserve</b>	<i>10-Acres – PBC School Board property (natural scrub area at north end of property along N.W. 5<sup>th</sup> Street)</i>
			
<b>Nature Trail</b>		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>		<b>Pavilion</b>	
<b>Picnic Table</b>	<i>2 – next to restroom</i>	<b>Playground</b>	<i>1</i>
<b>Pool</b>		<b>Racquetball Court</b>	
<b>Recreation Building</b>		<b>Rental Shelter</b>	
<b>Restrooms</b>	<i>1</i>	<b>Sand Box</b>	
<b>Soccer Field</b>		<b>Tennis Court</b>	<i>2 (hard)</i>
<b>Trees</b>		<b>Turf</b>	<i>Yes – St. Augustine, Bermuda</i>
<b>Volleyball Court</b>		<b>Water</b>	
<b>Water Spigot</b>		<b>Wishing Well</b>	

## **HISTORY OF GALAXY PARK**

Galaxy Park was the original site for Little League baseball. It was City property going back into the 1950's. Galaxy School was actually built on City property that we traded with the County for some other property out west and in the Wilson Park area. The City owns the east side of the property and the School District of Palm Beach County owns the west side.

Around 1974, the park was rebuilt when the Little League fields were moved to Woolbright Road and the restrooms were added. The original playground equipment was space travel themed to go hand-in-hand with the name of the school. Eventually, the themed equipment was replaced with equipment that is more modern.

The scrub on the north side of the property is owned by the School District, it connects back to Barton Park. Once the City acquires the deeds from the Florida Department of Transportation, it will be decided if the City will use the scrub area or the deeded land as part of the greenways/bikeways plan and add paths to the property.

In 1986, the City and the School District, jointly funded lighting for the basketball court for \$6,000. Bleachers are available along the ball field and ball field dugouts; benches are also available.

Perimeter landscaping completed in 2007 with a grant from the Department of Agriculture and Consumer Services. New playground equipment was installed in 2007.

In July 2011, the school and park were razed and a new "green" school with a STEAM program was built and re-opened in August 2013. The City entered into an agreement with the Palm Beach County School Board to swap the parkland for some of the school land for the construction of the elementary school at the site, which was completed in August 2012. In return for the swap, the School District rebuilt the park, which includes a softball field, tennis courts and restrooms. As part of the agreement with the School Board, during construction of the school, underground electrical infrastructure was included to support possible installation of lights for the field and courts in the future.

Galaxy Scrub is 5.48 acres of preservation property, conveyed to the City of Boynton Beach from the Palm Beach County School District in 2012. The City partners with Galaxy E3 Elementary School teachers and students to re-plant and maintain the native scrub site. It is open to school students for educational purposes.

*Updated 1/16*



# HIBISCUS PARK

660 S.W. 1<sup>st</sup> Avenue

**Type:** Neighborhood  
**Acreage:** 0.83  
**PCN:** None on file  
**Built:** 1973  
**Renovations:** none

Baseball/Softball Field		<b>Basketball Court</b>	<i>1</i>
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – City water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>Along Roadside</i>	Pavilion	
<b>Picnic Table</b>	<i>Available</i>	<b>Playground</b>	<i>1</i>
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Live Oak, Rosewood, Slash Pine</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

## **HISTORY OF HIBISCUS PARK**

Located in the Lake Boynton Estates neighborhood, this small park was plotted as part of the developer's plans in the 1950's. The developer did not build a park but instead deeded the land to the City. The park was built in 1973 with a basketball court and a small playground with the intention to provide the community with a neighborhood play area. The playground equipment was replaced in 1995 and 2008.

*Updated 12/12*



# KNOLLWOOD PARK

8121 Lawrence Road



**Type:** Neighborhood  
**Acreage:** 3.01  
**PCN:** 08-42-45-13-14-004-0000  
**Built:** 2007  
**Renovations:** none

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	<i>1 – 4/10-mile path no exercise stations</i>	Football Field	
<b>Garbage Can</b>	<i>Available</i>	<b>Gazebo</b>	<i>1 – four benches within</i>
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes- stormwater retention</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	<i>7 spaces (6 regular, 1 handicapped)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Cypress, Southern Magnolia, Sabal Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		<b>Water</b>	<i>Yes – freshwater pond (no swimming)</i>
Water Spigot		Wishing Well	

## **HISTORY OF KNOLLWOOD PARK**

Previously known as the Nautica Park site, located on the northwest corner of Lawrence Road and Nautica Boulevard, this property was given to the City as part of the Park & Recreation dedication requirement.

Constructed by D.R. Horton as part of the Knollwood Development, the park provides a park-like drainage facility. It exists primarily as a passive park with a pond plus littoral zone plantings to attract wildlife and various environmental interpretative features. The littoral zones were replanted in 2015.

*Updated 12/15*



# LAUREL HILLS PARK

515 NW 7<sup>th</sup> Street

**Type:** Neighborhood  
**Acreage:** 1.31  
**PCN:** 08-43-45-20-08-000-0160  
**Built:** 1972  
**Renovations:** 1997, 2006

Baseball/Softball Field		<b>Basketball Court</b>	1
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	3
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset	<b>Irrigation</b>	Yes – City water
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	Yes
<b>Parking</b>	4 spaces (3 regular, 1 handicapped)	Pavilion	
<b>Picnic Table</b>	Available	<b>Playground</b>	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	Yes – Foxtail Palm, Live Oak, Black Olive	<b>Turf</b>	Yes – St. Augustine
Volleyball Court		Water	
Water Spigot		Wishing Well	

Updated 8/14/15

## **HISTORY OF LAUREL HILLS PARK**

The park is located in the Laurel Hills Neighborhood, and was built in the mid-1970's. The land was previously platted for residential development and for one reason or another did not sell. Developers did not sell the land for homes. It is not clear how the City acquired the land from the developers from the records. The City's Deputy Engineer (Bill Flushing) and a former Recreation and Parks Director (Charlie Frederick) designed the park in house. In the mid-1970's, the City had a program called CETA (Comprehensive Employee Training Act). The federal government hired people and "loaned" them to municipalities with the intention that when positions became available, they would be hired full time with the City. Parks developed in the 1970's were often planned in-house by these and other employees.

The park is a small, basic neighborhood park consisting of open play space, a playground and basketball courts. The playground equipment was replaced in 2006.

*Updated 12/12*



# MEADOWS PARK

4305 N. Congress Avenue

**Type:** Neighborhood  
**Acreage:** 7.2  
**PCN:** 08-43-45-07-03-000-0010  
**Built:** 1994  
**Renovations:** 2005

Baseball/Softball Field		Basketball Court	1 – lighted
Batting Cage		BBQ Grills	4
Beach		Benches	Available
Bicycle Path		Bike Rack	2
Boardwalk		Boat Ramp/Dock	
Bocce Court	1	Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	1	Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail	1 – 1/2-mile path with 11 exercise stations	Football Field	
Garbage Can	Available	Gazebo	1
Gymnasium		Horseshoe Court	
Hours	Sunrise – Sunset (lighted facilities open until 10:00 p.m.)	Irrigation	Yes – City water
Kiosk		Lifeguard Tower	
Lighting	Yes – parking lot and athletic courts	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	25 spaces (23 regular; 2 handicapped)	Pavilion	2
Picnic Table	Available	Playground	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	2
Restrooms	1	Sand Box	
Soccer Field		Tennis Court	2 – lighted (hard)
Trees	Yes – Live Oak, Pink Tabebuia, Royal Poinciana, Gumbo Limbo, Silver Buttonwood	Turf	Yes – St. Augustine
Volleyball Court	1 – lighted	Water	
Water Spigot	1	Wishing Well	

## **HISTORY OF MEADOWS PARK**

During master planning for this park, located adjacent to the Meadows community, there were recreation and park professionals present during the planning who lived in the neighborhoods who all agreed that active recreation was needed in the new park. Now the well-utilized park has two lighted tennis courts, a sand volleyball court, basketball courts, bocce courts, and a ½-mile fitness trail with 11 exercise stations, restrooms and pavilions. The playground equipment was replaced in 2005.

*Updated 10/11*



# PENCE PARK

600 S.E. 4<sup>th</sup> Street

**Type:** Neighborhood  
**Acreage:** 2.84  
**PCN:** 08-43-45-28-07-003-0110  
**Built:** 1950  
**Renovations:** 1980's; 2003; 2009; 2011

Baseball/Softball Field		<b>Basketball Court</b>	<i>1</i>
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – well water</i>
Kiosk		Lifeguard Tower	
<b>Lighting</b>	<i>Yes</i>	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>Available (on SE 3<sup>rd</sup> Street)</i>	Pavilion	
Picnic Table		<b>Playground</b>	<i>1</i>
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	<i>1</i>	Sand Box	
<b>Soccer Field</b>	<i>1 – Multipurpose Field</i>	Tennis Court	
<b>Trees</b>	<i>Yes – Green Buttonwood, Queen Palm, Royal Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine, Bermuda</i>
Volleyball Court		Water	
<b>Water Spigot</b>	<i>1</i>	Wishing Well	

Updated 8/14/15

## **HISTORY OF PENCE PARK**

Mr. Pence, a real estate developer, originally owned the property; records do not clearly indicate if he was required to give open space to the City. The property was used as a recreation area long before the ball field was built (in the mid 1950's). The ball field was used by softball leagues and sometimes by Little League. The basketball courts were rebuilt in the late 1980's and lights were added to increase use. Often when the field was not being used for softball, soccer players used the open space.

The fence around the baseball field was replaced in 2005. The playground equipment was installed in March 2008. In 2009, the softball field was converted to a multipurpose field to accommodate the growing population of soccer players in the neighborhood. In 2011, the basketball courts were renovated by adding a sport surfacing (previously concrete). A utilities lift station was installed in 2015 in the southeast corner of the park, surrounded by landscaping that includes live oak, sabal palms, dahoon holly, beauty berry and fakahatchee grass.

*Updated 12/15*






# PIONEER CANAL PARK

848 N.W. 13<sup>th</sup> Avenue

**Type:** Neighborhood  
**Acreage:** 2.32  
**PCN:** 3 parcels (08-43-45-20-10-000-1710; 08-43-45-20-11-000-2840; 08-43-45-20-10-000-1701)  
**Built:** 1975  
**Renovations:** 2008

Baseball/Softball Field		Basketball Court	1
Batting Cage		BBQ Grills	1
Beach		Benches	Available
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	2 – lighted (fresh water along C-16 canal)
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier 	1 – lighted
Fitness Trail		Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – Sunset	Irrigation	Yes – canal water
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box	1	Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	On grassy area and roadway	Pavilion	1 (built 1978)
Picnic Table	6	Playground	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms	1 – attached to pavilion	Sand Box	
Soccer Field		Tennis Court	2 (hard)
Trees	Yes - Seaside Mahoe, Live Oak, Areca Palm	Turf	Yes – St. Augustine
Volleyball Court	1	Water	Yes – C-16 canal (no swimming)
Water Spigot		Wishing Well	

Updated 8/14/15

## **HISTORY OF PIONEER CANAL PARK**

Located on the C-16 canal that runs east to west, the park provides boaters fresh water access to the E-4 canal that runs north to south and access to Lake Osborne to the north and Lake Ida to the south (the only freshwater boat ramp in the park system). In 1987, the City purchased a .8-acre lot on the east side of the park for \$42,400 through the Recreation & Park Trust Fund (impact fees); it has not been developed and is more of an open play area. The park was not master planned and the use of the property is not effective.

In 1992, a light was installed on the boat ramp to assist boaters and anglers during dark hours. The playground equipment was replaced in 1995 and 2008. The installation of a double rail fence, renovation of the restrooms and resurfacing of the basketball and tennis was completed in 2007 and 2008.

The South Florida Water Management District is responsible for dredging the canal. The area adjacent to the park on the C-16 canal is a “No Wake Zone”, established as 200 feet east and west of the boat launch area (per Code of Ordinances Sec. 16-93-1).



*Updated 12/15*

# BARTON MEMORIAL PARK

1110 N.W. 5<sup>th</sup> Street



**Type:** Special Use  
**Acreage:** 6.26  
**PCN:** 08-43-45-21-12-001-0121 (2 parcels, no PCN for gravesites)  
**Built:** 1978  
**Renovations:** 2004

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	1
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		<b>Cemetery</b> 	<i>Yes – historical (not available for burials)</i>
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	1	Electrical Outlet	
Flag Pol		Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – City water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		<b>Nature Preserve</b> 	<i>2-Acres ( natural area scrub connected to Galaxy Elem. PBC School Board property along N.W. 5<sup>th</sup> Street between Martin Luther King, Jr. Blvd. &amp; N.W. 8<sup>th</sup> Avenue)</i>
<b>Nature Trail</b>	<i>Yes - natural area scrub</i>	<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>Along Roadside</i>	Pavilion	
<b>Picnic Table</b>	1	Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	1	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Magnolia, Crepe Myrtle, Royal Palm Live Oak</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
<b>Water Spigot</b>	1	Wishing Well	

**Comments:** Located on the property are historical African American gravesites dating back to the early 1900's.

Updated 8/14/15

## HISTORY OF BARTON MEMORIAL PARK

The land was leased from the Florida Department of Transportation by the City starting in 1978. This property was originally a legitimate City dump and next to it was an informal cemetery used primarily by the African American community who lived in the area. Located on the property are 20 marked historic African American gravesites which can be dated back to the early 1900's and a number of unmarked graves which could date back to the 1800's. It was not known that there was a cemetery on the site until Mr. Alton Barton identified the plots to DOT (as his son was buried in the area). The cemetery portion of the park makes up about ½ acre.

The park is named after Alton Barton, who was born in 1944 and was put to rest in 1950. The Barton family still lives in the area and was instrumental in preserving the cemetery when I-95 was constructed through Boynton Beach in the 1970's. The interstate was originally planned to pass through the cemetery; however, recent research and a Ground Penetrating Radar survey suggest I-95 was realigned and many of the burials remain in place. Alton's mother, Mary Barton, organized efforts to clean up the site in the early 1970s after it had fallen into disrepair.

In May 2015, the City Commission approved the cemetery's historic designation and added it to the city's register of historic places, and it will be included in the map of the Downtown Heritage Trail. Volunteers are working with the City's historic preservation planner Warren Adams to unearth and document the names and the stories of those individuals and families buried in Barton Memorial Park.

"Our research will continue and hopefully, over time, more information will become available either from documentary sources or from the family members of those buried there, about whom little or nothing is known," he said. "The Barton Memorial Park Cemetery is one of the most important sites in the history of the city." "In addition to its significance as an unofficial burial ground for the city's African-American community, it's significant in the areas of art, archaeology, ethnic heritage and social history," Adams said.

According to Adams, one of the headstones marks the burial spot of Robert J. Cooper, a member of the Dump Truck Co. in World War II. Adams notes that it is possible, although not proven, that Cooper was part of the Red Ball Express, an African-American truck convoy that expedited goods to the armed services during the war.

Resident Martha Meeks-Light, 76, whose father-in-law is Will Light, remembers residents making the tombstones in molds made from wooden soda crates. "I remember them mixing cement with gravel and pouring the mixture into the crates," Meeks-Light said. These homemade gravestones are now considered works of folk art and many include epitaphs inscribed by hand.

In 2012, students from Florida Atlantic University undertook a Ground Penetrating Radar Survey of the cemetery to identify underground anomalies. According to Adams, these anomalies and unusual indentations in the earth may indicate unmarked burial sites. "It's impossible to know exactly how many bodies are buried here," said Adams, who is working with church records to identify possible bodies.

The earliest legible date on a headstone is from 1926; however, an undated survey of the markers indicates one of the illegible markers dates to 1913. The latest marker dates to 1983 and the cemetery is now closed for burials.

*Updated 5/15*



# BOYNTON BEACH MEMORIAL PARK

1611 South Seacrest Boulevard

**Type:** Special Use  
**Acreage:** 11.78  
**PCN:** 5 parcels (08-43-45-33-14-000-0012, 08-43-45-33-23-001-0000, 08-43-45-33-31-001-0000, 08-43-45-33-50-000-0000, 08-43-45-33-51-000-0000)  
**Acquired:** 1950's  
**Renovations:**

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	<i>Yes – open for burials (for more information contact City Clerk's Office #742-6063)</i>
Concession Building		Cricket Pitch	
Drinking Fountain	<i>1</i>	Electrical Outlet	
Flag Pole	<i>1 – lighted</i>	Fishing Pier	
Fitness Trail		Football Field	
Garbage Can	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
Hours	<i>Sunrise – Sunset</i>	Irrigation	<i>Yes – reclaimed water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
Parking	<i>Available (along roadside)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
Trees	<i>Yes – Royal Palm, Southern Magnolia, Crepe Myrtle</i>	Turf	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	<i>1 - Fountain</i>

**Comments:** Burials are coordinated through the City Clerk's Office. For more information, contact (561) 742-6063.

Updated 8/14/15

## HISTORY OF BOYNTON BEACH MEMORIAL PARK

Boynton Memorial Park was not originally owned by the City, but was a vacant piece of land where people were burying their family members. The property was acquired in the 1950's from the developer of High Point. The cemetery development began before Little League Park.

In the earlier (eastern) sections of the cemetery, the gravestones are all standing upright. In the latter (western) sections, the headstones are all ground level so that maintenance is safer and more efficient. There are some unmarked graves that date back to the early part of the last century. There are no records from before the time the City acquired the property, except by reviewing the existing gravestones. The cemetery was not segregated, but often African Americans had to bury their dead at night. There are stories that Seacrest Boulevard extension disturbed some of the graves.

The newer sections of the cemetery are all platted, and plots are sold via the City Clerk's Office. A portion of the money goes to the Perpetual Care Fund to maintain the park. There is a children's section of the park with a standing monument in the middle that represents all the children (for those who could not afford monuments) in that section. The statue was designed by artist Conrad Pickel, who had a studio in town.

By 2004, the cemetery was almost full. The Cemetery has been re-platted twice since then, adding an additional 400 gravesites.

In 1981, the mausoleum opened. The Hurford Chapel is named after a former Cemetery Board member. The City owns and maintains the building. There are currently 5 mausoleums on site with room for a smaller additional one

The trees were heavily damaged by the 2004 hurricanes and were replaced in 2005/06.

Record keeping is handled by the City Clerk's Office. The Parks Division is responsible for all normal grounds maintenance as well as grave opening and closings and mausoleum entombments.

*Updated 12/15*





# BOYNTON VILLAGE PARK & DOG PARK

800 Renaissance Commons Blvd.

**Type:** Special Use

**Acreage:** 3.0

**PCN:**

**Acquired:** 2012

**Renovations:**

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	2
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	2 (pet fountain also available)	Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	Available	<b>Gazebo</b>	1
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset	<b>Irrigation</b>	Yes – from adjacent pond
Kiosk		Lifeguard Tower	
		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	Available
<b>Parking</b>	19 spaces (18 regular; 1 handicapped)	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	Yes – Live Oak, Green Buttonwood	<b>Turf</b>	St. Augustine
Volleyball Court		<b>Water</b>	Freshwater pond
Water Spigot		Wishing Well	

## Comments

Acquired through the dedication requirements, this future park site was received from the developers of Renaissance Commons. It is located just east of Renaissance Commons Boulevard and just west of the E-4 canal.

Updated 11/16

## HISTORY OF BOYNTON VILLAGE PARK & DOG PARK

The park was constructed as part of a collaborative effort between the City and JKM Developers. The park is approximately 3 acres, and the fenced/off-leash dog park area just under ½ acre. There are two entrances to the dog park section, one for dogs over 35 pounds and one for dogs under 35 pounds. Inside the dog park, there are benches and a “canine thirst eradicator” in each section...more affectionately termed “doggie waterers” where both dogs and “parents” of the dogs can drink from the multi-levelled fountains.

The grand opening was held on November 5, 2016.

*Updated 11/16*







# KIDS KINGDOM PLAYGROUND

129 East Ocean Avenue

**Type:** Special Use  
**Acreage:** 0.44  
**PCN:** 08-43-45-28-05-014-0020 (parcel w/schoolhouse museum)  
**Built:** 1996  
**Renovations:** 1999, 2011

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	3
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	1	Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset	<b>Irrigation</b>	Yes – City water
<b>Kiosk</b>	1 – Boynton Beach Progress Trail	Lifeguard Tower	
<b>Lighting</b>	Yes – parking lot and along perimeter	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	Available – parking lot and on Ocean Avenue	Pavilion	
Picnic Table		<b>Playground</b>	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	1	<b>Sand Box</b>	1
Soccer Field		Tennis Court	
<b>Trees</b>	Yes – Live Oak, Banyan	<b>Turf</b>	Yes, ADA mulch
Volleyball Court		Water	
Water Spigot		Wishing Well	

**Comments:** Playground is adjacent to the 1913 Schoolhouse Children’s Museum.

## **HISTORY OF KIDS KINGDOM PLAYGROUND**

Kids Kingdom Playground is located between City Hall and the Civic Center adjacent to the 1913 Schoolhouse Children's Museum. The 20,000 square foot multi-level playground, made of wood and recycled plastic, was a community built project with over 1,800 volunteers participating from start to completion.

The project was spearheaded by local activist, Mike Fitzpatrick, through the Recreation and Parks Board. The School District of Palm Beach County originally owned the property. When the School Board vacated the old high school (used after 1949 as an elementary school until it, too, was vacated in the early 1990's), the property and the buildings were given to the City. The project took two years to complete, and the park opened in April 1996.

Minor renovations and repairs were done in late 1999 after a fire. In 2011, the CRA renovated the amphitheater to improve open public space for events and performances in the downtown area.

*Updated 10/11*



# LITTLE LEAGUE PARK

300 West Woolbright Road

**Type:** Special Use  
**Acreage:** 12.31  
**PCN:** 08-43-45-33-14-000-0051  
**Built:** 1974  
**Renovations:** 2006

<b>Baseball/Softball Field</b>	4 – <i>lighted</i>	<b>Basketball Court</b>	
<b>Batting Cage</b>	3	<b>BBQ Grills</b>	2 – (1 – gas; 1 – charcoal)
<b>Beach</b>		<b>Benches</b>	Available
<b>Bicycle Path</b>		<b>Bike Rack</b>	
<b>Boardwalk</b>		<b>Boat Ramp/Dock</b>	
<b>Bocce Court</b>		<b>Cemetery</b>	
<b>Concession Building</b>	1 – <i>open during league play</i>	<b>Cricket Pitch</b>	
<b>Drinking Fountain</b>	1	<b>Electrical Outlet</b>	Available
<b>Flag Pole</b>	1 – <i>lighted</i>	<b>Fishing Pier</b>	
<b>Fitness Trail</b>		<b>Football Field</b>	
<b>Garbage Can</b>	Available	<b>Gazebo</b>	
<b>Gymnasium</b>		<b>Horseshoe Court</b>	
<b>Hours</b>	<i>Sunrise – Sunset (lighted facilities open until 10:00 p.m.)</i>	<b>Irrigation</b>	<i>Yes – reclaimed water</i>
<b>Kiosk</b>		<b>Lifeguard Tower</b>	
<b>Lighting</b>	<i>Yes – throughout</i>	<b>Meeting Space</b>	
<b>Monofilament Box</b>		<b>Nature Preserve</b>	
<b>Nature Trail</b>		<b>Open Play Area</b>	Yes
<b>Parking</b>	<i>105 spaces (101 regular; 4 handicapped)</i>	<b>Pavilion</b>	1
<b>Picnic Table</b>	Available	<b>Playground</b>	
<b>Pool</b>		<b>Racquetball Court</b>	
<b>Recreation Building</b>		<b>Rental Shelter</b>	
<b>Restrooms</b>	1	<b>Sand Box</b>	
<b>Soccer Field</b>		<b>Tennis Court</b>	
<b>Trees</b>	<i>Yes – Mahogany, Queen Palm, Royal Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine, Bermuda</i>
<b>Volleyball Court</b>		<b>Water</b>	
<b>Water Spigot</b>	2	<b>Wishing Well</b>	

**Comments:** Home of the East Boynton Beach Little League. For more information call (561) 329-6025 or visit [www.eastboyntonll.com](http://www.eastboyntonll.com)

Updated 8/14/15

## HISTORY OF LITTLE LEAGUE PARK

Home of the East Boynton Little League, the current Little League area was future cemetery land for the expansion of Boynton Memorial Park. The property was acquired in the 1950's from the developer of High Point. The cemetery development began before Little League Park.

Prior to that time, Little League games were located at Galaxy Park (built in the late 1950's) which had only one field that was a 60' base field, serving kids up to 12 years of age. When Little League included a senior league program (up to 16 years of age), they needed a full size (90') baseball field. It was decided that both fields would be moved to the current Little League Park location on Woolbright Road.

A former Recreation and Parks Board member worked for FPL, who donated the original light poles. Cell phone towers are located on the property. Money from the rental of land for the towers helped pay for the newer concrete poles.

In 2006, producers of ABC's Extreme Makeover: Home Edition heard about the park through applications to the show from people in the community. This was three months after damage occurred due to Hurricane Wilma in October 2005. It was the community spirit ABC saw in an audition that weighed heavily in the City's favor, producers said. The Boynton project, part of the show's After the Storm series on hurricane-damaged communities aired in the Spring of 2006. The producers of the popular home-remodeling television show came to town to "make over" the damaged facility. ABC renovated the northeast fields where the younger children play. The City Commission agreed to spend \$143,000 to renovate the northwest fields, where the older children play. The makeover included new irrigation, fencing, batting cages, replacing light poles, bleachers, grass and sod and new park sign. The show's crews also repaired the roof and interior of the concession stand.



The park is home of the 2003 Little League National Champions, the East Boynton Beach Little League.

*Updated 12/12*



# SARA SIMS PARK

209 N.W. 9<sup>th</sup> Court

**Type:** Special Use  
**Acreage:** 6.86  
**PCN:** 8 parcels (on file in Park Acreage Documentation book)  
**Built:** 1979  
**Renovations:** 1997, 1999, 2009

Baseball/Softball Field		Basketball Court	2 – <i>lighted</i>
Batting Cage		BBQ Grills	3
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	<i>1 - 1/4 mile, no exercise stations</i>	Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset (lighted facilities open until 10:00 p.m.)</i>	<b>Irrigation</b>	<i>Yes – well water</i>
Kiosk		Lifeguard Tower	
<b>Lighting</b>	<i>Yes – throughout</i>	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	<i>Yes</i>
<b>Parking</b>	<i>64 spaces (63 regular; 1 handicapped)</i>	<b>Pavilion</b>	2
<b>Picnic Table</b>	<i>Available</i>	<b>Playground</b>	1
Pool		<b>Racquetball Court</b>	<i>4 – lighted</i>
Recreation Building		Rental Shelter	
<b>Restrooms</b>	1	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Mahogany, Sabal Palm, Washingtonian Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine, Bahia</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

**Comments:** Park is adjacent to Sara Sims Memorial Cemetery.

Updated 8/14/15

## **HISTORY OF SARA SIMS PARK**

The Sara Sims Park and Sara Sims Cemetery property were originally purchased in conjunction with Palm Beach County Division of Housing and Community Development Division through their Community Development Block Grant (CDBG) fund. The first phase of development took place in 1979. In 1987, the Palm Beach County Division of Housing and Community Development transferred two vacant buildings on the south side of NW 10<sup>th</sup> Avenue to the City to incorporate as part of the park.

Part of the undeveloped park at Sara Sims was designated as a cemetery in the early 1970's and plotted due to the necessity of relocating graves from Barton Memorial Park. Gravesites are still available at Sara Sims Cemetery, which may become more utilized when Boynton Memorial Park is no longer an option for burials.

When the park was planned, the neighborhood decided that the active areas should be away from houses and located on the east side of the park and the passive areas should be located on the west side of the park. The Recreation and Parks Department worked with the neighbors to ensure their desires were met.

The park was improved and expanded in 1989 including landscaping and irrigation improvements, new fencing, racquetball courts, a drinking fountain, a pedestrian path, basketball courts, and lighting. In 1993, Palm Beach County contributed \$381,000 of Community Development Block Grant funds towards street improvements and park improvements with \$51,000 used towards the addition of two lighted racquetball courts and additional playground equipment. These improvements were made in 1994. The construction costs were approximately \$130,176, of which \$42,500 was funded through the Palm Beach County Community Development Block grant. A new pump, well, and irrigation system was installed in 1999, at a cost of \$42,323. The old pump and well system was no longer functional and beyond repair. The playground equipment was replaced in 1997.

A Graffiti Mural Project was completed in early December 2009. This project included an educational and community component. Graffiti Art is a unique form of art and is very appealing to community youth, providing a great way for them to positively express themselves. The Graffiti Mural Project was funded by the Youth Violence Prevention Program through the Palm Beach County Criminal Justice Commission. It taught youth the positive aspects of "Graffiti Art" as opposed to negative and illegal "tagging." Social investment is key to the Heart of Boynton redevelopment efforts. The project created a series of community events called "painting sessions" that began on September 26, 2009 and continued through October 29, 2009.

A Master Plan has been completed for the park, which is in the CRA District, with input from the community; there is currently no funding to begin redevelopment. A new playground was added in 2015.

*Updated 12/15*



**EDWARD F. HARMENING**

**ARBOR PARK**

124 East Woolbright Road

**Type:** Urban Open/Civic Space  
**Acreage:** 0.46  
**PCN:** 08-43-45-33-14-000-0013 (parcel w/ Water Treatment Plan)  
**Built:** 1981  
**Renovations:** none

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	2
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – reclaimed water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
Parking		Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Pink Tabebuia, Dahoon Holly, Paradise Tree, Coconut Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

**Comments:** Park is located on the northwest corner of the East Water Treatment Plant.

## **HISTORY OF EDWARD F. HARMENING ARBOR PARK**

Edward F. Harmening Arbor Park is located on the northwest corner of the East Water Treatment Plant and was originally named Arbor Park. The Recreation and Parks Department provided landscaping for the area in conjunction with the local Garden Club. When former Mayor Edward Harmening was diagnosed with Lou Gehrig's disease while in office, a fellow Commissioner recommended renaming the park for the Mayor.

*Updated 12/12*



# DEWEY PARK

100 N.E. 4<sup>th</sup> Street



**Type:** Urban Open/Civic Space

**Acreage:** 0.28

**PCN:** 08-43-45-28-03-006-0080

**Built:** 1920

**Renovations:** none

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
<b>Flag Pole</b>	<i>1 – lighted by streetlight</i>	Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	Irrigation	
<b>Kiosk</b>	<i>1 – Boynton Beach Progress Trail</i>	Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	<i>Along Roadside</i>	Pavilion	
<b>Picnic Table</b>	<i>Available</i>	Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Banyan</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

## HISTORY OF DEWEY PARK

The property was acquired through Palm Beach County, which acquired it from a private owner as a foreclosure on unpaid taxes sometime in the 1960's. The park was upgraded with pathways during the mid 1990's during the time that the Boynton Beach Great American Love Affair Arts Festival (G.A.L.A.) was held downtown. The park was originally the site of a monument naming all of the veterans from town, and was thus known as Veterans Park. The park was renamed Ocean Avenue Park by the City Commission on December 18, 2012.

On June 18, 2013, the Commission approved a request by the Boynton Beach Historical Society to rename the park in honor of two former citizens who were responsible for the founding of Boynton Beach, the Deweys.

The Deweys were one of Boynton's first citizens. Fred S. Dewey and his wife, Byrd Spillman Dewey, bought the 40 acres that constitutes the town's original plat on January 29, 1892, two years before Major Nathan S. Boynton had ever visited the area. On September 29, 1898, the Deweys filed the Town of Boynton plat with Dade County (Palm Beach County was not formed until 1909). The Deweys also platted Dewey's Subdivision which were five-acre farming tracts along the Florida East Coast Canal (today's Intracoastal Waterway) from the north of the townsite to where the condominiums are today south of Ocean Avenue. County land transaction registry books for the Boynton area are filled with the names "Birdie S. Dewey" and "Fred S. Dewey." Bryd Spillman Dewey started the first library for the Town of Boynton by donating her large collection of books of standard literature in 1910. The books were kept at the post office. Fred, a veteran of the Civil War and cousin to Admiral George Dewey, supreme commander of the Navy, served as one of the first county commissioners, and worked as an agent for the Florida East Railway Land Company whose sales brought new citizens to the fledging town. Byrd Spillman Dewey, grandniece of President Zachary Taylor was an accomplished author and published the best-selling 1899 book *Bruno*, which chronicled their early years pioneering in Florida. Additionally the Deweys donated many lots in the town to sell to help pay for road improvements and Fred appeared before the county school board and argued that Boynton needed its own school.

*(Courtesy of Ginger Pedersen, Boynton Beach Historical Society in a letter dated December 6, 2011 to the City; [www.byrdspilmandewey.com](http://www.byrdspilmandewey.com); [www.boyntonhistory.org](http://www.boyntonhistory.org))*

*Updated 8/5/13*

# HERITAGE PARK

North Seacrest Boulevard and N.W. 10<sup>th</sup> Avenue



**Type:** Urban Open/Civic Space  
**Acreage:** 0.22  
**PCN:** 08-43-45-21-07-004-1001  
**Built:** 1992  
**Renovations:** 2011

Basketball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – reclaimed water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
Parking		Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Foxtail Palm</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

Updated 8/14/15

## HISTORY OF HERITAGE PARK

Heritage Park was a vacant lot with a large tree where people would gather to socialize. The City purchased the property for \$12,500 in early 1991 to improve its appearance and added planters to the area. Park construction was completed in 1992 at a cost of approximately \$15,500.

A monument dedicated to African Americans, dedicated February 27, 1993 by the Martin Luther King, Jr. Committee, is located here. The monument was donated by Ferazzoli Tile, and the original inscription services were donated by Lake Worth Monument. The names inscribed on the monument are selected annually through the Boynton Beach Martin Luther King, Jr. Committee. Citizens are selected for having made an important historical and cultural contribution to the development of Boynton Beach.

In 2011, the planter in the middle of the park was removed and replaced with improved landscaping.

*Updated 12/12*





# KIWANIS/SIERRA PARK

554 N.E. 22<sup>nd</sup> Avenue

**Type:** Urban Open/Civic Space  
**Acreage:** 0.19  
**PCN:** Not on file  
**Built:** 1982  
**Renovations:** none

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – City water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	<i>Along Roadside</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Gumbo Limbo, Juniper</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	

## **HISTORY OF KIWANIS/SIERRA PARK**

This small parcel is off Gateway Boulevard at 554 N.E. 22nd Avenue. The property was left over right-of-way that was not very attractive. Kiwanis and Sierra Club members lobbied the City to improve and landscape it. It is now maintained by the City.

*Updated 5/09*



# VETERANS MEMORIAL PARK

411 North Federal Highway

**Type:** Urban Open/Civic Space  
**Acreage:** .59  
**PCN:** 08-43-45-21-26-005-0050  
**Built:** 1973  
**Renovations:** 2008-2011

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>10</i>
Bicycle Path		<b>Bike Rack</b>	<i>1</i>
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
<b>Flag Pole</b>	<i>1</i>	Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	<b>Irrigation</b>	<i>Yes – City water</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
Parking		Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes – Foxtail Palm Cabbage Palm, Live Oak, Gumbo Limbo, Crepe Myrtle</i>	<b>Turf</b>	<i>Yes – St. Augustine</i>
Volleyball Court		Water	
Water Spigot		Wishing Well	



## **HISTORY OF VETERANS MEMORIAL PARK**

The City's original Police Department and City Hall were located on the property. The park was redesigned as Bicentennial Park prior to the Bicentennial of the United States, and designed by former City Engineer Bill Flushing. A request was made by the Boynton Beach Veteran's Council to change the name to Veterans Park, and the name was formally changed to Veterans Bicentennial Park in November 1986.

In 2008, the park was redesigned to accommodate several monuments dedicated to the armed services. A 20-ton, 12-foot tall monument to veterans was unveiled in June 2008. Local veterans organizations contributed to the monument including American Legion posts 164 and 288, Disabled American Veterans 152, Jewish War Veterans post 440, Korean War Veterans chapter 17, Veterans of Foreign War posts 5335 and 10150 and Sons of American Legion post 164. Small plaques were embedded in the sidewalk that honors the service of individuals. There are also engraved paver bricks that can be purchased to honor individuals. As part of the park renovation, lush landscaping was installed that acts as a backdrop to complement the monument area. Granite benches were also installed to form a contemplative area.

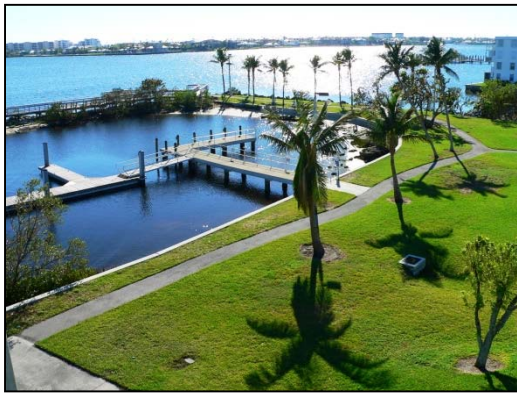
On November 15, 2011, the park was renamed Veterans Memorial Park. The park is the site of Veterans Day ceremonies.

Monuments include those dedicated to Pearl Harbor, Submariner's, WW1, POW/MIA's, the Korean War, the Gold Star Mothers, Vietnam War, Desert Storm, Afghanistan, Coast Guard (*dedicated 6/6/12*), Marine Corps (*dedicated 8/7/12*), Cuban Missile Crisis (*marker and bench dedicated 10/22/12*), Iraq War (*dedicated 11/11/12*), Battleship USS Arizona and a 9/11 memorial (*dedicated 12/6/13, includes piece of steel from the World Trade Center*).

Contact Veterans Advisory Commission representative Tom Kaiser at (561) 523-3123 for more information.

*Updated 8/14*





# HARVEY E. OYER, JR. PARK

2010 North Federal Highway

**Type:** Water/Beach Access  
**Acreage:** 8.79  
**PCN:** 08-43-45-15-03-000-0102  
**Built:** 1950  
**Renovations:** 1986; 2002; 2005; 2010

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	3
Beach		Benches	Available
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	10 – lighted (4 ramps; 6 holding docks – salt water. Fee on weekends and holidays)
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	1	Electrical Outlet	1
Flag Pole	1	Fishing Pier	1 – lighted (310 feet)
Fitness Trail		Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – 10:00 p.m. (unless actively boating or fishing per Code of Ordinances Sec. 16-60)	Irrigation	Yes – City water
Kiosk	1 – Available (manatee information)	Lifeguard Tower	
Lighting	Yes – throughout	Meeting Space	1 – Available; location of Coast Guard Auxiliary
Monofilament Box	5 – Available	Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	157 spaces (133 boat trailer, 3 handicapped boat trailer; 14 vehicle, 4 handicapped vehicle; 2 employee; 1 Coast Guard)	Pavilion	1 – lighted 2 – Sail-cloth covered areas with picnic tables and bbq grills
Picnic Table	Available	Playground	1
Pool		Racquetball Court	
Recreation Building	Yes	Rental Shelter	
Restrooms	1	Sand Box	
Soccer Field		Tennis Court	
Trees	Yes – Mahogany, Royal Palm, Dahoon Holly	Turf	Yes – St. Augustine
Volleyball Court		Water	Yes – Intracoastal Waterway
Water Spigot		Wishing Well	

**Comments:** A trailer parking/boat launching fee is in effect on weekends and holidays (6:00 a.m. – 4:00 p.m.) per Code of Ordinances Sec. 16-61. Overnight boat docking is prohibited (per Code of Ordinances Sec. 16-59). Manatees have been known to frequent the area. Boaters should use extra care when launching watercraft and when shifting out of neutral. Call 1-888-404-3922, or \*FMP on your cell phone, or use VHF Channel 16 to report an injured manatee.

## **HISTORY OF HARVEY E. OYER, JR. PARK**

Originally owned by the Boynton Beach Boat Club (a non-profit) in the 1950's, the park had one ramp for local boaters. The club donated the building and a small portion of the land to the City. The City acquired additional properties and developed the park in cooperation with the FL Dept of Natural Resources through the Florida Recreation Development Assistance Program in 1986 with a grant of \$212,000. The renovation cost approximately \$600,000 and included rebuilding the boat launching ramps, building restrooms and picnic shelters, improving the sprinkler system, renovating the Boat Club building and construction of the 310 ft. fishing pier.

In 1995, the City received \$12,000 in grant funding from Palm Beach County through the Florida Boating Improvement Program for repair and replacement of the existing boat launching floating docks. The City again redeveloped the park (prior to opening Intracoastal Park) in 2001-02, adding much needed additional parking, ramps and holding docks with money from Palm Beach County Board of Commissioners. Palm Beach County contributed \$900,000 towards the 2002 renovations, which included the seawall, boat ramps, 75 additional boat trailer parking spaces, new holding docks, addition of a "quiet pavilion" (next to the building), new playground and landscaping. In 2005, the clubhouse's restrooms and kitchen were renovated and updated. At the same time, the fishing pier was renovated and refurbished.

In 2010, more renovations were made to the park. Demolition of the restroom facilities made way for new restrooms. The older shelters were demolished and new, sailcloth roofed shelters were added. The renovations were funded with money granted from the Palm Beach County Board of Commissioners in the amount of \$380,000. The Recreation and Parks Department and the Art in Public Places combined efforts to include public art projects in the park and in the spring of 2011 hosted the unveiling of the public art projects, park improvements and the Florida Fishing Academy headquarters. An unveiling event took place on April 16, 2011. This official public event featured the artwork of Guy Snell and Peter Agardy, speeches by local dignitaries, various youth activities and an appearance by former Massachusetts governor and former presidential candidate, Michael Dukakis. The ceremony celebrated Art in Public Places. Peter Agardy, an accomplished graffiti and public artist, was selected by the Art in Public Places Program to create artwork that expresses the Boat Club Park's character, proximity to the Boynton Beach Inlet, the City's tag line, "Gateway to the Gulfstream," historical connection to Boynton's fishing community and nautical lifestyle. The mural on the retaining wall that greets you as you drive towards the boat ramps depicts the ocean and its importance and relationship to our community. The second featured mural near the roundabout heading toward the boat ramps, "Ode to Boynton," pays homage to the history of the fishing industry in Boynton Beach and present conservation efforts focusing on tag and release sailfish practices.

Staffed on weekends and holidays, the 704-s.f. building at the entrance to the park was built in 1986. The building was originally used as a bait and tackle shop until the late 1990's. In 2010, the Department donated the use of it as classroom space and headquarters for the Florida Fishing Academy. In return, the FFA spruced the old building. Volunteers and donors have turned that "beautification" project into a work of art. The work began in October with up-and-coming 15-year-old artist Guy Snell, an apprentice of world-renowned marine artist Wyland. Guy painted his depiction of Boynton's unique marine environment on all four walls of the building. His expenses were paid by the Guy Harvey Ocean Foundation.

In the fall of 2011, the park was officially renamed after pillar of the community and longtime resident Harvey E. Oyer, Jr. who passed away in December 2010.

The boat ramps are within a 1.4-acre rock jetty basin that provides protection from wave action and is located directly across from the Boynton Inlet (to the Atlantic Ocean). In conjunction with Palm Beach County, the City coordinates the dredging of the Boynton Boat Club Navigation Access Channel of the Intracoastal Waterway, which is done every few years.

*Updated 12/12*



# INTRACOASTAL PARK

2240 North Federal Highway

**Type:** Water/Beach Access  
**Acreage:** 8.97  
**PCN:** 08-43-45-15-03-000-0070  
**Built:** 2003  
**Renovations:** none

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	4
Beach	Yes (unguarded, no swimming)	Benches	Available
Bicycle Path		Bike Rack	2
Boardwalk		Boat Ramp/Dock	Launch non-motorized vessels
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	2	Electrical Outlet	4 – Available
Flag Pole	1 – lighted	Fishing Pier	
Fitness Trail	Available (no exercise stations)	Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – 9:00 p.m.	Irrigation	Yes – stormwater retention
Kiosk	1 – Manatee info	Lifeguard Tower	
Lighting	Yes – pavilions, sidewalk, parking lot, restrooms	Meeting Space	Available
Monofilament Box	2	Nature Preserve	Yes (mitigation area)
Nature Trail		Open Play Area	Yes
Parking	84 spaces (80 regular; 4 handicapped)	Pavilion	4 – lighted (# 1- 3200 sq. ft.; # 2 & 3- 800 sq. ft. each; # 4- 1250 sq. ft.)
Picnic Table	Available	Playground	1
Pool		Racquetball Court	
Recreation Building	Yes (Clubhouse)	Rental Shelter	4 – for reservations call 742-6650
Restrooms	2	Sand Box	
Soccer Field		Tennis Court	
Trees	Yes	Turf	Yes – St. Augustine
Volleyball Court		Water	Yes – Intracoastal Waterway
Water Spigot	8	Wishing Well	

**Comments:** A unique feature of this park is access for non-motorized vessel launching; swimming is not permitted in the pond or in the Intracoastal Waterway. A Veterans Memorial is located at the entrance to the park. A 1/3-mile concrete path winds around a small lake with a floating fountain.

Updated 8/14/15

## HISTORY OF INTRACOASTAL PARK

The property was purchased in 1988 through a bond issue. At the time, the City Commission was supportive and a general bond referendum was passed by the voters. The park was master planned first in the early 1990's. The money became available for building the park when Palm Beach County approached the City with a desire to increase boating opportunities for local residents. Palm Beach County funded \$1.7 million for this project, with the City funding approximately \$600,000. The City redeveloped Harvey E. Oyer, Jr. Park (additional boat trailer parking, holding docks) and was able to develop Intracoastal Park. The park's grand opening celebration was October 17, 2003.

The large corporate pavilion was originally planned as a two-story pavilion that ended up being one story due to cost estimates. The pavilion was relocated from the master plan to where it is now because staff wanted to leave room for a potential replacement for the old Royal Palm Clubhouse (a rental facility that was available to groups for low rental rates, club meetings, bridge games, weddings, etc., which was torn down due to the Gateway Boulevard renovations). "City Club" was originally slated to be built at Harvey E. Oyer, Jr. Park. When the County assisted the City with expansion of Harvey E. Oyer, Jr. Park, it was decided that the proposed City Club would be suitable for Intracoastal Park.

There is a pond in the park's center that was slated to be a dry retention area; however, it was decided that a pond would serve the purpose better and be more attractive to visitors. The Utilities Department installed a hydro-guard water-flushing device adjacent to the fresh water pond that flushes clean water into the pond and is used to pump out the water to irrigate the grass areas at no cost to the Department.

When the park was built, the existing mangrove and native coastal planting areas in the southeast corner of the property were preserved. The southeast area of the park is a mitigation area (protected mangroves) with a conservation easement with the Florida Department of Environmental Protection.

The Clubhouse at Intracoastal Park opened in September 2007. The two-story building features classrooms, catering kitchen, elevator, rental space and an accessible wrap-around balcony.

There is a non-motorized boat launch located on the southeast section of the park. A Recreational Trails Program Project Grant was received in 2015 to purchase and install an accessible, non-motorized vessel launching dock, with completion expected in Spring 2016.

*INTRACOASTAL PARK FUN FACT - The wreckage of Lofthus, a 223-foot Norwegian shipping vessel that sank off the coast of Boynton Beach in 1898, was officially designated as Palm Beach County's first underwater archaeological preserve during a ceremony at Boynton Beach Intracoastal Park on February 7, 2004. The designation makes the shipwreck State property, protecting it from destruction and salvage. The ship's deck beams, mast, bow and hull have created a marine sanctuary for a variety of tropical fish, stingrays, anemones and spiny lobsters, and are considered a significant local dive spot.*

*The Lofthus was built and launched in England in 1868 and was first used in the East Indian trade. It was later purchased by a Norwegian for use in transferring lumber throughout the Americas, before eventually being blown off course by a storm and wrecking off the coast of Boynton Beach. The wreckage now rests in 15-20 feet of water. The Lofthus shipwreck is the state's eighth underwater archeological preserve.*

*The Friends of Lofthus group, formed by local community residents, historical organizations and civic leaders, spearheaded the local effort to designate the site as an underwater archaeological preserve, in hopes of preserving an important part of South Florida's history. The designation is a joint project of the Department of State; the Historical Society of Palm Beach County; the Boynton Beach Historical Society; the City of Boynton Beach; the Town of Manalapan and the Marine Archaeological Research & Conservation Reporting team.*

Updated 12/15

# JAYCEE PARK

2600 South Federal Highway



**Type:** Water/Beach Access  
**Acreage:** 5.31  
**PCN:** 08-43-45-33-00-000-5220  
**Built:** 1965 (leased); 2004 (purchased)  
**Renovations:** 2005; 2007/08

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	2
Beach		Benches	7
Bicycle Path		Bike Rack	1
Boardwalk	1	Boat Ramp/Dock	
Bocce Court	2	Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain	2	Electrical Outlet	3
Flag Pole		Fishing Pier	
Fitness Trail	1 – 1/6 mile path ( no exercise stations)	Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – Sunset	Irrigation	Yes – City water
Kiosk	Public Art/Historical Info	Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box	1	Nature Preserve	Yes – mitigation area
Nature Trail		Open Play Area	Yes
Parking	19 spaces (17 regular; 2 handicapped)	Pavilion	3
Picnic Table	15 (11 permanent, 4 can be moved)	Playground	1
Pool		Racquetball Court	
Recreation Building		Rental Shelter	3 – for reservations call #742-6650
Restrooms	1	Sand Box	
Soccer Field		Tennis Court	
Trees	Yes – Banyan, Mango, Avocado, Ficus	Turf	Yes – St. Augustine
Volleyball Court		Water	Yes – Intracoastal Waterway
Water Spigot	6	Wishing Well	

Updated 8/14/15

## **HISTORY OF JAYCEE PARK**

The City began leasing the property in 1965 from the Florida Inland Navigation District (F.I.N.D.) for \$1 per year. The Recreation and Parks Department has maintained it since. F.I.N.D.'s purpose for the property was to have a place available for material after dredging the Intracoastal Waterway. This has not occurred since the early 1980's.

The original park was planned by the first Jaycee group in the mid 1970's who cleared the land and installed some irrigation with the assistance of City staff. Back in the 1960's and 1970's, the property contained mango, lime, tangelo, avocado, loquat, banana and ficus trees. In 1988, a vehicle pathway was created along the northern property line that extends to the Intracoastal Waterway.

The Florida Inland Navigation District put the property on the Lands Available List in 2003. Both the City and County were interested in preserving the land and worked together to purchase it in 2004. The City received \$1 million from the County's 2002 Recreation and Cultural Facilities Bond and through a grant award from the Florida Communities Trust for \$1.7 million. The total purchase price for Jaycee Park was \$3.4 million. The County requested that boat docks be included in the improvements.

In October 2007, the City began Phase I of the renovation project, which was completed in March 2008. Improvements included a paved access road, an 18-space parking lot, three picnic shelters, a playground, paved sidewalk, an open play field, restrooms and landscaping. The cost of Phase I was approximately \$900,000. The City received a grant from the Florida Recreation Development Assistant Program (FRDAP) for \$200,000 (for the playground, picnic shelters, landscaping, restrooms) and a Land and Water Conservation Fund grant in the amount of \$200,000 (for day dockage and fishing pier improvements). In 2009, the City was awarded a grant from the Florida Inland Navigation District (FIND) for \$77,045. This grant, along with matching dollars from the City, paid for interpretive art markers throughout the park, which tell of its rich fishing history. The cost of Phase II, completed in 2010, was approximately \$900,000. This included the cultural education markers, art, fishing/day dockage pier and canoe/kayak launch.

The rededication was held on April 10, 2008 and the public art ribbon cutting ceremony was held in March 2011.

The eastern edge of the park consists of a mangrove mitigation area. In order for the CRA to improve and expand East Boynton Beach Boulevard near the marina, the park provided an area to replant mangrove seedlings. This area is monitored on a quarterly basis to ensure that exotic plant vegetation does not encroach.


*Updated 12/12*



# MANGROVE PARK

700 N.E. 4<sup>th</sup> Avenue

**Type:** Water/Beach Access  
**Acreage:** 10.72  
**PCN:** 2 parcels (08-43-45-22-01-000-0050 (includes church & school), 08-43-45-22-010-000-0040)  
**Established:** 1997

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
<b>Boardwalk</b>	<i>1 – 1/4-mile with observation deck on Intracoastal Waterway</i>	Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
<b>Drinking Fountain</b>	<i>1</i>	Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	Irrigation	
<b>Kiosk</b>	<i>6 – habitat information</i>	Lifeguard Tower	
<b>Lighting</b>	<i>Yes – parking lot</i>	Meeting Space	
<b>Monofilament Box</b>	<i>1</i>	<b>Nature Preserve</b>	<i>Yes – Mangrove Hammock</i>
<b>Nature Trail</b>	 <i>1 - boardwalk through mangrove hammock with observation deck</i>	Open Play Area	
<b>Parking</b>	<i>16 spaces (15 regular; 1 handicapped)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	<i>1</i>	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes –Black, Red and White Mangroves, Sabal Palm</i>	Turf	
Volleyball Court		<b>Water</b>	<i>Yes – Intracoastal Waterway</i>
Water Spigot		Wishing Well	

**Comments:** The park is adjacent to St. Mark’s Catholic church and school, and is a great place to see a variety of animals, including birds, raccoons and manatees. Manatees have been known to frequent the area; boaters should use extra care in the area. Call 1-888-404-3922, or \*FMP on your cell phone, or use VHF Channel 16 to report an injured manatee.

## **HISTORY OF MANGROVE PARK**

Mangrove Nature Park is located on environmentally sensitive land at the dead end of N.E. 4<sup>th</sup> Avenue, east of Federal Highway. The City leases the property from the Diocese of Palm Beach County. A former city manager negotiated with the diocese for the sale of the property but it was decided that they would lease it to the City instead for 29 years with a lease renewal option.

The park is connected by at least three tidal inlets along the western boarder. It is a great place to see a variety of animals including birds, raccoons and manatees.

In 1997, the aluminum boardwalk, six interpretative panels, lighted restrooms, lighted parking lot, gates and landscaping were installed. The funding was a cooperation between the City, Palm Beach County (\$675,00 grant), Florida Inland Navigation District (\$195,000 grant), Department of Environmental Protection, Florida Recreation Development Assistance Program (\$100,000 grant), St. Mark's Parish, The Diocese of Palm Beach, the Solid Waste Authority (\$64,745 grant), and Florida Coastal Management Program (\$50,000 grant). Construction cost totaled approximately \$1.4 million.

One challenge in developing the park was to get the permit to install a boardwalk from the parking lot to the Intracoastal Waterway. In planning the park with the contracted engineers, materials for the boardwalk were discussed. It was felt that wood would deteriorate quickly and we had already discovered that there were problems with recycled plastic. The engineers and City staff were able to convince the Department of Environmental Protection that aluminum would be the best materials to be installed without disturbing the mangroves. The boardwalk was built in sections in the parking lot. A barge picked up the sections and these were lowered and bolted on to pilings. This innovative process eliminated major damage to the ecosystem.

In 1995, the City entered a joint pilot program with Air Liquid America Corporation and the University of Florida for the reduction and removal of biting midges (a/k/a no-see-ums) and other insects. In 1996, it was determined that the experiment was successful and a regular annual program was continued. Due to several mechanical problems, no regular upkeep and cost, the program was suspended in 2004.

The goal was for the park to be used by schoolchildren and environmental/conservation groups for educational aspects. This park provides a fun and educational experience, which preserves the environment and exhibits the natural beauty of the area. The relationship with St. Marks' Church has been a beneficial one and the students of the school have a prime educational tool right on their school grounds.

*Updated 12/12*





# OCEANFRONT PARK

6415 North Ocean Boulevard, Ocean Ridge

**Type:** Water/Beach Access  
**Acreage:** 6.89  
**PCN:** 46-43-45-22-00-005-0120, 46-43-45-27-07-007-0100  
**Established:** 1921 purchased; 1957 hired lifeguards  
**Renovations:** 1984; 1986; 1991; 2010-11

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	Available
Beach	1 – 965-ft. guarded	Benches	Available
Bicycle Path		Bike Rack	Available
Boardwalk	1 – along dune, 920-feet	Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building	1 – open everyday	Cricket Pitch	
Drinking Fountain	2	Electrical Outlet	2
Flag Pole	1	Fishing Pier	
Fitness Trail		Football Field	
Garbage Can	Available	Gazebo	
Gymnasium		Horseshoe Court	
Hours	Sunrise – 9:00 p.m.	Irrigation	Yes – City water
Kiosk		Lifeguard Tower	3 – on duty 7-days a week, 9:00 a.m. – 5:00 p.m.
Lighting	Yes – parking lot	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	Yes
Parking	257 spaces ( <u>Upper</u> level – 88 regular; 6 handicap; 1 motorcycle; 1 employee. <u>Lower</u> level – 156 regular; 6 handicap)	Pavilion	2
Picnic Table	Available	Playground	1
Pool		Racquetball Court	
Recreation Building	Ocean Rescue Headquarters *For more information see Ocean Rescue.	Rental Shelter	2 – for reservations call #742-6650
Restrooms	1 – with showers	Sand Box	
Soccer Field		Tennis Court	
Trees	Yes – Sea Grape, Coconut Palm, Geiger, Royal Poinciana	Turf	Yes – St. Augustine
Volleyball Court	1 – on beach	Water	Yes – Atlantic Ocean
Water Spigot	12	Wishing Well	

Updated 1/16

## HISTORY OF OCEANFRONT PARK

In 1921 there existed a municipality known as the Town of Boynton which comprised the lands now contained within the boundaries of the two municipalities now known as the City of Boynton Beach and the Town of Ocean Ridge. In 1921, the Unified Town of Boynton acquired by eminent domain for park and recreation purposes from Lewis S. Howe what is now known as Oceanfront Park. Contrary to popular belief, the land was not purchased from Major Nathaniel Boynton.

Oceanfront Park was close to the early hotel that was built by Major Boynton in the 1920's. The beach casino was built in 1928, which featured a large dining hall, locker rooms and showers and was used for parties and social gatherings. In 1946, Lucille and Otley Scott opened a restaurant at the Casino. The casino was torn down in 1967 and the property later became the beach park.

In 1966 by Resolution, the City Commission approved the municipal beach facility to be known as Walter A. Madsen Park, in appreciation of former Mayor, Vice-Mayor and City Councilman Walter A. Madsen.



Many renovations have occurred over the years. In the 1970's there were only restrooms and a changing room. In 1983, the dune area was restored, a boardwalk was built, the restrooms and concessions were rebuilt and the parking lot as it is today was rebuilt. In the mid-1990's, the park underwent a major renovation during which the boardwalk was rebuilt out of recycled plastic. In 2011 the City renovated the boardwalk again, replacing the plastic with Ipe (pronounced *ee-pay*) Wood and erected large sailcloths to provide shade along the boardwalk. In 2012, improvements were made to the buildings along the boardwalk, including total refurbishment of the restrooms,

including the installation of low maintenance/highly durable epoxy flooring, stone vanity tops and energy efficient lighting; improvements to the snack bar; replacement of the wood sidings on the buildings with stucco; and painting of the roof.

From the 1920's to today, Oceanfront Park has been popular with residents and visitors alike. The beach was voted the best family beach in Palm Beach County by The Palm Beach Post in 2001. Oceanfront Park is also a location for the Florida Coastal Clean Up and various other environmental clean up programs.

**Comments:** Parking attendants are on duty 7 days a week from 8:00 a.m. – 4:00 p.m. Parking fees are \$5 per vehicle weekdays and \$10 per vehicle weekends May 1 – Nov. 15 and \$10 per vehicle Nov. 16 – April 30. Annual parking permits (valid 10/1-9/30) are available to corporate city residents for \$50 per year, and to qualified non-residents for \$200 per year (per Code of Ordinances Sec. 16-82).

There is a children's playground, two picnic pavilions, picnic tables, lifeguard headquarters and lifeguard towers. One pay phone is available on the boardwalk. Fishing and spear guns are prohibited. Rinse-off stations are available along the boardwalk with a shower and spigot. A beach wheelchair is available for public use.

Warning Flags: GREEN – low hazard, YELLOW – medium hazard, RED – high hazard/no swimming, DOUBLE RED – no public contact with water, PURPLE – marine pest

Sea turtle nesting season is April 1 – October 31. Sea Turtles are an Endangered or Threatened Species; during this time of year, residents should keep bright lights from shining onto the beach. Security or safety lights near the beach must have shades built around the light so the beach is not directly illuminated. Bright lights will disorient hatchlings. DISTURBING A SEA TURTLE NEST IS A VIOLATION OF STATE AND FEDERAL LAWS.

## **FUTURE PARKS SUMMARY**

Land for future parks is acquired through a variety of methods. The City charges a Park Impact Fee to developers who are building more than three housing units or for non-residential use. This fee is placed in a trust fund and can be used to purchase additional park property or develop City-owned park property.

The City Land Development Regulations also allows for land in lieu of the impact fee in which the developer can donate land, either at the development site or elsewhere in the City, to the City for use as a park. The size of the land is negotiated by the City and the developer and is dependent on the size of the development. Another way to acquire parkland is through a land swap in which a developer can purchase a piece of property then swap with the City for a more desirable piece of land. Parkland can also be acquired through simple donations from private property owners.

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# FP&L/GOLF ROAD PARK SITE

East side of E-4 canal, south of S.W. 23<sup>rd</sup> Avenue

**Acreage:** 7.14

**Acquired:** 1996



## Comments

FP&L/Golf Road Park Site is located in Golfview Harbor, directly south of the FP&L sub-station on old S.W. 23rd Avenue and is bordered on the west by the E-4 canal and on the east by the CSX Railroad. The land was given to the City by FP&L when a former parks superintendent and director approached them to see if they would donate the land to the City to build a passive park in 1996. (FP&L has a small station on the north end of the property). The site is heavily wooded with native vegetation and many tall slash pines.

This property would make a beautiful passive park with picnic areas, by preserving as many native plants as possible, and could be part of the greenways/bikeways plan. The vision is to build a cantilevered bridge under the canal bridge or a pedestrian bridge over I-95, to connect to Girl Scout Park East of I-95. However, there are no current plans to develop this park site.

*Updated 5/09*

# GIRL SCOUT PARK SITE

East of E-4 canal near the intersections of Chapel Hill and Mission Hill Roads

**Acreage:** 6.39

**Acquired:** 1983



## Comments

The property was originally Palm Beach County property and was used in the 1960's and 70's by the Girl Scouts as a camping area. The property stopped being used with the increased residential development of the neighborhood. The County had trouble providing maintenance and security for the location (which is why they turned the property over to the City for a future park site). In recent years, the site has only been used informally.

The park borders the E-4 canal. The park could potentially have an entrance in the Mission Hill subdivision to allow people access to the park. The site would be a perfect setting for a park; however, conversations with neighbors in both subdivisions indicate strong opposition to developing the park.

*Updated 8/14/15*

# MEADOWS I PARK SITE

West of Meadows Boulevard north of the L-19 canal

**Acreage:** 3.99

**Acquired:** 1992?



## Comments

The park site is adjacent to the Nautica Sound Park Site and the combined acreage makes nine acres. The property was given to the City as part of the Park & Recreation dedication requirement by the developers of the Meadows; it is abutted to the west by the Nautica Sound future park site. There is a center ditch with exotic trees (which would be eliminated) that separates the two park sites. There is a road that goes into the Meadows I park site but does not continue into Lawrence Road. The park site was master planned by Gee & Jensen in 1992 as a passive park with a playground, walking path and open field. This may also be a part of the greenways/bikeways, although the Lake Worth Drainage District (agricultural) is not as amenable to the greenways/bikeways plan because most agricultural businesses would like to keep people away from those areas. There are no current plans to develop this park site.

*Updated 5/09*





# NICKELS ROAD PARK SITE

West of Nickels Blvd. south of the C-16 canal past the L-23 canal, south to Pandora Ave.

**Acreage:** 14.74

**Acquired:** 1961



## Comments

Anecdotal evidence suggests that this property was originally acquired as part of a three-way swap with the School District of Palm Beach County, Palm Beach County and the City in August 1961 in order to provide land for Galaxy Elementary School. The property is located outside corporate City limits in unincorporated Palm Beach County.

*Updated 5/09*

# QUANTUM PARK SITE

3111 Quantum Boulevard  
PCN#08-43-45-17-09-001-0000

**Acreage:** 17.47

**Acquired:** 1980's



## Comments

This site is in Quantum Corporate Park, north of Quantum Boulevard, east of the E-4 canal. The site is a “Z” shaped lot, between Gateway Boulevard and Miner Road, east of Congress Avenue. There is a preserve area on the property that is still owned by the Quantum Park owners. The City acquired the property in the late 1980's. This park site is designated for active recreation. Gee and Jensen completed a Master Plan in 1992. In 2004, the City projected a \$4M development involving two softball fields, a full-size baseball field, and a soccer field, as well as some outdoor basketball courts.

The City acquired the property through a land swap with the original developers of Quantum Corporate Park. The City originally owned property just west of I-95 and north of CarMax; this property also included the previous FOP Lodge and is the burial site of many K-9 police dogs. The original developers of Quantum Corporate Park sought after the property because they wanted access to the railroad. The City swapped land with the developers for the ‘Z’ shaped property currently owned, and included in the deal construction of a new FOP lodge on Miner Road, that was built. In addition, behind the FOP lodge is a cell tower on City property.

Now that the area is residential and not light industry, the City fears that the neighbors will be hesitant about the park being developed so close to their homes. As of now, there are no definite plans to develop the active park. Several years ago, the Optimist Club pledged \$1 million to the project, but found they could only raise \$10,000. During that time the City had agreed to erect a small recreation building at the park for club meetings. Since the agreement with the club fell through, there are no real plans to place a building on the site. The 15-acre park would be a small version of Caloosa Park and act as a regional park for all City residents. Quantum Park is the largest parcel of park property owned by the City. There are no requirements that the City keep the property for development of a park as it is not dedicated park property. However, this is the best possible location for an active recreation area due to its size and location.

Although the property borders the E-4 Canal (main north/south canal connecting Lake Osborne to Lake Ida), there have never been plans to add boat ramps to the park site. Note: across Miner Road from the park site is the backside of a local golf course that has environmentally sensitive land that would be a perfect addition to the greenways/bikeways in the future.

*Updated 5/09*

# WOOLBRIGHT PLACE PARK SITE

Section 104 on S.W. 1<sup>st</sup> Avenue and S.W. 1<sup>st</sup> Court

**Acreage:** 3.62

**PCN:** 08-43-45-29-00-000-1040

**Acquired:** 1990



## Comments

Woolbright Place was the name of an old subdivision near the current Home Depot store. The City traded land nearer to the store for this property as was stipulated in the Tradewinds lawsuit settlement. The property is in a residential area and is very difficult to develop due to the adjoining neighborhoods.

Acquired in 1990 through the dedication requirements, this future park site is located at section 104 on S.W. 1st Avenue and S.W. 1st Court. The property is south of Boynton Beach Blvd. and north of Leisureville.

The site contains many exotic plant species that are expensive to remove and diminish the diversity of wildlife. The more these species grow and spread, the bigger the problem becomes. The City received a matching grant from Palm Beach County for \$5,000 to help finance their removal. The invasive exotic plants were removed in February 2005, and included Melaleuca, Brazilian pepper, Australian pines, Earleaf Acacia and Umbrella trees.

There are no current plans to develop the park.

*Updated 5/09*

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## **RECREATION FACILITIES SUMMARY**

Boynton Beach recreation facilities provide the public with a wide variety of recreational opportunities for all ages. Recreation professionals do much more than lead games in the summer. They give people the chance to use recreation in a positive, vital force in their lives.

The following facilities are operated by the Recreation and Parks Department.

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# ART CENTER

125 S.E. 2<sup>nd</sup> Avenue  
(561) 742-6221

PCN#08-43-45-28-05-015-0020

**Built:** 1992

**Square Feet:** 6,642

**Renovations:** none

**Type:** Art inspired multi-purpose recreation center

Updated 2012

<b>Hours of Operation</b>	Monday through Friday 8:30 a.m. – 5:30 p.m. Evening hours vary. Saturday 9:00 a.m. – 1:00 p.m.
<b>Number/Type of rooms</b>	20 Rooms 3 – Classrooms, 1 – Pottery room, 1 – Kiln room, 2 – Sink rooms, 6 – Offices, 4 – Storage/Closets, 1 – Lobby, 2 - Restrooms
<b>Square Footage/Fire Code Capacity</b>	Classroom A – 888 sq ft/55; Classrooms B & C – 696 sq ft/48; Classroom D (Pottery Room) - 15
<b>Restrooms</b>	2 Restrooms 1 – Ladies with 2 regular stalls, 1 handicapped stall and 1 baby changing station; 1 – Men’s with 1 regular stall, 1 handicapped stall, 1 urinal and 1 baby changing station
<b>Special facilities</b>	Yes, wheelchair accessible
<b>Flag Pole</b>	1
<b>Programs</b>	A variety of art programs including pottery and painting, licensed afterschool program held throughout school year, summer & specialty camps, pre-school learning programs.
<b>History</b>	<p>Prior to 1986, art programs were in a small building just north of the Library with the department’s administrative and registration offices. When the renovation of the current City Hall was completed (1988) the registration and administrative offices were relocated to City Hall. In 1988, there was a fire in the small building causing damage to the structure. At that time the Art Center’s two rooms and storage were moved into the Civic Center’s west room. About one year later, the Art Center, athletic staff and art programs were relocated to three trailers (one for storage) near the southeast corner of the library. Funds were made available for a new building in 1990 through a revenue bond with money that was left over from the City Hall and Hester Park construction; the new building opened in September 1992. There were three or four classes for children and several for adults during the workweek, since then the programs at the center have increased in popularity. Currently the building operates at full capacity.</p> <p>In October 2008, the landscaping was overhauled to create a National Wildlife Federation Certified Wildlife Habitat.</p>





# OYER PARK CLUBHOUSE

(AKA BOAT CLUB BUILDING)

2010 N. Federal Highway  
(561) 742-6240

**Built:** 1950

**Square Feet:** 2,084

**Renovations:** 1986, 2005

**Type:** Multi-purpose recreation center

Updated 1/16

<b>Hours of Operation</b>	Varies due to programming and rentals (no staff on-site)
<b>Number/Type of rooms</b>	7 Rooms 1 – Multi-purpose, 1 – Kitchen, 2 – Storage, 2 – Restrooms, 1 – Coast Guard
<b>Square Footage/Fire Code Capacity</b>	Total: 2,084 sq ft; Multi-purpose 1,276 sq ft (44’x29’)/85; Kitchen (12’x11’); Storage-2 (10’x6’); Restrooms-2 (7’x6’); Coast Guard Room (14’x12’)
<b>Restrooms</b>	2 Restrooms 1 Ladies standard restroom; 1 Men’s standard restroom
<b>Special facilities</b>	None
<b>Flag Pole</b>	1 ( <i>also listed under Harvey E. Oyer, Jr. Park</i> )
<b>Programs</b>	Coast Guard, Fishing Club meetings
<b>History</b>	See Harvey E. Oyer, Jr. Park page





# CIVIC CENTER

128 East Ocean Avenue  
(561) 742-6240

**Built:** 1962

**Square Feet:** 9,771

**Renovations:** None

**Type:** Multi-purpose recreation center

Updated 2/12

<b>Hours of Operation</b>	Monday through Friday 8:00 a.m. – 5:00 p.m., Evening and weekend hours vary.
<b>Number/Type of rooms</b>	11 Rooms 1 – Auditorium with stage, 1 – Classroom, 1 – Dance studio, 1 – Kitchen, 1 – Lobby, 4 – Offices, 1 – Storage closet, 1 – Copier room
<b>Square Footage/Fire Code Capacity</b>	Auditorium – 3800 sq ft/299; East Room – 950 sq ft/60; West Room – 560 sq ft/37
<b>Restrooms</b>	2 Restrooms 1 – Ladies with 3 regular stalls; 1 – Men’s with 2 regular stalls, 2 urinals
<b>Special facilities</b>	None
<b>Flag Pole</b>	1
<b>Programs</b>	Youth and adult dance, summer camp, piano classes, exercise classes, Jazzercise, music concerts and dances
<b>History</b>	<p>The Civic Center opened in 1962 and consisted of one staff person and several volunteers. The first Recreation Division managed the center and the Administration offices were located in a small office in the facility.</p> <p>In February 1991 the center was renamed Freedom Hall by the City Commission (R91-28) in honor of the members of the Armed Forces who served their country in time of armed conflict. In July 1994 the name was changed back to the Civic Center (7/19/94 Commission Meeting Minutes/Public Audience).</p>

# JOHN DENSON POOL

225 N.W. 12<sup>th</sup> Avenue  
(561) 742-6645



**Built:** 1956

**Square Feet:**

Building 3,000 sq ft; Complex 15,984 sq ft.

**Pool:** 137,000 gallons;  
Main pool lap lanes 75'X36'; Kiddie pool 31'X30'

**Renovations:** 2007

**Type:** Aquatic Facility

Updated 2/12

<b>Hours of Operation</b>	General Admission: Tuesday through Friday 1:00 – 5:00 p.m., Saturday 12:00 – 5:00 p.m. Programming hours vary.
<b>Number/Type of rooms</b>	1 – Office; 2 – Locker Rooms/Restrooms
<b>Restrooms</b>	4 Restrooms (1 Men's and Women's w/locker rooms and showers; 2 exterior unisex restrooms w/heated showers)
<b>Special facilities</b>	Yes, 2 handicapped lifts.
<b>Flag Pole</b>	None
<b>Programs</b>	Open Swim, Water Fitness, Group and Private Swim Lessons, Adaptive Aquatics, Swim Team
<b>History</b>	<p>The John Denson Pool was originally named after Deacon Theodore D. Wilson, who lobbied for construction of the facilities in the 1950's. He rallied to get the center on the northeast section of Boynton Beach. Mr. Wilson played an important role in developing programs for African Americans; he also fought for their right to swim in the ocean. (information courtesy of The Palm Beach Post)</p> <p>The original pool was built in 1956 was 25-yards, 137,000 gallons with a 12-foot dive bowl. It was refurbished in 2007, including the addition of three slides.</p> <p>The Grand Opening of Carolyn Sims Community Center and John Denson Aquatic Facility at Wilson Park were held on Saturday, February 9, 2008, with a special sky jump by the US Special Ops Command Parachute Team. It was renamed after John Denson, a former Recreation &amp; Parks Department employee who worked as a lifeguard at Wilson Pool for many years.</p>



# EZELL HESTER, JR. COMMUNITY CENTER

1901 North Seacrest Boulevard  
(561) 742-6550

**Built:** 1992

**Square Feet:** 21,921

**Renovations:** 1999, 2001, 2002, 2003

**Type:** Multi-purpose recreation center

Updated 2/12

<b>Hours of Operation</b>	Monday through Friday 1:00 p.m. – 9:00 p.m., Saturday 8:00 a.m. – 12:00 p.m.
<b>Number/Type of rooms</b>	19 Rooms 1 – Men’s locker room, 1 – Ladies locker room, 1- Lobby, 1 – Tot room, 1 – Meeting room, 1 – Computer lab, 1 – Game room, 1 – Weight room, 1 – Gymnasium, 1 – Gymnasium office, 1 – Kitchen, 1 – Athletic storage room, 1 – Recreation storage room, 1 – Athletics office, 1 – Administration office, 1 – Men’s gymnasium restroom, 1 – Ladies gymnasium restrooms, 1 – Men’s administration office restroom, 1 – Ladies administration office restroom
<b>Square Footage/Fire Code Capacity</b>	Gymnasium – 11,330 sq ft/500; Art Room – 483 sq ft/15; Computer Lab – 368 sq ft/22; Game Room – 1,976 sq ft/30; Meeting Room – 2262 sq ft/60; Weight Room – 896 sq ft/18
<b>Restrooms</b>	6 Restrooms Locker Room: Men’s with 66 lockers, 3 benches, 1 urinal, 1 regular stall, 1 handicapped shower stall and 4 standard showers; Ladies with 66 lockers, 3 benches, 2 regular stalls, 1 handicapped shower stall Gymnasium: 1 – Ladies with 3 regular stalls; 1 – Men’s with 2 regular stalls, 2 urinals; Classrooms: 1 – Ladies with 3 regular stalls; 1 – Men’s with 2 regular stalls, 2 urinals
<b>Special facilities</b>	Yes, wheelchair accessible
<b>Flag Pole</b>	2 ( <i>1 also listed under Hester Park</i> )
<b>Programs</b>	Licensed afterschool program, gymnastics, children, teen and adult sports programs, summer camp, specialty camp, fitness programs, and various special events
<b>History</b>	The center was constructed in 1992 utilizing revenue bonds to fund the project with money that came from franchise fees; it is located on what was once a natural area scrub habitat. Phase I included the community center and baseball field. Phase II was completed in 1999 with the addition of the football field, tennis courts, racquetball courts, basketball courts, playground, expanded parking lot, outdoor restroom and sand volleyball courts. A new pavilion, located near the athletics fields, was unveiled in September 2001. In January 2002, the community center underwent a much-needed renovation that included a new lobby, computer lab and administrative office. The PAL field house was built adjacent to the football field in 2003 and includes a press box and equipment storage area, along with some small office space. Some natural area scrub habitat still exists at the site and is home to a few gray fox and gopher tortoises.



# INTRACOASTAL PARK CLUBHOUSE

2240 N. Federal Highway  
(561) 742-6650

**Built:** 2007

**Square Feet:** 7,303

**Renovations:** none

**Type:** Program registration and multi-use recreation center

Updated 2/12

<b>Hours of Operation</b>	Tuesday – Saturday, 10:00 a.m. – 2:00 p.m. (Program hours may vary)
<b>Number/Type of rooms</b>	16 Rooms 2 – Offices, 1 – Event Room, 2 – Classrooms, 2 – Kitchens, 5 – Restrooms, 2 – Storage, 2 – Janitor Closets
<b>Square Footage/Fire Code Capacity</b>	Event Room – 1,576 sq. ft./104 (26’x60’); Classrooms A & B – 664 sq ft/33
<b>Restrooms</b>	5 Restrooms Lower Level: Men’s with 1 urinal, 1 handicapped accessible stall; Ladies with 1 regular stall, 1 handicapped accessible stall, and baby changing station; Multi Purpose Room B: 1 unisex restroom; Upper Level: Men’s with 1 urinal, 1 handicapped accessible stall; Ladies with 1 regular stall, 1 handicapped accessible stall, and baby changing station
<b>Special facilities</b>	Yes, wheelchair accessible. All rooms have TV’s and DVD players and water views. Classroom A – electric projection screen, mounted dry erase board, access to catering kitchen, water fountains and restrooms. Classroom B – wash area (sink and counter space) and individual toilet for youth programs, electric projection screen, mounted dry erase board, access to catering kitchen, water fountains and restrooms. Kitchen–First Level: Located adjacent to the lobby on the first level, features cabinets, counter top, three sink set up with garbage disposal, one icemaker, one microwave oven, and two refrigerators. Kitchen–Second Level: Located adjacent to the elevator with easy access to the elevator, features cabinet, counter top, three sink set up with garbage disposal, one icemaker, two microwave ovens, and one refrigerator. Event Room – electric projection screen, lectern, PA and speaker system, sink and counter in room w/access to catering kitchen. 12 banquet tables, 100 banquet chairs; 31 meeting style tables and 100 arm chairs.
<b>Flag Pole</b>	None
<b>Programs</b>	Recreation & Parks Department program registration, pavilion rental and decal sales; summer camp, adult and youth art, music and/or pre-school classes.
<b>History</b>	With construction completed in 2007, the Clubhouse at Intracoastal Park opened its doors to the public in the fall of 2007. The Clubhouse is the destination for participants looking to register for a city recreation program, to reserve a pavilion, and to purchase a boat or beach decal. The classrooms host a variety of classes and programs; the first summer day camp was held at the building during the summer of 2008. The Event Room is the ideal location for city meetings and special events, with a strong demand by internal users to utilize for training and city meetings and by external users for wedding receptions, anniversary, birthday and other parties.  The back patio on the lower level includes tables with umbrellas and chairs for patrons to enjoy the relaxing view of the Intracoastal Waterway. The upper deck spans around the entire exterior and includes Adirondack chairs.



# OCEAN RESCUE

## OCEANFRONT PARK

6415 North Ocean Boulevard (A1A), Ocean Ridge

(561) 742-6565

Beach Conditions: (561) 742-6775

**Established:** 1930

**Square Feet:** 468

**Renovations:** 1984, 2011

**Type:** Beach park with rescue personnel headquarters

Updated 1/16

<b>Hours of Operation</b>	Daily operations: Park open sunrise to 9:00 p.m. Lifeguards on duty 9:00 a.m. – 5:00 p.m. Parking attendants on duty 8:00 a.m. – 4:00 p.m.
<b>Number/Type of rooms</b>	4 Rooms 1 – Office, 1 – Break room, 1 – Locker/Restroom, 1 – Storage
<b>Restrooms</b>	1 Private unisex restroom (staff only) 2 Public Restrooms 1 – Ladies with 4 regular stalls, 1 handicapped stall; 1 – Men’s with 1 regular stall, 1 handicapped stall, 3 urinals
<b>Special facilities</b>	Yes, wheelchair accessible (beach wheelchairs are available for public use).
<b>Flag Pole</b>	1 (also listed under Oceanfront Park)
<b>Programs</b>	Junior Lifeguard
<b>History</b>	<p>This recreation area is a beach park located ¼-mile north of Ocean Avenue just east of State Road A1A on the Atlantic Ocean owned and run by the City of Boynton Beach, although located in Ocean Ridge. Native Americans were the first users of the area 2,000 years ago. Lifeguard coverage began in 1957 and the facility serves in excess of 200,000 people per year.</p> <p>Parking fees: \$5 per vehicle weekdays and \$10 per vehicle weekends May 1 – Nov. 15 and \$10 per vehicle Nov. 16 – April 30. Annual parking permits (valid 10/1-9/30) are available to corporate city residents for \$50 per year, and to qualified non-residents for \$200 per year (per Code of Ordinances Sec. 16-82). Permits can be purchased at City Hall or at Intracoastal Park Clubhouse.</p> <p>Eight rinse-off stations are available along the boardwalk with showers and spigots. One payphone is available on the boardwalk. Fishing and spear guns are prohibited. In 2001, The Palm Beach Post rated Oceanfront Park the best overall beach in Palm Beach County.</p> <p>In 2001-12, the public restrooms were renovated as well as the lifeguard headquarters building. Renovations included remodeling and painting of the interior and exterior of the building, upgrading the electrical and plumbing, replacement of doors and new flooring stucco.</p> <p>Warning Flags: GREEN – low hazard, YELLOW – medium hazard, RED – high hazard/no swimming, DOUBLE RED – no public contact with water, PURPLE – marine pest</p>



# SENIOR CENTER

1021 South Federal Highway  
(561) 742-6570

**Established:** 1999

**Square Feet:** 9,891

**Renovations:** 2004, 2005

**Type:** Mature adult recreation center

Updated 2/12

<b>Hours of Operation</b>	Monday through Friday 8:00 a.m. – 400 p.m. Evening hours vary.
<b>Number/Type of rooms</b>	14 Rooms 1 – Activity/Lunch room, 1 – Lobby/Coffee room, 1 – Computer room, 1- Multi-purpose room, 1 – Stage room, 1- Fitness room, 1 - Classroom 107, 1 - Conference room 106, 1 – Arts & Crafts room, 1- Game room, 1- Kitchen, 1- Office A, 1 - Office B, 1 - Office C
<b>Square Footage/Fire Code Capacity</b>	Arts & Crafts Room – 529 sq ft/50; Activity (lunch) Room – 836 sq ft/65; Classroom – 345 sq ft/30; Computer Lab – 256 sq ft/15; Conference Room – 220 sq ft/15; Fitness Room – 384 sq ft/11; Game Room – 698 sq ft/15; Multi-purpose Room (includes stage room, but capacity is based on tables and chairs only in the north ½ of the room) – 1,426 sq ft/100
<b>Restrooms</b>	5 Restrooms 1 – Ladies with 4 regular stalls; 1 – Men’s with 3 regular stalls, 3 urinals; 1 – Handicap accessible Ladies with 2 regular stalls, 1 handicapped stall; 1 – Handicap accessible Men’s with 3 regular stalls, 3 urinals, 1 handicapped stall; 1 – Unisex handicap accessible
<b>Special facilities</b>	Yes, wheelchair accessible
<b>Flag Pole</b>	None
<b>Programs</b>	Computer classes, card games, dance, live music, association and group meetings, health screenings, music lessons, lunch program, driving classes, group outings, art classes, safety courses, program for visually impaired and various special events.  Local organizations and businesses provide a variety of services, which include – AARP, R.S.V.P. for volunteer opportunities, Delray Medical Center, Aker Kasten Community Outreach Program, Mental Health Association of PBC and Mae Volen.  The center has card tables for games, pool tables, seating area, stereo system, computer lab and a courtyard for relaxation.
<b>History</b>	In September 1998, the City purchased a local restaurant (Lucille & Otley’s) with a vision of creating a multi-purpose Senior Center that would offer comprehensive services to the elder population. Phase I was funded through the Capital Improvements Program (CIP) fund and completed October 1999. In July 2004, Phase II was completed with grant funding through the Lattner Foundation; this Phase added 1,400 square feet that included the fitness room, computer lab and two offices. Phase III was funded through utility taxes and was completed in October 2005; this final Phase added 3,800 square feet and included two handicap accessible restrooms, a classroom, a conference room, an arts room, a new game room and a new kitchen.



# CAROLYN SIMS CENTER

225 N.W. 12<sup>th</sup> Avenue  
(561) 742-6640

**Built:** 2007

**Square Feet:** 13,816

**Renovations:** None

**Type:** Multi-purpose recreation center

Updated 2/12

<b>Hours of Operation</b>	Monday through Friday 12:00 – 9:00 p.m.
<b>Number/Type of rooms</b>	7 Rooms 1 – Multipurpose (two-sided), 1 – Game Room, 2 – Classrooms; 3 - Offices
<b>Square Footage/Fire Code Capacity</b>	Classroom 214 – 1,184 sq ft/70; Classroom 215 – 702 sq ft/40; Game Room – 1,020 sq ft/50; Room A & B (each) – 1,360 sq ft/93; Room C – 2,720 sq ft/185
<b>Restrooms</b>	4 Restrooms
<b>Special facilities</b>	Yes, wheelchair accessible
<b>Flag Pole</b>	1 (also listed under Wilson Park)
<b>Programs</b>	Zumba, Tae Kwon Do, holiday break camps, summer camp and sports programs, Youth Empowerment Center
<b>History</b>	<p>The Wilson Pool and Wilson Community Center originally were named after Deacon Theodore D. Wilson, who lobbied for construction of the facilities in the 1950's. He rallied to get the center on the northeast section of Boynton Beach. Mr. Wilson played an important role in developing programs for African Americans; he also fought for their right to swim in the ocean. (information courtesy of The Palm Beach Post)</p> <p>In 2005, the City Commission, decided to change the name to Carolyn Sims Center at Wilson Park when the new building is built. Mrs. Sims' career began as an attendant at Wilson Pool in 1961. By the time she became ill with colon cancer in 2002 she was working as a recreation manager, overseeing the operation of facilities. Mrs. Sims dedicated over 40 years to the City of Boynton Beach and was dedicated to the youth of the community.</p> <p>The original building was built in 1958, underwent minimal renovations in 2006 and was demolished in 2007 to make way for the new Carolyn Sims Community Center. In 2006/07, the Community Center was rebuilt, and named in honor of the late Carolyn Sims. The pool and park were also renovated.</p> <p>The Grand Opening of Carolyn Sims Community Center and John Denson Pool at Wilson Park was held on Saturday, February 9, 2008 with a special sky jump by the U.S. Special Ops Command Parachute Team.</p>





# TENNIS CENTER

3111 South Congress Avenue  
(561) 742-6575

Court Conditions: (561) 742-6577

**Built:** 1982

**Square Feet:** 1,596

**Renovations:** 1992, 1996, 2015

**Type:** Tennis Center with Pro-Shop

Updated 10/11

<b>Hours of Operation</b>	Monday through Thursday 8:00 a.m. – 9:00 p.m., Friday 8:00 a.m. – 4:00 p.m., Saturday and Sunday 8:00 a.m. – 1:00 p.m.
<b>Number/Type of rooms</b>	5 Rooms 1 – Pro-Shop, 1 – Office, 1 – Closet; 2 - Restrooms
<b>Restrooms</b>	2 Restrooms 1 – Ladies with 1 regular stall and 1 handicap stall; 1 – Men’s with 1 regular handicap accessible stall, 1 urinal
<b>Special facilities</b>	Yes, wheelchair accessible
<b>Flag Pole</b>	1 – lighted ( <i>also listed under Congress Avenue Park</i> )
<b>Programs</b>	Junior and adult instruction, men’s and ladies single and double tennis leagues, tournaments and special events.
<b>History</b>	The first phase of construction for the center consisted of a Pro Shop and 8 soft tennis courts. The second phase was completed in 1992 with the addition of 5 hard and 4 soft tennis courts. The third phase was completed in 1996 and included the addition of 4 soft tennis courts. There are 21 tennis courts: 17 har tru (soft) and 4 hard, and all are lighted for nighttime play. New lights were installed at four courts in 2015.



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## **PALM BEACH COUNTY PARKS AND RECREATION FACILITIES SUMMARY**

The following locations are located in or adjacent to corporate City limits. These locations are owned and operated by Palm Beach County and are available for everyone. Some programs coordinated by City staff are held at these locations.

Often the public contacts the City for information about these facilities; the following is a limited guide to them. For accurate up-to-date information, the County should be contacted directly at #966-6600.

Palm Beach County Parks & Recreation Department - [www.co.palm-beach.fl.us/PARKS](http://www.co.palm-beach.fl.us/PARKS)

Scrubs and natural area information - [www.pbcgov.com/parks/nature/naturalareas](http://www.pbcgov.com/parks/nature/naturalareas)

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# CALOOSA PARK

1300 S.W. 35<sup>th</sup> Avenue  
#966-6600

**Type:** PBC District Park

**Acreeage:** 64.58 (includes 3.2 acre lake)

<b>Baseball/Softball Field</b>	4 (1 – Little League baseball field, 1 – senior league baseball field, 2 – adult softball fields) Call #966-6620 for ball field permits.	<b>Basketball Court</b>	4 –basketball/multi-purpose courts
Batting Cage		<b>BBQ Grills</b>	Available
Beach		Benches	
<b>Bicycle Path</b>	1	Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
<b>Concession Building</b>	1 – open during league play	Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	2 – 1-mile path with 12-exercise stations and 1.25-mile wheelchair course with 20-exercise stations	Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset, (lighted facilities open until 11:00 p.m.)	<b>Irrigation</b>	Yes
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	2 – 1 - junior football/soccer, 1 – senior football/soccer/rugby
<b>Parking</b>	419 spaces (410 regular, 9 handicapped)	<b>Pavilion</b>	Available
<b>Picnic Table</b>	Available	<b>Playground</b>	Available
Pool		<b>Racquetball Court</b>	16
Recreation Building		<b>Rental Shelter</b>	1 – call #966-6611 for rental
<b>Restrooms</b>	2	Sand Box	
<b>Soccer Field</b>	3 – 2 – junior football/soccer, 1 – senior football/soccer/rugby	<b>Tennis Court</b>	4
<b>Trees</b>	Yes	<b>Turf</b>	Yes
<b>Volleyball Court</b>	1	<b>Water</b>	Yes (3.2 acre lake; 1,850 ft. lake frontage)
Water Spigot		Wishing Well	

**Comments:** The park also includes two lighted in-line hockey rinks, call #736-2812 for information; and a stocked fresh water lake for fishing. (information courtesy of Palm Beach County)

Updated 5/09



# GULFSTREAM PARK

4489 North Ocean Boulevard, Gulfstream  
#966-6600

**Type:** PBC District Park

**Acreage:** 6.37

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	Available
<b>Beach</b>	Yes (600 ft. guarded beach frontage)	Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
<b>Garbage Can</b>	Available	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	Sunrise – Sunset	Irrigation	
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	86 spaces (82 regular; 4 handicapped)	Pavilion	
<b>Picnic Table</b>	Available	<b>Playground</b>	Available
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
<b>Restrooms</b>	Available	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	Yes	<b>Turf</b>	Yes
Volleyball Court		<b>Water</b>	Yes - Atlantic Ocean
Water Spigot		Wishing Well	

**Comments:** Location of Palm Beach County South District Beach Patrol Headquarters. (information courtesy of Palm Beach County)

Beach conditions information: # 276-3990  
South District Beach Patrol Headquarters: # 243-4628

Updated 5/09



# HIGH RIDGE SCRUB

East side of High Ridge Road, 3/8-mile south of Hypoluxo Road  
#963-6737

**Type:** PBC Scrub

**Acreage:** 39.35

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise – Sunset</i>	Irrigation	
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		<b>Nature Preserve</b>	<i>Yes - natural area scrub</i>
Nature Trail		Open Play Area	
Parking		Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes - common, giant and reflexed pine</i>	Turf	
Volleyball Court		Water	
Water Spigot		Wishing Well	

**Comments:** This natural area is one of the few remaining examples of Florida scrub ecosystem remaining in Palm Beach County. It provides habitat for many threatened and endangered plant and animal species. Although the vegetation is predominantly sand pine scrub, smaller areas of scrubby pine flatwoods also are present.

Many species of rare and endangered plants and animals have been observed on the natural area, including endangered species (plants – Curtiss’ milkweed, pine pinweed, common wild pine and giant wild pine) and threatened species (plant reflexed wild pine) and state species of special concern (animal – gopher tortoise).

Management of this site will help create favorable conditions for the return of listed species like the Florida scrub jay, which may have formerly inhabited the site. (information courtesy of Palm Beach County)

Updated 5/09



# OCEAN INLET PARK

6990 North Ocean Boulevard, Ocean Ridge  
 #966-6600  
 Beach Conditions #276-3990

**Type:** PBC Beach

**Acreage:** 10.29

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
<b>Beach</b>	<i>Yes (600 ft. beach frontage)</i>	<b>Benches</b>	<i>Available</i>
Bicycle Path		Bike Rack	
Boardwalk		<b>Boat Ramp/Dock</b>	<i>Available, along Intracoastal Waterway with 20-boat rental slips (for info call #966-6646)</i>
Bocce Court		Cemetery	
<b>Concession Building</b>	<i>1</i>	Cricket Pitch	
<b>Drinking Fountain</b>	<i>Available</i>	Electrical Outlet	
Flag Pole		<b>Fishing Pier</b>	<i>Available</i>
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise-Sunset (Inlet fishing 24-hours)</i>	Irrigation	
Kiosk		Lifeguard Tower	
<b>Lighting</b>	<i>Yes</i>	Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		Open Play Area	
<b>Parking</b>	<i>262 spaces (256 regular; 6 handicapped)</i>	<b>Pavilion</b>	<i>Available</i>
<b>Picnic Table</b>	<i>Available</i>	<b>Playground</b>	<i>1</i>
Pool		Racquetball Court	
Recreation Building		<b>Rental Shelter</b>	<i>Available (for info call #966-6611)</i>
<b>Restrooms</b>	<i>Available, with showers</i>	Sand Box	
<b>Soccer Field</b>		Tennis Court	
<b>Trees</b>	<i>Yes - common, giant and reflexed pine</i>	<b>Turf</b>	<i>Yes</i>
<b>Volleyball Court</b>	<i>Available</i>	<b>Water</b>	<i>Yes, Intracoastal Waterway and Atlantic Ocean</i>
Water Spigot		Wishing Well	

**Comments:** This park is at the junction of the Intracoastal Waterway (Lake Worth Lagoon) with a jetty that leads to the Atlantic Ocean and includes an ocean overlook. Fishing and surfing are not permitted in guarded swimming areas. (information courtesy of Palm Beach County)

Updated 5/09



# OCEAN RIDGE HAMMOCK PARK

6620 North Ocean Boulevard (A1A), Ocean Ridge

#966-6600

Beach Conditions #276-3990

**Type:** PBC Beach

**Acreage:** 8.54

Baseball/Softball Field		Basketball Court	
Batting Cage		BBQ Grills	
<b>Beach</b>	<i>Yes (unguarded)</i>	Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
Fitness Trail		Football Field	
Garbage Can		Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>	<i>Sunrise-Sunset</i>	Irrigation	
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		<b>Nature Preserve</b>	<i>Yes - natural hammock</i>
<b>Nature Trail</b>		Open Play Area	
<b>Parking</b>	<i>29 spaces (27 regular; 2 handicapped)</i>	Pavilion	
Picnic Table		Playground	
Pool		Racquetball Court	
Recreation Building		Rental Shelter	
Restrooms		Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes</i>	Turf	
Volleyball Court		<b>Water</b>	<i>Yes -Atlantic Ocean</i>
Water Spigot		Wishing Well	

**Comments:** This park directly north of Oceanfront Park. Fishing is permitted at Ocean Ridge Hammock Park only.  
(information courtesy of Palm Beach County)

Updated 5/09





# WEST BOYNTON PARK AND RECREATION CENTER

6000 Northtree Boulevard  
#355-1125

**Type:** PBC District Park and Recreation Center

**Acreage:** 47.12

<b>Baseball/Softball Field</b>	7	<b>Basketball Court</b>	
Batting Cage		BBQ Grills	
Beach		Benches	
Bicycle Path		Bike Rack	
Boardwalk		Boat Ramp/Dock	
Bocce Court		Cemetery	
Concession Building		Cricket Pitch	
Drinking Fountain		Electrical Outlet	
Flag Pole		Fishing Pier	
<b>Fitness Trail</b>	<i>Available</i>	Football Field	
<b>Garbage Can</b>	<i>Available</i>	Gazebo	
Gymnasium		Horseshoe Court	
<b>Hours</b>		<b>Irrigation</b>	<i>Yes</i>
Kiosk		Lifeguard Tower	
Lighting		Meeting Space	
Monofilament Box		Nature Preserve	
Nature Trail		<b>Open Play Area</b>	3
<b>Parking</b>	<i>Available</i>	<b>Pavilion</b>	<i>Available</i>
<b>Picnic Table</b>	<i>Available</i>	<b>Playground</b>	<i>Available</i>
Pool		Racquetball Court	
<b>Recreation Building</b>	<i>Gymnasium, meeting room, game room and offices (call for hours)</i>	<b>Rental Shelter</b>	<i>Available</i>
<b>Restrooms</b>	<i>Available</i>	Sand Box	
Soccer Field		Tennis Court	
<b>Trees</b>	<i>Yes</i>	<b>Turf</b>	<i>Yes</i>
<b>Volleyball Court</b>	<i>1 – sand</i>	Water	
Water Spigot		Wishing Well	

**Comments:** The park also includes two lighted roller hockey rinks. (information courtesy of Palm Beach County)

Updated 5/09

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**X**

**Y**

**Z**



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## **Appendix F**

Galaxy Park

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 School Board Property  
 Major Roadways

 City of Boynton Beach Property  
 Access Easement



**NOTE:**  
Map is not official, for presentation purposes only.

3/5/2012 - S. Gilles  
Galaxy\_School\_Preservation\_Property.mxd

Palm Beach County School District  
Planning & Real Estate Services  
GIS



3300 Forest Hill Blvd  
West Palm Beach, FL 33406



# APPROVED

Exhibit "A"

February 10, 2010 Workshop

New Business - Real Estate

**Title: RE-1 Galaxy Elementary School/Interlocal Agreement with the City of Boynton Beach**

**Recommendation:**

I recommend the School Board approve the Interlocal Agreement and associated Escrow Agreement for the exchange of land between the City of Boynton Beach, Palm Beach County and the School Board of Palm Beach County for the modernization of Galaxy Elementary School; and authorize the Chairman and Superintendent to sign all necessary documents.

**Description:**

1. The FY 2009-2013 Five Year Plan includes the modernization of Galaxy Elementary School schedule to be completed by 2012.
2. The City of Boynton Beach owns a 3.96 acre park adjacent to Galaxy Elementary School.  
(See Exhibit "A")
3. The School Board needs to acquire the 3.96 acre parcel for the modernization of Galaxy Elementary School.
4. The School District will convey a 4.01 acre portion of the existing Galaxy Elementary School site to the City of Boynton Beach as part of the replacement park.
5. The appraisals for each exchange parcel were based on a land value of \$6.50 per sq. ft. which equates to a land for land exchange with no exchange of dollars.
6. The acquisition of the City's park permits the school to be located further away from I-95 which presumably has the added benefit of reducing the noise and carbon dioxide levels for the school.
7. Building the new school on the park property also allows the District to avoid the approximately \$150,000 cost of transporting the students to another campus while the school gets rebuilt as there is not enough space on the existing campus without the park land to rebuild the school while the existing buildings remain in operation.
8. In exchange the School District will construct a replacement park on a portion of the School District's property not required for the replacement school and convey that property and improvements to the City after the replacement school has been completed. (See Exhibit "B")
9. The City property is subject to a reversionary interest in favor of the County. The County is willing to release the reversionary right on the City property and accept in substitution a new reversionary right on the replacement park property.
10. All of the deeds involved in this transaction will be submitted and held in escrow pursuant to the Escrow Agreement.
11. The deed from the City for the park property and the County's reverter will be released from the escrow when the School Board is ready to commence construction.
12. The deed from the School Board to the City (in fee) and County (reverter) will be released from the escrow when the replacement park is completed and accepted by the City, however, not later than March 1, 2013.
13. The City shall pay for the Commitment and Title Policy for the City property, one-half cost of the survey, the cost of recording the City's property deed and the cost of satisfying and correcting title and survey matters.
14. The School Board shall pay for the Commitment and Title Policy for the replacement park property, one-half cost of survey, the cost of recording the replacement park deed and the cost of satisfying and correcting title and survey matters.
15. The City and the School Board shall have the non-exclusive right to use each other's parking facilities during specified times at the Replacement Park and new school.
16. The City will work with the School District on the abandonment of the 15,607 sq. ft. Galaxy Way Right-of-Way currently being used by both the School and the City for the entrance to the existing school and park that will become part of the new Galaxy Elementary School site. (See Exhibit "B")

**Financial Impact:**

The financial impact to the Capital Project's Fund Budget for the title work, survey and recording fees is not to exceed \$40,000.00

For Additional Information, contact:

Joseph M. Moore ([moorej@palmbeach.k12.fl.us](mailto:moorej@palmbeach.k12.fl.us))

Joseph Sanches ([sanchesj@palmbeach.k12.fl.us](mailto:sanchesj@palmbeach.k12.fl.us))





 School Board Property

 City of Boynton Beach Property



**NOTE:**  
Map is not official, for presentation purposes only.

10/5/2009 - S. Gilles  
Galaxy\_ES\_Exhibit\_A.mxd

Palm Beach County School District  
Real Estate Department



3001 Interstate Park Road N  
Suite 200  
Riviera Beach, Florida 33404



	School Board Property		City of Boynton Beach Property		<b>Palm Beach County School District</b> Real Estate Department
	Galaxy Way Right-of-Way		Access Easement		

This instrument prepared by:  
Blair LittleJohn, Esq.  
School Board of Palm Beach County, Florida  
3318 Forest Hill Blvd. C-302  
West Palm Beach, FL 33406

RETURN TO:

PCNs:

(Space Reserved for Clerk of Court)

This **SPECIAL WARRANTY DEED**, is made and given this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by the School Board of Palm Beach County, Florida, a corporate body politic pursuant to the constitution of the State of Florida (the "Grantor"), to and in favor of the City of Boynton Beach, Florida, a Florida municipal corporation, whose address is P.O. Box 310, Boynton Beach, FL, 33425-0310 (the "City").

**GRANTOR**, for and in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration paid by City, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell, to City, and City's heirs, successors and assigns forever, the following property situate, lying and being in Palm Beach County, Florida (the "Property"), to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**THIS CONVEYANCE** is subject to: (a) taxes and assessments for the year 20\_\_\_ and subsequent years not yet due or payable; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; (c) easements, conditions, restrictions, matters, limitations and reservations of record, if any, but this reference shall not operate to reimpose any of the same; and (d) matters which would be disclosed by an accurate survey of the Property.

Pursuant to Section 270.11, Florida Statutes, the Grantor has elected not to reserve any phosphate, minerals, metals or petroleum interests in the subject property.

As a material inducement to Grantor to convey the Property to Grantee and as part of the consideration for this conveyance, Grantor hereby imposes a restrictive covenant on the Property that it be used only for public park purposes and Grantee, for itself and its successors and assigns, covenants and agrees to abide by such restrictive covenant and not to permit the Property to be used for any purpose contrary to or inconsistent with the permitted use. Grantee accepts this conveyance subject to such restrictive covenant and acknowledges that it runs with the title to the Property.

It is the intent of the parties that the restrictive covenant and reversionary rights set forth herein shall not be subject to the limitations set forth in §689.18(4), F.S. as this deed constitutes a conveyance to a governmental entity under the provisions of §689.18(5), F.S. The foregoing restrictive covenant and reversionary rights may only be amended, released or terminated by

recording an appropriate document amending, waiving or terminating such restrictive covenant and reversionary rights, executed by the Grantor or its successors in interest.

**TO HAVE AND TO HOLD** unto the City and the City's successors and assigns in fee simple forever, PROVIDED, however, that should the Property not be used for a public park purpose for a period of twelve (12) consecutive months, then in addition to all other rights and remedies available to Grantor at law and/or in equity, the Grantor has the right, but not the obligation, to require Grantee, upon delivery of written notice to Grantee, to, within thirty (30) days, convey back the Property to Grantor free and clear of all liens, encumbrances and other matters of title, other than those matters already encumbering the Property on the date this deed is recorded and free and clear of all environmental conditions in violation of any applicable environmental laws. This reverter right is created pursuant to that certain Interlocal Agreement between The School Board of Palm Beach County, Florida and The City of Boynton Beach For The Development and Mutual Use of The Preservation Property dated \_\_\_\_\_.

**GRANTOR** hereby warrants the title to the Property, subject to the foregoing matters, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor and no others.

**IN WITNESS WHEREOF**, Grantor has signed these presents the day and year first above written.

**GRANTOR:**

ATTEST:

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, a corporate body politic

By: \_\_\_\_\_  
E. Wayne Gent, Superintendent

By: \_\_\_\_\_  
Frank A. Barbieri, Jr., Esq., Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
School Board Attorney

STATE OF FLORIDA            )  
  ) SS:  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Frank A. Barbieri, Jr., Esq., and E. Wayne Gent, as the Chairman and Superintendent, respectively, of The School Board of Palm Beach County, Florida, a corporate body politic, freely and voluntarily on behalf of said corporate body politic. They are personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print Name

**LEGAL DESCRIPTION:**

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 1209.55 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°02'40" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 718.74 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID RIDGEWOOD MANOR, SAID NORTH LINE ALSO BEING THE NORTH LINE OF THE SOUTH THREE-QUARTER (3/4) OF THE WEST ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 21; THENCE NORTH 89°53'59" EAST ALONG SAID NORTH LINE, 362.63 FEET TO THE NORTHWEST CORNER OF SAID RIDGEWOOD MANOR PLAT; THENCE SOUTH 01°57'31" EAST ALONG THE WEST LINE OF SAID PLAT ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTER (3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, A DISTANCE OF 707.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 258,366 SQUARE FEET (5.93) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

**SURVEY NOTES:**

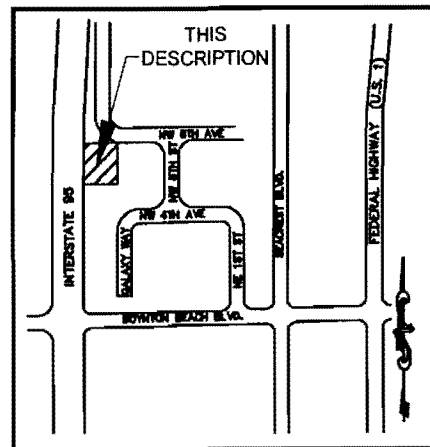
1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD PER SOUTHEAST GUARANTY & TITLE, INC. SEARCH NO. 2904012 CERTIFIED THROUGH APRIL 5TH, 2009 @ 8:00 A.M.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JANUARY 13, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

*Michael M. Mossey*  
MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA



**LOCATION MAP**

NOT TO SCALE

**SKETCH & DESCRIPTION**  
**CONSERVATION LAND**

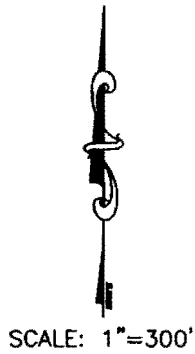
A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07554.01

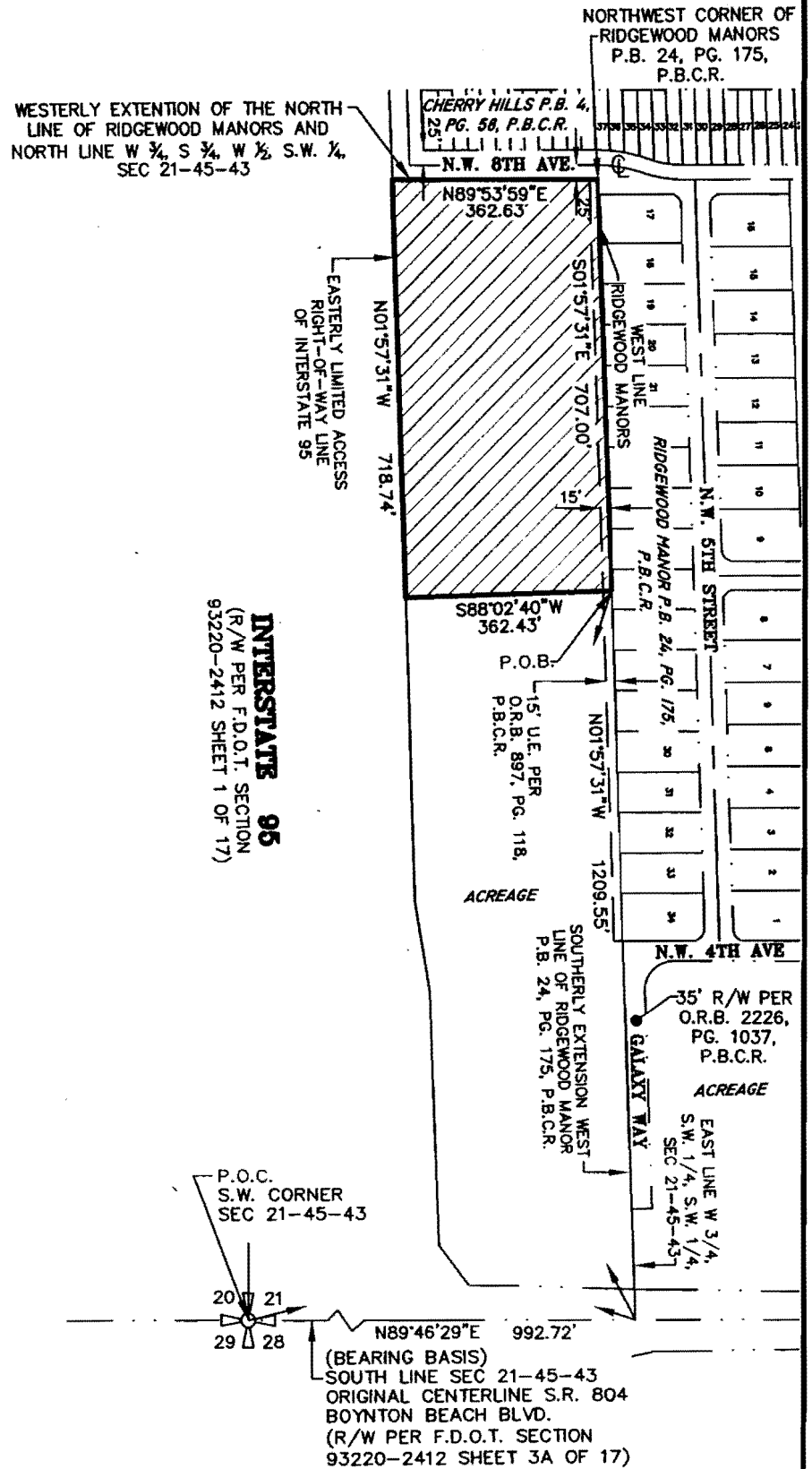
DATE 1/13/10  
SCALE N/A  
FIELD BK. N/A  
DWNG. BY S.M.  
CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.



**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- U.E. UTILITY EASEMENT
- ☉ CENTERLINE
- ⊕ SECTION CORNER



**SKETCH & DESCRIPTION**  
**CONSERVATION LAND**

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
*consulting engineers*

301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 07554.01

DATE 1/13/10

SCALE AS SHOWN

FIELD BK. N/A

DWG. BY S.M.

CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.

**CONTRACT REVIEW CHECKLIST**

**Contract Terms:**

	Comments
Term (Duration of Contract)	Until completion of the replacement park estimated in March 2013
Termination Clause	Yes, See Sections 3 and 4
Insurance /Indemnification	N/A
Liability issues	N/A
Confidentiality Provision	N/A
Warranties	N/A
Labor Issues	N/A
Disclaimers	N/A
Background Screening	N/A
Commercial Non-Discrimination per Policy 6.144	See Section 11
Governing Law & Venue	Florida law and Palm Beach County venue

**Business Principles:**

	Comments
Fees	See Section 2 (Board's obligation to construct replacement park)
Payment Terms, i.e. –Lump sum, installments –Late fees	

**Other Issues:**

	Comments
Beneficial Interest Affidavit	N/A
Non-Negotiable Issues	None
Miscellaneous Issues	None

**Special Considerations:** \_\_\_\_\_

Reviewed and approved as to form and legal sufficiency. Yes  No

*Blair Lewis* 2/4/10

By: Attorney (Name and Date)

INTERLOCAL AGREEMENT BETWEEN  
THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA  
THE CITY OF BOYNTON BEACH AND  
PALM BEACH COUNTY  
FOR THE DEVELOPMENT AND USE OF  
THE GALAXY ELEMENTARY REPLACEMENT SCHOOL

R2010-0289

FEB 23 2010

This Interlocal Agreement ("Agreement") entered into this \_\_\_\_ day of \_\_\_\_\_, 2010, by and between the School Board of Palm Beach County, Florida, (the "School Board"), a corporate body politic existing under the laws of the State of Florida, the City of Boynton Beach, Florida, ("City") a Florida municipal corporation and Palm Beach County ("County") a political subdivision of the State of Florida. The School Board, City and County are hereinafter individually referred to as the "Party" or collectively as the "Parties".

WITNESSETH:

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies, as defined therein, to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the City owns certain real property described on Exhibit "A" attached hereto and incorporated herein by reference adjacent to the existing Galaxy Elementary School ("City Property"); and

WHEREAS, the City Property is subject to a reverter right in favor of the County as set forth in the County Deed recorded in Official Records Book 2706 at Page 999 of the Public Records of Palm Beach County, Florida ("Reversionary Right"); and

WHEREAS, the School Board owns certain real property described on Exhibit "B" attached hereto and incorporated herein by reference on which the existing Galaxy Elementary School is located ("School Board Property"); and

WHEREAS, the Parties are desirous of the School Board constructing the Galaxy Elementary Replacement School ("Replacement School"), and related auxiliary and ancillary facilities on the City Property and a portion the School Board Property; and

WHEREAS, the School Board is willing to construct replacement recreational facilities on a portion of the School Board Property not required for the Replacement School and to convey the property and improvements to the City upon the completion of construction ("Replacement Park"); and

WHEREAS, the County is willing to release the Reversionary Right on the City Property and accept in substitution thereof the creation of a new reversionary right on the Replacement Park Property (as hereinafter defined); and



WHEREAS, the School Board and the City desire to cooperate in the development of the Replacement School by providing to each other certain rights and benefits in accordance with the terms and conditions contained herein;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

SECTION 1: INCORPORATION OF RECITALS.

The above recitals are true and incorporated as though fully set forth herein.

SECTION 2: DEFINITIONS.

The following terms when used in this Interlocal Agreement shall have the following meanings:

1.1 a) City Property. That certain parcel of land located at 441 West Boynton Beach Blvd, Boynton Beach, Florida, together and attached personal property is more particularly described with the legal description in **Exhibit "A,"** attached hereto and made a part hereof.

b) School Board Property. That certain parcel of land located at 461 West Boynton Beach Blvd, Boynton Beach, Florida, together with a building thereon and attached personal property is more particularly described with the legal description in **Exhibit "B,"** attached hereto and made a part hereof.

1.2 Closing. The delivery of a Deed by the City or School Board to the other.

1.3 Closing Date.

a) The Closing for the conveyance of the City Property to the School Board shall occur not later than fifteen (15) days following City's receipt of notice from School Board that School Board is prepared to commence construction on the Replacement School. It is currently anticipated that the Closing under this subparagraph will be held in January, 2011.

b) The Closing for the conveyance of the School Board Property to the City shall occur not later than fifteen (15) days following City's receipt of notice from School Board that the Replacement Park construction has been completed and the Replacement Park Property is ready for public use. Notwithstanding the forgoing, the Closing under this subparagraph shall take place not later than two (2) years after the Closing under subparagraph 1.3.a. above, unless extended by mutual agreement of the parties.

1.4 Deed. A Special Warranty Deed, which shall convey the Property from School Board to City and from City to School Board, substantially in the forms attached as Exhibit "G1" and "G2".

1.5 Effective Date. The Effective Date of this Agreement shall be the date upon which this Agreement is executed by all of the parties and the Escrow Agent.

1.6 Escrow Agent. Shall mean the law firm of Goren, Cherof, Doody, Ezrol, P.A.

1.7 Escrow Agreement. Shall mean that Agreement entered between the City of Boynton Beach and the School Board of Palm Beach County, Florida setting forth the terms and provisions governing the exchange.

1.8 School Board's Address. School Board's mailing address is Director, Real Estate Services, 3661 Interstate Park Road North, Suite 200, Riviera Beach, FL, 33404 with a copy to Chief Counsel, P.O. Box 19239, West Palm Beach, FL 33416.

1.9 City's Address. City's mailing address is P.O. Box 310, Boynton Beach, FL, 33425-0310, with copy to Donald J. Doody, Esquire, 3099 E. Commercial Boulevard, Florida 33308.

1.10 County's Address. County's mailing address is Director, PREM, 3323 Belvedere Road - Building 503, West Palm Beach, FL 33406, with a copy to Howard Falcon, Esquire, 301 N. Olive Ave., Suite 601, West Palm Beach, FL 33401.

1.11 Title Inspection Period. Shall mean fifteen (15) days after receipt of a title commitment for the respective parcel.

1.12 Other Definitions. The terms defined in any part of this Agreement shall have the defined meaning wherever capitalized herein. Wherever appropriate in this Agreement, the singular shall be deemed to refer to the plural and the plural to the singular, and pronouns of each gender shall be deemed to comprehend either or both of the other genders. As used in this Agreement, the terms "herein", "hereof" and the like refer to this Agreement in its entirety and not to any specific section or subsection.

## SECTION 2: DEVELOPMENT OF REPLACEMENT SCHOOL AND REPLACEMENT PARK.

The School Board shall, at its expense, develop the Replacement School on the City Property and a portion of the School Board Property described on Exhibit "C" attached hereto. Such site plan shall be reviewed by the City.

The School Board shall, at its expense, develop the recreational facilities set forth on Exhibit "D" on the portion of the School Board Property described on Exhibit "E" ("Replacement Park Property"). The School Board shall complete the construction of the recreational facilities prior to the conveyance of the School Board Property and the Closing shall occur as set forth in subparagraph 1.3.b. The site plan for the Replacement Park shall be developed in cooperation with and with input from the City. The Replacement Park shall be constructed using like-kind materials. The School Board shall provide materials using the same specifications as that used in construction of the Replacement School and the City shall be given the opportunity to review and approve the product submittals proposed by the contractor. The School Board shall use the City's specifications for specialty items such as the park benches, picnic tables and playground equipment that are not part of the typical school specifications. The School Board shall establish a budget of \$622,000.00 for construction of the Replacement Park, which excludes any contingency. A contingency fund that includes contingency for the Replacement Park shall be established separately in the overall project budget. The playground equipment at the Replacement Park shall have IPEMA certification of conformance to ASTM F1487, Standard consumer Safety Performance Specification for Playground Equipment for Public Use and ASTM ST and Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment. The tennis courts at the Replacement Park shall be unlit, unless the City, at its sole expense, wishes to install new lighting. Prior to the conveyance of the City Property to the School Board, the City shall disassemble lighting system, including but not limited to the lights, fixtures and light poles at the existing softball field ("Reusable Components") and shall transport and store the Reusable Components during construction of the Replacement School. Within a reasonable time following receipt of written notice from the School Board, the City shall deliver the Reusable Components to the Replacement Park Property and the School Board shall utilize the Reusable Components in the lighting system for the softball field at the Replacement Park.

### SECTION 3: EXCHANGE OF PROPERTIES.

(a) Within thirty (30) days after the Effective Date: (i) the School Board shall obtain a title commitment (a "Commitment") from SouthEast Guaranty & Title, Inc. (a "Title Agent") for the issuance of an ALTA Form "B" Marketability Owner's Title Insurance Policy (the "Title Policy") covering the Replacement Park Property from Chicago Title Insurance Corporation (the "Title Company"); and (ii) the City shall obtain a Title Commitment for the issuance of a Title Policy covering the City Property. Upon receipt, the Parties shall exchange Commitments. The School Board shall obtain a survey of the City Property and the Replacement Park Property (a "Survey") which shall be prepared by a registered land surveyor, certify the acreage of each parcel to 1/100<sup>th</sup> of an acre and be certified to the Parties, the Title Agent and counsel for the City. Within thirty (30) days after receipt of the City's Title Commitment, the School Board shall deliver a copy of the Survey to the City.

(b) Within fifteen (15) days after receipt of the Commitment covering the City Property and Replacement Park Property, respectively, and the Survey (the "Title Review Period"), each Party shall deliver to the other Party written notice (the "Title Objection Letter") of any matters set forth in the Commitment or on the Survey to which it objects (the "Title Defects"). Within ten (10) days after the Title Review Period (the "Title Response Period"), the Party receiving the Title Objection Letter shall advise the other Party in writing (the "Title Response Letter") which Title Defects it will satisfy and/or correct by Closing, and such Party

shall be obligated to satisfy and/or correct all Title Defects that it agrees to satisfy and/or correct in its Title Response Letter. If a Party refuses to satisfy and/or correct by Closing all of the Title Defects set forth in the Title Objection Letter it received, then the Party sending the Title Objection Letter shall have the right, but not the obligation, to terminate this Agreement by giving written notice of such termination to the other Party within five (5) days after the Title Response Period (the "Title Termination Period"), whereupon, this Agreement shall terminate and the Parties shall be released from any and all obligations, each to the other, under this Agreement.

(c) If a Party fails to deliver a Title Objection Letter to the other Party prior to the expiration of the Title Review Period, then (except as otherwise expressly set forth in subparagraph (d) below) all matters shown in the Commitment and on the Survey shall be "Permitted Exceptions" (as hereinafter defined). If a Party fails to deliver a Title Response Letter to the other Party prior to the expiration of the Title Response Period, then none of the Title Defects set forth in the Title Objection Letter received by such Party shall be Permitted Exceptions. If a Party fails to terminate this Agreement prior to the expiration of the Title Termination Period, then such Party shall have waived its right to terminate this Agreement under this subparagraph (c). Except as otherwise provided in subparagraph (d) below, the term "Permitted Exceptions" shall mean: (i) real property taxes for the year of Closing and subsequent years not yet due and payable; and (ii) those Schedule B-II Exceptions of a Commitment and those matters shown on a Survey: (1) that a Party does not object to in its Title Objection Letter; (2) that are objected to in its Title Objection Letter but which the other Party refuses to satisfy and/or correct as set forth in its timely given Title Response Letter; (3) apply only to the Party who received such Commitment (e.g., certificates of good standing, resolutions, etc.);

(d) Notwithstanding anything to the contrary contained in this Agreement (including, without limitation, subparagraphs (b) and (c) above), none of the following shall be Permitted Exceptions: (i) the Schedule B-1 Requirements of a Commitment (other than those that specifically apply only to the Party who received such Commitment); (ii) the Schedule B-II Standard Exceptions of a Commitment (other than the standard survey exception); (iii) any claim, lien, charge or liability affecting the Property covered by a Commitment that can be satisfied and discharged at Closing by payment of a liquidated amount (including, without limitation, mortgages and related loan documents); and (iv) any matter of record whether or not created (or permitted to be created) by, through or under the Party owning the Property covered by a Commitment first appearing in the public record or first known to the Party who obtained the Commitment after the original effective date of such Commitment. On or before Closing, the Party owning the Property covered by a Commitment shall be obligated to have satisfied, deleted and/or discharged from the Commitment and/or public record, as applicable, all matters set forth in (i) through (iv) above.

(e) City shall pay: (i) the cost of the Commitment for the City Property; (ii) the cost of the premium for the "Title Policy" (as hereinafter defined) for the City Property; (iii) one-half (1/2) the cost of the Survey; (iv) the cost of recording the "Deed" (as hereinafter defined) for the City Property and the quitclaim deed from the County; and (v) the cost of satisfying and correcting title and survey matters in accordance with subparagraph (d).

(f) School Board shall pay: (i) the cost of the Commitment for the Replacement Park Property; (ii) the cost of the premium for the Title Policy for the Replacement Park Property; (iii) one-half (1/2) the cost of the Survey; (iv) the cost of recording the Deed for the Replacement Park Property; and (v) the cost of satisfying and correcting title and survey matters in accordance with subparagraph (d).

(g) Within ten (10) days following the Effective Date, each Party shall deliver to the Escrow Agent to be held in escrow pursuant to the terms, conditions and provisions of the Escrow Agreement attached hereto as Exhibit "F" and made a part hereof ("Escrow Agreement"), in addition to all other documents referred to elsewhere in this Agreement, the following:

(i) A special warranty deed (a "Deed"), in recordable form, conveying to the other Party good, marketable and insurable fee simple title to the Property then being conveyed, subject only to the Permitted Exceptions. The Deed from each Party shall waive the reservations under Florida Statutes Section 270.11. The Deed from the School Board to the City shall create a new reverter right in favor of the County in the following form:

PROVIDED, however, that should the Property not be used for a public purpose for a period of sixty consecutive months, the same shall automatically revert to the County. This reverter right is created pursuant to that certain Interlocal Agreement between The School Board of Palm Beach County, Florida, The City of Boynton Beach and Palm Beach County For The Development and Use of The Galaxy Elementary Replacement School dated \_\_\_\_\_.

In addition, the Deed shall contain the grant of an access easement sufficient to provide vehicular and pedestrian access to the Replacement Park Property.

The Deeds shall be substantially in the form attached hereto as Exhibit "G1" and "G2".

(ii) A "Title Affidavit" in usual and customary form, together with any other affidavits, documents or other information necessary to satisfy and/or delete: (i) the Schedule B-I Requirements of the Commitment covering the Property then being conveyed; (ii) the Schedule B-II Standard Exceptions of the Commitment covering the Property then being conveyed (including, without limitation, the "gap exception", the "mechanic's lien exception", and the "parties-in-possession exception"); and (iii) all other matters that are not Permitted Exceptions.

(iii) An affidavit confirming that the Party conveying the Property is not a "foreign person" within the meaning of the U.S. tax laws and to which reference is made in the Internal Revenue Code, Section 1445, as amended.

(h) Closing, unless otherwise extended pursuant to the terms of this Agreement, shall take place at the law offices of the counsel for the City. Closing may be extended by mutual agreement of the Parties and evidenced by an amendment to this Agreement. For purposes of this subparagraph, the School Board's Superintendent, or his designee, shall be authorized to approve any extension of Closing and is authorized to execute an amendment to this Agreement extending the Closing on behalf of the School Board without the need for any further action or approval of the School Board. For purposes of this subparagraph, the City's City Manager shall be authorized to approve any extension of Closing and is authorized to execute an amendment to this Agreement extending the Closing on behalf of the City without the need for any further action or approval of the City Commission.

(i) Within ten (10) days following the Effective Date, the School Board shall place the Deed to the Replacement Park Property, substantially in the form attached hereto as Exhibit G2 and the recording costs, in escrow pursuant to the Escrow Agreement. Within ten (10) days following the Effective Date, the City shall place the Deed to the City Property, substantially in the form attached hereto as Exhibit G1 and the recording costs, in escrow pursuant to the

Escrow Agreement. Failure to deliver the required Deed and recording costs by either party shall constitute a default under the terms of this Agreement and allow the non-defaulting party the option of either terminating the Agreement or seeking equitable relief in the form of specific performance against the defaulting party. The Deeds and recording costs shall be held in escrow and released in accordance with the terms of the Escrow Agreement.

(j) Within ten (10) days following the Effective Date, the County shall place a County deed releasing the Reversionary Right in the City Property in escrow pursuant to the Escrow Agreement. The County shall not be required to deliver any other documents such as a Title Affidavit or non-foreign affidavit. Other than the acceptance by recording of the reversionary right in the Replacement Park Property set forth in Paragraph 3.g.(i) above, delivery of the County deed set forth herein shall be the County's only obligation under this Agreement.

#### SECTION 4: RIGHT-OF-WAY ABANDONMENT.

As shown on the site plan submitted by the School Board to the City for the Replacement School, the City right-of-way for Galaxy Way lying south of NW 4<sup>th</sup> Avenue as more particularly described in Exhibit "H" attached hereto will be utilized for the construction and development of the Replacement School. Within thirty (30) days of the Effective Date, the School Board shall submit to the City any and all necessary applications for the abandonment of the Galaxy Way right-of-way in accordance with City codes and procedures. The City shall waive all costs and fees associated with the submittal and processing of such application. The City agrees to utilize its best efforts and expeditiously process the application and conduct a public hearing relating to the application. The School Board recognizes that any request for abandonment of public right-of-way requires review of the criteria set forth in City codes on a case-by-case basis. The results of such review cannot be determined until an application has been submitted and it has been reviewed by City staff and the public has been given an opportunity to be heard regarding it. The City thus cannot provide any assurance to the School Board, nor does it guarantee that said abandonment request will be approved. However, the City will utilize its best efforts to expeditiously process the approval of such request. In the event that the City does not approve the application for abandonment of the right-of-way within ninety (90) days of the Effective Date, the School Board shall have the right, but not the obligation, to terminate this Agreement within thirty (30) days of the City's action on the application.

#### SECTION 5: PERMITS FOR CONSTRUCTION OF FACILITIES.

The School Board, through its Building Department, shall be responsible for obtaining the necessary building permits required for the construction of the Replacement School and Replacement Park facilities described in this Agreement. The School Board shall have primary responsibility and the City shall cooperate and assist the School Board in obtaining all necessary permits from third-party regulatory agencies, including but not limited to the South Florida Water Management District. The Parties agree that the Replacement School and the Replacement Park may be considered a single project for the purposes of obtaining any permits from third-party regulatory agencies.

#### SECTION 6: MUTUAL USE OF PARKING

Following the completion of construction and conveyance of the Replacement Park Property to the City, the City and School Board, and their employees, agents and invitees, shall each have the non-exclusive right, in common with the other, to the reasonable use of the other's parking facilities within the Shared Parking Area ("Shared Parking Area").

It is acknowledged by the Parties that the Replacement School and the Replacement Park generate traffic during alternating time periods, such that shared parking for the two facilities has the potential to reduce the overall number of parking spaces required on each site, and the parties agree to cooperate in scheduling activities on their respective sites toward said goal.

Notwithstanding the foregoing, the parties agree that the City may utilize the Shared Parking Area, located within the Replacement School Property, together and in conjunction with the School Board, from the end of the regular school day, but no later than 5PM, until 11PM on weekdays when school is in session, and from 7AM until 11PM on weekends and other days when school is not in session, on a first come, first served basis. The City acknowledges that School Board will maintain exclusive use of the Shared Parking Area located within the Replacement School Property for school activities during the school day as set forth above. The City acknowledges that School Board reserves the right to exclude the City's use of the Shared Parking Area located within the Replacement School Property for special events sponsored at, or by, the School Board, including but not limited to open house(s), performances, fairs, etc. School Board shall provide the City with a minimum of fourteen (14) days advance notice of such need. The parties agree that the School Board may utilize the Shared Parking Area, located within the Replacement Park Property, together and in conjunction with the City at all times, provided, however, School Board acknowledges that the City reserves the right to exclude School Board's use of the Shared Parking Area located within the Replacement Park Property at times during the day that the City has scheduled activities or all available parking spaces are required for the public use of the park. The City shall provide School Board with a minimum of fourteen (14) days advance notice of such need. Each party shall provide the other with access through any gates to roadways accessing parking areas located within the Shared Parking Area during the hours stipulated above. The gate to be located between the Replacement School Property and the Replacement Park Property shall be controlled and maintained by the City.

The City and School Board shall each pave, and keep, maintain and repair their respective portion of the Shared Parking Area in good and sightly order, condition and repair, and each party shall assure that their respective portion of the Shared Parking Area is properly lighted and drained and is painted with stripes to designate parking spaces. No portion of the Shared Parking Area shall be permitted to fall into disrepair. The Shared Parking Area may be closed off only as reasonably necessary while repairs are being performed thereto. This provision shall survive both closings.

#### SECTION 7: MUTUAL USE OF REPLACEMENT PARK

The School Board shall have the exclusive right to use the Replacement Park during normal school hours, inclusive of normal after-school operational hours ("School Hours"). The City shall have use of the Replacement Park during weekdays after School Hours, student school holidays, weekends and all other times that the School is closed. The School Board shall have the right to install fencing with a lockable security gate between the Replacement Park and the Replacement School in order to secure the Replacement School site ("School Fencing"). The School Board shall have sole control over the School Fencing, and the School Board shall be solely responsible for the maintenance and repair of the School Fencing. The City shall be responsible for the perpetual maintenance of the Replacement Park at its sole cost and expense. All regular maintenance, including mowing, shall be coordinated with the School Principal to ensure student safety.

SECTION 8: DEFAULT.

The parties agree that, in the event any party is in default of its obligations under this Agreement, the non-defaulting party shall provide to the defaulting party thirty (30) days written notice to cure the default. In the event the defaulting party fails to cure the default within the thirty (30) day cure period, the non-defaulting party shall be entitled to seek any remedy available to it at law or equity, including, but not limited to, the right to terminate this Agreement and seek damages, if any or specific performance. The School Board does acknowledge that in the event it fails for any reason to develop and construct the recreational facilities on the Replacement Park Property that the City will suffer damages to the extent the City has lost a valuable component of its park system. Consequently, the School Board shall be liable to the City to the extent of the replacement cost expended by the City to replace the park site and recreational facilities. Notwithstanding the forgoing, the City and School Board's sole remedy in the event of a County default shall be limited to specific performance.

SECTION 9: DISPUTE RESOLUTION.

In the event an issue arises which cannot be resolved between the School Board's Chief of Facilities Management and the City's Director of Recreation Services regarding the interpretation or application of any provision of this Agreement, the dispute shall be referred to the Board's Chief Operating Officer and the City Manager who shall both make a good faith effort to resolve the dispute.

SECTION 10: NOTICE.

Unless otherwise specifically provided herein, all notices to be given hereunder shall be in writing and sent to the County Address, School Board Address or City Address, by hand delivery; certified mail, return receipt requested, postage prepaid; by a nationally recognized overnight courier service; or by facsimile transmission. Any such notice shall be deemed given upon the earlier of receipt by the addressees if hand delivered (or attempted delivery if refused by the intended recipient thereof), on the next business day after deposit with a recognized overnight courier service, on the day given if sent by facsimile transmission provided that the party making such delivery receives an electronic confirmation setting forth the proper phone number receiving such facsimile transmission and that the entire transmission has been properly received by the addressee without communication error, or on the third (3<sup>rd</sup>) day following deposit thereof in the United States mail.

SECTION 11: GOVERNING LAW AND VENUE.

This Agreement shall be construed by and governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held in Palm Beach County.

SECTION 10: EQUAL OPPORTUNITY PROVISION.

The parties agree that no person shall, on the grounds of race, color, sex, national origin, disability, religion, ancestry, marital status, sexual orientation or gender identity or expression be excluded from the benefits of, or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

SECTION 11: CAPTIONS.

The captions and section designations set forth herein are for convenience only and shall have no substantive meaning.



SECTION 12: SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

SECTION 13: ENTIRETY OF AGREEMENT.

This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, either written or oral, relating to this Agreement.

SECTION 14: INCORPORATION BY REFERENCE.

Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Agreement by reference.

SECTION 15: AMENDMENT.

Except as otherwise provided for in this Agreement, this Agreement may be modified and amended only by written instrument executed by the parties hereto.

SECTION 16: WAIVER.

No waiver of any provision of this Agreement shall be effective against any party hereto unless it is in writing and signed by the party waiving such provision. A written waiver shall only be effective as to the specific instance for which it is obtained and shall not be deemed a continuing or future waiver.

SECTION 17: CONSTRUCTION.

Neither party shall be considered the author of this Agreement since the parties have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final Agreement. Thus, the terms of this Agreement shall not be strictly construed against one party as opposed to the other party based upon who drafted it.

SECTION 18: FILING.

A copy of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County pursuant to Section 163.01(11), Florida Statutes.

SECTION 19: EFFECTIVE DATE.

This Agreement shall become effective when approved and executed on behalf of both of the Parties and filed with the Clerk of the Circuit Court in and for Palm Beach County.

SECTION 20: NO THIRD PARTY BENEFICIARIES.

This Agreement is made solely and specifically among and for the benefit of the Parties hereto, and their respective successors and assigns subject to the express provisions hereof relating to successors and assigns, and no other person shall have any rights, interest, or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third-party beneficiary or otherwise.

CITY OF BOYNTON BEACH, FLORIDA,  
a Florida municipal corporation

BY: Jerry Taylor  
ITS: \_\_\_\_\_, Mayor

Attest:  
BY: Janet M. Praineto  
ITS: \_\_\_\_\_, City Clerk

City Commission Approval Date: 3-2-10

REVIEWED AND APPROVED AS TO  
LEGAL FORM  
[Signature]  
\_\_\_\_\_  
City Attorney's Office  
Date: 3/2/10

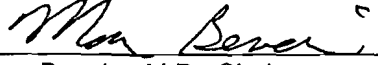



THE SCHOOL BOARD OF PALM BEACH  
COUNTY, FLORIDA

REVIEWED AND APPROVED AS TO  
LEGAL FORM

  
School Board Attorney

Date: 2/17/10

BY   
Monroe Benaim, M.D., Chairman

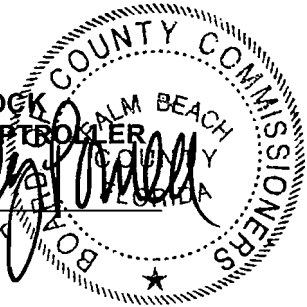
BY   
Arthur C. Johnson, Ph.D., Superintendent

Board Approval Date: 2/10/10

ATTEST:

SHARON R. BOCK  
CLERK & COMPTROLLER

By: [Signature]  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: [Signature]  
Assistant County Attorney

COUNTY:

PALM BEACH COUNTY, a  
political subdivision of the State of Florida

By: [Signature]  
Burt Aaronson, Chair

R2010-0289

FEB 23 2010

APPROVED AS TO TERMS  
AND CONDITIONS

By: [Signature]  
Audrey Wolf, Director  
Facilities Development & Operations

## INDEX OF EXHIBITS

EXHIBIT "A"	LEGAL DESCRIPTION OF CITY PROPERTY
EXHIBIT "B"	LEGAL DESCRIPTION OF SCHOOL BOARD PROPERTY
EXHIBIT "C"	LEGAL DESCRIPTION OF REPLACEMENT SCHOOL PROPERTY
EXHIBIT "D"	REPLACEMENT PARK ELEMENTS
EXHIBIT "E"	LEGAL DESCRIPTION OF REPLACEMENT PARK PROPERTY
EXHIBIT "F"	ESCROW AGREEMENT
EXHIBIT "G1"	SPECIAL WARRANTY DEED FORM FROM CITY
EXHIBIT "G2"	SPECIAL WARRANTY DEED FORM FROM SCHOOL BOARD
EXHIBIT "H"	LEGAL DESCRIPTION OF GALAXY WAY RIGHT-OF-WAY

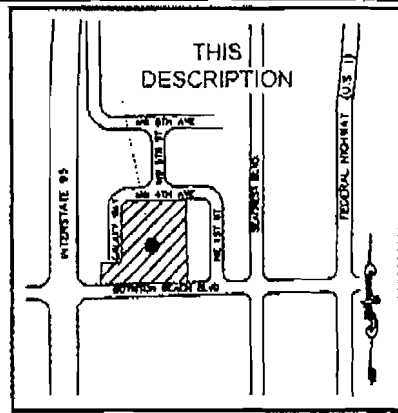
**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF CITY PROPERTY**

# EXHIBIT "A" TO ILA

## LEGAL DESCRIPTION:

A PORTION OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95. SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST AND WEST LINE, NORTH 01°57'31" WEST, A DISTANCE OF 53.04 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SHEET 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970 AND POINT OF BEGINNING; THENCE CONTINUING NORTH 01°57'31" WEST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 139.29 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID GALAXY WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2226, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST AND WEST LINE NORTH 88°02'29" EAST AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID GALAXY WAY; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWO DESCRIBED COURSES: (1) NORTH 01°57'31" WEST, A DISTANCE OF 377.34 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; (2) NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 91°45'45", AN ARC DISTANCE OF 80.08 FEET TO A POINT OF TANGENCY ON THE SOUTH RIGHT-OF-WAY OF N.W. 4TH AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2226, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, AND ALONG SAID SOUTH RIGHT-OF-WAY, NORTH 89°48'14" EAST, A DISTANCE OF 244.58 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN 20.00 FOOT ALLEY AS SHOWN ON RIDGEWOOD HILLS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, ON PAGE 250, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID ALLEY LINE ALSO BEING THE EAST LINE OF THE EAST ONE-HALF (E. 1/2) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, SOUTH 01°51'44" EAST A DISTANCE OF 574.21 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD). THENCE DEPARTING SAID ALLEY LINE AND EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°20'08" WEST A DISTANCE OF 330.38 FEET TO THE POINT OF BEGINNING.



LOCATION MAP  
NOT TO SCALE

SUBJECT TO ANY ADDITIONAL RIGHT-OF-WAY.

CONTAINING 173,372 SQUARE FEET (3.98) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6880.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON JANUARY 12, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION GALAXY PARK

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33069-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: [mail@keith-associates.com](mailto:mail@keith-associates.com) LB NO 6880

SHEET 1 OF 2  
DRAWING NO. 07554.01-SKD Park.dwg

DATE 01/12/10

SCALE 1"=100'

FIELD BK. N/A

DWG. BY DDB

CHK. BY WMM

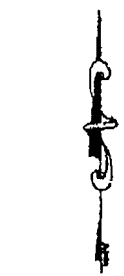
DATE REVISIONS

DATE	REVISIONS

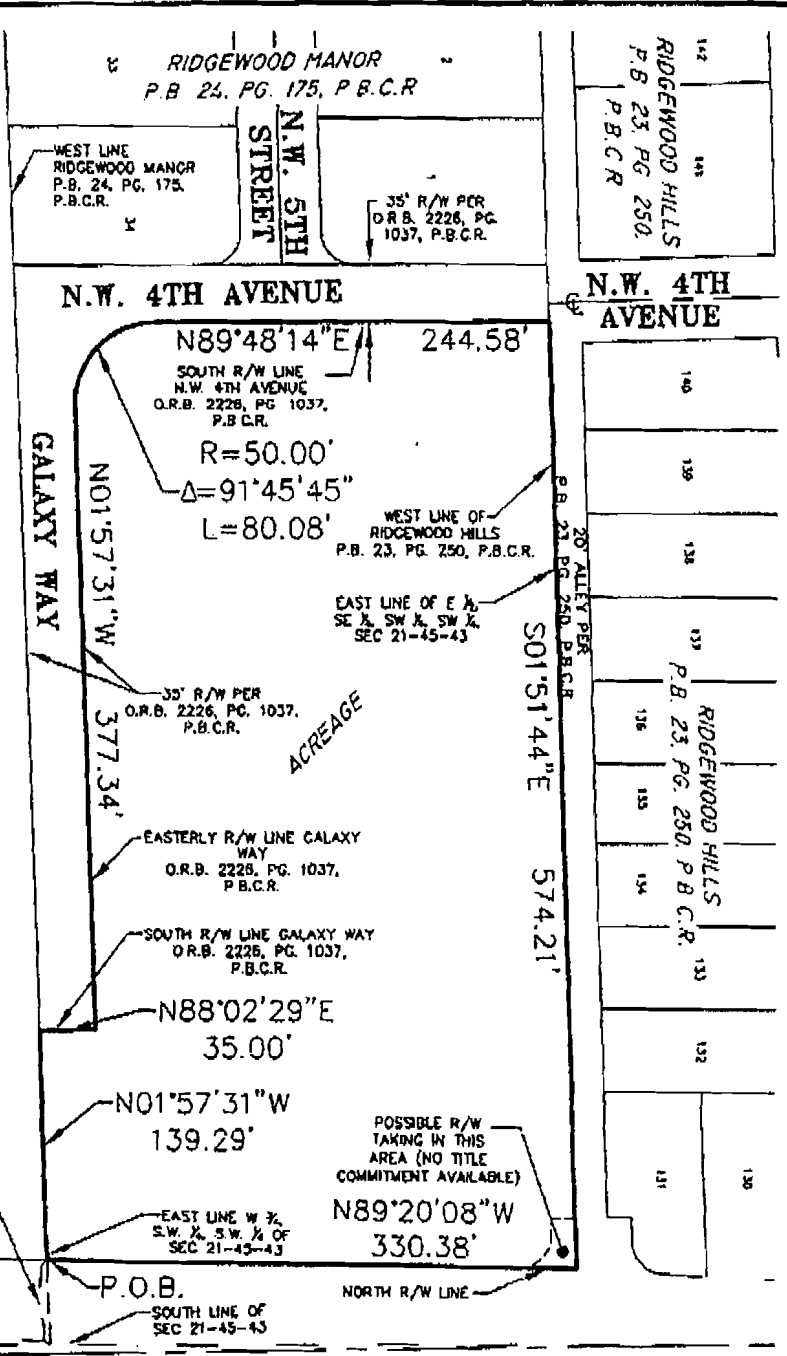
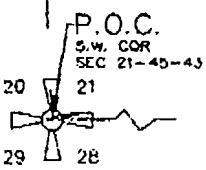
FILE: 102010 Galaxy (Complete) - 102010.dwg  
P534.dwg-99 Plot.dwg

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- C CENTERLINE
- SECTION CORNER



SCALE: 1"=100'



**S.R. 804 (N.W. 2ND AVENUE) BOYNTON BEACH BLVD.**  
 (R/W PER F.D.O.T. SECTION 93220-2412 SHEET JA OF 17)

**SKETCH & DESCRIPTION  
 GALAXY PARK**

A PORTION OF THE SOUTHWEST 1/4,  
 OF SECTION 21, TOWNSHIP 45 SOUTH,  
 RANGE 43 EAST  
 CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
 consulting engineers

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 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2  
 DRAWING NO. 07554.01-SKD Park.dwg

DATE	01/12/10
SCALE	1"=100'
FIELD BK.	N/A
DWG. BY	DDB
CHK. BY	MMM

DATE	REVISIONS



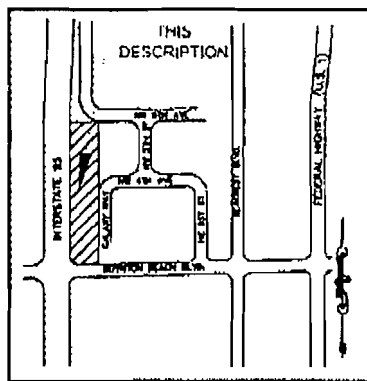
**EXHIBIT "B"**  
**LEGAL DESCRIPTION OF SCHOOL BOARD PROPERTY**

# EXHIBIT "B" TO ILA

**LEGAL DESCRIPTION:**

A PORTION OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21. THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST AND WEST LINE NORTH 01°57'31" WEST, 53.04 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AND POINT OF BEGINNING; THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING TWO DESCRIBED COURSES: (1) NORTH 88°43'58" WEST, 288.92 FEET; (2) NORTH 37°26'25" WEST, 86.49 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95 AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY THE FOLLOWING THREE DESCRIBED COURSES: (1) NORTH 02°11'00" WEST, 438.57 FEET; (2) NORTH 09°51'41" WEST, 160.30 FEET; (3) NORTH 01°57'31" WEST, 1244.27 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID NORTH LINE ALSO BEING THE NORTH LINE OF THE SOUTH THREE-QUARTER (3/4) OF THE WEST ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 21; THENCE NORTH 89°53'59" EAST ALONG SAID NORTH LINE, 362.83 FEET TO THE NORTHWEST CORNER OF SAID RIDGEWOOD MANOR PLAT; THENCE SOUTH 01°57'31" EAST ALONG THE WEST LINE OF SAID PLAT AND THE SOUTHERLY EXTENSION THEREOF ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTER (3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, A DISTANCE OF 1916.54 FEET TO THE POINT OF BEGINNING.



**LOCATION MAP**  
NOT TO SCALE

CONTAINING 677,966 SQUARE FEET (15.564) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

**SURVEY NOTES:**

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JANUARY 12, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No 5660  
STATE OF FLORIDA

**SKETCH & DESCRIPTION**  
**GALAXY ELEMENTARY**  
**SCHOOL**

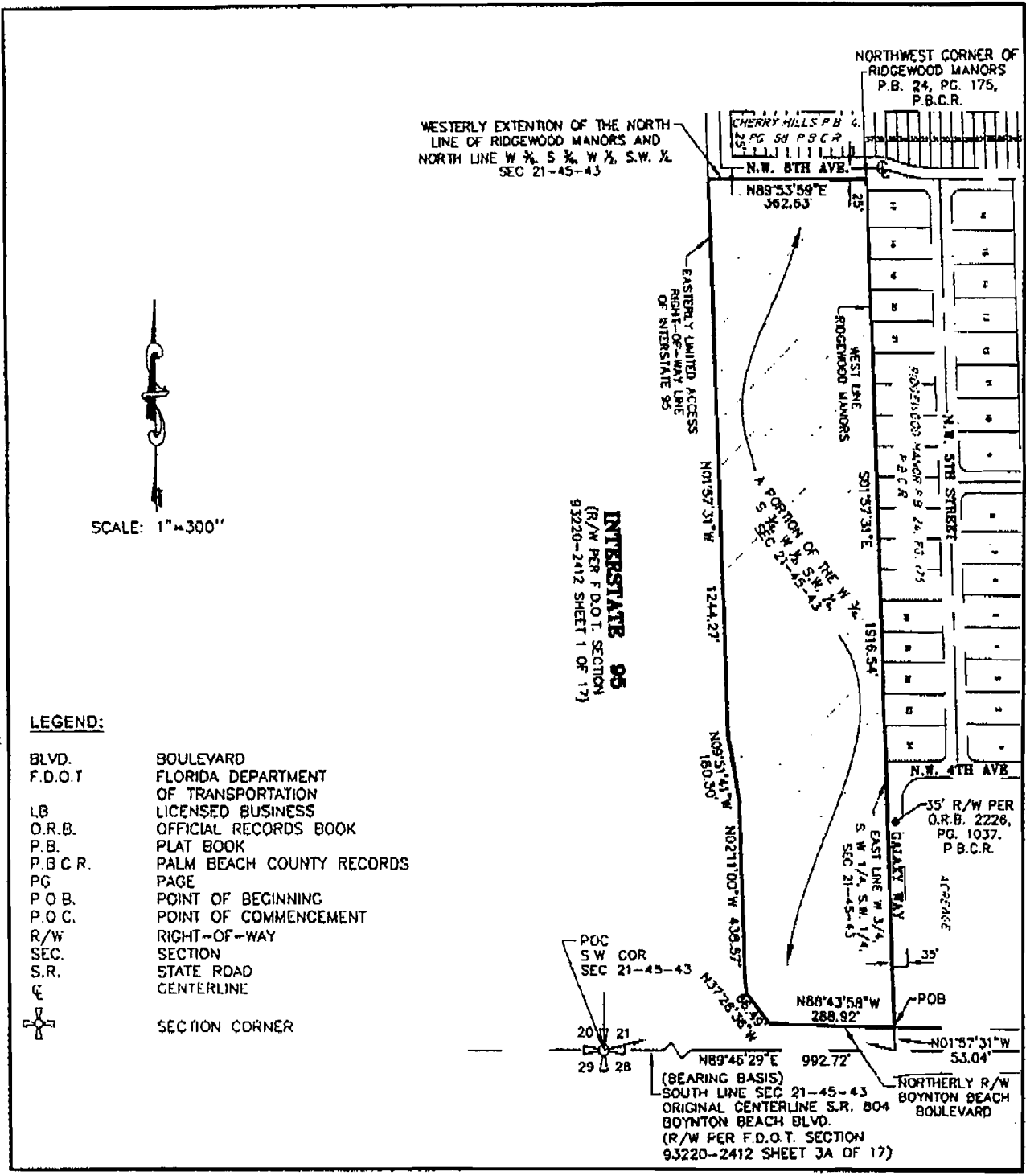
A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
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EMAIL: mmossey@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07554.01

DATE	1/12/10	DATE	REVISIONS
SCALE	N/A		
FIELD BK.	N/A		
DWG. BY	S.W.		
CHK. BY	M.M.M.		



**SKETCH & DESCRIPTION**  
**GALAXY ELEMENTARY SCHOOL**  
 A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST  
 CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
 consulting engineers  
 301 EAST ATLANTIC BOULEVARD  
 POMPAHO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@kaii-associates.com LB NO. 6860

SHEET 2 OF 2  
 DRAWING NO. 07554.01

DATE 1/12/10  
 SCALE AS SHOWN  
 FIELD BK. N/A  
 DWNG. BY S.M.  
 CHK. BY M.M.M.

DATE	REVISIONS

EXHIBIT "C"

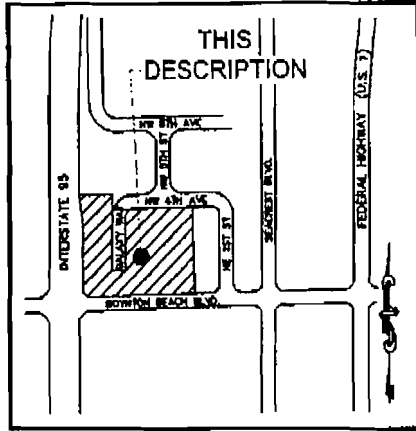
LEGAL DESCRIPTION OF REPLACEMENT SCHOOL PROPERTY

# EXHIBIT "C" TO ICA

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (¼) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 702.29 FEET; THENCE DEPARTING SAID SOUTH LINE NORTH 00°13'31" WEST, A DISTANCE OF 80.54 FEET TO THE POINT OF BEGINNING BEING A POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AND THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SHEET 1, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING FOUR DESCRIBED COURSES; (1) NORTH 37°26'36" WEST, A DISTANCE OF 86.49 FEET; (2) NORTH 02°11'00" WEST, A DISTANCE OF 438.57 FEET; (3) NORTH 09°51'41" WEST, A DISTANCE OF 160.30 FEET; (4) NORTH 01°57'31" WEST, A DISTANCE OF 43.78 FEET; THENCE DEPARTING SAID EASTERLY LINE NORTH 88°11'43" EAST, A DISTANCE OF 362.43 FEET TO A POINT ON THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE WEST LINE OF THE EAST ONE-HALF (E. ½) OF THE SOUTHWEST ONE-QUARTER (S.W. ¼) OF THE SOUTHWEST ONE-QUARTER (S.W. ¼) OF SAID SECTION 21; THENCE SOUTH 01°57'31" EAST, ALONG SAID WEST LINE AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 157.54 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF N.W. 4TH AVENUE, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2226, PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID WEST LINE NORTH 89°48'14" EAST, AND ALONG SAID WESTERLY EXTENSION AND SOUTH LINE, A DISTANCE OF 331.18 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN 20.00 FOOT ALLEY AS SHOWN ON RIDGEWOOD HILLS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, ON PAGE 250, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID ALLEY LINE ALSO BEING THE EAST LINE OF THE EAST ONE-HALF (E. ½) OF THE SOUTHWEST ONE-QUARTER (S.W. ¼) OF SAID SECTION 21, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 01°51'44" WEST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 574.21 FEET TO A POINT ON NORTH RIGHT-OF-WAY LINE OF STATE ROAD 804 (BOYNTON BEACH BOULEVARD); THENCE DEPARTING SAID EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO DESCRIBED COURSES; (1) NORTH 89°20'08" WEST, A DISTANCE OF 330.38 FEET; (2) NORTH 88°43'58" WEST, A DISTANCE OF 288.92 FEET TO THE POINT OF BEGINNING.



LOCATION MAP

NOT TO SCALE

SUBJECT TO ANY ADDITIONAL RIGHT-OF-WAY.

CONTAINING 433,795 SQUARE FEET (9.96) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#8860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. THE PORTION OF THE DESCRIPTION HEREON LYING WEST OF THE WEST LINE AND THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANORS WAS ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD PER SOUTHEAST GUARANTY & TITLE, INC. SEARCH NO. 2904012 CERTIFIED THROUGH APRIL 5TH, 2009 @ 8:00 A.M. THAT PORTION LYING EAST OF THE ABOVE DESCRIBED WEST LINE WAS NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS DESCRIBED UNDER MY DIRECTION ON JANUARY 12, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION GALAXY REPLACEMENT SCHOOL

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.

consulting engineers  
301 EAST ATLANTIC BOULEVARD  
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(954) 788-3400 FAX (954) 788-3500  
EMAIL: [moss@keith-associates.com](mailto:moss@keith-associates.com) LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 07554.01-SKD Replacement School.dwg

DATE 01/12/10

SCALE 1"=200'

FIELD BK. N/A

DWG. BY DDB

CHK. BY MMM

DATE	REVISIONS
1/14/10	BOUNDARY REVISED

BY: *[Signature]*  
DATE: 01/14/10



SCALE: 1"=200'

(R/W PER F.D.O.T. SECTION 93220-2412 SHEET 1 OF 17)

INTERSTATE 95

EASTERN LIMITED ACCESS  
RIGHT-OF-WAY LINE  
OF INTERSTATE 95

ACREAGE  
S.W. 1/4 SEC. 21-45-43

WEST LINE OF  
RIDGEWOOD MANOR  
O.R.B. 207, PG. 116  
P.B.C.R.  
SEC 21-45-43

N.W. 6TH AVENUE

RIDGEWOOD MANOR  
P.B. 24, PG. 175,  
P.B.C.R.

N.W. 5TH STREET

RIDGEWOOD HILLS  
P.B. 23, PG. 250, P.B.C.R.

35' R/W PER  
O.R.B. 2226, PG.  
1037, P.B.C.R.

N.W. 4TH AVENUE

SOUTH R/W LINE  
N.W. 4TH AVENUE  
O.R.B. 2226, PG. 1037,  
P.B.C.R.

SOUTHERLY EXTENSION  
WEST LINE OF  
RIDGEWOOD MANOR  
WESTERLY EXTENSION  
E. R/W PER O.R.B.  
2226, PG. 1037, P.B.C.R.

30' R/W PER  
O.R.B. 2226, PG.  
1037, P.B.C.R.  
THIS AREA TO BE  
VACATED

10' FP&L EASEMENT  
CLAIM BY USAGE

ACREAGE  
S.W. 1/4 SEC. 21-45-43

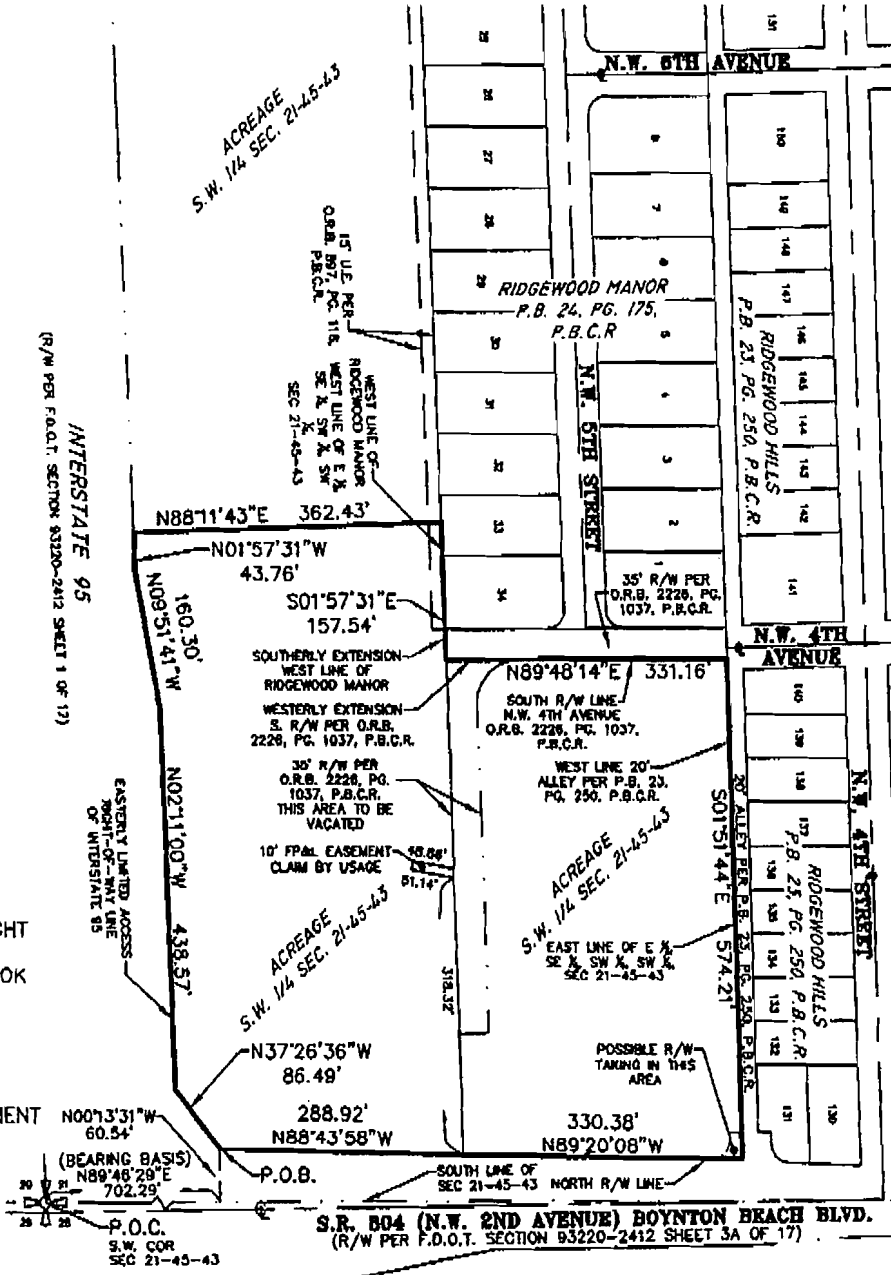
ACREAGE  
S.W. 1/4 SEC. 21-45-43

EAST LINE OF E &  
M & SW & SW &  
SEC 21-45-43

POSSIBLE R/W  
TAKING IN THIS  
AREA

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- FP&L FLORIDA POWER & LIGHT
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- U.E. UTILITY EASEMENT
- R RADIUS
- Δ CENTRAL ANGLE
- ∠ ARC LENGTH
- ⊙ CENTERLINE
- SECTION CORNER



**SKETCH & DESCRIPTION  
GALAXY REPLACEMENT  
SCHOOL**  
A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2  
DRAWING NO. 07594.01-SKD Replacement School.dwg

DATE 01/12/10  
SCALE 1"=200'  
FIELD BK. N/A  
DWNG. BY DDB  
CHK. BY MMM

DATE	REVISIONS
1/14/10	BOUNDARY REVISED

REVISIONS: 07594.01-SKD Replacement School.dwg  
07594.01-SKD Replacement School.dwg

EXHIBIT "D"  
REPLACEMENT PARK SITE PLAN

**GALAXY PARK**

**List of Park Elements**

Irrigation - Field and Park  
Soil  
Sod - Field and Park  
Fencing - Field and Park  
Back Stop  
Dugouts  
Benches for Field  
Clay  
Bases and Plates  
Lighting - (Reuse of Existing)  
Bleachers  
Park Furniture  
Playground  
Landscaping  
Mulch - Playground  
Water Fountain  
Bike Rack  
Tennis Courts  
Restroom/Shelter  
Parking

**EXHIBIT "E"**

**LEGAL DESCRIPTION OF REPLACEMENT PARK PROPERTY**

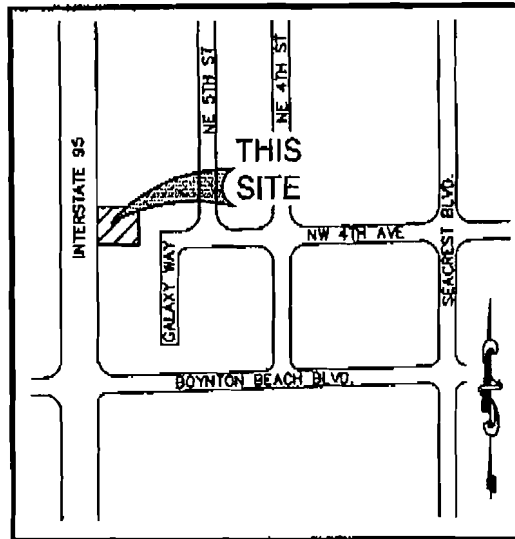


**LEGAL DESCRIPTION:**

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 173, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 779.86 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°11'43" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 481.78 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 88°02'40" EAST, A DISTANCE OF 362.43 FEET TO A POINT ON THE SAID EAST AND WEST LINE; THENCE SOUTH 01°57'31" EAST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 482.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 174,784 SQUARE FEET (4.01) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.



**LOCATION MAP**  
NOT TO SCALE

**SURVEY NOTES:**

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#8860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON NOVEMBER 30, 2009 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

**SKETCH & DESCRIPTION**  
**REPLACEMENT PARK**

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA



consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mal@keith-associates.com LB NO. 8860

SHEET 1 OF 2  
DRAWING NO. 07554.01-SKD-01.dwg

DATE 11/30/09

SCALE 1"=180'

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE REVISIONS

DATE	REVISIONS

PL 07554.01.dwg  
07554.01-01.dwg



**EXHIBIT "F"**  
**ESCROW AGREEMENT**

## ESCROW AGREEMENT

THIS ESCROW AGREEMENT is made on this 25 day of ~~January~~<sup>May</sup>, 2010 by and between the City of Boynton Beach, Florida, a Florida municipal corporation (hereinafter the "City"), and the School Board of Palm Beach County, Florida, a corporate body politic existing under the laws of the State of Florida (hereinafter the "School Board").

### WITNESSETH

WHEREAS, on Feb. 23, 2010, the City and the School Board entered into an Interlocal Agreement for the Development and Use of The Galaxy Elementary Replacement School; (hereinafter the "ILA") for the exchange of certain Park property owned by the City as described on Exhibit "A" attached hereto and incorporated herein (hereinafter the "City Property") and for certain Replacement Park property owned by the School Board as described on Exhibit "B" attached hereto and incorporated herein (hereinafter the "Replacement Park Property") as more particularly described in the ILA;

WHEREAS, the City Property is adjacent to certain real property owned by the School Board on which the existing Galaxy Elementary School is located (hereinafter the "School Board Property");

WHEREAS, the School Board is desirous of constructing the Galaxy Elementary Replacement School on the City Property and a portion of the School Board Property.

WHEREAS, the School Board is willing to construct, at its expense, replacement recreational facilities on the Replacement Park Property and to convey the property and improvements to the City upon completion of the Galaxy Elementary Replacement School.

WHEREAS, the City and the School Board have agreed to close the transaction and exchange the properties in accordance with the terms and provision of the ILA, provided that the Deed from the School Board to the City for the Replacement Park Property (hereinafter the "Replacement Park Deed"), the Deed from the County releasing the reverter right in City Property in favor of the School Board ("County Deed") and the Deed from the City to the School Board for the City Property (hereinafter the "City Property Deed") shall be held in escrow along with monies in the appropriate amount to cover recording fees for each of the Deeds to secure the School Board's conveyance of the Replacement Park Property to the City upon the completion of the Galaxy Elementary Replacement School, but in any event, no later than March 1, 2013.

WHEREAS, the City and the School Board further agree to name the law firm of Goren, Cherof, Doody & Ezrol, P.A. to act as escrow agent and hold the Replacement Park Deed and the City Property Deed in escrow in accordance with the terms and conditions set forth below;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. **Appointments** – GOREN, CHEROF, DOODY & EZROL, P.A. (the “Escrow Agent”) is hereby appointed escrow agent with respect to the subject matter of this Agreement, upon the terms and conditions hereinafter set forth.
2. **Escrow Deed; Duties of Escrow Agent** - Escrow Agent hereby agrees to hold in escrow three Deeds: 1) The City Property Deed conveying to the School Board the City Property; 2) the County Deed releasing the reverter right in City Property in favor of the School Board; and 3) The Replacement Park Deed conveying to the City the Replacement Park Property.

In performance of duties hereunder, Escrow Agent shall give consideration only to the provisions of this Agreement and the provisions of the ILA in pari materia. The Escrow Agent is not a party to, nor is it bound by, nor need it give consideration to, the terms and provisions of any other agreements or undertakings between the City and the School Board or either of them and third parties, and Escrow Agent has no duty to determine or inquire into the happening or occurrence of any event or contingency or the performance or failure of performance with respect to other provisions of this Agreement or with respect to arrangements, agreements or contracts with each other or others. Escrow Agent’s sole duty hereunder shall be to comply with the terms and provisions of this Agreement.

3. **Recording** – Once the School Board has, at its expense, completed the construction of the recreational facilities on the Replacement Park Property, the School Board shall provide written notice to the City and the Escrow Agent. Not later than fifteen (15) days following City’s and Escrow Agent’s receipt of notice from School Board that the Replacement Park construction has been completed and the Replacement Park Property is ready for public use and accepted by the City, the Escrow Agent shall record the Replacement Park Deed in the Public Records of Palm Beach County, Florida. The Replacement Park Property shall be deemed completed when the Park facilities as set forth in the ILA as Exhibit D are fully operational and the Replacement Park Property has received all required governmental approvals.

However, in the event the School Board fails to complete construction of the recreational facilities on the Replacement Park Property or provide the written notice of completion to the City and Escrow Agent on or before March 1, 2013, the Escrow Agent shall proceed to record the Replacement Park Deed in the Public Records of Palm Beach County, Florida. Escrow Agent’s responsibility to proceed is conditioned upon the ILA is not terminated by either party. The Escrow Agent shall provide copies of correspondence and the recording of the Replacement Park Deed to the City and the School Board. Upon recording of the Replacement Park Deed by the Escrow Agent, Escrow Agent shall thereby be discharged and released from any liability under this Agreement.

The City Property Deed which conveys the City Property to the School Board and the County Deed will be recorded in the public records of Palm Beach County by the Escrow Agent not later than fifteen (15) days following City’s and Escrow Agent’s receipt of notice from School Board that School Board is prepared to commence construction on the Replacement School.

4. **Notices** - Any notice or demand given or required by any party hereunder shall be in writing and shall be sufficiently given or served by being deposited, postage prepaid, in a United States Post Office depository, sent by registered mail or certified mail, return receipt requested as follows:

If to City: City of Boynton Beach, Florida  
100 E. Boynton Beach Blvd.  
Boynton Beach, FL 33425  
Attention: Kurt Bressner, City Manager

With a Copy to: James A. Cherof, Esq.  
GOREN, CHEROF, DOODY & EZROL, P.A.  
3099 East Commercial Boulevard, Suite 200  
Fort Lauderdale, Florida 33308  
Tel: (954) 771-4500  
Fax: (954) 771-4923

If to School Board: The School Board of Palm Beach County  
3661 Interstate Park Road N.  
Suite 200  
Riviera Beach, FL 33404  
Attn: Barry I. Present, Director

With a Copy to: Blair R. LittleJohn, III  
3318 Forest Hill Blvd., Suite C-302  
West Palm Beach, FL 33406  
Telephone: 561-434-7471  
Fax: 561-357-7647

If to Escrow Agent: James A. Cherof, Esq.  
GOREN, CHEROF, DOODY & EZROL, P.A.  
3099 East Commercial Boulevard, Suite 200  
Fort Lauderdale, Florida 33308  
Tel: (954) 771-4500  
Fax: (954) 771-4923

Escrow Agent may act upon any written notice, request waiver, certificate, receipt, authorization, power of attorney or other instrument or document which complies with the terms hereof and which Escrow Agent in good faith believes to be genuine and to be what it purports to be.

5. **Disputes; Exculpation**

- (1) In the event that a dispute shall arise as to the disposition of any contents of the

Escrow, Escrow Agent shall either hold the same or at Escrow Agent's election, deposit the same with a court of competent jurisdiction pending the decision of such court, and Escrow Agent shall be entitled to rely upon the decision of such court with respect to the disposition of such Deeds, after the expiration of any appeal period.

- (2) In the event of any dispute, Escrow Agent shall be entitled to consult with its counsel and be reimbursed for all expenses of such consultation with respect to its duties as Escrow Agent and shall be further entitled to all reasonable expenses incurred in connection with such consultation. All such expenses shall be paid from funds deposited herein to the extent such deeds are sufficient.
  - (3) Escrow Agent is hereby released and exculpated of all liability whatsoever arising out of or in connection with its activities as Escrow Agent hereunder, except to the extent of loss or damage caused by its willful misconduct or gross negligence.
  - (4) Escrow Agent may act or refrain from acting in respect to any matter referred to herein in full compliance upon and by and with the advice of counsel which may be selected by Escrow Agent and shall be fully protected in so acting or in refraining from acting upon the advice of such counsel.
  - (5) The City and the School Board hereby agree to indemnify and hold Escrow Agent harmless from and against any and all claims, liabilities, judgments, attorney(s) fees and other expenses of every kind or nature arising out of this Agreement, other than such claims resulting from the willful misconduct, or gross negligence of Escrow Agent.
  - (6) Escrow Agent shall not be required to institute or defend any action or legal process involving any matter referred to herein which in any manner affects its duties or liabilities hereunder, unless or only as requested to do so by the City and the School Board and then only upon receiving full indemnity in an amount, and of such character, as Escrow Agent shall reasonably require, against any and all claims, liabilities, judgments, attorney(s) fees and other expenses of every kind in relation thereto. Any such sums are to be paid by the party whose position is not sustained.
6. **Counterparts** - This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute and be one and the same instrument.
7. **Captions** - The paragraph headings of this Agreement are for convenience or reference only and shall not be construed as defining or limiting the scope of any provisions hereof.
8. **Controlling Law** - This Agreement shall be construed and enforced in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, the parties have hereunder set their hands as of this day and year first above written.

CITY OF BOYNTON BEACH, FLORIDA,  
a Florida municipal corporation

By: *James Taylor*  
Title: Mayor

Signed on: 3-2-10

THE SCHOOL BOARD OF PALM  
BEACH COUNTY, FLORIDA

By: *Monroe Benaim*  
Title: Chairman

By: *Arthur C. Johnson*, Ph.D  
Title: Superintendent

Board Approval Date: 2/10/10

ESCROW AGENT:  
GOREN, CHEROF, DOODY & EZROL, P.A.

By: *James A. Cherof*  
Title: Esq.

Signed on May 25, 2010.

Approved As To Form  
And Legal Sufficiency  
*Blair* 1/20/10

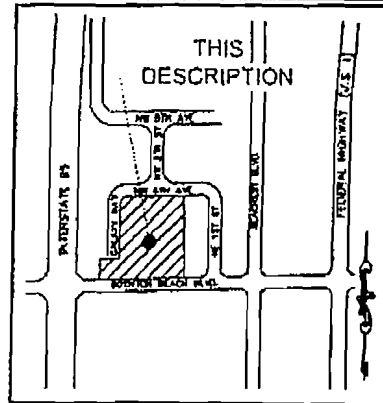


# EXHIBIT "A" TO ESCROW A6'MT

## LEGAL DESCRIPTION:

A PORTION OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95. SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST AND WEST LINE, NORTH 01°57'31" WEST, A DISTANCE OF 53.04 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SHEET J-A, SECTION 93220-2412, DATED MAY 5TH, 1970 AND POINT OF BEGINNING; THENCE CONTINUING NORTH 01°57'31" WEST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 139.28 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID GALAXY WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2226, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST AND WEST LINE NORTH 88°02'29" EAST AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID GALAXY WAY; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWO DESCRIBED COURSES: (1) NORTH 01°57'31" WEST, A DISTANCE OF 377.34 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; (2) NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 91°45'45", AN ARC DISTANCE OF 80.08 FEET TO A POINT OF TANGENCY ON THE SOUTH RIGHT-OF-WAY OF N.W. 4TH AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2226, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, AND ALONG SAID SOUTH RIGHT-OF-WAY, NORTH 89°48'14" EAST, A DISTANCE OF 244.58 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN 20.00 FOOT ALLEY AS SHOWN ON RIDGEWOOD HILLS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, ON PAGE 250, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID ALLEY LINE ALSO BEING THE EAST LINE OF THE EAST ONE-HALF (E. 1/2) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, SOUTH 01°51'44" EAST A DISTANCE OF 574.21 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD), THENCE DEPARTING SAID ALLEY LINE AND EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°20'08" WEST A DISTANCE OF 330.38 FEET TO THE POINT OF BEGINNING.



LOCATION MAP  
NOT TO SCALE

SUBJECT TO ANY ADDITIONAL RIGHT-OF-WAY.

CONTAINING 173,372 SQUARE FEET (3.98) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B. 8860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61C17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON JANUARY 12, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61C17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION GALAXY PARK

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.

consulting engineers

301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mmossey@keith-associates.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 07554.01-SKD Park.dwg

DATE 01/12/10

SCALE 1"=100'

FIELD BK. N/A

DWG. BY DDB

CHK. BY MMW

DATE REVISIONS

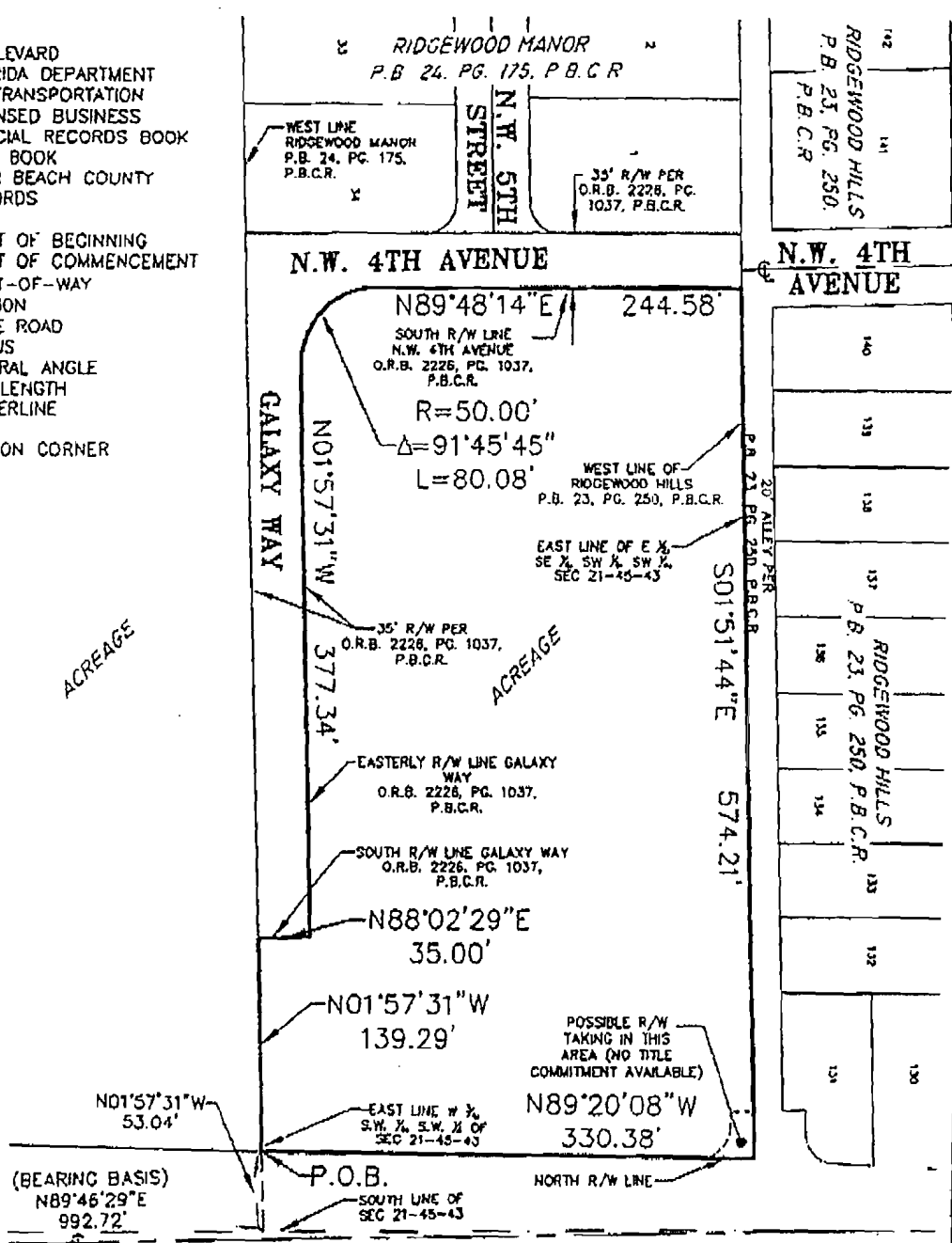
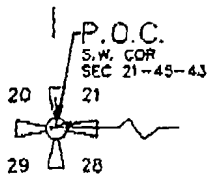
1. If you are using this drawing, you must use the 1/2"=50' Plotting Scale.

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- C CENTERLINE
- SECTION CORNER



SCALE: 1"=100"



S.R. 804 (N.W. 2ND AVENUE) BOYNTON BEACH BLVD.  
(R/W PER F.D.O.T. SECTION 93220-2412 SHEET 3A OF 17)

**SKETCH & DESCRIPTION  
GALAXY PARK**

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

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POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: madd@keith-associates.com LB HQ 6660

SHEET 2 OF 2  
DRAWING NO. 07554.01-SKD Park.dwg

DATE 01/12/10  
SCALE 1"=100'  
FIELD BK. N/A  
DMMG. BY DDB  
CHK. BY MMM

DATE	REVISIONS

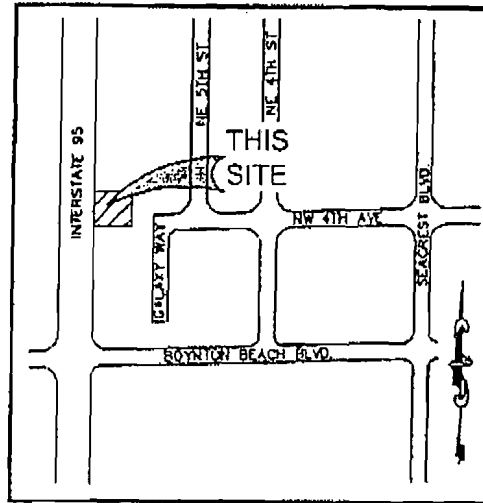
# EXHIBIT "B" TO ESCROW AGMT

## LEGAL DESCRIPTION:

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 779.86 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°11'43" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 481.78 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 88°02'40" EAST, A DISTANCE OF 362.43 FEET TO A POINT ON THE SAID EAST AND WEST LINE; THENCE SOUTH 01°57'31" EAST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 482.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 174,784 SQUARE FEET (4.01) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.



LOCATION MAP  
NOT TO SCALE

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6880.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON NOVEMBER 30, 2009 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION REPLACEMENT PARK

A PORTION OF THE SOUTHWEST 1/4, OF  
SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mma@kwith-associates.com LB NO. 6880

SHEET 1 OF 2

DRAWING NO. 07554.01-SKD-01.dwg

DATE 11/30/09

SCALE 1"=160'

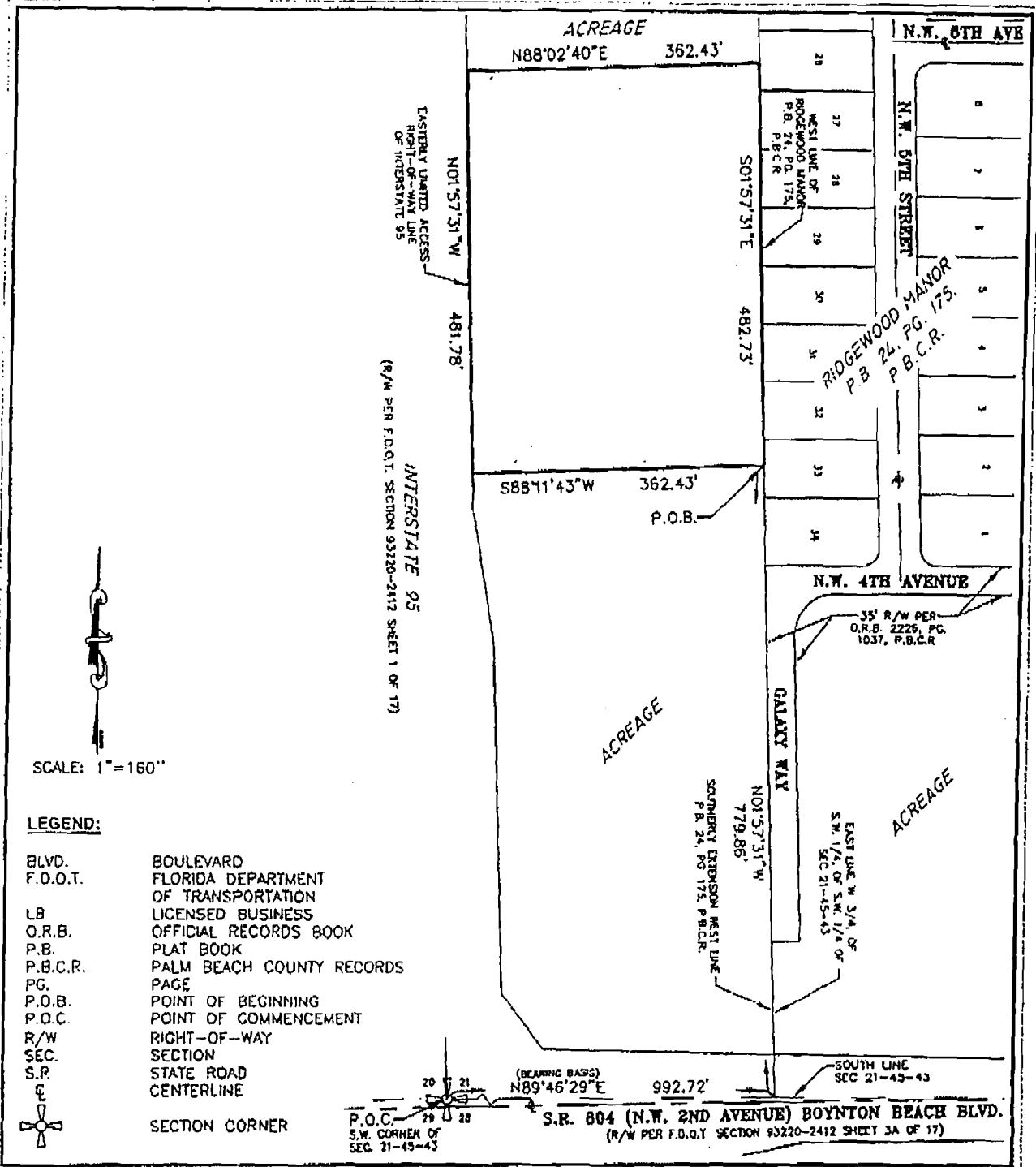
FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE REVISIONS

© 2009 Keith Associates, Inc. - 301 East Atlantic Blvd.  
Pompano Beach, FL 33060-6643



**SKETCH & DESCRIPTION**  
**REPLACEMENT PARK**

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6880

SHEET 2 OF 2  
DRAWING NO. 07554 01-SK0-01.dwg

DATE 11/30/09  
SCALE 1"=160'  
FIELD BK. N/A  
DWNG. BY DDB  
CHK. BY MWM

DATE	REVISIONS

EXHIBIT "G1"

This instrument prepared by:  
Blair Littlejohn, Esq.  
School Board of Palm Beach County, Florida  
3318 Forest Hill Blvd. C-302  
West Palm Beach, FL 33406

RETURN TO:

PCNs:

(Space Reserved for Clerk of Court)

This **SPECIAL WARRANTY DEED**, is made and given this 27 day of JANUARY 20  , by the City of Boynton Beach, Florida, a Florida municipal corporation (the "Grantor"), to and in favor of the School Board of Palm Beach County, Florida, a corporate body politic pursuant to the constitution of the State of Florida, whose address is 3661 Interstate Park Road North, Suite 200, Riviera Beach, Florida 33404 (the "Grantee").

**GRANTOR**, for and in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell, to Grantee, and Grantee's heirs, successors and assigns forever, the following property situate, lying and being in Palm Beach County, Florida (the "Property"), to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**THIS CONVEYANCE** is subject to: (a) taxes and assessments for the year 20   and subsequent years not yet due or payable; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; and (c) easements, conditions, restrictions, matters, limitations and reservations of record, if any, but this reference shall not operate to reimpose any of the same; and (d) matters which would be disclosed by an accurate survey of the Property.

Pursuant to Section 270.11, Florida Statutes, the Grantor has elected not to reserve any phosphate, minerals, metals or petroleum interests in the subject property.

**TO HAVE AND TO HOLD** unto Grantee and Grantee's heirs, successors and assigns in fee simple forever.

**GRANTOR** hereby warrants the title to the Property, subject to the foregoing matters, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor and no others.

**AND** Grantor hereby represents and warrants to Grantee that the Property is not now, nor has it ever been, the homestead of Grantor, and that the Property is not now, nor has it ever been, contiguous to the homestead of Grantor.

[signature follows on next page]

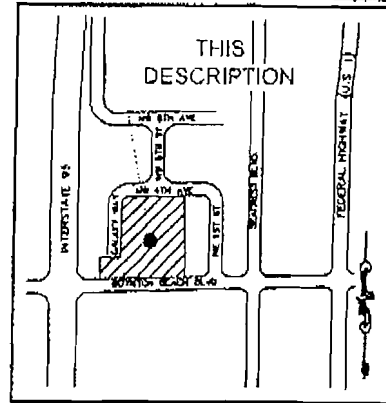


# EXHIBIT "A"

## LEGAL DESCRIPTION:

A PORTION OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST AND WEST LINE, NORTH 01°57'31" WEST, A DISTANCE OF 53.04 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SHEET 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970 AND POINT OF BEGINNING; THENCE CONTINUING NORTH 01°57'31" WEST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 139.29 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID GALAXY WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2228, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST AND WEST LINE NORTH 88°02'29" EAST AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID GALAXY WAY; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWO DESCRIBED COURSES: (1) NORTH 01°57'31" WEST, A DISTANCE OF 377.34 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; (2) NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 91°45'45", AN ARC DISTANCE OF 80.08 FEET TO A POINT OF TANGENCY ON THE SOUTH RIGHT-OF-WAY OF N.W. 4TH AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2228, ON PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, AND ALONG SAID SOUTH RIGHT-OF-WAY, NORTH 89°48'14" EAST, A DISTANCE OF 244.58 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN 20.00 FOOT ALLEY AS SHOWN ON RIDGEWOOD HILLS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, ON PAGE 250, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID ALLEY LINE ALSO BEING THE EAST LINE OF THE EAST ONE-HALF (E. 1/2) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, SOUTH 01°51'44" EAST A DISTANCE OF 574.21 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD), THENCE DEPARTING SAID ALLEY LINE AND EAST LINE AND ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°20'08" WEST A DISTANCE OF 330.38 FEET TO THE POINT OF BEGINNING.



LOCATION MAP

NOT TO SCALE

SUBJECT TO ANY ADDITIONAL RIGHT-OF-WAY.

CONTAINING 173,372 SQUARE FEET (3.98) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#8860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON JANUARY 12, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. WOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION GALAXY PARK

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST  
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33069-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: m@keith-and-associates.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 07554-D1-SKD Park.dwg

DATE 01/12/10

SCALE 1"=100'

FIELD BK. N/A

DWNG. BY DOB

CHK. BY MWM

DATE	REVISIONS

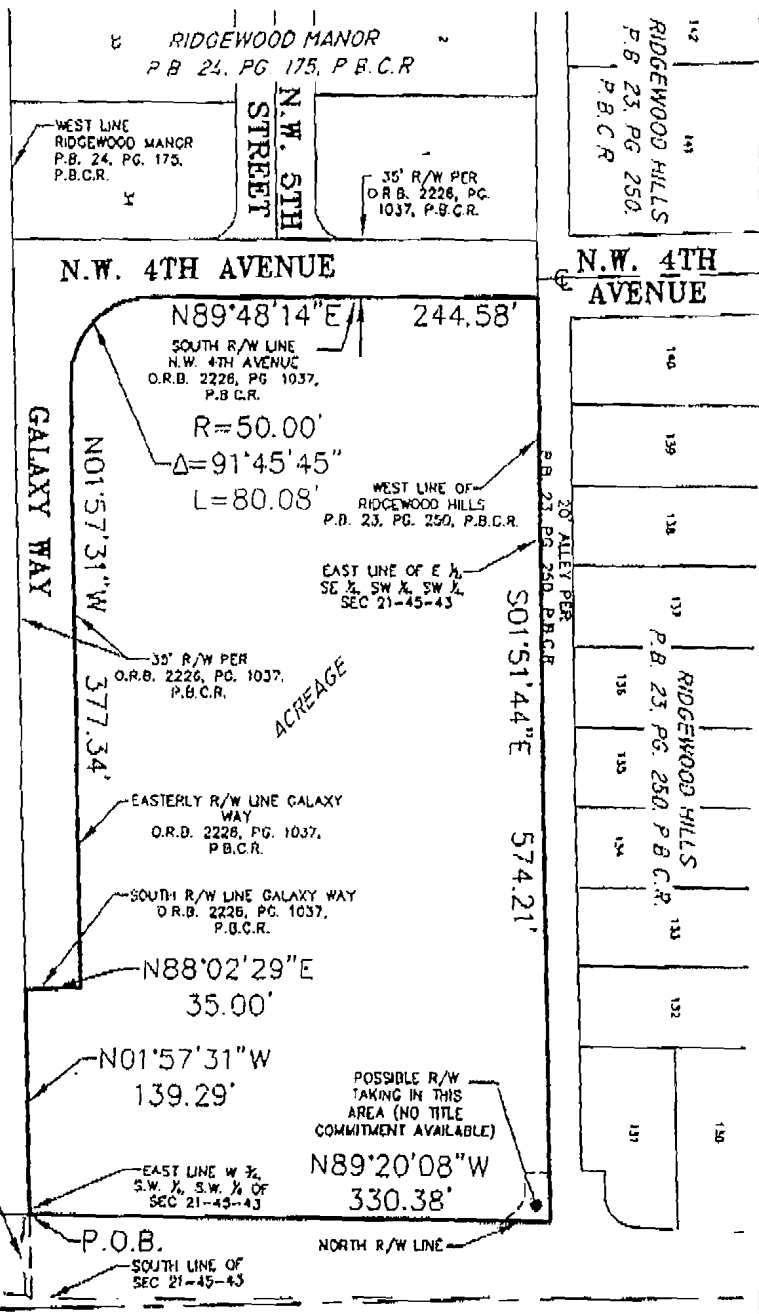
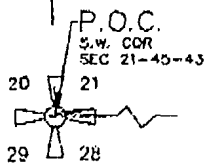
1/12/10 10:00 AM  
P5418-92 Part 04

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAY BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- R. RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- ☩ SECTION CORNER



SCALE: 1"=100"



**S.R. 804 (N.W. 2ND AVENUE) BOYNTON BEACH BLVD.**  
 (R/W PER F.D.O.T. SECTION 93220-2412 SHEET 3A OF 17)

**SKETCH & DESCRIPTION  
 GALAXY PARK**

A PORTION OF THE SOUTHWEST 1/4.  
 OF SECTION 21, TOWNSHIP 45 SOUTH,  
 RANGE 43 EAST  
 CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA



consulting engineers  
 301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@keith-associates.com LB NO 6800

SHEET 2 OF 2  
 DRAWING NO. 07554.01-SKD Park.dwg

DATE 01/12/10  
 SCALE 1"=100'  
 FIELD BK. N/A  
 DWNG. BY ODB  
 CHK BY MMM

DATE	REVISIONS

REVISIONS: 01/12/10 City Planning 2008/01/10  
 01/12/10 200 Rev 001



Exhibit "62"

This instrument prepared by:  
Blair Littlejohn, Esq.  
School Board of Palm Beach County, Florida  
3318 Forest Hill Blvd. C-302  
West Palm Beach, FL 33406

RETURN TO:

PCNs:

(Space Reserved for Clerk of Court)

This **SPECIAL WARRANTY DEED**, is made and given this 10th day of February 2010, by the School Board of Palm Beach County, Florida, a corporate body politic pursuant to the constitution of the State of Florida (the "Grantor"), to and in favor of the City of Boynton Beach, Florida, a Florida municipal corporation, whose address is P.O. Box 310, Boynton Beach, FL, 33425-0310 (the "City") in fee and subject to a reverter right in favor of Palm Beach County, a political subdivision of the State of Florida, whose address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791 (the "County") as more fully set forth herein.

**GRANTOR**, for and in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration paid by City and County, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell, to City, and City's heirs, successors and assigns forever, the following property situate, lying and being in Palm Beach County, Florida (the "Property"), to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**THIS CONVEYANCE** is subject to: (a) taxes and assessments for the year 20\_\_ and subsequent years not yet due or payable; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; (c) easements, conditions, restrictions, matters, limitations and reservations of record, if any, but this reference shall not operate to reimpose any of the same; and (d) matters which would be disclosed by an accurate survey of the Property.

Pursuant to Section 270.11, Florida Statutes, the Grantor has elected not to reserve any phosphate, minerals, metals or petroleum interests in the subject property.

**TO HAVE AND TO HOLD** unto the City and the City's successors and assigns in fee simple forever, PROVIDED, however, that should the Property not be used for a public purpose for a period of sixty consecutive months, the same shall automatically revert to the County. This reverter right is created pursuant to that certain Interlocal Agreement between The School Board of Palm Beach County, Florida, The City of Boynton Beach and Palm Beach County For The Development and Use of The Galaxy Elementary Replacement School dated March 2, 2010.

**TOGETHER** with a perpetual non-exclusive easement ("Easement") for purposes of access, ingress and egress, including but not limited to vehicular and pedestrian traffic, over and upon the real property located in Palm Beach County, Florida, described as:

See Exhibit "B" attached hereto and made a part hereof (hereinafter referred to as the "Easement Premises").

**THE CONDITIONS OF THIS EASEMENT ARE SUCH THAT:**

1. This Easement shall be an easement appurtenant to the Property and shall inure to the benefit of City and shall burden Grantor, and their successors and assigns, and shall run with title to the Property; this Easement may not be transferred or assigned separately or apart from the Property.

2. The grant of this Easement shall in no way restrict the right and interest of the Grantor in the use, maintenance and quiet enjoyment of the Easement Premises to the extent that such does not interfere with the rights granted herein.

3. City shall neither construct any improvements on nor make any alterations to the Easement Premises without the prior written consent of the Grantor, which consent shall not be unreasonably withheld.

4. City shall promptly repair at its sole cost and expense any and all damage to the Easement Premises caused by City's use thereof, using materials of like kind and quality.

5. Grantor and City each acknowledge the waiver of sovereign immunity for liability in tort contained in Florida Statutes Section 768.28, the State of Florida's partial waiver of sovereign immunity, and acknowledge that such statute permits actions at law to recover damages in tort for money damages up to the limits set forth in such statute for death, personal injury or property caused by the negligent or wrongful acts or omissions of an employee acting within the scope of the employee's office or employment. Grantor and City agree to be responsible for all such claims and damages, to the extent and limits provided in Florida Statutes Section 768.28, arising from the actions of their respective employees. The parties acknowledge that the foregoing shall not constitute an agreement by either party to indemnify the other, nor a waiver of sovereign immunity, nor a waiver of any defense that the parties may have under such statute, nor as consent to be sued by third parties. The parties agree to maintain insurance coverage or be self-insured for general liability, worker's compensation and employer's liability insurance in accordance with Chapter 440, Florida Statutes, as may be amended from time to time.

6. The grant of Easement contained herein is for the use and benefit of City, its successor, and assigns and is not intended and shall not be construed as a dedication to the public of any portion of the Easement Premises for public use.

7. Grantor hereby retains all rights relating to the Easement Premises not specifically conveyed by this Easement including the right to use the Easement Premises and any improvements now existing or constructed hereinafter therein, and the right to grant to third parties

---

additional easements in the Easement Premises or the right to use the improvements therein provided any such use by Grantor or third parties does not interfere with the rights granted herein.

8. In the event that a party fails or refuses to perform any term, covenant, or condition of this Easement for which a specific remedy is not set forth in this Easement, the other party shall, in addition to any other remedies provided at law or in equity, have the right of specific performance and injunctive relief.

9. This Easement shall be governed by, construed and enforced in accordance with, the laws of the State of Florida. Venue in any action, suit or proceeding in connection with this Easement shall be in a state court of competent jurisdiction in Palm Beach County, Florida.

10. Neither party shall be considered the author of the terms of this Easement and the terms of this Easement shall not be strictly construed against one party as opposed to the other party based upon who drafted it. In the event that any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not effect the remaining portions of this Easement and the same shall remain in full force and effect.

11. By recording this instrument in the Public Records of Palm Beach County, Florida, City accepts and agrees to be bound by the terms of this Easement.

**GRANTOR** hereby warrants the title to the Property, subject to the foregoing matters, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor and no others.

**AND** Grantor hereby represents and warrants to Grantee that the Property is not now, nor has it ever been, the homestead of Grantor, and that the Property is not now, nor has it ever been, contiguous to the homestead of Grantor.

[Signatures on following page]

IN WITNESS WHEREOF, Grantor has signed these presents the day and year first above written.

**GRANTOR:**

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, a corporate body politic

By: Monroe Benaim M.D.  
Monroe Benaim, M.D., Chairman

ATTEST:

By: Arthur C. Johnson, Ph.D.  
Arthur C. Johnson, Ph.D., Superintendent

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature] 1/26/10  
School Board Attorney

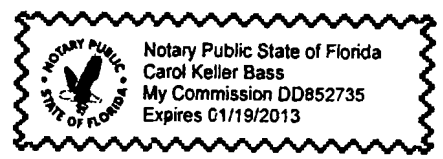
STATE OF FLORIDA )  
                                  ) SS:  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Monroe Benaim, M.D., and Arthur C. Johnson, Ph.D., as the Chairman and Superintendent, respectively, of The School Board of Palm Beach County, Florida, a corporate body politic, freely and voluntarily on behalf of said corporate body politic. They are personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this <sup>CKB</sup> 10<sup>th</sup> day of February, 20 10.

Carol Keller Bass  
Notary Public  
CAROL KELLER BASS  
Print Name

My Commission Expires: 01/19/2013



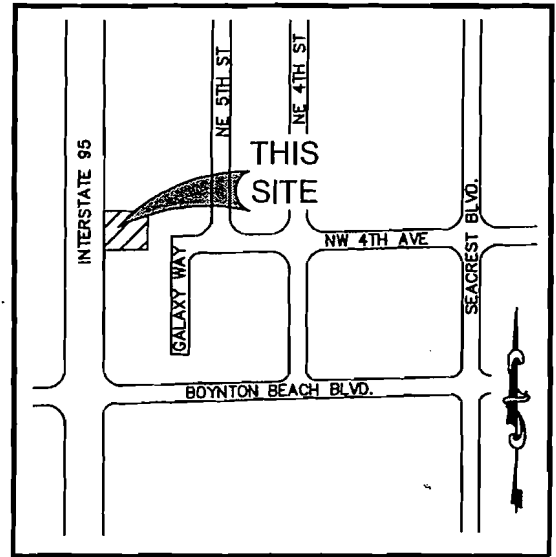
# EXHIBIT "A" TO SCHOOL BOARD DEED

## LEGAL DESCRIPTION:

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 779.86 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°11'43" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 481.78 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 88°02'40" EAST, A DISTANCE OF 362.43 FEET TO A POINT ON THE SAID EAST AND WEST LINE; THENCE SOUTH 01°57'31" EAST ALONG SAID EAST AND WEST LINE, A DISTANCE OF 482.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 174,784 SQUARE FEET (4.01) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.



LOCATION MAP

NOT TO SCALE

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON NOVEMBER 30, 2009 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION REPLACEMENT PARK

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07554.01-SKD-01.dwg

DATE 11/30/09

SCALE 1"=160'

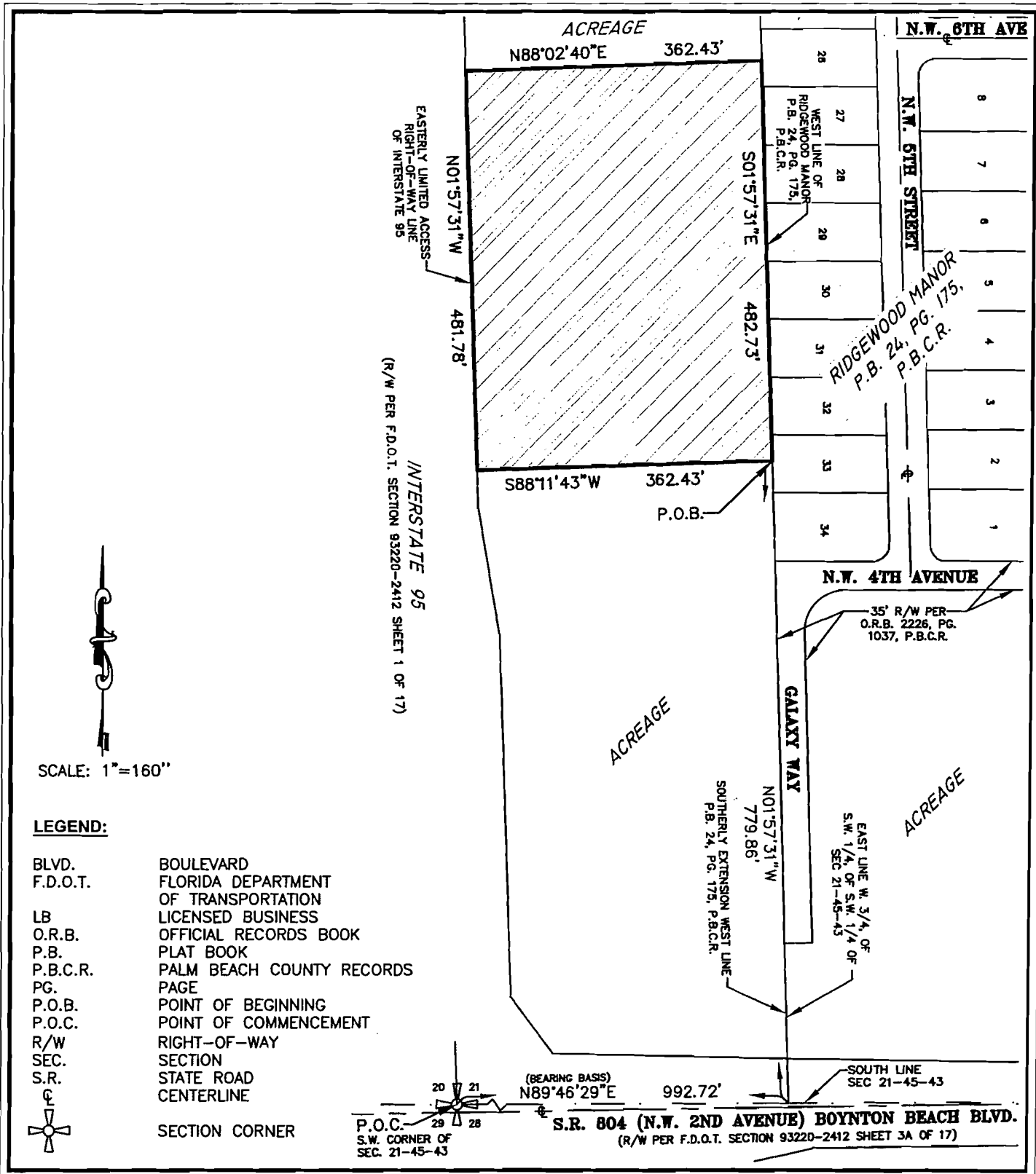
FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE REVISIONS

NO. 10/25/09 Library Dictionary - 9/20/06 Survey 07554.01-SKD-01.dwg



# SKETCH & DESCRIPTION REPLACEMENT PARK

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

# KEITH ASSOCIATES INC.

consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 07554.01-SKD-01.dwg

DATE 11/30/09

SCALE 1"=160'

FIELD BK. N/A

DWG. BY DDB

CHK. BY MMM

DATE	REVISIONS

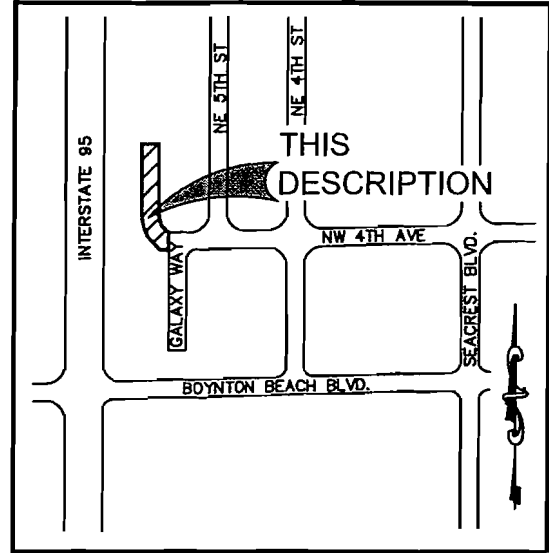
07554.01-SKD-01.dwg

# EXHIBIT "B" TO SCHOOL BOARD DEED

## LEGAL DESCRIPTION:

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 609.95 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE NORTH 45°38'09" WEST, A DISTANCE OF 35.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 43°40'38", AN ARC DISTANCE OF 45.74 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°57'31" WEST, A DISTANCE OF 103.42 FEET; THENCE NORTH 88°11'43" EAST, A DISTANCE OF 26.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF THAT CERTAIN 15-FOOT UTILITY EASEMENT, AS DESCRIBED IN OFFICIAL RECORDS BOOK 897, PAGE 118, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°57'31" EAST ALONG SAID WEST LINE, A DISTANCE OF 103.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE DEPARTING SAID WEST LINE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 34.00 FEET, A CENTRAL ANGLE OF 56°00'34", AN ARC DISTANCE OF 33.24 FEET TO AN INTERSECTION WITH SAID EAST AND WEST LINE; THENCE ALONG SAID EAST AND WEST LINE SOUTH 01°57'31" EAST, A DISTANCE OF 38.78 FEET TO THE POINT OF BEGINNING.



LOCATION MAP

NOT TO SCALE

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 4,186 SQUARE FEET MORE OR LESS.

## SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD PER SOUTHEAST GUARANTY & TITLE, INC. SEARCH NO. 2904012 CERTIFIED THROUGH APRIL 5TH, 2009 @ 8:00 A.M.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON JANUARY 15, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

## SKETCH & DESCRIPTION ACCESS EASEMENT

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.

consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 07554.01-SKD-Access EasementLdwg

DATE 01/15/10

SCALE 1"=160'

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE	REVISIONS

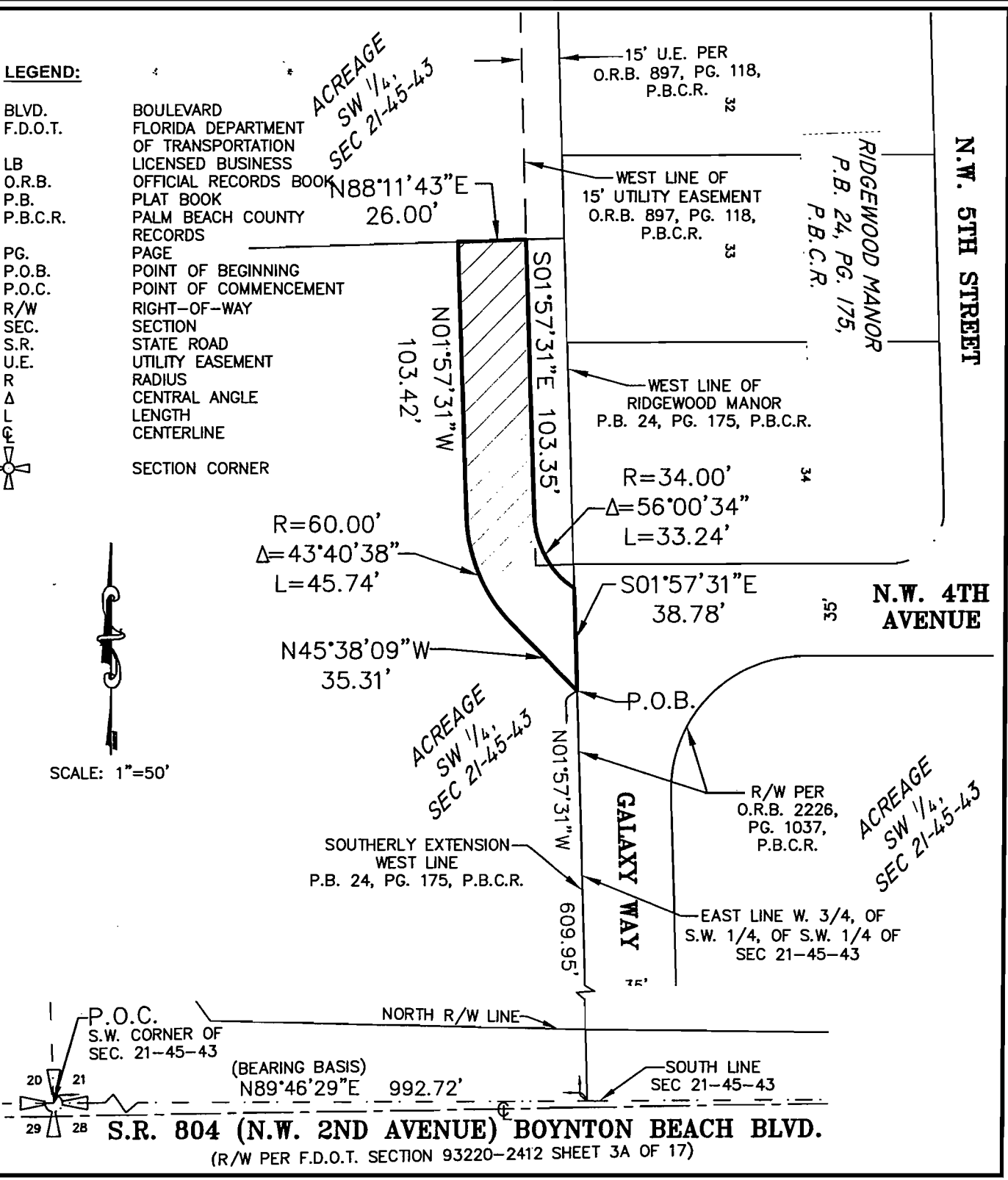
KEITH ASSOCIATES, INC. Survey - 50198-1 Survey  
07554.01-SKD-Access EasementLdwg

**LEGEND:**

BLVD. BOULEVARD  
 F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION  
 LB LICENSED BUSINESS  
 O.R.B. OFFICIAL RECORDS BOOK  
 P.B. PLAT BOOK  
 P.B.C.R. PALM BEACH COUNTY RECORDS  
 PG. PAGE  
 P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT  
 R/W RIGHT-OF-WAY  
 SEC. SECTION  
 S.R. STATE ROAD  
 U.E. UTILITY EASEMENT  
 R RADIUS  
 Δ Δ CENTRAL ANGLE  
 L L LENGTH  
 C CENTERLINE  
 SECTION CORNER



SCALE: 1"=50'



**SKETCH & DESCRIPTION  
 ACCESS EASEMENT**

A PORTION OF THE SOUTHWEST 1/4,  
 OF SECTION 21, TOWNSHIP 45 SOUTH,  
 RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
 ASSOCIATES INC.  
 consulting engineers  
 301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 07554.01-SKD-Access Easement.dwg

DATE 01/15/10  
 SCALE 1"=50'  
 FIELD BK. N/A  
 DWNG. BY DDB  
 CHK. BY MMM

DATE	REVISIONS

JK 107554.01 Galaxy Elementary - 507601.dwg  
 07554.01-SKD-Access Easement.dwg



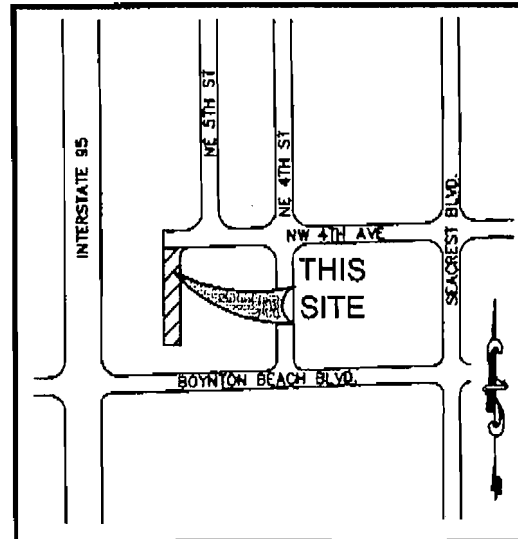
**EXHIBIT "H"**

**LEGAL DESCRIPTION OF GALAXY WAY RIGHT-OF-WAY**

**LEGAL DESCRIPTION:**

A PORTION OF THE PREVIOUSLY DEDICATED RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 2226, PAGE 1037 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA SAID PORTION LYING IN THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST IN PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°57'31" EAST, ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID RIDGEWOOD MANOR, 35.02 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID RIGHT-OF-WAY AND THE POINT OF BEGINNING; THENCE, ALONG SAID WESTERLY EXTENSION, NORTH 89°48'14" EAST, 86.58 FEET TO A POINT OF CUSP OF CURVE CONCAVE TO THE SOUTHEAST; THENCE, ALONG A PORTION OF SAID PREVIOUSLY DEDICATED RIGHT-OF-WAY THE FOLLOWING FOUR DESCRIBED COURSES; (1) SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 91°45'45", AND AN ARC DISTANCE OF 80.08 FEET TO A POINT OF TANGENCY; (2) SOUTH 01°57'31" EAST, 377.34 FEET; (3) SOUTH 88°02'29" WEST, 35.00 FEET TO A POINT ON THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21 SAID LINE ALSO BEING SAID SOUTHERLY EXTENSION; THENCE NORTH 01°57'31" WEST, ALONG SAID EAST LINE AND SOUTHERLY EXTENSION, 429.98 FEET, TO THE POINT OF BEGINNING.



**LOCATION MAP**  
NOT TO SCALE

SAID LANDS LYING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY FLORIDA, CONTAINING 15,607 SQUARE FEET (0.358 ACRES) MORE OR LESS.

**SURVEY NOTES:**

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON NOVEMBER 30, 2009 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

**SKETCH & DESCRIPTION**

RIGHT-OF-WAY VACATION  
A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

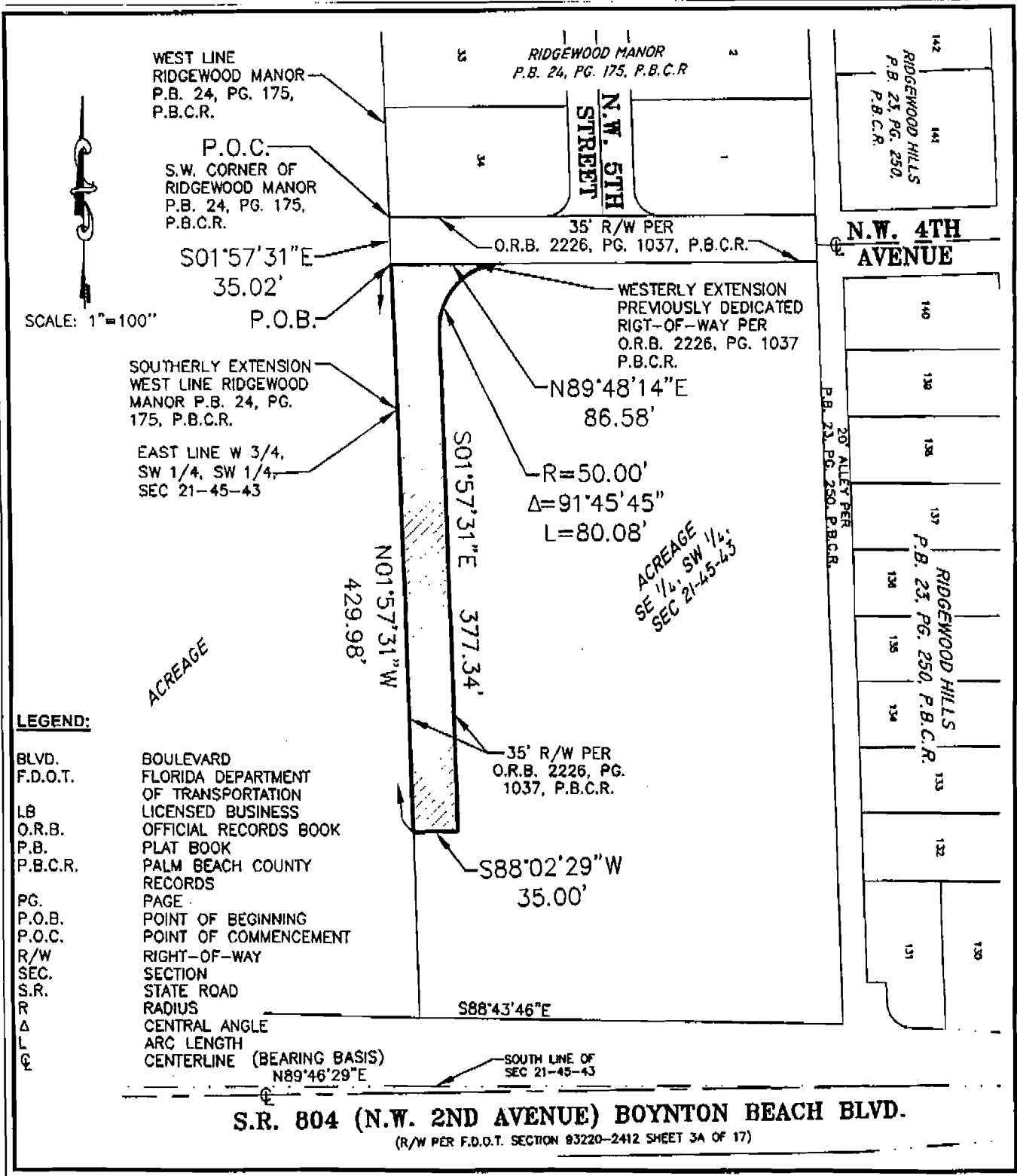
**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07554.01-SKD-02.dwg

DATE 11/30/09  
SCALE 1"=100'  
FIELD BK. N/A  
DWNG. BY DDB  
CHK. BY MMM

DATE	REVISIONS

FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS  
07554.01-02.dwg



SCALE: 1"=100"

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- ☉ CENTERLINE (BEARING BASIS)

**S.R. 804 (N.W. 2ND AVENUE) BOYNTON BEACH BLVD.**  
 (R/W PER F.D.O.T. SECTION 83220-2412 SHEET 3A OF 17)

**SKETCH & DESCRIPTION**

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES INC.**  
 consulting engineers

301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: malk@keith-associates.com LB NO. 6880

SHEET 2 OF 2

DRAWING NO. 07554.01-SKD-02.dwg

DATE 11/30/09

SCALE 1"=100'

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE	REVISIONS

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA  
THE CITY OF BOYNTON BEACH  
FOR THE CONVEYANCE, DEVELOPMENT AND MUTUAL USE OF  
THE PRESERVATION PROPERTY

This Interlocal Agreement ("Agreement") entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the School Board of Palm Beach County, Florida, (the "School Board"), a corporate body politic existing under the laws of the State of Florida and the City of Boynton Beach, Florida, ("City") a Florida municipal corporation. The School Board and City are hereinafter individually referred to as the "Party" or collectively as the "Parties".

WITNESSETH:

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies, as defined therein, to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the School Board owns certain real property described on Exhibit "A" attached hereto and incorporated herein by reference adjacent to the future City Replacement Park ("Preservation Property"); and

WHEREAS, the School Board is willing to convey the Preservation Property to the City subject to certain use restrictions and with a reversionary right on the Preservation Property; and

WHEREAS, the City is willing to accept title subject to certain use restrictions and a reversionary right on the Preservation Property; and

WHEREAS, the City is willing to construct improvements on the Preservation Property and be responsible for any fees, permits, use and maintenance costs, and adequate security of the Preservation Property. The City shall communicate any plans with the Fish and Wildlife Conservation Commission; and

WHEREAS, the parties' mission is to utilize the Preservation Property and improvements to further environmental education, environmental stewardship, environmental research and environmental curricula serving all ages and educational levels; and

WHEREAS, the School Board and the City desire to cooperate in the development of the Preservation Property by providing to each other certain rights and benefits in accordance with the terms and conditions contained herein;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

#### SECTION 1: INCORPORATION OF RECITALS.

The above recitals are true and incorporated as though fully set forth herein.

#### SECTION 2: DEFINITIONS.

The following terms when used in this Interlocal Agreement shall have the following meanings:

- (a) Closing. The delivery of a Deed by the School Board to the City.
- (b) Closing Date. The Closing for the conveyance of the Preservation Property to the City shall occur not later than thirty (30) days following School Board's approval of this Interlocal Agreement. It is currently anticipated that the Closing under this subparagraph will be held no later than May 1, 2012.
- (c) Deed. A Special Warranty Deed, which shall convey the Preservation Property from School Board to City, substantially in the form attached as Exhibit "B".
- (d) Effective Date. The Effective Date of this Agreement shall be the date upon which this Agreement is executed by both parties.
- (e) School Board's Address. School Board's mailing address is Director, Planning and Real Estate Services, 3300 Forest Hill Blvd., Suite C-110, West Palm Beach, FL, 33406 with a copy to Chief Counsel, P.O. Box 19239, West Palm Beach, FL 33416.
- (f) City's Address. City's mailing address is P.O. Box 310, Boynton Beach, FL, 33425-0310, with copy to Donald J. Doody, Esquire, 3099 E. Commercial Boulevard, Fort Lauderdale, Florida 33308.
- (g) Title Inspection Period. Shall mean fifteen (15) days after receipt of a title commitment for the Preservation Property.
- (h) Other Definitions. The terms defined in any part of this Agreement shall have the defined meaning wherever capitalized herein. Wherever appropriate in this Agreement, the singular shall be deemed to refer to the plural and the plural to the singular, and pronouns of each gender shall be deemed to comprehend either or both of the other genders. As used in this Agreement, the terms "herein", "hereof" and the like refer to this Agreement in its entirety and not to any specific section or subsection.

SECTION 3: DEVELOPMENT OF PRESERVATION PROPERTY. The City shall, at its expense, construct a Greenway, nature trail, sidewalk and pathway markers, maintain the Preservation Property, be responsible for the cost, care and maintenance of the

Preservation Property, and the cost of all fees and permits. The City acknowledges that The Education Foundation of Palm Beach County ("EFPBC"), on behalf of the School Board, has received a \$20,000 grant from The Batchelor Foundation, Inc. ("Batchelor") to fund the purchase of trees and improvements to benefit gopher tortoises on the Preservation Property, as set forth in the EFPBC's proposal letter dated November 2, 2011 to Batchelor. The City agrees to cooperate with the EFPBC regarding the expenditure of the grant funds.

#### SECTION 4: CONVEYANCE OF PRESERVATION PROPERTY.

(a) Within fifteen (15) days after the Effective Date: (i) the City may, at its option and expense, obtain a title commitment (a "Commitment") from an authorized title agent (the "Title Agent") for the issuance of an ALTA Form "B" Marketability Owner's Title Insurance Policy (the "Title Policy") covering the Preservation Property (the "Title Company"); (ii) the City may, at its option and expense, obtain a survey of the Preservation Property (a "Survey") which shall be prepared by a registered land surveyor, certify the acreage of the parcel to 1/100<sup>th</sup> of an acre and be certified to the Parties, the Title Agent and counsel for the City.

(b) Within fifteen (15) days after receipt of the Commitment covering the Preservation Property, respectively, and the Survey (the "Title Review Period"), the City shall deliver to the School Board written notice (the "Title Objection Letter") of any matters set forth in the Commitment or on the Survey to which it objects (the "Title Defects"). Within ten (10) days after the Title Review Period (the "Title Response Period"), the School Board shall advise the City in writing (the "Title Response Letter") which Title Defects it will satisfy and/or correct by Closing, and the School Board shall be obligated to satisfy and/or correct all Title Defects that it agrees to satisfy and/or correct in its Title Response Letter. If the School Board refuses to satisfy and/or correct by Closing all of the Title Defects set forth in the Title Objection Letter it received, then the City shall have the right, but not the obligation, to terminate this Agreement by giving written notice of such termination to the School Board within five (5) days after the Title Response Period (the "Title Termination Period"), whereupon, this Agreement shall terminate and the Parties shall be released from any and all obligations, each to the other, under this Agreement.

(c) If the City fails to deliver a Title Objection Letter to the School Board prior to the expiration of the Title Review Period, then (except as otherwise expressly set forth in subparagraph (d) below) all matters shown in the Commitment and on the Survey shall be "Permitted Exceptions" (as hereinafter defined). If the School Board fails to deliver a Title Response Letter to the City prior to the expiration of the Title Response Period, then none of the Title Defects set forth in the Title Objection Letter received by the School Board shall be Permitted Exceptions. If a Party fails to terminate this Agreement prior to the expiration of the Title Termination Period, then such Party shall have waived its right to terminate this Agreement under this subparagraph (c). Except as otherwise provided in subparagraph (d) below, the term "Permitted Exceptions" shall mean: (i) real property taxes for the year of Closing and subsequent years not yet due and payable; and (ii) those Schedule B-II Exceptions of a Commitment and those matters shown on a Survey: (1) that the City does not object to

in its Title Objection Letter; (2) that are objected to in its Title Objection Letter but which the School Board refuses to satisfy and/or correct as set forth in its timely given Title Response Letter; (3) apply only to the City (e.g., certificates of good standing, resolutions, etc.).

(d) Notwithstanding anything to the contrary contained in this Agreement (including, without limitation, subparagraphs (b) and (c) above), none of the following shall be Permitted Exceptions: (i) the Schedule B-1 Requirements of a Commitment (other than those that specifically apply only to the City); (ii) the Schedule B-II Standard Exceptions of a Commitment (other than the standard survey exception); (iii) any claim, lien, charge or liability affecting the Preservation Property covered by a Commitment that can be satisfied and discharged at Closing by payment of a liquidated amount (including, without limitation, mortgages and related loan documents); and (iv) any matter of record whether or not created (or permitted to be created) by, through or under the School Board first appearing in the public record or first known to the City after the original effective date of such Commitment. On or before Closing, the School Board shall be obligated to have satisfied, deleted and/or discharged from the Commitment and/or public record, as applicable, all matters set forth in (i) through (iv) above.

(e) The City shall pay: (i) the cost of the Commitment; (ii) the cost of the premium for the "Title Policy" (as hereinafter defined) for the Preservation Property; (iii) the cost of the Survey; (iv) the cost of recording the "Deed" (as hereinafter defined); and (v) the cost of satisfying and correcting title and survey matters in accordance with subparagraph (d).

(f) At Closing, the School Board shall deliver the Deed, in recordable form, conveying to the City good, marketable and insurable fee simple title to the Preservation Property, subject only to the use restrictions and reversionary rights set forth in the Deed and the Permitted Exceptions. The Deed from the School Board to the City shall contain the use restrictions and reversionary rights substantially in the following form:

As a material inducement to Grantor to convey the Property to Grantee and as part of the consideration for this conveyance, Grantor hereby imposes a restrictive covenant on the Property that it be used only for public park purposes and Grantee, for itself and its successors and assigns, covenants and agrees to abide by such restrictive covenant and not to permit such land to be used for any purpose contrary to or inconsistent with the permitted use. Grantee accepts this conveyance subject to such restrictive covenant and acknowledges that it runs with the title to the Property.

It is the intent of the parties that the restrictive covenant and reversionary rights set forth herein shall not be subject to the limitations set forth in §689.18(4), F.S. as this deed constitutes a conveyance to a governmental entity under the provisions of §689.18(5), F.S. The foregoing restrictive covenant and reversionary rights may only be amended, released or terminated by recording an appropriate document amending, waiving or terminating such restrictive

covenant and reversionary rights, executed by the Grantor or its successors in interest.

TO HAVE AND TO HOLD unto the City and the City's successors and assigns in fee simple forever, PROVIDED, however, that should the Property not be used for a public park purpose for a period of twelve (12) consecutive months, then in addition to all other rights and remedies available to Grantor at law and/or in equity, the Grantor has the right, but not the obligation, to require Grantee, upon delivery of written notice to Grantee, to, within thirty (30) days, convey back the Property to Grantor free and clear of all liens, encumbrances and other matters of title, other than those matters already encumbering the Property on the date this deed is recorded and free and clear of all environmental conditions in violation of any applicable environmental laws. This reverter right is created pursuant to that certain Interlocal Agreement between The School Board of Palm Beach County, Florida and The City of Boynton Beach For The Development and Mutual Use of The Preservation Property dated \_\_\_\_\_.

(g) A "Title Affidavit" in usual and customary form, together with any other affidavits, documents or other information necessary to satisfy and/or delete: (i) the Schedule B-I Requirements of the Commitment covering the Property then being conveyed; (ii) the Schedule B-II Standard Exceptions of the Commitment covering the Property then being conveyed (including, without limitation, the "gap exception", the "mechanic's lien exception", and the "parties-in-possession exception"); and (iii) all other matters that are not Permitted Exceptions.

(h) An affidavit confirming that the School Board is not a "foreign person" within the meaning of the U.S. tax laws and to which reference is made in the Internal Revenue Code, Section 1445, as amended.

(i) Closing, unless otherwise extended pursuant to the terms of this Agreement, shall take place at the law offices of the counsel for the City. Closing may be extended by mutual agreement of the Parties and evidenced by an amendment to this Agreement. For purposes of this subparagraph, the School Board's Superintendent, or his designee, shall be authorized to approve any extension of Closing and is authorized to execute an amendment to this Agreement extending the Closing on behalf of the School Board without the need for any further action or approval of the School Board. For purposes of this subparagraph, the City's City Manager shall be authorized to approve any extension of Closing and is authorized to execute an amendment to this Agreement extending the Closing on behalf of the City without the need for any further action or approval of the City Commission.

#### SECTION 5: PERMITS FOR CONSTRUCTION OF IMPROVEMENTS.

The City shall be responsible for all fees and shall be responsible for obtaining the necessary building permits required for the construction of the improvements described in this Agreement. The City shall have primary responsibility and the School Board shall cooperate and assist the City in obtaining all necessary permits from third-party



regulatory agencies, including but not limited to the South Florida Water Management District.

#### SECTION 6: MUTUAL USE OF PRESERVATION PROPERTY

The School Board shall have the exclusive right to use the Preservation Property during normal school hours, inclusive of normal after-school operational hours ("School Hours"). The City shall have use of the Preservation Property during weekdays after School Hours, student school holidays, weekends and all other times that the School is closed. The City shall be responsible for the perpetual maintenance of the Preservation Property at its sole cost and expense. All regular maintenance of the Preservation Property by the City shall be conducted after School Hours, on student school holidays or weekends, holidays or summer break. In the event that the City determines that maintenance of the Preservation Property must be done during School Hours as a result of exigent circumstances, the City shall notify the Galaxy Elementary School Principal in advance of the nature and duration of the work and shall take reasonable precautions to protect the safety of students, faculty and staff while the work is being performed.

#### SECTION 7: DEFAULT.

The parties agree that, in the event any party is in default of its obligations under this Agreement, the non-defaulting party shall provide to the defaulting party thirty (30) days written notice to cure the default. In the event the defaulting party fails to cure the default within the thirty (30) day cure period, the non-defaulting party shall be entitled to seek any remedy available to it at law or equity, including, but not limited to, the right to terminate this Agreement and seek damages, if any or specific performance.

#### SECTION 8: DISPUTE RESOLUTION.

In the event an issue arises which cannot be resolved between the Galaxy Elementary School Principal and the City's Director of Recreation Services regarding the interpretation or application of any provision of this Agreement, the dispute shall be referred to the Board's Chief of Support Operations (or the individual in the equivalent position in the event that the Chief of Support Operation position no longer exists) and the City Manager who shall both make a good faith effort to resolve the dispute.

#### SECTION 9: NOTICE.

Unless otherwise specifically provided herein, all notices to be given hereunder shall be in writing and sent to the School Board Address or City Address, by hand delivery; certified mail, return receipt requested, postage prepaid; by a nationally recognized overnight courier service; or by facsimile transmission. Any such notice shall be deemed given upon the earlier of receipt by the addressees if hand delivered (or attempted delivery if refused by the intended recipient thereof), on the next business day after deposit with a recognized overnight courier service, on the day given if sent by facsimile transmission provided that the party making such delivery receives an electronic confirmation setting forth the proper phone number receiving such facsimile transmission and that the entire transmission has been properly received by the

addressee without communication error, or on the third (3<sup>rd</sup>) day following deposit thereof in the United States mail.

**SECTION 10: GOVERNING LAW AND VENUE.**

This Agreement shall be construed by and governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held in Palm Beach County.

**SECTION 11: EQUAL OPPORTUNITY PROVISION.**

The parties agree that no person shall, on the grounds of race, color, sex, national origin, disability, religion, ancestry, marital status, sexual orientation or gender identity or expression be excluded from the benefits of, or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

**SECTION 12: CAPTIONS.**

The captions and section designations set forth herein are for convenience only and shall have no substantive meaning.

**SECTION 13: SEVERABILITY.**

In the event that any section, paragraph, sentence, clause, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

**SECTION 14: ENTIRETY OF AGREEMENT.**

This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, either written or oral, relating to this Agreement.

**SECTION 15: INCORPORATION BY REFERENCE.**

Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Agreement by reference.

**SECTION 16: AMENDMENT.**

Except as otherwise provided for in this Agreement, this Agreement may be modified and amended only by written instrument executed by the parties hereto.

**SECTION 17: WAIVER.**

No waiver of any provision of this Agreement shall be effective against any party hereto unless it is in writing and signed by the party waiving such provision. A written waiver shall only be effective as to the specific instance for which it is obtained and shall not be deemed a continuing or future waiver.

SECTION 18: CONSTRUCTION.

Neither party shall be considered the author of this Agreement since the parties have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final Agreement. Thus, the terms of this Agreement shall not be strictly construed against one party as opposed to the other party based upon who drafted it.

SECTION 19: FILING.

A copy of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County pursuant to Section 163.01(11), Florida Statutes.

SECTION 20: EFFECTIVE DATE.

This Agreement shall become effective when approved and executed on behalf of both of the Parties and filed with the Clerk of the Circuit Court in and for Palm Beach County.

SECTION 21: NO THIRD PARTY BENEFICIARIES.

This Agreement is made solely and specifically among and for the benefit of the Parties hereto, and their respective successors and assigns subject to the express provisions hereof relating to successors and assigns, and no other person shall have any rights, interest, or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third-party beneficiary or otherwise.

SECTION 22: ASSIGNMENT.

Neither this Agreement nor any interest herein may be assigned, transferred or encumbered by either party without the prior written consent of the other party. There shall be no partial assignments of this Agreement including, without limitation, the partial assignment of any right to receive payments.

SECTION 23: ATTORNEY'S FEES.

Any costs or expenses (including reasonable attorney's fees) associated with the enforcement of the terms and conditions of this Agreement shall be borne by the respective parties; provided, however, that this clause pertains only to the parties to the Agreement.

SECTION 24: AUTHORITY.

Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

SECTION 25: BINDING EFFECT.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

#### SECTION 26: COMPLIANCE WITH LAWS.

Each party shall comply with all applicable federal and state laws, codes, rules and regulations in performing its duties, responsibilities and obligations pursuant to this Agreement.

#### SECTION 27: CONSTRUCTION.

The parties acknowledge that they have sought and obtained whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations herein and that the preparation of this Agreement has been their joint effort. The language agreed to herein expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

#### SECTION 28: COUNTERPARTS.

This Agreement may be executed in any number of counterpart copies, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

#### SECTION 29: TERM OF AGREEMENT.

This Agreement shall run in perpetuity unless terminated by mutual agreement of the parties.

#### SECTION 30: FORCE MAJEURE.

No party shall be obligated to perform any duty, requirement or obligation under this Agreement if such performance is prevented by fire, hurricane, earthquake, explosion, wars, sabotage, accident, flood, acts of God, strikes, or other labor disputes, riot or civil commotions, or by reason of any other matter or condition beyond the control of any party, and which cannot be overcome by reasonable diligence and without unusual expense ("Force Majeure"). In no event shall a lack of funds on the part of any party be deemed Force Majeure.

#### SECTION 31: NO AGENCY RELATIONSHIP.

Neither party is an agent or servant of the other. No person employed by either party to this Agreement, shall in connection with the performance of this Agreement or any services or functions contemplated hereunder, at any time, be considered the employee of the other party, nor shall an employee claim any right in or entitlement to any pension, worker's compensation benefit, unemployment compensation, civil service, or other employee rights or privileges granted by operation of law or otherwise, except through and against the party by whom they are employed.

#### SECTION 32: RECORDS.

Each party shall maintain its own respective records and documents associated with this Agreement in accordance with the records retention requirements applicable to public records. Each party shall be responsible for compliance with any public documents request served upon it pursuant to Section 119.07, Florida Statutes, and any resultant award of attorney's fees for non-compliance with that law.

SECTION 33: SURVIVAL.

Provisions contained in this Agreement that, by their sense and context, are intended to survive the suspension or termination of this Agreement, shall so survive.

SECTION 34: WAIVER OF JURY TRIAL.

EACH OF THE PARTIES HERETO HEREBY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES THE RIGHT EITHER OF THEM MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION BASED HEREON, OR ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT.

CITY OF BOYNTON BEACH, FLORIDA,  
a Florida municipal corporation

BY: \_\_\_\_\_  
ITS: \_\_\_\_\_, Mayor

Attest:  
BY: \_\_\_\_\_

ITS: \_\_\_\_\_, City Clerk

City Commission Approval Date: \_\_\_\_\_

REVIEWED AND APPROVED AS TO  
LEGAL FORM

\_\_\_\_\_  
City Attorney's Office

Date: \_\_\_\_\_

THE SCHOOL BOARD OF PALM BEACH  
COUNTY, FLORIDA

REVIEWED AND APPROVED AS TO  
LEGAL FORM

  
\_\_\_\_\_  
School Board Attorney

Date: 3/21/12

BY \_\_\_\_\_  
Frank A. Barbieri, Jr. Esq., Chairman

BY \_\_\_\_\_  
E. Wayne Gent, Superintendent

Board Approval Date: \_\_\_\_\_

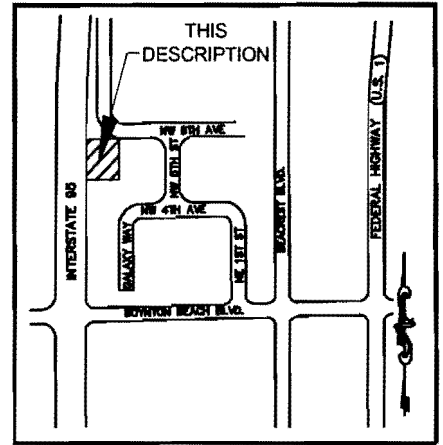
## INDEX OF EXHIBITS

EXHIBIT "A"	LEGAL DESCRIPTION OF SCHOOL BOARD PROPERTY
EXHIBIT "B"	SPECIAL WARRANTY DEED FORM FROM SCHOOL BOARD

**LEGAL DESCRIPTION:**

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 1209.55 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°02'40" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 718.74 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID RIDGEWOOD MANOR, SAID NORTH LINE ALSO BEING THE NORTH LINE OF THE SOUTH THREE-QUARTER (3/4) OF THE WEST ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 21; THENCE NORTH 89°53'59" EAST ALONG SAID NORTH LINE, 362.63 FEET TO THE NORTHWEST CORNER OF SAID RIDGEWOOD MANOR PLAT; THENCE SOUTH 01°57'31" EAST ALONG THE WEST LINE OF SAID PLAT ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTER (3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, A DISTANCE OF 707.00 FEET TO THE POINT OF BEGINNING.



**LOCATION MAP**  
NOT TO SCALE

CONTAINING 258,366 SQUARE FEET (5.93) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

**SURVEY NOTES:**

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD PER SOUTHEAST GUARANTY & TITLE, INC. SEARCH NO. 2904012 CERTIFIED THROUGH APRIL 5TH, 2009 @ 8:00 A.M.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JANUARY 13, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

*Michael M. Mossey*  
MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA

**SKETCH & DESCRIPTION**  
**CONSERVATION LAND**

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA



consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 07554.01

DATE 1/13/10

SCALE N/A

FIELD BK. N/A

DWG. BY S.M.

CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.

WESTERLY EXTENSION OF THE NORTH LINE OF RIDGEWOOD MANORS AND NORTH LINE W 1/4, S 1/4, W 1/2, S.W. 1/4, SEC 21-45-43

CHERRY HILLS P.B. 4, PG. 58, P.B.C.R.

NORTHWEST CORNER OF RIDGEWOOD MANORS P.B. 24, PG. 175, P.B.C.R.

N.W. 8TH AVE.

EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95

N89°53'59"E 362.63'  
S01°57'31"E 707.00'  
N01°57'31"W 718.74'

S88°02'40"W 362.43'

P.O.B.  
15' U.E. PER O.R.B. 897, PG. 118, P.B.C.R.

ACREAGE

N01°57'31"W 1209.55'  
SOUTHERLY EXTENSION WEST LINE OF RIDGEWOOD MANOR P.B. 24, PG. 175, P.B.C.R.

35' R/W PER O.R.B. 2226, PG. 1037, P.B.C.R.

ACREAGE

EAST LINE W 3/4, S.W. 1/4, S.W. 1/4, SEC 21-45-43

P.O.C. S.W. CORNER SEC 21-45-43

N89°46'29"E 992.72'  
(BEARING BASIS)  
SOUTH LINE SEC 21-45-43 ORIGINAL CENTERLINE S.R. 804 BOYNTON BEACH BLVD. (R/W PER F.D.O.T. SECTION 93220-2412 SHEET 3A OF 17)



SCALE: 1"=300'

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- U.E. UTILITY EASEMENT
- ☉ CENTERLINE
- ⊕ SECTION CORNER

**SKETCH & DESCRIPTION**  
**CONSERVATION LAND**

A PORTION OF THE SOUTHWEST 1/4, OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**  
consulting engineers

301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 07554.01

DATE 1/13/10

SCALE AS SHOWN

FIELD BK. N/A

DWG. BY S.M.

CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.



EXHIBIT "B"

This instrument prepared by:  
Blair LittleJohn, Esq.  
School Board of Palm Beach County, Florida  
3318 Forest Hill Blvd. C-302  
West Palm Beach, FL 33406

RETURN TO:

PCNs:

(Space Reserved for Clerk of Court)

This **SPECIAL WARRANTY DEED**, is made and given this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the School Board of Palm Beach County, Florida, a corporate body politic pursuant to the constitution of the State of Florida (the "Grantor"), to and in favor of the City of Boynton Beach, Florida, a Florida municipal corporation, whose address is P.O. Box 310, Boynton Beach, FL, 33425-0310 (the "City").

**GRANTOR**, for and in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration paid by City, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell, to City, and City's heirs, successors and assigns forever, the following property situate, lying and being in Palm Beach County, Florida (the "Property"), to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**THIS CONVEYANCE** is subject to: (a) taxes and assessments for the year 20\_\_\_\_ and subsequent years not yet due or payable; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; (c) easements, conditions, restrictions, matters, limitations and reservations of record, if any, but this reference shall not operate to reimpose any of the same; and (d) matters which would be disclosed by an accurate survey of the Property.

Pursuant to Section 270.11, Florida Statutes, the Grantor has elected not to reserve any phosphate, minerals, metals or petroleum interests in the subject property.

As a material inducement to Grantor to convey the Property to Grantee and as part of the consideration for this conveyance, Grantor hereby imposes a restrictive covenant on the Property that it be used only for public park purposes and Grantee, for itself and its successors and assigns, covenants and agrees to abide by such restrictive covenant and not to permit the Property to be used for any purpose contrary to or inconsistent with the permitted use. Grantee accepts this conveyance subject to such restrictive covenant and acknowledges that it runs with the title to the Property.

It is the intent of the parties that the restrictive covenant and reversionary rights set forth herein shall not be subject to the limitations set forth in §689.18(4), F.S. as this deed constitutes a conveyance to a governmental entity under the provisions of §689.18(5), F.S. The foregoing restrictive covenant and reversionary rights may only be amended, released or terminated by

recording an appropriate document amending, waiving or terminating such restrictive covenant and reversionary rights, executed by the Grantor or its successors in interest.

**TO HAVE AND TO HOLD** unto the City and the City's successors and assigns in fee simple forever, PROVIDED, however, that should the Property not be used for a public park purpose for a period of twelve (12) consecutive months, then in addition to all other rights and remedies available to Grantor at law and/or in equity, the Grantor has the right, but not the obligation, to require Grantee, upon delivery of written notice to Grantee, to, within thirty (30) days, convey back the Property to Grantor free and clear of all liens, encumbrances and other matters of title, other than those matters already encumbering the Property on the date this deed is recorded and free and clear of all environmental conditions in violation of any applicable environmental laws. This reverter right is created pursuant to that certain Interlocal Agreement between The School Board of Palm Beach County, Florida and The City of Boynton Beach For The Development and Mutual Use of The Preservation Property dated \_\_\_\_\_.

**GRANTOR** hereby warrants the title to the Property, subject to the foregoing matters, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor and no others.

**IN WITNESS WHEREOF**, Grantor has signed these presents the day and year first above written.

**GRANTOR:**

ATTEST:

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, a corporate body politic

By: \_\_\_\_\_  
E. Wayne Gent, Superintendent

By: \_\_\_\_\_  
Frank A. Barbieri, Jr., Esq., Chairman

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
School Board Attorney

STATE OF FLORIDA            )  
  ) SS:  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Frank A. Barbieri, Jr., Esq., and E. Wayne Gent, as the Chairman and Superintendent, respectively, of The School Board of Palm Beach County, Florida, a corporate body politic, freely and voluntarily on behalf of said corporate body politic. They are personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print Name

**LEGAL DESCRIPTION:**

A PORTION OF THE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 95, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 992.72 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF RIDGEWOOD MANOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24, ON PAGE 175, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID WEST LINE ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTERS (W. 3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21; THENCE, DEPARTING SAID SOUTH LINE, NORTH 01°57'31" WEST AND ALONG SAID EAST AND WEST LINE A DISTANCE OF 1209.55 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST AND WEST LINE SOUTH 88°02'40" WEST, A DISTANCE OF 362.43 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE 95) AS SHOWN ON THE RIGHT-OF-WAY MAP 3-A, SECTION 93220-2412, DATED MAY 5TH, 1970; THENCE NORTH 01°57'31" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 718.74 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID RIDGEWOOD MANOR, SAID NORTH LINE ALSO BEING THE NORTH LINE OF THE SOUTH THREE-QUARTER (3/4) OF THE WEST ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF SAID SECTION 21; THENCE NORTH 89°53'59" EAST ALONG SAID NORTH LINE, 362.63 FEET TO THE NORTHWEST CORNER OF SAID RIDGEWOOD MANOR PLAT; THENCE SOUTH 01°57'31" EAST ALONG THE WEST LINE OF SAID PLAT ALSO BEING THE EAST LINE OF THE WEST THREE-QUARTER (3/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 21, A DISTANCE OF 707.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 258,366 SQUARE FEET (5.93) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

**SURVEY NOTES:**

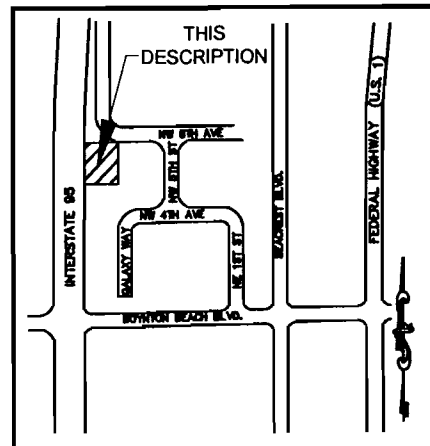
1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE AN ASSUMED BEARING OF NORTH 89°46'29" EAST ALONG THE SOUTH LINE OF SECTION 21, TOWNSHIP 45 SOUTH, RANGE 43 EAST.
7. LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, AND OTHER INSTRUMENTS OF RECORD PER SOUTHEAST GUARANTY & TITLE, INC. SEARCH NO. 2904012 CERTIFIED THROUGH APRIL 5TH, 2009 @ 8:00 A.M.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JANUARY 13, 2010 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.  
CONSULTING ENGINEERS

*Michael M. Mossey*  
MICHAEL M. MOSSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION No. 5660  
STATE OF FLORIDA



**LOCATION MAP**  
NOT TO SCALE

**SKETCH & DESCRIPTION**  
**CONSERVATION LAND**

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH**  
ASSOCIATES, INC.  
consulting engineers  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33060-6643  
(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2  
DRAWING NO. 07554.01

DATE 1/13/10  
SCALE N/A  
FIELD BK. N/A  
DWNG. BY S.M.  
CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.

WESTERLY EXTENSION OF THE NORTH  
LINE OF RIDGEWOOD MANORS AND  
NORTH LINE W 3/4, S 3/4, W 1/2 S.W. 1/4,  
SEC 21-45-43

CHERRY HILLS P.B. 4,  
PG. 58, P.B.C.R.

NORTHWEST CORNER OF  
RIDGEWOOD MANORS  
P.B. 24, PG. 175,  
P.B.C.R.



SCALE: 1"=300'

EASTERLY LIMITED ACCESS  
RIGHT-OF-WAY LINE  
OF INTERSTATE 95

**INTERSTATE 95**  
(R/W PER F.D.O.T. SECTION  
93220-2412 SHEET 1 OF 17)

N89°53'59"E  
362.63

N01°57'31"W  
718.74'

S01°57'31"E  
707.00'

S88°02'40"W  
362.43'

P.O.B.  
15' U.E. PER  
O.R.B. 887, PG. 118,  
P.B.C.R.

ACREAGE

SOUTHERLY EXTENSION WEST  
LINE OF RIDGEWOOD MANOR  
P.B. 24, PG. 175, P.B.C.R.

35' R/W PER  
O.R.B. 2226,  
PG. 1037,  
P.B.C.R.

ACREAGE

EAST LINE W 3/4,  
S.W. 1/4, S.W. 1/4,  
SEC 21-45-43

**LEGEND:**

- BLVD. BOULEVARD
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- LB LICENSED BUSINESS
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- SEC. SECTION
- S.R. STATE ROAD
- U.E. UTILITY EASEMENT
- ☒ CENTERLINE
- ☒ SECTION CORNER

P.O.C.  
S.W. CORNER  
SEC 21-45-43

N89°46'29"E 992.72'  
(BEARING BASIS)  
SOUTH LINE SEC 21-45-43  
ORIGINAL CENTERLINE S.R. 804  
BOYNTON BEACH BLVD.  
(R/W PER F.D.O.T. SECTION  
93220-2412 SHEET 3A OF 17)

**SKETCH & DESCRIPTION  
CONSERVATION LAND**

A PORTION OF THE SOUTHWEST 1/4,  
OF SECTION 21, TOWNSHIP 45 SOUTH,  
RANGE 43 EAST

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

**KEITH ASSOCIATES, INC.**

consulting engineers  
301 EAST ATLANTIC BOULEVARD  
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(954) 788-3400 FAX (954) 788-3500  
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 07554.01

DATE 1/13/10

SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY S.M.

CHK. BY M.M.M.

DATE	REVISIONS
3/5/12	UPDATED CERT.

## **Appendix G**

Boynton Beach Recreation & Parks Department  
Master Plan

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**Boynton Beach Recreation & Parks Department**

# **System Master Plan**

**2015-2020**

City of Boynton Beach Recreation and Parks Department

PO Box 310

Boynton Beach, FL 33425-0310

561-742-6650

[www.boynton-beach.org](http://www.boynton-beach.org)

# Acknowledgements

## City Commission

Mayor Jerry Taylor  
Vice Mayor Joe Casello  
Commissioner Mike Fitzpatrick  
Commissioner Mack McCray  
Commissioner David Merker

## Recreation and Parks Advisory Board

Elizabeth (Betty) Pierce-Roe, Chair  
Michael Byrd  
Jeffrey Fromknecht  
Charles Kanter  
Robert Lapin  
Catherine Scantlan  
Renee Stern  
Julie Mondello  
Daniel Schapiro

## City Staff

Lori LaVerriere, City Manager  
Wally Majors, Recreation and Parks Director  
Sherri Claude, Recreation Administrator  
Virginia Shea, Senior Recreation Manager  
Mary DeGraffenreidt, Events & Programs Manager





# Boynton Beach Recreation & Parks Department

## System Master Plan

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## Introduction

Parks and recreation is an essential element of any healthy and vibrant community, providing individual, social and economic value. People rely on Boynton Beach’s parks, open spaces and recreation programs because of the many benefits they provide, including health and social well-being, environmental sustainability and economic development. The Recreation and Parks Department encourages individuals and groups to connect with one another, and through its parks and programs creates welcoming, diverse, open and fun spaces and environments.

The City of Boynton Beach Recreation and Parks Department’s System Master Plan is the Department’s principal planning document and provides the overall guidance and policy direction for the Department’s role in the community. The plan shapes the delivery of department-provided recreation and parks services in a manner that is consistent with city strategic goals and meets the community’s level of service standards. It includes the department’s mission, vision and values as well as an analysis of current conditions and challenges. It also includes broad, long-range goals, policies and recommendations for the provision of recreation facilities, programs and services, park acquisition and development, maintenance and operations, and administration and management that will allow the Department to effectively serve the community’s needs and be responsible stewards of public assets. It is designed to provide a high-level framework that will help the Department develop the strategies and actions that will lead to success over time.

# Department Overview

## **SERVICE AREA AND AUTHORITY**

The Department serves over 73,000 residents of Boynton Beach, as well as thousands of county residents, seasonal residents and visitors to the city each year. Citizens elect a four member commission from single member districts, and a city-wide mayor. The Commission hires the City Manager. The Recreation & Parks Director reports to the Assistant City Manager.

## **INVENTORY**

The Boynton Beach Recreation and Parks Department currently consists of 29 developed parks and eight undeveloped park sites. Taken as a whole, these parks and open spaces create a green infrastructure that provides a refuge from the bustle of life, making Boynton Beach a more beautiful and livable city. Such spaces also serve to sustain and protect our ecosystem for current and future generations through the preservation of habitat, improvement of air and water quality, and encouragement of civic pride in the community's natural resources.

The Recreation and Parks Department also operates a range of facilities devoted to providing a wealth of recreation, health and education opportunities. These facilities include community centers, an art center, a senior center, athletic facilities, a pool, tennis courts and fishing piers. Recreational programming offered within and outside of these facilities enriches the lives of all people, including at-risk youth, people with disabilities, seniors and families.

## **ORGANIZATIONAL MISSION, VISION AND VALUES**

### **Mission**

***Recreation and parks enhances the quality of life and nurtures the health and well being of our community, economy and environment.*** The professional staff members of the Boynton Beach Recreation and Parks Department strive to meet the needs of the greater Boynton Beach area by offering high quality, diverse recreational opportunities that promote physical health, social well-being and a strong sense of community.

## **Vision**

***Our vision is to be a leading and well-respected, nationally accredited agency providing exceptional, widely accessible facilities and services that meet the needs and contribute to the health and well-being of the community while preserving its history and embracing its future.***

We seek to lead our diverse and ever-changing neighborhoods and communities in discovering the unique parks and open spaces and exceptional and essential recreation facilities, programs and opportunities available in Boynton Beach. Boynton Beach's Recreation and Parks Department inspires patrons to create lifetime memories and provide healthy indoor and outdoor recreation experiences while preserving the history of the community and embracing its future. The Department will conduct its recreation programs and preserve and maintain parks, open spaces and facilities and contribute to the economic development, environmental sustainability and social well-being of our broad community while making life fun for all citizens.

We are community driven. Together and in partnership with other organizations, we:

### ***Contribute to economic development***

Developing and providing enriching programs helps to create healthy communities, reduce crime and vandalism, foster business retention and expansion, and enhance tourism. Recreation and Parks is good for the entire community!

### ***Contribute to environmental sustainability***

We strive to make the importance of recreation and parks more evident to the public, by promoting parks as the center of communities and seeing City facilities as safe havens. The Department will continue serve as stewards by maintaining and preserving parks, open spaces and natural areas while addressing accessibility for all.

It is vital to encourage environmental and natural resource management – through public awareness, and preservation. Recreation programs and parks enrich our human and natural resources.

### ***Contribute to the social well being and safety of the community***

Residents have long valued neighborhood and community parks as special natural places where they can relax, walk, meditate, play, enjoy family time and seek spiritual renewal.

As our quality of life has changed and grown, the Boynton Beach Recreation and Parks Department has formed partnerships with many other organizations including the Palm Beach County School District, The Palm Beach County Board of County Commissioners and community-based organizations and businesses to provide services to increase community stability.

The Department will provide a full spectrum of recreation and park services for residents that are affordable and accessible and will continue to provide and expand all-inclusive programs and services, particularly to the City's youth and senior populations. The Department will continue to encourage volunteerism through recognition and training.

## Values

### External

- A healthy, active and engaged community
- Open space that is clean, green and safe
- Excellent relationships with the people we serve
- The safety, well-being and education of children
- The safety, well-being and socialization of older adults
- Partnerships with public and private agencies and volunteers that enhance programming and play

### Internal

- A commitment to collaborate, communicate and cooperate
- A commitment to integrity, honesty, openness and courage
- Respect for diverse cultures
- Focus on initiative, pride, spirit, teamwork and excitement

The Mission, Vision, and Values of the Department were developed through a process that included stakeholder (both internal and external) input. The mission statement was further refined by staff in 2012. This process helped illuminate and refine the Department's direction – why we exist and where we'd like to be in the future, as well as affirm the values to which we adhere in conducting our business.





## Assessment of the Department

### **PARK CLASSIFICATIONS**

#### **Urban Open/Civic Space**

Urban parks will provide civic open space in the downtown area for the enjoyment of all the residents of the City as well as visitors to Boynton Beach. They serve as elegant public spaces that are designed to complement the urban patterns of downtown Boynton Beach. These parks will serve as urban oases amongst the bustle of downtown activity.

Urban parks should be located according to traditional town planning principles and good urban design. The parks will be of two types: downtown plazas and waterfront parks. Additional urban pocket parks will be added to complement the historic urban framework. All of the urban parks should be tied together with a network of streetscaped pedestrian walkways and urban trails. The waterfront park system will build upon and enhance the waterfront park network in the downtown. The waterfront park system will create a connected system of urban park amenities along the waterfront and provide direct access to the activities of the downtown. The park facilities and programs of the park spaces should complement the objectives of the Community Redevelopment Agency. The urban park experience should embrace the spirit of Boynton Beach as a quality-of-life destination with a quaint, traditional hometown feel.

## **Community Parks**

Community parks are typically the largest active parks in the City and serve the largest population base. They are the most comprehensive in terms of recreation activities provided. These parks are the most expensive to build and maintain.

The optimum service area for a community park in Boynton Beach should be one mile. Community parks should be serviced by arterial and collector streets and be easily accessible throughout the service area by way of interconnecting trails. While community parks should be strategically located through the community, their locations can be significantly impacted by other types of parks, most notably regional or county parks, which can contain some of the same recreational opportunities provided in community parks.

The optimal size of a community park should be based on the land area needed to accommodate the desired uses.

## **Neighborhood Parks**

Neighborhood parks will be the basic unit of the Boynton Beach park system and serve as the recreational and social focus of each neighborhood. They should be developed for both active and passive activities geared specifically for those living within the neighborhood service area. These parks should accommodate a wide variety of age and user groups, including children, adults, seniors, family groups, and special populations. Creating a sense of place in each park by bringing together the unique character of each site with the social character of the neighborhood will be vital to creating a successful design.

Neighborhood parks should be centrally located within each service area, which should encompass a ½-mile distance, and if possible, uninterrupted by non-residential streets or other physical barriers. Each site should be accessible from throughout its service area by way of interconnecting trails, sidewalks or low-volume streets. Ease of access and walking distance are critical factors in locating a neighborhood park. A person's willingness to use a neighborhood park is greatly reduced if they perceive it to be difficult to access or not within a reasonable walking distance. Ease of access, central location and linkage to greenways are the key concerns when selecting a site. The site itself should exhibit the physical characteristics appropriate for both active and passive recreational uses. Since one of the primary reasons people go to a park is to experience a pleasant outdoor environment, the site should have some innate aesthetic qualities. "Left-over" parcels of land that are undesirable for development are generally undesirable for neighborhood parks as well and should be avoided. Additionally, it is more cost effective to select a site with inherent aesthetic qualities, rather than trying to create them through extensive site development. Given the importance of location, neighborhood parks should be selected before a subdivision is platted and acquired as part of the development process.

It is recommended that five (5) acres be the generally accepted minimum size necessary to provide space for a menu of activities. The site should have adequate drainage and suitable soils and level topography. Ideally, it should be connected to other park system components such as natural areas, lakes, ponds and greenways.

Land within a flood plain should only be considered if the facilities are constructed above the appropriate flood elevation. Although a park size of five (5) acres is recommended, the actual size should be based on the land area needed to accommodate the desired uses.

Since each neighborhood is unique, input from neighborhood residents should be used to determine the development program for the park. The guidelines presented here should be used as a framework to guide program development and ensure consistency with other park system components. They should not be used as an impediment to creative design possibilities.

Development of a neighborhood park should seek to achieve a balance between active and passive uses. Active recreational facilities are intended to be used in an informal and unstructured manner. Neighborhood parks are not intended to be used for programmed activities that result in overuse, noise, parking problems and congestion.

### **Special Use Parks**

Special use parks are those parks with unique, specialized amenities that cater to a select group of users. In Boynton Beach, special use parks include the cemeteries, the Little League Park and Kids Kingdom. Efforts should be made to include future special uses in neighborhood and community parks rather than segregate them into separate areas.

### **Water and Beach Access Parks**

These parks offer opportunities for access to and interaction with the Intracoastal Waterway and the Atlantic Ocean. Amenities can include kayaking and canoe launches, fishing areas, observation boardwalks, day docks, boat launching ramps, sand volleyball courts, picnic areas, restrooms and parking. Generally, each park has its own unique features that are defined by the relationship with the water.

### **Conservation Lands**

The function of an Open Space Park or Greenbelt is to provide space where people can engage in passive and active recreation, provide preservation and conservation of environmentally sensitive areas and habitat for wildlife, and serve as corridors to effectively link park system components together to form a continuous park environment.

These parks should be located in areas of significant natural resources, aesthetic landscapes and open space. There are no specific standards for how much conservation land a community should have. Instead, it is dependent on the number and quality of natural and historical resources in the area, the public desire to preserve these valuable sites and the willingness of the citizens to provide funds for their preservation.

### **Recreation Facilities**

The City has eight (8) recreation centers and a community pool, each offering various and diverse programs and classes for people of all ages. Facility hours vary based on needs and programming. Certain facilities can be rented for private functions.



## RESOURCES

### Existing Park System

<b>Urban Open/Civic Space</b>	<b>Acres</b>	<b>Neighborhood Parks</b>	<b>Acres</b>
Arbor, Edward F. Harmening Park	.46	Betty Thomas Park	2.34
Dewey Park	.29	Boynton Lakes Park	7.94
Heritage Park	.22	Forest Hills Park	4.75
Kiwanis/Sierra Park	.19	Galaxy Park	3.95
Veterans Memorial Park	.59	Hibiscus Park	0.83
<b>TOTAL</b>	<b>1.75</b>	Knollwood Park	3.01
		Laurel Hill Park	1.31
<b>Community Parks</b>	<b>Acres</b>	Meadows Park	7.20
Barrier Free Park (includes Tennis Center)	24.05	Pence Park	2.84
Ezell Hester, Jr. Park	15.82	Pioneer Canal Park	2.32
Wilson Park	3.85	<b>TOTAL</b>	<b>36.49</b>
<b>TOTAL</b>	<b>43.72</b>		
		<b>Water/Beach Access</b>	<b>Acres</b>
<b>Special Use Parks</b>	<b>Acres</b>	Harvey E. Oyer, Jr. Park	8.79
Barton Mem. Park/Cemetery	6.26	Intracoastal Park	8.97
Boynton Beach Memorial Park/ Cemetery	11.78	Jaycee Park	5.31
Kids Kingdom	.44	Mangrove Park	10.72
Little League	12.31	Oceanfront Park	6.89
Sara Sims Park/Cemetery	6.86	<b>TOTAL</b>	<b>40.68</b>
<b>TOTAL</b>	<b>37.65</b>		
		<b>Conservation Lands</b>	<b>Acres</b>
<b>Greenways/Bikeways</b>	<b>Acres</b>	Galaxy Scrub	5.48
Palmetto Greens Linear	1.00	Rolling Green Scrub	8.0
<b>TOTAL</b>	<b>1.00</b>	Rosemary Scrub*	13.44
		Seacrest Scrub*	53.41
		<b>TOTAL</b>	<b>80.33</b>

\* Owned by Palm Beach County (not included in total acreage)

This is a citywide total acreage of **174.77 acres** of developed park, cemetery and open space land.

## Future Park Sites

Site	Acres
Cortina	3.00
FP&L	7.14
Girl Scout	6.39
Meadows 1	3.99
Nautica Sound	4.99
Nickels Road	14.74
Quantum	17.47
Woolbright Place	3.62
<b>TOTAL</b>	<b>61.35</b>

## Recreation Facilities

Facility	Year Built	Square Footage
Art Center	1992	6,642
Carolyn Sims Center	2007	13,816
Civic Center	1962	9,771
Ezell Hester Jr. Community Center	1992	21,921
Intracoastal Park Clubhouse	2007	7,303
John Denson Pool	2007	2,909
Oyer Park Clubhouse	1950	2,084
Senior Center	1999	9,891
Tennis Center	1982	1,596



## PRESENT CONDITIONS

### Parks and Facilities

#### Urban Open/Civic Space

**Edward F. Harmening Arbor Park** is a small passive park located adjacent to the East Water Treatment Plant. It has several species of flowering trees. Its location and lack of parking create an isolated park area with very little visitation. However, considering its location at one of the City's most prominent intersections, a public art project that is scheduled to be completed by Fall 2016 will add a welcoming entrance to the City's downtown corridor. As it is adjacent to the Utilities Department, the art project will be titled "Water, You and I", and will include two sculptural elements, a glass tiled wall and a gathering place called the "Water Pavilion," designed to invite visitors to experience the drawing of water from the well. "Water, You and I" will make a dynamic visual connection with the source of water in Boynton Beach - the Surficial Aquifer.

**Dewey Park** is located in the downtown core of the City. At present, it is a passive park with large ficus trees. In the future, the park will become precious green space in the urban downtown center with the imminent development of a large mixed use project that will be completed by Fall 2018. Decorative tree strap lights and three cement checker/chess tables were recently added.

**Heritage Park**, located on Seacrest Boulevard, is a small city-maintained area. There is a monument dedicated to Boynton Beach African-Americans. Additional landscaping was installed in 2011.

**Kiwanis/Sierra Club Park** is located on Northeast 22nd Avenue and is simply a grassy area.

**Veterans Memorial Park** is a passive park on Federal Highway. It will be greatly impacted by the downtown redevelopment and will become a critical part of the urban open space of the town center. Renovations of the park were completed in 2008. The park contains numerous memorials to various Veterans' organizations.



## Community Parks

**Congress Avenue Barrier Free Park** was completed in 2011 and encompasses 13.5 acres of the 24 acre site. Considering that nearly 200,000 residents of Palm Beach County are disabled, the park was designed to accommodate people of all ages and abilities on an equal level. With a Florida swamp theme, the park features play areas, meandering trails, restored wetlands and a picnic area. In 2015, a Fitness Zone was installed that includes 17 pieces of exercise equipment, five of which are wheelchair accessible. The park is adjacent to the Tennis Center, which has 21 courts (17 har tru, 4 hard) which are all lighted for nighttime play.

**Ezell Hester, Jr. Park** is one of the largest parks in the system and the athletic facilities are heavily used. The sand volleyball courts were replaced with a large play structure in 2005-06. The park also includes basketball courts, racquetball courts, tennis courts, a baseball field, walking trail and picnic pavilions. An energy retrofit project completed in 2011 included replacement of all external athletic lights and internal building lights with energy efficient systems.

**Wilson Park** was reconstructed in February 2008. The park includes the Carolyn Sims Center, a two-story recreation center that houses a game room, classrooms, multipurpose event room, catering kitchen and offices. Site amenities include two basketball courts, two play areas, picnic shelters and multipurpose field. The John H. Denson Pool, a newly constructed pool, includes a triple water slide, water features, lanes for swimming, and dressing rooms.

## Neighborhood Parks

**Betty Thomas Park** was completed in 2007 and includes a picnic pavilion, two tennis courts, picnic areas, walking trail, landscaping and a small parking lot. The park is named after Betty Thomas, a long-term Recreation and Parks Advisory Board Member, member of the Senior Center Advisory Board and school principal in Boynton Beach.

**Boynton Lakes Park** is located in the Boynton Lakes neighborhood and contains a playground, a walking trail and a large open grassy area. The play equipment and park furniture were replaced in 2005. As part of Arbor Day, five trees (silver and green buttonwoods and royal poinciana) were planted in 2015.

**Forest Hills Park** is located in the Forest Hills neighborhood and is bordered on the west side by a sound barrier wall on I-95. This park was built in 1972 and was showing signs of aging. The park furniture and play equipment was replaced in 2006, as was the fence in the front. In 2013 a local Girl Scout, as part of her requirement to earn a prestigious merit badge, organized and gathered the necessary resources to remove graffiti, re-mulch the playground and other areas within the park, perform general landscaping improvements, and convinced the Florida Department of Transportation to paint the adjacent sound wall.

**Galaxy Park** is located at Galaxy E<sup>3</sup> Elementary School. The City entered into an agreement with the Palm Beach County School Board to swap the park land for some of the school land for the construction of the elementary school at the site, which was completed in August 2012. In return for the swap, the School District rebuilt the park, which includes a softball field, tennis courts and restrooms. As part of the agreement with the School Board, during construction of the school, underground electrical infrastructure was included to support possible installation of lights for the field and courts in the future.

**Hibiscus Park** is a small park located in the Lake Boynton Estates neighborhood. The playground equipment was replaced in 2008.

**Knollwood Park** is located at Lawrence Road and Meadows Drive. Knollwood was built by D. R. Horton Developers as a public/private partnership. In exchange for fill removed from the park site and used for development, the developer paid for the construction of the park. Park amenities include a pond with well planted littoral zones, a walking path, a gazebo and a small parking area. The littoral zones were replanted in 2015.

**Laurel Hills Park**, located in the Laurel Hills neighborhood, contains play equipment, a basketball court and an open grassy area. The park was built in 1972 and is in need of renovation. Replacement of the play equipment and park furnishings was completed in 2006. A double rail fence was installed in 2007. New park entry signage was installed in 2008.

**Meadows Park** is an extremely popular park used by city residents and school groups. It features two pavilions, a fitness trail and volleyball, basketball, tennis and bocce courts. Built in 1994, the heavy use has created bare areas around the pavilions and courts. The playground equipment and park furniture were replaced in 2006. Because of the heavy use and enjoyment by park users, this park will require consistent maintenance and upgrades.

**Pence Park** is the oldest park in the system. The basketball courts are heavily used. The fence around the baseball field was replaced in 2005. The playground equipment was installed in March 2008. In 2009, the softball field was converted to a multipurpose field to accommodate the growing population of soccer players in the neighborhood. A utilities lift station was installed in 2015 in the southeast corner of the park, surrounded by landscaping that includes live oak, sabal palms, dahoon holly, beauty berry and fakahatchee grass.

**Pioneer Canal Park** has the only freshwater boat ramp in the park system and tennis courts. The park was not master planned and use of the property is not effective. The installation of a double rail fence, renovation of the restrooms and resurfacing of the basketball and tennis was completed in 2007 and 2008. Replacement of the play equipment was completed in 2008.

## Special Use Parks

**Barton Memorial Park** is a cemetery that contains gravesites dating back to the early 1900's. It is currently closed for burials. In 2015 it was added to the city's register of historic places.

**Boynton Beach Memorial Park** is the primary public cemetery in Boynton Beach. There are very few available gravesites remaining and the property will need to be replatted again to create more sites. The trees were heavily damaged by the 2004 hurricanes and were replaced in 2005-06. There are currently five (5) mausoleums on site with room for a smaller additional one.

**Kids Kingdom Playground** is a community built wooden and concrete play structure that has been an extremely popular destination for residents, schools, camps and visitors since it was built in 1996. The structure must be inspected regularly.

**Little League Park** contains four (4) baseball fields that are used by the East Boynton Beach Little League organization. The maintenance of the ball fields and areas adjacent to the fields have been turned over to this organization through a lease agreement.

**Sara Sims Park and Cemetery** is an older park that requires a lot of maintenance due to heavy use. This park is in the CRA district. A Master Plan has been completed for the park with input from the public. Currently, there is no funding to begin redevelopment. A new playground was added in 2015.

## Water Beach Access

**Harvey E. Oyer, Jr. Park** is located between Federal Highway and the Intracoastal Waterway and provides boat access to the Boynton Inlet and Atlantic Ocean. This park is heavily used by both boaters and park users. The fishing pier was replaced in 2004. The restrooms inside the community center were renovated in 2004. The canal and channel were dredged in February 2008, funded in part by the Florida Inland Navigation District. Playground equipment was replaced in 2008-09. With funding from Palm Beach County, the public restrooms and picnic pavilions were replaced in 2011. Two murals painted by local artist Peter Agardy were commissioned in 2010. Additionally, the Bait Shop was leased to the Florida Fishing Academy. A mural was painted on the exterior of the building by Guy Snell, a 15-year old artist. This mural was funded in part by the Guy Harvey Ocean Foundation.

**Intracoastal Park** is located between Federal Highway and the Intracoastal Waterway. It is an extremely popular site that contains picnic shelters and a large play structure which is scheduled to be replaced in 2016, including the installation of shade covers. A two-story, 7,200 square foot clubhouse was completed in October 2007 and is available to rent for meetings, weddings and other events. There is a mangrove preserve/conservation area located on the southeast section of the park. A Recreational Trails Program Project Grant was received in 2015 to purchase and install an accessible, non-motorized vessel launching dock, with completion expected in Spring 2016.

**Jaycee Park** is located between Federal Highway and the Intracoastal Waterway. The park construction was completed in February 2008 and includes a walking path, three pavilions, a restroom, two (2) bocce ball courts, two (2) play areas, picnic areas, landscaping and a small parking lot. A 240 foot boardwalk allows pedestrian access to the Intracoastal Waterway and can be used for viewing or fishing. With a grant from the Florida Inland Navigation District, a series of eight (8) interpretive art markers were installed. There is a non-motorized boat launch located on the northeast section of the park.

**Mangrove Park** contains a ¼ mile aluminum walkway through 10 acres of mangroves on the Intracoastal Waterway and includes educational kiosks and an observation deck. Degrading of the walkway support structure is occurring, which will require future extensive maintenance/repair.

**Oceanfront Park** is the City's only beach access. It is heavily used, primarily by residents of Boynton Beach and Ocean Ridge. The boardwalk was replaced in 2010 and boasts custom furnishings, shade sails and landscaping. The buildings in the park were renovated in 2011 by replacing the exterior siding with stucco, replacing the fascia, recessing the lighting and repainting the roofs. The men's room was renovated into a pavilion and the women's room was renovated to make both a men's and women's restroom. In 2015, a new beach wheelchair was purchased to increase accessibility to the water. The shade sails have been extremely problematic, and we continue to experience issues with rusting of metal elements and tearing of fabric.

#### Greenways/Bikeways

**Palmetto Greenway and Park** is located on the south side of the SFWMD C-16 canal. The pathway turns into several overlooks that could serve as fishing piers; however, a great amount of trash and refuse has been tossed off the platforms making fishing difficult. The path is bordered on the east by the FEC Railroad and almost to I-95 on the west, and it connects with the Barton Greenway.

**Barton Greenway** runs from Barton Cemetery on the north to the Galaxy Scrub on the south with an eventual connection planned to Galaxy Park and Elementary School.

#### Conservation Lands

**Galaxy Scrub** is 5.48 acres of preservation property, conveyed to the City of Boynton Beach from the Palm Beach County School District in 2012. The City partners with Galaxy E3 Elementary School teachers and students to re-plant and maintain the native scrub site. Open to school students for educational purposes.

**Rolling Green Scrub** is actually five different scrub sites located in and around Ezell Hester Park.

**Rosemary Scrub** is owned by Palm Beach County and is maintained in conjunction with the Boynton Beach Recreation and Parks Department. The scrub is open to the public.

**Seacrest Scrub** is also owned by Palm Beach County, maintained in conjunction with the Boynton Beach Recreation and Parks Department and open to the public.

## Recreation Facilities

**Art Center** was built in 1992 and includes three (3) classrooms, a pottery/kiln room and offices. Programming includes art classes for children and adults, pre-school programs, summer camp, and a licensed afterschool program.

**Carolyn Sims Center**, a two-story recreation facility, was completed in February 2008. It includes a multipurpose room, catering kitchen, game room, classroom, meeting room and offices. Programming includes teen recreation, social groups, summer camp, and the Youth Empowerment Center.

**Civic Center** opened in 1962. It includes a large auditorium with stage, classroom, dance studio, kitchen, lobby and offices. Programming opportunities include youth and adult dance, summer camp, pre-school programs, Jazzercise and music concerts and dances. Recent improvements include refinishing of the stage floor, a new sound system, new stage drapes, painting and a chair rail.

**Ezell Hester, Jr. Center** was constructed in 1992, with subsequent renovations. The center includes men's and women's locker rooms, lobby, meeting room, computer lab, game room, weight room, gymnasium, kitchen, and offices. Programs include athletic leagues and tournaments, summer camp, fitness programs, sports classes and a licensed after school program.

**Intracoastal Park Clubhouse** was completed in 2007. The two-story waterfront building includes a wrap-around deck on the second story that overlooks the Intracoastal Waterway, two classrooms, catering kitchens and an event room designed to host commemorative events and trainings. It is also used for art classes, summer camps and currently houses the department's main registration office.

The renovation of the **John H. Denson Pool** was completed in February 2008 and includes a triple water slide, "tumble buckets" water play feature, teaching area, deck chairs, large umbrellas and men's and women's dressing rooms. Programs include junior lifeguard training, water fitness, adult swim classes and youth swimming lessons.

**Oyer Park Clubhouse** is primarily used by the local Coast Guard Auxiliary, Fishing Club and other community groups.

**Senior Center** was purchased in 1998 (previously a popular local restaurant) and has undergone a series of three renovations. It includes a cafeteria/activity room, lobby/coffee area, computer lab, multipurpose room, stage, fitness room, classroom, conference room, arts room, game room, kitchen and offices. Programming includes computer classes, card games, dances, live music, association and group meetings, health screenings, music lessons, lunch program, group outings, safety courses and various special events. Local groups that provide a variety of services include AARP, R.S.V.P., Delray Medical Center, Volen Center transportation service, and Mental Health Association of PBC.

**Tennis Center** was built in three phases and was completed in 1992. There is a pro shop, men's and women's restrooms, 17 har-tru courts and 4 composite courts. Programs include junior and adult instruction, men's and ladies' singles and doubles leagues, tournaments and special events. New lights were installed at four courts in 2015.



## Levels of Service (LOS)

The City shall maintain a level of service of 2.5 acres of developed parkland per 1,000 residents.

### RECOMMENDED LOS AND NEEDS 73,124 – 2014 POPULATION

FACILITY	CURRENT LOS	EXISTING FACILITIES	NEED PER POPULATION	CURRENT NEED
Baseball/Softball, Youth	1/15,000	6	4	2
Baseball, Regulation	1/20,000	1	2	1
Basketball	1/ 4,000	15	16	1
Community Center	1/25,000	7	3	0
Fitness Trail	1/30,000	2	2	0
Football	1/40,000	1	2	1
Multipurpose Field/Soccer	1/10,000	3	7	4
Racquetball Court	1/10,000	8	7	0
Picnic Area	1 /3,000	20	26	6
Playground	1 / 4,000	20	22	2
Shuffleboard	1 /5,000	16	13	0
Pool	1/80,000	1	1	0
Tennis Court	1 /2,000	29	33	4
Bocce Court	1/25,000	3	3	0
Volleyball Court	1/15,000	3	4	1
Skate Park	1/65,000	0	1	1

## Future Parks and Facilities

**Cortina Park**, located east of Congress Avenue and the Renaissance Commons development, was acquired as part of the park impact fee dedication for the Boynton Town Center project. The developer will be responsible for constructing the park, lighting and parking; it will include one acre that will be dedicated as an off-leash, fenced dog area. Completion is anticipated in 2018.

**FP & L Park** is located on old Southwest 23rd Avenue directly south of the FPL Substation and is bordered on the west by the E-4 canal and on the east by the CSX Railroad. This park could be developed so that access to the canal is provided. This site has not been master planned.

**Girl Scout Park** is located on the east side of the E-4 canal and is heavily treed with mature canopy. This site also could be developed for access to the canal. A master plan has not been done for this site.

**Meadows I/Nautica Sound Park Site** could be developed as a community park since there is no community park in this quadrant of the city; however, it is expected that surrounding neighborhoods would prefer a more passive use.

**Nickels Property** is located on the west side of the Boynton Beach Mall. This site is not within the city boundaries at this time.

**Quantum Park Site** is located in the Quantum Corporate Park east of the E-4 canal. A master plan was done for this site that included athletic facilities; however, surrounding residential communities prefer a passive, nature-oriented park. The property is adjacent to a large conservation area, which could be incorporated into the nature-oriented aspects of the park with the addition of interpretive trails. Additionally, this park could be used for access to the canal for canoes and kayaks as part of the greenway/blueway. Recently, the Quantum Park Overlay District, an independent district created by City Ordinance, created and presented a master plan of the site to the City for consideration.

**Woolbright Place** is located in a residential area and would be extremely difficult to develop due to its location and lack of access roads. This site could be considered for sale.

The facility needs indicated in the LOS should be addressed as these park sites are developed. In regards to park acreage, at this time the City is meeting its LOS, and no future park development is currently being considered. However, whenever possible, the Recreation & Parks Department will pursue opportunities for grants and other potential partnerships for park improvements.



## Personnel

Personnel resources have remained constant over the past five years, with only slight variation in part-time and/or seasonal hours. The table reflects full-time, part-time and seasonal (summer) employees.

<i>Fiscal Year</i>	<i>Personnel (FTEs-Full Time Equivalency)</i>
2011-12	50.29
2012-13	49.69
2013-14	49.89
2014-15	49.89
2015-16	50.29

## Organizational Changes

In the fiscal year 2015-16 there will be several key organizational changes due to several factors: the imminent retirement of one of the Senior Recreation Managers after 30 years of service; a greater emphasis on community events as part of the City's Strategic Plan; and some changes which have evolved over time, such as increased responsibilities.

Currently, under the supervision of the Recreation & Parks Director, two Senior Recreation Managers are responsible for managing the daily operations of the Department: one is responsible for the summer camp program, transportation, Denson Pool, Hester, Civic and Sims Centers. The other is responsible for the licensed after school program, marketing/promotions, and the Art, Senior and Tennis Centers. Each is involved in various capacities in the planning and implementation of special events. Also, noting a need for a much more focused and systematic approach to the recruitment and organization of sponsors, one of the Department's Recreation Supervisors was assigned this added responsibility.

The Department is again responsible for the planning and organization of the Holiday Parade and July 4<sup>th</sup> fireworks (previously organized by the CRA), and now also organizes monthly special events.

The Department has modified its organizational structure as follows:

- Sr. Recreation Manger reclassified to Events and Program Manager
- Sr. Recreation Manager reclassified to Recreation Superintendent
- Recreation Supervisor reclassified to Recreation Supervisor III
- Asst. to the Director reclassified to Recreation Administrator



### Senior Recreation Manager to Events and Program Manager

Now that the Department's involvement with special events has increased significantly, this and the related responsibilities has been assigned to one individual. In 2001-02, the last year the Department was responsible for organizing the City's special events, three full-time employees were dedicated to this function; these positions were removed from the budget several years ago. The Department is again responsible for the planning and implementation of the Holiday Parade and July 4th fireworks. Additionally, the Department now organizes special events monthly, several of which attract over 1,000 visitors/participants (e.g. Egg Hunt and Fall Festival). This is reflective of the vision for our community as identified in the City's Strategic Plan, which states that we want Boynton Beach to have plenty of "fun opportunities", including "events and festivals for residents and visitors to enjoy."

### Senior Recreation Manager to Recreation Superintendent

The other Senior Manager position in the Department will be changed to Recreation Superintendent upon the retirement of the incumbent in April 2016. The Superintendent will be responsible for each of the Department's facilities and related staff and programming. These responsibilities will involve the formulation and administration of a very broad public leisure program at eight recreation facilities, the pool and beach, serving thousands of visitors and participants daily. The superintendent title is demonstrative of the additional responsibilities associated with the position, and returns the Department to a more traditional organizational structure commonly used for public park and recreation agencies.

### Recreation Supervisor to Recreation Supervisor III

During budget years 2001-02 and 2002-03, a recreation manager was responsible for the management of the Art Center and the Department's marketing and promotional activities. These responsibilities are now being managed by a Senior Manager, and include the creation of promotional brochures and flyers, drafting public service announcements and press releases, and managing social media. These responsibilities are an essential component of the Department's operations.

Another significant change in the Department that has evolved over the past several years is the reliance on sponsors to help offset program costs. Consequently, since November 2013, one of the Department's Recreation Supervisors has been assigned the "additional duties" related to the recruitment and organization of sponsors. The original intention was to review these additional duties with the Human Resources Department to determine if a reclassification of the recreation supervisor position was necessary. However, due to the aforementioned changes, along with sponsorship coordinator responsibilities, the Department added the duties related to marketing and promotions to that position, and reclassified it to a "Recreation Supervisor III" position, and offered it as a career path opportunity to the incumbent recreation supervisors.

### Assistant to the Director to Recreation Administrator

The Department reclassified the position of Assistant to the Director to Recreation Administrator due to the permanent and substantive changes in the responsibilities of this position. The incumbent had been performing duties that clearly reflected a higher classification than that of the current job description, in some cases for more than 10 years, including:

- Managing the national accreditation process. The Department originally became accredited in 2006. The responsibilities and duties associated with becoming and maintaining national accreditation are very complex, and require a tremendous amount of organization, planning and intellect in all facets of the Department's operations and interrelationships with all the other City Departments.
- Managing the Department's registration software that processes over 16,000 transactions and over \$1.1M annually. Responsibilities include managing (establishing/maintaining) all of the information in the database, resolving issues, working with the software company and ITS, and supporting and training staff. The software program also includes applications that allow us to promote upcoming activities and receive feedback from our customers, responsibilities that the Assistant to the Director has assumed.
- Supervising the management and operation of Intracoastal Park Clubhouse, the City's premier recreation facility. One of the primary functions of this facility is the intake and processing of the Department's program registration. The facility is also commonly rented and/or used for private and public functions.
- Managing the comprehensive program evaluation process for the Department, including data collection, analysis, interpretation and reporting. This function represents several accreditation standards.

These changes will allow the Department to become more effective in its service delivery by adjusting to changing needs and conditions. This will be accomplished by the adjustments that have and will be made to the organizational structure.

**Culture**

Approximately five years ago, in December 2010, the OLA Group, led by James Laub, Ed.D., completed an Organizational Leadership Assessment for the Recreation & Parks Department based on a survey of 70 employees in the department. This assessment measured six characteristics which are critical to optimal organizational health. The assessment also measured the perception of the workforce and leadership concerning the organization’s health. The six characteristics are:

*Build Community* – by building strong relationships, working collaboratively and valuing individual differences

*Value People* – by listening receptively, serving the needs of others first and trusting in people

*Provide Leadership* – by envisioning the future, taking initiative and clarifying goals

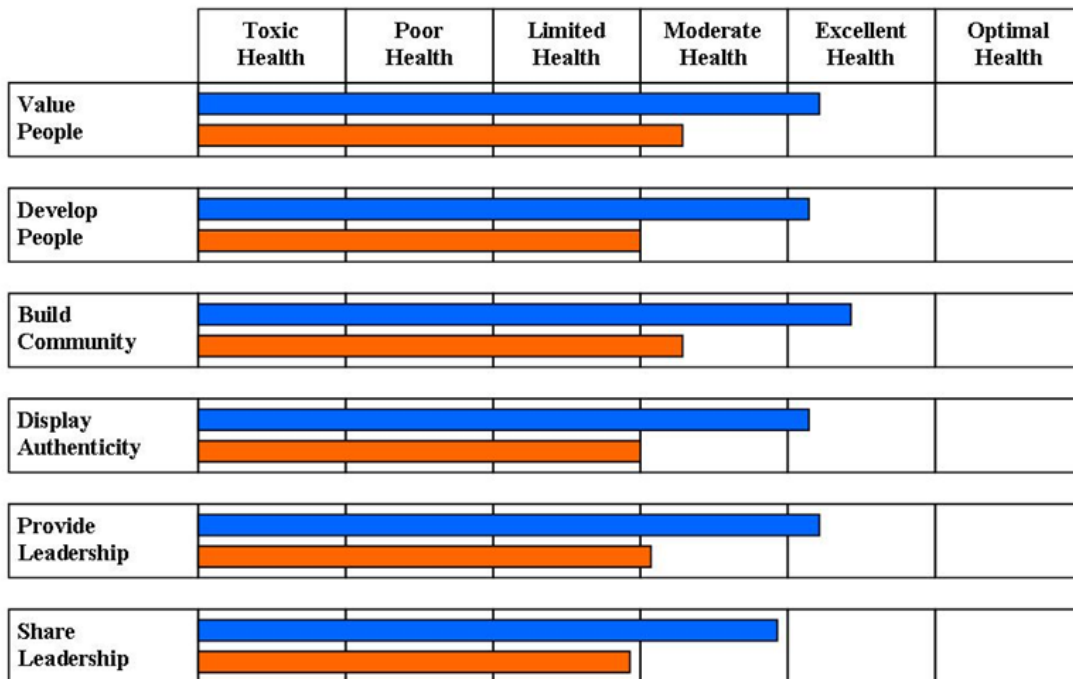
*Develop People* – by providing opportunities for leaning, modeling appropriate behavior and building up others through encouragement

*Display Authenticity* – by integrity and trust, openness and accountability and a willingness to learn from others

*Share Leadership* – by creating a shared vision and sharing decision-making power, status and privilege at all levels of the organization

The characteristics were graded on a scale as follows:

**Power Level**



■ Recreation and Parks Department's average score  
■ Average score of all organizations who have taken the OLA

## Key Patterns

The Department's highest key areas of organizational health were:

- Build Community
- Value People

The Department's lowest key areas of organizational health were:

- Display Authenticity
- Share Leadership

As indicated in the matrix, the Department is rated in the "Excellent Health" category in almost all categories. This reflects the dedication and level of professionalism displayed by the staff and assumes that the culture of the organization is healthy and ready for the future as a group.

This assessment is still relevant due to the fact that there has been very little turnover of key/full-time staff in the past five years; it is believed that the same assessment done today would yield very similar results.

Additionally in April 2014, the Department conducted a thorough survey of staff to address one of the top weaknesses, intra-departmental communication, as identified in the previous SWOT analysis. This uncovered more detailed information to assist in addressing this concern, and overall the responses provided were positive and constructive. The Department recognizes that its employees are its most significant and important resource, and is committed to employee relations and development.



## FUNDING

The departmental budget consists of 2 division budgets:

Recreation General Fund	Budget (FY 15-16)	\$2,974,429
Recreation Program Revenue Fund	Budget (FY 15-16)	\$ 849,981

The General Fund budget primarily funds personnel costs, facility costs (utilities, minor maintenance and supplies) and other overhead costs. Revenue from rentals, concessions, parking fees, tennis permits, sales and daily play and pool use are returned to the General Fund.

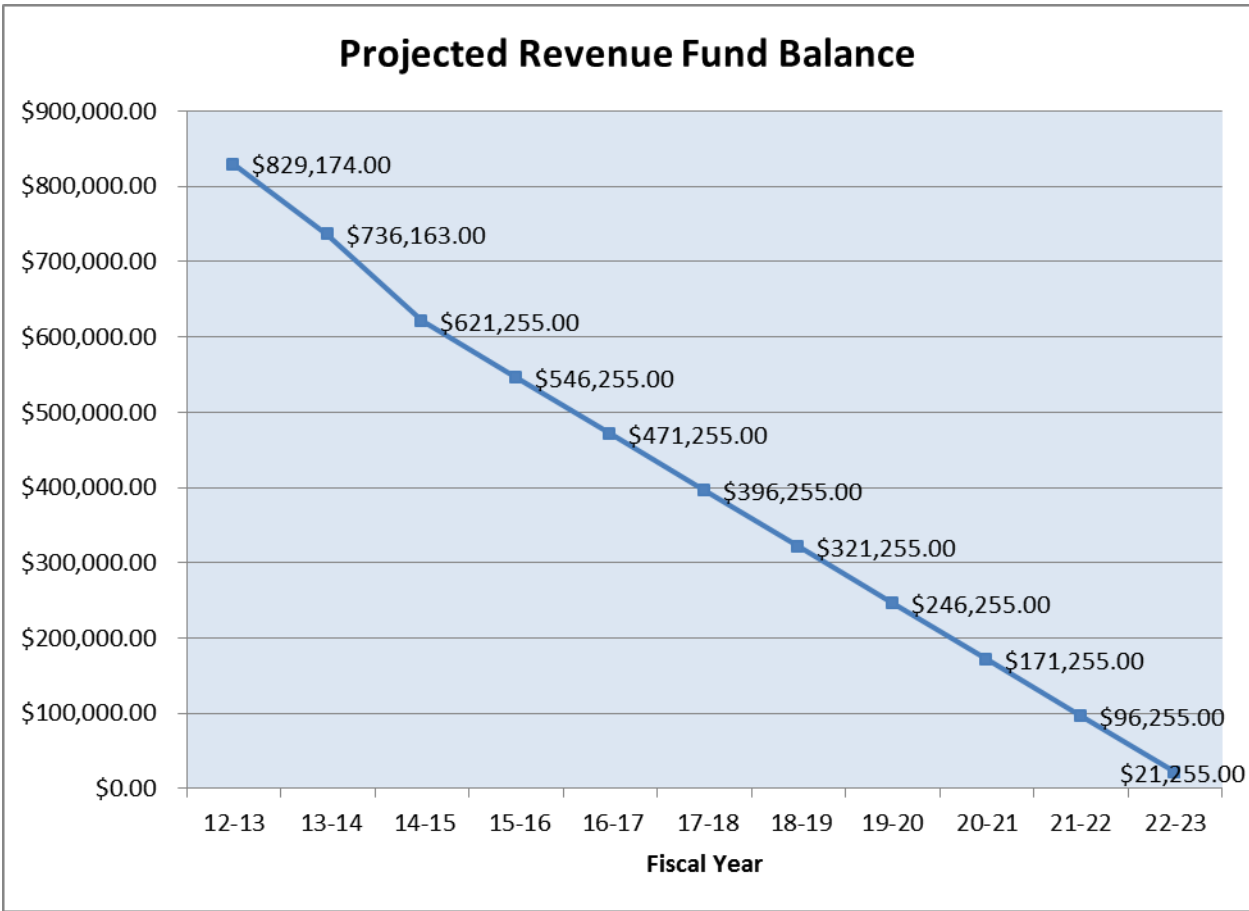
The Recreation Program Revenue Fund was established to provide recreation programs based on 100% user fees. A surcharge is made for non-residents. The fund transfers \$100,000 to the General Fund to assist in funding other recreation programs not covered by user fees, and has been used to fund various capital improvement projects and/or unexpected expenses over the years. In addition, it funds all promotional activities, including the printing of *Funfare* magazine, flyers and advertising; the Youth Empowerment Center; and various licensing and administrative fees.

Beginning in FY 2012-13, 50% of the part-time recreation leaders and pool lifeguard salaries (approximately \$120,000) are funded in the Recreation Program Revenue Fund. This was done to alleviate further staff reductions and to maintain levels of service during the time that the Department was dealing with significant budget reductions. These positions are considered essential to the Department's service delivery. Prior to this time, only positions directly associated with recreation programs (i.e. recreation leaders in the afterschool program) were funded through the Revenue Fund.

After reaching its lowest point of \$46,000 in FY 2004-05 (the year after the Tennis Center operation was moved to this fund; it was returned to the General Fund in that year), the Revenue Fund balance peaked at \$969,509 in 2011-12. This was due to the diligent efforts of staff that focused on reducing expenses and increasing program revenue. However, due to increased expenses, decreasing subsidies from the General Fund, and increased contributions to the City's Capital Improvement Program budget, it is anticipated that expenses will continue to exceed revenues by approximately \$75,000 - \$100,000 annually, as they did beginning FY 2012-13 unless some changes are made.

The Revenue Fund balance at the end of fiscal year 2014 was \$736,000. In FY 2014-15, \$75,000 was allocated to partially fund the purchase and installation of new lights and poles at four of the courts at the Tennis Center. Therefore, with the current trend, if no changes are made, the Revenue Fund balance will deplete in approximately eight years.





According to the Department’s Revenue Policy Manual, a minimum of 10% of the annual budget will be retained in the fund as emergency reserves, in accordance with current City of Boynton Beach practice. This means that the *minimum* fund balance should not fall below \$75,000.

It has become apparent that the Department will not be able to rely on the City’s Capital Improvement budget for anything other than essential repairs/improvements to facilities, and that the Department must also rely on the Revenue Fund to purchase a majority of standard operating equipment in addition to all expenses associated with programs – both revenue-producing and free.

Therefore, strategies to increase revenue and decrease expenses must be developed. These include increased sponsorships and/or advertising as well as a plan to decrease or revert the 50% funding of part-time recreation leader and pool lifeguard salaries back to the General Fund. It is recommended that this be done incrementally so that, if at all possible, it does not increase the Department’s General Fund budget. Alternately, the Department may consider reducing the annual \$100,000 contribution to the General Fund.

## CAPITAL IMPROVEMENT PROGRAM (CIP)

The City of Boynton Beach has a five year Capital Improvement Program Budget. It encompasses a wide variety of projects, several of which are related to the City’s ADA Transition Plan. It also provides a five year spending plan that can be modified and updated based on shifting priorities, some of which may not be anticipated.

**CITY OF BOYNTON BEACH  
CAPITAL IMPROVEMENT PLAN  
ADOPTED BUDGET  
FY 2015/16 ADOPTED CIP BUDGET**

PROJECT NAME	FY 2015/16 Adopted	FY 2016/17 Plan	FY 2017/18 Plan	FY 2018/19 Plan	FY 2019/20 Plan	Total
Civic Center – Renovate Auditorium Stage			40,000			40,000
Civic Center – Auditorium Ceiling Renovation			40,000			40,000
Civic Center – Renovate Auditorium Stage ADA			4,000			4,000
Civic Center – Roof Replacement				150,000		150,000
Civic Center – Dumpster enclosure		12,000				12,000
Civic Center – Paint Exterior		25,000				25,000
Civic Center - Restrooms ADA		60,000				60,000
Art Center - Ceiling Tile Replacement			10,000	10,000	10,000	30,000
Art Center - Awning			7,000			7,000
Art Center - Pedestrian Crossing Gates	20,000					20,000
Art Center - Parking Lot Resealing					16,000	16,000
Art Center - Parking Lot Lighting		50,000				50,000
Art Center - ADA*			22,905			22,905
Barton Park - Replace Monument Sign & Paint Restroom			5,000			5,000
Betty Thomas Neighborhood Park - Parking Lot Resealing	5,000				3,000	8,000
Betty Thomas Neighborhood Park - Pavilion Wood Sealing					3,000	3,000
Betty Thomas Neighborhood Park - Parking Lot Resealing ADA					4,200	4,200
Betty Thomas Neighborhood Park - Entry Sign	3,000					3,000
Betty Thomas Neighborhood Park - Basketball Markings	2,000					2,000
Betty Thomas Neighborhood Park - Basketball Markings ADA	3,700					3,700
Betty Thomas Neighborhood Park - Tables and Cans					12,000	12,000
Betty Thomas Neighborhood Park - Tables and Cans ADA					9,000	9,000
Bicentennial Park - ADA*		2,558				2,558
Boynton Lakes Park - Fitness Trail Equipment	12,000					12,000
Boynton Lakes Park - Park Furnishing		5,000				5,000
Boynton Lakes Park - Playground Equipment & Gazebo Painting			32,000			32,000
Boynton Lakes Park - Playground Equip & Gazebo Painting ADA			9,000			9,000
Boynton Lakes Park - Remove Bocci Court	7,000					7,000
Boynton Beach Memorial Park (Cemetery) - ADA*			29,145			29,145
Carolyn Sims Center and Denson Pool - Paint exterior			25,000			25,000
Carolyn Sims Center – Sealcoat Parking Lot ADA				12,000		12,000
Carolyn Sims Center – Sealcoat Parking Lot				11,000		11,000
Carolyn Sims Center – Denson Pool Slide Replacement	80,000					80,000
Carolyn Sims Center – Paint Pavilion and table		10,000				10,000
Carolyn Sims Center – Paint site lighting poles and fixtures					30,000	30,000
Congress Ave Barrier Free - Playground		200,000				200,000
Congress Ave Barrier Free Park – Paint Poles					12,000	12,000
Congress Ave Barrier Free Park – ADA	22,000					22,000
Congress Ave Barrier Free Park – Restroom Refurbishment					29,000	29,000
Congress Ave Barrier Free Park – Refurbish Bio-swale	20,000			20,000		40,000
Edward Harmening Arbor Park - ADA*		3,756				3,756
Forest Hill Park – Fence replacement and repair	40,000					40,000
Galaxy Park - ADA*		3,548				3,548
Hester Center - Basketball Court Resurfacing					12,000	12,000
Hester Center - Park Furnishing		15,000				15,000
Hester Center Ball fields – Press Box Doors and Windows	20,000					20,000
Hester Center Ball fields – Press Box painting	12,000					12,000
Hester Center – Pavilion Pathway Repair	8,000					8,000
Hester Center Ball fields – Concession Building soffit	20,000					20,000
Hester Center Building – Lobby Renovation Architect Services		30,000				30,000
Hester Center Building – Lobby Renovation Construction			150,000			150,000

PROJECT NAME	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	Total
	Adopted	Plan	Plan	Plan	Plan	
Hester Center Building – Lightening Protection	23,000					23,000
Hester Center Ball fields – Football fence					20,000	20,000
Hester Center Ball fields – Paint pavilion		5,000				5,000
Hester Center – East Irrigation Well			40,000			40,000
Hester Center Building – HVAC					300,000	300,000
Hester Center Building – Administration Offices Drainage Repair		25,000				25,000
Hester Center – Playground Equipment					100,000	100,000
Hester Center – Playground Equipment for ADA					360,000	360,000
Hester Center – Playground Restroom Painting		6,000				6,000
Hester Center – Pavilion Painting and roofing		8,000				8,000
Hester Center – Parking Lot Seal Coat ADA				25,000		25,000
Hester Center – Scrub Fence			60,000			60,000
Hester Center – Accessible route from Center to Park		8,000				8,000
Hester Center – Playground Restroom Refurbishment				16,000		16,000
Hester Center – Tennis Court Resurfacing					10,000	10,000
Hester Center – Tennis Court Resurfacing ADA					3,000	3,000
Hester Center – Parking Lot Seal Coat				80,000		80,000
Hester Center – Wood Pavilion Painting and roofing		8,000				8,000
Hester Center – Wood Pavilion Painting and roofing ADA		500				500
Heritage Park - ADA*		858				858
Hibiscus Park – ADA*					24,164	24,164
Hibiscus Park - Basketball Court Restoration and Fence	18,000					18,000
Hibiscus Park - Basketball Court Restoration and Fence ADA	9,000					9,000
Hibiscus Park - Tables and Cans	6,000					6,000
Intracoastal Park - Carpet Replacement			30,000			30,000
Intracoastal Park - Intracoastal Parking Lot Resealing		45,000				45,000
Intracoastal Park – Clubhouse Community Room Refurbishment	32,000					32,000
Intracoastal Park – Clubhouse Community Room Refurbishment ADA	2,500					2,500
Intracoastal Park – Kayak Launch	57,000					57,000
Intracoastal Park – Paint site light poles	35,000					35,000
Intracoastal Park – Paint Pavilion(s) and Restroom(s) roofs	35,000					35,000
Intracoastal Park – Refurbish restrooms			50,000			50,000
Intracoastal Park – Refurbish restrooms ADA			25,000			25,000
Intracoastal Park – Playground poured in place surface	30,000					30,000
Intracoastal Park – Playground replacement	70,000					70,000
Intracoastal Park – Shade Structure	70,000					70,000
Jaycee Park - Pavilion #1 and #2 Painting		8,000				8,000
Jaycee Park - Interpretive Art			10,000			10,000
Jaycee Park - Restroom Building Exterior Painting		12,000				12,000
Jaycee Park - Park Furnishings		10,000				10,000
Jaycee Park - Parking Lot Resealing			5,000			5,000
Jaycee Park –Paint Pavilions			7,000			7,000
Jaycee Park –Shade Structure	70,000					70,000
Kiwanis Sierra Park - ADA*		2,039				2,039
Knollwood Park – Parking Lot			3,000			3,000
Laurel Hills Park - Basketball Court Restoration			8,000			8,000
Laurel Hills Park - Park Furnishings	6,000					6,000
Laurel Hills Park – Parking Lot					2,000	2,000
Laurel Hills Park – Basketball Court ADA			20,000			20,000
Laurel Hills – Split Rail Fence					50,000	50,000
Madsen Center - ADA*				28,825		28,825
Mangrove Park - Flooring		7,500				7,500
Mangrove Park - Boardwalk		1,600,000				1,600,000
Mangrove Park – Fence Repair		8,000				8,000
Mangrove Park – Bench replacement			3,000			3,000

PROJECT NAME	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	Total
	Adopted	Plan	Plan	Plan	Plan	
Mangrove Park – Interpretive markers			10,000			10,000
Mangrove Park – Refurbish Restrooms		6,000				6,000
Mangrove Park – Refurbish Restrooms ADA		7,000				7,000
Mangrove Park – Sealcoat Parking				12,000		12,000
Mangrove Park – trash can replacement			5,000			5,000
Mangrove Walk at the Marina - ADA*		9,438				9,438
Meadows Park - Restroom Building Exterior Painting		6,000				6,000
Meadows Park - Fitness Trail Equipment		9,000				9,000
Meadows Park - Park Furnishings		25,000				25,000
Meadows Park - Parking Lot Resealing	8,000					8,000
Meadows Park - Pathways/Sidewalks Repair			75,000			75,000
Meadows Park - Tennis Courts Fencing		12,000				12,000
Meadows Park – Fence Removal					6,000	6,000
Meadows Park – Parking Lot Sealcoat			16,000			16,000
Meadows Park – Restroom Refurbishment				14,000		14,000
Meadows Park – Restroom Refurbishment ADA				8,000		8,000
Meadows Park – Playground Equipment					95,000	95,000
Meadows Park – Playground Equipment ADA					16,000	16,000
Meadows Park – Restroom Painting				7,000		7,000
Miscellaneous Small Parks Projects	10,000	10,000	10,000	10,000	10,000	50,000
Oceanfront Park - Parking Lot Lights			30,000			30,000
Oceanfront Park – North Shade Sails	8,000					8,000
Oceanfront Park – Sealcoat parking lot			60,000			60,000
Oceanfront Park – Sealcoat parking lot ADA			7,000			7,000
Oceanfront Park – Repair picnic shelter	30,000					30,000
Oceanfront Park – Repair picnic shelter ADA	6,000					6,000
Oceanfront Park – Paint beachfront buildings and pavilion					20,000	20,000
Oceanfront Park – Asphalt pathway		35,000				35,000
Oceanfront Park – Stairway retaining wall					15,000	15,000
Oceanfront Park – Refurbish restrooms		6,000				6,000
Oceanfront Park – Refurbish restrooms ADA		6,000				6,000
Oceanfront Park – Boardwalk Lighting	30,000					30,000
Oceanfront Park – South and Center Shade Sail poles					38,000	38,000
Oceanfront Park – Shade sail poles			25,000			25,000
Oyer Park - Parking Lot Resealing			100,000			100,000
Oyer Park - Shade Sails		15,000				15,000
Oyer Park – Coast Guard Bldg. and pavilion painting		14,000				14,000
Oyer Park – Coast Guard Bldg. and pavilion painting ADA		2,000				2,000
Oyer Park – Coast Guard Bldg. window replacement		7,000				7,000
Oyer Park – Coast Guard Bldg. window replacement ADA		7,000				7,000
Oyer Park - Dredge Channel				100,000		100,000
Oyer Park – Restroom Refurbishment		8,000				8,000
Oyer Park – Restroom Refurbishment ADA		7,000				7,000
Oyer Park – Fishing Pier Railing	140,000					140,000
Oyer Park – New Dumpster Enclosure		15,000				15,000
Oyer Park – Fishing Pier pathway	20,000					20,000
Oyer Park – Paint Restroom Exterior		5,000				5,000
Palmetto Greens Park - Restroom Bldg. Exterior Painting	5,000					5,000
Palmetto Greens Linear Park – Playground ADA			4,000			4,000
Palmetto Greens Linear Park – Replace/maintain Picnic tables ADA			5,000			5,000
Palmetto Greens Linear Park – Paint pavilion				3,000		3,000
Palmetto Greens Linear Park – Overlay internal park path			8,000			8,000
Palmetto Greens Linear Park – Overlay internal park path ADA			4,000			4,000
Palmetto Greens Linear Park – Restroom Refurbishment	8,000					8,000
Palmetto Greens Linear Park – Restroom Refurbishment ADA	10,000					10,000

PROJECT NAME	FY 2015/16 Adopted	FY 2016/17 Plan	FY 2017/18 Plan	FY 2018/19 Plan	FY 2019/20 Plan	Total
Palmetto Greens Linear Park – Parking Lot Sealcoat	6,000					6,000
Palmetto Greens Linear Park – Parking Lot Sealcoat ADA	7,000					7,000
Parks-Furnishings (Cans, benches, picnic tables, etc.)	5,000	5,000	5,000	5,000	5,000	25,000
Pence Park - Park Furnishings		6,000				6,000
Pence Park – Paint Restroom exterior		5,000				5,000
Pence Park –Restroom refurbishment		6,000				6,000
Pence Park –Restroom refurbishment ADA		14,000				14,000
Pence Park – Parking Spaces, new ADA		5,000				5,000
Pioneer Canal Park - Restroom Bldg. Exterior Painting	5,000					5,000
Pioneer Canal Park - Fishing Pier Repair		8,000				8,000
Pioneer Canal Park – Fishing Pier Path ADA		8,000				8,000
Pioneer Canal Park – Split Rail Fence					75,000	75,000
Pioneer Canal Park - Tennis Court Fencing		15,000				15,000
Pioneer Canal Park – Basketball and Tennis Courts			16,000			16,000
Pioneer Canal Park – Basketball and Tennis Courts ADA			18,000			18,000
Pioneer Canal Park – Can, Benches and Grills			10,000			10,000
Pioneer Canal Park – Parking Lot					10,000	10,000
Pioneer Canal Park – Refurbish Volleyball court ADA		14,000				14,000
Pioneer Canal Park – Restroom Refurbishment		13,000				13,000
Pioneer Canal Park – Restroom ADA		16,000				16,000
Sara Sims Park - Basketball Court Restoration				8,000		8,000
Sara Sims Park - Park Furnishings		9,000				9,000
Sara Sims Park – Restroom Renovation		20,000				20,000
Sara Sims Park Restroom Renovation ADA		13,000				13,000
Sara Sims Park Irrigation Upgrade		100,000				100,000
Sara Sims Park Parking Lot		40,000				40,000
Sara Sims Park Parking Lot ADA		7,000				7,000
Sara Sims Park Pavilion		40,000				40,000
Sara Sims Park Water Fountain		12,000				12,000
Sara Sims Park - ADA*					30,198	30,198
Senior Center - Flooring		38,000				38,000
Senior Center - Patio & Awning Repairs			8,000			8,000
Senior Center - Trash Cans	3,000					3,000
Tennis Ctr. - Court Resurfacing	10,000	10,000	10,000	10,000	10,000	50,000
Tennis Center – Parking Lot Sealcoat			30,000			30,000
Tennis Center – Parking Lot Sealcoat ADA			5,000			5,000
Tennis Center – Parking Lot Median Upgrade			48,000			48,000
Tennis Center – Clubhouse Repairs				41,000		41,000
Tennis Center – Clubhouse Repairs ADA				1,000		1,000
Tennis Center – Entry Sign		3,000				3,000
Tennis Center – Accessible Routes ADA	21,000					21,000
Veterans Park - ADA*		1,072				1,072
<b>TOTAL RECREATION AND PARKS PROJECTS</b>	<b>\$ 1,070,200</b>	<b>\$ 2,790,269</b>	<b>\$ 1,144,050</b>	<b>\$ 571,825</b>	<b>\$ 1,339,562</b>	<b>\$ 6,915,906</b>

## TRENDS

Future recreation trends are sometimes difficult to predict. The economic climate over the past decade has forced recreation and park practitioners to think about loss of staff, closure of facilities, decreased maintenance in parks and reduction in recreation programs. After decades of unprecedented growth in both programming and facilities, the industry culture has completely changed. While we used to be able to offer programs upon request, we now have to prioritize and consider a number of factors to determine program offerings.

The use of future recreation trends to anticipate programming or facility needs must be carefully weighed in relation to several factors. Present day trends and forecasts about future change need to be tempered by an understanding of the priorities and policies of parks and recreation service providers. There are five key indicators that must be considered when making decisions of the future of recreation and parks in Boynton Beach. Understanding these indicators allows the City to consider the impacts these trends will have on the parks and open space system, from recreation programming to park facilities to natural resources and operating culture, within government and City departments.

### Demographics

One of the prime indicators of future recreational demand and interest is the forecast for demographic change. The aging of the *Baby Boom* generation is one of the most significant trends affecting recreation. Because of improved health and fitness, as well as lifestyle changes from their parents' generation, people are participating in recreation activities to older ages. People are also retiring at younger ages with relatively high disposable incomes. As the number of retirees increases, there will be more marginally fit recreation users, and more demand for mid-day recreation programs as well as more demand for non-traditional senior programming. Ensuring accessibility may also become more of a factor with a larger senior population requesting programs and services.

Over the past few years, like many other US cities, Boynton Beach was adversely affected by the economic downturn. As a result, the average annual growth of 1.8% during 2000-2006 was followed by a population decline both in 2007 and 2008. The growth rebounded; since 2008, the City grew nearly 6%, and now has 72,784 residents. According to Palm Beach County projections, derived from the county-wide projections of the University of Florida, Boynton Beach's population will increase to 76,144 by 2020. With the overall area of 16.2 square miles, the city's population density is 4,700 persons per square mile. According to the most recent American Community Survey, the City's population has a median age of 43, with about 21.4% of persons 65 years or older. A significant percentage (24.7%) of population is foreign-born. Per capita income of the City's residents is \$27,896, with a median household income of \$44,390. In terms of education, about 25.4% of population has a Bachelor's or higher. Within the last decade, the City has become more racially and ethnically diverse. The share of Whites is currently 53%, while Black/African Americans constitute 30% of the population. The City also has a growing Latino population, now 12% of all residents. (Source: City of Boynton Beach 2015016 Adopted Budget)

## **Environment**

Interest in the environment has been steadily increasing. There is growing awareness and concern by the public for environmental quality, environmental issues, and the environmental movement. People seek an active role in environmental protection and conservation. There is greater local support for the protection of outdoor space. Trends indicate that the participation rate for outdoor recreation continues to grow. This is seen in the demand for more greenways and bikeways leading to destination spots such as parks, libraries and schools. Use of non-motorized boating vessels is on the rise. These trends have been manifested in Boynton Beach through the Greenway/Bikeway/Blueway Plan and the non-motorized kayak launch planned for Intracoastal Park.

The City of Boynton Beach adopted a Climate Action Plan in July 2010. This plan provides an integrated approach to the full spectrum of government services including buildings and facilities, water and wastewater, vehicle fleet, solid waste, procurement, land use and development, and community engagement. It is the first installment of the City's efforts in what will be an ongoing feedback loop of planning and adaptation efforts to effectively address sustainability issues, increase energy efficiency in the public, private and residential sectors, and reduce our overall carbon footprint.

## **Technology**

Technology and its increased use as a form of recreation, especially by the younger generations, has created competition to traditional recreational offerings. This is an opportunity for the recreation professional to offer a wider and more diverse set of programs, even incorporating technology as a means to motivate individuals to participate and become involved in recreational activities.

Additionally, ways of reaching the public have greatly changed. The City has incorporated the use of social media, such as Twitter and FaceBook into its more traditional methods of communication such as *Funfare* Magazine, media releases and flyers. Technology will continue to evolve at a rapid pace and the Department will need to stay abreast of, and incorporate it into marketing and programming in order to communicate and meet the needs of its customers and citizens.

## **Economics**

The City of Boynton Beach's economy is rebounding from the deep recession, with indicators housing prices, development activity and the City's tax base are on the upswing. Moreover, the rebound of the City's economy has likely contributed to a decline in crime, which is down 20% since 2008. Also, the unemployment rate dropped considerably, from 11.1% in 2010 to an estimated 4.9% as of September 2015. Housing prices remain off their peak in 2006, but are now growing rapidly; between October 2013 and October 2014, the median price of a home went from \$145,000 to over \$180,200, a 24.2% increase. In August of 2015, the median price reached \$190,000.

The City's taxable value has yet to return to its peak of \$6.1 billion in 2008. The downward trend was reversed in FY 2014-15; the estimated value for FY 2015-2016 is \$4.6 billion. The Palm Beach Property Appraiser is forecasting higher taxable value going forward; therefore the millage was unchanged from last year. The City of Boynton Beach will benefit from this positive trend of increased taxable values and a stable millage rate. The continuation of the economic recovery promises to sustain further growth, especially in residential construction. Several developments, approved but unbuilt during recession, have returned. The City also approved several new projects, which will continue to contribute the City's growing tax base.

*(Source: City of Boynton Beach 2015016 Adopted Budget)*

However, this positive trend will not necessarily equate to increased budgets from tax dollars, and even though the economy may be recovering from the recent recession, recreation and park agencies still have to consider lower cost forms of entertainment, free entry to parks and facilities and other means to continue to be financially accessible to the public.

### **Government**

Fiscal pressures on recreational facilities and program development will come with rising energy costs, greater scarcity and high cost of land, rising operating costs and revenue limits, and anti-taxation sentiment. Recreation is becoming more of a consumer market, meaning that activities are subject to more competition between private, public and non-profit competition. A broad definition of what constitutes public access to city sponsored facilities and programs may challenge the financial feasibility of building new and maintaining existing facilities.

### **Recreation Program Trends**

Recreation staff conducts regular trends analyses of various topics pertaining to parks and recreation, especially as it relates to programming. This aids staff in anticipating the changes in growth and interest of recreation programs. Consideration of trends and demographic projections provides staff valuable information necessary to create a menu of programs, activities and events that are reflective of the community's interests and desires.

Current trends include use of parks as ideal venues for healthy lifestyle options (e.g. parks as gyms), redefining the image of senior center, Pickleball and new programming to attract Baby Boomers.



## S.W.O.T.

A SWOT (Strengths, Weaknesses, Opportunities & Threats) analysis of the Department is conducted every two years to evaluate those factors that affect internal and external operations. A team composed of Department employees at various levels of authority interviews staff to receive feedback and opinion regarding operations, opportunities for improvement, points of concern, and any other items that may have a positive or negative impact on productivity. The most recent SWOT Analysis, conducted in 2015, identified the following:

### STRENGTHS

Make Life Fun for participants  
Great customer service/loyal customers  
Variety of programs and services  
Promotion of activities and events  
Funfare magazine  
Experienced staff

### OPPORTUNITIES

Provide Free WiFi  
Offer family discounts for some programs  
Utilize grant opportunities  
New and existing partnerships  
Increase use of social media  
Create a Rec application for smart phone users

### WEAKNESSES

Success/cancellation rate of programs  
Communication  
Budget restraints  
Lengthy hiring process  
Lack of sufficient transportation for programs  
Employee incentives and raises

### THREATS

Aging infrastructure  
Neighborhood crime  
Homeless in parks  
Competition from similar providers (camps)  
Staff not taking advantage of marketing opportunities

## NEEDS ASSESSMENT

The Department conducts a comprehensive needs assessment every five years, the last one in March 2013. The key reasons for conducting this project were:

- accountability to our community and the commission
- sensitivity to the changing recreation and park interests of the population and
- recognition of the need for updating the baseline information for more efficient recreation and parks management

Each recommendation based on a significant number of respondents is addressed via a Work Plan that is created subsequent to the completion of the Needs Assessment.

Methodology included: focus groups sessions, meetings with staff and commissioners, a community-wide questionnaire, and analysis of the data. The project yielded opinions from respondents to the questionnaire ranging across the entire geography of the community. This provided specific views and information regarding facilities, activities and programs. It also details the community's perceptions regarding the overall quality of services delivered by the Recreation and Parks Department. The Needs Assessment serves to provide guidance regarding the distribution of Department resources that are reflective of the community's needs and interest. The Needs Assessment yields several recommendations, key findings and summaries.

### **Major Findings**

- The most popular recreation interests are those related to special events, performing arts and indoor fitness. While the first two were top interests in previous studies, indoor fitness now ranked much higher.
- Beaches, parks/community centers and athletic facilities are the most frequently visited facilities. This is similar to previous findings.
- Lack of information, lack of time, and access to facilities constituted the biggest barriers to attendance and participation. This is similar to what was seen previously as well, although a larger portion of respondents claimed that they lacked the time to participate.
- The most effective ways of informing the residents of Boynton Beach are direct mail; however, now Internet delivery and Web sites ranked as the second most effective way to get information out to the community.
- Some the most important needs, those that rank at the very top of the list, include neighborhood parks, nature trails and picnic areas.
- The most significant needs are exercise and fitness programs, fitness trails, neighborhood parks and picnic areas.
- Nearly all the respondents agreed to the following statements:
  - ⇒ The BBRPD (Boynton Beach Recreation and Parks Department) is responsive to community recreation needs.
  - ⇒ The parks I visit are conveniently located.
  - ⇒ The BBRPD should provide more activities where the whole family can participate.
  - ⇒ The BBRPD staff is courteous and helpful.
  - ⇒ The quality of leadership/supervision provided by the BBRPD is good.

## **Recommendations**

**Facilities:** The results clearly suggest that the BBRPD needs to emphasize maintenance of its facilities along with the development of neighborhood parks.

- The BBRPD should make sure there are sufficient opportunities and areas for special events and performing arts activities, given the high levels of interest in activities of these types.
- The Parks Department should be aware of the significant popularity of the beach and neighborhood and district parks as the most frequently visited areas in the community.
- The BBRPD should continue to address the issues of location and parking in order to ensure they do not serve as barriers to participation and attendance.
- The BBRPD should continue to evaluate safety levels at its facilities and programs, as well as continue to make the currently successful effort to ensure the public perceives their offerings as safe.
- The BBRPD should continue to ensure that park maintenance remain a high priority given the demand and appreciation for the parks in Boynton Beach.

**Programming:** The results clearly suggest that maintaining a diversity of program offerings is important to the respondents and thus the Department should consider the following recommendations as important components of its future plans:

- The Department should attempt to provide a greater variety of programs to its residents.
- The Department should provide more family-oriented activities, as well as other programming that can address the specific recreation needs of all residents in Boynton Beach.
- The Department should consider adding exercise and fitness classes and health screenings to meet the residents' health and fitness needs.
- The Department should consider festivals and special events as recreation activities that will be appreciated by residents of all ages in Boynton Beach and find ways to offer them regularly.

**Financial Issues:** The respondents had specific feelings about the way in which BBRPD should be funded and how its funding should be used. To that end, the BBRPD should consider adopting the following recommendations:

- The BBRPD should consider the best ways of taking advantage of reasonable user fees, including higher fees for non-residents, in order to provide new programs that will be of interest to the residents of Boynton Beach.
- The BBRPD should consider ways in which Boynton Beach could be presented as a tourism destination as a way to attract revenues to support the Department activities.

Administrative Issues: Based on the data, the BBRPD should consider the following as recommendations for action with respect to the way in which it performs its activities. These are important issues since there is an opportunity for BBRPD to better showcase its activities and functions in the community to gain the respect it deserves:

- The BBRPD should attempt to work around residents' schedules in order to enable them to participate in recreation offerings.
- The BBRPD should make publicity about recreation opportunities a high priority.
- The BBRPD should aggressively develop the use of the Internet to disseminate information regularly about recreation opportunities to all residents of Boynton Beach.

## COMMUNITY INVENTORY

The Recreation and Parks Department maintains an inventory of facilities, programs and services offered by other public, private and non-profit providers. This comprehensive community inventory is updated periodically, at minimum every five years. It is used as a reference tool to guide staff in determining program gaps, needs and/or areas of duplication.

By analyzing this information we are able to confirm that our inventory of facilities and programs is generally complementary in nature to the other service providers in our community. For example, considering the location of the other public pools in the area, we know that the Denson Pool is providing an essential and valuable service to that part of our city. We know that there are ample private clubhouses and recreation amenities in the northwest quadrant of the city, but it may be worth considering the addition of a recreation center sometime in the future since none currently exists west of I-95.





## Community Input

Community input is a vital component of a successful park and recreation system. The Department solicits and receives input from its customers and citizens in a variety of ways, both formally and informally, through needs assessments, citizen advisory boards, customer surveys and public meetings. The most recent public meeting held to obtain input was on October 26, 2015.

At the meeting, staff presented information about the Recreation & Open Space Element of the City's Comprehensive Plan, level of service (LOS) standards, existing facilities and parks, programs and services, Capital Improvement Program, management and administration. Considering the developed park acreage and the City's current population, the Department's efforts over the next five years will focus on maintaining our existing parks and facilities, making any necessary modifications that were identified as part of the ADA Transition Plan, and to take advantage of any potential grant and/or partnership opportunities to make improvements to the existing system.

Those in attendance were then asked to share their opinions/ideas about parks, recreation facilities, and the Department's Greenway/Bikeways/Blueway Plan. The following were identified as the most popular interests in each category:

### **Greenways/Bikeways/Blueways**

Connect all parks with bikeways

Fishing docs

Include public art as points of interest

### **Recreation**

Host ironman/woman competition

More promotion of parks and recreation facilities

More sport tournaments

### **Parks**

Biking/walking trails

More shelters/pavilions



## Goals, Objectives & Policies

The goal of the Boynton Beach Recreation & Parks Department, as also identified in the Recreation and Open Space Element of the City of Boynton Beach Comprehensive Plan, is:

To create and maintain an interconnected system of aesthetically pleasing, functional, and well-maintained parks, pedestrian/ bikeways, greenways, blueways and natural areas that will adequately serve the needs of the current and future residents of the City of Boynton Beach, including seasonal visitors, and special groups such as the elderly and handicapped. The City shall also continue to provide a variety of high quality parks and recreation related programs for all residents.

**Objective 1:** The City shall provide a system of park sites with a variety of both user-oriented and resource based facilities and recreational programs to serve the needs of current and future City residents. Elements of the system shall include:

Urban Open / Civic Spaces

Neighborhood Parks

Community Parks

Special Use Facilities

Water / Beach Access

Greenways / Bikeways / Trails

Conservation Lands

Regional Parks

Schools / School Parks

Private Recreational Facilities

Art in Parks and other Public Spaces

Recreational Programs

Policy 1.1: The City shall continue to assess park conditions by input from the Parks and Recreation Advisory Board, special interest groups, and public meetings, needs assessments conducted on a five-year basis, and periodically conducted user surveys.

Policy 1.2: The City shall continue to assess future facility needs, as well as user preferences and willingness to pay through the following methods: input from the Parks and Recreation Advisory Board, special interest groups, and public meetings; needs assessments conducted on a five-year basis; and periodically conducted user surveys. When feasible, the City shall strive to address deficiencies identified through needs assessments within two years of their completion.

Policy 1.3: The City shall endeavor to incorporate art in all parks and public spaces throughout the City as an implementation strategy of the Art in Public Spaces program.

**Objective 2:** The City shall ensure adequate and safe public access to all existing and future City parks, recreational facilities, and local waterways. This effort shall include vehicular, pedestrian, trail, bicycle, and wheelchair access and shall continue to improve and increase access to parks and recreational facilities, where available space exists, by providing adequate automobile parking, bike rack facilities, and access to all existing and planned, neighborhood and community parks operated by the City consistent with the City's ADA (Americans with Disability Act) Transition Plan.

Policy 2.1: The City shall continue to provide bike rack facilities within all parks developed after the adoption of this Plan.

Policy 2.2: By 2020, the City shall provide bike rack facilities within all existing neighborhood and community parks. Private sponsorship of bike racks will be explored.

Policy 2.3: The City shall continue to examine the extent of barrier-free access within parks and recreational facilities. Deficiencies will be addressed in the ADA Transition Plan that sets the phasing and funding.

Policy 2.4: The City shall ensure that future park sites and facility improvements provide for accessibility of park sites and recreational facilities to individuals with disabilities, in compliance with the Americans with Disabilities Act.

Policy 2.5: The City shall promote safe, interconnected pedestrian linkages for its parks and recreation network through provision of greenways, trails, sidewalks, bike paths and bike lanes, where appropriate, to connect each of the City's individual parks and facilities with schools, libraries, museums and other public facilities, where feasible, to provide residents with access to the City's parks and schools systems.

**Objective 3:** The City shall continue to ensure that park and recreational facilities are sufficient to meet current needs. The City shall also plan for future improvements to the park and recreation system.

Policy 3.1: The City shall maintain a level of service of 2.5 acres of developed parkland per 1,000 residents.

Policy 3.2: The City shall set the following nomenclature for existing and undeveloped parks and open space: Urban Open/Civic Spaces; Water/Beach Access; Greenways/Bikeways/Trails; Regional Parks; Community Parks; Neighborhood Parks; Special Use Facilities; and Conservation Lands.

Policy 3.3: Facility expansion and improvement plans shall also consider the following advisory distance-to-parks' standards as recommended:

Developed Active Parks and Open Space (Measured by LOS):

Neighborhood/School Parks – ½ - 1 mile from every resident

Community Parks – 25 – 40 acres, 25% preserved for open space, 3 miles from every resident

Community Centers – minimum of 4,000 square feet; 3 miles from every resident

Special Use Facilities (dog parks, sports complexes, etc.) - 3 miles from every resident

Policy 3.4: For areas annexed into the City which are platted, developed, under development, or have approved development plans in Palm Beach County, the level of service at time of annexation shall be assumed to be that provided by existing park facilities serving the area.

**Objective 4:** The City shall take advantage of both public and private resources, in the provision of park and recreational facilities and programs to meet current and future demands.

Policy 4.1: The City shall continue to enforce the provision of open space as required by the Land Development Regulations in all new developments. Private developers shall also be encouraged to provide recreational facilities as feasible.

Policy 4.2: The City shall strive to ensure that future park and recreational facilities will address changes in demographics and identified geographic deficiencies.

Policy 4.3: The City shall continue to seek opportunities for the joint use of existing public school and City recreational facilities.

Policy 4.4: The City shall continue to permit agreements and cooperate with private recreational organizations for use of City parks and facilities in order to provide a variety of recreational programs.

Policy 4.5: The City shall continue to make parks and recreation facilities available to private and non-profit groups for cultural programs, special events and festivals, which serve the public interest.



**Objective 5:** The City shall ensure complete and safe access to park sites and other points of interest, and to support the evaluation of opportunities for the acquisition and development of bike/trail networks.

Policy 5.1: The City shall consider the construction of a network of pedestrian, bicycle, recreational, water-based and public access trails that connects to the County's trail system. The intent of the network shall be to interconnect existing parks and facilities and additional recreational facilities for pedestrian activities. The City shall coordinate with the Metropolitan Planning Organization, Florida Department of Transportation, Palm Beach County and other appropriate agencies to study and implement options for coordinated provision of an interconnected trail network.

Policy 5.2: The City shall apply for grants and other funds for trail development from the Florida Department of Environmental Protection, other sources of government and private grants, and possibly voter-based referenda.

Policy 5.3: The City shall coordinate with the Florida Trail Association, the Rails to Trails Conservancy, the Florida Department of Environmental Protection Office of Greenways and Trails and other organizations involved in the acquisition and development of trail systems within Palm Beach County.

**Objective 6:** The City shall seek to diversify funding of improvements to the park and recreational facility system through the use of a variety of funding sources such as the general fund, developer commitments, grants, bonds, user fees, and impact fees.

Policy 6.1: The City shall conduct a review the City's Recreation Impact Fee regulations as needed, based on relevant inflation and demographic data, in order to assure that new development contributes its proportional share of the cost to expand recreation facilities.

Policy 6.2: The City shall continue to pursue County, State and Federal Grants, as well as donations of land and matching funds, for the improvements to the parks, recreational and open space lands and facilities.

Policy 6.3: The City shall continue to apply the concept of user fees to offset the cost of certain facilities where appropriate.

Policy 6.4: The City may evaluate a bond issue to generate additional parkland, trails, and open space funds to meet needs, if approved by a public referendum.

Policy 6.5: Notwithstanding rules and regulations governing the use of lands acquired through dedication or other means, city-owned parkland or property dedicated for recreational/park use should only be sold or converted for alternative use if not listed for future development in the System Master Plan or Capital Improvements Program, or if deemed necessary to further other goals or objectives as supported by current action of the City Commission. Such actions must be supported by the current needs and demand analysis.

Policy 6.6: Undeveloped lands designated for future park and recreation sites shall be protected from encroachment by adjacent development.

**Objective 7:** The City shall develop a system of open spaces through the preservation and/or acquisition of significant lands, native habitat, and habitat of endangered, threatened and species of special concern.

Policy 7.1: Natural areas shall be preserved to the extent possible in accordance with preservation policies in the Future Land Use and Conservation Elements of the City’s Comprehensive Plan.

Policy 7.2: The City shall coordinate with the Florida Department of Environmental Protection and all other appropriate agencies to establish or revise regulations and programs for the acquisition of natural/ environmental lands.

Policy 7.3: The City shall incorporate natural open space, especially wetlands and areas unsuitable for development, into neighborhood and community parks, as passive recreation space.

Policy 7.4: The City shall consider amending Land development Regulations to encourage the incorporation of open space into all new non-residential projects, in addition to any environmentally sensitive areas preserved.

Policy 7.5: The City shall work in conjunction with the State of Florida, the South Florida Water Management District, the Nature Conservancy, the Trust for Public Lands, and other appropriate agencies involved in conservation lands to create a citywide open space system and a greenways/trails/blueways system.





## Recommendations

### **Provision of Facilities**

The Department should focus on maintaining our current inventory of facilities. As the population continues to grow, consideration may be given to add a recreation facility in the western part of the city since none currently exists.

### **Programs and Services**

The Department will continue to offer a broad spectrum of programs reflective of the community's needs and interests, taking into account results from needs assessments which continue to identify the desire for family programming and special events.

### **Parkland Acquisition and Development**

At this time we are meeting our level of service in regards to the number of acres parkland we should have based on the number of residents. Our focus over the next five years should be to maintain our current parkland in the best manner possible, and take advantage of any potential partnerships and/or grants to make improvements to our existing system. Some recent examples of this includes the acquisition of an accessible, non-motorized vessel launching dock, which was partially funded by a grant, and the installation of shade structures using the Park Impact Fee Fund.

### **Maintenance and Operations**

A significant maintenance item over the next several years will be the implementation of the ADA Transition Plan that involves remedial activities at each park and recreation facility.

### **Administration and Management**

Considering the recent reorganization of the Department, administratively some of the focus will be on adjusting to the new reporting structure as well as the hiring of a new Recreation Superintendent. The Department will continue to focus on maintaining national accreditation standards, especially as it relates to planning, outreach, education, evaluation, assessment and research. The Department will also continue to work with the Human Resources Department to create a new summer camp counselor job description in order to hire seasonal employees with qualifications to work with participants with special needs.

## Strategies

The Department's Strategic Plan provides the strategies to guide the Department to realize its vision and fulfill the comprehensive goals and policies in this plan. Using the balanced scorecard approach, the Strategic Plan identifies strategies around four key themes:

1. Strengthen Financial Performance
2. Be a Leader in Providing Excellent Parks and Recreation Services
3. Invest in, Develop and Motivate Staff
4. Build Community & Customer Loyalty by Exceeding Expectations

Annual action plans are also developed which provide specific tasks to be accomplished in order to achieve the established goals.

## Summary

Ultimately, a plan has little value if it sits on a shelf and gathers dust. This plan is a true reflection of the Recreation & Parks Department - the who, what, where, when and why we exist as an organization and how we plan to prepare for the future. This plan interrelates programs, services and physical resources. It provides a clear picture of our existing conditions, and how we plan to address future challenges.

As such, this plan will have little time to gather dust. It will help and guide staff in our continuing efforts to deliver services that are not only essential, but also contribute to the economic development of the City by creating and providing enriching programs that benefit our community. These programs provide significant indirect revenue, a true and sustained value to our local economy - from special events, recreational equipment sales, art supplies, etc. As it relates to environmental sustainability, parks and protected lands are proven to improve water quality, improve the quality of the air we breathe, and provide habitat for wildlife. The contribution to the health, social well-being and safety of the community is quite significant. Parks and recreation services are often cited as one of the most important factors in surveys of how attractive and livable communities are perceived to be. Parks and recreation centers provide gathering places for families, social groups and individuals of all ages and economic statuses, regardless of their ability to pay for access. Lastly, access to parks and recreation opportunities has been strongly linked to reductions in crime and to reduced juvenile delinquency.

In conclusion, this plan will provide short and long term direction and continuity for both present and future parks and recreation program and services and physical resources development. The plan is intended to be fluid in nature, adaptable to future changes and needs.

## **Appendix H**

Boynton Beach Recreation & Parks Department  
Annual Report 2015 – 2016

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# Boynton Beach Recreation & Parks Department Annual Report 2015-2016





## MESSAGE FROM THE DIRECTOR



As 2016 draws to a close, it's a time when we all reflect on what has happened over the year and what we look forward to in the new one. There were many changes, both nationally and locally; significantly, we elected a new president and a new mayor. As the old adage goes, the only thing constant in the world is change. The Recreation & Parks Department also experienced change over the past year. We said goodbye to Senior Recreation Manager Virginia Shea, who retired after 30 years of service to the Department. While we will miss her passion, skills and dedication to the department, we are happy for her as she embarks on a new chapter in her life. We also welcomed Recreation Superintendent Amy Blackman to the team. She is an experienced and enthusiastic recreation professional and we are excited to have her join the staff.

The beginning of a new year is also the time when many of us make resolutions. Many of us resolve to spend more time with family, take up a new hobby or exercise more. Those are all things that the Recreation & Parks Department can help you with! Parks provide many opportunities to get fit, whether by walking or jogging or playing tennis or utilizing the outdoor fitness equipment at Barrier Free Park. They also provide opportunities to spend time with family, like playing with the kids at a playground or attending an event. You or your child can also develop a new skill or hobby - such as tennis, art or dance - by enrolling in a recreation class.

As we look to 2017 we are hopeful that we can have a positive effect on the lives of the residents we serve. One of the ways we plan to do this is by implementing the Health and Wellness Pledge that we signed along with 70 other recreation agencies across the state of Florida. One of the exciting projects already underway is the vegetable garden, planted and tended by the participants in the Kids Club afterschool program. As children are involved in the growing and preparation of their food and they learn about the benefits of good nutrition, they are more likely to make healthy food choices on their own. This initiative is the beginning of a statewide effort to more deeply position park and recreation agencies as a solution to Florida's health and nutrition challenges. This is just one of the many ways that recreation and parks contributes to the health and well-being of our community, and we look forward to expanding these opportunities in the new year.

Wally Majors, CPRP  
Recreation & Parks Director



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## VISION AND MISSION

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Our vision is to be a leading and well-respected, nationally accredited agency providing exceptional, widely accessible facilities and services that meet the needs and contribute to the health and well-being of the community while preserving its history and embracing its future.

We seek to lead our diverse and ever-changing neighborhoods and communities in discovering the unique parks and open spaces and exceptional and essential recreation facilities, programs and opportunities available in Boynton Beach. Boynton Beach's Recreation and Parks Department inspires patrons to create lifetime memories and provide healthy indoor and outdoor recreation experiences while preserving the history of the community and embracing its future. The Department will conduct its recreation programs and preserve and maintain parks, open spaces and facilities and contribute to the economic impact, environmental sustainability and social well-being of our broad community while making life fun for all citizens. Together and in partnership with other organizations, we:

### **Contribute to Economic Impact**

Developing and providing enriching programs helps to create healthy communities, reduce crime and vandalism, foster business retention and expansion and enhance tourism. Recreation and Parks is good for the entire community.

### **Contribute to Environmental Sustainability**

We strive to make the importance of recreation and parks more evident to the public, by promoting parks as the center of communities and City facilities as safe havens. The Department will continue to serve as stewards by maintaining and preserving parks, open spaces and natural areas while addressing accessibility for all. It is vital to encourage environmental and natural resource management – through public awareness and preservation. Recreation programs and parks enrich our human and natural resources.

### **Contribute to the Social Well-Being and Safety of the Community**

Residents have long valued neighborhood and community parks as special natural places where they can relax, walk, meditate, play, enjoy family time and seek spiritual renewal.

As our quality of life has changed and grown, the Boynton Beach Recreation and Parks Department has formed partnerships with many other organizations including the Palm Beach County School District, The Palm Beach County Board of County Commissioners and community-based organizations and businesses to provide services to increase community stability. The Recreation and Parks Department provides a full spectrum of recreation and park services for residents that are affordable and accessible, and will continue to provide and expand all-inclusive programs and services, particularly to the City's youth and senior populations. The Department continues to encourage volunteerism through recognition and training.

One objective of the Recreation and Parks staff is to have an impact on others, and ultimately the world in which we live, in a positive way. Our humanity – our children's future – depends on the choices we make today. Reaching out to people who care about recreation and parks, and who care about their community, is our job. Everyone can benefit from physical activity, time spent in nature, and revisiting their heritage. Providing information and services to the citizens of our community, as well as the businesses in our community, helps build strong resources for recreation and parks.

### **Mission Statement**

Recreation and parks enhances the quality of life and nurtures the health and well-being of our community, economy and environment. The professional staff of the Boynton Beach Recreation and Parks Department strive to meet the needs of the greater Boynton Beach area by offering high quality, diverse recreational opportunities that promote physical health, social well-being and a strong sense of community.

### **Slogan**

We Make Life Fun!



## DEPARTMENT OVERVIEW

### Recreation Facilities

There are seven recreation centers, one community pool and a public beach that serve the needs of all age groups and all sectors of the city. While residents pay a reduced fee for programs and services, all are welcome to participate in recreation activities at any of the centers, each of which has its own unique features.

- Art Center, 125 SE 2nd Avenue, features a pottery studio, art and craft classrooms
- Civic Center, 128 E. Ocean Avenue, features a full size auditorium, classroom and dance studio
- Denson Pool, 225 NW 12th Avenue, features splash buckets, slides, lap lanes and deck space
- Hester Center, 1901 N. Seacrest Blvd., features a park, playing fields, tennis courts, outdoor basketball and racquetball courts and a playground as well as an indoor gymnasium, weight room and a game room
- Intracoastal Park Clubhouse, 2240 N. Federal Highway, features classrooms, an event room and catering kitchens with a 10' wrap-around deck on the second floor
- Oceanfront Park, 6415 N. Ocean Blvd., features 900' of guarded beach, a boardwalk, concession building, playground, picnic tables and covered pavilions
- Senior Center, 1021 S. Federal Highway, features fitness, meeting and multipurpose rooms, a computer lab, dining room and the Seaside Café
- Sims Center, 225 NW 12th Avenue, features a large catering kitchen, large multi-purpose room, classrooms and a game room as well as outdoor basketball courts, a playground and playing field
- Tennis Center, 3111 S. Congress Avenue, features 17 Har-Tru and 4 composite courts, a Pro Shop and access to Barrier Free Park



### Accreditation



The Department is proud to be a nationally accredited agency. Accreditation was initially conferred in 2006 and re-accreditation was again granted in 2016 by the Commission for Accreditation of Park and Recreation Agencies (CAPRA). National accreditation requires recreation and park agencies to respond to 151 standards, representing elements of effective and efficient recreation and park operations. To become accredited, agencies must demonstrate their ability to meet 37 fundamental standards and 95% of all other standards. The City of Boynton Beach Recreation & Parks Department met 99% of the standards and is one of only 152 agencies in the nation and 23 agencies in the state of Florida to have gone through the process and received national accreditation.



## DEPARTMENT OVERVIEW

### Parks

The City features over 200 acres of beautiful neighborhood, community and waterfront parks.

- Barton Park, 1110 NW 5th Street, historical cemetery
- Betty Thomas Park, 2882 SE 2nd Street, neighborhood park
- Boynton Beach Memorial Park, 1611 S. Seacrest Blvd., cemetery
- Boynton Lakes Park, 300 Boynton Lakes Blvd., neighborhood park
- Boynton Village Park & Dog Park, 800 Renaissance Commons Blvd.
- Congress Avenue Barrier Free Park, 3111 S Congress Ave., regional park
- Dewey Park, 100 NE 4th Street, passive park
- Edward F. Harmening Arbor Park, 124 E. Woolbright Road, passive park
- Ezell Hester, Jr. Park, 1901 N. Seacrest Blvd., regional park
- Forest Hills Park, 2500 SW 8th Street, neighborhood park
- Galaxy Park, 301 NW 4th Ave., neighborhood park
- Harvey E. Oyer, Jr. Park, 2010 N. Federal Hwy., waterfront park
- Heritage Park, N Seacrest Blvd. & NW 10th Ave., passive park
- Hibiscus Park, 660 SW 1st Ave., passive park
- Intracoastal Park, 2240 N. Federal Hwy., waterfront park
- Jaycee Park, 2600 S. Federal Hwy, waterfront park
- Kids Kingdom Playground, 129 E. Ocean Ave., playground area
- Kiwanis Sierra Park, 554 NE 22nd Ave., passive park
- Knollwood Park, 8121 Lawrence Road, neighborhood park
- Laurel Hills Park, 515 NW 7th Street, neighborhood park
- Little League Park, 300 W. Woolbright Road, ball fields
- Mangrove Nature Park, 700 NE 4th Ave., mangrove preserve
- Meadows Park, 4305 N. Congress Ave., neighborhood park
- Oceanfront Park, 6415 N. Ocean Blvd., waterfront park
- Palmetto Greens Linear Park, 421 NE 13th Ave., greenway/bikeway
- Pence Park, 600 SE 4th Street, neighborhood park
- Pioneer Canal Park, 848 NW 13th Ave., neighborhood park
- Rosemary Scrub Natural Area, 2901 N. Seacrest Blvd.
- Sara Sims Park, 209 NW 9th Ave., neighborhood park
- Seacrest Scrub Natural Area, 3400 S. Seacrest Blvd.
- Veterans Memorial Park, 411 N. Federal Hwy., passive park with monuments
- Wilson Park, 225 NW 12th Ave., neighborhood park





## FY 2015-2016 SUCCESSES

### Contribute to Economic Impact

- In partnership with the Realtors Association of the Palm Beaches (RAPB), hosted the 4<sup>th</sup> Annual Barrier Free 5K Run, Walk & Roll event at Barrier Free Park. Although participation decreased from 219 to 141, the event still generated more than \$2,500 towards the future development/improvement of the park, and brings the four-year total to over \$10,000. The most exciting component of the event was the incorporation of the “Magic Wheelchair.” The honorary starter of the 5K was four-year-old Bella Maria Natale, a beautiful little girl who pushes through life despite her condition. In an effort to make Bella Maria’s experience even more memorable, staff contacted the non-profit organization *Magic Wheelchair* in Oregon. After meeting with Bella Maria and her family, it was decided that her wheelchair would be converted into a carriage like the one used by Cinderella. The “Magic Wheelchair” was then unveiled at the start of the 5K. This was truly a wonderful experience for Bella Maria and her family.

- Completed improvements to several recreation centers, including remodeling of the restrooms at the Tennis Center; addition of an ADA-compliant family restroom at the Civic Center; new slides and pump at Denson Pool; refurbishment of the event room at Intracoastal Park Clubhouse which included new carpet, dance floor area, paint and wainscoting; and improvements to the press box, dugouts and concession building at Ezell Hester, Jr. Community Center.

- Partnered with over 65 local businesses and individuals who sponsored and donated to various events and programs. This cooperative effort helped to offset the cost of these programs by nearly \$32,000 and provided exposure to potential customers for the businesses.



### Contribute to Environmental Sustainability

- The Adopt-a-Park program has 12 park adopters. Parks adopted are Barton Memorial, Congress Avenue Barrier Free, Dewey, Harvey E. Oyer, Jr., Heritage, Ezell Hester, Jr., Intracoastal, Jaycee, Knollwood, Oceanfront, Pence and Veterans Memorial. During the year, a total of 637 volunteers donated 1,217 hours of time performing maintenance and clean up.

- Continued to host the Boynton Beach Fishing Club meetings, open to the public, at which educational topics are presented.

- The Parks Maintenance Division continued to maintain over 180 acres of parks and open space which provide residents and visitors access to the environment to use walking paths and trails, play on the playgrounds, opportunities for passive and active recreation purposes as well as access to inland waters, the Intracoastal Waterway and the Atlantic Ocean.



## FY 2015-2016 SUCCESSES

### Contribute to Environmental Sustainability, cont.

- Partnered with local schools to provide environmental education: Congress Middle School students participated in Arbor Day by helping to plant trees at Jaycee Park and students from Galaxy Elementary School helped plant over 200 native seedlings in the scrub site adjacent to the school.



### Contribute to the Social Well-Being and Safety of the Community

- The Department offered a variety of programs for youth including sports, fitness and enrichment activities. Programs such as gymnastics, basketball, dance, art, summer camps and a licensed afterschool program help to keep kids active and healthy throughout the year. Approximately 4,000 children participated in registered recreation programs.
- Over 1,000 adults participated in registered recreation programs to improve their physical health and wellness or learn a new skill.
- There were over 13,000 visits to open recreation programs such as concerts, dances, daily tennis play and walk-in athletic and fitness programs.
- Over 1,400 seniors participated in social, health and wellness programs at the Boynton Beach Senior Center.
- Our workforce was supported by volunteer and community service assistance equivalent to over 8,400 staff hours.
- At Oceanfront Park, there were over 178,800 visitors and 1,867 preventive actions which helped prevent potential drownings and/or injuries. First aid was administered to 78 patrons and 41 swimmers were aided or rescued, and 563 patrons were treated for marine pest stings.
- Awarded \$10,000 in scholarship assistance to local families so 32 children could attend summer camp.





## FY 2015-2016 SUCCESSES

### Contribute to the Social Well-Being and Safety of the Community, cont.

- Provided swimming lessons to 460 children, of which 45 were provided free through a USA Swimming Foundation grant. In addition, there were also over 2,700 visits to the pool for “open swim.”
- Held a variety of events for the community, including July 4<sup>th</sup>, the annual “Egg-Stravaganza”, Tennis Carnival, Daddy/Daughter Dance, Breakfast with Santa and Senior Health Fairs, many of which were free.
- Continued the *Play Outdoors...Unplugged* events, a series of free, family events in parks. Events included the Fall Festival, Big Truck Rally, Spring into Summer, Family Fun Day, Wacky Water Day and Nickelodeon Worldwide Day of Play. Over 3,700 parents and children took advantage of these free outdoor events.
- The Youth Empowerment Center (YEC) served 46 registered students with seven different types of classes and programs, including mentoring, healthy cooking, dance and karate. This program assists local at-risk youth by providing the life skills and tools necessary to graduate from high school, obtain employment and be successful members of the community.
- Collaborated with *Stand Down House*, and the *Salvation Army Center of Hope Transitional Housing Program*, local non-profit organizations which help male veterans who are struggling with various issues regain their lives through a multi-tiered program, transitional living and collaborative efforts. Monthly events are planned to provide physical and social recreation for these veterans. 30 veterans have taken part in various activities, such as surfing, kayaking and volleyball, all at no cost.



The City was named a Pool Safety Campaign Safety Partner - one of only two municipal agencies in the country to be given this designation. Pool Safety is a national education program of the U.S. Consumer Product Safety Commission (CPSC). Working with partners across the country, the program emphasizes reducing childhood drowning, submersion injuries and entrapments in swimming pools and spas.

- The 70+ volunteer members of the Gold Coast Band, under the direction of new Artistic Director & Conductor, Ken Wilbanks, began its 40<sup>th</sup> anniversary season on October 4, 2015 performing to a sellout crowd. The music performed by the Gold Coast Band helps to enrich the culture of the community and provide opportunities for musical expression, enjoyment and education for band members and the audience. Each concert features a classic musical composition of the highest caliber, challenging each musician to reach his/her highest potential.





## FY 2015-2016 HIGHLIGHTS

### Contribute to the Social Well-Being and Safety of the Community, cont.

- Otter Spotter Day came to Boynton Beach on May 6. In its 5<sup>th</sup> year, the Annual International Otter Spotter Day kicks off National Water Safety Month and was created to energize drowning prevention and water safety efforts around the world. The Recreation & Parks Department distributed Josh the Otter hand fans to generate awareness to adults and educate children that “Water is fun, but only with an adult.” Otter Spotter Day is an initiative developed by the Joshua Collingsworth Memorial Foundation.
- Project Seahorse, a non-profit group, is all about teaching kids what fun snorkeling and free diving can be. Project Seahorse hosted 32 campers, ages 10 – 12 from Adventure Camp. Campers were provided with personal snorkeling gear, three instructional pool sessions and one open water session during the months of July and August. The open water trip was confined to the Intracoastal Waterway due to weather conditions, but a great time was had by all of our new snorkelers! After the open water trip, the Community Redevelopment Agency (CRA) hosted a cook out and educational presentation for the snorkelers and their families.
- The Recreation & Parks Department, along with over 70 other recreation agencies across the state of Florida, signed the Florida Recreation and Park Association (FRPA) State of Health and Wellness Pledge. Under the two categories of Physical Activity and Nutrition, the Department implemented a children’s garden at the Art Center and healthier food options at the snack bars at the golf course and beach as well as in summer camps. In addition, a minimum of 60 minutes of active play is now included in all out-of-school programming time.



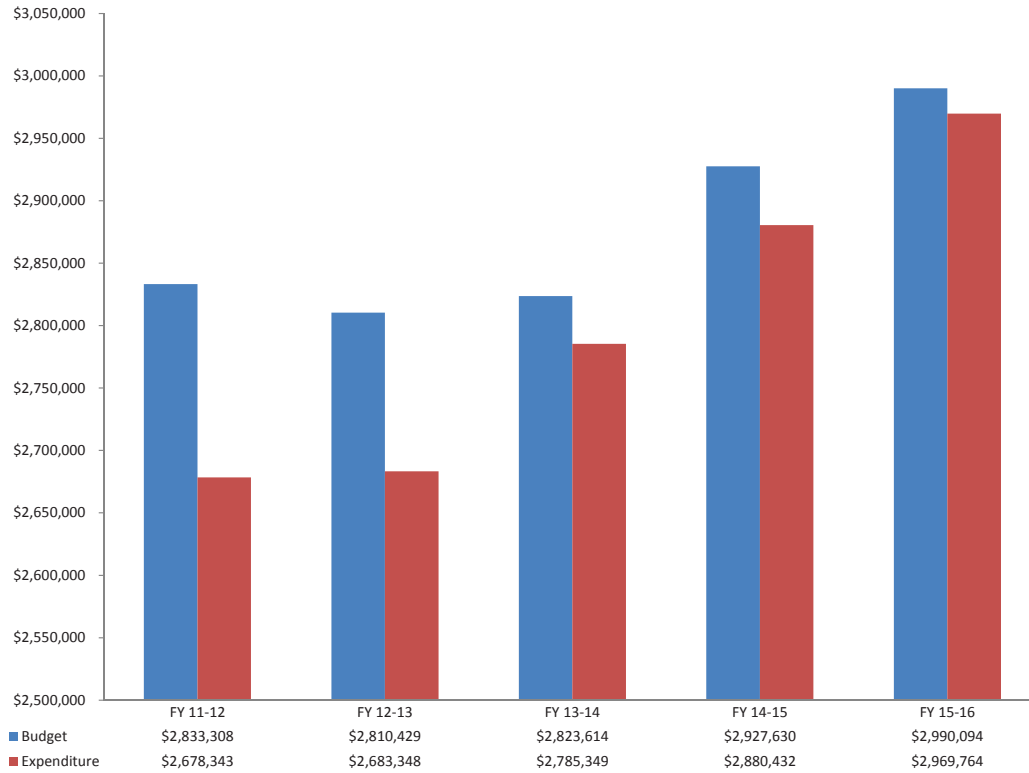
### Other Successes

- Staff continued their commitment to learning and growth by participating in over 500 hours of professional development activities at various trainings and conferences including: Florida Recreation & Park Association’s (FRPA) annual conference; customer service, National Incident Management Systems (NIMS), and CPR/AED training. In addition, 21 employees participated in 8 hours of Mental Health First Aid training where they learned how to identify and help program participants who may be developing a mental health problem or experiencing a mental health crisis.
- Received two awards for written and pictorial pieces from the FL Festivals & Events Association.
- Participated in the Florida Recreation & Park Association’s annual community service project, collecting 251 pairs of shoes to benefit *Soles4Souls* and *GotSneakers* charities.
- In partnership with the Education & Youth Advisory Board, raised over \$1,600, using the proceeds to make donations to several local schools and award the annual *Bob Borovy Student Citizen of the Year* to a graduating high school senior.

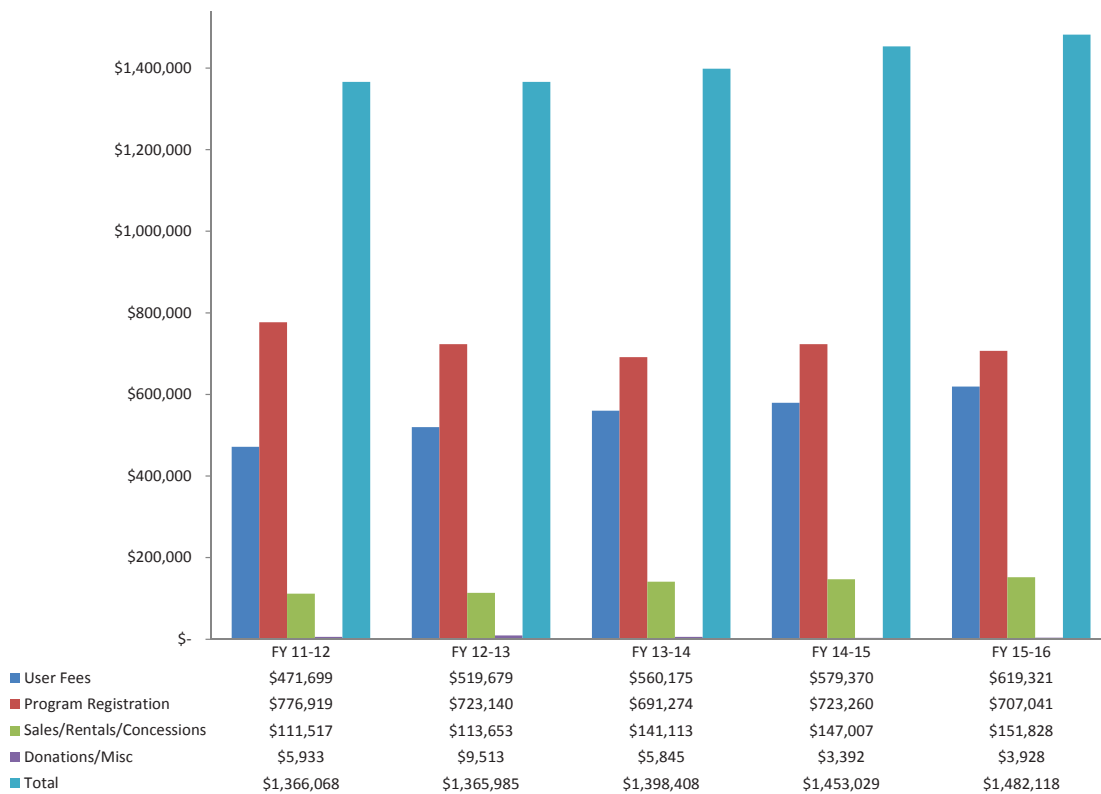


# FINANCIAL FACTS

## Operating Budget



## Revenues







## WHAT OUR CUSTOMERS SAID



*"Both of my children attended Art Camp for numerous years. The loving staff, enjoyable field trips, and creative projects made their experiences memorable. We will miss attending in the future since this is my youngest child's last year. You will always have a special place in our hearts!"*

Dina Barganier, Lake Worth

*"I came in this morning to hear from all of our veterans and staff what a FANTASTIC time they had at the beach on Saturday!! I can't say thank you enough for what you are doing for our veterans!!! It is rare that I see them experience such excitement and enthusiasm for an activity but this did it!!! THANK YOU SO MUCH! Can't say it enough! I am a firm believer in experiences like this being an important aid in the resolution of many mental health issues that our veterans face such as PTSD, addiction, grief, and depression and anxiety. These issues are not all resolved in a therapist's office!"*

Susan Thomas, M.S., L.P.C.

Case Manager Specialist for Veterans Programs

The Salvation Army Center of Hope Transitional Housing Program

## ACKNOWLEDGEMENTS

### City Commission

Mayor Steven B. Grant

Vice Mayor Mack McCray

Commissioner Joe Casello

Commissioner Justin Katz

Commissioner Christina Romelus

### City Management

Lori LaVerriere, City Manager

Colin Groff, Assistant City Manager

Tim Howard, Assistant City Manager

### Recreation & Parks Senior Staff

Wally Majors, CPRP, Recreation & Parks Director

Amy Blackman, CPRP, Recreation Superintendent

Sherri Claude, CPRP, Recreation Administrator

Mary DeGraffenreidt, Events & Programs Manager

*"Soccer Shots is not about teaching a kid to kick a ball. Soccer Shots incorporates motor development, language skills, and social interaction in a fun way for kids to enjoy. My daughter spends six hours in three different therapies a week getting exposure to these various elements. On Saturdays she gets a half hour of all of those elements in one fun atmosphere with Soccer Shots. The Soccer Shots staff has been overwhelmingly supportive, and when they say their program is inclusive it isn't just in words. It's in the way they are willing to make adjustments and ensure that kids of all abilities get an opportunity to enjoy recreational programs that are fundamental to growth and development. Thank you for providing this program to myself and other residents of Boynton Beach."*

Briann Harms, Boynton Beach

*"This was Nyla's first time on a boat. She was thrilled that she got to go on the charter boat. She enjoyed every minute!"*

Angela Jackson, Boynton Beach

*"Dear Ezell Hester Summer Camp Staff, Thank you so much for the pleasant first time summer camp experience! I know Tarence enjoyed it and his birthday was made special. Hope to see you next year!"*

Rasheema Owens, Boynton Beach



### Recreation and Park Advisory Board

Michael Byrd

Charles Kanter

Elizabeth Pierce-Roe

Daniel Schapiro

Jeffrey Fromknecht

Julie Mondello

Renee Stern

### Education & Youth Advisory Board

Dr. Stephanie Hayden

Angel Nevin

Valencia Spells Anderson

Dariana Rodriguez, Student

Kathleen Wilkinson, Student

Carol Lundquist

Dr. Tiffany North

Lori Wilkinson

Alana Thomas, Student

### Senior Advisory Board

Marsha Bionta

Terry Iiams

Andrew Richardson

Janet Harris

Tony LaRiccia

Jean Young



**Boynton Harbor Marina**

## **Appendix I**

Statement of Significance Requests and  
Responses

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## Beam, Elizabeth

---

**From:** Beam, Elizabeth  
**Sent:** Friday, March 17, 2017 11:34 AM  
**To:** 'majorsw@bbfl.us'  
**Cc:** Deibel, Hank  
**Subject:** SR 9/I-95@Gateway and Boynton Beach Blvds: Section 4(f) Determination of Applicability - Statement of Significance  
**Attachments:** FDOT I-95\_Project location11x17\_12-7-15.pdf

Mr. Majors,

Arcadis is working with FDOT District 4 to complete a PD&E Study at the I-95/Gateway Boulevard and I-95/Boynton Beach Boulevard interchanges. A project location map is included for your reference.

As part of the PD&E process, we are completing a Section 4(f) Determination of Applicability for the project area. The identified properties include:

- Galaxy Park
- Barton Memorial Park
- Ezell Hester Jr. Community Park

Although not owned by the City, it is our understanding that the Rosemary Scrub Natural Area is maintained in cooperation with the City Recreation and Parks Department.

The proposed improvements do not include use of the identified properties but they are located adjacent to the project study area.

We are requesting a statement of significance regarding the above referenced properties owned by the City of Boynton Beach in relationship to the ongoing PD&E study to evaluate proposed improvements at both interchanges. The following information for each property, if applicable and available, is requested.

1. Approximate date these properties were designated as public properties
2. Size and location of the property (land survey map if available)
3. Function of or available activities on the property
4. Description and location of all existing and planned facilities and copy of site plan
5. Land survey map
6. Access (pedestrian, vehicular, etc.) and usage (approximate number of users)
7. Relationship to other similarly used lands in the vicinity of the property
8. Applicable clauses affecting ownership, such as leases, easements, covenants, restrictions, or other conditions including foreclosure
9. Unusual characteristics of the property (flooding problems, terrain conditions, or other features) that either reduce or enhance the value of all or part of the property.
10. Statement of Significance

Per FDOT PD&E Manual Part 2, Chapter 13 for purposes of Section 4(f):

*Significance means that in comparing the availability and function of the recreation, park, or wildlife and waterfowl refuge area with the recreational, park, and refuge objectives of that community, the land in question plays an important role in meeting those objectives.*

Thank you for your assistance with this request and please contact me if you have any questions.

Sincerely,

Beth Beam

**Elizabeth Beam MS, AICP, ENV SP** | Project Manager |

[elizabeth.beam@arcadis.com](mailto:elizabeth.beam@arcadis.com)

**Arcadis** | Arcadis U.S., Inc.

M. + 1 225 335 0134

[www.arcadis.com](http://www.arcadis.com)

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Be green, leave it on the screen.

## **Appendix J**

Seaboard Air Line Railroad

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MAY-11-1988 10:06am 88-125367

ORB 5666 Pg 8

Con 264,000,000.00 Doc 1,452,000.00  
JOHN B DUNKLE, CLERK - PB COUNTY, FL

J Marshall Conrad  
VE

THIS INSTRUMENT PREPARED IN 3  
COUNTERPARTS FOR SIMULTANEOUS  
RECORDING IN 3 COUNTIES.

COUNTERPART 1 OF 3

WARRANTY DEED

THIS WARRANTY DEED, made this 11th day of May, 1988,  
between CSX TRANSPORTATION, INC., a Virginia corporation, hereinafter called  
"Grantor," and STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, whose mailing  
address is Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida  
32399-0450, hereinafter called "Grantee".

(Wherever used herein, the terms "Grantor"  
and "Grantee" may be construed in the singular  
or plural as the context may require or admit,  
and for purposes of exceptions, reservations  
and/or covenants, shall include the heirs, legal  
representatives and assigns of individuals or  
the successors and assigns of corporations.)

WITNESSETH:

WHEREAS, Grantor owns, controls and possesses a railroad corridor in Dade,  
Broward and Palm Beach Counties, Florida, measuring approximately eighty-one  
(81) miles in length and of varying widths, generally one hundred (100') feet in  
width, plus various connecting siding, sidetracks and branch lines; and

WHEREAS, Grantee is statutorily charged with anticipating the immediate and  
long-term transportation needs of the population of the State and devising a  
methodology to timely and economically meet those needs; and

WHEREAS, under the 1987 Appropriation Act of the Florida Legislature (Chap.  
87-98, Laws of Florida), Specific Appropriation 1700-B, Grantee was authorized  
to acquire all or a portion of said railroad corridor; and

WHEREAS, Grantor and Grantee both recognize the total uniqueness of the pro-  
perty described herein; and

This instrument was prepared by  
WILLIAM G. DUNN  
Attorney WB  
500 Water Street, Tallahassee, Fla.

WHEREAS, Grantor is desirous of selling the property provided Grantor can retain the minimal interests necessary to meet its corporate mission and to fulfill its requirements under the mandates of the United States-Interstate Commerce Commission and various contracts related thereto; and

WHEREAS, Grantee recognizes Grantor's desires and obligations and has determined that such will not frustrate the intentions of Grantee in its use of the property; and

WHEREAS, after lengthy negotiations and proper reviews, a Contract for Installment Sale and Purchase has been concluded, and such is hereby adopted as part and parcel of this conveyance.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00), to it in hand paid by Grantee, the receipt of and sufficiency of which is hereby acknowledged, Grantor has granted, bargained and sold, and by these presents does GRANT, BARGAIN, SELL and CONVEY with warranties of title as hereinafter provided, unto Grantee, its successors and assigns, that certain land situate, lying and being in the Counties of Palm Beach, Broward and Dade, State of Florida, hereinafter designated "the Premises," more particularly described as follows:

A line of railroad, underlying land and property and appurtenant facilities, COMMENCING at Railroad Valuation Station 10499+33, at or near Railroad Mile Post SX-965, West Palm Beach, Palm Beach County, Florida, and extending in a southerly direction through Broward County, Florida, and terminating at Railroad Valuation Station 14331+90, at or near Railroad Mile Post SX-1017, Hialeah, Dade County, Florida; PLUS the River Spur between Railroad Valuation Station 14282+67, at or near Railroad Mile Post SX-1037, Hialeah, Dade County, Florida, and Railroad Valuation Station 14518+10, at or near Railroad Mile Post SX-1041, Miami, Dade County, Florida; PLUS the Oleander Branch between Railroad Valuation Station 14292+53, at or near Railroad Mile Post SXH-1037, Hialeah, Dade County, Florida, and Railroad Valuation Station 14523+94.6, at or near Railroad Mile Post SXH-1041, Oleander, Dade County, Florida; ALL hereafter designated "the Premises"; as shown generally on Railroad Valuation Map Line Sheets, Exhibits A-1, A-2 and A-3, as further described in Exhibits B-1, B-2 and B-3, attached hereto and incorporated herein and as more particularly described by crosshatching on Railroad Valuation Section V-5FL/L27, Maps 50, 51, S-51-A, S-51-B, S-51-C, 52 and S-52 and Railroad Valuation Section V-7FL/L29, Maps 1, S-1, 2, 3, 4, 5, 6, 7, 8, S-8, S-8-A, 9, 10, S-10, 11, S-11, 12, 13, S-13, 14, S-14, S-14-A, 15, SL-15-A, ST-15-A, S-15-B, S-15-C, S-15-D, 16, S-16-A, S-16-B, S-16-C, S-16-D, S-16-E, 17, S-17-A, S-17-B, S-17-C, S-17-D, 18 and 19, each of which consists of four (4) segmented parts, hereinafter referred to as "Valuation Maps," attached hereto and incorporated herein, and containing 1,128.715 acres, more or less (427.823 acres, more or less, in Palm Beach County; 327.993 acres, more or less, in Broward County; and 372.899 acres, more or less, in Dade County).

BUT EXCLUDING all parcels shown and designated on Exhibits C-1, C-2 and C-3, which are not crosshatched on the Valuation Maps, and EXCEPTING unto Grantor all right, title and interest in and to those parcels shown and designated on Exhibits D-1, D-2 and D-3, which are not crosshatched on the Valuation Maps, each of which is also attached hereto and incorporated herein.

TO HAVE AND TO HOLD the said Premises unto Grantee, Grantee's successors and assigns, forever, and including all right, title and interest in those properties conveyed by that certain Special Masters Deed dated December 17, 1945 and recorded April 11, 1946 in Deed Book 531, Page 118 of the Public Records of Broward County, Florida; as recorded April 11, 1946 in Deed Book 2666, Page 297 of the Public Records of Dade County, Florida; and as recorded April 10, 1946 in Deed Book 759, Page 1 of the Public Records of Palm Beach County, Florida, and not heretofore alienated by Grantor or its predecessors in interest.

TOGETHER WITH all buildings, structures, and improvements thereon, including tracks, ties, rails, switches, etc., and all and singular the rights, alleys, ways, waters, privileges, hereditaments and appurtenances to said Premises belonging or in anyway incident or appertaining (except for the retained perpetual use easement for exclusive freight railroad operations as more particularly described below).

SUBJECT TO: (a) Building, Zoning, Subdivision and other applicable federal, state, county, municipal and local laws, ordinances and regulations; (b) Taxes, tax liens and assessments, both general and special, which may become due or payable on the Premises, after the Date hereof; (c) Reservations or exceptions whether or not of record, including, without limitation: reservations or exceptions of minerals or mineral rights, public utility and other easements; and easements, crossings, occupancies, and rights-of-way, howsoever created; (d) Encroachments or any other state of facts which might be revealed from an accurate survey, title search or personal inspection of the Premises; (e) All other existing roads, streets, ways, alleys, party walls, appurtenances and servitudes, howsoever created; and (f) Mortgage liens pertaining to the Premises created by Grantor, which liens Grantor shall cause to be released and recorded, at no cost or expense to Grantee, within sixty (60) days of the recording date of this Indenture; Grantor hereby WARRANTS GENERALLY title to those portions of the Premises marked (A) on Exhibits B-1, B-2 and B-3 only, and that it will forever defend said title unto Grantee against claims of or by Grantor and all other persons lawfully claiming the same or any part thereof, by, through or under Grantor.

As to that portion of the Premises marked (B) on Exhibits B-1, B-2 and B-3, Grantor FURTHER WARRANTS only that it has certain rights, title and/or interest(s) in and to that portion of the Premises, which right, title and/or interest(s) it hereby sells, transfers, assigns and conveys; but Grantor further warrants that it (or its predecessor railroads) has done no act since its acquisition of such portion of the Premises to destroy, diminish, limit or impair such rights, title or interest; and Grantor further covenants and agrees to defend and indemnify Grantee against any and all claims against title to such portion of the Premises arising from such (real or alleged) acts of Grantor, but excluding any claims resulting from Grantee's action(s) or from this conveyance or the restriction upon Grantor's reserved railroad easement herein; but not otherwise.

RESERVING unto Grantor, its successors and assigns, an EASEMENT IN PERPETUITY (as hereinafter defined) FOR RAILROAD PURPOSES (as hereinafter defined) in, over or on that certain portion of the Premises, more particularly described in Exhibits A-1, A-2, A-3, B-1, B-2, B-3 and on the Valuation Maps, to a maximum height of and within an area limited by a plane twenty-three feet (23') above the top of each rail, being (a) twenty feet (20') wide, ten feet (10') on each side of the centerline of each main track and adjacent siding and/or (b) eighteen feet (18') wide, nine feet (9') on each side of the centerline of each sidetrack (as hereinafter defined); including the use of all the tracks or Trackage (as hereinafter defined) within the Premises; and herein known as the CSXT Easement; but SUBJECT TO:

1. The terms, conditions and limitations of that Operating and Management Agreement between Grantor and Grantee, of even date herewith, particularly Section 2 and 8 thereof, as amended, altered, cancelled or terminated pursuant to its terms.

2. Grantor and Grantee each agree to execute and record any instrument that will be necessary to properly reflect any changes in location or area that are not presently reflected in Exhibits B-1, B-2 and B-3 or to reflect any full or partial release of any rights or property hereunder.

3. Grantor and Grantee agree that the CSXT Easement is not retained to the exclusion of Grantee and its assigns, except for freight rail purposes, as set forth in said Operating and Management Agreement.

4. Grantor and Grantee agree that the CSXT Easement can be assigned only in conjunction with a transfer or assignment of said Operating and Management Agreement.

5. Definitions of Railroad Easement Terms:

(a) Perpetuity: Until this Easement is abandoned or terminated, as provided in the Operating and Management Agreement herein referenced. In the event of abandonment or termination of any portion of this CSXT Easement, such portion thereof shall automatically be extinguished.

(b) Trackage: The railway tracks located on, in or below the CSXT Easement area, and all supporting materials, facilities and structures appurtenant thereto (rails, ties, tie plates, ballast, drainage structures), together with existing control devices, signals, switches, communication lines and poles necessary for the safe operation of rail freight; whether main, siding or sidetrack(s); being the items hereinabove conveyed to Grantee.

(c) Railroad Purposes: The exclusive right to use (including rights to repair, replace and maintain) all Trackage on the Premises for freight rail purposes, and the further right to use the same for accommodation of Amtrak (National Railroad Passenger Corporation) for intercity rail passenger service, together with the right of ingress and egress to and from said Trackage and facilities located within and on the area described in Exhibits B-1, B-2 and B-3 and the Valuation Maps. The right retained with regard to the accommodations of Amtrak shall no longer be a Railroad Purpose after April 30, 1996.

(d) Sidetrack(s): The track structure (assemblage of rails, ties and fastenings), including ballast, turnout, grading, drainage structure, and all other appurtenances in connection therewith, whether on land of Railroad or of Industry, used for private industrial rail service (pick up and/or delivery); extending from the point of switch (P.S.) to the last switch tie, generally limited to the first 150 feet of such track structure.

As part of the consideration for this grant, Grantee COVENANTS and AGREES to comply with all terms of and pay all the principal and interest and other sums of money payable by virtue of the Contract for Installment Sale and Purchase of even date, hereinafter called "Installment Contract", a copy of which is attached hereto as Exhibit E, and incorporated herein, promptly on the dates the same severally become due, subject to the limitations and conditions pertaining to such payments set forth therein. Upon payment in full of all sums contemplated in said Installment Contract, which constitutes the secured portion of the purchase price, and upon payment of any lien which may become due and payable as a result of any other provision of said Installment Contract, then all the Lien Provisions thereof, shall be considered satisfied. Upon said payment Grantor shall execute and deliver to Grantee a Satisfaction, approved by Grantee, for recording by Grantee.

This is Not a Certificate

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC. and STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, pursuant to due corporate and statutory authority, have caused their names to be signed hereto by officer(s) or official(s) hereunto duly authorized, and the seal of each, duly attested, to be hereunto affixed.

Signed, sealed and delivered in the presence of:

Pat J. Shindt

J. Kusler

Signed, sealed and delivered in the presence of:

Karen M. Yeakley

Carol M. Jones

CSX TRANSPORTATION, INC.:

By Harold L. Snyder  
Harold L. Snyder  
Agent and Attorney-in-Fact  
CSX Rail Transport

Attest David M. Yearwood (SEAL)  
Assistant Secretary

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION:

By William W. Miller  
William W. Miller  
Deputy Assistant Secretary

Attest W. J. Lucas (SEAL)

This instrument prepared by or under the direction of:

William C. Baum  
Attorney for Grantor  
Business Address:  
500 Water Street  
Jacksonville, Florida 32202

This is a true and correct copy

STATE OF FLORIDA )  
                          ) SS.  
COUNTY OF BROWARD )

I, Nurra M. Jamnech, a Notary Public of the State of Florida, do certify that, on the date below, before me in said County personally came Harold L. Snyder, to me known, and known to me to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that: he resides in Jacksonville, Duval County, Florida; he is Agent and Attorney-in-Fact, CSX Rail Transport, of CSX Transportation, Inc., the corporation described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; he signed his name thereto for said corporation pursuant to such authority; and the execution of this Indenture is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 11<sup>th</sup> day of May, 1988.

My commission expires on:

Nurra M. Jamnech (SEAL)  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. FEB 22, 1991  
BONDED THRU GENERAL INS. CO.

STATE OF FLORIDA )  
                          ) SS.  
COUNTY OF BROWARD )

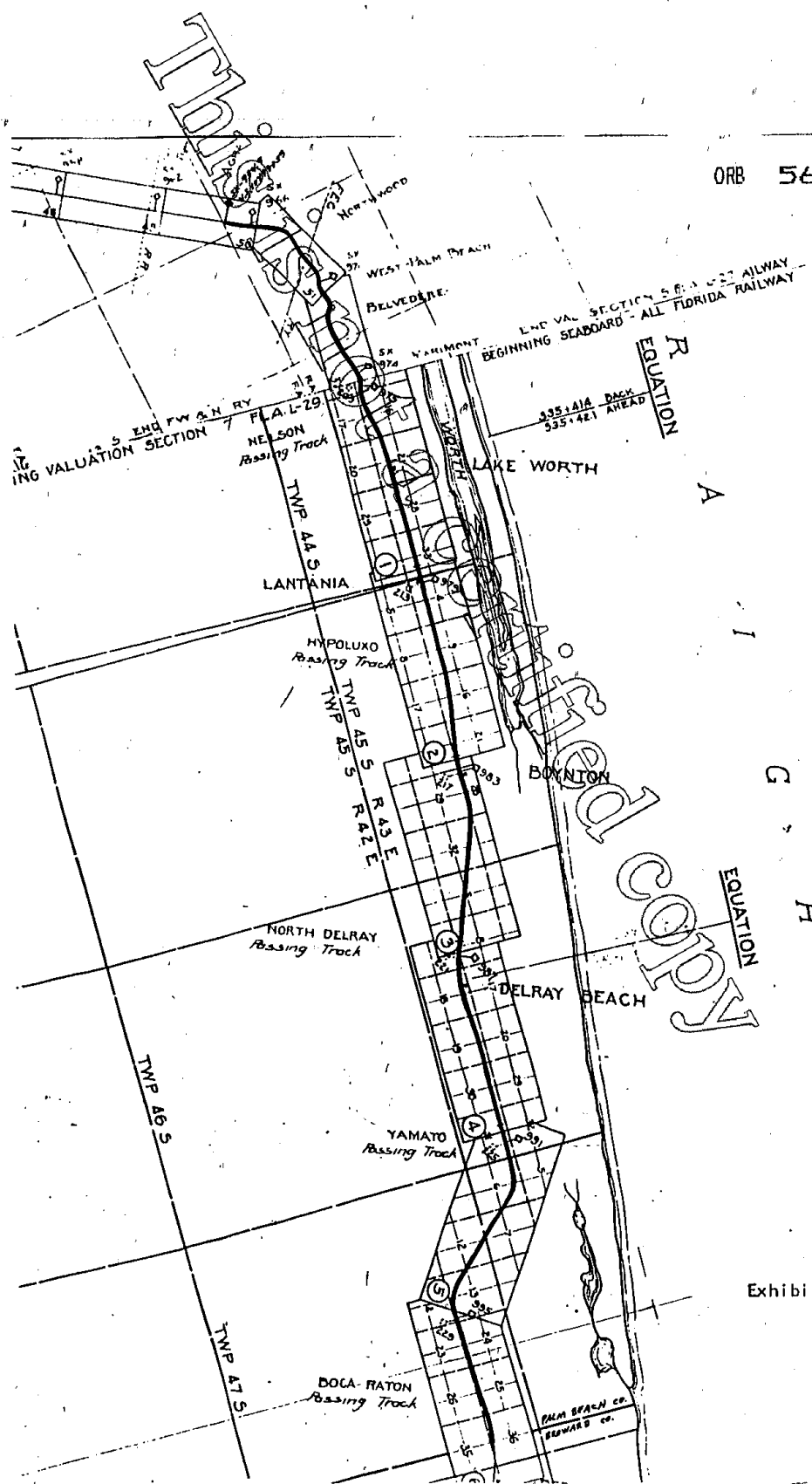
I, Nurra M. Jamnech, a Notary Public of the State of Florida, do certify that, on the date below, before me in said County personally came William M. Miller, to me known, and known to me to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that: he resides in Lake City, Columbia County, Florida; he is Deputy Assistant Secretary of Transportation of the State of Florida Department of Transportation, the State agency described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said State; the seal affixed to said instrument is such seal; it was so affixed by authority of the Legislature of said State; he signed his name thereto for said State pursuant to such authority; and the execution of said Indenture is the free act and deed of said State.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 11<sup>th</sup> day of May, 1988.

My commission expires on:

Nurra M. Jamnech (SEAL)  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. FEB 22, 1991  
BONDED THRU GENERAL INS. CO.



EQUATION

A

I

G

H

EQUATION

Exhibit "A-1"



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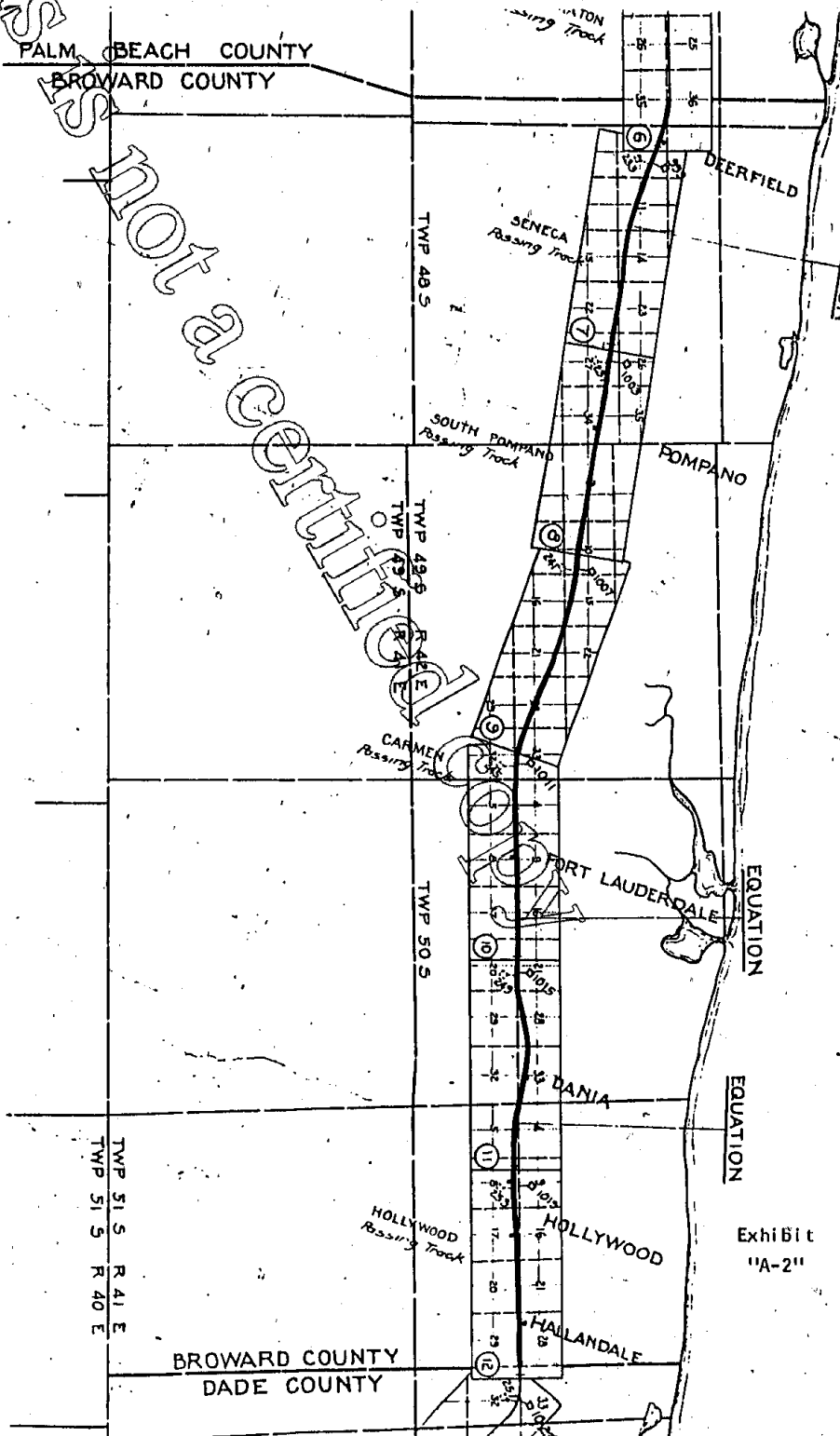


Exhibit "A-2"

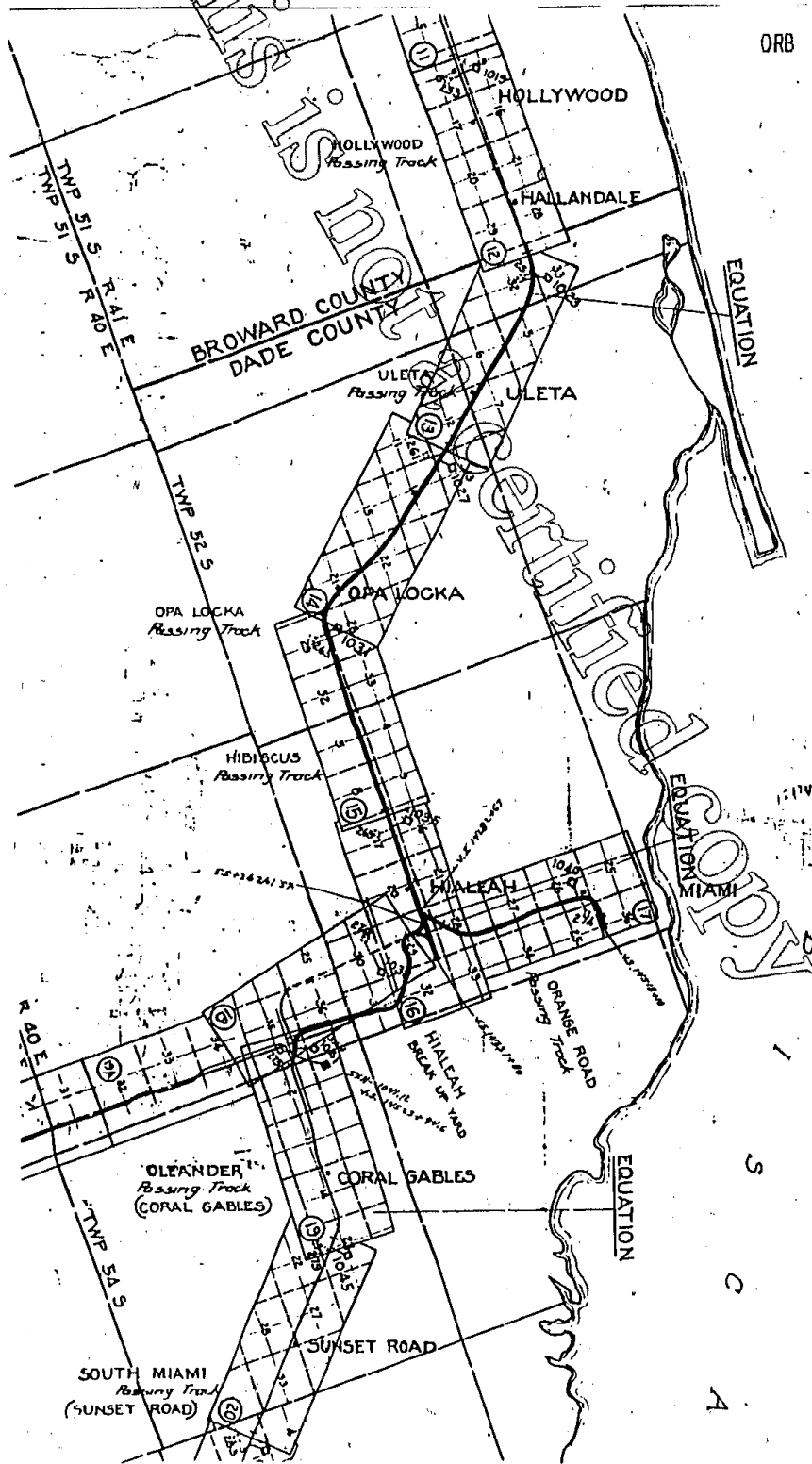
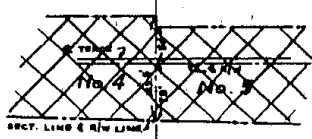
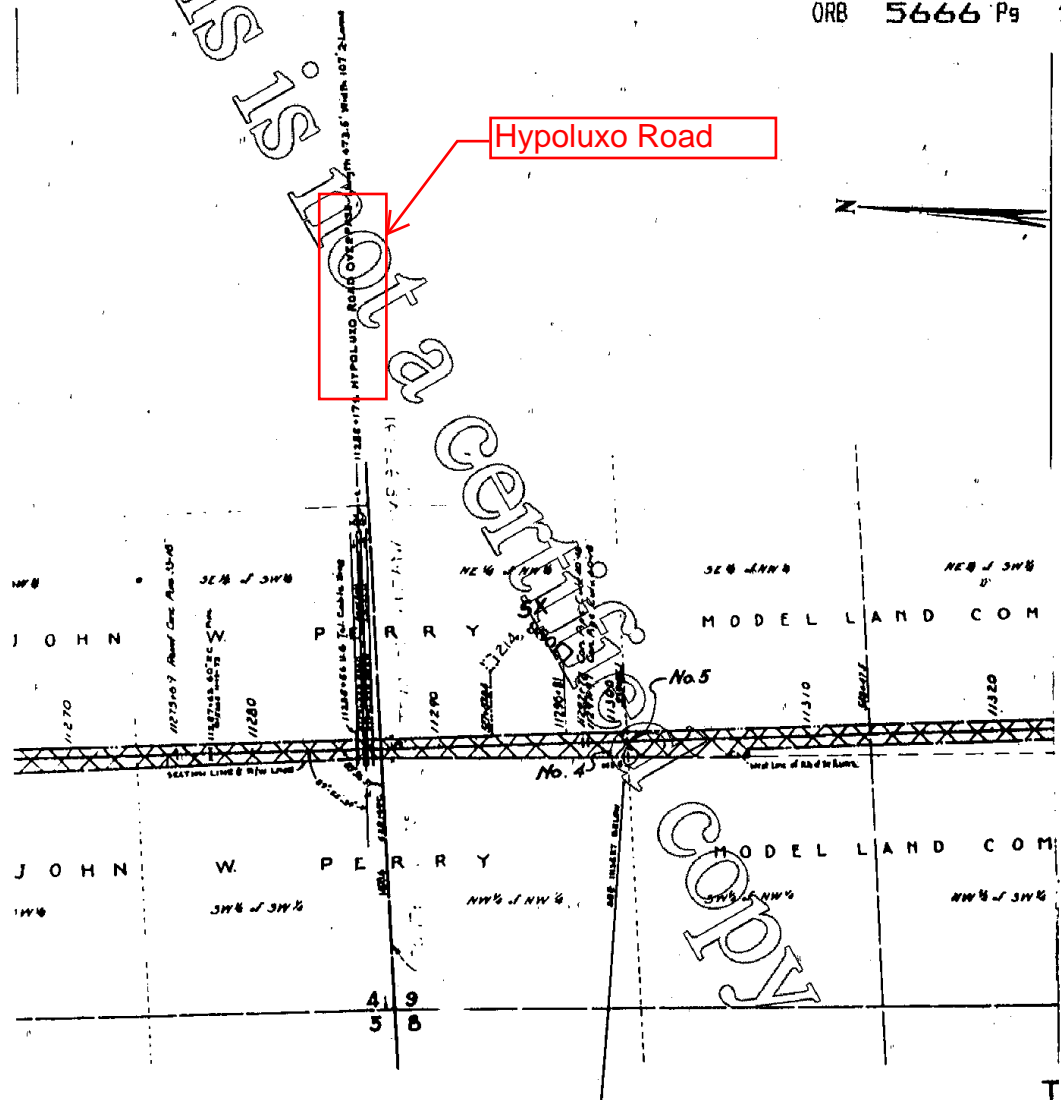


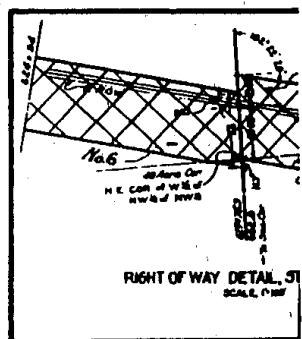
Exhibit "A-3"

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Hypoluxo Road



SCALE: 1" = 100'

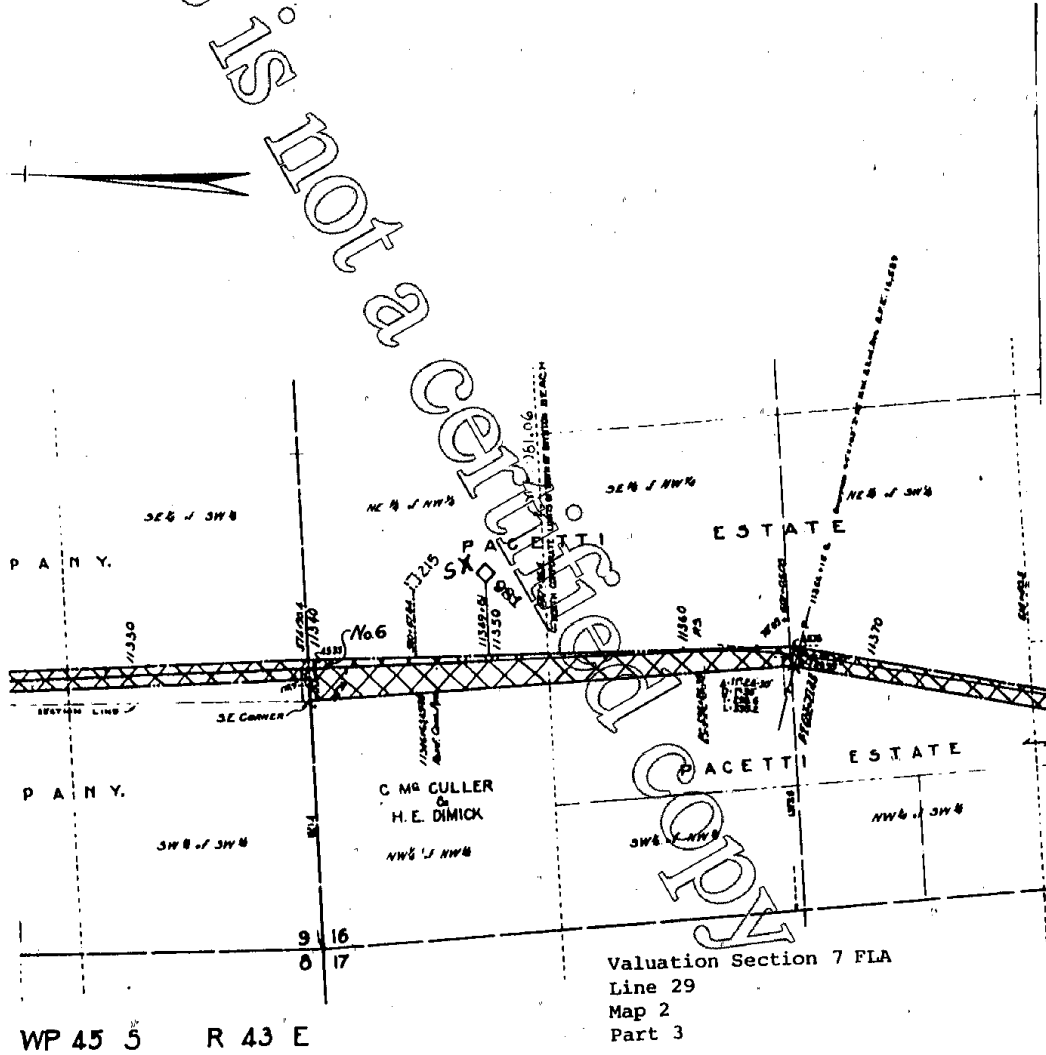


SCALE: 1" = 100'

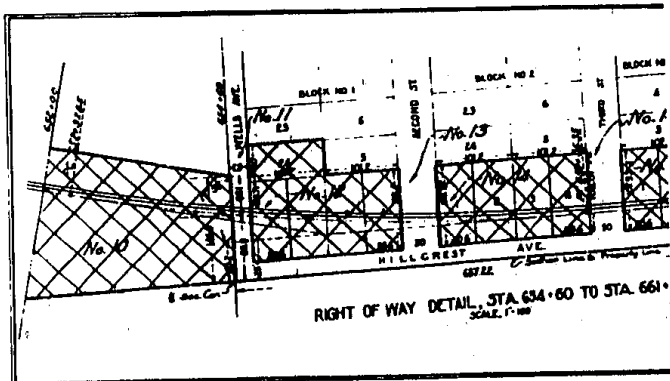
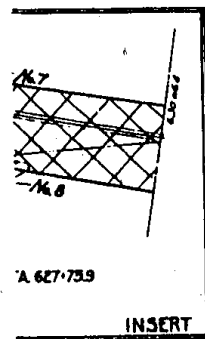
Valuation Section 7 FLA  
Line 29  
Map 2  
Part 2

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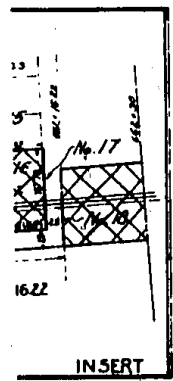
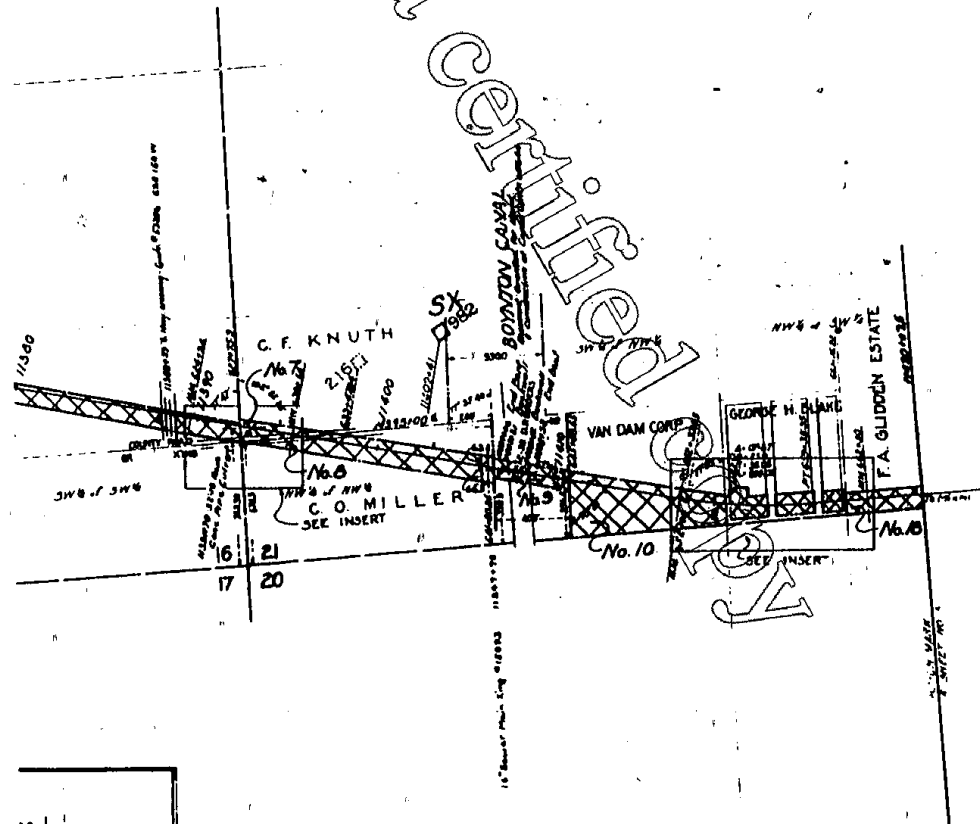
- 1 Peter F. Labbecher et al
- 2 Seaboard Realty Co et al
- 3 John W. Perry
- 4 Miami Land Co
- 5 Pacific Estate
- 6 C. F. Knuth et al
- 7 C. O. Miller et al
- 8 Lake Worth Damages District
- 9 Van Dam Corp. et al
- 10 George H. Blank et al
- 11 See Parcel No. 11
- 12 See Parcel No. 12
- 13 See Parcel No. 11
- 14 See Parcel No. 12
- 15 See Parcel No. 11
- 16 F. A. Gliddon Est. et al
- 17 S. C. L. R. R.
- 18 S. C. L. R. R.

Condemnation	7-23-28	Min 16	220	9-3-28	SAF 218.7
	4-27-28	Min 16	17	4-30-28	SAF 218.8
	3-3-28	Min 14	474	3-3-28	SAF 218.7
G.W. Deed	11-20-27	427	50	12-22-27	SAF 218.7
Condemnation	3-3-28	Min 14	470	3-3-28	SAF 218.1
	4-20-28	Min 14	544	4-20-28	SAF 218.1
	4-20-28	Min 14	562	4-20-28	SAF 218.2
Easement	8-9-27				SAF 218.3
Condemnation	3-29-28	Min 14	539	3-29-28	SAF 218.2 & 218.27
	7-23-28	Min 16	220	9-3-28	SAF 218.3

Condemnation	9-17-28	Min 16	30	9-17-28	SAF 218.9
Deed	7-8-23				SAF 218.1A
Deed	7-8-23				SAF 218.1A

S. C. L. R. R.  
State of Fla. D. O. T.  
State of Fla. D. O. T.

S. C. L. R. R.  
State of Fla. D. O. T.  
State of Fla. D. O. T.



THIS IS A TRUE COPY OF THE  
OFFICIAL RIGHT-OF-WAY MAP  
SHOWN ONE-HALF SIZE.  
SCALE: 1" = 800'

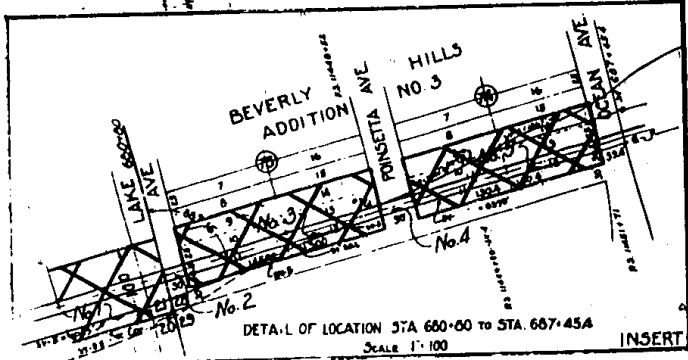
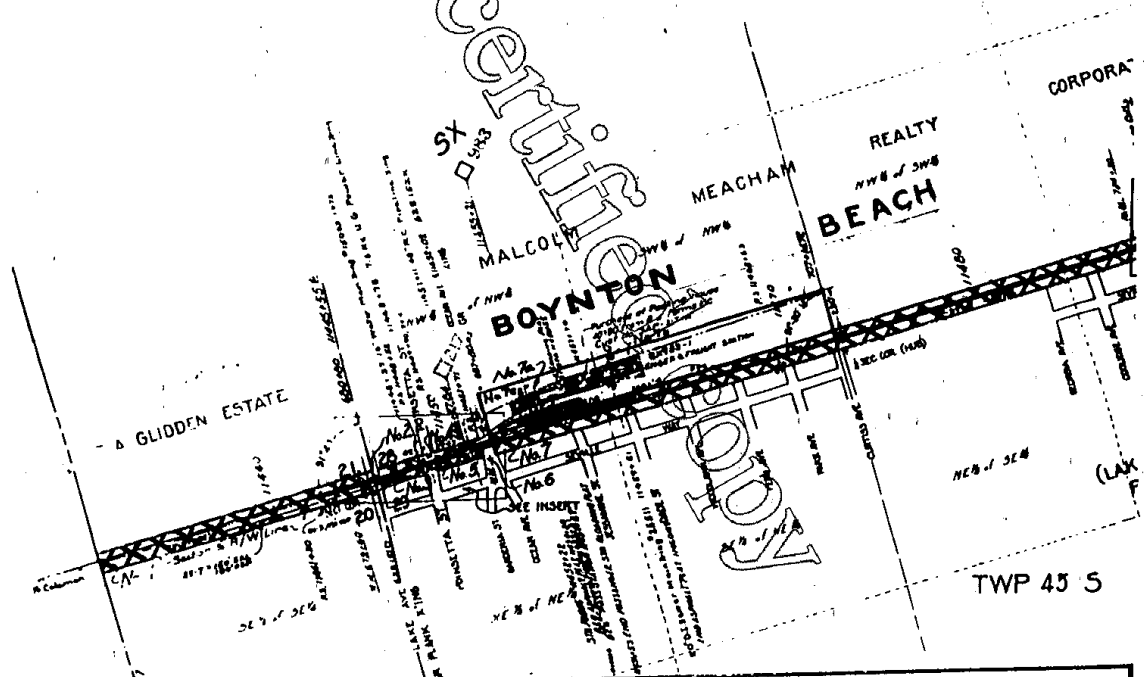
Valuation Section 7 FLA  
Line 29  
Map 2  
Part 4

**RIGHT OF WAY AND TRACK MAP**  
**SEABOARD-ALL FLORIDA RY.**  
OPERATED BY THE  
**SEABOARD AIR LINE RY. CO.**

ORB 5666 Pg 105

**RECORDERS MEMO: Legality of Writing, Typing or Printing unsatisfactory in this document when received.**

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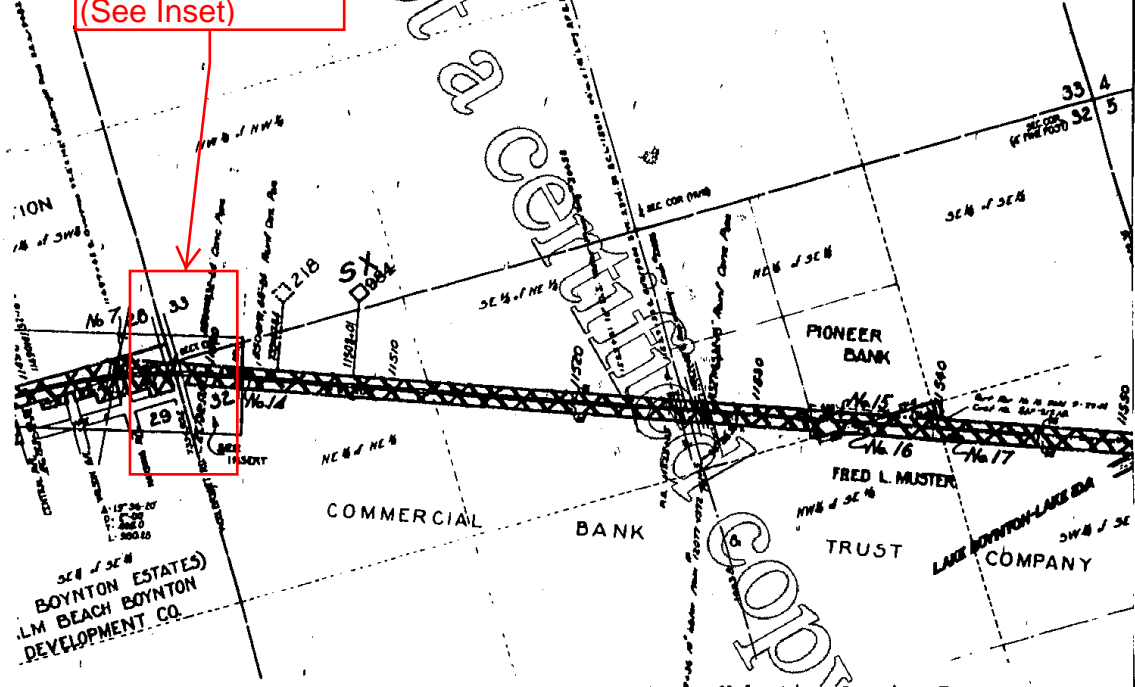


Valuation Section 7 FLA  
 Line 29  
 Map 3  
 Part 1

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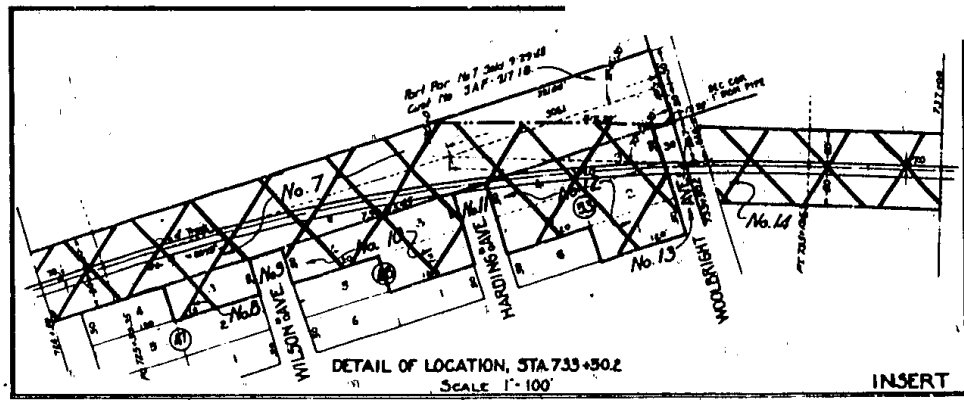
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Woolbright Road  
(See Inset)



R 43 E

Valuation Section 7 FLA  
Line 29  
Map 3  
Part 2



RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.

## **Appendix K**

Stogdill House



WC 13 MTB  
# 409869



Prepared by  
Allison Barr, an employee of  
Metropolitan Title and Guaranty Company dba Commerce Title Company  
8198 Jog Road Ste 101  
Boynton Beach, FL 33437  
(561) 536-1150

CFN 20040600888  
OR BK 17669 PG 1269  
RECORDED 10/21/2004 15:04:32  
Palm Beach County, Florida  
ANT 224,000.00  
Doc Stamp 1,568.00  
Dorothy H Wilken, Clerk of Court  
Pgs 1269 - 1270; (2pgs)

Return to: Grantee

File No.: 409869

## WARRANTY DEED

This indenture made on **September 27, 2004 A.D.**, by

**Robert E. Stogdill and Margaret E. Stogdill, husband and wife**

whose address is: **12750 Kern Road, Mishawaka, IN 46544**  
hereinafter called the "grantor", to

**Michael F. MacAndrew and Dulce A. MacAndrew, husband and wife**

whose address is: **206 NW 6th Street, Boynton Beach, FL 33426**  
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Palm Beach County, Florida**, to-wit:

**Lot(s) 1 and 2, Block 1, LAKE BOYNTON ESTATES, Plat 1, according to the plat thereof, as recorded in Plat Book 13, Page 32, of the Public Records of Palm Beach County, Florida.**

Parcel Identification Number: **08-43-45-29-01-001-0010**

**Subject to** all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

**To Have and to Hold**, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except covenants, restrictions and easements of record, and taxes accruing subsequent to December 31, 2003.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Robert E. Stoddill  
Robert E. Stoddill

Margaret E. Stoddill  
Margaret E. Stoddill

Signed, sealed and delivered in our presence:

Allison A. Barr  
Witness Signature

Toni Anne DeLayo  
Witness Signature

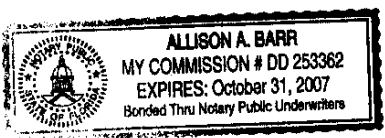
Print Name: Allison A. Barr

Print Name: Toni Anne DeLayo

State of **Florida**  
County of **Palm Beach**

The Foregoing Instrument Was Acknowledged before me on 22<sup>nd</sup> day of September, 2004, by **Robert E. Stoddill and Margaret E. Stoddill, husband and wife** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Allison A. Barr  
NOTARY PUBLIC



Notary Print Name \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Notary Certified Copy

## **Appendix L**

Barton Memorial Park

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26-SPD.02 08/99

This instrument prepared  
under the direction of: *Lem 11/11/04*  
Laurice Mayes, Esquire  
Legal description prepared by:  
Greenhome & O'Mara, Inc.  
701 Northpoint Parkway, Suite 100  
West Palm Beach, Florida 33407

Parcel Nos.: 40, 82, 89, 156  
Item/Segment No.: N/A  
State Project No.: 9322-202  
Managing District: Four  
County: Palm Beach  
State Road No.: 9 (I-95)

**QUITCLAIM DEED**  
Public Purpose

THIS INDENTURE, made this *2nd* day of *November*, 2004, by and between the STATE OF FLORIDA, by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose address is 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 and the City of Boynton Beach, Party of the Second Part, whose address is: 100 East Boynton Beach Boulevard, Boynton Beach, Florida 33425.

**WITNESSETH**

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the Party of the First Part, by action of the District Secretary, District Four, Florida Department of Transportation on *February 9, 2004*, pursuant to the provisions of Section 337.25(4), Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the provisions of Section 337.25(4), Florida Statutes, all that certain land situate in Palm Beach County, Florida, viz:

See Exhibit "A", consisting of six pages, attached hereto and made a part hereof.

Reserving unto the Grantor all rights of access, ingress, egress, light, air and view between the Grantor's remaining property and any facility constructed along the described Limited Access Right of Way line.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Party of the Second Part, subject, however, to the following conditions:

THAT existing utilities remain in place and in use with no expense to the utility owner and subject to any easement of record.

The property herein described is to be used for a park by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

RESERVING UNTO THE PARTY OF THE FIRST PART and its successors, an undivided three-fourths interest in, and title in and to, an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same on all lands wherein the grantor holds the requisite interest.

State Project No. 9322-202  
Parcel Nos. 40, 82, 89, 156 (parts)

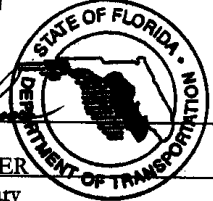
IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Four and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

Signed, sealed and delivered  
in our presence as witnesses:

STATE OF FLORIDA DEPARTMENT OF  
TRANSPORTATION

Sandra Burton  
Print Name: Sandra Burton

By: Rick Chesser  
Name: RICK CHESSER  
District Secretary  
District IV



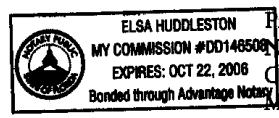
Beverly Brown  
Print Name: BEVERLY BROWN

Attest: Maria Gutierrez  
Name: MARIA GUTIERREZ  
Executive Secretary

STATE OF FLORIDA  
COUNTY OF BROWARD

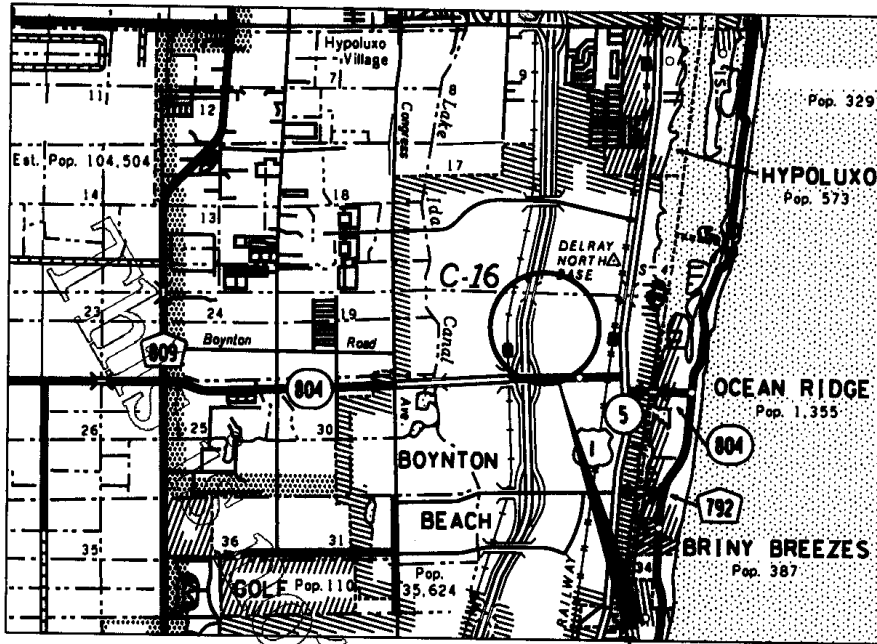
The foregoing instrument was acknowledged by me this November 2, 2004, by RICK CHESSER, District Secretary for District Four, who is personally known by me or who has produced \_\_\_\_\_ as identification.

(NOTARIAL SEAL)



Print Name: Elsa Huddleston  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: \_\_\_\_\_

EXHIBIT "A"



SEC. 21, TWP. 45 S., RGE. 43 E

LOCATION MAP

NOT TO SCALE

SURVEYOR'S NOTES

LEGEND:

- 8 - AND
- L - ARC LENGTH OF CURVE
- B - BASELINE OF SURVEY
- C - CENTERLINE
- Δ - CENTRAL ANGLE OF CURVE
- CLF - CHAIN LINK FENCE
- C.B. - CHORD BEARING OF CURVE
- COR. - CORNER
- D - DEGREE OF CURVATURE
- EXIST. - EXISTING
- F.P. - FINANCIAL PROJECT
- FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
- FD. - FOUND
- INT. - INTERSECTION
- IR - IRON ROD
- (LT) - LEFT
- L/A - LIMITED ACCESS
- N/A - NOT APPLICABLE
- NO. - NUMBER
- O.R.B. - OFFICIAL RECORD BOOK
- RT. - OFFSET RIGHT
- PG. - PAGE
- P.B.CO. - PALM BEACH COUNTY
- PK - PARKER KALON
- (P) - PLAT
- P.B. - PLAT BOOK
- ± - PLUS OR MINUS
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENT
- R - RADIUS OF CURVE
- RGE. - RANGE
- R/W - RIGHT OF WAY
- SEC. - SECTION
- SF - SQUARE FEET
- S.R. - STATE ROAD
- STA. - STATION
- TWP. - TOWNSHIP
- WPI - WORK PROGRAM ITEM

- 1) Bearing basis for Exhibit "A" is the West line of the S.W. 1/4 of Sec. 21, Twp. 45 S., Rge. 43 E., as shown on the FDOT Right of Way Map Section No. 93220-2412. Said line bears North 01°36'31" West.
- 2) Information shown hereon for State Road 9 (I-95) is based on the FDOT Right of Way Map Section No. 93220-2412 and lease agreement per O.R.B. 2925, PG. 1320, provided by FDOT.
- 3) Purpose for Exhibit "A" is SURPLUS.
- 4) All dimensions are calculated unless otherwise specified.
- 5) This sketch exists solely for the purpose of illustrating a legal description to which it is attached.
- 6) The noise wall location shown hereon was surveyed by Greenhorne & O'Mara, Inc. on April 30, 2004.
- 7) denotes hatched area to be surplus.
- 8) FDOT to retain a 15 foot maintenance and access easement along the limited access right of way line.

NOT A SURVEY

PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

	BY	DATE	APPROVED	DATE
PRELIM	RITZEL	5-08-04		5/27/04
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

MAPS PREPARED BY GREENHORNE & O'MARA, INC.	FIELD BOOK NO.'S 521
W.P.I. NO. N/A	SCALE: N/A

SECTION NO. 93220-2412

SHEET 1 OF 6

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
DISTRICT FOUR  
RIGHT OF WAY MAPPING  
3400 WEST COMMERCIAL BLVD.  
FORT LAUDERDALE, FLORIDA 33309  
(954) 777-4550

REVISION	BY	DATE

EXHIBIT "A"

LEGAL DESCRIPTION

Being a portion of the Northwest one-quarter (N.W.1/4) and Southwest one-quarter (S.W.1/4) of Section 21, Township 45 South, Range 43 East, lying in Palm Beach County, Florida, being more particularly described as follows:

Commencing at a found PK nail and disc marking the Southwest corner of the Southwest one-quarter (S.W.1/4) of Section 21, Township 45 South, Range 43 East; thence North 01°36'31" West along the West line of said Southwest one-quarter (S.W.1/4), a distance of 2,630.07 feet to the Northwest corner of said Southwest one-quarter (S.W.1/4); thence South 89°36'40" East along the North line of said Southwest one-quarter (S.W.1/4), a distance of 433.90 feet to a point on the Baseline of Survey for State Road 9 (I-95) as shown on the Florida Department of Transportation Right of Way Map Section No. 93220-2412; thence continue South 89°36'40" East along the North line of said Southwest one-quarter (S.W.1/4), a distance of 71.84 feet to a point on the existing Easterly Limited Access Right of Way line for State Road 9 (I-95) of said Florida Department of Transportation Right of Way Map, same point also being the POINT OF BEGINNING; thence North 00°56'36" West along said existing Easterly Limited Access Right of Way line, a distance of 18.56 feet to a point; thence North 04°24'04" East along said existing Easterly Limited Access Right of Way line, a distance of 462.63 feet to a point; thence North 12°09'56" East along said existing Easterly Limited Access Right of Way line, a distance of 48.79 feet to a point of intersection with the prolongation of the centerline of a 50.00 foot wide platted Right of Way for Northwest 12th Avenue, Cherry Hills, according to the plat thereof, as recorded in Plat Book 4 at Page 58 of said Public Records; thence South 89°37'12" East along the prolongation of said centerline, a distance of 86.13 feet to a point on a non-tangent curve concave to the East, having a chord bearing of South 00°44'49" West, a radial bearing to said point bears North 86°58'51" West, said point also being on the existing Westerly Right of Way line for Woodland Avenue as shown on said Florida Department of Transportation Right of Way Map; thence Southwesterly along the arc of said curve having a radius of 5,529.65 feet, through a central angle of 04°32'40", and an arc distance of 438.59 feet to a point; thence South 01°31'31" East along said existing Westerly Right of Way line for Woodland Avenue and along a line being 200.00 feet East of and parallel to the Baseline of Survey of said Florida Department of Transportation Right of Way Map, a distance of 89.40 feet to a point on the North line of said Southwest one-quarter (S.W.1/4); thence continue South 01°31'31" East along said existing Westerly Right of Way line of Woodland Avenue and said parallel line, a distance of 1,901.82 feet to a point of intersection with said existing Easterly Limited Access Right of Way line for State Road 9 (I-95); thence North 09°25'28" West along said existing Easterly Limited Access Right of Way line a distance of

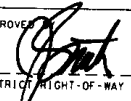
NOT A SURVEY

PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

	BY	DATE	APPROVED	DATE
PRELIM	RITZEL	5-08-04		5/27/04
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

MAPS PREPARED BY GREENHORNE & O'MARA, INC. FIELD BOOK NO.'S 521

W.P.I. NO. N/A SCALE: N/A

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
DISTRICT FOUR  
RIGHT OF WAY MAPPING  
3400 WEST COMMERCIAL BLVD.  
FORT LAUDERDALE, FLORIDA 33309  
(954) 777-4550

REVISION	BY	DATE

SECTION NO. 93220-2412 SHEET 2 OF 6

T:\MS\RW\MAPPING\SURVEY\RWPSW026-04.DGN



EXHIBIT "A"

LEGAL DESCRIPTION  
(Continued)

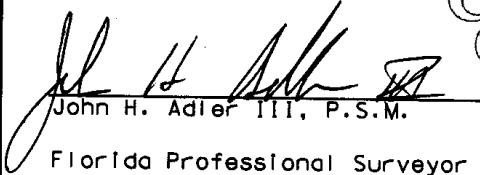
498.40 feet to a point; thence North 06°02'35" West along said existing Easterly Limited Access Right of Way line, a distance of 546.11 feet to a point; thence North 04°20'03" West along said existing Easterly Limited Access Right of Way line, a distance of 431.35 feet to a point; thence North 00°56'36" West along said existing Easterly Limited Access Right of Way line, a distance of 437.24 feet to the POINT OF BEGINNING.

Containing 231,806 square feet (5.322 acres), more or less.

Subject to a 15 foot wide maintenance and access easement lying Easterly of and parallel to the existing Easterly Limited Access Right of Way line for State Road 9 (I-95). Reserving unto said Grantor all right of access, ingress, egress, light, air and view.

I hereby certify that to the best of my knowledge and belief the attached legal description of Parcel Nos. 40 (PART), 82 (PART), 88 (PART), 89 (PART) and 156 (PART) as shown on the Right-of-Way Parcel Sketch for State Road 9 (I-95) Section No. 93220-2412 is true, accurate and was prepared under my direction.

I further certify that said legal description is in compliance with the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers pursuant to Section 472.027 Florida Statutes.

  
John H. Adler III, P.S.M.

Florida Professional Surveyor and Mapper No. 4693  
Greenhorne & O'Mara, Inc.  
3223 Commerce Place, Suite 100  
West Palm Beach, Florida 33407  
Date: 5/24/04

Certified Copy

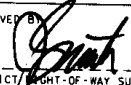
NOT A SURVEY

PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

	BY	DATE	APPROVED BY	DATE
PRELIM	RITZEL	5-08-04		5/24/04
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

MAPS PREPARED BY GREENHORNE & O'MARA, INC.	FIELD BOOK NO.'S 521
W.P.I. NO. N/A	SCALE: N/A

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
DISTRICT FOUR  
RIGHT OF WAY MAPPING  
3400 WEST COMMERCIAL BLVD.  
FORT LAUDERDALE, FLORIDA 33309  
(954)777-4550

REVISION	BY	DATE

SECTION NO. 93220-2412

SHEET 3 OF 6

EXHIBIT "A"

50 0 50 100

GRAPHIC SCALE

1" = 100'

17 16

20 21

N.W. COR., N.W. 1/4  
SEC. 21-45-43  
FD.P.B.CO. BRASS DISC

KNOLLWOOD SUBDIVISION  
(P.B. 27, PG. 54)

SEC. 21, TWP. 45 S, RGE. 43 E

P.I. STA. 820+68.79  
Δ : 13°59'30" (RT)  
D : 01°00'00"  
T : 700.09 1/8  
P.C. STA. 813+66.70  
P.T. STA. 827+65.88

S.R. 9 (I-95)  
FDOT SEC. NO. 93220-2412

Δ : 04°32'40" (LT)  
L : 438.59'  
R : 5,529.65'  
C.B. : S 00°44'49" W  
818.17 RT.  
813.98 RT.

B SURVEY

N 86°58'51" W  
(RADIAL)

EXIST. NOISE WALL

FD. 1/2" IR

FD. 1/2" IR

N.W. 12TH AVE.  
LAUREL AVE. (P)

FD. PK NAIL

367 368  
366 365  
50' (P)  
CHERRY HILLS  
(P.B. 4, PG. 58)  
50' (P)

N.W. 11TH AVE.  
DREXELL AVE. (P)

FD. PK NAIL &  
DISC "KHA LB696"

269 270

N.W. 10TH AVE.  
WELLS AVE. (P)

812+77.30  
200.00 RT.

30' (P)

N.W. COR., S.W. 1/4  
SEC. 21-45-43

W. LINE, N.W. 1/4 OF SEC. 21-45-43  
N 01°36'48" W 2,625.51'

EXIST. EASTERLY  
L/A R/W LINE  
15' MAINTENANCE  
& ACCESS EASEMENT  
EXIST. NOISE WALL  
(5.9' W OF L/A R/W)

N. LINE, S.W. 1/4  
SEC. 21-45-43

S 89°36'40" E  
433.90'

WELLS AVE. (P)

P.O.B.  
812+81.58  
71.80 RT. 19

WOODLAND HILLS  
(P.B. 12, PG. 23)  
BLOCK

END OF EXIST. NOISE WALL  
(5.2' W OF L/A R/W)  
BEGIN EXIST. 6' HIGH CLF

N 01°36'31" W 2,630.07'  
(BEARING BASIS)

EXIST. NOISE WALL  
(6.9' W OF L/A R/W)

817+68.04  
105.97 RT.

N 12°09'56" E 48.79'

N 89°37'12" E 86.13'

AREA : 5.322 ACRES (TOTAL)

N 01°31'31" W  
657.28' (P)

813+66.70  
200.00 RT.

N 01°31'31" W  
1,991.22'

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

813+60.14  
11.98 RT.

NOT A SURVEY

PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

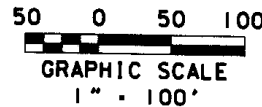
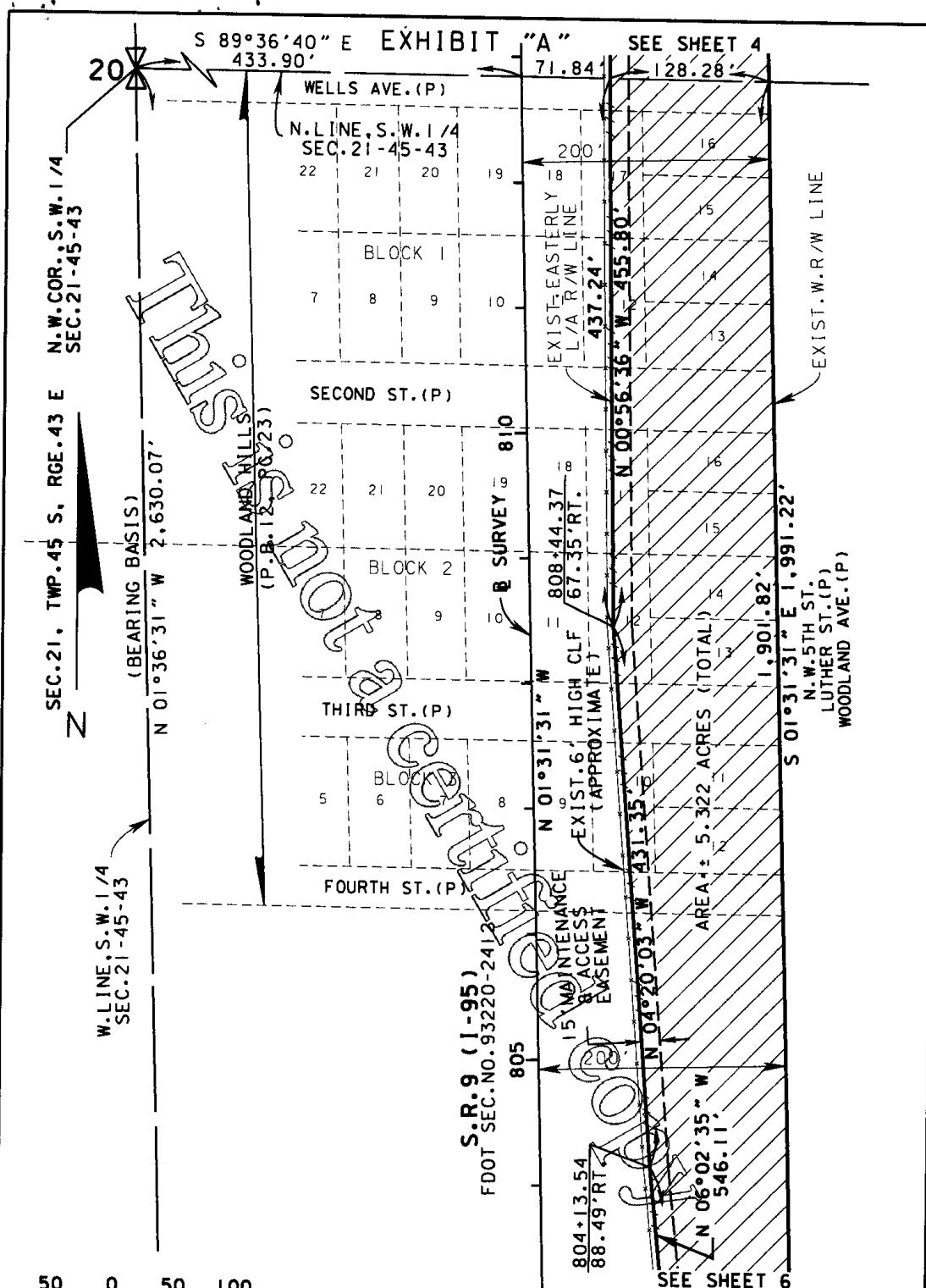
	BY	DATE	APPROVED BY	DATE
PRELIM	RITZEL	5-08-04	<i>[Signature]</i>	<i>[Signature]</i>
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

MAPS PREPARED BY GREENHORNE & O'MARA, INC. FIELD BOOK NO.'S 521  
W.P.I. NO. N/A SCALE: 1"=100'

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
DISTRICT FOUR  
RIGHT OF WAY MAPPING  
3400 WEST COMMERCIAL BLVD.  
FORT LAUDERDALE, FLORIDA 33309  
(954) 777-4550

REVISION	BY	DATE

SECTION NO. 93220-2412 SHEET 4 OF 6



STATE OF FLORIDA  
 DEPARTMENT OF TRANSPORTATION  
 DISTRICT FOUR  
 RIGHT OF WAY MAPPING  
 3400 WEST COMMERCIAL BLVD.  
 FORT LAUDERDALE, FLORIDA 33309  
 (954)777-4550

REVISION	BY	DATE

NOT A SURVEY  
 PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
 RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

	BY	DATE	APPROVED BY	DATE
PRELIM	RITZEL	5-08-04	<i>[Signature]</i>	5/21/04
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

DISTRICT RIGHT-OF-WAY SURVEYOR

MAPS PREPARED BY  
 GREENHORNE & O'MARA, INC.

FIELD BOOK NO. 521

W.P.I. NO. N/A

SCALE: 1" = 100'

SECTION NO. 93220-2412

SHEET 5 OF 6

50 0 50 100

GRAPHIC SCALE

1" = 100'

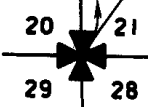
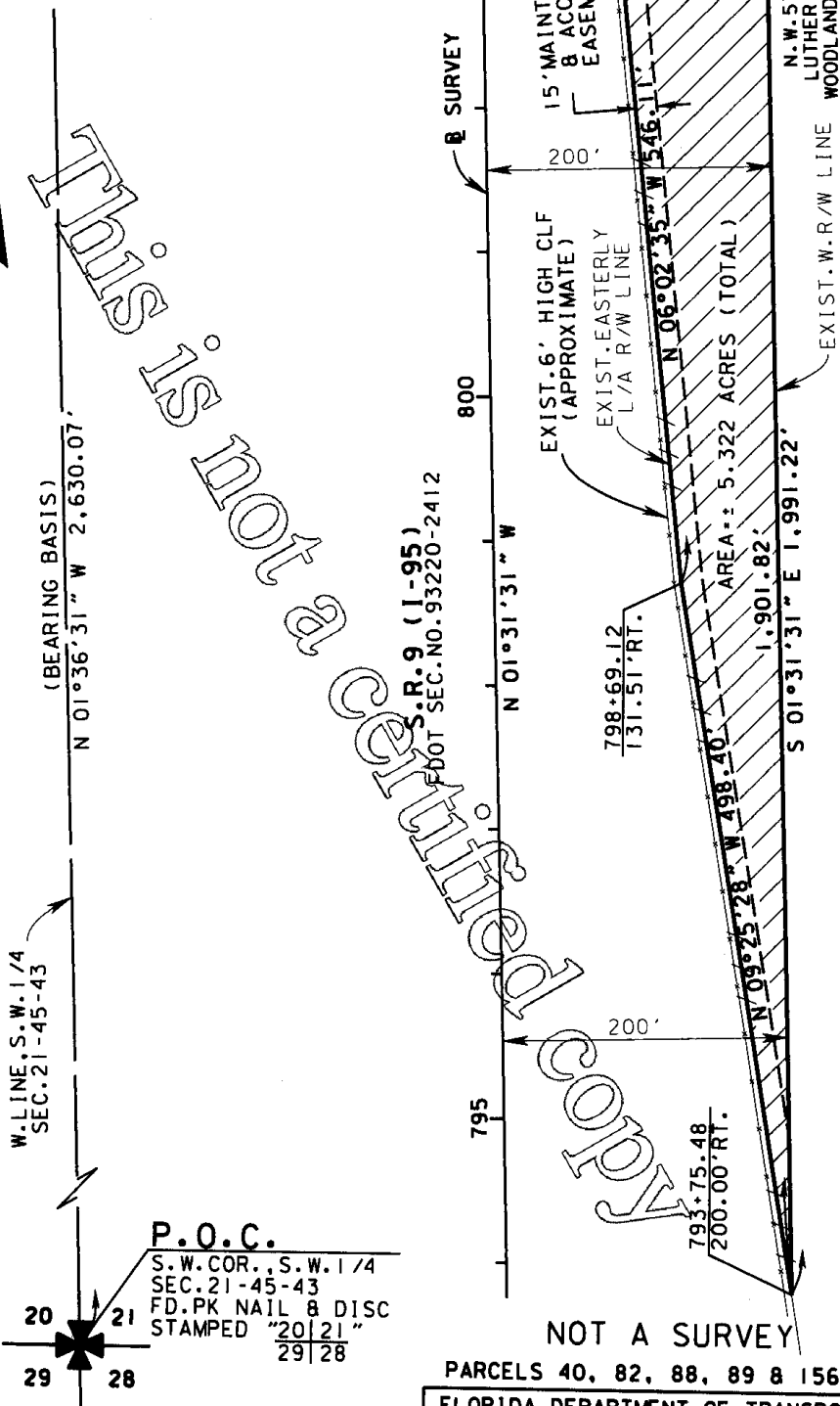
EXHIBIT "A"

SEE SHEET 5

SEC. 21, TWP. 45 S, RGE. 43 E



This is not a Survey



P.O.C.  
S.W. COR., S.W. 1/4  
SEC. 21-45-43  
FD. PK NAIL & DISC  
STAMPED "20|21"  
29|28

NOT A SURVEY

PARCELS 40, 82, 88, 89 & 156 (PART)

FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY MAPPING

RIGHT OF WAY PARCEL SKETCH

STATE ROAD NO. 9 (I-95) PALM BEACH COUNTY

	BY	DATE	APPROVED BY	DATE
PRELIM	RITZEL	5-08-04		5/27/04
FINAL	RITZEL	5-24-04		
CHECKED	TRUONG	5-24-04		

MAPS PREPARED BY GREENHORNE & O'MARA, INC.	FIELD BOOK NO. 'S 521
W.P.I. NO. N/A	SCALE: 1" = 100'

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
DISTRICT FOUR  
RIGHT OF WAY MAPPING  
3400 WEST COMMERCIAL BLVD.  
FORT LAUDERDALE, FLORIDA 33309  
(954) 777-4550

REVISION	BY	DATE

SECTION NO. 93220-2412 SHEET 6 OF 6

T:\MS\RW\MAPPING\SURVEY\RWPSWO26-04.DGN

## **Appendix M**

Ezell Hester Jr. Park

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IN THE COUNTY COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT, CRIMINAL DIVISION,  
IN AND FOR PALM BEACH COUNTY, FLORIDA.

CASE NO. 02-017373MM A04  
STATE OF FLORIDA  
vs.  
Defendant: Eugene Aristi  
Social Security No.: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_

09/19/2002 14:23:56 20020494215  
OR BK 14170 PG 1257  
Palm Beach County, Florida  
Dorothy H. Wilken, Clerk

RECORDER'S SPACE

**ORDER ASSESSING ADDITIONAL CHARGES, COSTS AND FINES AND ENTERING JUDGMENT (IF INDICATED)**

The Defendant is hereby ordered to Pay and a judgment is hereby entered on behalf of Palm Beach County, Palm Beach County Administrative Complex, Palm Beach County, Florida 33401 and the State of Florida, Office of the Comptroller, Tallahassee, Florida 32399 in the following sums as indicated:

- Fines**
1. \$ \_\_\_\_\_ Total of fines assessed in sentence.
  2. \$ 20.00 (County Crime Prevention Fund) A sum pursuant to Section 775.083(2), Florida Statutes (statutorily mandated). Strike out if not a negotiated settlement and not imposed by the Court.
  3. \$ \_\_\_\_\_ (Crimes Compensation Trust Fund) pursuant to Section 938.04, Florida Statutes (statutorily mandated 5% surcharge/cost on any fine entered in line 1).
  4. \$ \_\_\_\_\_ (Crime Stoppers Trust Fund) \$20.00 pursuant to Section 938.06(1), Florida Statutes (statutorily mandated cost to be added if any fine imposed).
- Mandatory Costs**
5. \$ 3.00 (Additional Court Cost Clearing Trust Fund) pursuant to Section 938.01(1), Florida Statutes (statutorily mandated).
  6. \$ 50.00 (Crimes Compensation Trust Fund) pursuant to 938.03(1), Florida Statutes (statutorily mandated unless specifically waived by the Court on the record in detail).
  7. \$ 2.00 (Criminal Justice Education by Municipalities and Counties) pursuant to Section 938.15, Florida Statutes to be paid to:
    - Palm Beach County, Florida. (statutorily mandated where locally authorized).
    - the City/Town/Village of \_\_\_\_\_, Florida. (statutorily mandated where locally authorized).
  8. \$ 3.00 (Juvenile Assessment Center) pursuant to Section 938.17(2), Florida Statutes (statutorily mandated).
  9. \$ 50.00 (Local Government Criminal Justice Trust Fund) pursuant to Section 938.05(1), Florida Statutes (statutorily mandated).
  10. \$ 3.00 (Teen Court) pursuant to Section 938.19(1), Florida Statutes (statutorily mandated).
- Discretionary or Specific Offense/Required Costs**
11. \$ ~~40.00~~ (Public Defender Application Fee) pursuant to Sections 27.52(1)(c) and 938.29, Florida Statutes (a \$40.00 fee shall be imposed if not previously collected or waived). Strike out if previously paid or represented by private counsel.
  12. \$ ~~50.00~~ (Public Defender's Fees and Costs) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) and Local Administrative Order. (Minimum fee of \$50.00 is statutorily mandated following notice of imposition and right to contest amount, any additional amount is discretionary). Strike out if represented by private counsel.
  13. \$ \_\_\_\_\_ (Additional fees and costs of publicly appointed counsel) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1). (notice of imposition and right to contest amount required)
  14. \$ \_\_\_\_\_ (County Alcohol and Other Drug Abuse Trust Fund) A sum pursuant to Sections 938.21 and 938.23, Florida Statutes (may be imposed for any criminal violation of s.316.193, s.856.011, s.856.015, or Chapters 562, 567, 568, or 893, but may not exceed the amount of any fine imposed for the offense).
  15. \$ \_\_\_\_\_ (Court Facility Fund) A sum not to exceed \$150.00 pursuant to Section 939.18, Florida Statutes (may be imposed for any criminal violation if the court finds defendant has ability to pay and will not thereby be prevented from paying victim compensation or child support).
  16. \$ \_\_\_\_\_ (DUI Court Cost) \$135.00 pursuant to Section 938.07, Florida Statutes for any violation of Section 316.193, Florida Statutes (statutorily mandated).
  17. \$ \_\_\_\_\_ (Operating Trust Fund of the FDLE) \$100.00 pursuant to 938.25, Florida Statutes (may be imposed for any criminal violation of s.893.13).
  18. \$ \_\_\_\_\_ (Prosecution/Investigative Costs) The Court having considered the financial resources of the Defendant, the financial needs and ability of the Defendant, and other factors which this Court has deemed appropriate, a sum pursuant to Section 938.27, Florida Statutes (may be imposed where agency entitled to costs of prosecution requests and documents specific costs).
  19. \$ \_\_\_\_\_ Other: \_\_\_\_\_

Total: \$ 166.131

Payment of charges, costs and fines are:  
 condition of probation.  
 due within \_\_\_\_\_ days/months/years.  
 The defendant may perform community service in lieu of actual payment. (see attached order which must be completed)  
 due immediately hence. FOR WHICH LET EXECUTION ISSUE. This Judgment shall bear interest at the rate prescribed by law until satisfied.

DONE AND ORDERED in Open Court in Palm Beach County, Florida,  
this 21 day of Aug, 2002

COUNTY COURT JUDGE  
cc: GOLD: State Attorney YELLOW: Defendant  
PINK: Defense Counsel GREEN: County Attorney

FILED  
AUG 21 2002  
CIRCUIT & COUNTY CLERK

This is not a certified copy



PALM BEACH COUNTY, STATE OF FLORIDA

I hereby certify that the foregoing is a true copy of the record in my office.  
this 27 Day of September 2002

DOROTHY H. WILKEN  
Clerk Circuit Court

BY Sandra Cardin D.C.



## Community Parks

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### **Congress Avenue Barrier Free**

**Park(departments/parks/community\_parks.php/#congress), Ezell Hester, Jr. Community**

**Park(departments/parks/community\_parks.php/#hester), Wilson Park(departments/parks/community\_parks.php/#wilson)**



### **Congress Avenue Barrier Free Park 3111 S. Congress Avenue**

#### **General Information**

Acreage: 37.76

Park Hours: Sunrise - Sunset; lighted facilities open until 9:00 p.m.

#### **Amenities**

At the park: fitness trail, pavilion, picnic tables with umbrellas, benches, drinking fountain, open play area, specialty play structures for different age groups and all abilities, spray-ground, accessible restrooms/family restroom. At the Tennis Center: 17 Har Tru and 4 composite tennis courts, restrooms with shower, drinking fountains, canopied areas with picnic tables.

#### **Historical Information**

This is the location of the City's barrier free playground, park and Tennis Center. Three separate sections of land were acquired over a period of time and the City eventually had 30 acres of property. The property was given to the City before 1979, prior to there being any requirements for land dedication from developers. Five acres were given to WXEL as the public television station grew.

The Tennis Center was built in three phases. There are 17 Har-Tru and four composite courts. Adjacent to the tennis courts and the Pro Shop are canopy areas with tables and chairs. The west side of the property backs up to a lake and in the center of the property is a small pond. There are wetlands on the property planted with native vegetation.

Realizing the need for a barrier-free park in Palm Beach County where over 187,000 disabled residents reside, in 2005 representatives of agencies that offer services for special needs individuals, including the United Way, United Cerebral Palsy, Lions Club, American Red Cross, The ARC and Deaf Service Center were invited to participate in a design charette to determine the elements needed in a "barrier-free" park. The design charette helped to create the master plan for this very unique and special park. Construction of the first phase of the 13.5 acre Congress Avenue Barrier Free Park began in 2010. The park is designed to accommodate people of all ages and abilities on an equal level.

The park is themed around a Florida Swamp. The central public space was designed to allow access to three play areas, two of which have been constructed, and the third will be constructed during a future phase of development. One is a free formed play structure that resembles a spider. It emulates the insect critters of the swamp. The other is a fish camp theme. The two ponds on the park are connected through a metaphorical "stream bed" that allows children and adults to climb through and experience rocks, spray misters, water and nature. Trails meander through the park leading to the different play and sensory experiences.

Other park features include restored wetlands, picnic areas, and restrooms. Ultimately, the purpose of the park is to create an exciting, inspiring and accessible passive park and playground for adults and children of all ages and abilities to enjoy.



**Ezell Hester Jr. Community Park**  
**1901 N. Seacrest Boulevard** ([back to](#)

[top\(departments/parks/community\\_parks.php/#top\)\)](#)

#### **General Information**

Acreage: 23.72 (includes 8 acres of Rolling Green Scrub)

Park Hours: Sunrise - Sunset (lighted facilities open until 10:00 p.m.)

#### **Amenities**

Baseball/softball field, basketball courts, benches, bike rack, concession building (hours vary), cricket pitch, drinking fountain, fitness trail (1/2-mile path with no exercise stations; around football field), football field, gazebo, gymnasium, meeting space, nature preserve, open play area, recreation center, rental pavilions, playground, racquetball court, restrooms, tennis courts

#### **Historical Information**

The facility and park opened in 1992. Various phases of development and expansion have occurred since. The center is named after former Vice-Mayor Ezell Hester, Jr.

Half or more of the 23-acre site the park and recreation center sits on was once one of the largest remainders of native Florida scrub land in Palm Beach County (in 1988). As a part of the construction, scrub preserve fencing was placed around the Rolling Green Scrub.

The property was owned by a developer who was developing property on Congress Avenue. The developer was not interested in developing the property so to satisfy land dedication requirements the land was given to the City. Rolling Green Park (not to be confused with Rolling Green Elementary School) was the original park name before the community center was built. **In planning the park, the City was required to preserve about 25% of the total acreage as scrub land** (Rolling Green Scrub).

The press box was built adjacent to the football field in 2003 and is dedicated to former Recreation and Parks Department employee Tom Williams. A new playground was built in 2006. In the summer of 2009 the football field was dedicated to longtime PAL (Police Athletic League) officer Bill Tome.

#### **Wilson Park**

**225 NW 12 Avenue** ([back to top\(departments/parks/community\\_parks.php/#top\)\)](#))

#### **General Information**

Acreage: 5.44

Park Hours: Sunrise - 9:00 p.m.

#### **Amenities**

Basketball courts, benches, bike rack, drinking fountain, meeting space, open play area, pavilions, playground, pool, recreation building, restrooms, multi-purpose field



#### Historical Information

The original facility was built in 1961. Mr. Wilson, an advocate for recreation and parks, went to the City Commission with a request to build a center and pool in the northeast neighborhood of Boynton Beach. The ball field hosted the Boynton Beach Red Sox. In spite of the fact that the field was undersized, it was used often until the early 1990's.

In 1982, Palm Beach County contributed \$32,274 for Wilson Park improvements, which included adding a basketball court,

additional fencing around the ball fields, and security lighting.

In 2003, county voters approved a \$50M Recreation and Cultural Facilities Bond and Palm Beach County designated \$1,000,000 for renovation of the Wilson Park area. The project included the construction of a new center, renovations and improvements to the community pool, basketball courts, a multi-purpose field and a playground with updated play equipment.

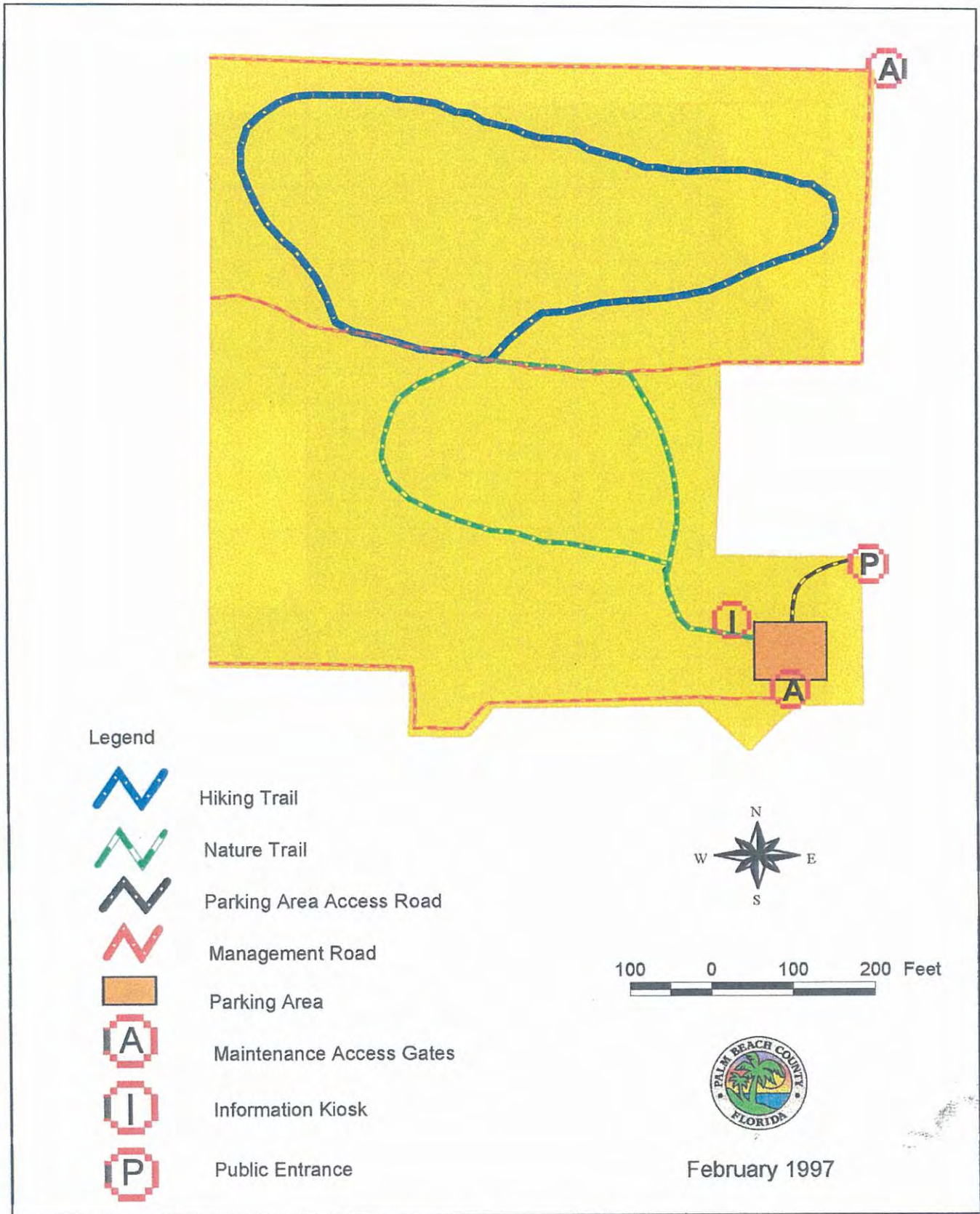
The Grand Opening of the Carolyn Sims Community Center and John Denson Pool at Wilson Park was held on February 9, 2008, with a special sky jump by the US Special Ops Command Parachute Team.

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## **Appendix N**

Rosemary Scrub Natural Area

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**Figure 3 - Rosemary Scrub Master Plan**





# Red Bay Nature Trail

This 950-foot accessible nature trail winds through Florida scrub, one of the rarest natural communities in Florida. Keep an eye out for the gopher tortoises!



## 1 The Adventure Begins

The natural areas protect historic native ecosystems and their biological diversity. They also are open to the public for passive recreation. How do we solve the problem of saving the land while providing facilities for public use? We carefully design the parking lots and trails so that they have only minimal impact on the native ecosystems. The parking lot was a disturbed, open field. Department staff removed the nonnative, invasive plants and installed native species such as cabbage palms, strangler figs, and coco plums.



From top to bottom: gray hairstreak, Halloween pennant, gulf fritillary

## 2 Small Flights of Fancy

The Rosemary Scrub is full of many types of "winged wonders." The most obvious, and easiest to see, are the birds. But don't forget about the smaller flying creatures such as the dragonflies and butterflies. The Halloween pennants are striking-looking dragonflies with bold, black-banded wings. These powerful wings allow them to fly forward or backward, and to hover in place. Dragonflies are ferocious hunters that feed on mosquito young and adults. The gray hairstreak and the gulf fritillary are just two of the many butterflies found in the scrub. Butterflies and moths belong to the Order Lepidoptera, which means "scale-winged." This refers to the minute scales covering their wings.

## 3 The Spark of Life

Some residents of Palm Beach County, including the gopher tortoise and the sand pine, depend on fire for their existence. Periodic fires reduce hardwood competition, improve wildlife habitat, and remove excess underbrush and dead vegetation. The seeds of some species may remain in the soil for years until a fire triggers their germination. The natural area is divided into management units, which are prescribed-burned periodically to maintain the community and to reduce the possibility of destructive wildfires.



Large-flowered rosemary

## 4 The Rosemarys of the Scrub

With a name like Rosemary Scrub, one could guess that rosemary grows on the site. In fact, two plants with "rosemary" in their names grow here - Florida rosemary and large-flowered rosemary. Florida rosemary is a rounded shrub that can grow up to eight feet tall. It has needle-like leaves and small, reddish-yellow flowers and blooms in the spring. Large-flowered rosemary produces light-purple flowers and blooms throughout the year. Do not confuse these two plants with the true rosemary used in cooking.



Powder-puff lichen

## 5 A Partnership for Life

Visitors to the Rosemary Scrub Natural Area should always use the marked trail system when exploring the site. This prevents visitors from getting lost and also keeps delicate scrub plants, such as powder-puff lichen, from getting crushed. This lichen is a puffy-looking, grayish-green groundcover found throughout the natural area. A lichen is actually two organisms (an alga and a fungus) working together to survive. The alga produces food by photosynthesis and the fungus provides shelter. Lichens are sensitive to air quality. When air becomes even slightly polluted, both the quality and diversity of lichens decrease. The jester lichen is also found here.



Giant wild pine

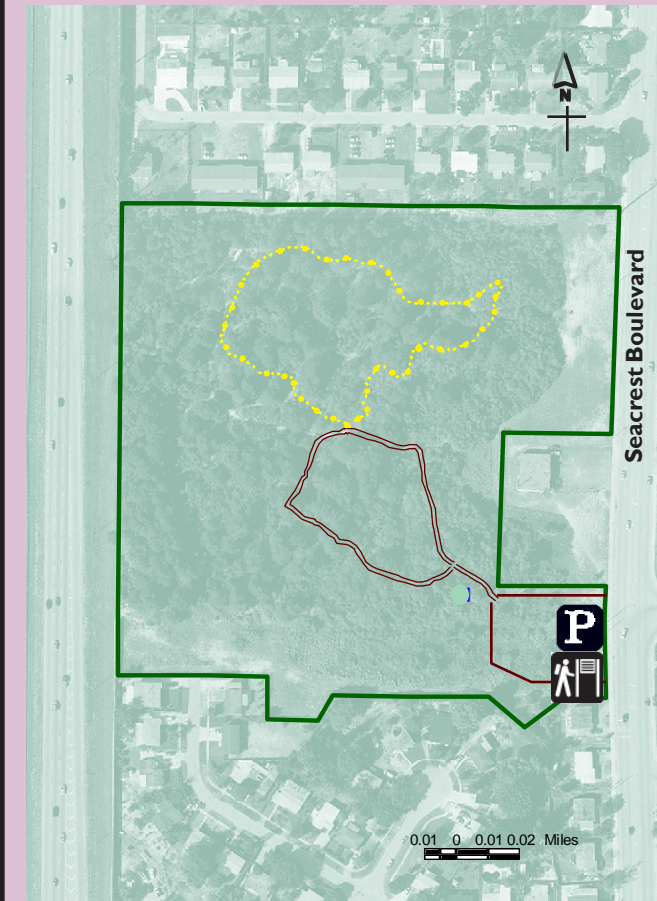
## 6 No Soil - No Problem

The natural area is home to several species of epiphytes or airplants. These plants do not need soil to survive and are typically found far above the ground, attached to rough-barked trees. Although airplants appear to be parasitic, they only use trees as a place to grow. These relatives of the pineapple survive by collecting rain water in leaf bases or trapping moisture on small hairs. The largest Florida native airplant is the giant wild pine. It can grow up to six feet tall. One of the smaller airplants found on the site is ballmoss. It rarely grows larger than 6 inches tall. Many of Florida's airplants are threatened by the Mexican bromeliad weevil. The weevil lays its eggs in the plant's leaf bases. When the eggs hatch, the weevil larvae eat the airplant from the inside out. Efforts are underway to stop the spread of the Mexican bromeliad weevil and to increase decimated airplant populations.



Ballmoss

# Rosemary Scrub Trail System



The Rosemary Scrub Natural Area is located at 2901 N. Seacrest Blvd. in Boynton Beach. This 14-acre natural area contains scrub, scrubby flatwoods, and hammock habitats. Public use facilities include a parking lot, a kiosk with educational exhibits, an accessible nature trail, and a hiking trail. There are no restroom facilities or drinking water on the site.

Please use the designated nature and hiking trails as you explore the natural area. Do not feed the animals. When wild animals become dependent on handouts, they may lose their natural fear of humans and become aggressive and dangerous. Please dispose of your trash responsibly.

**P** Parking

**i** Information

**—** Natural Area Boundary

**—** Red Bay Nature Trail 0.16 miles

**—** Gopher Apple Hiking Trail 0.25 miles

## 7 The Desert Lands of South Florida

It is hard to imagine that a dry, desert-like habitat exists in sub-tropical, humid South Florida. Scrub communities occur on sand ridges along former shorelines. The well-drained, nutrient-poor, sandy soil is a tough place for plants to thrive. Florida rosemary, sand live oak, and saw palmetto are common scrub plants. Their thick leaves and stunted growing habits help conserve precious water. The dry conditions and low risk of flooding makes scrub lands the perfect location for building homes and businesses. It is estimated that less than 2% of scrub habitat remains in Palm Beach County.



# Rosemary Scrub Photo Album

## Plants



Florida Rosemary



Netted Pawpaw



Narrowleaf Siliggrass



Fetterbush



Sand Live Oak



Paintedleaf

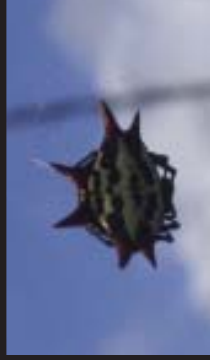


Pricklypear

## Insects and Arachnids



Zebra Longwing



Spinybacked Orbweaver



Silver Garden Spider



American Bird Grasshopper

## Birds



Blue Jay



Red-bellied Woodpecker



Northern Cardinal

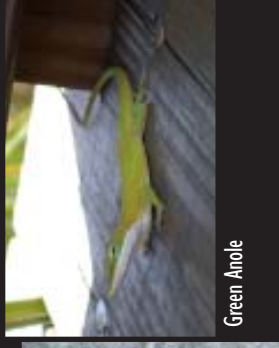


Northern Mockingbird

## Reptiles



Six-lined Racerunner



Green Anole



Gopher Tortoise



Racer

## Mammals



Nine-banded Armadillo



Eastern Gray Squirrel



Virginia Opossum



Raccoon

# Rosemary Scrub Natural Area Trail Guide



**A Florida Communities Trust Preservation 2000 Project**

## Rules and Regulations

### Prohibited on the Site:

- Smoking
- Hunting
- Feeding wildlife
- Alcoholic beverages
- Discharging firearms
- Pets or domestic animals
- Bicycles or motor vehicles
- Collecting plants or animals

Use only existing trails. This is a "no trash area." All items taken in must be taken out.

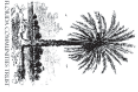
The natural area is open from sunrise to sunset, seven days a week, including holidays.

There are no toilets or drinking water at this site.

**In an emergency, call 911 or the Boynton Beach Police Department at 561-732-8116.**



Connect with the Department of Environmental Resources Management and download our natural areas mobile map.



**Palm Beach County Board of County Commissioners**

**Department of Environmental Resources Management**

2300 N. Jog Road - Fourth Floor  
West Palm Beach, FL 33411-2743  
Phone: 561-233-2400  
www.pbcgov.com/erm  
www.facebook.com/pbcern

In accordance with the provisions of ADA, this brochure may be requested in an alternate format.

## Preserving Palm Beach County's Good Nature

Welcome to one of Palm Beach County's natural treasures! The Rosemary Scrub Natural Area preserves and protects Florida scrub habitat - one of Florida's most endangered natural communities. Scrub is found in small pockets along ridges in the middle of the state, as well as along the coastline.

The natural area is a small piece of what was once a large area of scrub habitat located between Lake Worth and an inland lake/marsh system comprised of Lake Osborne and the former Lake Webster. Rosemary Scrub remained in a relatively natural state throughout the 1800s and early 1900s. After World War II, development of the area accelerated. Residential subdivisions dotted the landscape, and with the construction of Interstate Highway 95 in the mid-1970s, the natural area was surrounded. The County completed the purchase of the site in 1995. State Preservation 2000 matching funds in the amount of \$187,407 were provided by Florida Communities Trust for the acquisition of the site.

This 14-acre natural area is part of a system of natural areas, protected to maintain the diversity of biological communities and species in Palm Beach County. The natural areas are open to the public for educational use and passive recreational activities such as hiking, nature photography, and bird watching.



**A young sand pine begins its life in the shadow of a dead sand pine. Sand pines are the most numerous pines present in scrub habitat. They depend on fire for their existence. Like all pines, they reproduce by dispersing seeds from cones. However, sand pines have closed cones that typically require heat from a fire to open so that the seeds can drop to the ground.**

MAR-13-1995 1:38pm 95-076209

Prepared by and  
Return to:

David S. Pressly, Esq.  
Pressly & Pressly, P.A.  
222 Lakeview Avenue, Suite 910  
West Palm Beach, FL 33401-6112

ORB 8654 Pg 1133  
Con 200,000.00 Doc 1,400.00

Property Identification Number: 08-43-45-09-00-000-7080  
08-43-45-16-00-000-3100

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STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED made the 8th day of March, 1995, by JANMAR PROPERTIES, LTD., a Florida Limited Partnership a/k/a Janmer Properties, Ltd., a Florida Limited Partnership (hereinafter referred to as "Grantor"), to PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (hereinafter referred to as "Grantee"), whose post office address is P.O. Box 1989, West Palm Beach, Florida 33402-1989.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other valuable considerations, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, and sell to the Grantee, Grantee's successors and assigns forever, the following described land in Palm Beach County, Florida:

SEE EXHIBIT "A" ANNEXED HERETO

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT, HOWEVER, TO:

1. Taxes for the year 1996, and all subsequent years.
2. Zoning, prohibitions and other requirements imposed by government authority.
3. All matters of Public Record (it not being the intent hereof to reimpose same).

WC #10 Return to  
CHICAGO TITLE INSURANCE COMPANY  
2393 South Congress Avenue  
West Palm Beach, FL 33406

CT 21491 KF

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AND the Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever (subject to the matters set forth above).

IN WITNESS WHEREOF, the said Grantor has duly executed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Janmar Properties, Ltd., a Florida Limited Partnership

Kathryn R. Posten  
(Sign)

By: Janmar Corporation,  
a Florida Corporation,  
as General Partner

Kathryn R. Posten  
(Print)

Robert Burd  
(Sign)

By: B. D. Burd  
Its Vice President

Robert Burd  
(Print)

(SEAL)

4649 Ponce De Leon Blvd,  
Suite 303  
Coral Gables, FL 33146

APPROVED BY BOARD OF COUNTY COMMISSIONERS,  
PALM BEACH COUNTY, FLORIDA, ON  
JANUARY 10, 1995, BY RESOLUTION No. R-95-42-D

BY: Heidi [Signature]  
Assistant County Attorney

[Space above this line for recording]

STATE OF FLORIDA )

COUNTY OF DADE )

The foregoing instrument was acknowledged before me this 3rd day of March, 1995, by B.D. Rawls, as the Vice President of Janmar Corporation, a Florida corporation, on behalf of the Corporation, in its capacity as general partner of Janmar Properties, Ltd., a Florida limited partnership. He is personally known to me or he has produced a Florida driver's license as identification.

*Amalia M. Slater*  
Notary Public (Signature)

Amalia M. Slater  
Notary Public (Print)

My Commission Expires:

(Notary Seal)

NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: Dec. 16, 1995  
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.

janmar.statwarr.ded

Not a Certified Copy

LEGAL DESCRIPTION

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida. Said Parcel being more particularly described as follows:

Commencing at the southeast corner of the Southwest 1/4 of Section 9 Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 40.01 feet to a point on the West right-of-way line of Seacrest Blvd., said point also being the point of beginning; thence continue West, a distance of 793.14 feet to a point on the East right-of-way line of State Road No. 9; thence run North  $00^{\circ}05'00''$  East along the East right-of-way line of State Road No. 9, a distance of 658.68 feet to a point; said point being the southwest corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South  $89^{\circ}58'45''$  East, along the South line of North Ridge Estates, a distance of 809.90 feet to a point; said point being the Southeast corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South  $01^{\circ}32'45''$  West, along a line that is 40.00 feet West of, as measured at right angles, the East line of the said Southwest 1/4 of Section 9 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 658.62 feet more or less to the point of beginning.

AND

A parcel of land lying in Section 16, Township 45 South, Range 43 East, Palm Beach County, Florida. Said parcel being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 108.60 feet to the point of beginning; thence South a distance of 40.00 feet to a point; thence East, a distance of 45.88 feet to a point; thence with a curve to the right having a radius of 25.00 feet, a central angle of  $87^{\circ}57'15''$ , and an arc length of 38.38 feet, to a point on the West right-of-way line of Seacrest Blvd.; thence with a bearing of South  $02^{\circ}02'45''$  East, along a line that is 40.00 feet West of, as measured at right angles, the East line of the Northwest 1/4 (NW 1/4) of Section 16 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 75.88 feet to a point; thence South  $87^{\circ}57'15''$  West, a distance of 73.62 feet to a point; thence South  $52^{\circ}20'15''$  West, a distance of 75.79 feet to a point; thence North  $50^{\circ}50'05''$  West, a distance of 77.39 feet to a point; thence West a distance of 253.02 feet to a point; thence South  $31^{\circ}21'10''$  West, a distance of 47.13 feet to a point; thence North  $89^{\circ}55'00''$  West, a distance of 82.46 feet to a point; thence North a distance of 70.00 feet to a point; thence North  $89^{\circ}55'00''$  West, a distance of 94.71 feet to a point; thence West, a distance of 50.00 feet to a point; thence North  $89^{\circ}55'00''$  West, a distance of 100.00 feet to a point on the

East right-of-way line of State Road No. 9; thence North 00°05'00" East, along the East right-of-way line of State Road No. 9, a distance of 109.85 feet to a point; thence East, a distance of 724.55 feet more or less to the point of beginning.

LESS AND EXCEPT the following described parcel of land:

A parcel of land lying in Section 9, and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest quarter (SW 1/4) of said Section 9, run North 90°00'00" West, along the South line of said Section 9, a distance of 40.00 feet to the point of beginning of the herein described parcel of land; continue thence North 90°00'00" West, a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along the arc of said curve through a central angle of 87°57'15", a distance of 38.38 feet, to a point on the Westerly right-of-way line of Seacrest Blvd., and point of tangency of said curve; thence South 02°02'45" East, along said Westerly right-of-way line, a distance of 75.88 feet; thence South 87°57'15" West, along the South line of Lot 10, Block 20 of Rolling Green Ridge, 1st. Addition, as recorded in Plat Book 24, page 223 of the Public Records Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52°20'15" West, a distance of 75.79 feet; thence North 50°50'05" West, a distance of 77.39 feet; thence North 90°00'00" West, a distance of 130.42 feet; thence leaving said North line, North 02°02'45" West, along a line parallel to Seacrest Blvd., a distance of 140.08 feet to a point on the South line of Section 9; thence North 01°32'45" East, along a line parallel to Seacrest Blvd., a distance of 658.72 feet; to a point on the North line of the South half (S 1/2) of the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of said Section 9; thence along said North line South 89°58'45" East, a distance of 324.05 feet to a point on the Westerly right-of-way line of Seacrest Blvd. an 80.00 foot wide road right-of-way; thence South 01°32'45" West, along said Westerly right-of-way line, a distance of 658.62 feet to the point of beginning.

janmar.legal

**EASEMENT DOCUMENTATION REPORT  
FOR  
ROSEMARY SCRUB NATURAL AREA  
PALM BEACH COUNTY, FLORIDA**

**Prepared for**

**The Nature Conservancy**

**And**

**Palm Beach County Board of County Commissioners  
Department of Environmental Resources Management**

**By**



SAVING THE LAST GREAT PLACES ON EARTH

**625 North Adams Street  
Tallahassee, Florida 32301**

**February 2007  
Updated September 2009**



November 4, 2009

VIA FEDERAL EXPRESS

Allison Sauve, Environmental Analyst  
Palm Beach County's Department of  
Environmental Resources Management  
2300 North Jog Road, 4th Floor  
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ENV. RES. MGMT.   
Env. Enh. & Restoration   
Natural Resources Stewardship   
Resources Protection   
Mosquito Control   
Finance & Support Services   
Director   
Deputy Director   
Other \_\_\_\_\_

Re: Palm Beach County Easements – High Ridge Scrub, Rosemary Scrub and  
Hypoluxo Scrub

Dear Allison:

Enclosed are two duplicate originals of the Easement Documentation Reports for each of the referenced conservation easements. Please have these reviewed and the certification on Page 3 of each executed on behalf of the County. Once fully executed, please return a fully executed original of each report to my attention. Once we receive the executed reports, we should be in a position to execute the conservation easements and return them to you for recording.

Thank you for your assistance in this regard.

Sincerely,



Laura P. Robinson  
Senior Attorney

LPR/bjb

Enclosures

RECEIVED  
NOV - 5 2009  
ENVIRONMENTAL RESOURCES MANAGEMENT

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### APPENDIX

Appendix A: Management Plan for Rosemary Scrub Natural Area. February 1997

## EXECUTIVE SUMMARY

The Nature Conservancy is accepting the donation of a conservation easement on the 13.59-acre Rosemary Scrub Natural Area near the Atlantic Ocean in south-central Palm Beach County, Florida, from the Palm Beach County Board of County Commissioners, Department of Environmental Resources Management. The subject conservation easement tract was acquired via two purchases - a 4.94-acre tract, purchased in January 1995 and an 8.65-acre tract purchased in March 1995. Funds for the purchase were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991. The City of Boynton Beach and Palm Beach County submitted a partnership application to the Florida Communities Trust to obtain matching funds from the Preservation 2000 Program. The Palm Beach County Natural Areas System, of which the Rosemary Scrub Natural Area is a part, is comprised of those environmentally sensitive lands owned or leased by the County and managed as natural areas by the County's Department of Environmental Resources Management. These natural areas were selected for protection based upon their biological characteristics and were acquired to preserve the rare and diverse native ecosystems on the sites, as well as any endangered, threatened and rare plant and animal species found there. Although the Rosemary Scrub Natural Area is a small "island" of native habitat completely surrounded by commercial and residential development and a major interstate highway, the conservation easement will protect examples of historic, successional and disturbed sand pine Scrub, Scrubby Flatwoods and Mesic Hammock natural communities as well as provide for passive recreation, environmental education and scientific research. The Palm Beach County Department of Environmental Resources Management estimated in 1997 that 98% of the Scrub once present in Palm Beach County had been converted to other land uses. The Palm Beach County ERM has documented that the tract provides habitat for several listed species including Curtiss' milkweed (*Asclepias curtissii*), large-flowered rosemary (*Conradina grandiflora*), nodding pinweed (*Lechea cernua*), scrub bay (*Persea humilis*) and American redstart (*Setophaga ruticilla*). The site also provides habitat for the following species listed on the Florida Department of Agriculture and Consumer Services Endangered, Threatened or Commercially Exploited list - Boston fern (*Nephrolepis biserrata*), common wild pine (*Tillandsia fasciculata*) and giant wild pine (*Tillandsia utriculata*).

## CERTIFICATION

This Easement Documentation Report (Report) for the Rosemary Scrub Natural Area is certified to the Palm Beach County Board of County Commissioners, Department of Environmental Resources Management (Palm Beach County) under the following conditions:

- a. This Report has been completed by qualified and knowledgeable personnel of The Nature Conservancy with educational backgrounds and professional experiences in botany, wildlife ecology, Geographic Information Systems and environmental science.
- b. Palm Beach County and their agents are entitled to rely on the information set forth in this Report.

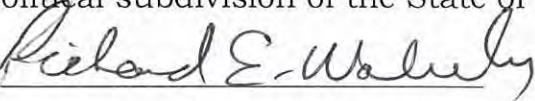
Certified by:

 15 September 2009  
Wendy J. Mathews Date  
Conservation Projects Manager

Palm Beach County, Florida, does accept and acknowledge this report as an accurate description of the current land uses and physical features as of September, 2009 on the Rosemary Scrub Natural Area easement property. This report contains 175 pages, including 16 site condition photographs and 4 maps.

Palm Beach County, Florida, further certifies that to the best of its knowledge, since such date there have been no activities on the easement property which are inconsistent with the terms and covenants contained in the Conservation Easement to which this report relates.

PALM BEACH COUNTY,  
A political subdivision of the State of Florida

By: 

Date: 11/5/09

## INTRODUCTION

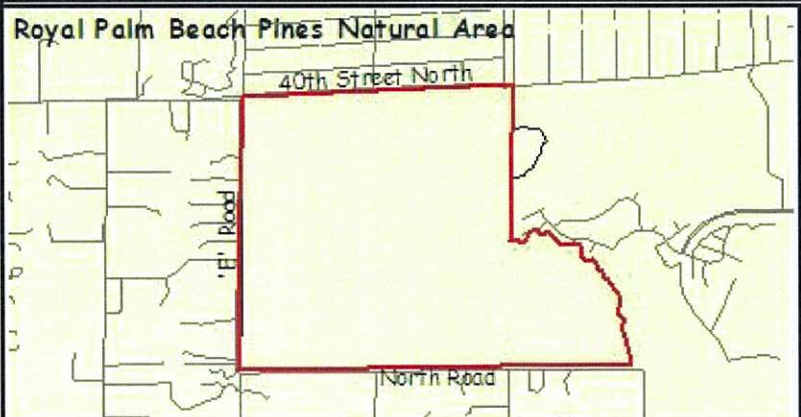
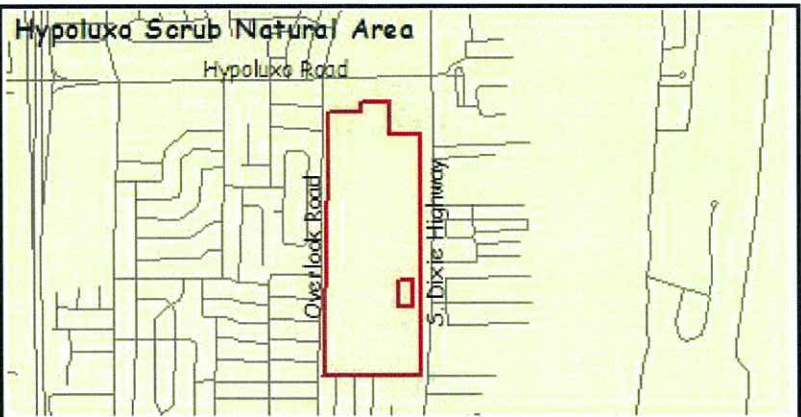
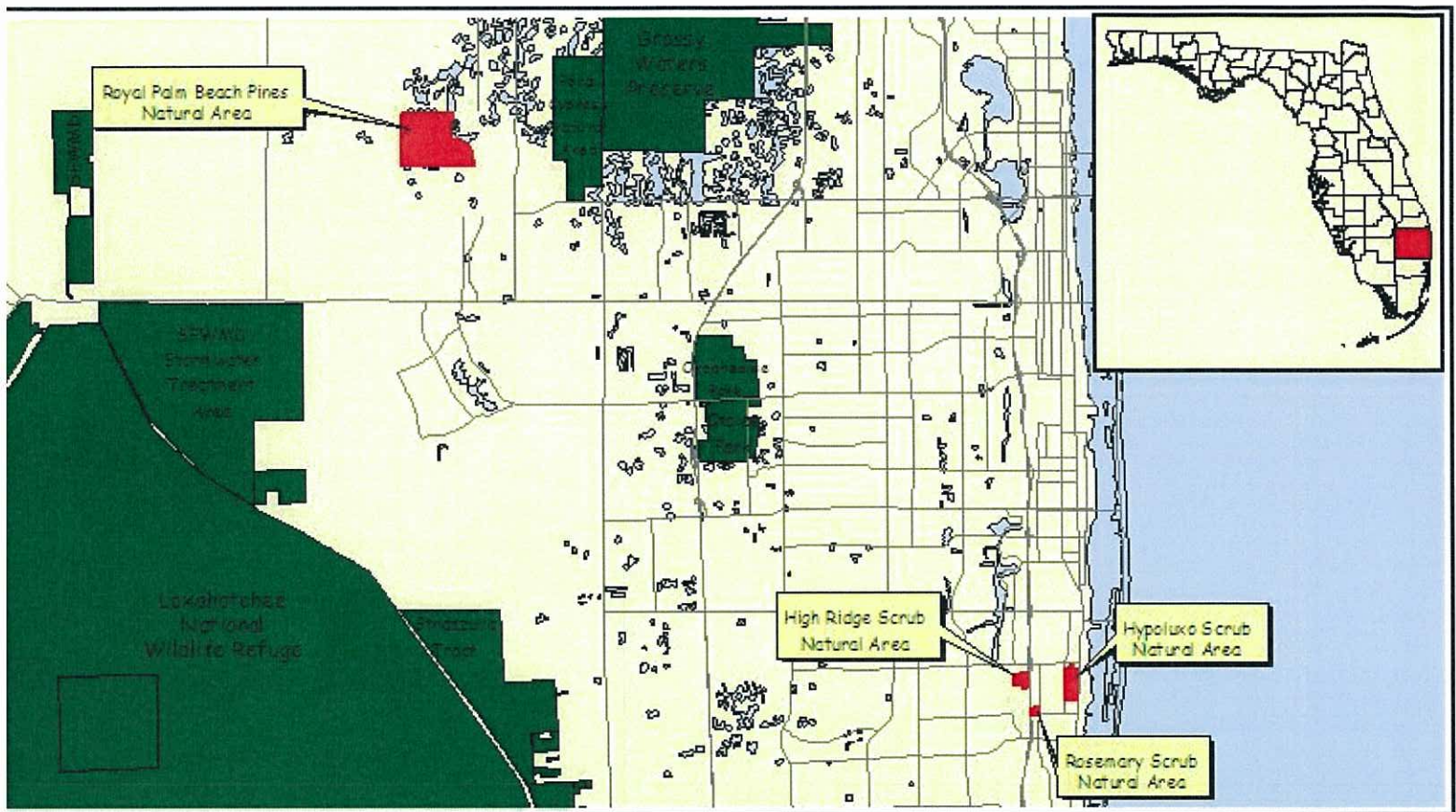
In the spirit of conservation, the Palm Beach County Board of County Commissioners, Department of Environmental Resources Management (ERM), is donating a conservation easement to The Nature Conservancy (TNC or the Conservancy) on the 13.59-acre Rosemary Scrub Natural Area in south-eastern Palm Beach County. The subject site is comprised of 13.59-acres acquired in two separate transactions in 1995 - 4.94-acres, acquired from the Resolution Trust Corporation in January 1995 and 8.65-acres acquired from Janmar Properties, Ltd. in March 1995. Acquisition funds were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of 12 March 1991 and Florida Communities Trust/Preservation 2000 matching funds.

The primary purpose for the purchase of the Rosemary Scrub Natural Area was to ensure the preservation of a mosaic of good-quality natural communities, including, remnant sand pine Scrub (natural and disturbed), Scrubby Flatwoods and Mesic Hammock natural communities and their associated plant and animal populations. The secondary purpose for the acquisition of the subject tract is to provide passive recreational opportunities for the public, environmental education and scientific research. The subject conservation easement tract has been developed and managed as a publicly-owned/operated, natural resource-based, passive outdoor recreational site. Hiking trails, handicapped-accessible nature trail, parking area, interpretive kiosk and management roads have been placed on the tract. Management activities on the tract are under the direction of Palm Beach County ERM with cooperation and assistance from the City of Boynton Beach. It is envisioned, as stated in the "Management Plan for Rosemary Scrub Natural Area" (Appendix A) that volunteers from the community will be recruited to assist in trail maintenance, removal of exotic vegetation and other related management activities. Overall, the conservation easement tract will be managed under the "single-use" concept, meaning it will be primarily managed to preserve and restore natural resource values and maintain ecosystem functions.

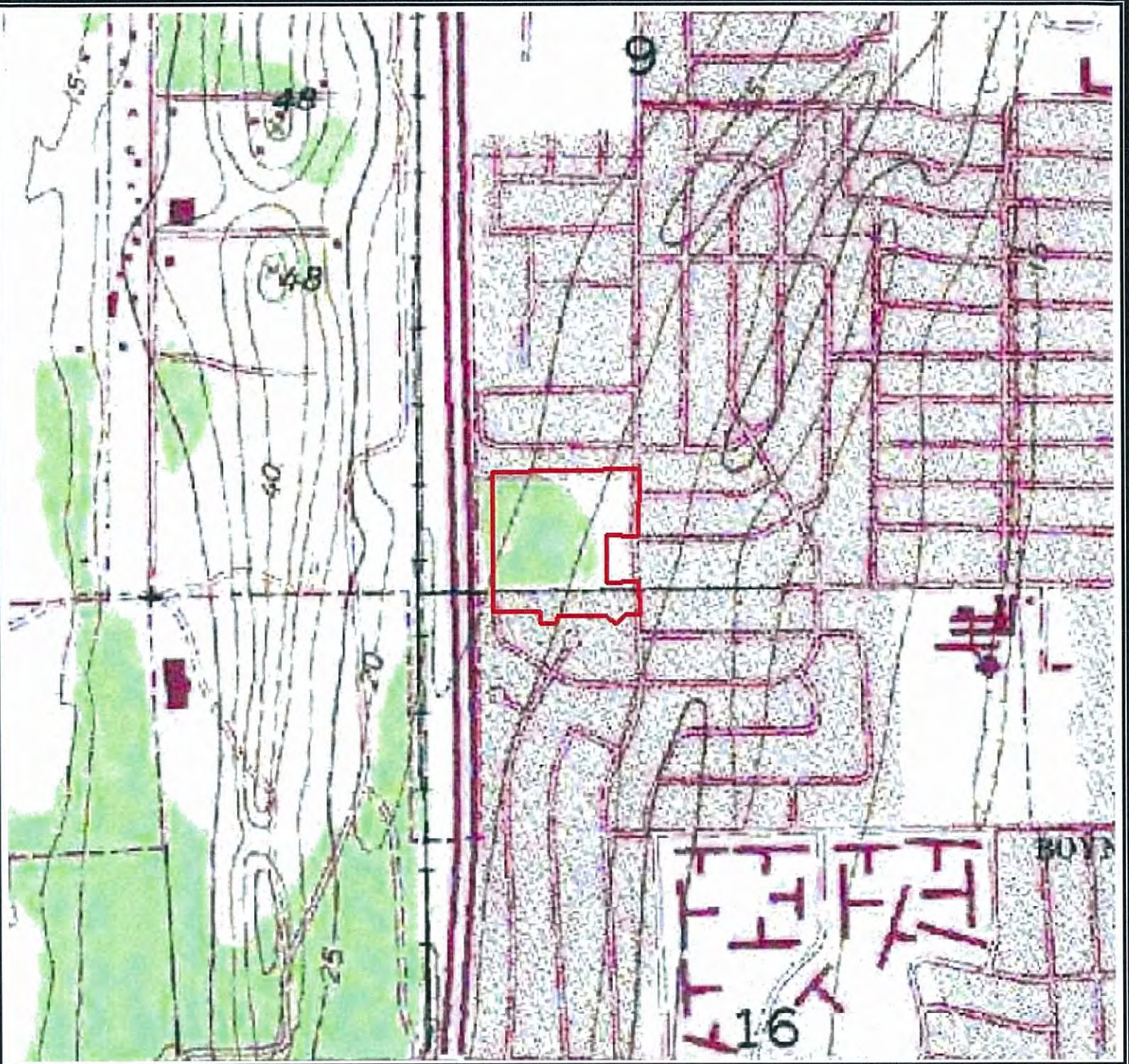
As mentioned in the "Management Plan for Rosemary Scrub Natural Area" (see Appendix A), dated 4 February 1997, the Palm Beach County ERM has estimated that more than 98% of the Scrub located in Palm Beach County has been converted to other uses. The Scrub community is listed by the Florida Natural Areas Inventory (FNAI) as a G2/S2 community, meaning it is both globally and state imperiled. As with most other natural areas in Palm Beach County, the managers of these sites face challenging hurdles with regard to managing fragmented natural communities located within heavily populated urban and suburban environments. The Rosemary Scrub Natural Area is no exception; this site is considered somewhat degraded as a result of fire exclusion, exotic plant invasion, construction of adjacent roads and buildings and other human-related disturbances.

## **PROJECT SITE LOCATION**

The 13.59-acre Rosemary Scrub Natural Area conservation easement is located within the City of Boynton Beach approximately one and one-half miles inland from the Atlantic Ocean in the south-eastern portion of Palm Beach County (Map 1). The northern and southern boundaries of the site are residential homes (North Ridge Estates and Rolling Green Ridge First Addition); the eastern boundary is Seacrest Boulevard and residential development (Rolling Green Ridge Third Addition) on the east side of the road; and the western boundary is US Interstate 95 with a concrete sound barrier wall running along the western boundary of the site approximately 100 feet south of the northwestern corner and approximately 100 feet north of the southwestern corner. The topographic map indicates the Rosemary Scrub tract occupies lands at approximately 20' contour lines (Map 2). The 2004 aerial photograph shows the residential development and US Interstate 95 surrounding the tract (Map 3).



**MAP 1**  
 General Location of the High Ridge Scrub,  
 Hypoluxo Scrub, Rosemary Scrub and  
 Royal Palm Beach Pines Conservation Easements  
 Palm Beach County, Florida



MAP 2  
Rosemary Scrub Conservation Easement  
Palm Beach County, Florida  
USGS 7.5' Topographic Map



Wendy J. Caster - 30 August 2006





**Map 3**  
**Rosemary Scrub Conservation Easement**  
**Palm Beach County, Florida**  
**2009 Digital Orthographic Quarter Quadrangle**  
**Monitored by Wendy Mathews**

The Nature Conservancy   
Protecting nature. Preserving life.™



Linda Russell - 18 August 2009

## METHODOLOGY

The purpose of this Easement Documentation Report is to describe the condition of the 13.59-acre Rosemary Scrub Natural Area conservation easement in Palm Beach County, Florida, at the time of the donation of a conservation easement by the Palm Beach County Board of County Commissioners (Grantor) to The Nature Conservancy (Grantee). The text, photos, maps and appendix herein document and reference the specific property conditions and features that are protected or affected by the easement terms. It should be noted that this Report will not contain the typical comprehensive description of natural resources, surrounding land uses, environmental impacts, etc. that are characteristic of other Reports prepared by the Conservancy. This modification in Report style is due to the presence of an extensive, well-written "Management Plan for Rosemary Scrub Natural Area", prepared by Palm Beach County ERM in February 1997 that, among other aspects, documents the condition of the site and the natural communities and species composition of the subject tract. This comprehensive management plan contains at least as much detail as would be included in an Easement Documentation Report and as such is being incorporated into this Report as Appendix A in lieu of the Conservancy's standard Report text.

Methods utilized in the development of this Report consisted of preliminary data research, on-site field assessments and discussions with Palm Beach County ERM staff. Preliminary data obtained included United States Geological Survey Topographic Maps (Map 2), 1994-95 and 2004 USGS Digital Orthographic Quarter Quadrangles (Map 3) and soil and land use/land cover classification data. Documented occurrences of rare or protected species and potential rare natural communities were also researched. The compilation of these data sources into an editable site map provided a strong starting point from which habitat types on the parcel were confirmed. Representative Site Condition Photographs (pages 15 - 22 and Map 4) and Global Positioning System (GPS) coordinates were obtained to document pertinent natural and human-made (if applicable) features throughout the tract.

The Florida Natural Areas Inventory (FNAI) data was consulted to locate documented occurrences of rare, threatened or endangered species and to identify potential areas of rare natural habitats. The natural community nomenclature used in this report follows that of FNAI (1990). In those cases where a particular community did not precisely fit the FNAI classification, or appeared to be intermediate between two community types, a notation is made and the most closely fitting community name is used.

Field assessments were conducted to document the ecological condition and characteristics of the easement tract including the type and areal extent of natural communities and rare species. The 13.59-acre Rosemary Scrub Natural Area conservation easement tract was traversed on foot on 3 August 2006 by Wendy Mathews and Richard Hilsenbeck of the Conservancy and Alessandra Medri and Kristen Nelson Sella of Palm Beach County ERM. Due to the length of time that elapsed

between the initial field work for this Report – 3 August 2006 - and the actual date of closing for the conservation easement – September 2009, Wendy Mathews re-visited the site on 20 July 2009 to determine if any changes had occurred during the intervening time. The site inspection revealed no changes in the condition of the site other than those expected due to natural circumstances. It was obvious that much of the vegetation had grown in size over the three-year period between site visits. Additionally, only a few exotic plant species were observed in and around the disturbed edges of the site, which is an improvement over the numbers present three-years ago. The public access areas were very-well maintained and the trails and foot-paths in excellent shape.

## RESULTS

### VEGETATIVE COVER

The following information was obtained during the field assessment of the subject conservation easement tract on 3 August 2006 by TNC and Palm Beach County ERM staff and is meant to augment the detailed descriptions already existing in the “Management Plan for Rosemary Scrub Natural Area” (see Appendix A).

The Rosemary Scrub Natural Area conservation easement will protect remnant Scrub, Scrubby Flatwoods and Mesic Hammock natural communities. These communities range in quality from somewhat intact to disturbed/degraded and can mostly be described as successional in nature. The tract is currently suffering from an obvious lack of prescribed fire, exotic pest plant invasions and past disturbance. It appears from reading the Management Plan that change began on and around the subject tract in the mid-1940s. A cleared, public right-of-way (Miner Road) ran along the southern end of the site until the mid-1970s when the roadbed was abandoned and allowed to revert to weedy species. Continued human disturbance from surrounding development and likely misuse of the site continued until the site was purchased in 1995.

A thorough survey of the vegetative communities and plant species prepared by the Palm Beach County ERM staff in October 1994 is included as Appendix A in the Management Plan for Rosemary Scrub Natural Area (see Appendix A). It is the intention of the Palm Beach County ERM staff to restore those portions of the site that have been impacted by past human disturbance to pre-disturbance condition.

The remnant sand pine (*Pinus clausa*) **Scrub** is the dominant community on the site. Many of the larger sand pines have been killed over time due to the occurrence of several wild fires on site, so the canopy is open. The prescribed burns conducted by Palm Beach county ERM staff also contribute to the open character of the overstory. The understory contains sand live oak (*Quercus geminata*), myrtle oak (*Quercus myrtifolia*), Chapman’s oak (*Quercus chapmanii*), rosemary (*Ceratiola ericoides*), saw palmetto (*Serenoa repens*), hog plum (*Ximenia americana*) and coastal staggerbush (*Lyonia fruticosa*). Palm Beach County ERM staff calculated that approximately 86% (11.76-acres) of the site is

dominated by somewhat intact and disturbed Scrub. The disturbed Scrub areas, located mostly along the eastern and southern borders, were cleared in the past, with portions being repeatedly mowed over time. Species indicative of Scrub are present in low density in the non-mowed areas. The mowed portions are dominated by camphorweed, gopher apple, sandspurs, shiny blueberry and Natal grass.

The remnant **Scrubby Flatwoods** community is located in the northwest corner of the site. The canopy contains scattered slash pine (*Pinus elliottii*). The understory is dominated by the above mentioned oaks, saw palmetto, fetterbush, gopher apple (*Licania michauxii*), ground lichens (*Cladonia* spp.), hog plum and seedlings of sand pines, among others. Palm Beach County ERM staff calculated that approximately .64-acres of Scrubby Flatwoods exist on the site.

Approximately 1.29-acres in the southeastern portion of the site have been classified by Palm Beach County ERM staff as **Mesic Hammock**. This area is dominated by large scrub oaks, red bay (*Persea borbonia*) and many cabbage palms (*Sabal palmetto*). Conservancy staff feels that this community is successional from the adjacent Scrub community and with the appropriate prescribed fire regime, the area would revert back to Scrub habitat.

As with most areas of southeastern Florida, the Rosemary Scrub Natural Area conservation easement has been invaded by a number of invasive plant species. Appendix B of "Management Plan for Rosemary Scrub Natural Area" (Appendix A in this Report) lists the 57 species of exotic plants that had been recorded at the time the management plan was written. The exotic plant species represent approximately 32% of the plant taxa recorded for the site. Most exotic plant infestations were observed to be in disturbed areas and along the perimeter of the site and are considered to be minor to moderate problems. A few of the more common invasive plants include earleaf acacia, asparagus fern, periwinkle, Bermuda grass and torpedo grass. The site also contains three species of exotic birds, two exotic lizards and an exotic frog. Additionally semi-feral dogs and cats frequent the site. The Palm Beach County ERM has done an excellent job removing, eradicating and controlling the most aggressively invasive species.

### **Endangered, Threatened, Rare and Other Species**

A search of the Florida Natural Areas Inventory's database of element occurrence records for elements located on and/or in the vicinity of the Rosemary Scrub Natural Area conservation easement turned up the following three records on site: gopher tortoise (*Gopherus polyphemus*), large-flowered rosemary (*Conradina grandiflora*) and nodding pinweed (*Lechea cernua*). In addition to these species, the "Management Plan for Rosemary Scrub Natural Area" cites the presence of Curtiss' milkweed (*Asclepias curtissii*), scrub bay (*Persea humilis*) and American redstart (*Setophaga ruticilla*). The site also provides habitat for the following species listed on the Florida Department of Agriculture and Consumer Services Endangered, Threatened or Commercially

Exploited list - banded wild pine (*Tillandsia flexuosa*), common wild pine (*Tillandsia fasciculata*), giant wild pine (*Tillandsia utriculata*), reflexed wild pine (*Tillandsia balbisiana*), prickly pear cactus (*Opuntia stricta*) and Boston fern (*Nephrolepis biserrata*).

The Management Plan for Rosemary Scrub Natural Area indicates the presence of six species of amphibians and reptiles, 34 species of birds and four (4) species of mammals on site. The Conservancy noted no animals during its 2-hour site visit. Appendix C of the Management Plan (Appendix A of this Report), lists the 44 species. The only listed animal species present on site is the American redstart.

### **Human-Made Features/Improvements**

Currently, the Rosemary Scrub Natural Area conservation easement tract is fenced along its entire perimeter. The northern, western and southern boundaries are fenced with 7-foot galvanized chain-link fence and black-vinyl-coated chain-link fence exists along the eastern boundary. A portion of a concrete sound barrier wall erected in 1992 adjacent to Interstate 95 extends 100-feet northward from the southwestern corner. A similar wall was erected in 1996, which extends southward 100-feet from the northwestern corner of the site. Three management gates exist along the eastern boundary of the site. Vehicular access to the site is restricted by a 24-foot wide double-swing gate at the entrance to the parking area that is open during daylight hours. The site is very well marked with signage identifying the area as being publicly owned and managed as a natural area. The site contains management roads/fire breaks on its northern, eastern and southern boundaries. An educational kiosk is located at the trailhead near the public parking area. The site contains a concrete (handicapped-accessible) nature loop trail approximately 1,100-feet in length originating at the parking area. A secondary sand hiking trail extends into the northern portion of the site from the concrete nature trail.

### **Easements**

A 7-foot wide transmission line easement runs east-west along the northern boundary and also serves as the northern management road/fire break. An 80-foot wide road easement for the extension of Miner Road extends across the southern portion of the tract between Seacrest Boulevard and Interstate 95. The northernmost 20-feet of this easement does double duty as a utility easement. A second, 10-foot wide utility easement runs east-west across the site. A third, 5-foot wide utility easement runs along the western and southern borders of Lot 10 located in the southeast corner of the site. See Section 3.2 of the Management Plan for Rosemary Scrub Natural Area (Appendix A) for more details.

## REFERENCES

Florida Natural Areas Inventory, Tallahassee, Florida:

- (1) Special Plant List - 2004
- (2) Special Vertebrate List - 2004
- (3) Natural Community List - 2004

Florida Natural Areas Inventory and the Department of Natural Resources. 1990. Guide to the Natural Communities of Florida.

Myers, R. L. and J. J. Ewel. 1991. Ecosystems of Florida. University of Central Florida Press. Orlando, Florida.

Palm Beach County, Department of Environmental Resources Management, February 1997. Management Plan for Rosemary Scrub Natural Area.

White, W.A. 1970. The Geomorphology of the Florida Peninsula. Florida Department of Natural Resources, Geological Bulletin No. 51.

Wunderlin, R.P. 1998. Guide to the Vascular Plants of Florida. University Presses of Florida. Gainesville, Florida.



**Map 4**  
**Rosemary Scrub Conservation Easement**  
**Palm Beach County, Florida**  
**2009 Digital Orthographic Quarter Quadrangle with**  
**Site Condition Photograph Locations - Monitored by Wendy Mathews**



# ROSEMARY SCRUB NATURAL AREA CONSERVATION EASEMENT

## SITE CONDITION PHOTOGRAPHS

Photographs by Wendy J. Mathews

3 August 2006

Photograph Locations - Map 4

**Photo #: 1**

**Photopoint: 1**

**Photograph Date:** 08/03/2006

**Photographer:** Wendy J.  
Mathews

**Description:** Main entrance and parking area off Seacrest Boulevard near the southeastern corner of the conservation easement.

**Heading:** 320°

**Latitude:** N26 33.448

**Longitude:** W80 04.019



**Photo #: 2**

**Photopoint: 1**

**Photograph Date:** 08/03/2006

**Photographer:** Wendy J.  
Mathews

**Description:** View of parking area and management entrance gate as seen from Seacrest Boulevard.

**Heading:** 290°

**Latitude:** N26 33.448

**Longitude:** W80 04.019





**Photo #:** 3  
**Photopoint:** 2  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Information kiosk for the Rosemary Scrub Natural Area located at the back side of the parking area. Note - boundary fence in background.  
**Heading:** 340°  
**Latitude:** N26 33.455  
**Longitude:** W80 04.039



**Photo #:** 4  
**Photopoint:** 3  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking northwestward into overgrown scrub near the center of the conservation easement.  
**Heading:** 310°  
**Latitude:** N26 33.513  
**Longitude:** W80 04.097



**Photo #:** 5  
**Photopoint:** 4  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking into disturbed sand pine scrub near the center of the conservation easement. Note - paved ADA trail and several dead sand pines.  
**Heading:** 270°  
**Latitude:** N26 33.482  
**Longitude:** W80 04.096



**Photo #:** 6  
**Photopoint:** 5  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking eastward along the northern fence line/boundary of the conservation easement toward the northeast corner and Seacrest Boulevard in area of overgrown/disturbed scrub.

**Heading:** 110°  
**Latitude:** N26 33.572  
**Longitude:** W80 04.103



**Photo #:** 7  
**Photopoint:** 5  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking westward along the northern fence line/boundary of the conservation easement toward the northwest corner and Interstate 95 in area of overgrown/disturbed scrub.

**Heading:** 230°  
**Latitude:** N26 33.571  
**Longitude:** W80 04.099



Photo #: 8  
Photopoint: 6  
Photograph Date: 08/03/2006  
Photographer: Wendy J.  
Mathews  
Description: Looking southeastward into the conservation easement from the northwest corner. Note - portion of sound barrier wall for Interstate 95 noise reduction for adjacent neighborhood.  
Heading: 150°  
Latitude: N26 33.569  
Longitude: W80 04.164



Photo #: 9  
Photopoint: 7  
Photograph Date: 08/03/2006  
Photographer: Wendy J.  
Mathews  
Description: View of the highly disturbed northeastern corner of the conservation easement. Note - Seacrest Boulevard paralleling the conservation easement boundary/fence line at left of photograph.  
Heading: 200°  
Latitude: N26 33.567  
Longitude: W80 04.023



**Photo #:** 10  
**Photopoint:** 7  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Another view of highly disturbed scrub in the northeastern corner of the conservation easement.

**Heading:** 240°

**Latitude:** N26 33.567

**Longitude:** W80 04.023



**Photo #:** 11  
**Photopoint:** 8  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking southward along fence line/boundary along the east-central portion of the conservation easement.

**Heading:** 190°

**Latitude:** N26 33.511

**Longitude:** W80 04.052



**Photo #:** 12  
**Photopoint:** 9  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** View of area previously cleared for placement of Minor Road, which did not take place. Now this area in the southeastern portion of the conservation easement is being restored with native scrub plant species.

**Heading:** 90°  
**Latitude:** N26 33.440  
**Longitude:** W80 04.047



**Photo #:** 13  
**Photopoint:** 9  
**Photograph Date:** 08/03/2006  
**Photographer:** Wendy J. Mathews

**Description:** Looking westward along the southern boundary of the conservation easement in area that was previously cleared for the building of Minor Road, which did not take place.

**Heading:** 260°  
**Latitude:** N26 33.440  
**Longitude:** W80 04.047



**Photo #:** 14

**Photopoint:** 10

**Photograph Date:** 08/03/2006

**Photographer:** Wendy J.  
Mathews

**Description:** Looking westward along southern boundary of the conservation easement toward commercial strip located along Interstate 95. Note - this area on the southern boundary had been previously cleared for the placement of Minor Road, which was never built. Note - sound barrier wall along small portion of western boundary for Interstate 95 noise reduction for adjacent neighborhood.

**Heading:** 280°

**Latitude:** N26 33.446

**Longitude:** W80 04.122



**Photo #:** 15

**Photopoint:** 10

**Photograph Date:** 08/03/2006

**Photographer:** Wendy J.  
Mathews

**Description:** View across disturbed/cleared area (for Minor Road) into interior disturbed scrub from the southern boundary.

**Heading:** 20°

**Latitude:** N26 33.446

**Longitude:** W80 04.122



**Photo #:** 16

**Photopoint:** 10

**Photograph Date:** 08/03/2006

**Photographer:** Wendy J.

Mathews

**Description:** Looking eastward,  
toward Seacrest Boulevard,  
along the southern boundary of  
the conservation easement.

**Heading:** 90°

**Latitude:** N26 33.446

**Longitude:** W80 04.122

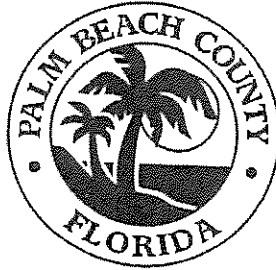


**Appendix A**

**Management Plan for Rosemary Scrub  
Natural Area**

**February 1997**





MANAGEMENT PLAN FOR

ROSEMARY SCRUB

NATURAL AREA

February 1997

Prepared by

Palm Beach County  
Department of Environmental Resources Management  
3323 Belvedere Road, Bldg. 502  
West Palm Beach, Florida 33406

B 03/04/97

# THE PALM BEACH COUNTY NATURAL AREAS SYSTEM

## MANAGEMENT STATEMENT

*The Palm Beach County Natural Areas System is comprised of those environmentally sensitive lands that are owned or leased by the County and managed as Natural Areas by the County's Department of Environmental Resources Management. These Natural Areas were selected on the basis of their biological characteristics and were acquired to preserve the rare and diverse native ecosystems present on these sites and the endangered, threatened, and rare species of plants and animals that live there.*

### *Purpose and Goals of the Natural Areas System*

- o The purpose of the Natural Areas System is to protect historic native ecosystems and their biological diversity throughout Palm Beach County. Examples of each ecosystem shall be acquired and managed to preserve in perpetuity the full complement of plants and animals characteristic of that ecosystem. The management of each Natural Area shall be coordinated with that of the other Natural Areas in the system to support existing populations and to reflect in perpetuity the subtropical biological diversity characteristic of Palm Beach County in pre-development times.*
- o The wilderness values of each Natural Area shall be preserved.*
- o Where a Natural Area currently is physically or biologically connected to another publicly- or privately-owned Natural Area, attempts shall be made to maintain that connection through additional land acquisitions, regulatory preserve set-asides, conservation easements, interlocal agreements, and other appropriate actions.*

### *Management Considerations*

- o The Natural Areas in the system shall be available to the public for passive, resource-based recreation, environmental education, and scientific research. Public use shall not take precedence over ecosystem protection. Proposed public uses shall take into account the specific environmental conditions of each Natural Area, and may be modified in response to changing environmental conditions.*
- o Facilities for passive public use shall be provided on each site. These facilities shall be designed to have a minimal impact on native ecosystems and shall be located in previously disturbed areas as much as possible.*

- o Facilities, structures, or roads other than management or access roads that would cause fragmentation of a Natural Area shall not be permitted within a Natural Area. The establishment of compatible land uses and activities on lands adjacent to a Natural Area shall be encouraged.*
- o To the extent possible, fire-maintained native ecosystems shall be burned at the appropriate interval and season, as determined by historical data, to maintain those ecosystems. Burns shall be conducted by trained personnel, using a prescribed burn plan that addresses safety and smoke concerns. The seasonality of prescribed burns may be adjusted for initial fuel reduction burns and site safety constraints.*
- o Where ecosystems within a Natural Area have been impacted by invasive, non-native plant infestations, land-clearing activities, drainage, or flooding, attempts shall be made to restore those ecosystems to their previous condition or to a natural ecosystem best suited to the existing conditions on the Natural Area.*
- o The special requirements of listed species shall be considered in developing management strategies for each Natural Area, but management for an individual species shall not take precedence over management of an entire ecosystem or be allowed to have a detrimental impact on that ecosystem's complement of species.*

#### *Management Plan Development*

- o A specific management plan, based on biological, hydrological, and historical information and interpretation of this information, shall be written for each Natural Area that takes into account the environmental conditions found on that Natural Area. Each management plan shall address the strategies and techniques that will be used to manage and restore native ecosystems, to protect listed species, to control the occurrence of invasive, non-native plants and animals, to allow for appropriate public access, and to prevent unauthorized access and activities. Each plan shall be reviewed by the Palm Beach County Natural Areas Management Advisory Committee (NAMAC), a citizens' advisory board, and the public shall be invited to comment on the plan at a public hearing held by NAMAC in the community in which the site is located. Following NAMAC review of the comments received, the plan shall be sent to the Board of County Commissioners for approval. Each approved plan shall be subsequently reviewed at least every five years by NAMAC.*

## EXECUTIVE SUMMARY

The Rosemary Scrub site has been acquired as a natural area by Palm Beach County and the City of Boynton Beach, Florida. Funds were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991. Matching funds were received from the Florida Communities Trust's Preservation 2000 Program. The primary purpose of this acquisition is to preserve important remnants of high-quality scrub, scrubby flatwoods, and mesic hammock vegetation communities. The secondary purposes are to provide for passive recreation, environmental education, and scientific research. The acquisition and associated activities will assist Palm Beach County and the City of Boynton Beach to implement several policies within their respective Comprehensive Plans.

The Rosemary Scrub Natural Area is located within the City of Boynton Beach in southeastern Palm Beach County, Florida. The total area of this site is estimated at 13.59 acres. Scrub is the predominant natural community found on the site, with smaller areas of scrubby flatwoods and mesic hammock communities present. Scrub is one of the rarest natural communities in the state of Florida. Scrubby flatwoods also are considered to be very rare in the state. In addition, the acquisition and management of the Natural Area will preserve important habitats for several rare and/or endemic plant and animal species. Thus far, 9 plant and 1 animal species recorded on the site have been listed by at least one government agency or nonprofit environmental organization.

Fire exclusion, pest plant invasions, and construction of adjacent roads and buildings have all impacted the site. In addition, the managers of this site face special challenges unique to fragmented natural communities located within urban and suburban environments.

In recognition of the significance of the natural vegetation communities on the site, public use must remain limited to passive, non-consumptive recreation, scientific study, and environmental education. Footpaths, a handicapped-accessible nature trail, and an interpretive display will provide a valuable opportunity for the public to observe the site's distinctive natural communities and species, while also imparting an appreciation of their biological uniqueness. Scientific research will include monitoring of populations of rare and/or endemic species and evaluation of restoration and management technologies.

This management plan has been developed to achieve two major goals: 1) to provide specific information required by the Florida Communities Trust's Preservation 2000 Program and 2) to provide additional information and management recommendations so that management activities can begin promptly. A stewardship report will be provided to the Florida Communities trust each year, and the management plan will be reviewed at least once every five years by the Palm Beach County Natural Areas Management Advisory Committee and revised as necessary on the basis of new information, improvements in management techniques, or other relevant factors.

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## 1. INTRODUCTION

This management plan is intended to provide guidance in the future use and management of the Rosemary Scrub Natural Area. The Natural Area was acquired through acquisitions in early 1995 by Palm Beach County (the County) and the City of Boynton Beach, Florida (the City). A 4.94-acre ownership was purchased from the Resolution Trust Corporation in January 1995 and a 8.65-acre ownership was purchased from Janmar Properties, Ltd. in March 1995. Funds were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991. The County and the City submitted a partnership application to the Florida Communities Trust (FCT), and have received state matching funds from the Preservation 2000 Program. FCT has given conceptual approval for these funds. Negotiations for the acquisition and other acquisition-related services were provided by the County's contractor, The Nature Conservancy (TNC).

The acquisition of the Rosemary Scrub Natural Area represents part of a much larger effort to acquire the most important privately-held natural areas left in Palm Beach County (Palm Beach County Department of Environmental Resources Management [ERM] and the City, 1993). Palm Beach County endorsed the concept of a Wilderness Islands Program, which included the Inventory of Native Ecosystems in Palm Beach County study by Iverson and Austin (1988). Based on the results of that study, the Rosemary Scrub and 13 other sites were given high priority for acquisition by the County's Environmentally Sensitive Lands Acquisition Advisory Committee. On March 12, 1991 the voters of Palm Beach County approved a \$100 million bond referendum to purchase environmentally sensitive lands. The City recognized the environmental value of the Rosemary Scrub in the Conservation Element of its Comprehensive Plan, and stated the continued existence of at least 75% of this site's ecosystems as a plan objective.

The Rosemary Scrub Natural Area is located on the southern Atlantic coastal strip, within the City of Boynton Beach in Palm Beach County (Figure 1). It lies to the south of S. Atlantic Drive, to the west of Seacrest Boulevard, to the north of N.W. 28th Avenue, and to the east of Interstate Highway 95. The total area of this site is 13.59 acres.

Common names are used in the text and in Appendix A (Natural Resource Inventory and Assessment) for species recorded on the project site. Scientific names of plants are listed in Appendix B; those of animals are listed in Appendix C. The scientific name has been used when a unique common name does not exist for the taxon or if the species has not been recorded for the project site.

## History

The Rosemary Scrub Natural Area is a fragment of a large ridge of predominantly scrub habitat that ran north-south between Lake Worth and an inland lake/marsh system that contained Lake Osborne and the former Lake Webster. The first major disturbance on this ridge was the clearing in 1890 of a sand road that ran between Lantana in present-day Palm Beach County and Lemon City at the north end of Biscayne Bay in Dade County. No record of this road's location has been found, but it presumably ran somewhere to the east of the Natural Area. Henry Flagler's Florida East Coast (FEC) Railroad was constructed in 1895, approximately one mile east of the project. It was followed in the early 1910s by the Dixie Highway, which was built immediately east and parallel to the railroad. In the mid 1920s, Dixie Highway was incorporated into the new U.S. Highway 1. In the late 1920s, the Seaboard Airline Railroad was constructed 300 feet west of the site.

The Florida East Coast Canal was dredged in the early 1900s to a width of 50 feet and a depth of 5 feet through Lake Worth, which lies one mile east of the site. This canal was taken over by the federal government and renamed the Atlantic Intracoastal Waterway in 1927. It was dredged to 100 feet wide and 8 feet deep in the 1930s. Also in the 1930s, the E-4 Canal was dug through the lake/marsh system one-half mile west of the Natural Area, draining Lake Webster and lowering water levels in Lake Osborne.

Prior to 1940, very little development occurred in the vicinity of the site. U.S. Geological Survey (USGS) 1940 aerial photographs show farming activities on the lands between U.S. Highway 1 and Lake Worth, and the beginnings of agricultural clearings west of the Seaboard Railroad. A gridwork of cleared sand roads for the defunct Greynolds Highlands subdivision is visible west of U.S. 1.

After World War II, development accelerated. In 1946, the County Commission accepted a public right-of-way for Miner Road that ran east from U.S. 1 on the section line, crossing the site and the Seaboard tracks. This right-of-way was cleared and a sand road established. In 1948, the State acquired a 300-foot right-of-way between the site and the Seaboard Railroad for a limited-access highway. Also at this time, residential subdivisions were being platted and constructed west of U.S. 1 in the vicinity of Miner Road.

In the 1950s, residential development growth continued. A 1953 USGS aerial photo showed three new subdivisions being cleared west of U.S. 1. The sparse vegetation in the photo seems to indicate that a wildfire had occurred several years earlier. In 1956, the Rolling Green Ridge subdivision was platted east and south of the site. The North Ridge Estates subdivision to the north of the site was platted in 1957.

Construction began on Rolling Green Ridge in 1959, but the development ran into financial difficulties and the houses bordering the project were not built until 1962. The houses in North Ridge Estates were built beginning in 1960. Seacrest Boulevard was the access road to these developments, so it presumably was built in the late 1950s. Both subdivisions were essentially built out by 1965, although Palm Beach County Property Appraiser's aerial photographs indicate that some minor infill building on vacant lots occurred into the early 1970s.

In 1961, an easement was granted to Florida Power & Light Co. for the high-voltage electrical transmission line that runs along the northern border of the site. The line was presumably constructed shortly thereafter, because a 1965 Property Appraiser's photograph shows that vegetation had regrown under the line. The convenience store that exists on the east side of the site was built in 1964 as the surrounding subdivisions neared completion. The disturbed areas on the east side of the site were apparently created about this time, as a result of land clearing associated with road and convenience store construction.

In the mid-1970s, Interstate Highway 95 was constructed on the 300-foot right-of-way on the west side of the site. This right-of-way had been left in native vegetation, and had connected the site to other natural areas. Construction of I-95 left the Natural Area as an island of native vegetation. Use of the sandy, unpaved portion of Miner Road declined after Seacrest Boulevard was built, and ended completely when I-95 was built without an overpass for Miner Road. This roadbed is completely overgrown today. Additional clearing occurred in the disturbed areas on the southern border of the project at the time I-95 was constructed, but it is unclear whether the clearing was a result of construction activities or to meet city requirements for a mowed strip next to residential housing.

In 1981, the owners gave an easement to the City to construct a water main across the site and under I-95. The water main was installed shortly thereafter, just south of the unused Miner Road right-of-way, in an area that also contained water and sewer lines built during the construction of the Rolling Green Ridge subdivision. A wildfire occurred in the scrubby flatwoods portion of the site around 1985.

The Rosemary Scrub was previously owned by the developers of the Rolling Green Ridge subdivision. It was apparently set aside for a future shopping center site at the intersection of two major roads, Seacrest Boulevard and Miner Road. The severing of Miner Road by the construction of I-95, as well as a general decline in the surrounding neighborhoods, decreased the site's potential for commercial development. An unsuccessful attempt was made in the mid-1980s to build the Shoppes of Seacrest commercial development on the eastern portion of the site. The decline in the surrounding neighborhood has made the site unattractive for residential development. In 1992, an interchange was built at I-95 and Gateway Boulevard, which is one-half mile south of the natural area. A concrete sound barrier wall was constructed at the same time that

extended northward from the interchange along the east side of I-95 to a point 100 feet north of the southern boundary of the site. In 1996, a similar wall was extended southward to a point 100 feet south of the northern boundary of the site.

In January 1995, the County and the City purchased the eastern 4.94 acres of the Natural Area from the Resolution Trust Corporation for \$243,000. In March 1995, the remaining 8.65-acre tract in the western portion of the site was purchased from Janmar Properties, Ltd. for \$200,000. Matching state funds from the Florida Communities Trust's Preservation 2000 Program were received in February 1996.

## 2. PURPOSE

The primary purpose of the Rosemary Scrub Natural Area acquisition is to ensure the preservation of high-quality scrub, scrubby flatwoods, and mesic hammock communities, together with their component rare and/or endemic plant and animal species. It has been estimated by ERM that more than 98% of the scrub located in Palm Beach County has already been converted to other land uses. Scrub has been listed as G2/S2 by the Florida Natural Areas Inventory (FNAI), which indicates that this natural community is imperiled both globally and in the state (FNAI and Florida Department Environmental Protection [DEP] 1990). In addition, 14 plant and 2 animal species recorded on the site have been listed by at least one government

9 plant

1 animal

Not 14 + 2

al organization (Table 1).  
ed as a publicly owned and operated natural area and a passive, natural  
ional site. The site also will be used for environmental education and  
will be incorporated into management access roads, firebreaks, or foot trails  
e signs will be placed along the handicapped-accessible nature trail to be  
constructed. The signs will identify the site resources and their significance. The preservation of the  
Rosemary Scrub also will help to protect the quality and quantity of groundwater resources.

Both the preservation and recreation components of this project will help Palm Beach County and the City of Boynton Beach comply with portions of their respective Comprehensive Plans. All signs, literature, and advertising will identify the project site as being publicly-owned and publicly-operated as a natural area and outdoor recreational site. The Rosemary Scrub Natural Area will be assigned a land use designation for recreational use, as required by the Future Land Use Policy in the City's Comprehensive Plan.

The Natural Area consists largely of scrub, scrubby flatwoods, and mesic hammock natural communities (Figure 2). These communities, which can be considered high-quality within the context of urbanized southeastern Florida, are in a somewhat degraded condition as a result of fire exclusion, pest plant invasion, construction of adjacent roads and buildings, and other human-related disturbances. Maintaining and improving the ecological quality of these communities will be included in the future management of the preserve. These management efforts will include implementing prescribed burning and invasive vegetation control programs throughout the entire site. The majority of the mowed areas will be managed to allow these areas to succeed to scrub or mesic hammock communities.

Management activities will be coordinated under the direction of the Palm Beach County Department of Environmental Resources Management (ERM), in cooperation with the City. In addition to County and City personnel, volunteers from the community will be recruited to maintain trails, remove invasive vegetation, and

perform other site management activities that may be needed. The site will be managed under the "single-use" concept, which means that it will be managed to preserve and restore natural resource values. Scientific research, environmental education, and passive resource-based recreation will be encouraged so long as they do not jeopardize the protection of natural resources. In general, passive recreation will include such activities as nature appreciation and study, hiking, and photography.

The acquisition and associated activities will assist the County and the City to implement several policies within their respective Comprehensive Plans. This project will further the City Comprehensive Plan directives 1) to develop and maintain a high-quality natural environment based on the preservation of local natural resources (Conservation Element Goal 4.0); 2) to preserve 75% of all high-quality sites identified on the Conservation Overlay, which includes the Rosemary Scrub (Conservation Element Objective 4.3); 3) to protect the natural habitats for listed species (Conservation Element Objective 4.5); 4) to preserve and protect native habitats; 5) to request assistance from (Conservation Element Policy 4.3.4) and to participate in (Intergovernmental Coordination Element Policy 5.8.4) the land acquisition efforts of the County and the State; 6) to cooperate and participate in land acquisition/preservation efforts by the County and State; and 7) to achieve levels of services for recreation, as established in its Comprehensive Plan (Recreation and Open Space Element, support document). The County's Conservation Element directs the County to preserve native upland habitats, with priority given to environmentally sensitive land (Objective 2) and habitat of significant value to existing populations of listed species (Objective 3) and specifically calls for the acquisition and management of parcels identified as environmentally sensitive (Policy 2-e).

The Rosemary Scrub Natural Area will be managed to protect and maintain native biological diversity and ecosystem functions in perpetuity. The management of this site will be coordinated with the management of other County-managed sites as part of a county-wide system of natural areas. The following objectives will guide the formulation of management policies:

- 1) Maintenance of ecological integrity by ensuring the long-term viability of native upland biological communities and the protection of listed plant and animal species on the Natural Area.
- 2) Provision of viable habitat for other non-listed wildlife species that use, or could potentially use, the Natural Area.
- 3) Restoration of disturbed scrub areas back to the original vegetative community and restoration of currently mowed areas to scrub and/or scrubby flatwoods.

- 4) Implementation of a prescribed burn regime that maintains fire-dependent vegetative communities, assists in the restoration of disturbed areas, and adequately addresses safety and smoke concerns.
- 5) Provision of facilities and development of policies for public use that allow for passive, resource-based recreational uses, scientific research, and environmental education activities that do not have a detrimental effect on the Natural Area.
- 6) Adoption of appropriate security and access control measures to prevent unauthorized activities, such as use by off-road vehicles, illegal dumping, collection of plants, poaching, and harassment of animals.
- 7) Reduction of exotic pest plant vegetation cover to no more than 1% of the total vegetation coverage, exclusion and/or removal of exotic non-native animals having a detrimental effect, and reduction of the coverage of invasive native vines.



### 3. STRUCTURES AND IMPROVEMENTS

#### 3.1 EXISTING AND PROPOSED PHYSICAL IMPROVEMENTS

There are no structures or improvements currently on the Rosemary Scrub Natural Area. A mowed area up to 100 feet wide exists on the southern and eastern borders of the site. The City or other parties maintained this area with regular mowing. Many of the proposed improvements, including fencing, signs, a kiosk, and a parking area, are sited within this disturbed area. No listed species are found within the mowed area. All improvements within the mowed area will be located to minimize impact to listed species, if listed species are found at a later date. Listed plants will be relocated on the site if necessary.

All major proposed structures and improvements are described below and shown on the master site plan (Figure 3). Responsibilities for funding and constructing these improvements are outlined in an interlocal agreement between the City and County (Appendix E). Only structures and improvements that will help to achieve the preservation and restoration of the natural resources of the Natural Area while providing for compatible public uses are proposed. No restroom facilities or picnic areas are planned for the site.

Proposed public-use facilities such as the trails and parking area will fulfill Americans with Disabilities Act (ADA) requirements. Written approval from FCT will be requested prior to the construction or installation of any buildings, structures, improvements, or signs or any removal of native vegetation or major land alteration not discussed in this management plan. All improvements and major land alterations shall comply with applicable local, state, regional and federal laws and regulations. Evidence will be provided to FCT that all required licenses and permits have been obtained prior to the commencement of any construction or major land alterations.

##### 3.1.1 Fencing and Gates

Due to the sporadic incidence of undesirable off-road vehicle traffic, as well as the potential for poaching of native plants and wildlife and the dumping of trash, the entire Natural Area has been fenced. Fencing, together with boundary roads and firebreaks, will help to control the dumping of debris onto the site.

A 7-foot chain-link fence (Figure 3) has been installed along the northern, eastern and southern boundaries. Galvanized chain-link fencing has been installed on the northern and southern boundaries, and black-vinyl-coated chain-link fencing has been installed on the eastern boundary of the site along Seacrest Boulevard. The fencing was buried one foot in the ground, so that approximately six feet will extend aboveground. The buried portion of the fence is necessary to keep reintroduced gopher tortoises from leaving the protection of the site. There is an existing chain-link fence on the western boundary of the site. Post-and-rail fencing with wire mesh stapled to the back side will be installed around the perimeter of the parking area. Fencing was installed within the mowed area whenever possible, to minimize impacts on intact natural communities.

Three gates are proposed (Figure 3). One gate was installed at the northeast corner of the site to allow vehicle access to the northern boundary firebreak and electrical transmission line easement. Another 24-foot-wide double-swing steel gate will be installed at the entrance to the parking area from Seacrest Boulevard. Public access to the site will be through this gated entrance. A maintenance vehicle access gate will be placed at one end of the parking lot to access the southern boundary firebreak.

### 3.1.2 Signs

Five types of signs are proposed for the Natural Area. All signs will identify the site as being publicly owned and operated as a natural area and passive outdoor recreation site. Temporary signs identifying the Rosemary Scrub as a natural area were installed within one month of acquisition. A main gate sign will be installed that will provide information on visiting hours and general information about the site. A dedication sign or monument will be erected adjacent to the parking area, which will designate the Rosemary Scrub as a natural area open to the public that has been purchased with funds from FCT and the County and is managed by the County with the assistance of the City. Perimeter signs have been placed along the boundary fence, stating that the Rosemary Scrub is a protected natural area and citing appropriate County and City ordinances. Signs will be installed along the trail system to mark the trails with station numbers corresponding to an interpretive guide. Sign installations will not significantly disturb any natural communities on the site.

### 3.1.3 Interpretive Facilities

An educational kiosk will be constructed adjacent to the public parking area near the trailhead (Figure 3). This kiosk will provide general information about the Natural Area, such as the geologic origins of the site, its topographic features, aquifer recharge significance, natural communities, the protection of listed species and their habitat, and other natural features of interpretive value. The kiosk will be constructed within the disturbed area, and thus will not impact any intact natural communities.

### 3.1.4 Boundary and Management Roads and Firebreaks

The City requires that a firebreak be maintained where the Natural Area abuts residential areas. The existing mowed area will be reduced to a width of 15 feet and maintained as a boundary/management road and firebreak on the eastern and southern borders (Figure 3). On the northern border, the cleared area associated with the power transmission line averages less than 15 feet in width and has been expanded. Nearly all of the vegetation that was removed in constructing the northern firebreak was either exotic or ruderal. Only a small area of intact native vegetation in the northwest corner of the site was affected.

Prior to construction, the boundary road/firebreak location was surveyed for listed species. Any listed species present within the proposed boundary road area were relocated on the site. Boundary roads provide numerous benefits, including more rapid access in the event of a wildfire, protection of adjacent areas from wildfire, and facilitation of the monitoring of dumping and other illegal activities along the preserve edge. Boundary roads/firebreaks are unimproved sand roads and will be at least 15 feet wide, which is the standard width of boundary firebreaks used by DEP on state lands.

One other management road/firebreak will be constructed. This road will be placed on the existing sand off-road vehicle trail that runs east-west through the center of the site and will be accessed from the eastern boundary firebreak. Because this trail currently exists, using it for a management road/firebreak will not further impact natural communities on the site. Any listed species present within this proposed road area will be relocated on the site or the path of the road will be changed to avoid impacting these species. This management road will be maintained only at a width necessary to allow vehicular traffic. Prior to a prescribed burn, this road will be widened to the full 15-foot width to serve as a firebreak. After the prescribed burn, this firebreak will be allowed to regenerate and maintained at less than the 15-foot width.

The purpose of this road is to separate the preserve into two major management blocks and burn units (Figure 4). The road will provide access into the interior of the preserve and function as a firebreak in the event of a wildfire. This will reduce the chance that the entire preserve would burn during one wildfire event.

### 3.1.5 Trails

The primary interpretive feature for public access will be a looped, handicapped-accessible nature trail approximately 1,100 feet in length (Figure 3). A secondary sand footpath approximately 1,700 feet in length will loop off the nature trail and provide additional hiking opportunities (Figure 3). Generally, these trails will be constructed on existing paths, trails, and disturbed areas on the site. Public use of existing secondary trails leading off the nature trail, footpath, and management roads will be discouraged. Prior to construction, all trail locations will be surveyed for listed species. If listed species would be impacted by the trail construction, the trails will be rerouted wherever possible or the listed species relocated elsewhere on the site.

The nature trail will originate at the parking area and will extend in an northwesterly direction, forming a large loop. This trail will be 4-inch-thick poured and formed concrete with a non-slip finish, and will be at least 5 feet wide to accommodate wheelchairs. Signs will be installed along the trail indicating station numbers corresponding to a trail guide with interpretive information. Handicapped-access interpretive facilities will be developed to fulfill federal Americans With Disabilities Act requirements.

The footpath will have a natural soil base and will be maintained at a width of at least 3 feet. This trail will be used for foot traffic only; no vehicle access or use as a firebreak is contemplated. The location of the footpath is tentative and will be reviewed after the prescribed management burn of Unit 1, which is scheduled for 1998. This footpath and the management roads will be available for public use, but will not be improved or marked for interpretive purposes.

### 3.2 EASEMENTS AND CONCESSIONS

All of the easements on the Natural Area, except for the electrical transmission line easement, are shown on Figure 5. The 7-foot-wide transmission line easement runs east-west along the north boundary of the project. An 80-foot road easement (Easement C) for the extension of Miner Road runs west for 324 feet from Seacrest Boulevard. This easement extends for 40 feet north and 40 feet south of the line between Sections 9 and 16. The northernmost 20-foot-portion of this easement also is a utility easement (Easement B). Another 10-foot utility easement (Easement A) runs east-west across the site and lies 30 to 49 feet south of the section line. A 5-foot utility easement runs along the western and southern borders of Lot 10 in the southeast corner of the site.

The electrical transmission line easement currently is in use, and a gate will be installed in the perimeter fence at the northeast corner to provide access. Easement A contains a 16-inch water main that runs across the entire site. This easement also contains a stub sanitary sewer line that extends 556 feet west of Seacrest Boulevard and a 4-inch water line that extends westward from Seacrest Boulevard to within 125 feet of the site's western property line. The 4-inch line is joined at this point to a 8-inch water line that runs south off the site and down the center of N.W. 3rd Court. There is no recorded easement for the 8-inch water line. Easements B and C and the utility easements associated with Lot 10 apparently were created to serve proposed development.

Since this site has been acquired and preserved, usage of these easements is very unlikely. No additional easements, concessions, or leases are anticipated.

If the Rosemary Scrub Natural Area is to be subject to any of the following activities or interests, the County will provide FCT with at least 60 days prior written notice and will provide information to FCT upon reasonable request in order to evaluate the legal and tax consequences of the activity:

1. any lease of any interest in, or operation of any concession on, the Rosemary Scrub Natural Area to any person or organization;

2. any sales contract or option to buy things attached to the Rosemary Scrub Natural Area to be severed from the site, with any person or organization;
3. any use of the Rosemary Scrub Natural Area by any person other than in such person's capacity as a member of the general public;
4. a management contract for the Rosemary Scrub Natural Area with any person or organization; and
5. such other activity or interest as may be specified from time to time in writing by FCT.

These activities or interests may not be permitted because they may have negative legal and tax consequences under Florida law and federal income tax law.

### 3.3 PUBLIC ACCESS

Public access to the Natural Area will be provided via Seacrest Boulevard to an on-site parking lot. Bicycle racks will be provided to encourage the use of alternative transportation to the site. A concrete sidewalk on the west side of Seacrest Boulevard will provide pedestrian access to the site. The Natural Area will be open to the public during daylight hours. The hours of operation will be posted at the site. Handicapped-access parking and a handicapped-access nature trail will be provided. There are no permanent waterbodies on or adjacent to the site; therefore, no waterbody access is planned.

A parking area containing five parking spaces and one bus space will be constructed off Seacrest Boulevard in the southeastern corner of the site. The parking area will hold a maximum of six vehicles. The area to be impacted by this parking area has been disturbed by previous land-clearing and mowing activities. A survey will be conducted within the proposed parking area to verify that its construction would not impact any listed species. Based upon previous listed species surveys of the site by County staff, it is unlikely that the construction of the parking area will impact any listed species. If any listed species are present within the proposed parking area, the parking area location will be adjusted to avoid impacts. If impacts are unavoidable, then these species will be relocated on the site.

## 4. KEY MANAGEMENT ACTIVITIES

### 4.1 MAINTENANCE

ERM will assume primary responsibility for site management. Responsibilities for management of the Natural Area are described in the interlocal agreement between the City and County (Appendix E). Maintenance activities include litter cleanup, trail maintenance, and upkeep of facilities (fences, gates, kiosk, and parking area). Volunteers will assist in trail maintenance and litter pickup.

In the unlikely event that any unforeseen occurrence, either natural or human-caused, severely alters the natural values of the Natural Area, ERM staff will assess the nature of the alteration and will take remedial action to secure and/or stabilize the site if necessary. Natural events such as fires, floods and hurricanes may shift the ecology of the site from its present condition and cause damage to human-made structures (i.e., kiosk, signs and fencing), but in no way would severely limit or eliminate the natural values of the site. The first priority following a natural or human-caused event will be to secure the site by repairing damaged fencing to prevent dumping and vandalism.

The Natural Area may be closed for public use until the site is stabilized and repairs are made to the structures. The native communities on the Natural Area will be managed to regenerate naturally following such an event. The County will inform the City of the altered condition of the site and future management plans and objectives. If the natural values of the site are severely limited or eliminated, the City, County, and State will discuss future plans for the site. All major events affecting the natural communities of the Natural Area will be discussed in the next annual report to the State. Management practices will be modified for the new condition of the site, and the management plan will be updated to reflect these changes.

#### 4.1.1 Removal of Debris and Litter

All significant debris located within the Natural Area has been removed by the County and the City. Any remaining debris will be removed in a timely manner, unless such removal would cause undesirable damage to natural communities or listed species. A mounted trash can will be installed adjacent to the parking area and will be serviced by the City. The perimeter fence should prevent the dumping of trash and hazardous material on the site. Periodic site clean-ups to remove litter will be conducted as necessary by City and/or County staff with volunteers.

#### 4.1.2 Trail Maintenance

Periodic trail maintenance will be performed by City and/or County staff and community volunteers. All trails which are not necessary for site management will not be maintained, to discourage access from public-use trails and to allow the trails to regenerate with native vegetation. Off-road vehicle (ORV) traffic has damaged some portions of the Natural Area, but rutted trails have not been created because this traffic has been minimal. Vegetation damaged by off-road vehicles should regenerate once these vehicles have been excluded by fencing.

#### 4.1.3 Facilities Maintenance

County staff will be responsible for the upkeep of fences, gates, interpretive facilities, parking area, and signs. The City will continue to periodically mow the firebreak/boundary roads.

### 4.2 SECURITY

The City will assume primary responsibility for public safety and law enforcement at the Natural Area. This includes routine patrols of the boundaries and the prevention of vandalism, vehicular trespass, dumping, and damage to property and natural resources. No on-site manager or security guard currently is proposed for this site. The City and County will attempt to recruit a local steward for the site or to organize a neighborhood watch group.

The County has adopted a Natural Areas Ordinance (No. 94-13) that regulates public use of all natural areas managed by ERM, including the Rosemary Scrub Natural Area. The ordinance provides for passive recreational activities such as hiking, nature study, and photography; for environmental education; and for scientific research. It prohibits destructive uses such as ORV use, dumping, and poaching of plants and animals. The ordinance gives law enforcement personnel the authority to arrest persons damaging a natural area. City Ordinance 10-26(e) also prohibits dumping. No dogs, cats or other pets will be permitted on the Natural Area. No vehicles (e.g., ORVs and bicycles) will be permitted beyond the parking area, except during staff maintenance and prescribed burning activities.

The Rosemary Scrub Natural Area will be open to the public during daylight hours only. Access hours will be posted at the main entrance. Either the City or the steward will be responsible for opening and closing the main gate. The access gate for the electrical transmission line easement will remain locked when not in use. Only City, County, and Florida Power & Light employees will have keys for this gate.

#### 4.3 STAFFING

Because of the relatively small size of the Natural Area, there will be no on-site staffing. However, ERM will create a roving management team that will assume responsibility for management at this site and other County-owned natural areas. This management team will be trained to conduct all levels of management activities, including invasive vegetation control, prescribed burning, and monitoring. City staff and volunteers from local citizens' organizations will provide additional support where feasible and necessary.

Santaluces High School is located approximately four miles west of the site and serves the local neighborhood. Students and teachers at this school will be contacted to see if they are interested in helping protect and manage the site and whether they would use it as an environmental education resource. It is hoped that individuals from this school will form the basis of a local stewardship group that will assist in the protection and management of the site. Individuals from the community and local environmental organizations will be trained by County staff to lead nature walks on the site.

#### 4.4 NATURAL RESOURCE PROTECTION

The primary goal of site management is to enhance and maintain scrub, scrubby flatwoods, and mesic hammock natural communities, including their component species, as described in Appendix A. Particular care will be exercised to prevent the extirpation of listed species from the site. Habitats for listed species will be managed for the needs of individual species when such management would be compatible with the overall management of the ecosystems on the Natural Area.

Long-term resource management of the site will begin with the baseline inventory and assessment of natural communities and listed species (Appendix A). A thorough day-long survey of vegetative communities and plant species on this site was conducted by ERM staff in October 1994. The information from this survey was combined with data from earlier ERM staff surveys dating back to January 1991 in preparing the assessment. This assessment has been used as the basis for determining the management activities necessary to protect, restore, and preserve the natural resources of the site and determining the location and type of passive public recreation use facilities.

Information on all listed species described in the assessment and all new listed species' sightings will be reported to the Florida Natural Areas Inventory. The protection of the geologic features of the site (the Pamlico dune ridge) will be ensured through the preservation of this site. Because of the upland character of the site, no hydroperiod management is proposed.



#### 4.4.1 Management of Natural Communities

The Rosemary Scrub Natural Area will be managed under the "single use" concept, which means that it will be managed to perpetuate natural resource values. Four vegetation communities are present on the site (Figure 2): sand pine scrub, scrubby flatwoods, mesic hammock, and disturbed scrub (cleared and mowed areas). Where past human activities have caused the degradation of natural communities, efforts will be made to restore these communities to a pre-disturbance condition. Prescribed burning and invasive vegetation control will be the primary management techniques used. These management activities are discussed in Section 5.1.2, Resource Enhancement, and Section 5.1.3, Invasive Species Control. The specific types of management and enhancement activities recommended for each vegetation community present on the Natural Area are described in the following sections.

##### 4.4.1.1 Sand Pine Scrub

Sand pine scrub, the dominant vegetation on the site, will be enhanced and maintained through the implementation of prescribed burning and invasive vegetation control programs. A specific fire management plan will be written for this habitat within one year of the acquisition of the property, and half of the scrub on the site will be burned within 5 years of acquisition. The other half of the scrub habitat will be burned within 15 years of acquisition. Future management burns in each unit will follow at intervals of 40 years. Only half of the site's scrub habitat will be burned at a time in order to provide a refuge for scrub-dependent plants and animals on the unburned half. As with most scrub areas, it can be expected that this site may burn in a patchy manner, and pre-burn mechanical cutting of portions of the vegetation may be needed for safety reasons.

An invasive vegetation control program will be instituted within one year of acquisition that involves hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species Control. Of primary concern are both non-native and native invasive trees, shrubs, and vines, which may out-compete shade-intolerant scrub species.

##### 4.4.1.2 Scrubby Flatwoods

The scrubby flatwoods area in the northwest corner of the site will be maintained through the implementation of the prescribed burning and invasive vegetation control programs. A specific fire management plan will be written for this habitat within one year of the acquisition of the property, and this habitat will be burned within 5 years of acquisition. This natural community will be connected with part of the scrub community to form a macro-management unit (Figure 4). Because scrubby flatwoods burn at a shorter interval than scrub, this habitat will be burned each time one of the scrub units is prescribed burned. The small area of this habitat will be burned at intervals of 15 to 20 years. Because a scrubby flatwoods community is more flammable than scrub, when a maintenance burn of this community coincides with that of the adjacent scrub community, it will enhance the effectiveness of the prescribed fire by helping to ignite the scrub community.

An invasive vegetation control program will be instituted within one year of acquisition that will involve hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species Control. Of primary concern are invasive trees, shrubs, and vines, which may out-compete shade-intolerant species.

#### 4.4.1.3 Mesic Hammock

Mesic hammock is a self-perpetuating climax community that is fire-intolerant. Fire tends to reduce mesic hammock to a lower transitional stage, and if fires are frequent enough, mesic hammock can be converted to scrub or scrubby flatwoods. The relatively young state of the mesic hammock on this site may be attributable to damage from a wildfire event around 1950. The areas of mesic hammock on this site and adjacent disturbed areas will be excluded from a burn unit and protected by firebreaks during prescribed burning activities.

The major threat to the mesic hammock community is invasion by shade-tolerant non-native trees and vines, which may out-compete hammock trees. An invasive vegetation control program will be instituted within one year of acquisition that will involve hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species Control.

#### 4.4.1.4 Disturbed Scrub

The disturbed scrub areas on the Natural Area will require the most intensive management activities. They occupy a fairly large area, and much of the vegetation in this community is either invasive and/or exotic. The overall management goal for this community is to restore it to the pre-disturbance scrub and mesic hammock vegetation communities that existed prior to land-clearing and mowing activities.

The disturbed scrub areas will be included in the prescribed burn program and burned whenever the adjacent scrub is burned. This will help to remove invasive vegetation and encourage scrub regeneration. A fire management plan will be written within one year of the acquisition of the property and will address prescribed burning of the disturbed scrub community. Disturbed scrub areas will be burned within 5 to 15 years of acquisition, depending on the burn unit in which they are located. It is possible that portions of these areas may not burn well, and may require frequent ignition points and the use of spot fires. Pre-burn treatments also may be necessary in order to conduct a successful and safe prescribed burn program. The disturbed area adjacent to the mesic hammock in the southeast corner of the site will not be burned. The parking area and kiosk are proposed to be located in this area. The area will be managed to encourage natural succession to a mesic hammock natural community. This succession may be enhanced by plantings of appropriate trees and shrubs, if funds are available.

An invasive vegetation control program will be initiated throughout this area. Because of the high costs associated with hand removal, alternative methods involving mechanical and/or chemical treatments, followed by prescribed fire, where appropriate, and the selective treatment of invasive vegetation will be considered. The enhancement and management of this area will be initiated within one year of acquisition. The mowed areas along the eastern and southern boundaries of the property will be reduced to a 15-foot width. The remainder of the mowed areas will be managed to allow natural succession into scrub communities. This will be achieved primarily through natural regeneration, the implementation of invasive vegetation control, and prescribed burning.

The eastern mowed area contains the highest percentage of native scrub plant species and is the least disturbed. Management activities in this area will attempt to maintain low, herbaceous, scrubby vegetation in this area and not encourage succession to woody scrub vegetation. This area would provide the best foraging habitat for gopher tortoises if they were reintroduced to the site, and should be retained.

#### 4.4.2 Protection and Enhancement of Listed Species - Flora

Nine plant species recorded at the Natural Area have been listed by at least one of the following governmental agencies or nonprofit environmental organizations: United States Department of the Interior, Fish and Wildlife Service (USFWS); Florida Game and Fresh Water Fish Commission (FGFWFC); Florida Department of Agriculture and Consumer Affairs (FDACS); and Florida Natural Areas Inventory (FNAI). These species are listed in Table 1 and are ranked and discussed in Appendix A. Definitions of the listing classifications are provided in Appendix D. The following sections contain a summary of the recommended procedures for management of these species.

##### 4.4.2.1 Priority A

Priority A taxa are taxa which are considered by FNAI to be imperiled in the state and/or globally. These taxa should receive the highest level of management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If possible, efforts should be made to increase population numbers. There are no Priority A taxa recorded for the Rosemary Scrub Natural Area.

##### 4.4.2.2 Priority B

Priority B taxa are taxa which are considered by FNAI to be rare in the state and/or globally, or locally rare in Palm Beach County. These taxa should receive significant management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, population numbers should be increased, so long as this does not adversely impact community-level management.

Curtiss' Milkweed (*Asclepias curtissii*)

This perennial forb was recorded at the Natural Area by ERM in July 1991, when several individuals were located in the sandy ecotone between the scrub and scrubby flatwoods natural communities. They have been observed again on two other occasions. Because of the small size and inconspicuous appearance of this plant when not in bloom, (Ward 1978), individuals in open sandy trails are often the only ones spotted, even though more plants may be present in vegetated areas. This species will be protected by maintaining open sandy habitats through implementation of a prescribed burn program and by routing access roads and foot trails away from known plant locations.

Large-flowered Rosemary (*Conradina grandiflora*)

This short-lived, low shrub is widespread in scrub habitats at the Natural Area and was recorded by ERM in January 1991. A few individuals in declining health have been found in the mesic hammock habitat. This shrubby mint lives for three to four years and produces large quantities of seeds. Open, sunny sites are most favorable for seed germination and flower and seed production, although this plant will grow in the shade in a less vigorous condition. This species will be protected by implementation of a prescribed burning program that maintains a portion of the scrub habitat on site at any given time in the early successional stage favored by this plant.

Nodding Pinweed (*Lechea cernua*)

This perennial forb was recorded at the Natural Area by ERM since January 1991. A small population is present at the edges of the central sand trail in the western portion of the site. This population has been somewhat impacted by intermittent off-road vehicle traffic. It is a pioneer, open-sand scrub species that requires full sunlight and a lack of competition from other scrub herbs and tends to be located in areas of past disturbance. This species will be protected by implementation of a prescribed burning program that maintains a portion of the scrub habitat on site at any given time in the early successional stage, and also by routing access roads and foot trails away from known plant locations.

Scrub Bay (*Persea humilis*)

This endemic tree or shrub was recorded at the Natural Area by ERM since January 1994. A small population is present in the disturbed scrub bordering the mesic hammock in the southeastern portion of the site. This population has been somewhat impacted by being overgrown by invasive vines. This species will be protected by implementation of an invasive species control program, and also by locating the parking area and nature trail to avoid known plant locations.

#### 4.4.2.3 Priority C

Priority C taxa are taxa which are listed as Endangered or Threatened by FDACS. These taxa should receive moderate management attention. At a minimum, extirpations of these taxa at the Rosemary Scrub Natural Area should be prevented. If desired, population numbers may be increased, so long as this does not adversely impact community-level management.

##### Boston Fern (*Nephrolepis biserrata*)

This terrestrial fern was recorded at the Natural Area by ERM in October 1994. One clump was found growing under a large sand pine on the northern border of the site. This species is not fire-tolerant and would be adversely affected by prescribed burning. It will be protected by relocating the clump to the mesic hammock habitat prior to a prescribed burn of its current habitat.

##### Common Wild Pine (*Tillandsia fasciculata*)

This epiphytic bromeliad was recorded at the Natural Area site by ERM in January 1991. It has a large, widespread population growing on a variety of trees and shrubs in all of the habitats on the site. It is endangered by the feeding activities of an imported bromeliad weevil that burrows through the central growing point of the plant, causing the growing point to die and the eventual death of the entire plant. Although individual plants will be killed by prescribed burning, it is expected that the regenerating trees and shrubs will be recolonized by airborne seeds drifting in from the unburned portion of the site. It will be protected by burning only a portion of the site at any one time, to maintain a seed source on the unburned portion, and by monitoring mortality caused by the bromeliad weevil.

##### Giant Wild Pine (*Tillandsia utriculata*)

This epiphytic bromeliad was recorded at the Natural Area by ERM in January 1991. It has a large, clustered population growing on scrub oaks scattered throughout the scrub natural community. It is endangered by the feeding activities of an imported bromeliad weevil that burrows through the central growing point of the plant, causing the growing point to die and the eventual death of the entire plant. Although individual plants will be killed by prescribed burning, it is expected that the regenerating scrub oaks will be recolonized by airborne seeds drifting in from the unburned portion of the site. It will be protected by burning only a portion of the site at any one time, to maintain a seed source on the unburned portion, and by monitoring mortality caused by the bromeliad weevil.

#### Prickly Pear Cactus (*Opuntia stricta*)

This shrubby cactus was recorded at the Natural Area by ERM in October 1994 in the disturbed scrub habitat in the southwest corner of the site. The small population of this species has been intermittently impacted by mowing of this habitat. This species will be protected by limiting mowing to the perimeter firebreak, relocating individual plants out of the firebreak, and implementing a prescribed burning program to maintain this habitat and encourage its succession to the scrub natural community.

#### Reflexed Wild Pine (*Tillandsia balbisiana*)

This epiphytic bromeliad was recorded at the Natural Area by ERM in January 1991. It has a widely-scattered population in the scrub and mesic hammock natural communities where it grows predominantly in shady locations on scrub oaks. Although individual plants will be killed by prescribed burning, it is expected that the regenerating scrub oaks will be recolonized by airborne seeds drifting in from the unburned mesic hammock natural community. This species will be protected by maintaining a seed source population in the mesic hammock community which is protected from prescribed burning and wildfires.

#### 4.4.2.4 Priority D

Priority D taxa are taxa which are listed as Commercially Exploited by FDACS. These taxa should receive some management attention. At a minimum, extirpations of these taxa at the Rosemary Scrub Natural Area should be prevented. There are no Priority D taxa recorded for the Rosemary Scrub Natural Area.

#### 4.4.3 Protection and Enhancement of Listed Species - Fauna

One animal species recorded at the Natural Area has been listed by at least one of the following governmental agencies or nonprofit environmental organizations: FNAI, FGFWFC, and USFWS (Table 1). These species are ranked and discussed in Appendix A. Recommended procedures for management of these species are described in the following sections.

##### 4.4.3.1 Priority A

Priority A taxa are taxa which are considered by FNAI to be rare in Florida and are known to occur in viable numbers at the Natural Area. These taxa should receive the highest level of management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, efforts should be made to increase population numbers.

No Priority A species have been recorded at the Natural Area.

#### 4.4.3.2 Priority B

Priority B taxa are taxa which are considered by FNAI to be rare in Florida, but for which a viable population is not known to occur at the Natural Area, or the taxon is transitory in coastal scrub. These taxa, if present, should receive significant management attention. Under no circumstances should extirpations of resident taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, population numbers of resident taxa should be increased, so long as this does not adversely impact natural community level management. If viable numbers of a resident taxon are recorded at, or become established at, the Natural Area, then this taxon should be elevated to a Priority A taxon. Efforts also should be made to provide suitable habitat for transitory taxa, so long as this does not adversely impact community-level management.

#### American Redstart (*Setophaga ruticilla*)

This migratory songbird was recorded at the Natural Area by ERM in April 1993. Kale and Maehr (1990) list its habitats in Florida as pine scrub, mangrove, hardwood swamp, cypress swamp, mesic hammock, mixed pine and hardwood forest, pine flatwoods, urban and agricultural environments, and sandhill. It is listed as transitory in coastal scrubs in the Treasure Coast Region by Fernald (1989). Habitat for this species will be enhanced through the maintenance of scrub and scrubby flatwoods communities on site by implementation of a prescribed burning program.

#### 4.4.3.3 Priority C

Priority C taxa are other taxa which are considered by FNAI to be rare in Florida, but whose occurrence at the Natural Area could be considered accidental. Management for these taxa at the Natural Area would serve no meaningful purpose. No accidental occurrence of listed species have been recorded at the site.

### 4.5 ARCHAEOLOGICAL AND HISTORICAL RESOURCES

No archaeological or historic resources are currently known from the Natural Area (ERM and City 1993). If any archaeological or historic sites are discovered on the site, the County will comply with Chapter 267, Florida Statutes, specifically Sections 267.061(2)(a) and (b). The collection of artifacts or disturbance of any archaeological or historical site on the Natural Area is prohibited unless prior authorization has been obtained from the Department of State, Division of Historical Resources.

### 4.6 COORDINATION WITH ADJACENT LAND USERS

The successful ongoing management of the Natural Area will require the cooperation of the neighborhood residents. Many aspects of maintaining the site (e.g., security and opening and closing the main gate) could be simplified by utilizing a neighborhood watch or volunteer steward. The City and/or ERM will attempt to recruit a local steward or organize a neighborhood watch.

Within 36 months of acquisition, ERM will launch a public education campaign to educate the community on the benefits of managed natural areas and the necessity of invasive plant control and prescribed burns in maintaining the native habitat. As part of the outreach program, local schools will be invited to utilize the Natural Area for nature study, environmental education, and community service projects.

#### 4.7 NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE REVIEW

On August 16, 1994, the Palm Beach County Board of County Commissioners adopted Resolution 94-1051, which established a seven-member Natural Areas Management Advisory Committee (NAMAC) to review and comment on management plans developed by staff for natural areas acquired and/or managed by the County and to hold public hearings on these plans prior to their review and adoption by the Board. The members of NAMAC were appointed on November 1, 1994. The membership categories are: a member with experience in the management of natural areas, a biological scientist, a professional educator with knowledge of South Florida ecosystems, a representative of a local municipal government public recreation program, a member of the Palm Beach County Parks & Recreation Department staff, a citizen having an interest in natural areas, and a member of the County's Environmentally Sensitive Lands Acquisition Selection Committee (ESLASC). Upon sunset of ESLASC, this position will be filled by a citizen with an interest in natural areas.

As part of their responsibilities, the members of NAMAC will hold a public hearing on the proposed management plan for the Natural Area. The public hearing will be held in the evening in a location close to the site, and will follow an afternoon open house at which the public will be able to review the management plan and a display of the plan for the public use facilities and discuss these with County staff. Copies of the plan will be available at public facilities such as libraries for several weeks prior to the open house and public hearing. Members of the public who cannot attend the hearing will be allowed to submit written comments to the County during the week following the hearing.

NAMAC members will take those comments into consideration prior to their approval of the plan for forwarding to the Board of County Commissioners. Members of the public also may comment on the plan at the time it is considered by the Board. After adoption of the plan by the Board, the plan will be reviewed at least every five years by NAMAC and revised as necessary on the basis of new information, research data, improvements in management techniques, or other relevant factors.

#### 4.8 ENVIRONMENTAL EDUCATION AND SCIENTIFIC RESEARCH

In conjunction with the construction of the nature trail, ERM staff will prepare interpretive signage, a printed nature trail guide, and a recorded nature trail guide on tape for the visually-handicapped. ERM will develop an educational slide show describing the site and its resources and assist the faculty of local schools in developing educational programs for school use of the site. ERM does not anticipate performing any scientific research other than compiling and interpreting the data from monitoring activities, but will allow researchers affiliated with local institutes of higher learning to conduct scientific research on a permit basis.



## 5. RESOURCE ENHANCEMENT

Resource enhancement will be required in all management units at the Rosemary Scrub Natural Area. The principal enhancement activities will include invasive vegetation eradication and the reintroduction of fire. Active restoration (including direct seeding and out-planting) should not be necessary. The goal of these activities is to restore all upland vegetation communities to a maintenance condition.

### 5.1 ENHANCEMENT METHODS

The goal of managing fragmented vegetation communities management in southeastern Florida should be to restore and maintain as many of the functions and values of the original natural communities that historically occupied the site as possible. It should be recognized that even the largest and least disturbed sites have experienced significant impact from changes in the regional water table, air pollution, the loss of large predators, and species extinctions. These types of disturbances are mostly irreversible, given the current political and social realities of southeastern Florida. Almost all sites also have been affected by reversible changes, such as the exclusion of fire and exotic pest plant invasions.

Certain disturbances that are the products of fragmentation are permanent but can be mitigated by human intervention. The classic example of this in south Florida is natural fire, which cannot be expected to travel between natural area fragments. Prescribed burning is a management tool that can partially substitute for this interrupted natural ecological function, but which must be conducted by natural areas managers in perpetuity.

All natural communities at the Natural Area have been impacted by human disturbances. Based upon the historic aerial photographs, soil surveys, and reviews of the literature, it seems probable that the site has always been dominated by scrub, with smaller areas of scrubby flatwoods. The mesic hammock habitat appears to have expanded in height and area in response to fire exclusion. Therefore, the restoration and management activities at the site will be performed to restore and maintain scrub, scrubby flatwoods, and mesic hammock communities.

#### 5.1.1 Management Unit Design

Successful management of small fragmented ecosystems, such as those at the Rosemary Scrub Natural Area, depends heavily upon management unit design. The Natural Area is composed of three historic natural vegetation communities that have been modified by fire exclusion, exotic pest plant invasions, and off-road vehicle traffic. Each of the represented natural communities historically would have composed part of a greater regional mosaic of upland and wetland ecosystems. Today, the Natural Area is completely isolated from nearby remnants of natural vegetation communities and is continuously affected by human and human-induced disturbances. These disturbances include fire exclusion, the dissemination of invasive species from nearby residential areas, and intermittent off-road vehicle use.

The site has been subdivided into two macro-management units, using management roads and access trails as boundaries (Figure 4). Each macro-management unit encompasses at least two natural vegetation communities, together with their ecotones. Macro-management units have been designed to maximize the long-term diversity of natural vegetation communities and plant and animal species on the site. As described in Section 5.1.2, Fire Management, these units are small enough to allow for safe and practical fire management. Macro-management units may be further sub-divided into micro-management units, which represent distinct natural communities and/or seral stages within the macro-management unit.

### 5.1.2 Fire Management

The majority of the site's natural communities are dependent upon fire for their long-term restoration and maintenance. Given the extensive alterations that have been made to the local landscape, lightning-induced fires cannot be expected to fulfill the fire needs of these communities. In addition, given the proximity of the site to adjoining residential properties, major roads, and other forms of urban and suburban development, the risk of damage to these developments from wildfire is high. As such, the use of a combination of controlled, prescribed fire, together with firebreaks and other safety precautions, will be necessary to fully achieve the stated management objectives.

The primary responsibility for prescribed burning will be assumed by ERM. Assistance will be provided by the City and/or Palm Beach County Fire-Rescue, including the provision of fire-fighting staff and equipment to protect surrounding homes from damage. Additional assistance may be provided by the Florida Division of Forestry (DOF), FGFWFC, TNC, and trained volunteers. Fire-related safety training will be required of all County staff and others participating in a prescribed burn. All prescribed burns will comply with the legal mandates stated in the Florida Prescribed Burning Act, Chapter 590.026 of the Florida Statutes.

The overall goal of the prescribed burn program is to introduce a fire regime (i.e., a repeatable pattern of fire with predictable results) onto the Natural Area that will sustain the predominant native vegetative communities. Specific objectives for different areas of the site will depend upon site conditions and other management objectives for that area. In general, these objectives will include:

- o To ensure the long-term existence and viability of a vegetative community and the listed plant and animal species that utilize that habitat.
- o To control the regrowth and regeneration of invasive vegetation following treatment or removal activities.
- o To provide viable wildlife habitat for wildlife species that use, or could potentially use, the site.

- o To reduce the danger of wildfire by reducing the build-up of fuels that has resulted from the limited occurrence of fire in recent years.

A network of management roads will be established as permanent firebreaks within the site to prevent potentially destructive wildfires, as well as to adequately control prescribed fires. These roads, along with site perimeter firebreaks, will serve as the boundaries of the two burn units and will provide vehicle access for conducting the controlled burns (Figures 3 and 4). Existing trails will be used when possible. New management roads will be constructed where existing trails are not sufficient. Management roads used as firebreaks will be at least 15 feet wide at the time of a prescribed burn. Vegetation may be cut along the shoulders of specific management roads, if necessary, to widen them further prior to a controlled burn. After the burn, the vegetation will be allowed to regenerate naturally, and management roads will be maintained at a width of 10 feet to allow for maintenance vehicle access.

Prior to the construction of a management road, the area will be surveyed for listed species. If listed species are present, the location of the road will be adjusted where possible to avoid affecting that species, or the listed species present within the proposed construction area will be relocated on the site. Management roads may be used for other management activities (e.g., exotic pest plant control) and as hiking trails.

The two burn units range in size from 6.7 to 4.9 acres. They are as large as possible for a relatively small site, so that fires can burn through ecotones and move in a more natural, spotty fashion across the landscape. The resulting patchwork of burned and unburned stands within a management unit will produce a mosaic of vegetation at various stages of maturity, thereby maximizing diversity within and among communities. This will provide habitat for individual species which typically use, or may even be restricted to, communities in a particular state of maturity. Burn units must not be so large that control of a prescribed fire and attendant smoke becomes difficult or uncertain. Depending on the specific conditions and objectives of a burn, a burn unit may be further subdivided into smaller units for conducting the prescribed burn.

Active fire suppression measures that rely upon the use of heavy machinery and plowlines are extremely destructive to vegetation and other natural features. Active fire suppression measures are to be avoided as much as possible, but will be used to safeguard adjacent residences if necessary. If such measures are undertaken to control a fire, all plowlines and other disturbed areas will be will be rehabilitated to the greatest extent possible.

ERM has written a fire management plan for the Rosemary Scrub Natural Area. The fire management plan has been provided as Appendix H. The development of this plan was coordinated with DOF and FGFWFC. The plan considers the surrounding land uses, safety issues in the event of a wildfire, and the ecological

consequences of specific fire management strategies. It also address each of the vegetation communities on the site. A prescribed burn program will be implemented within the first five years following acquisition.

A flexible, fire management program will be initiated within one year following the adoption of this management plan. The two burn units will be burned in rotation, at an average rate of one unit every 20 years. Prior to burning a unit, a survey will be done for fire-intolerant listed plant species. If necessary, individual plants will be relocated outside the burn area. Fire management will begin with the prescribed burn of Burn Unit 1 in 1998, followed by a burn of Unit 2 in 2013. The cycle will start again with Unit 1 in 2038 and Unit 2 in 2058.

To the extent possible, the seasonality and frequency of prescribed fires should seek to approximate the natural incidence of fire in the site's communities. Generally, prescribed fires in all communities should be conducted during the early growing season, which extends from March to July. Natural lightning-induced fires normally occur during the growing season and natural incidence of winter fires is presumed likely to be quite low. Prescribed winter fires, therefore, should be similarly rare in occurrence to ensure that fire events correspond with the fire-adapted life histories and reproductive cycles of resident species. However, where fire has been suppressed for a long period of time and fuel loads have become heavy, prescribed winter fires may be used to begin restoration of a natural fire regime. Winter fires are generally cooler fires that can reduce accumulations of excess fuel while limiting the undesirable destruction of vegetation. In areas such as the Rosemary Scrub Natural Area, where safety is of the utmost concern, winter fuel reduction fires may be more appropriate, at least in the short term. Pre-burn mechanical cutting of understory vegetation may also be employed to lower fire intensity and reduce flame heights, and to decrease smoke production by use of backing fires.

Prescribed burning in the disturbed scrub natural community is complicated by a spotty and uneven distribution of fuels, with much variation in fuel type. The uneven fuel distribution is a result of previous human-caused alterations and fire suppression at this site, and is not typical of the scrub natural community. Disturbed scrub areas will be burned in the same way as undisturbed scrub habitats, although multiple ignition points may be necessary to overcome the patchiness of the vegetation.

Backing fires and other techniques will be used for prescribed burns in the scrubby flatwoods natural community to reduce fire intensity and slash pine mortality. Slash pines are a natural component of the scrubby flatwoods community, and their population levels will be maintained in this habitat.

If a wildfire occurs, it will be allowed to burn to the boundary of the burn unit in which it is active, if safe burning conditions are present and fire suppression authorities concur. If unsafe weather conditions exist or human-made structures are threatened, the wildfire will be suppressed immediately.

A public education campaign will be developed that will include informing residents of areas surrounding the Natural Area of the necessity and benefits of fire, the safety features of prescribed burning versus wildfires, and the strategies that will be developed to minimize the impacts of smoke on nearby communities. The County will coordinate with the City prior to conducting a controlled burn. County staff will meet with local community groups such as homeowners' associations before each burn to coordinate with residents, to provide information on the necessity of conducting prescribed burns, and to describe the safety precautions that will be taken to protect adjacent lands. A pre-burn checklist is included in the fire management plan.

A specific burn plan will be prepared for each burn unit prior to conducting a prescribed burn. A summary of key information on prescribed burning is provided in the fire management plan.

### 5.1.3 Invasive Species Control

Like many fragmented natural areas in southeastern Florida, the Rosemary Scrub Natural Area has been invaded by a plethora of invasive pest species. Fifty-seven species of exotic plants have been recorded within the natural area, and many of these exhibit invasive tendencies. Three species of exotic birds, two exotic lizards, an exotic frog, and two domesticated exotic mammals have been recorded for the site. Only the mammals, a semi-feral dog and a feral cat, are considered to be pest species requiring specific management actions.

Exotic plant species represent approximately 32% of the plant taxa recorded for the site. This number and percentage is typical for a small habitat preserve surrounded by urban and suburban development, and should not be inferred to indicate that the site is of low quality. A thorough survey was done for exotic plants prior to preparing this plan, so it is unlikely that many additional species of invasive plants will be found during the early management phases. It should be recognized that new species will continue to colonize the site as long as sexually reproducing exotic plant species are present in the surrounding urban and suburban areas. A visual estimate of site's vegetation determined that approximately 15% of the vegetation, or the equivalent of two acres, consisted of exotic plant species. The exotic plants are concentrated in the disturbed scrub areas.

Fortunately, most of the invasive pest plant species at the Natural Area can be considered minor or, at worst, moderate problems. Many have originated from vegetation dumping piles on the site's perimeter or have grown in from adjacent residences' back yards. Most of these plants will be eliminated during site trash cleanups or by the establishment and maintenance of perimeter firebreaks.

Some exotic species, such as periwinkle, which prefers open, disturbed sites, do not have the capacity to invade functioning natural communities. They will be controlled through good management practices such as prescribed burning and the elimination of unnecessary disturbances such as off-road vehicle traffic.

For purposes of this management plan, the phrase "invasive species" includes several groups of plants: (1) exotic species; (2) invasive native vines, such as muscadine grape; and (3) ruderal species (species which are probably native but found almost exclusively in disturbed areas). Although exotic species are the traditional targets of eradication activities, invasive native species can have adverse impacts upon fragmented natural vegetation communities. This is especially true of aggressive native vines, which, in the absence of fire, often shade out preferable native trees, shrubs, and herbs. Ruderal species are usually not problematic, but in some cases can slow down or arrest restoration processes.

Rather than discuss invasive plants on a species-by-species basis, it is usually preferable to group them by their habit (form), preferred habitat, degree of invasiveness, and potential (or real) impacts on natural communities. While this method is functional for strategic and operational planning purposes, it is recognized that each exotic plant species is unique, and that control measures may need to be tailored on a species-by-species basis. Invasive vegetation species have been grouped into the following categories: (1) vines; (2) shade-tolerant trees; (3) shade-intolerant trees; (4) shade-tolerant shrubs; (5) shade-intolerant shrubs; (6) grasses; (7) perennial forbs; and (8) annual and short-lived forbs. Some invasive species do not fall easily into these categories; specific priorities may have to be developed for these species.

An invasive vegetation control program will be initiated within the first year following acquisition. A two-year, four-phase control program is proposed. Each of the four phases will be conducted approximately six months apart. If the treatments are thorough, then the treated natural vegetation communities should be in maintenance condition by the end of the two-year period. A management unit will be considered to be in a maintenance condition (in regard to invasive species) when the cover of invasive tree and shrub species does not exceed one percent of canopy or understory layers within any management year. Once a maintenance condition is reached, follow-up treatments of invasive vegetation will be conducted periodically as needed. Preliminary management priorities and techniques for each of the categories are described in the following sections.

#### 5.1.3.1 Vines

This category includes exotic species as well as aggressive native vines. If possible, exotic vines will be eradicated from the Natural Area. Aggressive native vines will be treated as invasive species until each management unit reaches a maintenance condition. After this time, aggressive native vines will be allowed to regenerate until they reach densities and cover that approximate their historic presence on the site.

Vines pose a significant threat to the natural communities at the Natural Area because they cover the leaves of shrubs and trees and cause death through reduction of photosynthetic food production. Invasive vines recorded at the Natural Area include foetid passion-vine, Ganges primrose, love vine, muscadine grape, pink trumpet-vine, river jasmine, and rosary-pea.

During invasive vegetation control treatments, most species of vines will be cut at a height of six feet and again near ground level if they are growing into canopy trees. The bases of the vines will be hand-pulled or treated with a systemic herbicide such as Garlon. The vine stems remaining in the canopy may be left to decompose in the trees. Vines growing on shrubs or saplings under six feet in height will be cut near ground level and removed from the supporting plant. The bases of the vines will be hand-pulled or treated with a systemic herbicide. Lateral stems of vines growing along the ground surface will be cut, hand-pulled and/or treated with a systemic herbicide. These methods are effective in controlling rosary-pea and muscadine grape.

Love vine is a parasitic native vine that may become abundant in pyric natural vegetation communities in the absence of fire. It is difficult, if not impossible, to control its spread without fire. This species will be controlled through implementation of a controlled burn program.

#### 5.1.3.2 Shade-tolerant Trees

This category includes woody plants which typically have one main stem that grows over 12 feet in height. In the past, shade-tolerant trees were not a major threat to natural communities in southeastern Florida. However, several species of shade-tolerant trees have become established in natural vegetation communities within the last ten years. These trees, which have the ability to invade undisturbed, intact systems, are especially dangerous to hammocks, drained wetlands, and fire-excluded pyric communities. Shade-tolerant trees found at the Natural Area include carrotwood, Cuban laurel, mango, queen palm and schefflera.

During invasive vegetation control treatments, seedlings of shade-tolerant trees will be hand-pulled. In general, saplings and mature trees will be left standing and treated with a systemic herbicide such as Garlon. This method is effective in controlling most dicotyledons. Schefflera, however, is known to be highly resistant to basal treatments of Garlon 4. This species has been most successfully controlled by cutting down the tree and applying Garlon 3A to the stump.

#### 5.1.3.3 Shade-intolerant Trees

Shade-intolerant trees typically require sunny locations, often with nutrient-poor soils, for germination. They generally grow in disturbed areas, and often fix nitrogen. These species are most problematic in disturbed or fire-excluded pyric communities, although they also may invade disturbed hammocks and wetlands. Shade-intolerant trees at the Natural Area include Brazilian pepper and earleaf acacia.

Seedlings of shade-intolerant trees will be hand-pulled. Most mature trees can be killed while still standing with systemic herbicides such as Garlon. Because Brazilian pepper is a sprawling, shrub-like tree, special treatments such as cutting and removal may be necessary, in especially dense areas.

#### 5.1.3.4 Shade-tolerant Shrubs

Shade-tolerant shrubs are similar to shade-tolerant trees, except that they generally affect a smaller area in the subcanopy and understory. Shade-tolerant shrubs that have been recorded at the Natural Area include climbing cassia, corn plant, glorybower, spineless yucca and Surinam cherry.

During invasive vegetation control treatments, seedlings of shade-tolerant shrubs will be hand-pulled. In general, saplings and adults will be cut near ground level and the bases treated with a systemic herbicide such as Garlon. In low densities, shade-tolerant shrubs may be killed while still standing.

#### 5.1.3.5 Shade-intolerant Shrubs

Shade-intolerant shrubs are similar to shade-intolerant trees, except that they generally affect a smaller area in the subcanopy and understory. Shade-intolerant shrubs recorded at the Natural Area are aloe, Cape honeysuckle, cochineal cactus, Indian mallow, shrub verbena, sisal and *Vitex trifoliata*.

Seedlings of shade-intolerant shrubs will be hand-pulled. In general, saplings and adults will be left standing and killed with a systemic herbicide such as Garlon. Indian mallow, which is a woody-stemmed perennial, may be controlled best by hand-pulling.

#### 5.1.3.6 Grasses

Exotic grasses can become a significant problem in pyric communities. Exotic grasses recorded at the Natural Area include bahia grass, Bermuda grass, crowfoot grass, Guinea grass, Natal grass, small-flowered Alexandergrass, smut grass, torpedo grass, and tropical crabgrass. The majority of these grasses are found in the disturbed scrub habitat, and their populations will decline as mowing and other disturbances are reduced.

During invasive vegetation control treatments, large monoculture concentrations of exotic grasses will be killed with herbicides such as Roundup. Smaller concentrations will be hand-pulled or have their growth discouraged by other appropriate management techniques. A few large clumps of Guinea grass will require cutting the clump down to ground level and then treating the re-sprouts with Roundup.

#### 5.1.3.7 Perennial Forbs

Perennial forbs can become a problem in all types of natural communities. Invasive perennial forbs recorded at the Natural Area include African bowstring hemp, asparagus fern, creeping oxeye, oyster plant, puncture vine, purple queen, wandering Jew, and two species of *Kalanchoe*.



These species require special treatment. Many have underground tubers, rhizomes, or stems that run along the ground and root at nodes. All of these structures can break off and form new plants. Care must be exercised during hand-pulling of these plants to collect as many of these structures as possible. Hand-pulling may be the only method to eliminate these exotic plants, because many of them have thick succulent leaves that prevent herbicides from adhering or being absorbed.

#### 5.1.3.8 Annual and Short-lived Forbs

In general, annual or short-lived forbs cause temporary problems and are difficult to eradicate. Most respond to disturbance; therefore, minimizing disturbances will cause their populations will drop in numbers. Exotic forbs recorded at the Natural Area include Brazilian and large-flower pusley, coat buttons, periwinkle, sicklepod, tassleflower, and watermelon. Ruderals in this category include Caesar weed, ragweed, southern sida, Spanish needles, and whitehead broom. Control measures, when necessary, usually involve hand-pulling of each individual.

## 5.2 COORDINATION WITH ADJACENT LAND USERS

Both direct and indirect impacts from adjacent land uses are to be expected. Direct impacts include the invasion of exotic plant species into the Natural Area and the predation of wildlife by dogs and cats. These types of impacts will be mitigated through interpretive programs, public outreach, an aggressive exotic plant control program, and the enforcement of the provisions of the Natural Areas Ordinance concerning the prohibition of pets. Any stray dogs or cats that take up residence on the site will be removed by Palm Beach County Animal Control or by live-trapping.

Perhaps the greatest off-site threats to the long-term management of the Rosemary Scrub Natural Area are public fear of fire and the general dislike of attendant smoke. Smoke management will be one of the key issues addressed in the fire management plan, which will be developed by ERM within one year of site acquisition. An active public education campaign will be developed that will describe the necessity of fire, the safety features of prescribed burning versus wildfires, and the strategies that will be developed to minimize the impacts of smoke on nearby communities. If public pressures are sufficient to reduce or prohibit the use of prescribed fire at the Natural Area, then the indirect impacts of fire exclusion may prevent the attainment of several management goals. Alternatives to prescribed burns will then be considered to best attain the management goals for this Natural Area.

### 5.3 ENHANCEMENT PROJECTS

Gopher tortoises will be reintroduced to the site via tortoises that must be relocated from the sites of County construction projects. The development of the gopher tortoise relocation plan will be coordinated with FGFWFC and all necessary permits will be obtained from that agency. Scrub lizards also will be reintroduced to the site from existing populations on public or private lands in the Boynton Beach area. The reintroduction of scrub lizards will be coordinated with FGFWFC and all necessary permits obtained. There are no plans to actively reintroduce scrub jays. However, it is hoped that by appropriate management of the site, ERM will create favorable conditions for scrub jays to recolonize the site without human intervention. Two separate jay populations currently exist within one mile of the site.

## 6. COST ESTIMATES AND FUNDING SOURCES

Cost estimates for initial site development and long-term management are provided in Tables 2 and 3, respectively. The primary funding source for site development will be funds from the \$100 million Palm Beach County Environmentally Sensitive Lands Bond Referendum passed on March 12, 1991. Responsibility for site development and management is described in the interlocal agreement between the City and County (Appendix E). Staffing for habitat management and facility maintenance will be accomplished with existing City and County personnel, with assistance from community volunteers.

### 6.1 DEVELOPMENT COSTS

Initial site development is estimated to cost approximately \$148,926 (Table 2). Securing the site with fencing, signs and gates will account for nearly half of this projected cost. Other major expenditures include construction of a parking area, a handicapped-accessible nature trail and a kiosk with interpretive displays. Funding for initial site development will be provided from the Palm Beach County Environmentally Sensitive Lands bond funds, although grant monies may be sought to fund construction of the nature trail and kiosk.

### 6.2 KEY MANAGEMENT ACTIVITIES AND RESOURCE ENHANCEMENT COSTS

Costs of management will be minimized through the cooperation of local citizens' organizations and by coordinating the management of natural areas on a county-wide basis. The Audubon Society of the Everglades, the Coalition for Wilderness Islands, the Palm Beach County Chapter of the Florida Native Plant Society, the Florida Trail Association, the Royal Palm Audubon Society, and the Sierra Club - Loxahatchee Group all have committed to providing volunteer services for the management of environmentally sensitive lands acquired by the County. However, it is recognized by both the County and the City that the management of the Rosemary Scrub Natural Area will require more than volunteer assistance. Some activities, such as prescribed burning, herbicide applications, chain saw work, and other hazardous or extremely technical operations, are not suited to volunteers. The County and City will provide such services internally, or via contract where necessary.

The County has established a Natural Areas Stewardship Endowment Fund. The restricted gift funds received from various sources would be invested and the interest earned would be used to provide operating funds for management of County-owned and County-leased natural areas. The County also will apply for funds available from the State for management purposes, including the Pollution Control Recovery Trust Fund administered by DEP. In addition, funds will be available through implementation of the provisions of Sections 7.5 (Vegetation Preservation and Protection) of the Palm Beach County Unified Land Development Code.

Fines and cash payment, in lieu of preservation, are placed in a Natural Areas Fund for the acquisition, preservation, and management of natural areas. The monies deposited in the Natural Areas Fund will be available for the management of lands acquired by the County as natural areas. Monies from the sale of development rights on lands purchased by the County as natural areas also could be used for management purposes.

## 7. PRIORITY SCHEDULE

Initial site development activities will focus on securing the Natural Area against unauthorized use. Fencing, signs and gates were purchased and installed within nine months of acquisition. Within one year from the closing date of the last purchase, the fire management plan was prepared, and invasive vegetation removal was started. The management roads will be cleared, the nature trail and parking area will be constructed, and interpretive facilities and materials such as a kiosk, slide show, and nature trail guide will be developed within the third year following site acquisition. A priority schedule is provided in Table 4.

## 8. MONITORING

A monitoring program will be initiated in 1997 to measure whether the management objectives for natural communities and listed species are being achieved. The monitoring program will be designed to evaluate the success of prescribed fires, exotic pest plant treatments, and disturbed scrub and mowed area restoration on vegetation and selected wildlife populations within the Rosemary Scrub Natural Area. Management practices will be adjusted if an analysis of the monitoring data reveals that these objectives are not being met.

Permanent photographic stations will be established and photographs taken annually for comparison purposes. Permanent transects will be established to monitor changes in vegetation that would be revealed by data collection surveys made at two-year intervals. Periodic surveys of listed species populations will be undertaken to determine population trends. Assistance will be sought from institutions of higher education and volunteers in carrying out the monitoring program and in analysis and interpretation of the data collected. This monitoring data will be used as the basis for future revisions of the management plan.

### 8.1 Photomonitoring

Photopoint sites will be selected to provide a visual record of changes in vegetative composition over time, including the effects of planned management activities. The method for photomonitoring is the same as that developed for use by the South Florida Water Management District (Van Horn and Van Horn 1993). A photomonitoring point will be established at one end of each vegetation monitoring transect. Photopoint posts will be 6 feet long and stand 4.5 feet above ground level. A removable platform that fits over the photopoint will be used as a camera mount. An additional permanent stake will be placed in the ground 30 feet from the photopoint as a reference point in each photograph. Three color slides will be taken at each photopoint, and will be combined to produce a 180-degree panorama. A 35mm camera with a 28mm lens and 100 ASA color slide film will be used.

Slides will be taken annually during the wet season (June-October). When a management unit is burned, changes in vegetation will be measured with photos taken pre-burn, immediate post-burn, three months post-burn, six months post-burn, and one year post-burn. During second and subsequent years, photos will be taken during the wet season only.

At each reference point, quantitative density measurements will be collected using a 30 cm x 2.5 meter density board as described by Nudds (1977). The density board also will allow visual comparisons of vegetation density for each slide at each photopoint from year to year. Additional information that will be collected

includes the height and species name of the predominant tree, shrub and/or herbaceous vegetation located between the photo and reference points and the water depth at each reference point. One set of slides will be taken at each reference point in a one-year period. A reference collection of all slides taken will be maintained by ERM and used when the management plan is periodically reviewed.

## 8.2 Permanent Transects

Following the method described in Schemnitz (1980), permanent transects will be established in each management unit to monitor changes in vegetation, with data collection surveys made at two-year intervals. The location of each transect will be recorded on a map and numbered, and the transect ends permanently marked with metal stakes in the ground. The starting and ending points of each transect, the bearing, and the distance from some easily located point found both on the ground also will be recorded. The starting point and the course of the transect will be marked.

Each transect will be 150 feet long, and will be aligned to pass through at least two different natural communities, or two different subtypes within a single community. At least one of the transects will pass through each of the four natural communities found on the site. Data will be recorded at 3-foot intervals along the transect and will include the predominant plants, presence of any listed species, and any other plants of management interest. If transect data indicate natural community changes, additional transects may be established in the affected management unit to determine if the changes are localized or widespread.

## 8.3 Wildlife Surveys

Wildlife surveys will be performed annually. Two surveys will be undertaken each year - one when migratory species are present, and the other when only year-round residents are expected. The surveys will consist of random walk-throughs of representative areas and/or transects or quadrants described by Schemnitz (1980). These will be all-day surveys, running from the early morning hours to mid-afternoon, to observe animals active at different times. Survey information is anticipated to include qualitative and quantitative observations of animals, tracks, burrows/nests, or other signs.

## 8.4 Listed Animal Species Surveys

Annual population counts will be made for all endangered and threatened animal species, in order to track population trends. Animal species of special concern will have their populations surveyed every two years to determine whether they are suffering any unusual population declines. Locations of nests or burrows may be pinpointed and mapped by use of a global positioning system (GPS) receiver, which uses satellite signals

to determine the longitude and latitude of a particular spot to an accuracy that can approach three to six feet. Surveys will be scheduled at the time of year when the target species is most visible, and may be conducted in coordination with other activities. Specific surveys will be developed for specific species. Qualitative evaluations of individual species will be made in conjunction with all quantitative surveys.

#### 8.5 Listed Plant Species Surveys

Annual population counts will be made for all endangered plant species in order to track population trends. Locations of individual plants or groups of plants may be pinpointed and mapped by use of a GPS receiver. Annual population counts also will be made of threatened plants with extremely limited populations. GPS receivers and mapping will be used for these species as necessary.

Threatened plants with large populations and commercially-exploited plants will have their populations surveyed every two years to determine whether they are suffering any unusual population declines. Surveys for specific plants will be undertaken at the time of year when those plants are most visible. Qualitative evaluations of individual species will be made in conjunction with all quantitative surveys.

ERM will prepare an annual stewardship report to FCT. Major structural improvements and management activities conducted during the management year will be discussed in the report, and their degree of success described. The annual report also will include information on any density credits purchased from the Rosemary Scrub Natural Area as a part of the County's Transferable Development Rights Program and any changes to the monitoring plan. A general review of management efforts related to natural vegetation communities and the status of listed species also will be completed at the end of each management year.



## 9. GLOSSARY

**Burn unit** - an area of predetermined size and shape that remains fixed for monitoring purposes throughout a course of fire management

**Corridor** - a route that permits the direct travel or spread of animals or plants from one area or region to another, either by the gradual spread of a population of a species along the route or by actual movement of animals, seeds, pollen, spores, or microbes

**Density** - the number of individual plants or animals per unit of habitable area

**Diversity** - the number of species that live together in an ecosystem; a measure of the variety of species in an ecosystem that takes into account the relative abundance of each species

**Dominant** - the characteristic species in a particular plant community, contributing most to the general appearance and influencing which other plants and animals live there; typically the largest plant species or the one with the greatest areal coverage

**Ecosystem** - an assemblage of living organisms (plants, animals, microorganisms, etc.) and nonliving components (soil, water, air, etc.) that functions as a dynamic whole through organized energy flows

**Ecosystem management** - an integrated, flexible approach to management of Florida's biological and physical environments -- conducted through the use of tools such as planning, land acquisition, environmental education, regulation, and pollution prevention -- designed to maintain, protect and improve the state's natural, managed, and human communities

**Ecotone** - a zone of transition between two ecosystems that has characteristics of both

**Endemic** - a species or other biological grouping whose distribution is restricted to a particular region or locality

**Enhancement** - an action taken to introduce, reintroduce or restore vegetation and associated animals into an area where the native ecosystem has been disturbed

**Equestrian trail** - an unimproved dirt or sand trail that is designated for equestrian travel. Designated management roads and firebreaks also may be used as equestrian trails

**Feral** - an animal that has reverted to a wild or untamed state from a domesticated state

**Firebreak** - a strip of land where the vegetation has been cut or removed to stop the spread of a fire; it typically does not exceed 15 feet in width and may be used as a management road and/or a hiking trail  
**Fire regime** - a prevailing condition in which ecosystems have evolved under periodic exposure to natural fires such that the vegetative communities have adapted to, are dependent upon, and are reproductively enhanced by this exposure

**Footpath** - a narrow trail with a natural soil base that is intended for foot traffic only and does not have interpretive signage

**Forb** - a broad-leaved herbaceous plant that is not a grass

Habitat - the area or type of environment in which a specific kind of organism normally lives

Hiking trail - an unpaved footpath with a natural soil base and directional signage only; may be combined with management roads

Hydroperiod - the average length of time that soils are saturated during a given year

Hydric - an environment that contains an abundance of moisture

Inbreeding depression - A state in which a geographically isolated population becomes vulnerable to extirpation and weakened genetically due to the accumulation of deleterious recessive genes

Kiosk - a small structure used to shelter informational displays

Listed species - a species that is considered to be endangered or threatened with extinction, or a species of special concern, or a species that has been designated in some way by a jurisdictional governmental agency as meriting special protection or consideration

Macro-management unit - a large management unit that contains two or more ecosystems

Management road - an unimproved, single-lane dirt or sand road that is designated for vehicular management activities; it does not exceed 15 feet in width and may be used as a firebreak and/or hiking trail

Mesic - a moist environment that is drier than a hydric environment, and seldom contains standing water

Micro-management unit - a small management unit that contains only one ecosystem

Mitigation - an action taken to lessen the severity or intensity of a human impact on a native ecosystem or offset the impact, either on the site where the impact occurs or at another location

Mosaic - a pattern of vegetation in which two or more different plant communities are interspersed in patches

Natural area - an area containing one or more aquatic, terrestrial, or transitional ecosystems or a combination of ecosystems that has essentially retained its primitive conditions; an area that is a least-disturbed known example of a type of natural ecosystem

Nature trail - a hard-surfaced, handicapped-accessible walking trail with interpretive signage

Off-road vehicle - a vehicle capable of traveling in roadless areas

Outstanding Florida Water - a water body designated by the State of Florida Environmental Regulation Commission as worthy of special protection because of its natural attributes

Passive recreation - any recreational activity which has minimal or no impact on natural resources or ecosystems, such as trail-walking, photography, and plant and wildlife observation

Physiographic region - a region delineated by a specific topography

Pyric community - a community resulting from, induced by, or associated with burning

Relict population - a remnant population of a species that once was widespread

Restoration - the process of repairing damage caused by human activity or a natural disaster to the diversity and dynamics of a native system

Ruderal - a species which generally is considered to be native, but often grows in disturbed areas

Saltwater intrusion - the introduction of saltwater into a previously fresh water aquifer as a consequence of disturbance of the water pressure in the aquifer; saltwater intrusion often is associated with excessive pumping of wells

Saprophyte - a fungus or plant living on dead or decaying organic matter

Seed rain - a sudden dispersal of seeds, which can be triggered by fire or another extreme environmental event

Seral stage - one of the stages in a series of more or less predictable changes in vegetation and animal life as one kind of ecosystem is replaced by another

Soil phase - a subdivision of a soil type that deviates from the typical character of the soil type

Sovereign lands or sovereignty lands - those lands including, but not limited to: tidal lands, islands, sandbars, shallow banks, and lands waterward of the ordinary or mean high water line, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and of which it has not since divested its title interest

Subcanopy - the layer of shrubs or trees that is below the canopy, or uppermost layer of vegetation in a forest or woodland

Systemic herbicide - a chemical agent used to destroy or inhibit plant growth that is absorbed into and is effective throughout the entire organism

Taxon (plural - taxa) - a general term for any taxonomic category (for example, a species, genus, family, or order)

Transect - a long, narrow area used for sampling vegetation or counting animals; transects are used for the collection and analysis of data such as frequency of occurrence, size, or number of organisms or kinds of organisms

Transitory taxon (plural - taxa) - a species that is present on a site only for a brief period, often as a response to changing environmental conditions

Vegetative community - the plant component of an ecosystem

Viability - the capability of a seed or organism to grow and develop or the capability of a population of a species or a biological community to reproduce and maintain itself indefinitely

Water table - the level below which soil is saturated with water; the surface of the zone of saturation

Xeric - an environment or habitat that is low or deficient in moisture

## 10. ACRONYMS

ADA - Americans with Disabilities Act

DEP - Florida Department of Environmental Protection

DOF - Florida Department of Agricultural and Consumer Services, Division of Forestry

ERM - Palm Beach County Department of Environmental Resources Management

ESLASC - Palm Beach County Environmentally Sensitive Lands Acquisition Selection Committee

FCT - Florida Communities Trust

FDACS - Florida Department of Agricultural and Consumer Services

FGFWFC - Florida Game and Fresh Water Fish Commission

FIND - Florida Inland Navigation District

NAMAC - Palm Beach County Natural Areas Management Advisory Committee

ORV - Off-road Vehicle

SFWMD - South Florida Water Management District

SOR - Save Our Rivers

USFWS - United States Department of the Interior, Fish and Wildlife Service

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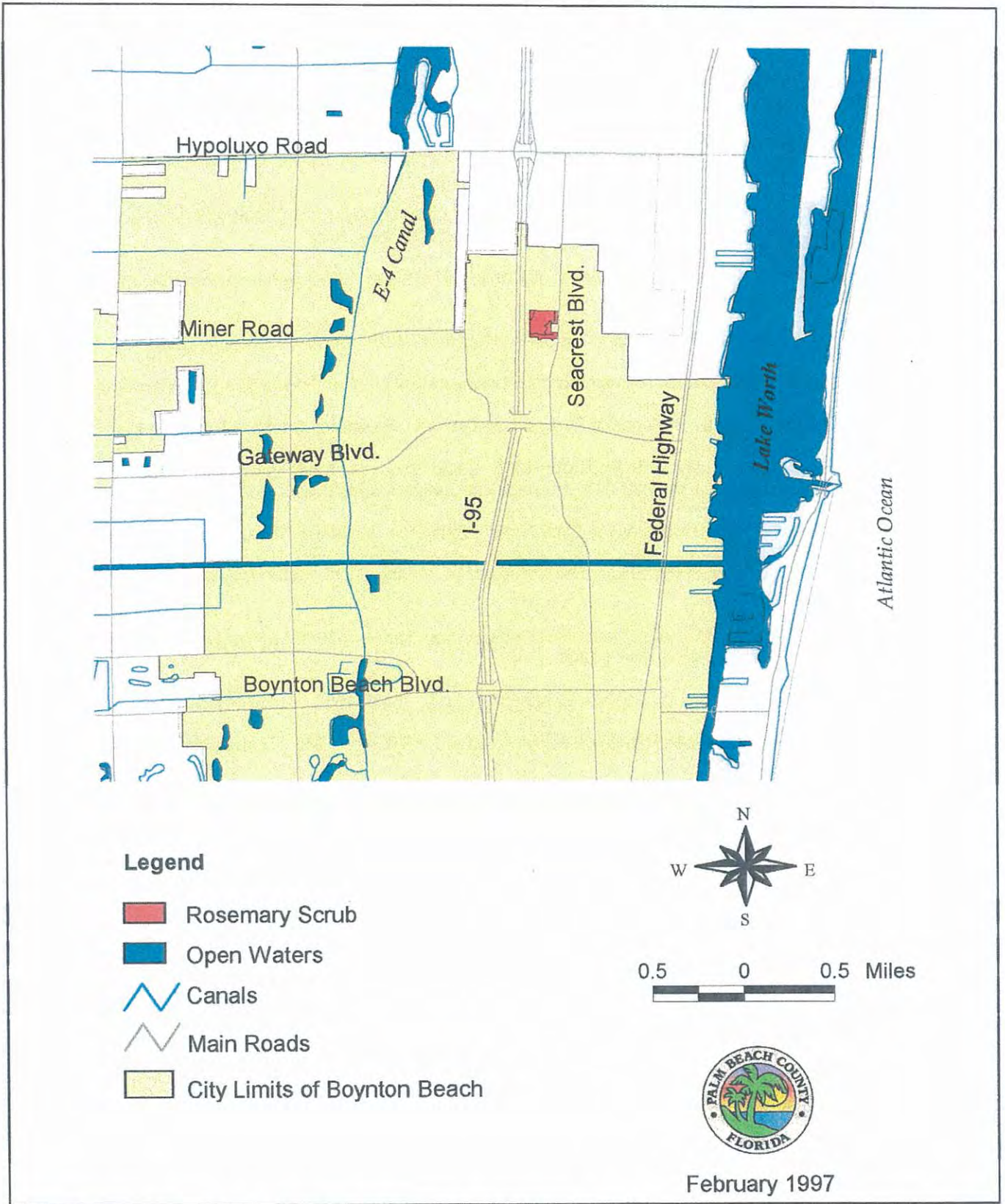
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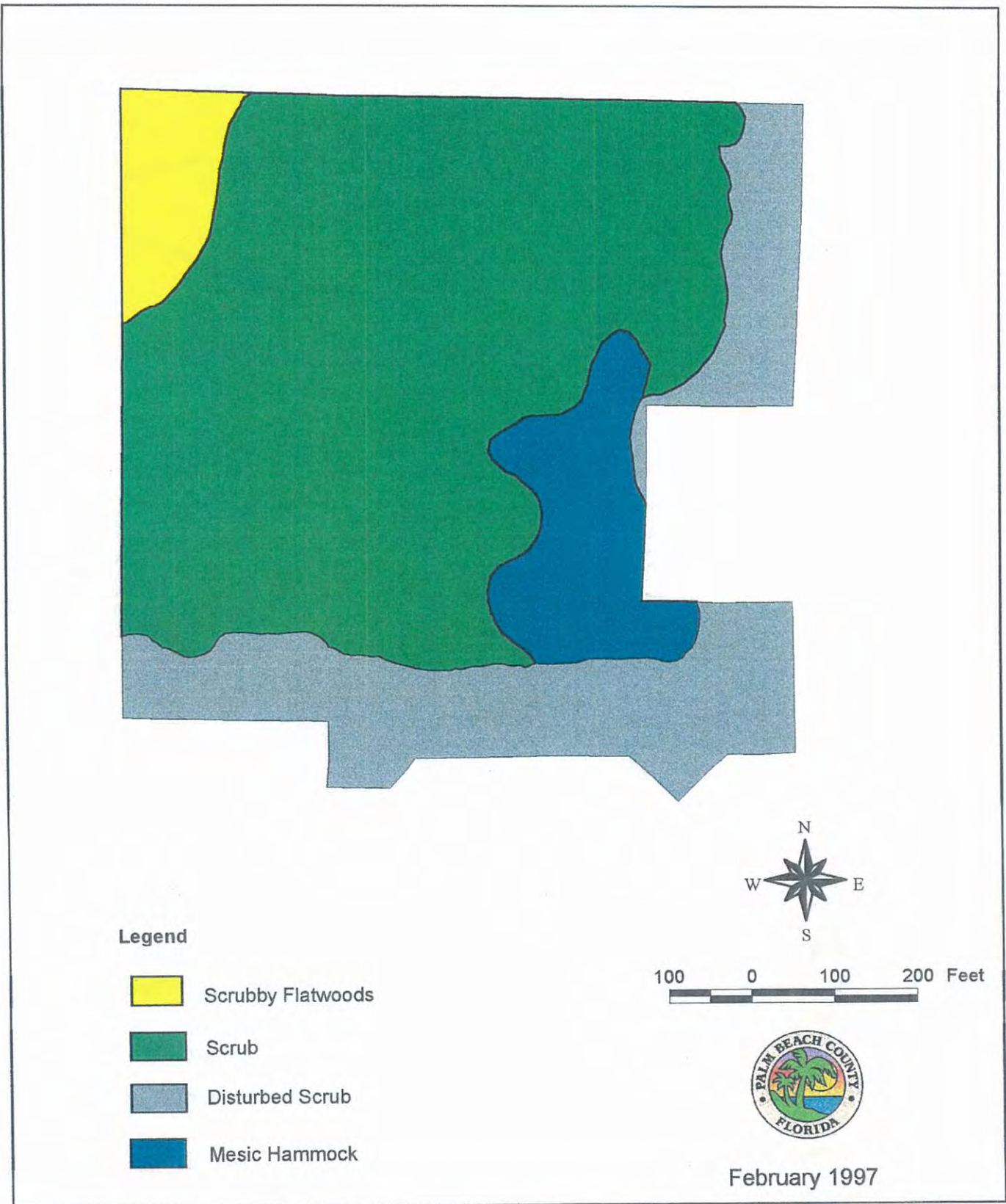
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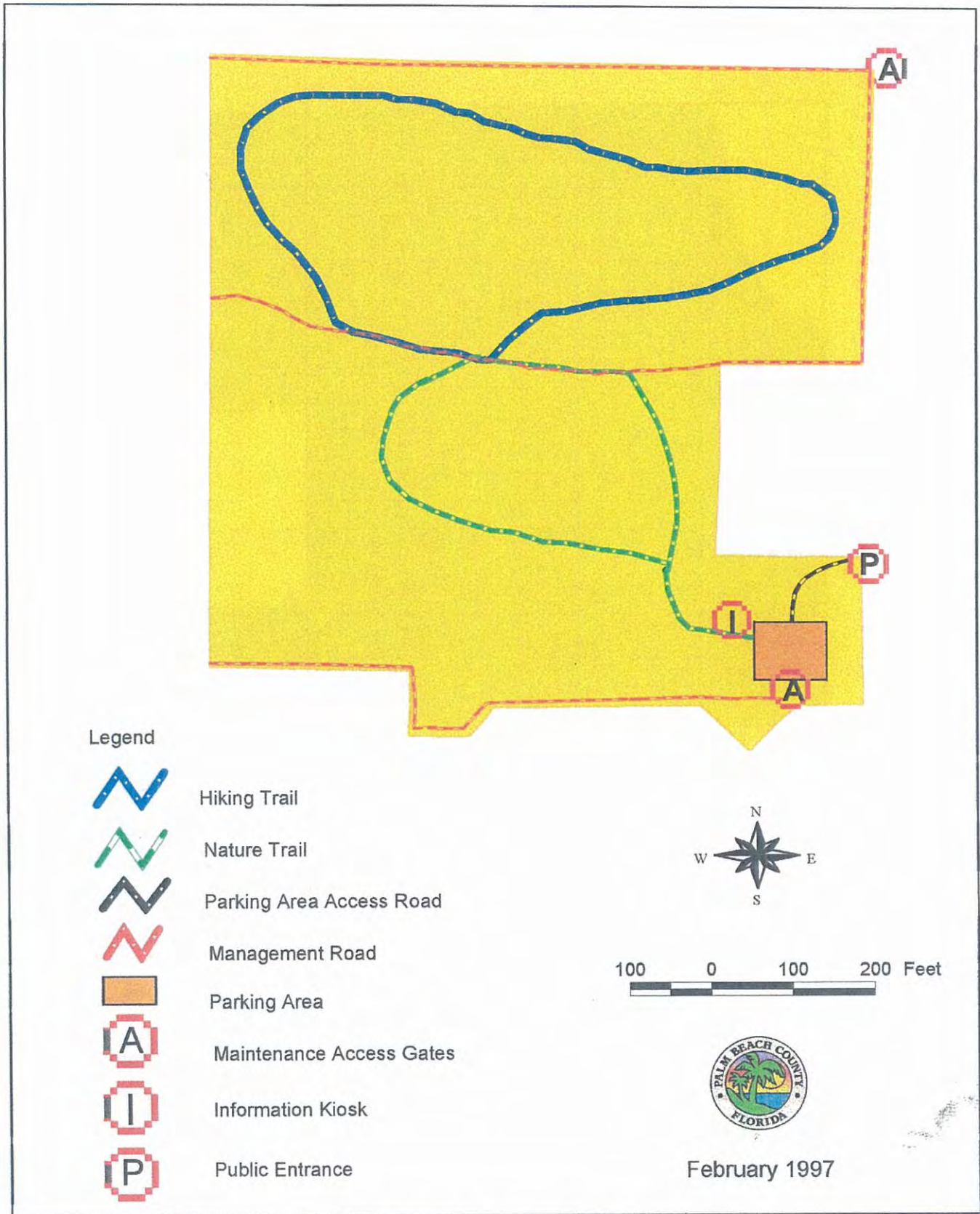


**Figure 1 - Rosemary Scrub Location Map**

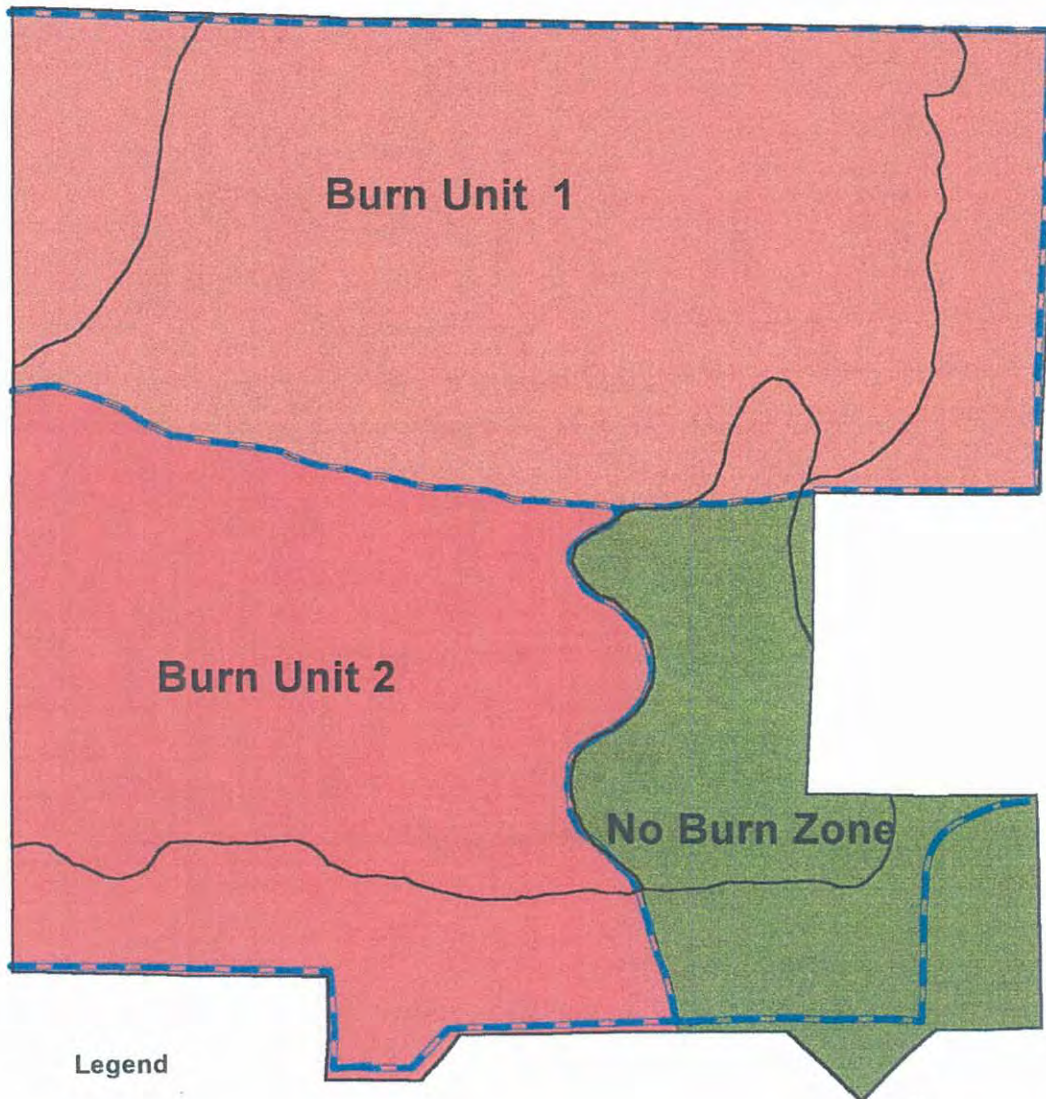


**Figure 2 - Rosemary Scrub Vegetation Map**





**Figure 3 - Rosemary Scrub Master Plan**



**Legend**



Management Roads/Firebreaks

Vegetation Boundaries



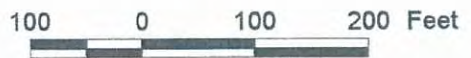
Burn Unit 1



Burn Unit 2



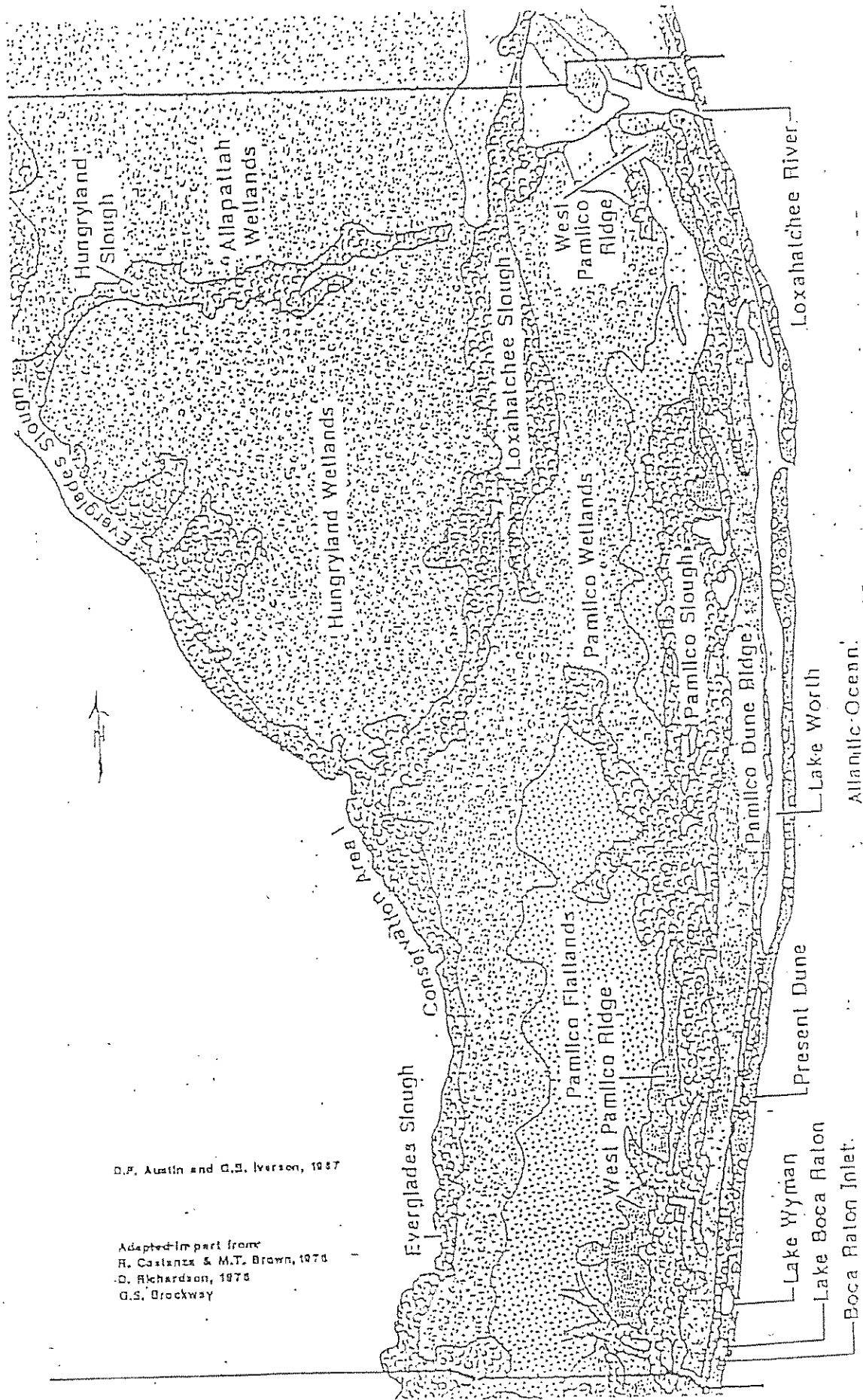
No Burn Zone



February 1997

**Figure 4 - Rosemary Scrub Management Units**

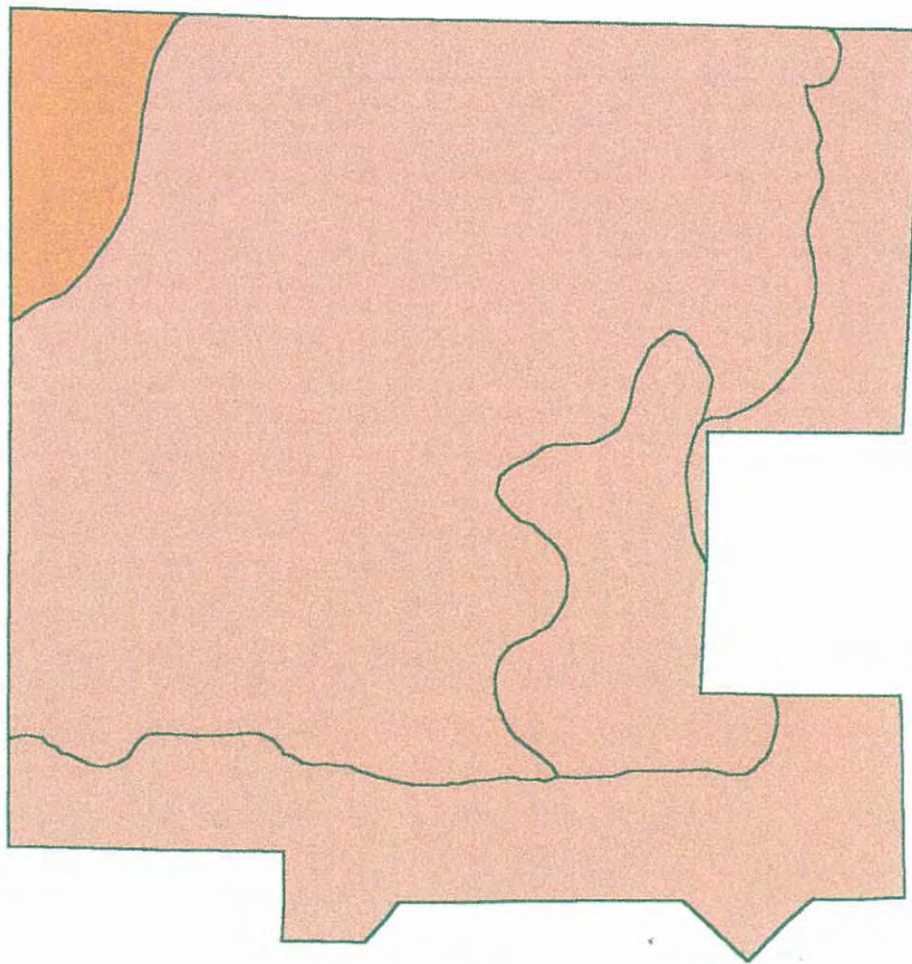




D.F. Austin and G.S. Iverson, 1947


Adapted in part from  
 H. Casler & M.T. Brown, 1970  
 D. Richardson, 1975  
 G.S. Brockway

FIGURE 6 - Biogeographic Regions of Palm Beach County Florida



**Legend**

 Immokalee Fine Sand

 St. Lucie Fine Sand

 Vegetation Boundaries



200 0 200 Feet



February 1997

**Figure 7 - Rosemary Scrub Soils Map**

TABLE 1. LISTED PLANT AND ANIMAL TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA

COMMON NAME	SCIENTIFIC NAME	LISTING STATUS				
		FGFWFC	FNAI	USFWS	FDACS	TOT
<b>PLANTS</b>						
Boston Fern	<i>Nephrolepis biserrata</i>	N	N	N	T	1
Common Wild Pine	<i>Tillandsia fasciculata</i>	N	N	N	E	1
Curtiss' Milkweed	<i>Asclepias curtissii</i>	N	G3/S3	N	E	3
Giant Wild Pine	<i>Tillandsia utriculata</i>	N	N	N	E	1
Large-flowered Rosemary	<i>Conradina grandiflora</i>	N	G3/S3	N	E	3
Nodding Pinweed	<i>Lechea cernua</i>	N	G3/S3	N	T	3
Prickly Pear Cactus	<i>Opuntia stricta</i>	N	N	N	T	1
Reflexed Wild Pine	<i>Tillandsia balbisiana</i>	N	N	N	T	1
Scrub Bay	<i>Persea humilis</i>	N	G4/S3	N	N	2
<b>ANIMALS</b>						
American Redstart	<i>Setophaga ruticilla</i>	N	G5/S3	N	N	2

Notes:

FGFWFC = Florida Game and Fresh Water Fish Commission  
 FNAI = Florida Natural Areas Inventory  
 USFWS = United States Fish and Wildlife Service  
 FDACS = Florida Department of Agriculture and Consumer Affairs  
 TOT = Total listings; FGFWFC, E, T, or SSC; FNAI G1, G2, G3, S1, S2, or S3; USFWS, E, T, C1, or C2; FDA, E, T, or CE

Occurrences determined through field surveys conducted by ERM staff. Listings by FNAI are from an April 12, 1993 computer printout; listings by FDACS, FGFWFC and USFWS are from Florida Game and Fresh Water Fish Commission (1996). Listing categories are defined in Appendix D.

**TABLE 2. COST ESTIMATES AND FUNDING SOURCES FOR PREPARATION OF ROSEMARY SCRUB NATURAL AREA FOR PUBLIC USE**

ITEM	ESTIMATED COST	FUNDING SOURCE
CHAIN-LINK FENCE (2,860 ft)	\$37,906	BOND REFERENDUM *
SPLIT-RAIL FENCE (550 ft)	3,025	BOND REFERENDUM
MAINTENANCE ACCESS GATE (2)	\$400	BOND REFERENDUM
ENTRANCE GATE (1)	\$2,500	BOND REFERENDUM
ENTRANCE SIGN (1)	\$3,400	BOND REFERENDUM
DEDICATION SIGN (1)	\$150	BOND REFERENDUM
TEMPORARY SIGNS (5)	\$125	BOND-REFERENDUM
PERIMETER SIGNS (8)	\$120	BOND REFERENDUM
MAIN GATE SIGN (1)	\$50	BOND REFERENDUM
ENGINEERING, DESIGN, AND PROJECT MANAGEMENT	\$27,000	BOND REFERENDUM
KIOSK AND DISPLAY PANELS (1)	\$7,500	BOND REFERENDUM
PARKING AREA AND ENTRANCE ROAD	\$31,750	BOND REFERENDUM
PARKING STOPS (5) AND STRIPING	\$1,250	BOND REFERENDUM
NATURE TRAIL (1100 ft)	\$13,200	BOND REFERENDUM
ACCESS TRAILS/FIREBREAKS (5,700 ft)	\$2,000	VOLUNTEERS & BOND REFERENDUM
BICYCLE RACK (1)	\$700	BOND REFERENDUM
MOUNTED GARBAGE CAN (1)	\$350	BOND REFERENDUM
FUEL REDUCTION BURN (1)	\$7,500	BOND REFERENDUM
INITIAL EXOTIC PLANT CONTROL	\$10,000	BOND REFERENDUM
<b>TOTAL PROJECTED COSTS (in 1997 dollars)</b>	<b>\$148,926</b>	

\* Palm Beach County Environmentally Sensitive Lands Bond Referendum, March 12, 1991.

Note: All site improvement activities will be coordinated and overseen by existing ERM staff.

**TABLE 3. ESTIMATED ANNUAL MAINTENANCE AND OPERATION COSTS FOR ROSEMARY SCRUB NATURAL AREA**

City responsibilities:

Emptying of trash receptacles	\$ 600*
Opening and closing entrance gates	7,300*
wing of perimeter boundary road/firebreak 2 times a year @ \$100 each mowing	200*
	<hr/>
Subtotal	\$ 8,100

County responsibilities:

Replacement of fence and gates \$43,831 initial cost with 15-year expected life	\$ 2,922***
Repair/replacement of parking areas, signs, kiosks, handicapped-accessible nature trail \$58,470 initial cost with 15-year expected life	3,898***
Prescribed habitat burns (personnel and equipment) \$7,500 cost per burn - one burn every 20 years	375**
Maintenance of interior management roads and hiking trails	300***
Maintenance exotic plant control \$15 per acre for 14 acres	210***
Site management - monitoring program, management plan updates and reports, listed species protection, volunteer coordination and supervision, educational materials, intergovernmental coordination - to be performed by ERM staff	8,469**
	<hr/>
Subtotal	\$16,174

TOTAL COSTS (in 1997 dollars)	<hr/> <hr/> \$24,274
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\* To be performed by existing City of Boynton Beach personnel.  
 \*\* To be performed by existing Palm Beach County personnel.  
 \*\*\* To be paid for from the Natural Areas Stewardship Endowment Fund.



**TABLE 4. PRIORITY SCHEDULE FOR PREPARATION OF ROSEMARY SCRUB NATURAL AREA FOR PUBLIC USE**

NUMBER OF MONTHS FROM CLOSING DATE	1	3	6	12	24	36
Install temporary signs	X					
Contract for, and obtain permits to clear, management roads		X				X
Clear management roads		X	X			X
Volunteer day - cleanup of site		X	X	X		
Install fencing			X	X		
Initial invasive plant removal			X	X	X	X
Install perimeter signs				X		
Write fire management plan				X		
Review of draft management plan by NAMAC					X	
Volunteer Day - remove exotics, clear and mark access trails and mark nature trail interpretive stations					X	X
Develop slide show					X	
Management plan public hearing					X	
County Commission approval of management plan					X	
Contract for, and obtain permits to construct, parking area and nature trail						X
Construct parking area and nature trails						X
Design and print nature trail guide						X
Adapt and record nature trail guide on tape for handicapped use						X
Design and contract for kiosk display						X
Install kiosk						X
Design and erect entrance sign						X

**APPENDIX A**  
**NATURAL RESOURCES INVENTORY AND ASSESSMENT**

**B 03/04/97**

## NATURAL RESOURCES INVENTORY AND ASSESSMENT

The Rosemary Scrub Natural Area represents a small remnant of an extensive mosaic of upland and wetland communities formerly present along the peninsular coastline of southeastern Florida. Agriculture, urbanization, hydrologic modifications, and a host of other human disturbances have eliminated or severely modified the majority of the upland natural communities in this area. Now, only a small percentage remains. Freshwater wetland communities have been preserved mostly in the western sections of the area, and are rare within the urbanized areas.

The acquisition of sites like the Rosemary Scrub Natural Area is an important part of the process of preserving examples of rare natural communities and rare and/or endemic plant and animal species in southeastern Florida. If the goal of preserving these historic remnants is to succeed, management of these sites must be conducted in an active manner. Managers must recognize that these sites are disturbed fragments of larger historic ecosystem mosaics. Management activities must include elimination or mitigation of as many disturbances to the remaining natural communities as possible.

In order to develop meaningful management objectives and procedures, a thorough inventory and assessment of the site's natural resources must be conducted. Information must be obtained on physiography, special geologic features, soils, hydrology, climate, natural communities, fauna, land-use history, and taxa of special concern. Within these categories, it is critical to identify the disturbance processes that may have altered ecosystem structures and functions and thereby affect long-term management goals. Common names have been used for plant and animal species and genera when a unique common name exists. When a common name is not unique to a single species or genus, scientific names have been used. Scientific and common names for plant and animal species are listed in Appendixes B and C, respectively.

The following sections offer an initial attempt to provide this information. However, much work remains to be done, and every effort has been made to identify information gaps where they exist.

### Physiography and Biogeographic Regions

Using the system developed by Brooks (1982), Florida lies within the Coastal Plain Province as defined in Physiography of Eastern United States (Fenneman 1938). The bulk of the state belongs in the Florida Section, which Brooks defines as "...a distinctive physiographic unit characterized by the influences that solution of the underlying limestones have had on the development of topographic features." The mostly underlying limestone was deposited during the Cretaceous, Tertiary, and Quaternary. Sand is the dominant surficial material.

Brooks uses four major classical principles to define the physiographic subdivisions of the Florida Section: (1) rock and soil type; (2) geological structure of the underlying rocks; (3) geomorphic processes; and (4) relief. Additional principles are used to define minor divisions. He also believes that "...there is a direct relationship between the natural vegetation and the physiographic units as now distinguished."

Most of southeastern Florida is located within the Gold Coast-Florida Bay District. While this area is dominated by the Everglades, the extreme eastern portion is composed mostly of a series of relict dunes and/or shoals. This area is called the Southern Atlantic Coastal Strip (Brooks 1982). It extends from approximately Juno Beach southward into extreme southern Dade County. Davis (1943) also recognized this physiographic division, which he termed the Atlantic Coastal Strip and Miami Rock Ridge. He described the southern portions of this division (almost exactly corresponding to Brooks' Southern Atlantic Coastal Strip) as "a barrier ridge between the Everglades basin and the sea," which is composed of "sand ridges and elongated depressions" with rocklands in the southern portion.

The two northernmost divisions of the Southern Atlantic Coastal Strip are the Palm Beach-Deerfield Ridge and the Green Acres Sandy Prairie. The Palm Beach-Deerfield Ridge lies to the east of the Green Acres Sandy Prairie and encompasses a narrow band of peninsular Palm Beach County as well as the barrier islands within the county. The soils are dominated by well-drained sands and elevations reach 48 feet above sea level. Scrub vegetation with some sand pine is described by Brooks as the typical vegetation. In contrast, the Green Acres Sandy Prairie has elevations mostly under 20 feet and is described by Brooks as a gently sloping plain dominated by pine flatwoods and wet prairie. The Rosemary Scrub Natural Area is located within the Palm Beach-Deerfield Ridge.

Iverson and Austin (1988) divided Palm Beach County into a number of biogeographic regions, which correlated the biological and physiographic features of the county (Figure 6). Along the eastern edge of Palm Beach County, they identified the Present Dune immediately adjacent to the Atlantic Ocean and the Pamlico Dune Ridge, an area of Pleistocene dunes historically separated from the Present Dune by a series of sloughs, rivers, and lakes. These two biogeographic regions approximately correspond to Brooks' Palm Beach-Deerfield Ridge. In most portions of the county, a low area called the Pamlico Slough is present immediately to the west of the Pamlico Dune Ridge. Further to the west, there is a series of fragmented dunes that are collectively called the West Pamlico Ridge. This biogeographic region is present in the southern and northern portions of the county but absent in between them. The Pamlico Slough and West Pamlico Ridge roughly correspond to Brooks' Sandy Green Acres physiographic division. To the west of this region lies a series of flatlands, marshes and sloughs. The Rosemary Scrub Natural Area is located on the Pamlico Dune Ridge. Elevations range from a low point of 17.4 feet to a high point of 20.9 feet (Shepard, 1986).

The historic soils of the Pamlico Dune Ridge are classified in the well-drained St. Lucie-Urban Land-Paola association; the soils of the Pamlico Slough and West Pamlico Ridge are classified within a number of soil associations with poorly-drained and moderately well-drained soils (United States Soils Conservation Service [SCS] 1978). Both Iverson and Austin (1988) and Fernald (1989) identify scrub as the dominant community on both the Pamlico Dune Ridge and the West Pamlico Ridge. However, neither distinguishes between scrub and scrubby flatwoods within their mapping units, and it would be expected that substantial differences in vegetation historically existed between these two biogeographic regions.

The Treasure Coast Region, while not a physiographic or biogeographic region, is often used to describe or evaluate natural communities or species in southeastern Florida (e.g., Fernald 1989). The Treasure Coast Region is a political unit regulated by the Treasure Coast Regional Planning Council, which encompasses Indian River, St. Lucie, Martin, and Palm Beach counties.

### **Special Geologic Features**

The Pamlico Dune Ridge should be considered a special geologic feature. Most of the relict Pamlico Dune Ridge has been developed in Palm Beach County, and there are few remaining places where this geologic feature is still distinguishable other than a hill in an east-west road transect.

### **Soils**

Brown et al. (1990) urged that caution should be used when utilizing soil maps, even at the scales of county soil maps, because soil properties are highly variable over the landscape. Despite these problems, the Palm Beach County soil map (SCS 1978) is a very useful tool in determining the historic distributions of natural communities and flora as well as in predicting responses of natural communities to alterations of historic hydrology and fire frequency.

The following descriptions of soil series, soil phases, and vegetation are based almost exclusively upon the above-mentioned soil map and accompanying descriptions. Scientific names have been added by the authors for clarification whenever possible. SCS (1989) correlated soil types with ecological communities in Florida, and these correlations are listed for each soil series. Fernald (1989) classified certain soils as soils that historically supported a xeric association. His classification of each soil series also is included. Although the present tense is used to describe these soils, most soils in Palm Beach County have been modified by hydrologic manipulations and other disturbances. Alterations to soils are described where possible.

Only two soil series are found at the Rosemary Scrub Natural Area. The entire site is classified within the St. Lucie-Urban land-Paola association, which is described as nearly-level to sloping, excessively-drained soils that are sandy throughout. The site is dominated by the St. Lucie series, with the Immokalee series apparently occupying a small portion on the northwestern corner of the site. Although the soil map shows the Immokalee mapping unit ending just outside the site's boundary, the vegetation differences and soil appearance indicate that it extends into the site. Mapping units are usually delineated by the vegetation depicted on aerial photographs and unit boundaries often have small errors. Each of these soil series is represented by one soil phase (Figure 7).

### **St. Lucie Soils**

The St. Lucie series consists of nearly-level to sloping, excessively-drained, deep, sandy soils on long, narrow, dune-like coastal ridges and isolated knolls along the Atlantic Coast. They are formed in thick beds of marine or wind-blown sands. Under natural conditions, the water table is below a depth of 72 inches. Generally, the soil surface layer is gray sand about 5 inches thick. The subsoil is composed of white sand that extends to a depth of 80 inches or more. Permeability is very rapid throughout. The available water capacity is very low. Organic matter content and natural fertility are very low. SCS (1989) listed sand pine scrub as the typical ecological community found on this soil. Fernald (1989) considered St. Lucie sand to be a primary scrub soil; sand pine scrub dominates this soil.

This series is represented at the Rosemary Scrub Natural Area by one soil phase, St. Lucie sand, 0 to 8 percent slopes, which is described as a nearly-level to sloping, excessively-drained, deep, sandy soil. This soil is found on long, narrow, dune-like ridges and isolated knolls near the Atlantic coast. Under natural conditions, the water table is below 72 inches. Included in this mapping unit are small areas of Paola, Palm Beach, and Pomello soils; soils that have either a dark-colored organic-stained layer, or a brownish-yellow layer within a depth of 80 inches. The natural vegetation is described as including sand pine, scrub oak, saw palmetto, and rosemary; the surface is sparsely covered by grasses, prickly pear cacti, and lichens (*Cladonia* spp.).

This soil phase occupies approximately 94% of the site. The only modification to this historic soil that would be expected at the Rosemary Scrub Natural Area would be an increase in the depth from the soil surface to the water table.

## **Immokalee Soils**

The Immokalee series consists of nearly-level, poorly-drained, deep, sandy soils that have a dark-colored layer below a depth of 30 inches that is weakly cemented with organic matter. They are formed in deep, sandy, marine sediments. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months during wet periods, within 10 to 40 inches for 8 months or more in most years, but is below 40 inches in dry periods.

Generally, the soil surface layer is black fine sand in the upper 4 inches and dark gray fine sand in the lower 7 inches. The subsurface layers are composed of gray and light gray fine sands to a depth of 37 inches; black and dark gray fine sand extends to a depth of 45 inches. Below this is black fine sand, weakly-cemented with organic matter to a depth of about 58 inches, loose dark reddish-brown fine sand to a depth of 79 inches, and loose brown fine sand at a depth of 79 inches or more. Permeability is very rapid to a depth of 37 inches, moderately rapid to a depth of 79 inches, and rapid below this. The available water capacity is medium in the weakly-cemented layer and low in all other layers. Natural fertility is low in all layers. SCS (1989) listed South Florida flatwoods as the typical ecological community found on this soil. Scrubby flatwoods dominate this soil on the Rosemary Scrub Natural Area.

This series is represented at the Rosemary Scrub Natural Area by one soil phase, Immokalee fine sand, which is described as a nearly-level, poorly-drained, deep sandy soil that has a dark-colored layer below a depth of 30 inches that is weakly-cemented with organic matter. This soil is found in broad flatwood areas. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months during wet periods, within 10 to 40 inches for 8 months or more in most years, but is below 40 inches in dry periods. Included in this mapping unit are small areas of Myakka, Basinger, Wabasso, and Oldsmar soils. The natural vegetation is described as including slash pine, saw palmetto, inkberry, fetterbush, pineland three-awn, and many other grasses.

This soil phase is located in the northwestern corner, where it occupies approximately 6% of the site. The only modification to this historic soil that would be expected at the Rosemary Scrub Natural Area would be an increase in the depth from the soil surface to the water table, which has encouraged a shift in vegetation from mesic flatwoods to scrubby flatwoods.

## **Hydrology**

The Surficial Aquifer System underlies all of Palm Beach County. It starts just below the land surface and has an average thickness of 200 feet. It is composed of unconsolidated sand and shell, with discontinuous clay

and silt lenses overlying limestone and sandstone. This system is the primary source of freshwater for eastern Palm Beach County and historically provided water resources critical to wetland and upland natural communities. Eastern Palm Beach County is underlain by the Turnpike Aquifer, which is the northern extension of the Biscayne Aquifer. This is generally the most permeable portion of the Surficial Aquifer System, and most County wellfields are located in this area.

The proposed acquisition area contains no drainage improvements and is not connected to any historic wetland system. Due to the highly permeable nature of the soils at the Rosemary Scrub Natural Area, stormwater runoff would not occur except during extreme storm events. In these cases, stormwater runoff would be expected to flow east toward Seacrest Boulevard and west toward Interstate 95, both of which are at slightly lower elevations than the site.

While specific hydrologic information for this site was not gathered during the preparation of this report, it is expected that the water table has dropped by several feet due to local and regional hydrologic manipulations. The E-1 Canal that lies approximately one mile west of the site drained as much as six feet of water from the former wetlands between the canal and the site (USDI, 1940, 1983). Davis (1943) reviewed the impacts of drainage on the Everglades; average soil subsidence following drainage was estimated at 1.5 feet during the first 10 years following drainage. Most of this subsidence was caused by the slow oxidation of organic soils above the water table.

Iverson and Austin (1988) noted that the regional lowering of the water table could lead to successional changes in ecosystems and to invasion of sites by exotic species. Due to the lack of organic matter and the natural depth to water table, it is not likely that the areas of St. Lucie soil have been greatly impacted by drainage. The areas of Immokalee soil have likely become more xeric.

### Climate

The average temperature in Palm Beach County is 75 degrees Fahrenheit; the average rainfall is 62 inches (SCS 1978). More important than water quantity is the temporal distribution of rainfall. A distinct dry season generally occurs from October through May, and a wet season from June through September. Although the rainy season may start any time between May and July, years in which the onset of the rainy season is delayed beyond the end of June are generally considered to be drought years (Snyder et al. 1990). Rainfall within the rainy season is also unevenly distributed, with most of the rainfall occurring in June and September (Snyder et al. 1990).



Average temperatures vary little over eastern Palm Beach County. More important to vegetation are freezing temperatures, which can occur any year. Hard freezes, such as those experienced in the winters of 1976/77 and 1989/90, may play a major role in the long-term distribution of frost-sensitive flora.

Hurricanes, tropical storms, and tornados strike south Florida often. Gentry (1974) estimated that hurricanes alone hit south Florida every three years. All three of these weather events bring high winds, which may lead to tree fall, snapped trees, and broken branches in forest communities. Although these storms infrequently strike individual areas, they undoubtedly influence the composition of vegetation and may help maintain high levels of biological diversity in natural communities. In addition, Myers (1990) speculates that windthrow may be as important as fire in maintaining coastal scrub, especially in the Florida Panhandle. Heavy rains and flooding associated with tropical storms and hurricanes also may influence natural communities. Although south Florida had been spared a major hurricane for 30 years, the damage caused by Hurricane Andrew in 1992 made it clear that hurricanes can cause major changes in natural communities.

#### **Other Abiotic Features**

There are few other abiotic features at the Rosemary Scrub Natural Area. There are several off-road vehicle trails that run through the proposed acquisition area, a utility easement that runs from east to west through the southern portion of the site, and various small piles of debris located throughout the site.

#### **Natural Communities**

The following discussion provides a general description of the vegetative communities found at the Rosemary Scrub Natural Area, together with an assessment of their condition. Wherever possible, the vegetative community classifications are based upon the FNAI system (FNAI and DNR 1990). In some cases, the community present does not fit well in any FNAI classification and an alternative classification has been used to supplement the FNAI system. Whenever this has been done, every effort has been made to identify and describe the natural communities that historically occupied the alternatively classified areas. The phrase "natural community" is used in this plan, even when historic associations have been heavily modified. It should be noted that any classification system is artificial and that not all portions of a natural area will fall neatly into discrete classification units.

The present-day natural communities at the Rosemary Scrub Natural Area represent a mosaic of historic, successional, and disturbed natural communities (Figure 2). It appears that the entire site was historically dominated by scrub and scrubby flatwoods. Today, this area is occupied by remnant scrubs and scrubby flatwoods with areas of significant perimeter disturbance. Modifications to historic natural communities have

primarily been the result of decades of fire exclusion, off-road vehicle traffic, clearing and mowing, and exotic pest plant invasions. In this report, the natural communities on site are classified as scrub, scrubby flatwoods, mesic hammock, and disturbed scrub.

Descriptions of each community in this report are taken from the FNAI text where applicable and from field observations for alternative communities. A comprehensive listing of the plant taxa recorded at the Rosemary Scrub Natural Area is provided in Appendix B. Wildlife inventories are provided in Appendix C. Although a detailed species inventory was done for this site, it is possible that some species were missed that may be added in the future.

### **Scrub**

Scrub communities are highly variable in form but generally are characterized by the occurrence of several species of oaks and/or rosemary as dominant shrubs in the understory (Myers 1990). The overstory, if present, consists of a closed to open canopy of sand pine. The understory, which is more definitive of the general scrub community, is typically composed of shrubby, evergreen or nearly evergreen oaks that include sand live oak, myrtle oak, Chapman's oak, and, on the Lake Wales Ridge, scrub oak (*Quercus inopina*). Rosemary may be dominant, may be found with oaks, or may be absent (Myers 1990). Other typical plants include saw palmetto, rusty lyonia (*Lyonia ferruginea*), scrub hickory (*Carya floridana*), scrub palmetto, hog plum, scrub bay, scrub beak-rush, milk peas (*Galactia* spp.), and staggerbush (FNAI and DNR 1990).

All of the aforementioned plant taxa have been recorded at the Rosemary Scrub Natural Area, with the exception of scrub oak, rusty lyonia, and scrub hickory. The ranges of both scrub oak and rusty lyonia are restricted to areas further to the north (Wunderlin 1982), and these species would not be expected to be present at the Rosemary Scrub Natural Area. Scrub hickory is known from Palm Beach County, but has a very patchy and scattered distribution.

Iverson and Austin (1988) developed a list of 24 indicator plant species for scrub in Palm Beach County. At the time of their report, 19 (or 79%) of these species had been recorded at the Rosemary Scrub Natural Area (Appendix C). Fernald (1989) also developed a list of scrub indicator plant species for the coastal scrubs of the Treasure Coast. Twenty-eight of the 47 species (or 60%) have been found at the Rosemary Scrub Natural Area (Appendix C). Scrub, in both of these cases, refers to both scrub and scrubby flatwoods natural communities (sensu FNAI).

Several rare and/or endemic plant species that usually are associated with scrub have been recorded at the site. These include large-flowered rosemary, nodding pinweed, Curtiss' milkweed, prickly pear cactus, scrub

bay, common wild pine, giant wild pine, and reflexed wild pine. All of these species have been listed by at least one government agency or nonprofit environmental organization, and are recognized as imperiled to varying degrees (Table 1).

Fauna typically associated with scrub include red widow spider (*Latrodectus bishopi*), scrub wolf spider (*Lycosidea*), oak toad, six-lined racerunner, blue-tailed mole skink (*Eumeces egregius lividus*), gopher tortoise, coachwhip (*Masticophis flagellum*), sand skink (*Neoseps reynoldsi*), Florida scrub lizard, Florida scrub jay, common ground dove, yellow-rumped warbler (*Dendroica coronata*), loggerhead shrike (*Lanius ludovicianus*), rufous-sided towhee, Florida mouse, and eastern spotted skunk (Cox et al. 1987; FNAI and DNR 1990; Myers 1990). Of these species, the six-lined racerunner, rufous-sided towhee, and yellow-rumped warbler have been recorded at the site (Appendix C).

Scrub communities are characterized by very-well-drained, nutrient-poor soils, a relatively open canopy, a dense to open understory layer, and a sparse groundcover. They are also one of the many pyric (fire-maintained) communities that occur in Florida (Fernald 1989; Myers 1990). In the prolonged absence of fire, the structure and species composition of these communities will gradually change, often resulting in succession to xeric hammock. Alternatively, where sand pines are abundantly present in the canopy, a dense sand pine forest may develop and shade out most of the other species that are typical of scrub (Fernald 1989). Regular fires occurring at intervals of every 20-80 years may naturally return stands of mature scrub to a younger, more open state (FNAI and DNR 1990). Much debate exists, however, concerning historic fire frequencies in scrub (Fernald 1989), and this subject deserves further attention in southeastern Florida. Periodic fire is one of the physical disturbances that may maintain the areas of open sand that characterize typical scrub. It probably is necessary for the growth and proliferation of many of the rare and/or endemic species that are found in scrub communities in Florida.

The density of sand pine within a scrub canopy often is a reflection of fire frequency. Individual sand pines usually are killed by fire, but normally are replaced through reseeding. It takes nearly 10 years for the replacement stand of sand pines to mature and begin producing new seeds (Austin 1976). Long-term fire exclusion also may lead to the elimination of sand pines from a scrub site. Myers (1990) estimated that stands of sand pines may begin to break up after 50-70 years, and that individual trees rarely reach 100 years of age. As such, a sequence of fires at relatively short intervals or relatively long intervals may eliminate sand pines from the system entirely. Florida rosemary, which also succumbs to fire and requires 10-15 years to reach reproductive maturity, may be eliminated from scrub because of relatively frequent fires (Johnson 1982). Most of the other scrub species resprout readily from root-shoots following fire, although their resistance to fire exclusion varies tremendously.

In spite of these generalizations regarding scrub, it is difficult to extrapolate the history of a scrub site based solely upon vegetative composition. Scrub is a dynamic community, and existing stands reflect a complex interplay of fire frequency, historic land use patterns, and local, site-specific factors such as topography, depth to water table, and relationships to adjoining vegetation.

Many different scrub types have been noted in the literature (Fernald 1989). Distinctions between interior versus coastal scrubs, soil color ("white" versus "yellow" sands), and dominant species (sand pine, rosemary, oak) have been cited. As no differentiation of scrub types occurring in the Treasure Coast Region had been published, Fernald (1989) did not distinguish between scrub types in his mapping units. He did distinguish between scrub and scrubby flatwoods in his discussion and separated scrubby flatwoods into scrubby oak flatwoods and scrubby pine flatwoods. His scrubby oak flatwoods may be equivalent to the oak scrub of other authors (e.g., Duever 1983). Iverson and Austin (1988) also did not distinguish between scrub types in their Inventory of Native Ecosystems in Palm Beach County. Differences in scrub types may play an important role in the regional distribution of both flora and fauna, and deserve further attention.

The Nature Conservancy has recently completed an Element Stewardship Abstract (ESA) for the scrub community. This ESA provides an overview of the ecology and management needs of scrub, and may be of assistance in directing management efforts at the Rosemary Scrub Natural Area. FNAI classifies scrub as G2/S2, or a natural community that is imperiled both in the state and globally.

Given the predominance of St. Lucie sand on the site, it seems probable that scrub has historically dominated the site. ERM has calculated that the area of intact scrub habitat is 8.57 acres, and the area of disturbed scrub is 3.19 acres, for a total of 11.76 acres or 86% of the site. Sand pines range in size from 12-30 inches dbh (diameter at breast height) and in some areas create a closed canopy. Sand pines with both serotinous and non-serotinous cones are present. Aerial photographs indicate that the last fire in the scrub habitat occurred around 1950, and some of the sand pines show signs of becoming senescent. The only young sand pines seen on the site are in the ecotone edge of the scrubby flatwoods habitat, where a wildfire occurred in the late 1980s.

In areas of sand pine canopy closure, the oak understory is described as sparse. In areas with little or no sand pine canopy, the understory is dominated by sand live oak and myrtle oak reaching heights of 10-12 feet. The groundcover layer is described as sparse in areas of dense oaks. Other common plants recorded in this area include ball-moss, giant wild pine, large-flowered rosemary, staggerbush, hog plum, and scrub beak-rush. Along the margins of the scrub and in light gaps, additional species such as dayflower, gopher apple, ground nut, scrub golden aster, shiny blueberry, and *Palafoxia feayi* are present.

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## Scrubby Flatwoods

Scrubby flatwoods communities generally occur in transitional areas between mesic flatwoods and scrub. While some consider scrubby flatwoods as an ecotonal or even an artificial community, others classify it as a discrete community or association (Abrahamson and Hartlett 1990; FNAI and DNR 1990). The canopy is usually composed of scattered pines, which may include slash pine, sand pine, or longleaf pine (*Pinus palustris*). The understory is usually dominated by scrub oaks (*Quercus myrtifolia*, *Q. geminata*, *Q. chapmanii*, and *Q. inopina*), saw palmetto or scrub palmetto, or a combination of these taxa. Other typical taxa include staggerbush, wiregrass, shiny blueberry, gopher apple, rusty lyonia, tarflower (*Befaria racemosa*), golden aster, ground lichens (*Cladonia* spp.), scrub-bay, garberia (*Garberia heterophylla*), huckleberries (*Gaylussacia* spp.), goldenrods (*Solidago* spp.), running oak (*Quercus pumila*), pinweeds (*Lechea* spp.), and frostweeds (*Helianthemum* spp.) (FNAI and DNR, 1990).

All of these taxa have been recorded at the Rosemary Scrub Natural Area, except for longleaf pine, rusty lyonia, tarflower, garberia, running oak, and huckleberries. Longleaf pine, garberia, and rusty lyonia are not found in southeastern Palm Beach County, but the other taxa could be found at the Rosemary Scrub Natural Area in the future.

Fauna normally associated with scrubby flatwoods include oak toad, pinewoods tree frog (*Hyla femoralis*), gopher tortoise, six-lined racerunner, eastern diamondback rattlesnake (*Crotalus adamanteus*), Florida scrub lizard, blue-tailed mole skink, sand skink, bobwhite quail (*Colinus virginianus*), common ground dove, Florida scrub jay, rufous-sided towhee, southeastern pocket gopher (*Geomys pinetis*), and Florida mouse (Abrahamson and Hartlett 1990). Of these, six-lined racerunner and rufous-sided towhee have thus far been documented on the site.

Typical flatwood communities are characterized by a low, flat topography, and moderately- to poorly-drained, acidic, sandy soils often overlying an organic or clay hardpan (Abrahamson and Hartlett 1990; FNAI and DNR 1990). Generally, an overstory of pines is present, which may consist of longleaf pine, slash pine or pond pine (*Pinus serotina*). The understory is quite variable, but generally includes species such as saw palmetto, gallberry (*Ilex glabra*), and wiregrass. Differential drainage, together with fire history, accounts for the highly variable species composition and physiognomy that is observed within and among flatwoods communities. As such, flatwoods are usually distinguished as either wet flatwoods, mesic flatwoods, or scrubby flatwoods (FNAI and DNR 1990). Like scrub and sandhill, flatwoods are pyric communities that are maintained by regular incidences of fire.

Scrubby flatwoods differ from other types of flatwoods in that they occur at slightly higher elevations, on more well-drained soils. Even under extremely wet conditions, scrubby flatwoods will not flood (Abrahamson et al. 1984). The structure and species composition of scrubby flatwoods is more closely aligned with scrub than with other types of flatwoods. Due to the relatively sparse ground cover, the presence of scrub oaks, and the presence of open, sandy areas, fire frequency in scrubby flatwoods is lower than in other flatwoods communities, and has been estimated at 8 to 25 years (FNAI and DNR 1990). In the absence of regular fire, scrubby flatwoods may develop towards scrub on drier sites, or xeric live oak hammock on less well-drained sites (Laessle 1942). A successional pathway from xeric live oak hammock to mesic hammock also has been proposed (Laessle 1942).

For inventory purposes, neither Iverson and Austin (1988) nor Fernald (1989) distinguished between scrub and scrubby flatwoods. Fernald (1989), however, did distinguish between scrub and scrubby flatwoods in his discussion, and differentiated between scrubby pine flatwoods and scrubby oak flatwoods. His scrubby oak flatwoods may be equivalent to the oak scrub of other authors (e.g., Duever 1983).

Abrahamson and Hartlett (1990) point out that although the scrubby flatwoods community is nearly endemic to Florida and is relatively limited in total area, this natural community has received little study. FNAI lists this community as G3/S3, or a natural community that is very rare and local, or vulnerable to extinction due to other factors, both in the state and globally.

ERM has classified the northwestern portion of the site as scrubby flatwoods and calculated the total area of this community at 0.64 acres. The overstory is dominated by scattered slash pines, with the height of the tallest pines exceeding 40 feet. Regeneration is sparse and the caliper of slash pines ranged from 12-24 inches dbh. Sand pine saplings and seedlings are scattered in the eastern ecotonal border with the scrub natural community. The understory layer is a moderately open to dense thicket of sand live oak, myrtle oak, and saw palmetto, with scattered hog plum and fetterbush. The groundcover layer is dominated by grasses in some areas, but is otherwise characterized by sparse, open, sandy areas. Underneath the oaks, scrub beak-rush, gopher apple, and sand live oak seedlings are present. In the open sandy areas, dominant herbs include sand spikemoss, corkscrew threeawn, golden aster, and hair sedge.

Human disturbances in this areas have been limited to sporadic dumping and off-road vehicle damage. Because of the different plant and animal taxa that may depend upon this community for survival at the Rosemary Scrub, efforts will be made to preserve historic areas of scrubby flatwoods at the Rosemary Scrub Natural Area.

### **Mesic Hammock**

ERM has classified a portion of the southeastern part of the site as mesic hammock and calculated its area at 1.29 acres. This natural community is dominated by tree-sized scrub oaks, with scattered redbay, and numerous cabbage palms emerging in the understory. The muscadine grape and the exotic rosary pea vine grow on and over many of the trees. The understory is open and is mostly composed of leaf litter, with oak and cabbage palm seedlings.

Mesic hammock is not recognized by FNAI as a natural community (FNAI and DNR 1990). However, the habitat classified as this community does not fit the FNAI description of xeric hammock (cabbage palms are present) or the description of hydric hammock (scrub oaks are present, ferns are absent). Therefore, mesic hammock was selected to describe a natural community intermediate between these two FNAI communities.

This natural community is successional from the scrub community it is surrounded by. It occurs in a portion of the site that is slightly lower and wetter than the surrounding scrub, and aerial photographs seem to indicate that fires in this area burned cooler and less completely. With approximately 45 years since the last wildfire, this community has had time for succession to take place. If this community was included in a prescribed burn, it would revert back to a more scrub-like condition. Since this community provides a refuge and seed source for many of the fire-intolerant plant species on the site, including listed ferns and bromeliads, prescribed burning is not advised. Maintaining this habitat by protecting it from fire provides shelter for many species of animals, especially birds, and increases the overall biological diversity of the site.

### **Disturbed Scrub**

ERM has classified the eastern and southern borders of the site as disturbed scrub and calculated the total area of this community at 3.19 acres. Areas classified as disturbed scrub were cleared in the past, and portions have been repeatedly mowed. The majority of the vegetation in these areas is characteristic of the scrub natural community, even though it is low in stature and ruderal and pioneer species are over-represented.

Unmowed portions of the disturbed scrub have scattered clumps of low scrub oaks, scrub bay, cabbage palm, and saw palmetto, and are heavily overgrown by love vine, muscadine grape, and scattered exotic vines. No sand pine trees or seedlings are present. Scattered Brazilian pepper thickets also occur, especially on the south border. Other shrubs include scrub palmetto, wax myrtle and pawpaw.

The mowed portions of the disturbed scrub have little woody vegetation and are dominated by camphorweed, *Croton glandulosus*, finger grass, gopher apple, prickly pear cactus, the exotic Natal grass, sandspurs, Spanish needles, shiny blueberry, tanglehead, and whitehead broom. These mowed areas are therefore fairly diverse and are composed of a variety of native, ruderal, and exotic plant taxa. The groundcover layer of this area may provide an abundant food source for gopher tortoises when they are reintroduced, and management attention should be directed towards keeping the better-quality mowed areas in a low vegetative state.

If efforts are not initiated to control the vines which overgrow large areas of the disturbed scrub, they could spread into adjacent scrub, or into mowed areas that are being restored to scrub. This type of response of muscadine grape and other vines in fragmented forests in southeastern Florida has been previously noted. On the positive side, underneath these vine-dominated thickets there may be suppressed populations of native plant taxa that not have been recorded for the site. If the vines are eliminated from large areas and light levels increase at the groundcover layer, then many suppressed plants should regenerate from underground tissues or from the seed bank. Assuming a favorable vegetational response, fire could then be used to help restore these areas to the scrub natural community.

#### Fauna

A total of 6 species of amphibians and reptiles, 34 species of birds, and 4 species of mammals have been recorded at the Rosemary Scrub Natural Area by ERM staff (Appendix C). Of these 44 species, 32 were listed as being present in scrubs of the Treasure Coast Region by Fernald (1989). Of these 32 species, 24 were considered characteristic or common species in scrub. Fourteen species of insects have been recorded by ERM and include ants, butterflies, damselflies, and spiders. Little data exists on how these species utilize the various communities at the Rosemary Scrub Natural Area.

Of the recorded species, only the American redstart is a listed species (Table 1). The prairie warbler has been observed on the site, and the Florida prairie warbler (*Dendroica discolor paludicola*) is listed as G5(T3)/S3 by FNAI. Some effort should be made to determine if this subspecies is utilizing the Rosemary Scrub Natural Area. The gopher tortoise, scrub lizard, scrub jay, and the Florida mouse could potentially occur at this site. Surveys for scrub lizards and scrub jays have not located any individuals of this species and no trapping to determine the presence of Florida mice has been undertaken. Gopher tortoises were reported to have occurred on the site by long-time residents of the surrounding neighborhoods, but have been apparently extirpated by excessive hunting. A number of other listed animal taxa have been recorded for scrubs in the Treasure Coast Region, but are not expected to occur at the Rosemary Scrub Natural Area because of its small size and lack of wetlands. These include the eastern indigo snake, Florida pine snake (*Pituophis melanoleucus mugitus*), and Florida gopher frog.



## Listed Taxa - Flora

Nine plant species recorded at the Rosemary Scrub Natural Area have been listed by at least one government agency or nonprofit environmental organization (Table 1). Listed plant species range from relatively common threatened species, such as the reflexed wild pine, to the locally and globally rare Curtiss's milkweed, large-flowered rosemary, and nodding pinweed. These species can be ranked according to degree of rarity, utilizing a system similar to the Center for Plant Conservation's (CPC) sorting order. The following list includes a brief description of each taxon, its location on the site (if known), and the listing categories. Listings by FNAI are from a May 1993 computer printout; listings by the Florida Department of Agriculture and Consumer Services (FDA) and the United States Fish and Wildlife Service (USFWS) are from Florida Game and Fresh Water Fish Commission (1996). The listing categories are defined in Appendix D.

### PRIORITY A

Priority A taxa are taxa that are considered by FNAI to be imperiled in the state and/or globally. These taxa should receive the highest level of management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If possible, efforts should be made to increase population numbers. There are no Priority A taxa recorded for the Rosemary Scrub Natural Area.

### PRIORITY B

Priority B taxa are taxa that are considered by FNAI to be rare in the state and/or globally or locally rare in Palm Beach County. These taxa should receive significant management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, population numbers should be increased, so long as this does not adversely impact natural community level management.

#### Curtiss' Milkweed (*Asclepias curtissii*)

This perennial forb was recorded at the Rosemary Scrub Natural Area by ERM in July 1991 when several individuals were located in the sandy ecotone between the scrub and scrubby flatwoods natural communities. It has been observed again on two other occasions. Because of the small size and inconspicuous appearance of this plant when not in bloom (Ward 1978), individuals in open sandy trails are often the only ones spotted, even though more plants may be present in vegetated areas. Wunderlin (1982) listed it as occasional in scrub habitats. Long and Lakela (1971) listed its habitat as sandy soils and noted that it is endemic to peninsular Florida. It was listed as a scrub indicator species in the Treasure Coast Region by Fernald (1989). Curtiss' milkweed is listed as G3/S3 by FNAI; it is not listed by USFWS; it is listed as Endangered by FDACS.

#### Large-flowered Rosemary (*Conradina grandiflora*)

This short-lived, low shrub is widespread in scrub habitats at the Rosemary Scrub Natural Area. A few individuals in declining health have been found in the mesic hammock habitat. This species was observed at the Rosemary Scrub Natural Area by ERM staff in January 1991, and its population is estimated as more than 200 plants. It occurs within stands of scrub oak (*Quercus* spp.) and sand pines or on the margins in full sunlight. Wunderlin (1982) listed it as occasional in eastern central Florida in pinelands. Long and Lakela (1971) listed its habitat as pinelands; it is endemic to south Florida. It was listed as a scrub indicator species in the Treasure Coast Region by Fernald (1989). Large-flowered rosemary is listed as G3/S3 by FNAI; it is not listed USFWS; it is listed as Endangered by FDA.

#### Nodding Pinweed (*Lechea cernua*)

This perennial forb was recorded at the Rosemary Scrub Natural Area by ERM in January 1991. A small population of less than ten plants is found at the edges of the central sand trail in the western portion of the site. This population has been somewhat impacted by intermittent off-road vehicle traffic. It is a pioneer, open-sand scrub species that requires full sunlight and a lack of competition from other scrub herbs and tends to be located in areas of past disturbance. Wunderlin (1982) listed it as frequent in scrub in central Florida except in the northernmost counties. Long and Lakela (1971) listed its habitat as sand scrub; it is endemic to central Florida and south along the (Florida) east coast. It was listed as a scrub indicator species in the Treasure Coast Region by Fernald (1989). Nodding pinweed is listed as G3/S3 by FNAI; it is not listed by USFWS; it is listed as Threatened by FDACS.

#### Scrub Bay (*Persea humilis*)

This endemic tree or shrub was recorded at the Rosemary Scrub Natural Area by ERM in January 1994. A small population of less than five plants is present in the disturbed scrub bordering the mesic hammock in the southeastern portion of the site. This population has been somewhat impacted by being overgrown by invasive vines. Wunderlin (1982) listed it as frequent in scrub in northeastern and central Florida; its habitat is sand pine scrub. Long and Lakela (1971) listed it as endemic to Florida; its habitat is dry sand scrub. It was listed as a scrub indicator species in the Treasure Coast Region by Fernald (1989). Scrub bay is listed as G4/S3 by FNAI; it is not listed by USFWS; it is not listed by FDACS.

#### PRIORITY C

Priority C taxa are taxa that are listed as Endangered or Threatened by FDA. These taxa should receive moderate management attention. At a minimum, extirpations of these taxa at the Rosemary Scrub Natural Area should be prevented. If desired, populations numbers may be increased, so long as this does not adversely impact natural community level management.

Boston Fern (*Nephrolepis biserrata*)

This terrestrial fern was recorded at the Rosemary Scrub Natural Area by ERM in October 1994. One clump was found growing under a large sand pine on the northern border of the site. It is typically a fire-intolerant hammock species and may have appeared on site in response to the long absence of wildfires. Wunderlin (1982) listed it as occasional in moist hammocks. Long and Lakela (1971) listed its habitat as hammocks in south Florida, and indicated that it grows throughout the world's tropical regions. It is not listed as a scrub indicator species in the Treasure Coast Region by Fernald (1989). Boston fern is not listed by FNAI or by USFWS; it is listed as Threatened by FDACS.

Common Wild Pine (*Tillandsia fasciculata*)

This epiphytic bromeliad was recorded at the Rosemary Scrub Natural Area by ERM in January 1991. It has a large, widespread population of at least 500 plants that grow on a variety of trees and shrubs in all of the habitats on the site. Wunderlin (1982) listed two varieties of *Tillandsia fasciculata*: variety *densispica* and variety *floridana*. Variety *densispica* was listed as frequent in the southern half of central Florida; its habitats are cypress swamps and hammocks. Variety *floridana* was listed as occasional nearly throughout central Florida; its habitats are cypress swamps and hammocks. Long and Lakela (1971) listed the species taxon as frequent in south Florida; its habitats are cypress swamps and hammocks. It is also known from the West Indies, and Central and South America. The species was listed as being present in coastal scrubs in the Treasure Coast Region by Fernald (1989). Common wild pine is not listed by FNAI or by USFWS; it is listed as Endangered by FDA.

Giant Wild Pine (*Tillandsia utriculata*)

This epiphytic bromeliad was recorded at the Rosemary Scrub Natural Area by ERM in January 1991. It has a large, clustered population of at least 300 plants growing on scrub oaks scattered throughout the scrub natural community. Wunderlin (1982) listed it as common, throughout central Florida in hammocks and cypress swamps. Long and Lakela (1971) listed its habitat in south Florida as hammocks. It is also found in the West Indies and in Central and South America. It was listed as being present in coastal scrubs in the Treasure Coast Region by Fernald (1989). Giant wild pine is not listed by FNAI or by USFWS; it is listed as Endangered by FDACS.

#### Prickly Pear Cactus (*Opuntia stricta*)

This shrubby cactus was recorded at the Rosemary Scrub Natural Area by ERM in October 1994 in the disturbed scrub habitat in the southwest corner of the site. The several clumps of this species have been intermittently impacted by mowing of this habitat. Wunderlin (1982) listed it as frequent throughout coastal counties in central Florida; its habitats are shell middens, coastal dunes, and coastal hammocks. Wunderlin, however, lumped many taxa into this species. Long and Lakela (1971) recognized two varieties of *O. stricta*: var. *stricta* and var. *dillenii*. Variety *stricta* was listed from coastal shell mounds and fields from Florida to Texas, Virginia, and the West Indies. Variety *dillenii* was listed from hammocks and coastal sand dunes from Florida to Texas, South Carolina, Mexico, the West Indies, and South America. *O. stricta* was not listed as being present in coastal scrubs in the Treasure Coast Region by Fernald (1989). *O. stricta* is not listed by FNAI or by USFWS; it is listed as Threatened by FDACS.

#### Reflexed Wild Pine (*Tillandsia balbisiana*)

This epiphytic bromeliad was recorded at the Rosemary Scrub Natural Area site by ERM in January 1991. It has a widely-scattered population of less than 100 plants in the scrub and mesic hammock natural communities where it grows predominantly in shady locations on scrub oaks. Wunderlin (1982) listed it as occasional in southern central Florida; its habits are hammocks, pinelands, and scrub. Long and Lakela (1971) listed its habitats in south Florida as trees and shrubs in scrub and hammocks. It is also found in Cuba, Panama, and South America. It was listed as being present in coastal scrubs in the Treasure Coast Region by Fernald (1989). Reflexed wild-pine is not listed by FNAI or by USFWS; it is listed as Threatened by FDACS.

#### PRIORITY D

Priority D taxa are taxa that are listed as Commercially Exploited by FDA. These taxa should receive some management attention. At a minimum, extirpations of these taxa at the Rosemary Scrub Natural Area should be prevented. There are no Priority D taxa recorded for the Rosemary Scrub Natural Area.

#### Listed Taxa - Fauna

One animal species recorded at the Rosemary Scrub Natural Area has been listed by at least one government agency or nonprofit environmental organization (Table 1). This species can be ranked according to degree of rarity and feasibility of managing viable populations at the Rosemary Scrub Natural Area. The following list includes a brief description of the taxon, its location on the site (if known), and the listing categories.

Listings by FNAI are from a May 1993 computer printout; listings by the Florida Game and Fresh Water Fish Commission (FGFWFC) and the United State Fish and Wildlife Service (USFWS) are from Florida Game and Fresh Water Fish Commission (1996). Listing categories are defined in Appendix D.

#### **PRIORITY A**

Priority A taxa are taxa that are considered by FNAI to be rare in Florida and are known to occur in viable numbers at the Rosemary Scrub Natural Area. These taxa should receive the highest level of management attention. Under no circumstances should extirpations of these taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, efforts should be made to increase population numbers. No Priority A species have been recorded at the Rosemary Scrub Natural Area.

#### **PRIORITY B**

Priority B taxa are taxa that are considered by FNAI to be rare in Florida, but for which a viable population is not known to occur at the Rosemary Scrub Natural Area, or the taxon is transitory in coastal scrub. These taxa should receive significant management attention. Under no circumstances should extirpations of resident taxa at the Rosemary Scrub Natural Area be allowed to occur. If desired, population numbers of resident taxa should be increased, so long as this does not adversely impact natural community level management. If viable numbers of a resident taxon are recorded at, or become established at, the Rosemary Scrub Natural Area, then this taxon should be elevated to a Priority A taxon. Efforts also should be made to provide suitable habitat for transitory taxa, so long as this does not adversely impact natural community level management.

#### **American Redstart (*Setophaga ruticilla*)**

This migratory songbird was recorded at the Rosemary Scrub Natural Area by ERM in April 1993. Kale and Maehr (1990) list its habitats in Florida as pine scrub, mangrove, hardwood swamp, cypress swamp, mesic hammock, mixed pine and hardwood forest, pine flatwoods, urban and agricultural environments, and sandhill; it hawks for flying insects. Peterson (1947) lists its breeding range as deciduous forests from north Georgia, southern Alabama, and Louisiana north to the Gulf of St. Lawrence and central Manitoba; it winters in the West Indies and Central and South America. Bond (1980) lists its wintering range as throughout the West Indies, but most numerous in the Greater Antilles (throughout the year); it winters south to Brazil and Peru. De Schauensee and Phelps (1978) list its wintering range as Mexico to northern Peru, the Guianas, and northern Brazil. Terborgh (1989) lists its primary wintering grounds as the West Indies. Kale and Maehr (1990) list it as an uncommon winter resident in south Florida; it does not appear to breed there, but has been found nesting in northwest Florida. It is listed as transitory in coastal scrubs in the Treasure Coast Region by Fernald (1989). The American redstart is listed as G5/S3 by FNAI; it is not listed by USFWS; it is not listed by FGFWFC.

## **PRIORITY C**

Priority C taxa are other taxa that are considered by FNAI to be rare in Florida, but whose occurrence at the Rosemary Scrub Natural Area could be considered accidental. Management for these taxa at the Natural Area would therefore serve no meaningful purpose. No accidental occurrences of listed species have been recorded at the Rosemary Scrub Natural Area.

**APPENDIX B**

**PLANT TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA**

**B 03/04/97**

## PLANT TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA

<u>Scientific Name</u>	<u>Common Name</u>	<u>Category</u>
<i>Abrus precatorius</i>	Rosary pea	Exotic
<i>Acacia auriculiformis</i>	Earleaf acacia	Exotic
<i>Agave sisalana</i>	Sisal	Exotic
<i>Aloe</i> spp.	Aloe	Exotic
<i>Ambrosia artemisiifolia</i>	Ragweed	Ruderal
<i>Andropogon ternarius</i>	Splitbeard bluestem	
<i>Andropogon virginicus</i>	Chalky bluestem	
<i>Aristida gyrans</i>	Corkscrew threeawn	
<i>Asclepias curtissii</i>	Curtiss' milkweed	Listed
<i>Asimina reticulata</i>	Paw paw	
<i>Asparagus densiflorus</i>	Asparagus fern	Exotic
<i>Aster dumosus</i>	Brush aster	
<i>Asystasia gangetica</i>	Ganges primrose	Exotic
<i>Bidens alba</i>	Spanish needle	Ruderal
<i>Bougainvillea spectabilis</i>	Bougainvillea	Exotic
<i>Brachiaria subquadriflora</i>	Small-flowered Alexandergrass	Exotic
<i>Brassia actinophylla</i>	Schefflera	Exotic
<i>Bulbostylis ciliatifolia</i>	Hair sedge	
<i>Bursera simaruba</i>	Gumbo limbo	
<i>Cassia chamaecrista</i>	Partridge pea	
<i>Cassia coluteoides</i>	Climbing cassia	Exotic
<i>Cassia obtusifolia</i>	Sicklepod	Exotic
<i>Cassia pilosa</i>	N.c.n.	Exotic
<i>Cassytha filiformis</i>	Love vine	Invasive
<i>Catharanthus roseus</i>	Periwinkle	Exotic
<i>Cenchrus echinatus</i>	Southern sandspur	
<i>Cenchrus incertus</i>	Coast sandspur	
<i>Ceratiola ericoides</i>	Rosemary	
<i>Chamaesyce hirta</i>	Hairy spurge	Ruderal
<i>Chamaesyce hyssopifolia</i>	Eyebane	Ruderal
<i>Chenopodium ambrosioides</i>	Mexican tea	Ruderal
<i>Chromolaena odorata</i>	Bitter eupatorium	
<i>Citrullus lanatus</i>	Watermelon	Exotic
<i>Citrus aurantifolia</i>	Key lime	Exotic
<i>Cladonia evansii</i>	Reindeer moss	
<i>Cladonia leparina</i>	British soldiers	
<i>Clerodendron speciosum</i>	Glorybower	Exotic
<i>Cnidioscolus stimulosus</i>	Stinging spurge	
<i>Coccoloba uvifera</i>	Seagrape	
<i>Commelina diffusa</i>	Creeping day-flower	
<i>Commelina erecta</i>	Day-flower	
<i>Conradina grandiflora</i>	Large-flowered rosemary	Listed
<i>Conyza canadensis</i>	Dwarf horseweed	
<i>Crotalaria mucronata</i>	N.c.n.	Exotic
<i>Crotalaria rotundifolia</i>	Rabbitbell	
<i>Croton glandulosus</i>	N.c.n.	
<i>Croton punctatus</i>	Beach tea	
<i>Cupaniopsis anacardioides</i>	Carrotwood	Exotic



<i>Cynodon dactylon</i>	Bermuda grass	Exotic
<i>Cyperus globulosus</i>	Globe sedge	Ruderal
<i>Cyperus retrorsus</i>	Ground nut	
<i>Dactyloctenium aegyptium</i>	Crowfoot grass	Exotic
<i>Desmodium incanum</i>	Beggar's ticks	
<i>Desmodium triflorum</i>	Three-flower beggar weed	Exotic
<i>Dichantheium aciculare</i>	N.c.n.	
<i>Dichantheium sabulorum</i>	Panic grass	
<i>Digitaria bicornis</i>	Tropical crabgrass	Exotic
<i>Diodia teres</i>	Poor Joe	
<i>Dracaena fragrans</i>	Corn plant	Exotic
<i>Emilia fosbergii</i>	Tassleflower	Exotic
<i>Eragrostis ciliaris</i>	Gophertail lovegrass	
<i>Erechtites hieracifolia</i>	Fireweed	
<i>Eugenia uniflora</i>	Surinam cherry	Exotic
<i>Eupatorium capillifolium</i>	Dogfennel	
<i>Eustachys petraea</i>	Finger grass	
<i>Euthamia minor</i>	Flat-topped goldenrod	
<i>Ficus aurea</i>	Strangler fig	
<i>Ficus microcarpa</i>	Cuban laurel	Exotic
<i>Froelichia floridana</i>	Cotton top	
<i>Galactia volubilis</i>	Milk pea	
<i>Gloriosa superba</i>	Gloriosa lily	Exotic
<i>Helianthemum nashii</i>	Scrub frostweed	
<i>Heteropogon contortus</i>	Tanglehead	
<i>Heterotheca subaxillaris</i>	Camphorweed	
<i>Hymenocallis latifolia</i>	Spider lily	
<i>Ilex glabra</i>	Gallberry	
<i>Iresine diffusa</i>	Bloodleaf	
<i>Jasminum fluminense</i>	River jasmine	Exotic
<i>Jasminum nitidum</i>	Shining jasmine	Exotic
<i>Kalanchoe pinnata</i>	Life plant	Exotic
<i>Kalanchoe tubiflora</i>	N.c.n.	Exotic
<i>Lactuca graminifolia</i>	Wild lettuce	
<i>Lantana camara</i>	Shrub verbena	Exotic
<i>Lechea cernua</i>	Nodding pinweed	Listed
<i>Lechea deckertii</i>	Wireweed	
<i>Lepidium virginicum</i>	Peppergrass	Ruderal
<i>Licania michauxii</i>	Gopher apple	
<i>Linaria floridana</i>	Scrub toadflax	
<i>Lippia nodiflora</i>	Carpetweed	
<i>Lupinus diffusus</i>	Sky-blue lupine	
<i>Lyonia fruticosa</i>	Staggerbush	
<i>Lyonia lucida</i>	Fetterbush	
<i>Mangifera indica</i>	Mango	Exotic
<i>Merremia dissecta</i>	Cutleaf morning-glory	Ruderal
<i>Momordica charantia</i>	Wild balsam apple	Exotic
<i>Monotropa brittonii</i>	Scrub Indian pipes	
<i>Myrica cerifera</i>	Wax myrtle	
<i>Nephrolepis biserrata</i>	Boston fern	Listed
<i>Nephrolepis cordifolia</i>	Boston fern	
<i>Opuntia cochonillifera</i>	Cochineal cactus	Exotic
<i>Opuntia compressa</i>	Twistspine prickly pear cactus	
<i>Opuntia stricta</i>	Prickly pear cactus	Listed

<i>Palafoxia feayi</i>	Palafoxia	
<i>Panicum maximum</i>	Guineagrass	Exotic
<i>Panicum repens</i>	Torpedo grass	Exotic
<i>Paronychia americana</i>	Scrub nailwort	
<i>Parthenocissus quinquefolia</i>	Virginia creeper	
<i>Passiflora edulis</i>	Passion-fruit	Exotic
<i>Passiflora foetida</i>	Foetid passion-flower	Exotic
<i>Paspalum notatum</i>	Bahia grass	Exotic
<i>Paspalum setaceum</i>	Thin paspalum	
<i>Persea borbonia</i>	Redbay	
<i>Persea humilis</i>	Scrub bay	Listed
<i>Phlebodium aureum</i>	Golden polypody	
<i>Phyllanthus abnormis</i>	Rock breaker	
<i>Physalis viscosa</i>	Ground cherry	
<i>Phytolacca americana</i>	Pokeberry	
<i>Pinus clausa</i>	Sand pine	
<i>Pinus elliotii</i> var. <i>densa</i>	South Florida slash pine	
<i>Pityopsis graminifolia</i>	Golden aster	
<i>Podranea nicasoliana</i>	Pink trumpet-vine	Exotic
<i>Poinsettia cyathophora</i>	Wild poinsettia	
<i>Polygala grandiflora</i>	Large-flowered polygala	
<i>Polygonella ciliata</i>	Wireweed	
<i>Polygonella polygama</i>	October flower	
<i>Polypodium polypodioides</i>	Resurrection fern	
<i>Portulaca pilosa</i>	Pink purslane	
<i>Psilotum nudum</i>	Whisk fern	
<i>Quercus chapmanii</i>	Chapman oak	
<i>Quercus geminata</i>	Sand live oak	
<i>Quercus myrtifolia</i>	Myrtle oak	
<i>Quercus virginiana</i>	Live oak	
<i>Rhoeo spathacea</i>	Oyster plant	Exotic
<i>Rhynchelytrum repens</i>	Natal grass	Exotic
<i>Rhynchospora megalocarpa</i>	Scrub beak-rush	
<i>Richardia brasiliensis</i>	Brazil pusley	Exotic
<i>Richardia grandiflora</i>	Large-flower pusley	Exotic
<i>Richardia scabra</i>	Florida pusley	
<i>Sabal etonia</i>	Scrub palmetto	
<i>Sabal palmetto</i>	Cabbage palmetto	
<i>Sansevieria hyacinthoides</i>	African bowstring hemp	Exotic
<i>Schinus terebinthifolius</i>	Brazilian pepper	Exotic
<i>Schizachyrium scoparium</i>	Little bluestem	
<i>Selaginella arenicola</i>	Sand spikemoss	
<i>Serenoa repens</i>	Saw palmetto	
<i>Setaria corrugata</i>	Coastal foxtail	
<i>Setaria geniculata</i>	Little foxtail	
<i>Setcreasea pallida</i>	Purple queen	Exotic
<i>Seymeria pectinata</i>	Scrub foxglove	
<i>Sida acuta</i>	Southern sida	Ruderal
<i>Sida cordifolia</i>	Indian mallow	Exotic
<i>Sida rhombifolia</i>	Indian hemp	Ruderal
<i>Smilax auriculata</i>	Cat briar	
<i>Smilax laurifolia</i>	Bamboo vine	
<i>Solidago chapmanii</i>	Chapman's goldenrod	
<i>Spermacoce verticillata</i>	Whitehead broom	Ruderal

<i>Sporobolus indicus</i>	Smut grass	Exotic
<i>Stipulicida setacea</i>	Stipulicida	
<i>Syagrus romanzoffianum</i>	Queen palm	Exotic
<i>Tecomaria capensis</i>	Cape honeysuckle	Exotic
<i>Tillandsia balbisiana</i>	Wild pine	Listed
<i>Tillandsia fasciculata</i>	Common wild pine	Listed
<i>Tillandsia recurvata</i>	Ball moss	
<i>Tillandsia usneoides</i>	Spanish moss	
<i>Tillandsia utriculata</i>	Giant wild pine	Listed
<i>Tribulus cistoides</i>	Puncture vine	Exotic
<i>Trichostema dichotomum</i>	Blue curis	
<i>Tridax procumbens</i>	Coat buttons	Exotic
<i>Triplasis purpurea</i>	Purple sandgrass	
<i>Urena lobata</i>	Caesar weed	Ruderal
<i>Vaccinium myrsinites</i>	Shiny blueberry	
<i>Vitex trifolia</i>	N.c.n.	Exotic
<i>Vitis rotundifolia</i>	Muscadine grape	Invasive
<i>Vitis shuttleworthii</i>	Calusa grape	
<i>Wedelia trilobata</i>	Creeping oxeye	Exotic
<i>Ximenia americana</i>	Hog plum	
<i>Yucca aloifolia</i>	Spanish bayonet	
<i>Yucca elephantipes</i>	Spineless yucca	Exotic
<i>Zebrina pendula</i>	Wandering Jew	Exotic

Explanation of Categories:

- Exotic = Plant taxon for which there is general agreement in the literature that it is of non-native origin.
- Invasive = Invasive native plant taxon. For the Rosemary Scrub, this category is limited to aggressive native vines that, in the absence of fire, can cause tree and shrub mortality.
- Listed = A taxon listed by the Florida Natural Areas Inventory, the United States Fish and Wildlife Service, and/or the Florida Department of Agricultural and Consumer Services.
- Ruderal = A plant taxon which is native to Florida, but whose current and known historical habitat is almost entirely limited to disturbed areas.

**APPENDIX C**

**ANIMAL TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA**

**B 03/04/97**

## ANIMAL TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA

### SCIENTIFIC NAME

### COMMON NAME

#### INSECTS

<i>Erythrodiplax umbrata</i>	Band-winged dragonlet
<i>Tibicen</i> sp.	Cicada
<i>Phoebis sennae</i>	Cloudless sulfur
<i>Ischnura hastata</i>	Citrine forktail (damselfly)
<i>Gasteracantha cancriformis</i>	Crablike spiny orb weaver
<i>Anax junius</i>	Green darner (dragonfly)
<i>Nephila clavipes</i>	Golden silk spider
<i>Agraulis vanillae</i>	Gulf fritillary butterfly
<i>Celithemis eponina</i>	Halloween pennant (dragonfly)
<i>Pogonomyrmex</i> sp.	Harvester ant
<i>Urbanus proteus</i>	Long-tailed skipper
<i>Phycoides tharos</i>	Pearl crescent
<i>Marpesia petreus</i>	Ruddy daggerwing butterfly
<i>Anartia jatrophae</i>	White peacock butterfly

#### AMPHIBIANS

<i>Eleutherodactylus planirostris</i>	Greenhouse frog
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#### REPTILES

<i>Coluber constrictor</i>	Black racer
<i>Anolis sagrei</i>	Cuban brown anole
<i>Leiocephalus carinatus</i>	Curly-tailed lizard
<i>Ophisaurus ventralis</i>	Eastern glass lizard
<i>Anolis carolinensis</i>	Green anole
<i>Cnemidophorus sexlineatus</i>	Six-lined racerunner

#### BIRDS

<i>Setophaga ruticilla</i> (L)	American redstart
<i>Mniotilta varia</i>	Black-and-white warbler
<i>Dendroica caerulescens</i>	Black-throated blue warbler
<i>Polioptila caerulea</i>	Blue-gray gnatcatcher
<i>Cyanocitta cristata</i>	Blue jay
<i>Quiscalus major</i>	Boat-tailed grackle
<i>Quiscalus quiscula</i>	Common grackle
<i>Geothlypis trichas</i>	Common yellowthroat
<i>Dumetella carolinensis</i>	Gray catbird
<i>Hylocichla guttata</i>	Hermit thrush
<i>Passer domesticus</i>	House sparrow
<i>Cardinalis cardinalis</i>	Northern cardinal
<i>Mimus polyglottos</i>	Northern mockingbird
<i>Parula americana</i>	Northern parula
<i>Zenaidura macroura</i>	Mourning dove

*Seiurus aurocapillus*  
*Dendroica palmarum*  
*Dendroica pinus*  
*Dendroica discolor*  
*Progne subis*  
*Melanerpes carolinus*  
*Streptopelia risoria*  
*Archilochus colubris*  
*Pipilo erythrophthalmus*  
*Falco sparverius sparverius*  
*Sturnus vulgaris*  
*Cathartes aura*  
*Caprimulgus vociferus*  
*Vireo griseus*  
*Zenaidura macroura*  
*Helmitheros vermivorus*  
*Dendroica coronata*  
*Dendroica dominica*

#### **MAMMALS**

*Felis catus*  
*Sciurus carolinensis*  
*Dasypus novemcinctus*  
*Canis domesticus*

Ovenbird  
Palm warbler  
Pine warbler  
Prairie warbler  
Purple martin  
Red-bellied woodpecker  
Ringed turtle dove  
Ruby-throated hummingbird  
Rufous-sided towhee  
Eastern kestrel  
Starling  
Turkey vulture  
Whip-poor-will  
White-eyed vireo  
White-winged dove  
Worm-eating warbler  
Yellow-rumped warbler  
Yellow-throated warbler

Feral cat  
Gray squirrel  
Nine-banded armadillo  
Stray dog

(L) = A taxon listed by the Florida Natural Areas Inventory, the United States Fish and Wildlife Service, and/or the Florida Game and Fresh Water Fish Commission.

**APPENDIX D**  
**DEFINITIONS OF LISTING CATEGORIES**

**B 03/04/97**

## DEFINITIONS OF LISTING CATEGORIES USED IN TEXT

### **United States Fish and Wildlife Service (USFWS)**

Species listed in the United States List of Endangered and Threatened Wildlife and Plants and protected under the provisions of the Endangered Species Act of 1973, as amended (Publication No. 93-205 [89 stat. 884]).

**Threatened (T)** Listed as a Threatened Species in the United States List of Endangered and Threatened Wildlife and Plants. A Threatened Species is defined as any species that is likely to become an Endangered Species within the foreseeable future throughout all or a significant portion of its range.

### **Florida Game and Fresh Water Fish Commission (FGFWFC) - Animals**

Species listed and protected under Section 39-27.03-05, Florida Administrative Code.

**Threatened (T)** Listed as a Threatened Species by FGFWFC. A Threatened Species is defined as a species, subspecies, or isolated population that is (1) resident in Florida during a substantial portion of its life cycle and is acutely vulnerable to environmental alteration, declining in number at a rapid rate due to any man-made or natural factors, and as a consequence, is destined or very likely to become an Endangered Species within the foreseeable and predictable future unless appropriate protective measures or management techniques are initiated or maintained; or (2) migratory or occasional in Florida and included as a Threatened Species on the United States List of Endangered and Threatened Wildlife and Plants. This definition does not include species that occur peripherally in Florida while common or under no threat outside the state.

**Species of Special Concern** Listed as a Species of Special Concern by the FGFWFC. A Species of Special Concern is defined as a species, subspecies, (SSC) or isolated population that warrants special protection, recognition, or consideration because it occurs disjunctly or continuously in Florida and (1) has a unique and significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation that, in the foreseeable and predictable future, may result in its becoming a Threatened Species unless appropriate protective measures or management techniques are initiated or maintained; or (2) may already meet certain criteria for consideration as a Threatened Species, but for which conclusive data are limited or lacking; or (3) may occupy such an unusually vital and essential ecological niche that should it decline significantly in numbers or distribution other species would be adversely affected to a significant degree; or (4) has not sufficiently recovered from past population depletion.



## Florida Department of Agriculture and Consumer Affairs (FDACS) - Plants

Species listed in Preservation of Native Flora of Florida Act, Section 581.185-187, Florida Statutes.

- Endangered (E) Listed as an Endangered Plant by FDACS. An Endangered Plant is defined as a species of plant native to Florida that is in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue, and includes all species determined to be Endangered Species or Threatened Species pursuant to the Federal Endangered Species Act of 1973, as amended.
- Threatened (T) Listed as a Threatened Plant by FDACS. A Threatened Plant is defined as a species of plant native to Florida that is in rapid decline in the number of plants within the state, but is not so decreased in numbers as to cause it to be endangered.
- Commercially Exploited (CE) Listed as a Commercially Exploited Plant by FDACS.

## Florida Natural Areas Inventory (FNAI) - Flora, Fauna and Communities

Two ranks are assigned to each element. The Global Element rank is based on an element's worldwide status; the State Element rank is based on the element's status in Florida. Subspecies and varieties are coded by combining the full species Global Rank with a "sub-rank" comprised of a "T" plus the appropriate rank (1, 2, 3, 4, 5, H, U, or X), representing the rarity of the subspecies or variety itself. When applicable, definitions of taxon ranks are given first (1), and definitions of community ranks second (2).

### Global Element Rank

- G2 Imperiled globally because of rarity (6 to 20 occurrences or fewer than 3000 individuals) or because of vulnerability to extinction due to some man-made or natural factor.
- G3 Either very rare and local throughout its range (21 to 100 occurrences or fewer than 10,000 individuals) or found locally in a restricted range or vulnerable to extinction because of other factors.
- G4 Apparently secure globally (may be rare in parts of range).
- G5 Demonstrably secure globally.

### State Element Rank

- S2 Imperiled in state because of rarity (6 to 20 occurrences or fewer than 3000 individuals) or because of vulnerability to extinction due to some man-made or natural factor.
- S3 Either very rare and local throughout its range (21 to 100 occurrences or fewer than 10,000 individuals) or found locally in a restricted range or vulnerable to extinction because of other factors.

**APPENDIX E**  
**INTERLOCAL AGREEMENT**

**B 03/04/97**

INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOYNTON BEACH, FLORIDA AND PALM BEACH COUNTY FOR THE ACQUISITION OF THE ROSEMARY SCRUB ECOSITE AND ITS MANAGEMENT AS A NATURAL AREA

THIS AGREEMENT is made and entered into on this NOV 21 1995 day of NOV 21 1995, 1995, by and between the City of Boynton Beach, Florida, hereinafter referred to as the "City", a Florida municipal corporation, and Palm Beach County, Florida, hereinafter referred to as the "County", a political subdivision of the State of Florida.

WITNESETH:

WHEREAS, on March 12, 1991, the voters of Palm Beach County approved a \$100 million bond referendum for the acquisition of environmentally sensitive lands; and

WHEREAS, the Rosemary Scrub site (Ecosite 36) in Boynton Beach was designated as one of the high-priority sites to be acquired with funds from this bond referendum; and

WHEREAS, both the City and the County have deemed that it is in the best interest of the residents and citizens of Palm Beach County and the City of Boynton Beach to acquire the Rosemary Scrub property in order to preserve the site in its natural state for future generations as an intact native Florida ecosystem; and

WHEREAS, the Board of County Commissioners and the City of Boynton Beach have submitted a partnership grant application to the Florida Communities Trust (FCT) for state matching funds to acquire the Rosemary Scrub site; and

WHEREAS, the County and the City, as the FCT Recipients, have signed a Conceptual Approval Agreement with FCT for the receipt of these funds; and

WHEREAS, the County has purchased the Rosemary Scrub site, now known as the Rosemary Scrub Natural Area, and wishes to be reimbursed by FCT for the state's portion of the acquisition costs; and

WHEREAS, the Conceptual Approval Agreement requires that the parties of the partnership application enter into an interlocal agreement which sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Ecosite and that the interlocal agreement be made a part of the project plan; and

WHEREAS, the execution of this agreement is in the best interest of both governmental units and the residents and citizens of same.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and restrictions set forth herein, the parties to this agreement agree as follows:

ARTICLE I - IN GENERAL

1. The County and City agree that the County has acquired and will manage certain real property located within the corporate limits of the City of Boynton Beach, Florida, known as the "Rosemary Scrub Natural Area", which real property is more particularly described in Exhibit A attached hereto and made a part hereof.

2. The management of the property by the County, with assistance from the City, shall serve to preserve the biological community on the property in its natural state as an example of a Florida scrub ecosystem in Palm Beach County. It is the intent of the parties that the Rosemary Scrub Natural Area shall be managed solely as a nature preserve, to provide certain scientific and educational benefits and to provide passive recreational opportunities for residents and citizens of the City and the County. The property shall be kept in its natural state, such that present and future generations will be able to experience the natural values currently exhibited on the property, acts of God or other events beyond the control of the City and the County notwithstanding.

3. The parties hereto agree to review their respective zoning ordinances and comprehensive plans and to take steps to designate this property appropriately in the future under their comprehensive land use plans and zoning ordinances, given its intended use as a natural area. The future land use designation assigned to the Natural Area shall be for conservation. If an amendment to the City's and/or County's comprehensive land use plan is required, the amendment shall be proposed at the next comprehensive plan amendment cycle available.

4. The Natural Area shall be managed only for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation that is compatible with the conservation, protection and enhancement of the Natural Area. The parties may make and maintain physical improvements to the property such as fencing, a parking area and foot trails, only as appropriate for passive resource-based uses.

5. The Natural Area shall be open to the public. The locations of public access points and any restrictions on access will be described in the management plan.

6. The parties shall use their best efforts, through their agents and employees, to prevent the unauthorized use of the Natural Area or any use not compatible with the management of the site as a natural area or nature preserve.

7. In the acquisition, management, and maintenance of the subject property, each party shall be liable for its own actions and negligence.

8. The title to the property shall be held by the County.

9. This Interlocal Agreement shall be recorded in the Public Records of Palm Beach County, Florida, in accordance with applicable law.

10. This Agreement shall be deemed to be the sole agreement between the parties, and no prior agreements or other writings shall supersede that which is contained in this Interlocal Agreement.

11. For the purposes of this Interlocal Agreement, notices to the other party shall be deemed sufficient when addressed to the following address and deposited in the United States Mail:

- a. City of Boynton Beach  
Office of the City Manager  
100 E. Boynton Beach Boulevard  
Boynton Beach, FL 33425-0310
- b. Palm Beach County  
Department of Environmental Resources Management  
3323 Belvedere Road, Bldg. 502  
West Palm Beach, FL 33406

12. This Agreement shall be rendered null and void if not executed by all parties hereto on or before December 4, 1995.

#### ARTICLE II - JOINT RESPONSIBILITIES

13. The County, in cooperation with the City, shall manage the Natural Area for habitat preservation and passive recreation, keeping the property in its natural state except for the maintenance of fences, firebreaks and foot trails and other management activities appropriate for a nature preserve. Management activities will initially consist of removal of trash and invasive vegetation from the site. Long-term management of this site will require controlling invasive vegetation, monitoring listed plant and animal species, and prescribed burning. Subject to annual appropriations by the County's Board of County Commissioners and the City of Boynton Beach, personnel time and expertise for on-going, site-specific management of this site will be provided by both parties. A detailed division of responsibilities for the management of this site will be provided in the management plan. The parties shall apply for any funds available from the State for management purposes, and will minimize management costs through the involvement of volunteers.

14. The parties shall prepare, separately or jointly, brochures and other educational material describing the natural resources, uses, and joint management of the property. Any material prepared by one party shall be submitted to the other party for its prior review and approval. Approval shall not be unreasonably withheld. The cost of any jointly-prepared materials shall be shared equally by the parties, and the costs of any material prepared individually shall be solely that party's responsibility. Both parties shall encourage students and residents to use the natural area for educational and passive recreational purposes.

15. The Natural Area will be identified as being publicly owned and operated as a passive, natural resource-based public outdoor recreational site in all signs, literature and advertising.

16. The parties agree that the County will erect a sign or monument identifying the Natural Area as being open to the public, as having been purchased with funds from FCT and the County, and as being managed by the County, with the cooperation of the City.

### ARTICLE III - RESPONSIBILITIES OF THE COUNTY

17. The County agrees to comply with all requirements of FCT for provision to the County of the State's share of forty percent (40%) of the acquisition costs.

18. The County agrees to plan and, subject to FCT approval and a budget approved by the Board of County Commissioners, to pay for physical improvements to the site that would encourage public use of the site as a nature preserve. These facilities may include, but not be limited to, walking and interpretive trails, an educational display (kiosk), and parking facilities. The City and County shall use their best efforts to plan and construct these facilities, taking into consideration primarily the sensitivity and needs of the biological community and secondarily the intended research, educational and recreational uses of the property.

19. The County agrees to secure the Natural Area with fencing, gates and signage to discourage unauthorized activities such as dumping of trash and off-road vehicle usage, while permitting public access to the Natural Area for scientific research, environmental education, and passive recreational activities. The County will be responsible for upkeep of the fences, gates, kiosk, parking area, and signs.

20. The County will develop a management plan and a controlled burn plan for the Natural Area, in consultation with the City. The management plan will be subject to the approval of FCT.

21. The management plan will contain a mechanism for the City and the County to determine jointly the future of the natural preserve, should any unforeseen events or activities, either natural or man-made, severely limit or eliminate the natural values presently on the property.

22. The County, in coordination with the City, will prepare and submit to FCT an annual report to FCT as required in the Conceptual Approval Agreement.

23. Management of all natural areas acquired by the County will be coordinated on a countywide basis to protect ecosystems and populations of listed species throughout the County.

24. The County agrees to identify a County employee as a contact person to interact with the City in planning for and managing the Natural Area.

25. The County agrees to identify a County employee as the public contact person to coordinate group usage and research on the Natural Area and to answer public inquiries about the site.

### ARTICLE IV - RESPONSIBILITIES OF THE CITY

26. The City agrees to assume primary responsibility for public safety and law enforcement at the Natural Area. This includes routine patrols of the boundaries and the prevention of vandalism, vehicular trespass, dumping, and damage to property and natural resources.

27. The City agrees to provide long-term maintenance of the site, including weekly garbage pick-up, police services, and regular mowing of perimeter firebreaks. The City will assume responsibility for the daily opening and closing of any gates providing public access to the site. This responsibility may be delegated to a local resident or stewardship group if approved by both the County and the City.

28. The City agrees to assist the County in the long-term management of the site, including removal of exotic vegetation, removal of trash and debris collected during volunteer activities, periodic prescribed burns, and other activities.

29. The City agrees that its review of any proposed changes and uses of, or activities on, real property immediately adjacent to the Natural Area shall be reviewed to ensure the protection of the biological community on the preserve and to avoid adverse impact on the species present.

30. The City agrees to identify a City employee as the contact person to interact with the County in planning for and managing the Natural Area.

31. The City will encourage students and residents to utilize the site for educational and recreational purposes.

WHEREFORE, the parties hereto have set their hands and seals on the day set forth next to their signatures.

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

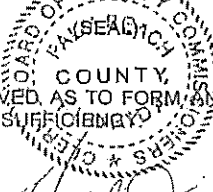
BY: *Sandra C. Hickman*  
Deputy Clerk

DATE: NOV 21 1995

BY: *[Signature]*  
Vice-Chair

DATE: NOV 21 1995

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY



BY: *Maick Jull*  
Assistant County Attorney

DATE: 11/16/95

R95 1629D

ATTEST:

CITY OF BOYNTON BEACH, FLORIDA,  
BY ITS COUNCIL

BY: *Suzanne P. House*  
Clerk

DATE: 11/14/95

BY: *Gerald Taylor*  
Mayor

DATE: 11/14/95

(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

BY: *[Signature]*  
City Attorney

DATE: 11/7/95

**DESCRIPTION -- PARCELS ONE AND TWO:**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE WEST A DISTANCE OF 40.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD., SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE WEST A DISTANCE OF 793.14 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9; THENCE RUN NORTH 00°05'00" EAST ALONG THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. 9, A DISTANCE OF 658.68 FEET TO A POINT; SAID POINT BEING THE SOUTHWEST CORNER OF NORTH RIDGE ESTATES, AS RECORDED IN PLAT BOOK 25, PAGE 144, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF SOUTH 89°38'45" EAST, ALONG THE SOUTH LINE OF NORTH RIDGE ESTATES, A DISTANCE OF 809.90 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF NORTH RIDGE ESTATES, AS RECORDED IN PLAT BOOK 25, PAGE 144, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF SOUTH 01°32'45" WEST, ALONG A LINE THAT IS 40.00 FEET WEST OF AS MEASURED AT RIGHT ANGLES, THE EAST LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 9 (SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD.) A DISTANCE OF 658.52 FEET MORE OR LESS TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 45 SOUTH RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE WEST, A DISTANCE OF 108.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 40.00 FEET TO A POINT; THENCE EAST, A DISTANCE OF 45.88 FEET TO A POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87°37'15", AND AN ARC LENGTH OF 38.38 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD.; THENCE WITH A BEARING OF SOUTH 02°02'45" EAST, ALONG A LINE THAT IS 40.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16 (SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF SEACREST BLVD.) A DISTANCE OF 75.88 FEET TO A POINT; THENCE SOUTH 87°37'15" WEST A DISTANCE OF 73.62 FEET TO A POINT; THENCE SOUTH 52°20'15" WEST, A DISTANCE OF 75.79 FEET TO A POINT; THENCE NORTH 50°50'05" WEST, A DISTANCE OF 77.39 FEET TO A POINT; THENCE WEST A DISTANCE OF 253.02 FEET TO A POINT; THENCE SOUTH 31°21'10" WEST, A DISTANCE OF 47.13 FEET TO A POINT; THENCE NORTH 89°55'00" WEST, A DISTANCE OF 82.46 FEET TO A POINT; THENCE NORTH A DISTANCE OF 70.00 FEET TO A POINT; THENCE NORTH 89°55'00" WEST A DISTANCE OR 94.71 FEET TO A POINT; THENCE WEST A DISTANCE OF 50.00 FEET TO A POINT; THENCE NORTH 89°55'00" WEST, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9; THENCE NORTH 00°05'00" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, A DISTANCE OF 109.85 FEET TO A POINT; THENCE EAST, A DISTANCE OF 724.55 FEET MORE OR LESS TO THE POINT OF BEGINNING.

LESS

A PARCEL OF LAND LYING IN SECTIONS 9, AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION NINE RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE DUE EAST A DISTANCE OF 45.00 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET. THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°57'15" A DISTANCE OF 38.38 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AND POINT OF TANGENCY OF SAID CURVE; THENCE S02°02'45"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 75.88 FEET; THENCE S87°57'15"W ALONG THE SOUTH LINE OF LOT 10, BLOCK 20 OF ROLLING GREEN RIDGE, 1ST ADDITION AS RECORDED IN PLAT BOOK 24, PAGE 223 OF THE PUBLIC RECORDS OF PALM BEACH FLORIDA, A DISTANCE OF 73.62 FEET; THENCE ALONG THE NORTH LINE OF SAID PLAT OF ROLLING GREEN RIDGE S52°20'15"W A DISTANCE OF 75.79 FEET; THENCE N50°50'05"W A DISTANCE OF 77.39 FEET; THENCE N90°00'00"W A DISTANCE OF 130.42 FEET; THENCE LEAVING SAID NORTH LINE N02°02'45"W ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 140.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 658.72 FEET; TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9; THENCE ALONG SAID NORTH LINE S89°58'45"E A DISTANCE OF 324.05 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD AN 80.00 FOOT WIDE ROAD RIGHT-OF-WAY; THENCE S01°32'45"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 658.62 FEET TO THE POINT OF BEGINNING.

OWNERS - PARCELS ONE AND TWO: JANMER PROPERTIES, LTD.  
C/O B.O. RAWLS  
4649 PONCE DE LEON BOULEVARD  
CORAL GABLES, FLORIDA 33146

**EASEMENT "A" - 10' UTILITY EASEMENT**  
(O.R.B. 3503 - PAGES 1838-1844)

A TEN (10) FOOT STRIP OF LAND RUNNING FROM EAST TO WEST ACROSS THE ABOVE DESCRIBED PROPERTY WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF THE NORTH WEST ONE QUARTER (NW 1/4) OF SAID SECTION 16 RUN WESTERLY ALONG THE NORTH LINE OF SAID SECTION 16 ON AN ASSUMED BEARING OF NORTH 87°57'15" WEST A DISTANCE OF 100.60 FEET; THENCE SOUTH 2°02'45" WEST A DISTANCE OF FORTY NINE (49) FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 20, ROLLING GREEN RIDGE FIRST ADDITION A SUBDIVISION IN THE CITY OF BOYNTON BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 24, PAGE 224, AND THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE, THENCE NORTH 87°57'15" WEST, PARALLEL TO SAID NORTH SECTION LINE A DISTANCE OF 479.00 FEET, THENCE NORTH 84°09'00" WEST A DISTANCE OF 211.01 FEET TO A POINT ON A LINE PARALLEL TO AND 35.00 FEET SOUTH OF SAID NORTH LINE OF SECTION 16, THENCE NORTH 87°57'15" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 35.00 FEET, MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95) AND THE END OF SAID EASEMENT CENTER LINE.

**EASEMENT "B" - 20' UTILITY EASEMENT/AGREEMENT**  
(O.R.B. 4883 - PAGES 408-415)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING. PROCEED THENCE N90°00'00"W A DISTANCE OF 324.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

**EASEMENT "C" - 80' ROAD EASEMENT**  
(O.R.B. 4883 - PAGES 416-422)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE N90°00'00"W A DISTANCE OF 253.99 FEET; THENCE N02°02'45"W A DISTANCE OF 40.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E A DISTANCE OF 40.02 FEET; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 40.02 FEET TO THE POINT OF BEGINNING.



**EASEMENT "A" - 10' UTILITY EASEMENT**  
(O.R.B. 3503 - PAGES 1838-1844)

A TEN (10) FOOT STRIP OF LAND RUNNING FROM EAST TO WEST ACROSS THE ABOVE DESCRIBED PROPERTY WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF THE NORTH WEST ONE QUARTER (NW 1/4) OF SAID SECTION 16 RUN WESTERLY ALONG THE NORTH LINE OF SAID SECTION 16 ON AN ASSUMED BEARING OF NORTH 87°57'15" WEST A DISTANCE OF 108.60 FEET; THENCE SOUTH 2°02'45" WEST A DISTANCE OF FORTY NINE (49) FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 20, ROLLING GREEN RIDGE FIRST ADDITION A SUBDIVISION IN THE CITY OF BOYNTON BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 24, PAGE 224, AND THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE, THENCE NORTH 87°57'15" WEST, PARALLEL TO SAID NORTH SECTION LINE A DISTANCE OF 479.00 FEET, THENCE NORTH 04°09'00" WEST A DISTANCE OF 211.01 FEET TO A POINT ON A LINE PARALLEL TO AND 35.00 FEET SOUTH OF SAID NORTH LINE OF SECTION 16, THENCE NORTH 87°57'15" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 35.00 FEET, MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (1-95) AND THE END OF SAID EASEMENT CENTER LINE.

**EASEMENT "B" - 20' UTILITY EASEMENT/AGREEMENT**  
(O.R.B. 4883 - PAGES 408-415)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43A EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING. PROCEED THENCE N90°00'00"W A DISTANCE OF 324.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

**EASEMENT "C" - 80' ROAD EASEMENT**  
(O.R.B. 4883 - PAGES 416-422)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE N90°00'00"W A DISTANCE OF 253.99 FEET; THENCE N02°02'45"W A DISTANCE OF 40.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E A DISTANCE OF 40.02 FEET; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 40.02 FEET TO THE POINT OF BEGINNING.

ALSO:

D. Easements and dedications as shown on the Plat of Rolling Green Ridge First Addition, recorded in Plat Book 24, page(s) 233.

E. Restrictive covenants, conditions, stipulations and easements contained in Deed Book 1141, page 174, and amended in Official Record Book 2009, page 1787, and Official Record Book 2009, page 1788.

F. Easements granted to City of Boynton Beach, recorded in Official Record Book 3505, Page 1832.

**DESCRIPTION - PARCELS THREE AND FOUR:**

A PARCEL OF LAND LYING IN SECTIONS 9, AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION NINE RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 60.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE DUE EAST A DISTANCE OF 45.88 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 67°57'15" A DISTANCE OF 38.38 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AND POINT OF TANGENCY OF SAID CURVE; THENCE S02°02'45"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 75.88 FEET; THENCE S87°57'15"W ALONG THE SOUTH LINE OF LOT 10, BLOCK 20 OF ROLLING GREEN RIDGE, 1ST ADDITION AS RECORDED IN PLAT BOOK 24, PAGE 223 OF THE PUBLIC RECORDS OF PALM BEACH FLORIDA, A DISTANCE OF 73.62 FEET; THENCE ALONG THE NORTH LINE OF SAID PLAT OF ROLLING GREEN RIDGE S52°20'15"W A DISTANCE OF 75.79 FEET; THENCE N50°50'05"W A DISTANCE OF 77.39 FEET; THENCE N90°00'00"W A DISTANCE OF 130.42 FEET; THENCE LEAVING SAID NORTH LINE N02°02'45"W ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 140.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 658.72 FEET; TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9; THENCE ALONG SAID NORTH LINE S89°58'45"E A DISTANCE OF 324.05 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD AN 80.00 FOOT WIDE ROAD RIGHT-OF-WAY; THENCE S01°32'45"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 658.62 FEET TO THE POINT OF BEGINNING.

LESS

**DESCRIPTION (PER O.R.B. 6981 - PAGE 602)**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, THENCE DUE WEST ALONG THE SOUTH LINE OF SECTION 9 A DISTANCE OF 40.01 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL WITH AND 40 FEET AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, THENCE NORTH 01°32'45" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 40.01 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL AND 40 FEET AT RIGHT ANGLES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE NORTH 01°32'45" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AS NOW LAID OUT AND IN USE, A DISTANCE OF 250 FEET; THENCE DUE WEST A DISTANCE OF 175 FEET; THENCE SOUTH 01°32'45" WEST A DISTANCE OF 250 FEET; THENCE DUE EAST A DISTANCE OF 175 FEET TO THE POINT OF BEGINNING.

OWNERS - PARCELS THREE AND FOUR: GOLD COAST SAVINGS BANK  
C/O GRAIMARK / MIG JOINT VENTURE  
1920 CORPORATE DRIVE  
BOYNTON BEACH, FLORIDA 33426

B 03/04/97

DESCRIPTION - PARCEL ONE AND TEN  
 A PORTION OF LAND LYING IN SECTION 14, TOWNSHIP 41 NORTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO HAVE AND TO HOLD unto the said JOHN W. ROSEMARY, his heirs and assigns forever, the above described parcel of land together with all and singular rights and appurtenances thereto in anywise by law or equity so far as the same in anywise may lawfully extend, unto the said JOHN W. ROSEMARY, his heirs and assigns forever.

IN WITNESS WHEREOF, the said JOHN W. ROSEMARY has hereunto set his hand and seal of office, at Palm Beach, Florida, this 14th day of March, 1997.

JOHN W. ROSEMARY, Notary Public in and for the State of Florida

180  
 A PORTION OF LAND LYING IN SECTION 14, TOWNSHIP 41 NORTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO HAVE AND TO HOLD unto the said JOHN W. ROSEMARY, his heirs and assigns forever, the above described parcel of land together with all and singular rights and appurtenances thereto in anywise by law or equity so far as the same in anywise may lawfully extend, unto the said JOHN W. ROSEMARY, his heirs and assigns forever.

IN WITNESS WHEREOF, the said JOHN W. ROSEMARY has hereunto set his hand and seal of office, at Palm Beach, Florida, this 14th day of March, 1997.

JOHN W. ROSEMARY, Notary Public in and for the State of Florida

181  
 A PORTION OF LAND LYING IN SECTION 14 AND 15, TOWNSHIP 41 NORTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO HAVE AND TO HOLD unto the said JOHN W. ROSEMARY, his heirs and assigns forever, the above described parcel of land together with all and singular rights and appurtenances thereto in anywise by law or equity so far as the same in anywise may lawfully extend, unto the said JOHN W. ROSEMARY, his heirs and assigns forever.

IN WITNESS WHEREOF, the said JOHN W. ROSEMARY has hereunto set his hand and seal of office, at Palm Beach, Florida, this 14th day of March, 1997.

JOHN W. ROSEMARY, Notary Public in and for the State of Florida

182  
 DESCRIPTION - PARCEL THREE AND FOUR  
 A PORTION OF LAND LYING IN SECTION 14 AND 15, TOWNSHIP 41 NORTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO HAVE AND TO HOLD unto the said JOHN W. ROSEMARY, his heirs and assigns forever, the above described parcel of land together with all and singular rights and appurtenances thereto in anywise by law or equity so far as the same in anywise may lawfully extend, unto the said JOHN W. ROSEMARY, his heirs and assigns forever.

IN WITNESS WHEREOF, the said JOHN W. ROSEMARY has hereunto set his hand and seal of office, at Palm Beach, Florida, this 14th day of March, 1997.

JOHN W. ROSEMARY, Notary Public in and for the State of Florida

183  
 DESCRIPTION - PARCEL FIVE  
 A PORTION OF LAND LYING IN SECTION 14, TOWNSHIP 41 NORTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO HAVE AND TO HOLD unto the said JOHN W. ROSEMARY, his heirs and assigns forever, the above described parcel of land together with all and singular rights and appurtenances thereto in anywise by law or equity so far as the same in anywise may lawfully extend, unto the said JOHN W. ROSEMARY, his heirs and assigns forever.

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JOHN W. ROSEMARY, Notary Public in and for the State of Florida

184  
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185  
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186  
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187  
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IN WITNESS WHEREOF, the said JOHN W. ROSEMARY has hereunto set his hand and seal of office, at Palm Beach, Florida, this 14th day of March, 1997.

JOHN W. ROSEMARY, Notary Public in and for the State of Florida

		<b>PALM BEACH COUNTY</b> <b>ENGINEERING AND PUBLIC WORKS</b> <b>ENGINEERING SERVICES</b> P.O. BOX 1107, WEST PALM BEACH, FLORIDA	
PROJECT <b>BOUNDARY SURVEY</b> <b>ROSEMARY SCRUB</b> <b>SECTIONS 9 AND 10, TOWNSHIP</b> <b>45 SOUTH, RANGE 43 EAST</b>	DATE <b>03/14/97</b>	REVISION <b>1</b>	BY <b>JWR</b>
DRAWN BY <b>JWR</b>		CHECKED BY <b>JWR</b>	
SCALE <b>1" = 40'</b>		PROJECT NO. <b>97-030</b>	



**APPENDIX F**  
**CONCEPTUAL APPROVAL AGREEMENT AND ADDENDA I AND II**

**B 03/04/97**

CONCEPTUAL APPROVAL AGREEMENT

THIS AGREEMENT is entered into on August 12, 1994, by and between the FLORIDA COMMUNITIES TRUST (FCT), a nonregulatory agency within the State of Florida Department of Community Affairs, and CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivisions of the State of Florida (FCT Recipients) in order to impose terms and conditions on the use of the proceeds of certain bonds, hereinafter described, and the lands acquired with such proceeds (Project Site), as shall be necessary to ensure compliance with applicable Florida Law and federal income tax law and to otherwise implement provisions of Sections 259.101, 375.045, and Chapter 380, Part III, Florida Statutes.

\* \* \* \* \*

WHEREAS, Chapter 380, Part III, Florida Statutes, the Florida Communities Trust Act, creates a nonregulatory agency within the Department of Community Affairs (Department) that will assist local governments in bringing local comprehensive plans into compliance and implementing the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or in conserving natural resources and resolving land use conflicts by providing financial assistance to local governments to carry out projects and activities authorized by the Florida Communities Trust Act;

WHEREAS, Section 259.101(3)(c) of the Florida Preservation 2000 Act provides for the distribution of ten percent (10%) of the net Preservation 2000 Revenue Bond proceeds to the Department of Community Affairs to provide land acquisition grants and loans to local governments through the FCT;

WHEREAS, the Governor and Cabinet authorized the sale and issuance of State of Florida Department of Natural Resources Preservation 2000 Revenue Bonds (Bonds);

WHEREAS, the Bonds were issued as tax-exempt bonds, meaning that the interest on the Bonds is excluded from the gross income of Bondholders for federal income tax purposes;

WHEREAS, Rule Chapter 9K-4, Florida Administrative Code, sets forth the procedures for evaluation and selection of lands proposed for acquisition using funds allocated to the FCT through the Department of Community Affairs from the Preservation 2000 Trust Fund;

WHEREAS, the FCT Governing Body met on January 6, 1994, to rank and select projects that were to receive Conceptual Approval for funding;

WHEREAS, the FCT Recipient's project was selected for funding in accordance with Rule Chapter 9K-4, Florida Administrative Code;

WHEREAS, Rule 9K-4.010(2)(f), Florida Administrative Code, authorizes FCT to impose conditions for funding on those FCT applicants whose projects have been selected for funding in accordance with Rule Chapter 9K-4, Florida Administrative Code; and

WHEREAS, the purpose of this Agreement is to set forth the conditions of Conceptual Approval that must be satisfied by FCT Recipient prior to the disbursement of any FCT Preservation 2000 award and the restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Preservation 2000 Series Bond Proceeds.

NOW THEREFORE, FCT and FCT Recipient mutually agree as follows:

## I. GENERAL CONDITIONS

1. At least two original copies of this Agreement shall be executed by FCT Recipient and returned to the FCT office at 2740 Centerview Drive, Tallahassee, Florida 32399-2100 within ninety days (90) of mailing by FCT to the FCT Recipient. Upon receipt by FCT of the signed Agreements, FCT will execute the Agreements, retain one original copy and return all other copies to FCT Recipient.

2. Conceptual Approval for funding shall be until December 4, 1994. In the event a project plan has not received project plan approval by December 4, 1994, the FCT Recipient must request a written extension to the Conceptual Approval Agreement for project continuation in compliance with Rule 9K-4.010(2)(k), Florida Administrative Code. If the Recipient does not request an extension, or if an extension is not granted to the FCT Recipient by the FCT Governing Body, the Preservation 2000 Series PJA award granted to the FCT Recipient by the Governing Body shall be withdrawn and this Agreement shall become null and void.

3. The FCT Preservation 2000 Series PJA award granted to the FCT Recipient will in no event exceed the lesser of FORTY percent (40%) of the final total project costs, as defined in Rule 9K-4.002(31), Florida Administrative Code, or TWO HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED SEVENTY SEVEN AND 00/100 Dollars (\$264,377.00), unless the FCT Governing Body approves a greater amount pursuant to Rule 9K-4.011(2)(a), Florida Administrative Code.

4. The grant amount reflected in paragraph I.3., hereinabove, is based on the FCT Recipient's estimation of Project Costs in application #93-008-PJA and limits on awards in the Notice of Application Period announcing the application cycle. The actual total Project Costs, defined in Rule 9K-4.002(31), Florida Administrative Code, for acquisition of the Project Site will be reflected on the reconciliation statement prepared as set forth in paragraph I. 5., hereinbelow. The FCT will participate in the land cost at the percent stated in paragraph I.3. times 100% of the approved maximum value based on appraisal reports that comply with requirements set forth in Section 380.507 (11), Florida Statutes, and Rule 9K-6, Florida Administrative Code. All eligible Project Costs expended by FCT Recipient will be recognized as local match on the reconciliation statement.

5. The FCT Governing Body has given Conceptual Approval for funding to acquire the entire Project Site identified in the FCT Recipient's application #93-008-PJA. The Governing Body reserves the right to withdraw its FCT award if the acreage that comprises the Project Site is reduced so that the objectives of the acquisition cannot be achieved or if the priority parcel(s) identified in the acquisition plan prepared pursuant to Section II, paragraph 4., hereinbelow cannot be acquired through negotiations by the FCT, or the FCT Recipient if a multi-party agreement is in effect.

6. FCT awards shall be delivered in the form of a state warrant at the closing of the Project Site to the ultimate beneficiary or in accordance with written authorization from the ultimate beneficiary to allow a third party authorized by law to receive such payment, provided the Comptroller determines that such disbursement is consistent with good business practices and can be completed in a manner minimizing costs and risks to the State. If the Project Site is comprised of multiple parcels, FCT shall deliver at the closing of each parcel only the share of the FCT award that corresponds to the parcel being closed. FCT will prepare a reconciliation statement prior to the closing of the Project Site parcel that will evidence the amount of local match provided by the FCT Recipient and the portion of the FCT award that corresponds to the parcel being closed.

7. The FCT Recipient's local match shall be delivered at the closing of the Project Site. If the Project Site is comprised of multiple parcels, the FCT Recipient shall deliver at the closing of each parcel the share of the local match that corresponds to the parcel being closed. The cash expended by the FCT Recipient for eligible project costs incurred by the FCT Recipient conducting acquisition activities pursuant to a multiparty agreement between FCT and the FCT Recipient will be recognized as part of the local match on the reconciliation statement prepared as set forth in paragraph I. 5., hereinabove. In the event FCT Recipient's application

#93-008-P3A represents that land is the source of local match, the value attributed to the land local match shall be determined after an appraisal report that complies with the procedures and requirements set forth in Section 180.507(11), Florida Statutes, Rule 9K-6, Florida Administrative Code, and Uniform Appraisal Standards of Board of Trustees Land Acquisition is prepared for the land local match.

8. The FCT Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series 3A Funding Cycle on January 6, 1994. If by local government initiated action taken subsequent to January 6, 1994, a Project Site is given an enhanced highest and best use which would result in a governmentally derived higher value, the FCT acquisition activities will be terminated unless the seller agrees that the appraisal will be done at the highest and best use of the Project Site on or before January 6, 1994. FCT advised the FCT Recipient of this condition by letter as attached hereto as Exhibit A and incorporated herein by reference.

9. FCT Recipient agrees to make diligent efforts to submit the documentation that is required in this Agreement as soon as is reasonably possible to FCT so that the Project Site may be acquired in an expeditious manner.

10. This Agreement may be amended at any time prior to FCT giving project plan approval to the FCT Recipient. Any amendment must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT.

## II. REQUIREMENTS THAT MUST BE MET PRIOR TO INITIATION OF PROJECT SITE NEGOTIATION

1. No later than June 30, 1994, the FCT Recipient must provide FCT with copies of the Property Tax Identification cards for each parcel that comprises the Project Site.

2. The FCT Recipient hereby notifies the FCT that Palm Beach County and The Nature Conservancy will be the party responsible for all negotiation and acquisition activities. If the FCT is not the party responsible for all negotiation and acquisition activities, the FCT Recipient hereby agrees to enter into a multiparty agreement with the FCT. If the FCT Recipient does not enter into a multiparty agreement, FCT shall conduct all of the negotiation and acquisition activities for the Project Site.

3. By execution of this agreement, the FCT Recipient affirms that:

a. the FCT Recipient is ready, willing and able to provide the local match;

b. the FCT Recipient reaffirms the representations made in FCT Application #93-008-P3A;

c. the FCT Recipient shall, on the anniversary date of the approval of the project plan by the Governing Body, prepare and submit to FCT an annual report as required by Rule 9K-4.013, Florida Administrative Code.

4. No later than July 31, 1994, the FCT Recipient must deliver to FCT a written statement from the Project Site property owner(s) evidencing that the owner(s) is willing to entertain an offer from the FCT Recipient and FCT.

5. In the event the Project Site is comprised of multiple parcels, FCT Recipient will provide an acquisition plan to FCT no later than July 31, 1994. The acquisition plan must be approved by FCT prior to the commencement of negotiations for any parcel in the Project Site. The acquisition plan will address the order in which the Project Site parcels will be acquired and the measures that will be taken to assure that the entire Project Site will be acquired with the FCT Preservation 2000 Series P3A award to the FCT Recipient.



III. OBLIGATIONS OF THE FCT RECIPIENT AS A CONDITION OF PROJECT PLAN APPROVAL

1. Prior to disbursement of award funds by FCT, the FCT Recipient must prepare a project plan that complies with Rule 9K-4.011, Florida Administrative Code. This project plan must include the following documents for review and approval by FCT:
  - a. A signed agreement for acquisition of the Project Site that is prepared consistent with the requirements of Rule 9K-6, Florida Administrative Code.
  - b. A management plan that is acceptable to FCT and that at a minimum addresses the criteria and conditions set forth in Section V, VI and VII hereinbelow and Exhibit B, which is attached hereto and incorporated herein by reference.
  - c. A statement of the total project cost, including all non-recurring costs of project development.
  - d. A statement of the amount of the award being requested from the FCT.
  - e. A statement from each local government in whose jurisdiction the Project Site is located that the project plan is consistent with the local comprehensive plan.
  - f. In the event that the FCT Recipient is a partnership, the FCT Recipient must provide FCT with the interlocal agreement that sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Project Site.

2. Pursuant to 9K-4.011(2)(h), Florida Administrative Code, FCT shall withhold project plan approval if the local comprehensive plan(s) of the FCT Recipient or the FCT Recipient's partner is, for any reason found not in compliance by the Department after conceptual approval has been granted by FCT, unless the FCT Recipient has executed a stipulated settlement agreement with the Department to resolve all of the issues raised by the Department in a statement of intent to find a plan not in compliance issued pursuant to Section 163.3184(8), Florida Statutes.

IV. PROJECT SITE ACQUISITION REQUIREMENTS IMPOSED BY CHAPTER 259, CHAPTER 375, AND CHAPTER 380, PART III, FLORIDA STATUTES.

FCT RECIPIENT AGREES AS FOLLOWS:

1. FCT shall approve the terms under which the interest in land is acquired, pursuant to Section 380.510(j), Florida Statutes.
2. Title to the Project Site shall be titled in the FCT Recipient, unless the FCT Recipient specifically requests that title shall permanently vest in the Board of Trustees of the Internal Improvement Trust Fund (Trustees). Such request shall be subject to the approval of FCT and the Trustees. The FCT Recipient hereby elects that title to the Project Site shall be vested in Palm Beach County. If the FCT Recipient elects that title shall vest in the Trustees, then all acquisition activities shall be administered by FCT and the Division of State Lands as specified in Section 253.025, Florida Statutes, and Rule 19-1, Florida Administrative Code.
3. The transfer of title to the FCT Recipient for the Project Site shall not occur until the requirements for the acquisition of lands, as specified in Section 380.507(11), Florida Statutes, and Rule 9K-6, Florida Administrative Code, have been fully complied with by the FCT Recipient and FCT.
4. Any deed whereby the FCT Recipient acquires title to the Project Site shall contain such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State

Constitution and shall contain clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site conveyed thereby for such purposes.

5. A Grant Award Agreement containing such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State Constitution, containing clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site for such purposes and describing the real property subject to the Agreement shall be executed by the FCT and FCT Recipient at the time of the conveyance of the Project Site and shall be recorded in the county in which the Project Site is located.

6. If any essential term or condition of the grant is violated, and the FCT Recipient does not correct the violation within 30 days of written notice of violation, title to all interest in the Project Site shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund. The deed transferring title to the Project Site to the FCT Recipient shall set forth the executory interest of the Board of Trustees of the Internal Improvement Trust Fund.

7. The interest, if any, acquired by the FCT Recipient in the Project Site will not serve as security for any debt of the FCT Recipient.

8. If the existence of the FCT Recipient terminates for any reason, title to all interest in real property it has acquired with the FCT award shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund, unless FCT negotiates an agreement with another local government or nonprofit organization.

9. The Project Site shall be managed only for the conservation, protection and enhancement of natural and historical resources and for public outdoor recreation that is compatible with the conservation, protection and enhancement of the Project Site, along with other related uses necessary for the accomplishment of this purpose. The proposed uses for the Project Site must be specifically designated in the management plan approved by the FCT as a part of the project plan.

#### V. OBLIGATIONS OF THE FCT RECIPIENT AS A CONDITION OF PROJECT FUNDING

1. Following the acquisition of the Project Site, the FCT Recipient shall ensure that the future land use designation assigned to the Project Site is for a category dedicated to open space, conservation, or outdoor recreation uses as appropriate. If an amendment to the FCT Recipient's comprehensive plan is required, the amendment shall be proposed at the next comprehensive plan amendment cycle available to the FCT Recipient subsequent to the Project Site's acquisition.

2. FCT Recipient shall ensure, and provide evidence thereof to FCT, that all activities under this Agreement comply with all applicable local, state, regional and federal laws and regulations, including zoning ordinances and the applicable adopted and approved comprehensive plan. Evidence shall be provided to FCT that all required licenses and permits have been obtained prior to the commencement of any construction.

3. The FCT Recipient shall, through its agents and employees, prevent the unauthorized use of the Project Site or any use thereof not in conformity with the management plan approved by the FCT as a part of the project plan.

4. FCT staff or its duly authorized representatives shall have the right at any time to inspect the Project Site and the operations of the FCT Recipient at the Project Site.

5. All buildings, structures, improvements, and signs shall require the prior written approval of FCT as to purpose. Further, tree removal, other than non-native species, and major land alterations shall require the written approval of FCT. The approvals required from FCT shall not be unreasonably withheld by FCT upon sufficient demonstration that the

proposed structures, buildings, improvements, signs, vegetation removal or land alterations will not adversely impact the natural resources of the Project Site. The approval by FCT of the FCT Recipient's management plan addressing the items mentioned herein shall be considered written approval from FCT.

VI. OBLIGATIONS OF THE FCT RECIPIENT RELATING TO THE USE OF BOND PROCEEDS

1. FCT is authorized by Section 375.045(4), Florida Statutes, to impose conditions for funding on FCT Recipient; in order to ensure that the project complies the requirements for the use of Preservation 2000 Bond proceeds.

2. If the Project Site is to remain subject, after its acquisition by the FCT Recipient and/or the Trustees, to any of the below listed activities or interests, the FCT Recipient shall provide at least 60 days advance written notice of any such activity or interest to FCT, and shall provide to FCT such information with respect thereto as FCT reasonably requests in order to evaluate the legal and tax consequences of such activity or interest:

a. any lease of any interest in the Project Site to any person or organization;

b. the operation of any concession on the Project Site to any person or organization;

c. any sales contract or option to buy things attached to the Project Site to be severed from the Project Site, with any person or organization;

d. any use of the Project Site by any person other than in such person's capacity as a member of the general public;

e. a management contract of the Project Site with any person or organization; and

f. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

3. FCT Recipient agrees and acknowledges that the following transaction, events, and circumstances may be disallowed on the Project Site as they may have negative legal and tax consequences under Florida law and federal income tax law:

a. a sale of the Project Site or a lease of the Project Site to any person or organization;

b. the operation of a concession on the Project Site by any person or organization;

c. a sale of things attached to the Project Site to be severed from the Project Site to any person or organization;

d. any change in the character or use of the Project Site from that use expected at the date of the issuance of any series of bonds from which the disbursement is to be made;

e. any use of the Project Site by any person other than in such person's capacity as a member of the general public;

f. a management contract of the Project Site with any person or organization; and

g. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

DELEGATIONS AND CONTRACTUAL ARRANGEMENTS BETWEEN THE FCT RECIPIENT AND OTHER GOVERNMENTAL BODIES, NOT FOR PROFIT ENTITIES, OR NON GOVERNMENTAL PERSONS FOR USE OR MANAGEMENT OF THE PROJECT SITE WILL IN NO WAY RELIEVE THE FCT RECIPIENT OF THE RESPONSIBILITY TO ENSURE THAT THE CONDITIONS IMPOSED HEREIN ON THE PROJECT SITE AS A RESULT OF UTILIZING BOND PROCEEDS

TO ACQUIRE THE PROJECT SITE ARE FULLY COMPLIED WITH BY THE CONTRACTING PARTY.

VII. CONDITIONS PARTICULAR TO THE PROJECT SITE THAT MUST BE ADDRESSED IN THE MANAGEMENT PLAN

1. The FCT Recipient shall provide outdoor recreational facilities including nature trails, an interpretive kiosk and a parking area on the Project Site. The facilities shall be developed in a manner that allows the general public reasonable access for observation and appreciation of the significant natural resources on the Project Site without causing harm to those resources.
2. The timing and extent of a vegetative survey of vegetative communities and plant species on the Project Site shall be specified in the management plan. The FCT Recipient shall detail how the survey shall be used during development of the site to insure the protection, restoration, and preservation of the natural resources on the Project Site.
3. The sand pine scrub, pine flatwoods and mesic hammock plant communities that exist on the Project Site shall be preserved and appropriately managed to ensure the long-term viability of these communities.
4. The Project Site shall be managed in a manner that optimizes habitat conditions for listed wildlife species that utilize or could potentially utilize the Project Site, including the gopher tortoise, the Florida scrub lizard and Florida scrub jay. The FCT Recipient shall coordinate with the Game and Fresh Water Fish Commission and the Nature Conservancy on the management of the Project Site for the protection of listed species and listed species habitat. The FCT Recipient shall also conduct periodic surveys of listed species using the Project Site and develop informational signs relating to the protection of listed animal species and their habitat.
5. The FCT Recipient shall remove approximately 4 acres of exotic vegetation from the Project Site and manage this area to allow for natural succession by native vegetative species.
6. Prior to the commencement of any proposed development activities, measures will be taken to determine the presence of any archaeological sites. All planned activities involving known archaeological sites or potential site areas shall be closely coordinated with the Department of State, Division of Historic Resources, in order to prevent the disturbance of significant sites.
7. The FCT Recipient shall ensure that the Project Site and listed animal species and their habitat are sufficiently buffered from the adverse impacts of adjacent land uses.
8. A vegetative analysis of the Project Site shall be performed to determine which areas of the Project Site require a prescribed burning regime implemented to maintain natural fire-dependent vegetative communities. The FCT Recipient shall coordinate with the Division of Forestry and the Game and Fresh Water Fish Commission on the development of a prescribed burn plan for the Project Site.
9. Environmental education and scientific research programs related to the natural resources on the Project Site shall be developed and implemented.
10. Access to the Project Site by pedestrians and bicyclists shall be promoted as an alternative to automobile access.
11. The requirements imposed by other grant program funds that may be sought by the FCT Recipient for activities associated with the Project Site shall not conflict with the terms and conditions of the FCT award.

This Agreement including Exhibits "A" and "B" embodies the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

CAA/93-006-PJA  
3-4-94

7

140  
12

B 03/04/97

AGREED AND ACCEPTED, this  
day of \_\_\_\_\_, 1994

ATTEST:

Dorothy H. Wilken, Clerk

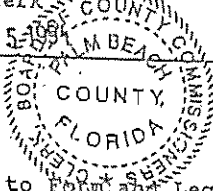
PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: *Vivian E. Lewis*  
Deputy Clerk

BY: *Mary McCarty*  
Chair

Date: JUL 05 1994  
(SEAL)

Date: JUL 05 1994



Accepted as to Form and Legal  
Sufficiency:

R94 818 D

BY: *Heidi Gill*  
County Attorney

Date: 6/21/94

CITY OF BOYNTON BEACH

ATTEST:

As to the City

By: *Suzanne M. Kuss*

By: *Edward Harwood*

Title: City Clerk

Title: Mayor

Date: MAY 31, 1994

Date: MAY 31, 1994

Accepted to Legal Form and Sufficiency:

By: *Jim King*  
City Attorney

Date: MAY 31, 1994

FLORIDA COMMUNITIES TRUST

*Mary Jane McMulle*  
Linda Hoomis Shelley, Chair

Date: 8/12/94

Accepted as to Form and Legality:

*Ana David*

Date: 8-4-94



## Florida Communities Trust

January 21, 1994

Richard E. Walesky, Director  
 Palm Beach County  
 Department of Environmental Resource Management  
 3111 S. Dixie Highway, Suite 146  
 West Palm Beach, Florida 33405

RE: Rosemary Scrub  
 Palm Beach County & City of Boca Raton  
 FCT Project Number: #93-0087-P3A

Dear Mr. Walesky:

On October 19, 1993, the Florida Communities Trust ("FCT") Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle. On January 6, 1994, the FCT Governing Body ranked and selected for funding certain applications on the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle. The above referenced project application, which was submitted by your jurisdiction, is included on the above-referenced list and was selected for conceptual approval for funding.

All FCT project sites will be purchased upon voluntary negotiated terms between FCT, the local government and the seller. Once an application has been placed on the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle, decisions made by governmental authorities, such as rezoning, annexation, extension of water/sewer services, etc., may have an effect on the value of the project site identified in that FCT application.

In that regard, the staff of the FCT has been directed by the Governing Body as follows:

If by an action initiated by the local government subsequent to the time the FCT Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle, a project site is given an enhanced highest and best use which would result in a governmentally derived higher value, the FCT acquisition activities will be terminated unless the seller agrees that

DEPARTMENT OF COMMUNITY AFFAIRS • 2740 CENTERVIEW DRIVE • TALLAHASSEE, FL 32309-2100 • 904/922-2207 • SUNCOM 292-2207



FLORIDA COMMUNITIES TRUST ASSOCIATION

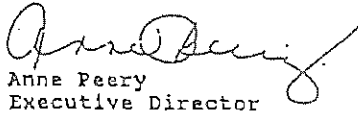
January 21, 1994  
Page Two

the appraisal will be done at the highest and best use of the project site at the time the FCT Governing Body approved the Preservation 2000 Program Approved List of Complete Applications for Series PJA Funding Cycle.

This policy is revised from earlier cycles to apply only to actions initiated by the local government. Previously, the policy applied to all action, whether initiated by a property owner or the local government. The governing body recognizes that local governments must respond to actions requested by property owners and may be compelled by local government regulations to grant land use changes that may impact values.

Therefore, please advise me in writing at the time you return to FCT the executed Conceptual Approval Agreement, whether any action has been taken by your local government subsequent to October 19, 1993, which potentially affects the FCT project site in your jurisdiction or if any action has been requested of the local government concerning the FCT project site.

Sincerely,



Anne Peery  
Executive Director

AP/cr

"EXHIBIT B"

FLORIDA COMMUNITIES TRUST  
TECHNICAL ASSISTANCE BULLETIN: 02  
WRITING A MANAGEMENT PLAN

The conceptual management plan submitted as a part of a Florida Communities Trust ("FCT") grant application or proposal serves as a basis for the management plan for project sites purchased with funds from FCT. Materials and information gathered for the application or proposal can and should be reflected in the plan where appropriate. Conditions required in the Conceptual Approval Agreement or Grant Agreement should be incorporated in the management plan. Location map, boundary map, vegetative surveys, site plans, Conceptual Approval Agreement, the recorded deed when it becomes available, and other supporting documents should be included as exhibits or included in the appendix of the management plan for future readers. The following general outline identifies the range of issues to be addressed in the management plan, where applicable.

INTRODUCTION AND GENERAL INFORMATION

Provide information including the name of the project, the location of the Project Site, and other general information such as a brief resource description, and historical information relevant to site management.

Provide a table of contents of the management plan.

PURPOSE OF THE PROJECT AND MANAGEMENT

Discuss the purpose for acquiring the Project Site and proposed future uses consistent with statements made in the application or proposal. Provide a summary of the comprehensive plan directives that would be furthered by managing the site as proposed. Commitments made in the application or proposal and reinforced by conditions of the grant funding must be reflected in the management plan.

Identify the principle objectives for managing natural resources and compatible outdoor recreation.

Identify a procedure to amend the land use designation to conservation, outdoor recreation, open space, or other similar category once the land is acquired.

Include provisions to ensure that the Project Site is identified in all signs, literature, and advertising as being publicly owned, open to the public and operated as a natural resource conservation area, outdoor recreation area, or other appropriate descriptive language, and identifying the Project Site as having been purchased with funds from the FCT and the Recipient.



## SITE DEVELOPMENT, IMPROVEMENTS AND ACCESS

Incorporate a provision for requesting written approval from the FCT before undertaking any site alterations or physical improvements that are not addressed in the FCT approved management plan.

### Physical Improvements

Identify and locate existing and proposed physical improvements to the Project Site on a master site plan. These might include such things as signs, fences, walkways, recreational paths, campgrounds, restrooms, educational space, utility corridors, parking areas and buildings.

Identify any proposed alteration of land use or character, the approximate area affected and how this activity will be coordinated with the protection of listed plant and animal species. Identify any permits or approvals that may be required for the development or restoration work and a procedure for providing evidence to the FCT prior to the initiation of any activity that all required licenses and permits have been obtained.

Include the placement of at least one sign identifying the Project Site as being open to the public, purchased with funds from FCT and the Recipient, operated as a natural resource conservation area, outdoor recreation area, or other appropriate descriptive language.

### Access

Identify how access to the Project Site will be provided. For example, are parking places proposed on-site, and if so, approximately how many spaces or how much area will be devoted to this use? If parking is not proposed on-site, are there existing or proposed spaces adjacent to or sufficiently near the property? Identify any proposed access to waterbodies including, but not limited to, marinas, docks, boat ramps, fishing piers or viewing platforms and the approximate size of the facility. Consider providing bike paths to the site and bike racks at the site to provide an alternative to automobile transportation to the Project Site.

Access to Project Sites should be compatible with all state and federal construction standards, including the Americans with Disabilities Act.

Identify existing and proposed easements, concessions, or leases. If easements, concessions, or leases are anticipated to be granted on the Project Site, such proposed arrangements need to be identified. These might include utility, rights-of-way, flowage or access easements, recreation or supply concessions, and leases or other instruments that would allow grazing, timbering, agriculture, or other revenue producing enterprises.

Include a procedure to provide 60 days prior written notice and information regarding any lease of any interest, the operation of any concession, any sale or option, any use other than by a member

of the public, and management contracts of the Project Site with non-governmental persons or organizations.

#### KEY MANAGEMENT ACTIVITIES

**Maintenance:** Identify required maintenance activities, including but not limited to trash removal, site cleanup, and facilities upkeep. Identify the entity responsible for property maintenance. Identify procedures to ensure that dumping of trash or hazardous material does not occur on or adjacent to the Project Site. Identify contemplated service contracts with private concerns such as garbage removal, restroom cleaning, security guards, etc.

**Security:** Identify the parties responsible for preventing vandalism, trespassing, and other property damage. Identify measures to protect the Project Site and the public using the site such as on-site manager, security guards, neighborhood watch, emergency phones, etc.

**Staffing:** Identify the expected staffing requirements for management of the Project Site including both permanent and volunteer staff.

**Natural resource protection:** Identify the natural resources at the Project Site and the issues, problems, and proposed management techniques associated with protection of those natural resources. Management techniques should include, but not be limited to, a baseline survey of listed plant and animal species, protection of listed plant and animal species, protection of imperiled or critically imperiled vegetative communities, protection of geological features, protection of surface water and groundwater quality and hydrology and prescribed burns.

Identify monitoring activities to insure the continued viability of vegetative communities and listed species found on the Project Site. The monitoring plan should include periodic surveys of the vegetative communities, listed plant species, and listed animal species found on the Project Site. Provide for forwarding survey information on the occurrence of listed plant and animal species to the Florida Natural Areas Inventory.

**Resource restoration and enhancement:** Identify the primary components of the Project Site enhancement and restoration effort, if any. These might include removal of invasive exotic plant species, removal of feral animals, restoration of wetlands, improvement of surface water quality, recovery plan for listed species, and restoration of uplands habitat. This section should include a time frame for implementing and completing the activities and a monitoring program to insure success of the resource enhancement activities. Identify parts of the property that require different degrees or types of enhancement management.

**Archeological and historical resource protection:** Identify any archeological or historical sites on the Project Site and the primary components of managing the archeological or historical

sites. Outline procedures to protect archeological or historical sites that may be identified in the future.

Incorporate a provision that if any archaeological and historic resources are discovered at the Project Site, the Recipient shall comply with the provisions of Chapter 267, Florida Statutes specifically Sections 267.061 (2)(a) and (b). Provide for coordination with the Division of Historical Resources, Florida Department of State.

coordination: Explain how the management of the site will be coordinated with other adjacent land owners and other resource protection agencies. For example, in the case of prescribed burns, what measures will be used to minimize impacts on nearby residential properties? Identify measures to protect the Project Sites from adjacent off-site activities that might impact resources on the Project Site such as pesticide spraying on adjacent property, water treatment facility discharging into creeks flowing through Project Site, etc.

Include provisions to coordinate with other agencies for appropriate guidance, recommendations, and necessary permits that may be related to the Project Site, such as the following: the Florida Game and Fresh Water Fish Commission and U.S. Fish and Wildlife Service to avoid impacts to listed species; the Water Management District and Department of Environmental Protection to ensure that development of the Project Site is done in a manner to protect or improve water quality; the Division of Forestry and the Game and Fresh Water Fish Commission on the implementation of a prescribed burn program; other local, state, or federal agencies special management plans, if appropriate.

#### COST ESTIMATE AND FUNDING SOURCE

Identify the estimated costs of the various development and management activities outlined in the management plan. For review and analysis purposes, the estimated costs should be separated into the same categories as the identified activities.

Identify the entity that will pay for development and management of the Project Site and some measure of the commitment or capacity to provide these monies. For example; adequate personnel and resources in the local parks and recreation department may exist to address the added burden associated with the Project Site. Identify any citizen organization or non-profit groups committed to providing services or funding and a measure of commitment or capacity to provide these services.

#### PRIORITY SCHEDULE

Identify a proposed time line for implementing the development and management activities of the management plan based on established priorities and the availability of funds. Provide a graphic display of the implementation time lines.

R94 1737D DEC 06 1994

CONTRACT #95-CT-90-93-3A-A1-008 FLORIDA COMMUNITIES TRUST  
P3A AWARD# 93-008-P3A

ADDENDUM I TO CONCEPTUAL APPROVAL AGREEMENT

THIS ADDENDUM I to the Conceptual Approval Agreement is entered into by and between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the State of Florida Department of Community Affairs, and and CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivisions of the State of Florida ("FCT Recipient"), this ~~9th~~ day of ~~January~~, 1995.

WHEREAS, the parties hereto entered into a Conceptual Approval Agreement which sets forth the conditions of conceptual approval that must be satisfied by FCT Recipient prior to the receipt of the FCT Preservation 2000 award and the restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Preservation 2000 award;

WHEREAS, the initial term of the Conceptual Approval Agreement expires December 4, 1994;

WHEREAS, the FCT Recipient in accordance with GENERAL CONDITIONS paragraph 2 of the Conceptual Approval Agreement and in compliance with Rule 9K-4.010(2)(k), F.A.C., has timely submitted to FCT a written request for extension of the December 4, 1994, deadline;

WHEREAS, GENERAL CONDITIONS paragraph 10 of the Conceptual Approval Agreement states that the agreement may be amended at any time prior to FCT giving final project plan approval to the FCT Recipient. Any agreement must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT;

WHEREAS, the parties hereto desire to extend the term of the Conceptual Approval Agreement as provided by Rule 9K-4.010(2)(k), F.A.C.;

NOW THEREFORE, the FCT and FCT RECIPIENT mutually agree as follows:

1. Notwithstanding the language of Section I. GENERAL CONDITIONS, paragraph 2. and paragraph 10., the parties hereby agree to revive it nunc pro tunc as though it had not lapsed in accordance with paragraph 2.
2. In every respect, this amendment is to be construed and applied as though the parties had both signed it before December 4, 1994.

ADDI/93-008-P3A  
9-28-94

3. The Conceptual Approval Agreement by and between FCT and FCT Recipient is hereby extended until June 4, 1995.

4. The date of execution of this addendum shall be the date that the last party signs this addendum.

THIS ADDENDUM I TO CONCEPTUAL APPROVAL AGREEMENT, the CONCEPTUAL APPROVAL AGREEMENT and its Exhibits "A" and "B" embody the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this ADDENDUM I TO CONCEPTUAL APPROVAL AGREEMENT.

ATTEST:  
Dorothy H. Wilken, Clerk, PALM BEACH COUNTY, BOARD OF COUNTY COMMISSIONERS  
BY: Virginia P. Lewis Deputy Clerk  
BY: [Signature] Chair

Date: DEC 06 1994 (SEAL) Date: DEC 06 1994

Accepted as to Form and Legal Sufficiency:  
BY: Heidi Gull County Attorney  
Date: 11/9/94

R94 17370

CITY OF BOYNTON BEACH  
ATTEST:  
BY: Suzanne M. Husar City Clerk  
As to the City  
BY: E. F. Harmening Mayor

Title: City Clerk Title: E. F. Harmening, Mayor  
Date: 11/3/94 Date: 11/3/94

Accepted to Legal Form and Sufficiency:  
BY: John C. [Signature] City Attorney  
Date: 11/3/94

FLORIDA COMMUNITIES TRUST

Mary Anne McMillan  
Linda Loomis Shelley, Chair

Date: 1/9/95

Accepted as to Form and Legality:

Ann Annis

Date: 1-6-95



Florida Communities Trust

January 17, 1995

Richard E. Walesky  
Department of Environmental  
Resource Management  
3111 S. Dixie Highway  
West Palm Beach, Florida 33405

RE: Rosemary Scrub  
Palm Beach County/City of Boynton Beach  
FCT Project Number: # 93-008-P3A

Dear Mr. Walesky:

Enclosed please find two fully executed originals of the Addendum I to the Conceptual Approval Agreement for the above referenced Florida Communities Trust Project.

Call me at (904) 922-2207 or Suncom 292-2207, if you have any questions.

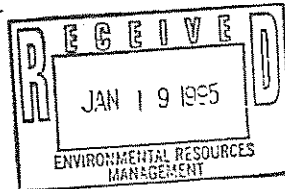
Sincerely,

*A. Diane Langston*

A. Diane Langston  
Grant Specialist I  
Florida Communities Trust

ADL/

Enclosure



R95 1077D AUG 15 1995  
FLORIDA COMMUNITIES TRUST  
P3A AWARD# 93-008-P3A

CONTRACT #95-CT-90-93-3A-A1-008

ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT

THIS ADDENDUM II to the Conceptual Approval Agreement is entered into by and between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the State of Florida Department of Community Affairs, and CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivision of the State of Florida ("FCT Recipient"), this 15th day of September 1995.

WHEREAS, the parties hereto entered into a Conceptual Approval Agreement which sets forth the conditions of conceptual approval that must be satisfied by FCT Recipient prior to the receipt of the FCT Preservation 2000 award and the restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Preservation 2000 award;

I. WHEREAS, the initial term of the Conceptual Approval Agreement expired December 4, 1994;

WHEREAS, the Conceptual Approval Agreement was amended by ADDENDUM I to expire June 4, 1995.

WHEREAS, the FCT Recipient in accordance with GENERAL CONDITIONS paragraph 2 of the Conceptual Approval Agreement and in compliance with Rule 9K-4.010(2)(k), F.A.C., has timely submitted to FCT a written request for extension of the June 4, 1995, deadline;

WHEREAS, the parties hereto desire to extend the term of the Conceptual Approval Agreement as provided by Rule 9K-4.010(2)(k), F.A.C.; and

II. WHEREAS, the Conceptual Approval Agreement provides for the disbursement of FCT Preservation 2000 award funds at the closing of the acquisition of the Project Site;

WHEREAS, the FCT Recipient has requested disbursement of FCT Preservation 2000 award funds from FCT subsequent to the closing on the acquisition of the Project Site for the project costs expended for the acquisition of the Project Site by the FCT Recipient;

WHEREAS, the parties hereto desire to amend the Conceptual Approval Agreement to provide for the disbursement of FCT Preservation 2000 award funds subsequent to the FCT Recipient's acquisition of the Project Site;



WHEREAS, the purpose of this ADDENDUM is to set forth the conditions of Conceptual Approval that must be satisfied by FCT Recipient prior to the disbursement of any FCT Preservation 2000 award funds; and

WHEREAS, GENERAL CONDITIONS paragraph 10 of the Conceptual Approval Agreement states that the agreement may be amended at any time prior to FCT giving final project plan approval to the FCT Recipient. Any agreement must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT;

NOW THEREFORE, the FCT and FCT RECIPIENT mutually agree as follows:

1. Notwithstanding the language of Section I. GENERAL CONDITIONS, paragraph 2. and paragraph 10., the parties hereby agree to revive it nunc pro tunc as though it had not lapsed in accordance with paragraph 2.

2. In every respect, this amendment is to be construed and applied as though the parties had both signed it before June 4, 1995.

3. The Conceptual Approval Agreement by and between FCT and FCT Recipient is hereby extended until December 4, 1995.

4. Section I. 4. is hereby replaced, revised and superseded by the following:

4. The grant amount reflected in paragraph I.3., hereinabove, is based on the FCT Recipient's estimation of Project Costs in application #93-008-P3A and limits on awards in the Notice of Application Period announcing the application cycle. The actual total Project Costs, defined in Rule 9K-4.002(31), Florida Administrative Code, for acquisition of the Project Site will be reflected on the reconciliation statement prepared as set forth in paragraph III. 1., hereinbelow. The FCT will participate in the land cost at the percent stated in paragraph I.3. times 100% of the approved maximum value based on appraisal reports that comply with requirements set forth in Section 380.507 (11), Florida Statutes, and Rule 9K-6, Florida Administrative Code. All eligible Project Costs expended by FCT Recipient will be recognized as local match on the reconciliation statement.

5. Sections I. 6. and I. 7. are hereby deleted.

6. Section I. 9. is hereby replaced, revised and superseded by the following:

9. FCT Recipient agrees to make diligent efforts to

submit the documentation that is required in this Agreement as soon as is reasonably possible to FCT so that the funds awarded under this agreement may be disbursed in an expeditious manner.

7. Sections II. 1., II. 2., and II. 4. are hereby deleted.

8. Section III. is hereby replaced, revised and superseded by the following:

III. REQUIREMENTS THAT MUST BE MET PRIOR TO DELIVERY OF AWARD FOR REIMBURSEMENT OF PROJECT COSTS EXPENDED BY FCT RECIPIENT TO ACQUIRE THE PROJECT SITE

1. FCT awards shall only be delivered, after FCT approval of the project plan and terms of the acquisition of the Project Site, to the FCT Recipient. If the Project Site is comprised of multiple parcels, FCT shall deliver at the reimbursement for each parcel only the share of the FCT award that corresponds to the parcel acquired. FCT will prepare a reconciliation statement prior to the reimbursement for the Project Site parcel that will evidence the amount of local match provided by the FCT Recipient and the portion of the FCT award that corresponds to the parcel acquired.

2. The cash expended by the FCT Recipient for Project Costs, defined in Rule 9K-4.002(31), F.A.C., to acquire the Project Site will be recognized as part of the local match on the reconciliation statement prepared as set forth in paragraph III. 1. hereinabove.

3. The value attributed to the land purchase price portion of the Project Cost shall be based on the appraisal report(s) that complies with the procedures and requirements set forth in Section 380.507(11), Florida Statutes, Rule 9K-6, Florida Administrative Code, and Uniform Standards of Professional Appraisal Practice as defined in Chapter 475, Florida Statutes.

4. Prior to final disbursement of award funds by FCT, the FCT Recipient must prepare a project plan that complies with Rule 9K-4.011, F.A.C. This project plan, which is a compilation of documents, must be reviewed and approved by FCT, and include the following documents:

a. A statement that the acquisition activities were conducted consistent with either Rule 9K-6.004(3)(d)(1) or (2), F.A.C., whichever applies.

b. The following documents, to be reviewed by FCT to ensure that the interest of the State of Florida will be protected:

(1) A copy of the real estate contracts for sale and purchase of the Project Site between FCT Recipient and Resolution Trust Corporation and Janmar Properties, Ltd.

(2) A copy of Buyer and Seller closing statements for the purchase of the Project Site.

(3) A copy of the recorded deed evidencing conveyance of title to the Project Site to the FCT Recipient.

(4) Certified survey of the Project Site that meets the requirements of Rule 9K-6.006, F.A.C., and dated within 90 days of the date of acquisition of Project Site by FCT Recipient.

(5) Appraisal report(s) prepared for the FCT Recipient's acquisition of the Project Site that complies with the requirements of Rule 9K-6.007, F.A.C.

(6) A copy of the title insurance policy evidencing marketable title in FCT Recipient to the Project Site and effective the date of acquisition of the Project Site by the FCT Recipient, including a statement from the title insurer as to the minimum promulgated rate-if premium was paid by FCT Recipient, and all documents referenced in the title policy:

(7) Environmental site assessment of the Project Site certified to the FCT Recipient, which meets the standards and requirements of the FCT Recipient, and with a date of certification within 45 days before the date of acquisition of the Project Site by FCT Recipient, together with the statement required by Rule 9K-6.012(4), F.A.C.

c. A management plan that is acceptable to FCT and that at a minimum addresses the criteria and conditions set forth in Section V, VI and VII hereinbelow and Exhibit B, which is attached hereto and incorporated herein by reference.

d. A statement of the total project cost, including all non-recurring costs of project development.

e. A statement of the amount of the award being requested from FCT.

f. A statement from each FCT Recipient in whose jurisdiction the Project Site is located that the project plan is consistent with the local comprehensive plan.

g. Evidence that conditions imposed as a part of the Conceptual Approval Agreement have been satisfied.

h. An affidavit from the FCT Recipient evidencing that after conducting a diligent search, the FCT Recipient, to the best of its knowledge, represents that there are no existing or pending violations of any local, state, regional and federal laws and regulations on the Project Site.

i. In the event that the FCT Recipient is a partnership, the FCT Recipient must provide FCT with the interlocal agreement that sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Project Site.

5. Pursuant to 9K-4.011(2)(h), Florida Administrative Code, FCT shall withhold project plan approval if the local comprehensive plan(s) of the FCT Recipient or the FCT Recipient's partner is, for any reason found not in compliance by the Department after conceptual approval has been granted by FCT, unless the FCT Recipient has executed a stipulated settlement agreement with the Department to resolve all of the issues raised by the Department in a statement of intent to find a plan not in compliance issued to pursuant to Section 163.3184(8), Florida Statutes.

9. Sections IV. 3. and IV. 4. are hereby deleted.

10. Section IV. 5. is hereby replaced; revised and superseded by the following:

5. A Grant Award Agreement containing such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State Constitution, containing clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site for such purposes and describing the real property subject to the Agreement shall be executed by the FCT and FCT Recipient prior to the disbursement of funds to the FCT Recipient and shall be recorded in the county in which the Project Site is located.

11. The date of execution of this addendum shall be the date that the last party signs this addendum.

THIS ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT, ADDENDUM I, and the CONCEPTUAL APPROVAL AGREEMENT and its Exhibits "A" and "B" embody the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT.

R95 1077D

ATTEST:  
Dorothy H. Wilken, Clerk

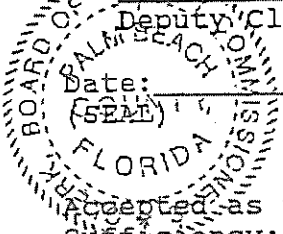
PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: Barbara A. Mul  
Deputy Clerk

BY: [Signature]  
Chair

Date: AUG 15 1995

Date: AUG 15 1995



Accepted as to Form and Legal Sufficiency:

BY: [Signature]  
County Attorney

Date: 8/10/95

CITY OF BOYNTON BEACH

ATTEST:

As to the City

BY: [Signature]

BY: [Signature]

Title: SUZANNE M. KRUSE  
CITY CLERK

Title: GERALD TAYLOR  
MAYOR

Date: 7/20/95

Date: 7/20/95

Accepted to Legal Form and Sufficiency:

By: [Signature]  
City Attorney

Date: 7/19/95

FLORIDA COMMUNITIES TRUST

[Signature]  
Linda Loomis Shelley, Chair  
James F. Murley, Chair

Date: 7/15/95

Accepted as to Form and Legality:

[Signature]  
Date: 7/17/95

**APPENDIX G**  
**RECORDED DEEDS**

**B 03/04/97**

Prepared by and  
Return to:

David S. Pressly, Esq.  
Pressly & Pressly, P.A.  
222 Lakeview Avenue, Suite 910  
West Palm Beach, FL 33401-6112

MAR-13-1995 1:38pm 95-076209

ORR 3654 Pg 1133

08-43-45-09-00-000-7080

Con 200,000.00 Dec 1,400.00

Property Identification Number: 08-43-45-09-00-000-7080  
08-43-45-16-00-000-3100

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STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED made the 8th day of March, 1995, by JANMAR PROPERTIES, LTD., a Florida Limited Partnership a/k/a Janmer Properties, Ltd., a Florida Limited Partnership (hereinafter referred to as "Grantor"), to PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (hereinafter referred to as "Grantee"), whose post office address is P.O. Box 1989, West Palm Beach, Florida 33402-1989.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other valuable considerations, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, and sell to the Grantee, Grantee's successors and assigns forever, the following described land in Palm Beach County, Florida:

SEE EXHIBIT "A" ANNEXED HERETO

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT, HOWEVER, TO:

1. Taxes for the year 1996, and all subsequent years.
2. Zoning, prohibitions and other requirements imposed by government authority.
3. All matters of Public Record (it not being the intent hereof to reimpose same).

#10 Return to  
CHICAGO TITLE INSURANCE COMPANY  
2393 South Congress Avenue  
West Palm Beach, FL 33406

CT 21491 KF

B 03/04/97

[Space above this line for recording]

AND the Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever (subject to the matters set forth above).

IN WITNESS WHEREOF, the said Grantor has duly executed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Kathryn R. Posten  
(Sign)

Kathryn R. Posten  
(Print)

Robert Bued  
(Sign)

Robert Bued  
(Print)

Janmar Properties, Ltd., a Florida Limited Partnership

By: Janmar Corporation, a Florida Corporation, as General Partner

By: B.D. Rawls  
Its Vice President

(SEAL)

4649 Ponce De Leon Blvd,  
Suite 303  
Coral Gables, FL 33146

APPROVED BY BOARD OF COUNTY COMMISSIONERS,  
PALM BEACH COUNTY, FLORIDA, ON  
JANUARY 10, 1995, BY RESOLUTION No. R-95-42-D

BY: Heidi Jall  
Assistant County Attorney

160



[Space above this line for recording]

STATE OF FLORIDA )

COUNTY OF DADE )

The foregoing instrument was acknowledged before me this 3rd day of March, 1995, by B.D. Rawls, as the Vice President of Janmar Corporation, a Florida corporation, on behalf of the Corporation, in its capacity as general partner of Janmar Properties, Ltd., a Florida limited partnership. He is personally known to me or he has produced a Florida driver's license as identification.

*Amalia M. Slater*  
Notary Public (Signature)

AMALIA M. SLATER  
Notary Public (Print)

My Commission Expires:

(Notary Seal)

NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: Dec. 16, 1995  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

janmar.statwarr.ded

LEGAL DESCRIPTION

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida. Said Parcel being more particularly described as follows:

Commencing at the southeast corner of the Southwest 1/4 of Section 9 Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 40.01 feet to a point on the West right-of-way line of Seacrest Blvd., said point also being the point of beginning; thence continue West, a distance of 793.14 feet to a point on the East right-of-way line of State Road No. 9; thence run North 00°05'00" East along the East right-of-way line of State Road No. 9, a distance of 658.68 feet to a point; said point being the southwest corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 89°58'45" East, along the South line of North Ridge Estates, a distance of 809.90 feet to a point; said point being the Southeast corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 01°32'45" West, along a line that is 40.00 feet West of, as measured at right angles, the East line of the said Southwest 1/4 of Section 9 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 658.62 feet more or less to the point of beginning.

AND

A parcel of land lying in Section 16, Township 45 South, Range 43 East, Palm Beach County, Florida. Said parcel being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 108.60 feet to the point of beginning; thence South a distance of 40.00 feet to a point; thence East, a distance of 45.88 feet to a point; thence with a curve to the right having a radius of 25.00 feet, a central angle of 87°57'15", and an arc length of 38.38 feet, to a point on the West right-of-way line of Seacrest Blvd.; thence with a bearing of South 02°02'45" East, along a line that is 40.00 feet West of, as measured at right angles, the East line of the Northwest 1/4 (NW 1/4) of Section 16 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 75.88 feet to a point; thence South 87°57'15" West, a distance of 73.62 feet to a point; thence South 52°20'15" West, a distance of 75.79 feet to a point; thence North 50°50'05" West, a distance of 77.39 feet to a point; thence West a distance of 253.02 feet to a point; thence South 31°21'10" West, a distance of 47.13 feet to a point; thence North 89°55'00" West, a distance of 82.46 feet to a point; thence North a distance of 70.00 feet to a point; thence North 89°55'00" West, a distance of 94.71 feet to a point; thence West, a distance of 50.00 feet to a point; thence North 89°55'00" West, a distance of 100.00 feet to a point on the

East right-of-way line of State Road No. 9; thence North 00°05'00" East, along the East right-of-way line of State Road No. 9, a distance of 109.85 feet to a point; thence East, a distance of 724.55 feet more or less to the point of beginning.

LESS AND EXCEPT the following described parcel of land:

A parcel of land lying in Section 9, and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest quarter (SW 1/4) of said Section 9, run North 90°00'00" West, along the South line of said Section 9, a distance of 40.00 feet to the point of beginning of the herein described parcel of land; continue thence North 90°00'00" West, a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along the arc of said curve through a central angle of 87°57'15", a distance of 38.38 feet, to a point on the Westerly right-of-way line of Seacrest Blvd., and point of tangency of said curve; thence South 02°02'45" East, along said Westerly right-of-way line, a distance of 75.88 feet; thence South 87°57'15" West, along the South line of Lot 10, Block 20 of Rolling Green Ridge, 1st. Addition, as recorded in Plat Book 24, page 223 of the Public Records Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52°20'15" West, a distance of 75.79 feet; thence North 50°50'05" West, a distance of 77.39 feet; thence North 90°00'00" West, a distance of 130.42 feet; thence leaving said North line, North 02°02'45" West, along a line parallel to Seacrest Blvd., a distance of 140.00 feet to a point on the South line of Section 9; thence North 01°30'00" East, along a line parallel to Seacrest Blvd., a distance of 658.72 feet; to a point on the North line of the South half (S 1/2) of the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of said Section 9; thence along said North line South 89°58'45" East, a distance of 324.05 feet to a point on the Westerly right-of-way line of Seacrest Blvd. an 80.00 foot wide road right-of-way; thence South 01°32'45" West, along said Westerly right-of-way line, a distance of 658.62 feet to the point of beginning.

janmar.legal

RECORD AND RETURN TO:

EDWARD A. KALISH, ESQUIRE  
1110 BRICKELL AVENUE  
SUITE 605  
MIAMI, FLORIDA 33131

This Instrument Prepared By:

Edward A. Kalish, Esquire  
1110 Brickell Avenue  
Suite 605  
Miami, Florida 33131  
(305) 373-7003

JAN-27-1995 12:13pm 95-026781  
088 8597 Pg 1699  
1.00 Doc .70

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 24<sup>th</sup> day of January, 1995, by RESOLUTION TRUST CORPORATION AS RECEIVER FOR GOLD COAST FEDERAL SAVINGS BANK ("Grantor"), whose address is Marquis I Tower, 245 Peachtree Street, N.E., Suite 1200, Atlanta, Georgia 30303, to PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA ("Grantee"), whose address is 301 North Olive Avenue, Suite 601, West Palm Beach, Florida 33401.

Whenever used herein, the terms "Grantor" and "Grantee" shall include both singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships or limited partnerships, whenever or wherever the context so admits or requires.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs and assigns forever, the following described land situate, lying and being in Palm Beach County, Florida, to-wit:

A parcel of land lying in Sections 9 and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9 run North 90 degrees 00 minutes 00 seconds West along the South line of said Section 9 a distance of 40.00 feet to the Point of Beginning of the herein described parcel of land; continue thence North 90 degrees 00 minutes 00 seconds West a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet, thence Southeasterly along the arc of said curve through a central angle of 87 degrees 57 minutes 15 seconds a distance of 38.38 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, and

point of tangency of said curve; thence South 02 degrees 02 minutes 45 seconds East along said Westerly Right-of-Way line a distance of 75.88 feet; thence South 87 degrees 57 minutes 15 seconds West along the South line of Lot 10, Block 20, of Rolling Green Ridge, 1st Addition, as recorded in Plat Book 24, at Page 223, of the Public Records of Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52 degrees 20 minutes 15 seconds West a distance of 75.79 feet; thence North 50 degrees 50 minutes 05 seconds West a distance of 77.39 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 130.42 feet; thence leaving said North line North 02 degrees 02 minutes 45 seconds West along a line parallel to Seacrest Boulevard a distance of 140.08 feet to a point on the South line of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along a line parallel to Seacrest Boulevard a distance of 658.72 feet to a point on the North line of the South half (S 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 9; thence along said North line South 89 degrees 58 minutes 45 seconds East a distance of 324.05 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, an 80.00 foot wide road Right-of-Way; thence South 01 degrees 32 minutes 45 seconds West along said Westerly Right-of-Way line a distance of 658.62 feet to the Point of Beginning.

LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9; thence due West along the South line of said Section 9, a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the East line of the Southwest Quarter (SW 1/4) of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along said parallel line a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the South line of the Southwest Quarter (SW 1/4) of said Section 9 and the Point of Beginning of the herein described parcel; thence continue North 01 degrees 32 minutes 45 seconds East along the West Right-of-Way line of Seacrest Boulevard, as now laid out and in use, a distance of 250.00 feet; thence due West a distance of 175.00 feet; thence South 01 degrees 32 minutes 45 seconds West a distance of 250.00 feet; thence due East a distance of 175.00 feet to the Point of Beginning.

THIS DEED IS GIVEN SUBJECT TO THE FOLLOWING:

1. All real estate taxes and assessments for the calendar year 1995 and all subsequent years;

- 2. Conditions, covenants, easements, limitations, reservations, restrictions, and agreements, of record, if any; but this provision shall not operate to reimpose or extend any of the same; and
- 3. Applicable zoning and other ordinances, restrictions and prohibitions, imposed by appropriate governmental authority, if any.

TO HAVE AND TO HOLD the same unto Grantee in fee simple.

Grantor does hereby covenant with Grantee that Grantor will warrant and defend the title to the land hereby conveyed against the lawful claims and demands of all persons claiming by, through or under, Grantor, but against none other. NO OTHER COVENANTS OR WARRANTIES, EXPRESS OR IMPLIED, ARE GIVEN BY THIS SPECIAL WARRANTY DEED.

Property Appraiser's Parcel I.D. Nos.: 08-43-45-16-01-020-0100-001; 08-43-45-09-00-000-7090; and 08-43-45-16-00-000-3110.

Grantee's Federal Employer Identification No.: 59-6000785

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed in its name by its proper officer thereunto duly authorized, and its corporate seal to be affixed hereto, the day and year first above written.

Signed, Sealed and Delivered in the presence of:

RESOLUTION TRUST CORPORATION AS RECEIVER FOR GOLD COAST FEDERAL SAVINGS BANK

Jean Grant  
[signature of witness #1]

JEAN GRANT  
[typed or printed name of witness #1]

BY: Terry Day  
Terry Day, as Attorney-In-Fact for Resolution Trust Corporation as Receiver for Gold Coast Federal Savings Bank

Etelvina J. Mills  
[signature of witness #2]

ETELVINA MILLS  
[typed or printed name of witness #2]

[CORPORATE SEAL]

STATE OF GEORGIA )  
 )  
COUNTY OF FULTON )

SS: 1

The foregoing Special Warranty Deed was sworn to, subscribed and acknowledged before me this 24th day of January, 1995, by Terry Day, as Attorney-In-Fact for Resolution Trust Corporation as Receiver for Gold Coast Federal Savings Bank, on behalf of the said Resolution Trust Corporation as Receiver for Gold Coast Federal Savings Bank, on behalf of the said savings and loan association. Terry Day is personally known to me.

Eriynne M. Decker  
[signature of Notary Public]

Eriynne M. Decker  
[typed or printed name of Notary Public]

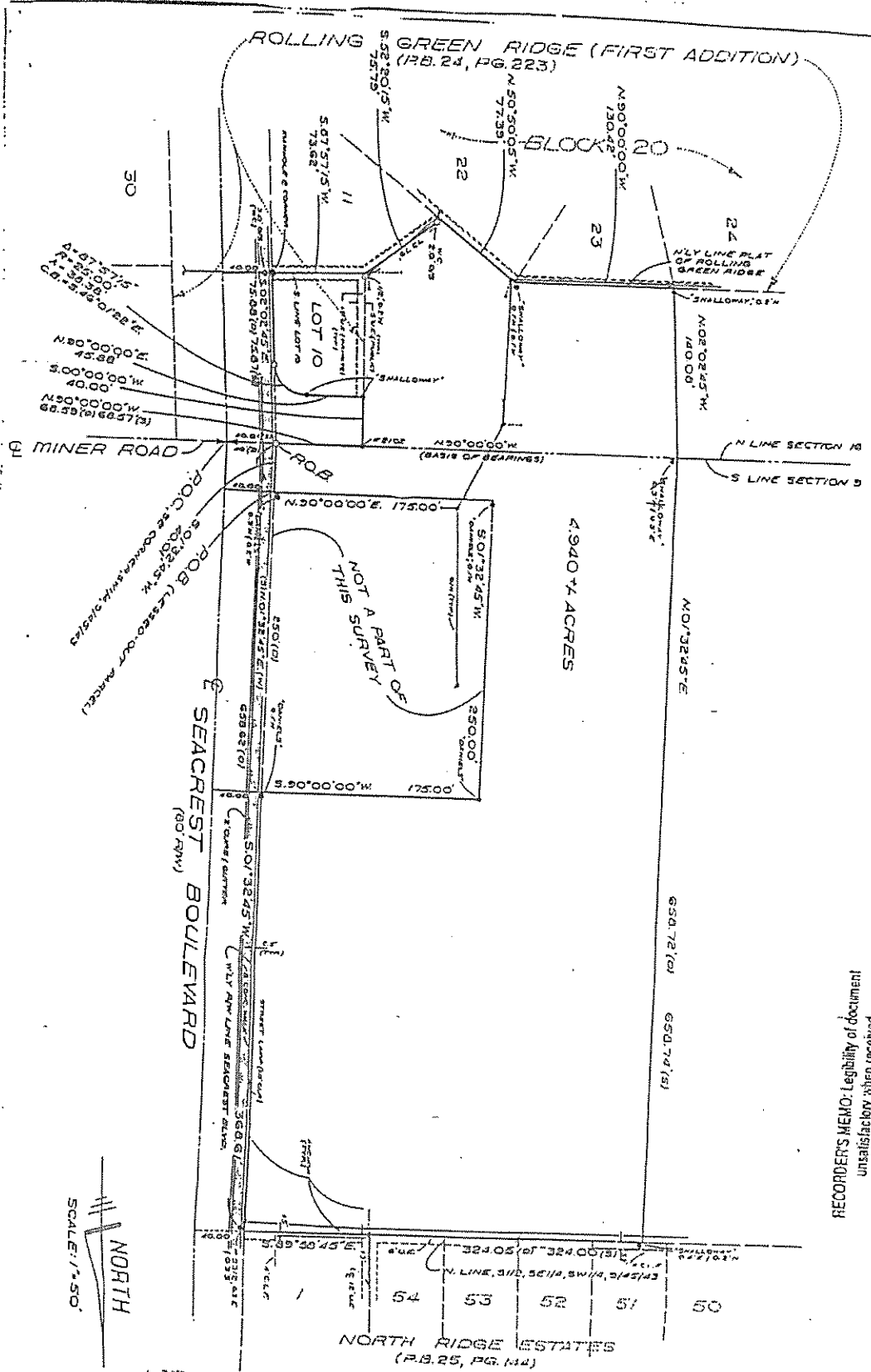
Notary Public, State of Georgia  
Notary Public, Fulton County, Georgia  
My Commission expires: My Commission Expires Sept. 29, 1998



APPROVED BY BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, on January 10, 1995 by Resolution No. R-95-43

BY: Heidi Juhl  
HEIDI JUHL, ESQUIRE  
Assistant County Attorney

ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE IS A ONE PAGE DESCRIPTION SKETCH, WHICH IS NOT A SURVEY, FOR THE SOLE PURPOSE OF COMPLIANCE WITH SECTION 28.222(4), FLORIDA STATUTES.





**APPENDIX H**

**FIRE MANAGEMENT PLAN FOR ROSEMARY SCRUB NATURAL AREA**

**E 03/04/97**

## FIRE MANAGEMENT PLAN FOR ROSEMARY SCRUB NATURAL AREA

This plan consists of two parts. The first part contains generalized procedures that will apply to all burns conducted on the Rosemary Scrub Natural Area. The second part contains specific information for each management unit that will be used in preparing the prescribed burn plan for that unit. A prescribed burn plan will not be compiled until several weeks before a unit is planned to be burned, in order to incorporate the current conditions on that management unit. Therefore, specific prescribed burn plans will not be included in this fire management plan.

### H.1 GENERAL PROCEDURES

#### H.1.1 Personnel

The Palm Beach County Department of Environmental Resources Management (ERM) will provide the personnel necessary to conduct prescribed burns. Additional personnel assistance may be sought from the City of Boynton Beach Fire-Rescue, the Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF), and The Nature Conservancy (TNC).

Each burn team will be headed by a burn boss, who will conduct the prescribed burn. The burn boss must have received certification to conduct prescribed burns from DOF. The duties of the burn boss are to prepare the prescribed burn plan and obtain a burn permit; to conduct pre-burn coordination with other agencies and homeowners' groups; to establish firebreaks; to make crew assignments; to coordinate communications; to oversee the burn; and to make final decisions and adjustments during the burn.

The other positions on the burn crew are crew boss, burner, safety officer, weather officer, information officer, engine operator, and spotters. The crew boss is in charge of the personnel in his or her crew and instructs the burner to ignite the fire according to the pattern and timing selected by the burn boss. The safety officer briefs the burn team on safety hazards and precautions, monitors the safety conditions throughout the burn, and reports any potentially hazardous conditions and injuries to the burn boss. The weather officer monitors weather forecasts and conditions, records periodic weather observations, and makes periodic weather status reports to the burn boss. The engine operator drives and operates mechanized equipment such as a truck- or tractor-mounted water tank and pump. Spotters monitor the prescribed burn to see that it remains within management unit boundaries, and otherwise assist the burn or crew bosses. The information officer coordinates with media representatives. The responsibilities of this position may be assigned to the weather officer or another burn crew member.

### H.1.2 Equipment

All burn crew members shall be required to wear Nomex fire-resistant outer clothing, all-cotton undergarments, leather lace-up boots with non-slip soles, leather gloves, a plastic firefighter's helmet equipped with eye protection and a neck flap, a belt-mounted emergency fire shelter, and a drinking-water canteen. For personal comfort, a cotton bandanna and a belt or pack capable of carrying lunch or snacks is recommended. Round-point shovels, fire rakes, and fire flaps will be available for crew members' use. Other hand tools available to the burn crew will be drip torches for igniting the fire and a belt weather kit for weather monitoring. At least one hand-held radio shall be available for every two members of the burn crew that are working together, with a minimum of four radios available for communication between crew members on any prescribed burn. A first-aid kit and other safety equipment shall be kept in each crew vehicle.

Mobile equipment such as 4-wheel-drive pickup trucks equipped with water tanks, pumps, and hoses, and all-terrain vehicles will be used, as well as other fire-suppression equipment such as tractor-mounted plow units, pumper trucks, and fire engines that may be supplied by DOF and Boynton Beach Fire-Rescue. DOF personnel with tractor-mounted plows and pumper trucks are stationed at the Loxahatchee Work Center on "D" Road in Loxahatchee Groves. They will be notified of any prescribed burn, so that they can respond if more aggressive fire suppression measures are necessary.

### H.1.3 Pre-burn Checklist

- o Prepare specific burn prescription plan for management unit
- o Hold public education meetings and inform media about the proposed burn
- o Establish perimeter firebreaks
- o Inspect management unit to determine potentially hazardous areas
- o Assemble and inspect necessary equipment
- o Apply for burn permit
- o Make burn crew assignments
- o Prepare maps and materials for pre-burn briefing
- o Notify local agencies and officials and arrange for backup assistance
- o Give on-site tour to assisting agencies and provide them with site information
- o Contact adjacent landowners and residents
- o Distribute leaflets door-to-door with the assistance of volunteers
- o Brief local news media on use of prescribed burning as a management tool
- o Monitor weather forecasts as the proposed burn day approaches
- o Contact local law-enforcement authorities for assistance in directing traffic

#### H.1.4 Burn Day Checklist

- o Obtain burn authorization from DOF
- o Mobilize burn crew and equipment
- o Notify adjacent landowners and others who have requested notification
- o Post burn notices on Seacrest Blvd. and smoke warning signs on Interstate 95
- o Obtain spot weather forecast for management unit
- o Have back-up fire suppression support on standby
- o Conduct pre-burn safety and ignition plan briefing for burn team
- o Monitor weather forecasts and record on-site weather data
- o Conduct test burn
- o Conduct main burn if prescription conditions are met

#### H.1.5 Post-burn Checklist

- o Mop-up and extinguish hot spots and smoldering snags
- o Monitor burn for rekindling of fire
- o Remove burn notice signs
- o Conduct post-burn review and burn crew input session
- o Evaluate burn for success in meeting environmental objectives
- o Evaluate burn plan and burn crew for areas of improvement
- o Continue to evaluate burn at regular intervals
- o Respond to follow-up contacts/requests for news media information

## H.2 MANAGEMENT UNIT INFORMATION

### H.2.1 Management Unit 1

*Size and Location:* 6.7 acres in the northern portion of the Natural Area.

*Boundaries:* North Ridge Estates subdivision to the north, Seacrest Boulevard to the east, the Kwik-Stop convenience store and a management road to the south, and Interstate 95 to the west.

*Smoke-sensitive Areas:* Residences on the north and east sides. A.G. Holley Hospital 2 miles to the north. Rolling Green Elementary School 0.25 miles to the southeast, Lantana Middle School and Lantana Elementary School 1.5 miles to the north, Poinciana Elementary School 1.25 miles to the south, and Galaxy Elementary School 2 miles to the south. Interstate 95 on the western boundary and Seacrest Boulevard on the eastern boundary.

*Special Considerations:* There is no good direction to send smoke, because the entire site is surrounded by urban development. Smoke must be kept off Interstate 95 to prevent vehicle accidents. Measures to minimize smoke production, such as mechanical cutting of the understory vegetation and a combination of strip-head and backing fires, should be employed. The burn should be scheduled when atmospheric conditions favor good lifting of smoke and its dissipation overhead. The small colony of Boston fern in this unit needs to be relocated prior to prescribed burning.

*Prescription Parameters:*

Relative Humidity	-	45-65%
Wind Speed	-	0-5 mph
Wind Direction	-	W to NNW
Temperature	-	45-95°F
Fine Fuel Moisture	-	6-15%

*Best Months for Burn:* March through July

## H.2.2 Management Unit 2

*Size and Location:* 4.9 acres in the western and central portions of the southern half of the Natural Area.

*Boundaries:* A management road to the north, a firebreak and the mesic hammock vegetative community to the east, the Rolling Green subdivision to the south, and Interstate 95 to the west.

*Smoke-sensitive Areas:* Residences on the south side. A.G. Holley Hospital 2 miles to the north, Rolling Green Elementary School 0.25 miles to the southeast, Lantana Middle School and Lantana Elementary School 1.5 miles to the north, Poinciana Elementary School 1.25 miles to the south, and Galaxy Elementary School 2 miles to the south. Interstate 95 on the western boundary and Seacrest Boulevard to the east.

*Special Considerations:* There is no good direction to send smoke, because the entire site is surrounded by urban development. An easterly direction would cause the least problems. Smoke must be kept off Interstate 95 to prevent vehicle accidents. Measures to minimize smoke production, such as mechanical cutting of the understory vegetation and a combination of strip-head and backing fires, should be employed. The burn should be scheduled when atmospheric conditions favor good lifting of smoke and its dissipation overhead. The 0.64 acres of scrubby flatwoods in Unit 1 will be burned with Unit 2, in order to achieve the proper fire frequency for this community.

*Prescription Parameters:*

Relative Humidity	-	45-65%
Wind Speed	-	0-5 mph
Wind Direction	-	SSW to W
Temperature	-	45-95°F
Fine Fuel Moisture	-	6-15%

*Best Months for Burn:* March through July



**MANAGEMENT PLAN FOR**

**ROSEMARY SCRUB**

**NATURAL AREA**

**FCT PROJECT NO. 93-008-P3A**

**Prepared by**

**Palm Beach County  
Department of Environmental Resources Management  
2300 North Jog Road, 4<sup>th</sup> Floor  
West Palm Beach, Florida 33411**

BCC 4/1/2008

## **THE PALM BEACH COUNTY NATURAL AREAS SYSTEM MANAGEMENT STATEMENT**

*The Palm Beach County Natural Areas System is composed of those environmentally sensitive lands that are owned or leased by the County and managed as natural areas by the County's Department of Environmental Resources Management (ERM). These natural areas were selected on the basis of their biological characteristics and were acquired to preserve the rare and diverse native ecosystems present on these sites and the endangered, threatened, and rare species of plants and animals that live there.*

### ***Purpose and Goals of the Natural Areas System***

- *The purpose of the Natural Areas System is to protect historic native ecosystems and their biological diversity throughout Palm Beach County. Examples of each ecosystem shall be acquired and managed to preserve in perpetuity the full complement of plants and animals characteristic of that ecosystem. The management of each natural area shall be coordinated with that of the other natural areas in the system to support existing populations and to reflect in perpetuity the subtropical biological diversity characteristic of Palm Beach County in pre-development times.*
  
- *The wilderness values of each natural area shall be preserved.*
  
- *Where a natural area currently is physically or biologically connected to another publicly- or privately-owned natural area, attempts shall be made to maintain that connection through additional land acquisitions, regulatory preserve set-asides, conservation easements, interlocal agreements, and other appropriate actions.*

### ***Management Considerations***

- *The natural areas in the system shall be available to the public for passive, resource-based recreation, environmental education, and scientific research. Public use shall not take precedence over ecosystem protection. Proposed public uses shall take into account the specific environmental conditions of each natural area, and may be modified in response to changing environmental conditions.*



- *Facilities for passive public use shall be provided on each site. These facilities shall be designed to have a minimal impact on native ecosystems and shall be located in previously disturbed areas as much as possible.*
- *Facilities, structures, or roads other than management or access roads that would cause fragmentation of a natural area shall not be permitted within a natural area.*
- *The establishment of compatible land uses and activities on lands adjacent to a natural area shall be encouraged.*
- *To the extent possible, fire-maintained native ecosystems shall be burned at the appropriate interval and season, as determined by historical data, to maintain those ecosystems. Burns shall be conducted by trained personnel, using a prescribed burn plan that addresses safety and smoke concerns. The seasonality of prescribed burns may be adjusted for initial fuel reduction burns and site safety constraints.*
- *Where ecosystems within a natural area have been impacted by invasive, nonnative plant infestations, land-clearing activities, drainage, or flooding, attempts shall be made to restore those ecosystems to their previous condition or to a natural ecosystem best suited to the existing conditions on the natural area.*
- *The special requirements of listed species shall be considered in developing management strategies for each natural area, but management for an individual species shall not take precedence over management of an entire ecosystem or be allowed to have a detrimental impact on that ecosystem's complement of species.*

#### ***Management Plan Development and Revision***

- *A specific management plan, based on biological, hydrological, and historical information and interpretation of this information, shall be written for each natural area that takes into account the environmental conditions found on that natural area.*

- *Each management plan shall address the strategies and techniques that will be used to manage and restore native ecosystems, to protect listed species, control the occurrence of invasive, nonnative plants and animals, to allow for appropriate public access, and to prevent unauthorized access and activities.*
- *Each initial plan shall be reviewed by the Palm Beach County Natural Areas Management Advisory Committee (NAMAC), a citizens' advisory board, and the public shall be invited to comment on the plan at a public hearing held by NAMAC in the community in which the site is located.*
- *Following NAMAC review of the comments received, the plan shall be sent to the Board of County Commissioners for approval.*
- *Each approved plan shall be subsequently reviewed every ten years thereafter, by NAMAC.*

## EXECUTIVE SUMMARY

The 13.59-acre Rosemary Scrub Natural Area is located within the City of Boynton Beach in southeastern Palm Beach County, Florida. The site was acquired in 1995 by Palm Beach County (the County) and the City of Boynton Beach. Funds were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991. Matching funds for the acquisition were approved by the Florida Communities Trust through its Preservation 2000 Program.

The primary purpose of this acquisition was to preserve important remnants of scrub and scrubby flatwoods vegetation communities. The secondary purposes were to provide for passive recreation, environmental education, and scientific research. The acquisition of the Rosemary Scrub Natural Area has assisted Palm Beach County and the City of Boynton Beach in the implementation of several policies within their respective Comprehensive Plans.

Scrub is the predominant natural community found on the site, with smaller areas of scrubby flatwoods. Scrub is one of the rarest natural communities in the state of Florida. Scrubby flatwoods also are considered to be very rare in the state. In addition, the acquisition and management of the natural area will preserve important habitats for several rare and/or endemic plant and animal species. Thus far, eight plant and seven animal species recorded on the site have been listed by at least one government agency or nonprofit environmental organization.

Fire exclusion, off-road vehicle trespassing, exotic pest plant invasions, agricultural alteration, illegal dumping, and clearing for and construction of adjacent roads and buildings have all impacted the site. In addition, managers face special challenges unique to fragmented natural communities located within urban and suburban environments. In recognition of the significance of the natural vegetation communities on the site, public use is limited to passive, non-consumptive recreation, environmental education, and scientific study. An accessible nature trail, a footpath and an interpretive display provide opportunities for the public to observe the site's distinctive scrub and scrubby flatwoods communities and their associated species, and to appreciate their biological uniqueness. Scientific research opportunities at the site include monitoring of populations of rare and/or endemic species, and evaluation of restoration and management technologies.

An initial management plan for the site was developed in 1997. This plan achieved two major goals: 1) to provide specific information required by the Florida Communities Trust's

Preservation 2000 Program and 2) to provide additional information and management recommendations so that management activities could begin promptly. It is the goal of the County to have each management plan reviewed every ten years thereafter, by the Palm Beach County Natural Areas Management Advisory Committee and to revise the management plan as necessary on the basis of new information, improvements in management techniques, or other relevant factors. This is the first revision of the Rosemary Scrub Natural Area Management Plan. The next revision is tentatively scheduled to be completed in 2018.

A stewardship report has been provided to the Florida Communities Trust each year for the past ten years. Stewardship reports for the years 1996 through 2006 show that listed species populations have remained stable within a normal range of fluctuation and the invasive vegetation control program has been successful. Public use facilities have been installed and have worked well, with minimal complaints received from the public. There have been a few negative occurrences at the site, including: damage to one of the fences caused by an automobile accident, canopy damage from several hurricanes, and some lewd acts. This revised management plan addresses these issues and summarizes the actions taken to deal with them.

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## 1. INTRODUCTION

This revised management plan is intended to provide guidance for the future use and management of the Rosemary Scrub Natural Area. This 13.59-acre site was acquired as part of a much larger effort to acquire the most important privately-held natural areas left in Palm Beach County. On March 12, 1991, the voters of Palm Beach County approved a \$100 million bond referendum to purchase environmentally sensitive lands. The Rosemary Scrub Natural Area was acquired in early 1995 with funds from these bonds and funds from the City of Boynton Beach. State matching funds for the acquisition were provided through the Preservation 2000 Program of the Florida Communities Trust (FCT). Negotiations for the acquisition and other acquisition-related services were provided by the County's contractor, The Nature Conservancy (TNC). Assistance in management of the site is provided by the City of Boynton Beach.

Common names are used in the text and in Appendix A (Natural Resource Inventory and Assessment) for species recorded on the project site. Scientific names of plants are listed in Appendix B; those of animals are listed in Appendix C. The scientific name has been used when a unique common name does not exist for the taxon or if the species has not been recorded for the project site.

### 1.1 SITE LOCATION

The Rosemary Scrub Natural Area is located on the southern Atlantic coastal strip, within the City of Boynton Beach in Palm Beach County (Figure 1). It lies south of Hypoluxo Road, west of Seacrest Boulevard, north of Gateway Boulevard, and east of Interstate Highway 95. The total area of this site is 13.59 acres.

### 1.2 SITE HISTORY

#### Pre-Settlement - 1750 to 1872

The Rosemary Scrub Natural Area is a fragment of a large ridge of predominantly scrub habitat that ran north-south between Lake Worth and an inland lake/marsh system that contained Lake Osborne and the former Lake Webster. The original Native American inhabitants of South Florida lived mainly along the coast, but had virtually disappeared by the 1750s, victims of European diseases and mistreatment by the Spanish. The surviving Native Americans supposedly

were taken by the Spanish to Cuba when Florida was turned over to the British in 1763, but there are stories of “Spanish Indians” that were absorbed by the Seminoles. There are no indications that the natural area was used by Native Americans.

In the early 1700s, Native Americans from the Creek and related tribes in Georgia and Alabama began to move south into north Florida. This movement accelerated in the early 1800s. These Native Americans were being pushed out by white settlers or were on the losing side of a civil war among the Creek tribes. They welcomed runaway black slaves, who joined them as freed allies, or became subject to the Native Americans in a less onerous form of slavery. This agglomeration of tribes became known as the Seminoles which was derived from a word meaning “wild” in their language. Conflicts between white settlers in Georgia and Alabama and the Seminoles and their black allies would lead to three periods of open warfare between 1817 and 1858 that were known as the Seminole Indian Wars. There are no indications that the Seminoles visited the natural area.

#### Early Settlers and the Construction of Infrastructure - 1873 to 1930

As the Seminole Indian Wars finally ended and the turmoil of the Civil War receded, the Palm Beach County area became attractive to settlers. Although as many as 21 settlers tried to establish home sites around the shores of Lake Worth on free land under the Armed Occupation Act of 1842, none of them remained for long (Palm Beach Post 1999). The first permanent settlers came to Palm Beach County in the mid-1870s, and settled on the shores of the Lake Worth Lagoon in the vicinity of the Town of Hypoluxo. Additional settlers soon followed, although most settled north of the first settlers in the area that would become Palm Beach. In 1886, James Porter and Andrew Garnett homesteaded large tracts of land east of the natural area and west of present-day U.S. Highway 1, but their homesteads did not extend as far west as the natural area.

In 1886, the first Hypoluxo post office was established at the Garnett house on the shores of Lake Worth, with Andrew Garnett as postmaster. A walking mail route was established along the beach to carry the mail from Hypoluxo to Fort Dallas on the Miami River for the sum of \$600 per year, with four Hypoluxo area men splitting the work. Barefoot mailmen were not unusual in Florida in the mid to late 1800s. The first barefoot mailman was Long John Holman, who began carrying the mail between St. Augustine and Ft. Dallas in 1845. The barefoot mailmen were usually temporary mail carriers - as the population of an area grew and could support railroads

and steamship lines, the mail was transferred to more regular forms of transportation. The Hypoluxo to Ft. Dallas beach route was the last barefoot mailman route to be eliminated in Florida (Hutchinson and Paige 1998).

In 1888, James Porter was elected to the Dade County Commission (Linehan and Nelson 1994). At that time, Dade County stretched from the St. Lucie River to Florida Bay. In the election of 1889, the voters in the northern part of the county banded together to support moving the county seat from Biscayne Bay to Juno at the northern end of Lake Worth. They outnumbered the Biscayne Bay/Miami-area voters at that time, and carried the election. James Porter was one of six men who went to Biscayne Bay to get the county records and bring them to the new courthouse at Juno.

After they lost the election, and had to travel to Juno for County business, the Biscayne Bay area citizens began to push for a road to make the trip easier. Small boat travel was easy on the Biscayne Bay and Lake Worth lagoons, but was dangerous in the Atlantic Ocean between the two population centers. The beach route between the two lagoons was difficult and dependent on the schedule of the barefoot mailmen, who acted as guides and whose skiffs were used to cross the inlets. In 1892, an 8-foot-wide sand road was authorized for construction by the Dade County Commission between the south end of Lake Worth and the north end of Biscayne Bay. This road started in the vicinity of present-day Hypoluxo Road at the Garnett boat dock and ended at Lemon City in present-day Miami. This sand road had nine bridges and a ferry where it crossed the New River near Ft. Lauderdale (Linehan 1980).

The 1892 road was located 0.6 miles east of the natural area. It ran north-south through the present-day Hypoluxo Scrub Natural Area, and is still visible today as a bare sandy strip near the middle of the site. The reason behind the route of the road within the Hypoluxo Scrub Natural Area is somewhat of a mystery. It was located approximately 500 feet east of the section line, which would have been the logical place for the road to be located. The road made a jog to the west in the section south of the Hypoluxo Scrub Natural Area, and then followed the section line. It is possible that the road within the Hypoluxo Scrub Natural Area was constructed on what was thought to be the correct section line. Surveys were very rudimentary at that time, and 400-500 foot errors in section lines were not uncommon. However, since the road ran through James Porter's land, he must have had some say in where it was located.

The route of the sand road is easily visible on a 1930 coastal map compiled by the U.S. Coastal and Geodetic Survey (USCGS 1930) from aerial photographs taken by a U.S. Army blimp in 1928. The 1928 photographs are no longer in the public domain, and were not available to ERM. The road is also visible on a 1940 aerial photograph (USGS 1940). By 1893, a “stagecoach” line had been established on the road, with an overnight stay on the New River at a trading post/tent hotel run by Frank Stranahan. The round trip fare was \$16 dollars, and a one-way trip was \$10. The term “stagecoach” line was a bit of a misnomer. The transportation was actually six-passenger wagons pulled by two mules. Only the passengers and freight crossed over at the New River - the wagons returned to their starting point with whatever new cargo they had picked up at the ferry. The arrival of the stagecoach line was the end of the barefoot mailman, as the mail contract was taken over by the stagecoach company (Linehan 1980).

In some places, like the Hypoluxo Scrub Natural Area, the 1892 sand road was abandoned when better transportation routes became available. Other sections of the road became parts of Federal Highway (U.S Highway 1) or local streets such as NE 4<sup>th</sup> Street in Boynton Beach. Henry Flagler's Florida East Coast (FEC) Railroad was constructed in 1895, approximately 0.75 miles east of the natural area. The completion of the FEC railroad to the Miami area in 1896 caused the demise of the stagecoach line and a decline in the use of the 1892 sand road.

The completion of the FEC railroad spurred development in its vicinity. Major Nathan Boynton, a retired Civil War veteran from Michigan, toured the area and wanted to establish a settlement of northerners. He purchased large acreages of land, including a beach tract just south of present-day Ocean Avenue in 1895, and built the Boynton Beach Hotel in 1897. The hotel catered primarily to Michigan residents, many of whom made it their winter home. Major Boynton later returned to Michigan and was subsequently elected to Congress, but he and his family maintained control of their lands. A Boynton post office opened in 1900, and the first mainland subdivisions were platted in 1910. By 1911, the first Ocean Avenue bridge was built across the 50-foot-wide Florida East Coast Canal, the predecessor to the Atlantic Intracoastal Waterway. The first school opened in the Boynton settlement in 1913, and the Town of Boynton was incorporated in 1920.

In 1911, Palm Beach County was formed and the County Commission authorized construction of a shellrock “main line county road” in the vicinity of the FEC railroad tracks. In the vicinity of the natural area, this road was built immediately east and parallel to the railroad. In 1916, the state took over the road, widened it, and made it part of the Dixie Highway system. It is not

known what the County road was called prior to 1916, but it has been called the Dixie Highway ever since, except for those segments that were incorporated into the new U.S. Highway 1 in the late 1920s.

In 1915, the Lake Worth Drainage District (LWDD) was formed, and began to dig a network of canals to drain the area west of the coastal ridge and east of present-day State Road 7/U.S. Highway 441, and between present-day Okeechobee Road and the Hillsboro Canal. Major north-south canals called equalizing canals were dug every 2 to 2.5 miles, and smaller east-west lateral canals were dug every half mile. Equalizing Canal 4 (known as the E-4 Canal north of the L-40 Canal and as the El Rio Canal south of the L-40 Canal) was dug through the Osborne/Webster lake/marsh system one mile west of the natural area, and lowered surface water levels from approximately 15 feet to 8.5 feet. This canal cut through Lake Webster, and drained it completely, causing the lake to disappear. Lowered water levels in Lake Osborne caused the lake in to shrink in size, and ground water levels at the natural area were reduced also.

No lateral canals extended east of the E-4 Canal in the vicinity of the natural area. The E-4/El Rio Canal runs mostly through the center of a wetland swale system located between the coastal sand ridges and the more westerly pine flatwoods. Approximately 1.25 miles south of the natural area, a large east-west canal was constructed that emptied into the southern end of Lake Worth. This canal, known as the Boynton Canal, was the outfall for the central section of the LWDD canal system, and also was a barrier to the northern expansion of the Town of Boynton for many years.

The Seaboard Airline Railroad (present-day CSX Railroad) was constructed in 1926 approximately 350 feet west of the natural area. Once the railroad was completed, virtually all large slash pines in the vicinity of the railroad were removed by logging. However, this may not have had much of an effect on the natural area, since only a few slash pines occurred in the scrubby flatwoods in the northwest corner of the site. In the late 1920s, U.S. Highway 1 (also known as Federal Highway) was constructed through Palm Beach County. In the vicinity of the natural area, it was co-located with Dixie Highway, and the name of the road was changed to Federal Highway.

The 1920s Florida land boom was still in full swing in 1925, and another man who would have a profound effect on the Hypoluxo/Lantana area came on the scene. Albert Greynolds was a contractor, road builder, and developer (Linehan 1980). He bought the Garnett homestead west

of the FEC Railway and north of present-day Hypoluxo Road. He also gained control of the portions of James Porter's homestead south of Hypoluxo Road that Porter had not already platted as part of the Hypoluxo subdivision in 1914. Greynolds also gained control of another 160 acres south of Porter's land. In 1925 and 1926, his company, Greynolds, Clark, and Shay, Inc. platted three units of the Greynolds Highlands subdivision east of the natural area. This subdivision extended from Pine Street in Lantana southwards for more than 1.5 miles to what is present-day Miner Road. The first unit covered the portions in Lantana that were north of present-day Hypoluxo Road. The second unit covered most of James Porter's land with blocks located north, south and west of the Hypoluxo Subdivision. The third unit covered the southern end of the subdivision and extended south to present-day Miner Road.

Mr. Greynolds platted his subdivision with a grand entrance from Dixie Highway via Central Boulevard to Greynolds Circle in Lantana, which he envisioned as the town center. Central Boulevard continued west from Greynolds Circle where it intersected several major north-south streets such as historic Broadway, Arnold, and Washington Avenues. North of present-day Hypoluxo Road, the east-west streets were named for Florida governors. South of present-day Hypoluxo Road, the east-west streets were named for U.S. Presidents. Present-day Hypoluxo Road appears for the first time on these plats, but is shown as Hypoluxo "Drive". The lots in the subdivision were 25 feet wide and 125 to 140 feet long. While these long narrow lots were the fashion in the early 1900s when most of the City of Lake Worth was platted this way, they were becoming obsolete in the mid-1920s. The lot size may have been a factor in the subsequent failure of the Greynolds Highland subdivision.

Before the development went under, Greynolds cleared the historic main north-south roads of Washington, Arnold, and Broadway Avenues. Most of the secondary east-west streets were cleared as well. This street clearing in a long narrow subdivision gave the development a railroad track-like appearance on maps and aerial photographs. The roads in the development are present on the 1930 USCGS map and the 1940 USGS aerial photograph. They remained visible on aerial photographs well into the 1950s (USGS 1953). The 1930 map shows that Washington Avenue was hard-surfaced southward past Hypoluxo Drive for 1/4 mile to east-west Monroe Street (a portion of which is now known as Monroe Boulevard). The 1930 map also shows a hard-surfaced Hypoluxo Drive extending as far west as the Seaboard Airline Railroad tracks, but the 1940 aerial photograph indicates that it only extended as far west as Washington Avenue, with a barely-discernable track continuing westward to the railroad. The area surrounding

Washington Avenue (and portions of Arnold and Broadway Avenues) was later replatted and the portion of Washington Avenue north of Hypoluxo Road disappeared.

The first aerial photographs of the vicinity of the natural area were taken from a blimp by the U.S. Army in 1928, and were compiled into a coastal map by the U.S. Coast and Geodetic Survey in 1930 (USCGS 1930). This map showed the natural area as being part of a large, untouched tract of –short leaf” (sand) pines lying between the FEC and Seaboard railroad tracks. The sand roads of the Greynolds Highland subdivision were present northeast of the natural area, while sand and hard-surfaced roads in the Town of Boynton covered most of the area south of the Boynton Canal and north of Woolbright Road between the railroad tracks. Federal Highway was not yet present, but numerous small roads extended from then-Dixie Highway to the shores of Lake Worth east of the natural area. Small areas of mango orchards and cultivated fields were present west of the Seaboard tracks. Former Lake Webster and the southern extension of Lake Osborne were shown as large marshy areas. The 1930 map also showed the LWDD canal system.

The Florida land boom collapsed in the late 1920s after devastating hurricanes struck Miami in 1926 and West Palm Beach in 1928. Although the hurricanes may not have hit the natural area and vicinity that hard, the relative safety of all of southeastern Florida was now questioned. The land speculation bubble ended as investors withdrew their money. The 1929 stock market crash and the onset of the Depression soon followed, and times were tough in South Florida. Many people and companies were unable to pay the taxes on their properties.

#### Stagnation and Nearby Development – 1931 to 1955

Prior to 1940, very little development occurred in the vicinity of the natural area. U.S. Geological Survey (USGS) 1940 aerial photographs show almost no differences from the 1930 USCGS map, except that Federal Highway had been constructed. The sparse vegetation and abundant bare sand on the natural area in the 1940 photograph seems to indicate that a wildfire had occurred several years earlier.

World War II had little effect on the area surrounding the natural area. Linehan (1980) states that Hypoluxo Island in the Lake Worth Lagoon was used for jungle training, since its mangrove areas were similar to those found in the south Pacific islands where fighting was occurring. The war did cause the development boom in Florida to re-ignite, as a large number of servicemen



stationed in Florida during the war returned to live there after the war. After World War II ended, development accelerated.

In 1946, the County Commission accepted a posted-and-viewed road known as Miner Road that extended 1.25 miles westward on the section line from Federal Highway to High Ridge Road, crossing the southern portion of the natural area and the Seaboard Railroad tracks. This right-of-way was cleared and a sand road established that ran through the natural area. A 1947 aerial photograph in Linehan (1980) shows Miner Road present as a sand road. It also shows that the areas just north of Miner Road had been cleared. In 1948, the State acquired a 300-foot right-of-way between the natural area and the Seaboard Railroad for a limited-access highway that would later become Interstate 95.

Sometime in the late 1940s, Hypoluxo Drive was extended westward from Washington Avenue for 0.5 miles to the Seaboard Airline Railroad tracks. At the railroad tracks, it joined an existing road that ran westward to Military Trail. The combined roads were called Hypoluxo Road. East of the natural area, new subdivisions were being platted north of Miner Road near Federal Highway. In 1948, the Kroker family platted the Ridge Grove subdivisions. These subdivisions had shellrock roads. In 1949, Loomis Griswold platted the Tropical Terrace subdivision between the Ridge Grove subdivision and the FEC railroad tracks. Tropical Terrace had larger lots and paved streets than did the Ridge Grove subdivision, but it seemed to develop at a slower rate.

The oceanfront portions of the Town of Boynton split off from the rest of the town in 1931 over a tax dispute. A new Town of Boynton Beach was incorporated, but changed its name to Ocean Ridge in 1937. The Town of Boynton then changed its name to Boynton Beach in 1941. Until the early 1950s, the Boynton Canal was still a significant barrier to the northern expansion of Boynton Beach. In 1952, the first of the Rolling Green subdivisions was platted north of the canal. It was located just north of the canal and just west of Federal Highway, and was accessed from Federal Highway via NE 15<sup>th</sup> Avenue. The first homes were already visible in this subdivision on a 1953 aerial photograph (USGS 1953). The success of the initial plan prompted additional Rolling Green subdivisions to be platted west and north of the first plat in 1953 and 1955. These new plats prompted the construction of a bridge across the Boynton Canal and the northward extension of Seacrest Boulevard (originally Green Street in early Boynton plats) northward to access the new subdivisions. The Boynton Canal ceased to be a barrier to the northern expansion of Boynton Beach after construction of the bridge.

During this time frame, development was also occurring north of the natural area. The 1953 aerial photograph shows that Seacrest Boulevard has been constructed for 0.5 miles south of Hypoluxo Road. A large cleared rectangular area with a small grassed area is present on the west side of Seacrest Boulevard. This location corresponds with the present location of Palm Beach Memorial Park cemetery and is believed to be the first development phase of that cemetery. This cemetery filed its first plat as Lincoln Memorial Gardens in 1951. The 1953 photograph also shows significant home-building activity in the Ridge Grove and Tropical Terrace subdivisions east of the natural area and increased residential and agricultural development along High Ridge Road west of the natural area, as well as a sand-mining operation at the location of the future High Ridge Natural Area.

#### Neighborhood Development and the Interstate – 1956 to 1985

Development reached the natural area in the mid 1950s, and Federal Highway was widened to four lanes at this time. In 1956, the Rolling Green Ridge subdivision was platted east and south of the site. The North Ridge Estates subdivision north of the site was platted in 1957. These subdivisions were annexed into Boynton Beach at this time, as was the natural area. The Sancastle subdivision was platted northeast of the natural area in 1958 and 1959, but was not annexed by the City. Construction began on Rolling Green Ridge in 1959, but the development ran into financial difficulties and the houses bordering the natural area were not built until 1962. The houses in North Ridge Estates were built beginning in 1960.

Seacrest Boulevard was the access road to the Rolling Green and North Ridge Estates developments, so the missing section bordering the natural area was presumably built in the late 1950s. Both of these subdivisions and the Sancastle subdivision were essentially built out by 1965, although Palm Beach County Property Appraiser's aerial photographs indicate that some minor infill building on vacant lots occurred into the early 1970s. The influx of new residents created a demand for services. A Food Fair supermarket was built in the late 1950s on the north side of Hypoluxo Road just east of the Seaboard Railroad tracks. It later became part of the Pantry Pride supermarket chain, which subsequently went bankrupt. Most of the parking area was lost when the Hypoluxo Road interchange on Interstate 95 was built. The building was remodeled and is currently the Cabot House furniture store. Other commercial buildings would follow along Hypoluxo Road.

In 1961, an easement was granted to Florida Power & Light Co. for the high-voltage electrical transmission line that runs along the northern border of the site. The line was presumably constructed shortly thereafter, because a 1965 Property Appraiser's photograph shows that vegetation had regrown under the line. The convenience store that exists on the east side of the site was built in 1964 as the surrounding subdivisions neared completion. The former disturbed areas on the east side of the site were apparently created about this time, as a result of land clearing associated with road and convenience store construction. The 1965 aerial photograph from the Palm Beach County Property Appraisers gives the first large-scale view of the natural area and vicinity. Seacrest Boulevard is present, as is the convenience store. Rolling Green Elementary School is present 0.25 miles east of the natural area, and Miner Road is paved from Federal Highway westward to Ocean Parkway 0.2 miles east of the natural area.

In the early and mid 1970s, the High Point Condominium development was built north of the natural area on the vacant southern portion of the Palm Beach Memorial Park cemetery plat. Some of the four-unit condominium buildings were constructed in the future path of Interstate 95, and were subsequently cut into four pieces, hauled by trucks, and re-assembled at the nearby Point Overlook Condominium development northeast of the natural area. After the relocations were complete, similar new condominiums were built at the Point Overlook development. In the mid-1970s, Interstate Highway 95 was constructed on the 300-foot right-of-way on the west side of the site. This right-of-way had been left in native vegetation, and had connected the site to other naturally-vegetated lands. Construction of I-95 left the natural area isolated as an island of native vegetation.

Miner Road was finally paved from Ocean Parkway to Seacrest Boulevard in the mid 1970s. The use of the sandy, unpaved portion of Miner Road running through the natural area declined after Seacrest Boulevard was built, and ended completely when I-95 was built without an overpass for Miner Road. This roadbed is completely overgrown today. Additional clearing occurred in the former disturbed areas on the southern border of the natural area at the time I-95 was constructed, but it is unclear whether the clearing was a result of construction activities or to meet City requirements for a mowed strip next to residential housing. A wildfire occurred in the scrubby flatwoods portion of the natural area around 1985.

In 1981, the owners of the natural area gave an easement to the City to construct a water main across the southern portion of the site and under I-95. The water main was installed shortly thereafter, just south of the unused Miner Road right-of-way, in an area that also contained water

and sewer lines built during the construction of the Rolling Green Ridge subdivision. The water main was for a new industrial/residential subdivision being built west of I-95. Although the southern industrial portion of the subdivision had numerous buildings constructed by 1984, the northern residential portion, known as Cedar Ridge, had not progressed beyond street construction in 1984. The development of the residential portion was financed by a savings and loan institution, and development of the residential portion halted when the savings and loan failed and was taken over by the federal government.

The Rosemary Scrub Natural Area site was previously owned by the developers of the Rolling Green Ridge subdivision. It was apparently set aside for a future shopping center site at the intersection of two major roads, Seacrest Boulevard and Miner Road. The severing of Miner Road by the construction of I-95, as well as a general decline in the surrounding neighborhoods, decreased the site's potential for commercial development. An unsuccessful attempt was made in the mid-1980s to build the Shoppes of Seacrest commercial development on the eastern portion of the site.

In the early and mid 1980s, the residential neighborhoods surrounding the natural area began to decline. These areas had originally been developed as inexpensive housing. As time passed, the original owners died or moved out, and were replaced with renters and low-income families. Many properties became poorly-maintained and run-down, and the crime rate increased. The decline in the surrounding neighborhood had made the natural area unattractive for residential and commercial development.

#### Road Expansions and Public Acquisition – 1986 to present

In 1988, Seacrest Boulevard was widened from two to five lanes along the eastern border of the natural area. In 1989, Hypoluxo Road was widened from two to five lanes 0.8 miles north of the natural area. At the same time, the unused northern portion of the Palm Beach Memorial Park cemetery was developed as a commercial property with a Sam's Club warehouse store and several fast-food restaurants along Hypoluxo Road. An Inns of America Hotel was added to this commercial development in 1996. Home construction restarted in the single-family portion of the stalled Cedar Ridge subdivision west of the natural area in 1996 and was quickly built out. The multi-family section on this subdivision did not get started until 1999 and was completed in 2002 along with the rest of the industrial buildings.

In 1992, an interchange was built at I-95 and Gateway Boulevard, which is one-half mile south of the natural area. A concrete sound barrier wall was constructed at the same time that extended northward from the interchange, along the east side of I-95, to a point 100 feet north of the southern boundary of the site. In 1996, a similar wall was extended southward to a point 100 feet south of the northern boundary of the site. The purpose of this wall was to provide noise protection for the residential neighborhoods north of the natural area. A request by ERM to the Florida Department of Transportation (FDOT) to construct the sound barrier across the gap at the natural area was not approved due to FDOT guidelines that only provide for sound barrier construction next to residential properties.

In 1986, the County funded an inventory of native ecosystems in Palm Beach County by two Florida Atlantic University professors (Iverson and Austin 1988). The purpose of the study was to delineate and determine the quality of the remaining native ecosystems in the County with a goal of preserving representative portions through acquisition and land development regulations. The study was completed in 1988, with additional work in 1989. A County advisory committee was established in 1989 to recommend which ecosites should be acquired and how to fund the acquisition program. In 1990, the committee recommended 14 priority sites for acquisition through a bond referendum. The Rosemary Scrub ecosite was one of the 14 priority sites. The County scheduled a \$100 million Environmentally Sensitive Lands Bond Issue Referendum for March 12, 1991. The referendum passed by a 2 to 1 margin.

In September 1993, the County and the City of Boynton Beach (City) submitted a joint application for matching funds to the Florida Communities Trust (FCT) Preservation 2000 Program for the natural area (ERM 1993). The application subsequently received enough points to be funded and a Conceptual Approval Agreement for site acquisition was finalized in August 1994. In January 1995, the County and the City purchased the eastern 4.94 acres of the Natural Area from the Resolution Trust Corporation for \$243,000. In March 1995, the remaining 8.65-acre tract in the western portion of the site was purchased from Janmar Properties, Ltd. for \$200,000. In November 1995, the County and City finalized an interlocal agreement (Appendix E) for the management of the site. Matching state funds of \$187,407 were received from FCT in February 1996.

A draft management plan was developed for the natural area in 1996 and was reviewed by the County's Natural Area Management Advisory Committee in the fall of 1996. The management plan was approved by the Board of County Commissioners (BCC) in March 1997, following an

open house and public hearing held on plan in the City of Boynton Beach. The management plan was implemented following BCC approval. The land use and zoning for the natural area were changed from Commercial to Recreation by the City in 2001, and to Conservation in 2003 when the City adopted this new land use and zoning category.

All of the natural area was fenced by October 1995. The 7-foot chain-link fencing was installed one foot underground to restrict gopher tortoises from digging under the fence and wandering outside the natural area. Following installation of the fence, three gopher tortoises were relocated to the site from a County road project. Invasive/exotic plant control efforts began at the natural area in 1995 and have continued on a nearly annual basis. The management roads were completed in 1998, and the public use facilities were substantially completed in March 2001. The site was officially opened to the public shortly thereafter.

The first prescribed burn was completed in March 2000 on the northern portion of the site. This burn was performed after a short period of rainy weather in what would turn out to be an extended dry spell. Much of the understory vegetation had been chopping before the burn, and the low-intensity burn allowed most of the sand pines to survive. However, the stress of the burn and the subsequent drought weakened the sand pines and triggered a pine bark beetle attack that subsequently killed all the pines in the burn unit, as well as some of the pines in the adjacent unburned unit. Because of the drought following the prescribed burn, there was very little sand pine regeneration in the burn unit.

The first planting project at the Rosemary Scrub Natural Area occurred in October 2001, when 15 silk bays were planted just west of the parking area. At the same time, exotic grasses and ferns were removed from the area. In November 2001, 18 cabbage palms were relocated from a Palm Beach Community College construction project and planted in disturbed areas around the parking lot. In December 2001, 16 live oaks were planted in disturbed areas around the parking lot. In March 2003, 20 cabbage palms and 20 saw palmettos were planted in and around the parking area. At the same time, love vine was removed from several oak trees in the vicinity of the parking lot. In June 2003, live oak, gumbo limbo, coco plum, wax myrtle and sea grape were planted in the south-east corner of the site near the parking area. In October 2004, 1,000 sand pine seedlings were planted in three areas in the northern portion of the site, in areas that were burned in March 2000. These seedlings were planted because the burn was deemed unsuccessful in sand pine recruitment. Only 20-30% of the planted seedlings survived. In March 2005, 500 additional sand pine seedlings were planted on the southern and northeastern portions of the site.

This time, irrigation was added at the same time to help increase the survivorship of the plantings. In June 2005, 75 slash pines were planted in the northwest portion of the site. In November 2005, 150 live oaks seedlings were planted in the northeast and southern portion of the site. In March 2006, 126 native trees and shrubs were planted in areas around the parking lot. In July 2006, 1,000 saw palmettos were planted, with irrigation, in various locations around the site.

In August 2003, a man crashed his vehicle into the fence in front of the natural area, causing minimal damage to the fence. The natural area was then struck by Hurricanes Frances and Jeanne in September 2004. As a result of these hurricanes, the site suffered damage to the parking area and adjacent fencing, and had many trees blown down. All of this damage was subsequently repaired or cleaned up. Hurricane Wilma in October 2005 did not cause any significant damage to the natural area. A small wildfire occurred near the nature trail in June 2006. This fire was of unknown origin and burned about 0.1 acres. The wildfire killed eight sand pines and destroyed one of the Tillandsia epicenters.

## 2. PURPOSE

The primary purpose of the Rosemary Scrub Natural Area acquisition was to ensure the preservation of high-quality scrub and scrubby flatwoods communities, together with their component rare plant and animal species. It has been estimated by ERM that more than 98% of the scrub located in Palm Beach County has already been converted to other land uses. Scrub is listed as G2/S2 by the Florida Natural Areas Inventory (FNAI), which indicates that this natural community is imperiled both globally and in the state (FNAI 2007). In addition, eight plant and seven animal species recorded on the site have been listed by at least one government agency or nonprofit environmental organization (Table 1).

The natural area has been developed as a publicly-owned and operated, natural resource-based, passive outdoor recreational site. The site also is used for environmental education and scientific research. A nature trail, hiking trail and management road have been constructed, using previously existing trails where appropriate. Interpretive markers have been placed along the nature trail to identify the site's resources and their significance. Both the preservation and recreation components of this project have helped Palm Beach County and the City of Boynton Beach comply with portions of their respective comprehensive plans. Preservation of the natural area also helps protect the quality and quantity of local groundwater resources. All signs, literature, and advertising have identified the project site as being publicly owned and operated as a natural area and passive outdoor recreational site, and as having been purchased with funds from the Environmentally Sensitive Lands Bond Referendum of March 1991 and from Florida Communities Trust's Preservation 2000 Program. The City of Boynton Beach has changed the land use designation for the site to Conservation and assigned a zoning designation of Recreation to the site.

The Rosemary Scrub Natural Area consists largely of scrub and scrubby flatwoods natural communities (Figure 2). These communities, which can be considered high-quality within the context of urbanized southeastern Florida, have been somewhat degraded over time as a result of fire exclusion, pest plant invasion, construction of adjacent roads and buildings, illegal dumping, off-road vehicle traffic, and other human-related disturbances. Maintaining and improving the ecological quality of these communities will continue to be a goal of future management efforts for the natural area. These management efforts will include continuation of the invasive vegetation control program and implementing a prescribed burn program for the site.



Management activities for the site are coordinated under the direction of ERM, in cooperation with the City. Volunteers from the community assist in maintaining trails, removing invasive vegetation, and performing other site management activities. The natural area will continue to be managed under the "single-use" concept, which means that it will be managed to preserve and restore natural resource values. Scientific research, environmental education, and passive resource-based recreation will be encouraged so long as they do not jeopardize the protection of natural resources. In general, passive recreation includes such activities as nature appreciation and study, hiking and photography.

Joint acquisition and funding of the site, along with the installation of public use facilities helped the County and the City implement several policies within their respective Comprehensive Plans as they existed at the time of the acquisition. The project furthered City Comprehensive Plan directives to 1) develop and maintain a high-quality natural environment based on the preservation of local natural resources (Conservation Element Goal 4.0); 2) preserve 75% of all high-quality sites identified on the Conservation Overlay, which included the Rosemary Scrub (Conservation Element Objective 4.4); 3) protect the natural habitats for listed species (Conservation Element Objective 4.6); 4) preserve and protect native habitats; 5) request assistance from (Conservation Element Policy 4.4.2) and to participate in (Intergovernmental Coordination Objective 8.24) the land acquisition efforts of the County and the State; 6) cooperate and participate in land acquisition/preservation efforts by the County and State; and 7) achieve levels of services for recreation, as established in its Comprehensive Plan (Recreation and Open Space Element, support document). The County's Conservation Element directed the County to preserve native upland habitats, with priority given to environmentally sensitive land (Objective 2.1) and habitat of significant value to existing populations of listed species (Objective 2.4) and specifically called for the acquisition and management of parcels identified as environmentally sensitive (Policy 2.1-f).

The Rosemary Scrub Natural Area will continue to be managed to protect and maintain native biological diversity and ecosystem functions in perpetuity. The management of this site will be coordinated with the management of other County-managed sites as part of a county-wide system of natural areas. The following objectives will continue to guide the formulation of management policies:

1. Maintenance of ecological integrity by ensuring the long-term viability of native upland biological communities and the protection of listed plant and animal species on the natural area;
2. Provision of viable habitat for other non-listed wildlife species that use, or could potentially use, the natural area;
3. Restoration of disturbed areas back to the original vegetative community or an appropriate successor community and restoration of highly disturbed areas (including areas previously dominated by Brazilian pepper) to scrub and scrubby flatwoods;
4. Maintenance of exotic pest plant vegetation cover to no more than 1% of the total vegetation coverage, exclusion and/or removal of nonnative animals having a detrimental effect on the natural area, and reduction of the coverage of invasive native vines;
5. Provision of facilities and development of policies for public use that allow for passive, resource-based recreational uses, scientific research, and environmental education activities that do not have a detrimental effect on the natural area; and
6. Maintenance of appropriate security and access control measures to prevent unauthorized activities, such as use by off-road vehicles, illegal dumping, lewd acts, collection of plants, poaching and harassment of animals.

### 3. STRUCTURES AND IMPROVEMENTS

#### 3.1 EXISTING AND PROPOSED PHYSICAL IMPROVEMENTS

The major structures and improvements are described in the following sections and shown on the facilities map (Figure 3). These structures and improvements help to achieve the goals of preserving and restoring the natural resources of the natural area while providing for compatible public uses. The accessible nature trail and parking area comply with Americans with Disabilities Act (ADA) requirements. These facilities occupy approximately 0.48 acres.

Many of the structures and improvements, including a kiosk, signs, the ADA trailhead and the parking area, were placed within previously disturbed areas. An accessible nature trail starts from the parking area, first heading in a north-westerly direction, and then heading west and south, before returning to the parking lot. A hiking trail loops from the northern end of the nature trail. The management road and hiking trail were placed within previously disturbed areas on the site to avoid impacts to native vegetation.

Construction of the structures and improvements was done in compliance with all applicable state, regional and federal laws and regulations. A building permit was obtained from the City and a copy of the permit was provided to FCT. No restroom facilities were provided on the site because of its relatively small size and urban location. Written approval from FCT will be requested prior to the construction or installation of any buildings, structures, improvements, or signs or any removal of native vegetation or major land alteration not discussed in this management plan. Evidence was provided to FCT that all required licenses and permits were obtained prior to the construction of the existing public use facilities.

##### 3.1.1 Fencing and Gates

Due to the sporadic incidence of undesirable off-road vehicle traffic, as well as the potential for poaching of native plants and wildlife from the site, and the historic dumping of trash, the entire Rosemary Scrub Natural Area perimeter has been fenced. Fencing, together with boundary roads and firebreaks, help control the dumping of debris onto the site.

A 7-foot chain-link fence has been installed along the northern, eastern and southern boundaries of the natural area. Galvanized chain-link fencing has been installed on the northern and southern boundaries, and black-vinyl-coated chain-link fencing has been installed on the eastern boundary

of the site along Seacrest Boulevard. The fencing was buried one foot in the ground, so that it approximately six feet extends aboveground. The buried portion of the fence is necessary to help keep reintroduced gopher tortoises from leaving the protection of the site. There is an existing chain-link fence on the western boundary of the site. Post-and-rail fencing with wire mesh stapled to the back side was installed around the perimeter of the parking area. Fencing was installed within previously mowed areas whenever possible to minimize impacts on intact natural communities.

Four access gates were installed on the natural area (Figure 3). One gate was installed at the northeast corner of the site to allow vehicle access to the northern boundary maintenance road/firebreak and electrical transmission line easement. Two 16-foot-wide swing gates were installed at the parking area from Seacrest Boulevard. These gates serve as the parking lot entry and exit gates and provide the public with access to the Rosemary Scrub Natural Area. A maintenance vehicle access gate was placed at the southwest end of the parking lot to access the southern boundary maintenance road/firebreak.

### 3.1.2 Signs

A permanent dedication sign, which was installed in the parking area, identifies the site as a natural area and passive outdoor recreation site which is open to the public; as having been purchased with funds from the County, the City, and FCT; and as being managed by the County with assistance from the City. An entrance sign was erected at the entrance to the parking area and a sign indicating the hours of operation was placed on the side of the entrance road. A natural areas rules sign was installed at the start of the accessible nature trail. Perimeter signs were placed along the boundary fence. These signs state that the site is a protected natural area and cite the appropriate County and City ordinances. Markers were placed along the nature trail with station numbers corresponding to an interpretive guide. A new interpretive trail guide was developed for the natural area in 2005.

### 3.1.3 Interpretive Facilities

A kiosk was constructed adjacent to the public parking area near the entrance to the accessible nature trail (Figure 3). The kiosk contains educational exhibits that provide general information about the natural area, including natural communities, listed species, and other natural features of

interpretive value. The kiosk was constructed within a previously disturbed area, and thus did not impact any intact natural communities.

#### 3.1.4 Boundary and Management Roads and Firebreaks

The City requires that a firebreak be maintained where the natural area abuts residential areas. The existing mowed area has been reduced to a width of 15 feet and has been and will continue to be maintained as a boundary/management road and firebreak on the eastern and southern borders (Figure 3). On the northern border, the cleared area associated with the power transmission line averages less than 15 feet in width. Nearly all of the vegetation that was removed in constructing the northern firebreak was either exotic or ruderal.

Boundary roads provide numerous benefits, including more rapid access in the event of a wildfire, protection of adjacent areas from wildfire, and facilitation of the monitoring of dumping and other illegal activities along the preserve edge. The road/firebreak is an unimproved sand road and is maintained at a width of no more than 15 feet, which is the standard width of boundary firebreaks used by the Florida Department of Environmental Protection (DEP) on state lands. This road is used primarily for resource management and onsite monitoring. Prior to construction, the boundary road/firebreak location was surveyed for listed species. Any listed species found during construction of the management road/firebreak area were either avoided or relocated on site.

A previously existing sand off-road vehicle trail ran east-west through the center of the site and was accessed from the eastern boundary firebreak during the last prescribed burn in March 2000. Prior to the prescribed burn, this trail was widened to the full 15-foot width to serve as a temporary management road/firebreak. Any listed species found within the management road/firebreak prior to its widening were relocated elsewhere on site or the path of the road was changed to avoid impacting these species. Although the trail existed prior to the first prescribed burn in March 2000, it has not been used as a management road/firebreak since that time. This firebreak has since been allowed to regenerate with native vegetation. The firebreak will be utilized again for the next prescribed burn scheduled in 2020.

### 3.1.5 Trails

The primary interpretive feature for public access is an ADA accessible nature trail that is approximately 943 feet long (Figure 3). A looped sand hiking trail is approximately 1,326 feet in length and connects to the nature trail (Figure 3). The management road/firebreak is also available for use as a hiking trail. The nature trail and the hiking trail were both constructed on existing paths, trails, and disturbed portions of the site. Public use of existing secondary trails leading off the nature trail, hiking trail, and management road has been discouraged by placement of brush and dead vegetation to close off access to those trails. The trails are being allowed to re-vegetate naturally. All trail locations were surveyed for listed species prior to trail construction. Several large-flowered rosemary plants were observed within the proposed location of the nature trail. As a result, the nature trail was rerouted to minimize impacts on these species.

The nature trail originates at the parking area and starts out in a northwesterly direction. The trail is comprised of 4-inch-thick poured and formed concrete with a non-slip finish and is 5 feet wide so that it can accommodate wheelchairs. Wooden markers were installed along the trail. The numbers on the markers correspond to a trail guide with interpretive information. The accessible interpretive facilities fulfill ADA requirements.

The hiking trail has a natural soil base and is maintained at a width of at least 3 feet. This trail is used for foot traffic only; it is not intended for vehicle access or use as a firebreak. The hiking trail is available for public use, but will not be improved or marked for interpretive purposes.

The perimeter management road is used primarily for resource management and on-site monitoring. This management road also functions as a firebreak to protect adjacent buildings. Prior to the prescribed burn in March 2000, the management road was widened beyond a minimum 10-foot maintenance width to serve as a firebreak. After the prescribed burn, the firebreak was allowed to regenerate and the maintenance road has been maintained at the specified maintenance width. The management road is available for public use as a hiking trail, but has not been improved or marked for interpretive purposes.

## 3.2 EASEMENTS AND CONCESSIONS

A 7-foot-wide transmission line easement runs east-west along the north boundary of the project. An 80-foot wide road easement for the extension of Miner Road runs from Seacrest Boulevard

westward into the site, a distance of 324 feet. This easement extends 40 feet north and 40 feet south of the line between Sections 9 and 16, and is just south of the southern property boundary for the adjacent convenience store. A 50-foot wide posted and viewed road exists from the western end of the road easement and runs west to the western limit of the natural area. The posted and viewed road extends 25 feet north and 25 feet south of the line between Sections 9 and 16. Since neither the posted and viewed road or the road easement are needed for public purposes, a request to release/abandon those portions of the posted and viewed road and road easement lying within the natural area will be sent to the proper authorities. The northernmost 20-foot-portion of the 80-foot road easement also is a utility easement. Another 10-foot utility easement runs east-west across the site and lies 30 to 49 feet south of the section line. A 6-foot utility easement runs along the western and southern borders of Lot 10 in the southeast corner of the site.

A conservation easement over the natural area was granted by the County and accepted by SFWMD on June 14, 2007. Conservation easements are one of the most popular conservation tools employed by local and regional land trusts. Approximately 2.6 million acres have been protected in the United States through conservation easements ([www.nature.org](http://www.nature.org)). Palm Beach County wishes to grant conservation easements to both governmental agencies (e.g., the South Florida Water Management District) and nonprofit organizations (e.g., The Nature Conservancy) as a means to provide an additional layer of protection for all of its environmentally sensitive lands. Conservation easements will help to prevent the future development of these lands and their use for purposes other than those for which they were acquired.

No additional easements, concessions, or leases are anticipated at this natural area at this time. If any of the following activities or interests are ever proposed at the natural area, the County will provide FCT with at least 60 days prior written notice and will provide information to FCT, upon reasonable request, so that FCT may evaluate the legal and tax consequences of the proposed activity:

1. any lease of any interest in, or operation of any concession on, the Rosemary Scrub Natural Area to any person or organization;
2. any sales contract or option to buy things attached to the Rosemary Scrub Natural Area to be severed from the site, with any person or organization;

3. any use of the Rosemary Scrub Natural Area by any person other than in such person's capacity as a member of the general public;
4. a management contract for the Rosemary Scrub Natural Area with any person or organization; and
5. such other activity or interest as may be specified from time to time in writing by FCT.

These activities or interests may not be permitted because they may have negative legal and tax consequences under Florida law and federal income tax law.

### 3.3 PUBLIC ACCESS

Public access to the Rosemary Scrub Natural Area is provided via Seacrest Boulevard to an on-site parking lot. Bicycle racks are provided to encourage the use of alternative transportation to the site. A concrete sidewalk on the west side of Seacrest Boulevard provides pedestrian access to the site. The natural area is open to the public during daylight hours. The hours of operation are posted at the site. Accessible parking and an accessible nature trail have been provided. There are no permanent water bodies on or adjacent to the site; therefore, no water body access is planned.

A 0.37 acre parking area containing five parking spaces and one bus space has been constructed off Seacrest Boulevard in the southeastern corner of the site. The parking area holds a maximum of six vehicles. The area impacted by this parking area was disturbed by previous land-clearing and mowing activities. A survey was conducted within the proposed parking area prior to its construction to verify that no listed species would be impacted.



## 4. KEY MANAGEMENT ACTIVITIES

### 4.1 MAINTENANCE

ERM has assumed primary responsibility for site management. Responsibilities for management of the natural area are outlined in the interlocal agreement between the City and the County (Appendix E). Maintenance activities include litter cleanup, invasive vegetation control, prescribed burning, trail maintenance and facilities maintenance (i.e., fences, gates, kiosk and parking area). Volunteers assist in trail maintenance and litter pickup.

In the unlikely occurrence that an unforeseen event, either natural or human-caused, severely alters the natural values of the natural area, ERM staff will assess the nature of the alteration and will take remedial action to secure and/or stabilize the site if necessary. Natural events such as fires, floods and hurricanes may shift the ecology of the site from its present condition and cause damage to human-made structures (i.e., kiosk, signs and fencing), but in no way would they severely limit or eliminate the natural values of the site. The first priority following a natural or human-caused event will be to secure the site with any necessary fencing repairs and gate closures to prevent dumping and vandalism.

Following a natural or human-caused event, the natural area may be closed for public use until the site is stabilized and repairs are made to the structures. The native communities on the natural area will be managed in a manner that facilitates the natural regeneration of native communities following such an event. The County will inform the City of the altered condition of the site, and future management plans and objectives. If the natural values of the site are severely limited or eliminated, the City, County and State will discuss future plans for the site. All major events affecting the native communities of the natural area will be discussed in the subsequent annual report to FCT. Management practices will be modified for the new condition of the site, and the management plan will be updated to reflect these changes.

#### 4.1.1 Removal of Debris and Litter

All significant debris located within the site was removed by the County prior to the receipt of state matching funds for the property. Any remaining debris was subsequently removed, unless such removal would have caused undesirable damage to natural communities or listed species. Two mounted trash cans were installed - one adjacent to the kiosk, the other in the middle of the

parking area. Both trash cans are serviced weekly by the City. The perimeter fence functions to prevent the dumping of trash and hazardous material on the site. Periodic site clean-ups to remove litter are conducted by City and/or County staff with volunteers.

#### 4.1.2 Trail Maintenance

Periodic trail maintenance is performed by City and/or County staff and community volunteers. All trails which are not necessary for site management, or which are not part of the designated hiking trail are not being maintained. This discourages their use by members of the public and is allowing the trails to become vegetated with native species.

#### 4.1.3 Facilities Maintenance

County staff is responsible for the upkeep of fences, gates, interpretive facilities, parking area, and signs. The City will continue to mow the firebreak/boundary road on a periodic basis, with the County performing supplemental mowing as needed.

### 4.2 SECURITY

The City has assumed primary responsibility for public safety and law enforcement at the natural area. This includes routine patrols of the boundaries and the prevention of vandalism, vehicular trespass, dumping, and damage to the property and natural resources. There are no on-site managers or security guards at this site. The County currently has no local stewards for the site.

The County has adopted a Natural Areas Ordinance (No. 94-13) that regulates public use of the natural area. The ordinance provides for passive recreational activities such as hiking, nature study, and photography; for environmental education; and for scientific research. It prohibits destructive uses such as off-road vehicle use, dumping, and poaching of plants and animals. The ordinance gives law enforcement personnel the authority to arrest persons damaging a natural area. Section 58.02 of the City Code of Ordinances also prohibits dumping on property owned by others. No dogs, cats or other pets are permitted on the Rosemary Scrub Natural Area. No vehicles (e.g., ORV's, bicycles and skates) are permitted beyond the parking area, except during staff authorized maintenance activities.

The natural area is open to the public during daylight hours only. Access hours are posted at the main entrance. Either the City or a steward is responsible for opening and closing the main gate.

Access gates for the maintenance roads remain locked when not in use. Only the City and the County have keys for these gates.

### 4.3 STAFFING

Because of the relatively small size of the Rosemary Scrub Natural Area, there will be no on-site staffing. However, ERM has created a management team that has assumed responsibility for management at this site and other County-owned natural areas. This management team has been trained to conduct all levels of management activities including invasive vegetation control, prescribed burning and monitoring. City staff and volunteers from local citizens' organizations provide additional support where feasible and necessary. There is strong support for the protection of the natural area from homeowners in the neighborhood adjacent to the sites, who have indicated that they wish to be involved in management activities. It is anticipated that site stewards, and individuals from the community and local environmental organizations will continue to be trained by County staff to lead nature walks on the site.

### 4.4 NATURAL RESOURCE PROTECTION

The primary goals of site management are to enhance and maintain the scrub and scrubby flatwoods natural communities, including their component species, as described in Appendix A. Particular care will continue to be exercised to prevent the extirpation of listed species from the site. Habitats for listed species are being managed for the needs of individual species when such management is compatible with the overall management of the ecosystems on the natural area. This site is being managed in conjunction with other publicly-owned conservation lands in south Palm Beach County in order to provide synergistic benefits for resource conservation and to promote the recovery and maintenance of listed animal species.

Long-term resource management of the site began with the baseline inventory and assessment of natural communities and listed species (Appendix A). A thorough day-long survey of vegetative communities and plant species on this site was conducted by ERM staff in October 1994. The information from this survey was combined with data from earlier ERM staff surveys dating back to January 1991 during the preparation of the baseline assessment. This assessment was used as the basis for the initial management activities used to protect, restore, and preserve the natural resources of the site and to help determine the location and type of passive public recreation use facilities. Subsequent monitoring activities have identified additional species at the site and have

added to the overall knowledge of the native ecosystems found at the site. All of this information has been used in this first revision of the Rosemary Scrub Management Plan.

Information on all listed species recorded for the site will continue to be reported to FNAI on the forms provided in Appendix J. Because of the upland characteristics of the site, no hydroperiod restoration projects are proposed for the site.

#### 4.4.1 Management of Natural Communities

The Rosemary Scrub Natural Area is managed under the "single use" concept, which means that it is and will continue to be managed in a manner that perpetuates natural resource values. Two native vegetation communities are present on the site (Figure 2): scrub and scrubby flatwoods. Where past human activities have caused the degradation of natural communities, efforts will continue to be made to restore these communities to a pre-disturbance condition. Prescribed burning and invasive vegetation control are the primary management techniques used. These management activities are discussed in Section 5.1, Restoration Methods, and Section 5.1.3, Invasive Species Control. The specific types of management and enhancement activities recommended for each vegetation community present on the natural area are described in the following sections.

##### 4.4.1.1 Scrub

The scrub community has been, and will continue to be, enhanced and maintained through the implementation of prescribed burning and invasive vegetation control programs. A specific fire management plan was written for the site within one year of the acquisition of the property, and half of the scrub on the site was burned in March 2000. The other half of the scrub habitat is scheduled to be burned in 2020. Future management burns in each unit will follow at intervals of 40 years. Only half of the site's scrub habitat will be burned at a time in order to provide a refuge for scrub-dependent plants and animals on the unburned half. This interval will also provide time for sand pine regeneration on the burned portion of the site before second half is burned. As with most scrub areas this site may burn in a patchy manner, and pre-burn mechanical cutting of some vegetation may be needed for safety reasons. It is possible that portions of these areas may not burn well, and may require frequent ignition points and the use of spot fires.

The invasive vegetation control program instituted in 1996 involves hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species

Control. The initial program has been completed and follow-up treatments are conducted on an annual to semi-annual basis.

#### 4.4.1.2 Scrubby Flatwoods

The scrubby flatwoods area in the northwest corner of the site will continue to be maintained through the implementation of the prescribed burning and invasive vegetation control programs. A specific fire management plan was written for the site within one year of the acquisition of the property, and this habitat was burned in March 2000. Because scrubby flatwoods burn at a shorter interval than scrub, this habitat will be burned each time one of the scrub units is prescribed burned. This small area will be burned at intervals of 15 to 20 years. Because scrubby flatwoods communities are more flammable than scrub, when a maintenance burn of this community coincides with that of the adjacent scrub community, it should enhance the effectiveness of the prescribed fire by helping to ignite the scrub community.

The invasive vegetation control program for this community involves hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species Control. The initial program has been completed and follow-up treatments are conducted on an annual to semi-annual basis.

#### 4.4.1.4 Former Disturbed Scrub

The former disturbed scrub areas on the site have been restored to scrub through the removal/control of invasive vegetation and the replanting of appropriate native trees and shrubs. From now on, these areas will be managed the same as their ~~parent~~ "parent" scrub community.

Those former disturbed scrub areas which are within Unit 1 (Figure 4) were included in the first prescribed burn in March 2000. The remainder of the former disturbed scrub areas will be burned whenever Unit 2 (Figure 4) is burned. This unit is tentatively scheduled to be burned in 2020. Prescribed burning of the former disturbed scrub areas will continue to remove/control invasive vegetation and encourage scrub regeneration.

The invasive vegetation control program used in the former disturbed scrub areas involved hand-pulling, selective pruning, and/or selective herbicide treatments as described in Section 5.1.3, Invasive Species Control. The initial program has been completed and follow-up treatments are conducted on an annual to semi-annual basis.

#### 4.4.2 Protection and Enhancement of Listed Species - Flora

Eight plant species recorded at the natural area have been listed by at least one of the following: United States Department of the Interior, Fish and Wildlife Service (USFWS); Florida Department of Agriculture and Consumer Services (FDACS); and FNAI. These species are listed in Table 1 and are discussed in Appendix A. Definitions of the legal status and rank designations used are provided in Appendix D. The following sections summarize and prioritize the recommended procedures for management of these species.

##### 4.4.2.1 Priority A

Priority A species are species considered by FNAI to be imperiled or critically imperiled in Florida. These species should receive the highest level of management attention. Under no circumstances should extirpation of these species from the natural area be allowed to occur. When possible and appropriate, efforts should be made to increase the size of existing populations.

No Priority A species are currently found on the site.

##### 4.4.2.2 Priority B

Priority B species are species considered by FNAI to be rare in Florida. These species should receive significant management attention. Under no circumstances should extirpation of these species from the natural area be allowed to occur. When possible and appropriate, efforts should be made to increase the size of existing populations, so long as this does not adversely impact natural community-level management of the site.

##### Curtiss' milkweed (*Asclepias curtissii*)

This perennial forb was originally recorded at the natural area by ERM in July 1991, when several individuals were located in the sandy ecotone between the scrub and scrubby flatwoods natural communities. This species is and will continue to be monitored on an annual basis. Because of the small size and inconspicuous appearance of this plant when not in bloom (Ward 1978), individuals along open sandy trails are often the only ones spotted, even though more plants may be present in vegetated areas. This species has been and will continue to be protected by maintaining open sandy habitats through implementation of the prescribed burn program.

### Large-flowered Rosemary (*Conradina grandiflora*)

This short-lived, low shrub is widespread in the scrub habitat at the natural area. A few individuals in declining health were originally found on the natural area in January 1991. This species has increased in numbers throughout the years. This shrubby mint lives for three to four years and produces large quantities of seeds. Open, sunny sites are most favorable for seed germination and flower and seed production, although this plant will grow in the shade in a less vigorous condition. This species has been, and will continue to be, protected through implementation of a prescribed burning program that maintains a portion of the scrub habitat in the early successional stage favored by this plant.

### Nodding pinweed (*Lechea cernua*)

This perennial forb was originally recorded at the natural area by ERM in January 1991. A small population continues to be present along the edges of the previous central sand trail in the western portion of the site. This population had been somewhat impacted by intermittent off-road vehicle traffic when the road was still in use, but has since become stable with discontinued use of the road. It is a pioneer, open-sand scrub species that requires full sunlight and a lack of competition from other scrub herbs. This species tends to be located in areas of past disturbance. It has been, and will continue to be, protected by implementation of a prescribed burning program that maintains a portion of the scrub habitat in the early successional stage.

#### 4.4.2.3 Priority C

Priority C species are those listed as endangered or threatened by FDACS, but not listed by FNAI. These species should receive moderate management attention. At a minimum, extirpation of these species from the natural area should be prevented. When possible and appropriate, efforts should be made to increase the size of existing populations, so long as this does not adversely impact natural community-level management of the site.

### Giant sword fern (*Nephrolepis biserrata*)

This terrestrial fern was originally recorded at the natural area by ERM in October 1994. This species will continue to be protected by enhancing and maintaining the natural communities in the natural area.

Common wild pine (*Tillandsia fasciculata*)

Reflexed wild pine (*Tillandsia balbisiana*)

Giant wild pine (*Tillandsia utriculata*)

These epiphytic bromeliads were originally recorded at the natural area by ERM in January 1991. They are not fire-tolerant, but can quickly recolonize burned areas. They are endangered (*T. fasciculata* and *T. utriculata*) and threatened (*T. balbisiana*) because of attack by the bromeliad weevil. These species will continue to be protected by enhancing and maintaining the natural communities on the site, by monitoring the mortality caused by the bromeliad weevil, and by protecting the site from plant collectors. One of the *Tillandsia* epicenters was destroyed by a wildfire in June 2006.

Shell-mound pricklypear (*Opuntia stricta*)

This shrubby cactus was originally recorded at the natural area by ERM in October 1994 in the disturbed scrub habitat in the southwest corner of the site. The small population of this species was intermittently impacted by mowing of this habitat before the site was purchased. This species will continue to be protected by limiting mowing to the perimeter management road/firebreak, relocating individual plants out of the management road/firebreak, and implementing a prescribed burning program to maintain the scrub communities.

#### 4.4.2.4 Priority D

Priority D species are species listed by FDACS as commercially exploited. These species should receive some management attention. Reasonable steps should be taken to encourage the continued existence of these species at the natural area.

No Priority D species are currently found on the site.

#### 4.4.3 Protection and Enhancement of Listed Species - Fauna

Seven animal species recorded at the natural area have been listed by at least one of the following: FNAI, FFWCC, and USFWS (Table 2). Recommended procedures for management of these species are described in the following sections. County staff has and will continue to coordinate with FFWCC for appropriate guidance, recommendations, and necessary permits to avoid impacts on listed animal species on the natural area.



#### 4.4.3.1 Priority A

Priority A species are species considered by FNAI to be critically imperiled, imperiled, or rare in Florida and/or are known to occur in viable numbers with a resident or breeding population at the natural area. These species should receive the highest level of management attention. Under no circumstances should extirpation of these species from the natural area be allowed to occur. When possible and appropriate, efforts should be made to increase the size of existing populations.

##### Florida scrub lizard (*Sceloporus woodi*)

This small, spiny-scaled lizard was originally recorded at the natural area in 2001. Efforts have been made to identify any populations of this species at the site. Coastal populations of this species are declining rapidly due to habitat destruction (Moler 1992). Habitat for this species will continue to be enhanced through the maintenance of scrub and scrubby flatwoods communities on the site by continued implementation of the prescribed burn program.

##### Gopher tortoise (*Gopherus polyphemus*)

Formal gopher tortoise population surveys began in 2001, with 6 active burrows recorded and an estimated 7 tortoises utilizing the natural area. A survey conducted in 2003 showed an increase in the gopher tortoise population to 13 active burrows and an estimated 12 tortoises. The 2005 survey recorded 7 active burrows with an estimated 7 tortoises. This decrease was thought to be caused by hurricanes and dog activity on the site. The latest survey was conducted in November 2007 and recorded 8 active burrows with an estimated 8 tortoises. While the number of tortoises and amount of suitable habitat at Rosemary Scrub are too low to consider the population viable, evidence of the tortoises maintaining current numbers suggests that the population has sufficient habitat to support the existing gopher tortoise population.

Rosemary Scrub is a 13.59 acre site comprised mostly of scrub-type habitats with the largest portion being scrub. Tortoises at the site appear to be distributed evenly throughout the site. Based upon estimates in Cox, et al. (1987), densities of tortoises in favorable habitats range between 1.3 to 1.7 tortoises per acre. Based on these range area requirements, the number of tortoises is either at or above capacity for the site.

The gopher tortoise is considered to be a keystone species in upland natural communities in Florida. Many other species of animals depend upon gopher tortoise burrows for critical habitat. The gopher tortoises' burrowing habits return leached nutrients to the surface and it serves as a seed dispersal agent for native grasses and forbs (Moler 1992). According to Moler (1992), the distribution of this species in southern Florida is limited and fragmented by unsuitable habitat and habitat loss due to urbanization, and tortoise populations are continuing to decline. The individuals on this site will be protected through the management and maintenance of the natural communities on the site. No relocation of additional tortoises to this site will be allowed because of the size of the existing tortoise population.

#### 4.4.3.2 Priority B

Priority B species are species considered by FNAI to be rare in Florida, that do not have a viable resident population at the natural area, or those species that are transitory in southern Palm Beach County. These species should receive management attention. When possible and appropriate, efforts should be made to increase the size of existing residential populations, as long as this does not adversely impact natural community level management. Efforts also should be made to provide suitable habitat for transitory species, as long as this does not adversely impact community-level management. If viable numbers of a Priority B species are recorded at the natural area, or the species becomes established at the natural area, then this species should be elevated to Priority A.

#### American redstart (*Setophaga ruticilla*)

This migratory songbird was originally recorded at the natural area by ERM in April 1993, and has been observed on several other occasions. Kale and Maehr (1990) list its habitats in Florida as pine scrub, mangrove, hardwood swamp, cypress swamp, mesic hammock, mixed pine and hardwood forest, pine flatwoods, urban and agricultural environments, and sandhill. It is listed as transitory in coastal xeric scrubs in the Treasure Coast Region by Fernald (1989). Stevenson and Anderson (1994) noted that this species is more common in southern Florida during the fall migratory period than in the spring, and that the largest numbers in the spring are on the east coast. Habitat for this species will continue to be enhanced through the maintenance of scrub and scrubby flatwoods communities on site by continued implementation of the prescribed burning program.

Cooper's hawk (*Accipiter cooperii*)

This migratory hawk was first recorded at the site in 2003. Kale and Maehr (1990) listed its habitats in Florida as pine scrub, mesic hammocks, mixed pine and hardwood forest, pine flatwoods, sandhills, and agricultural environments. It is a common winter resident in much of Florida, but is not known to breed in Palm Beach County (Stevenson and Anderson 1994). Habitat for this species will continue to be enhanced through the maintenance of the natural communities on site.

Merlin (*Falco columbarius*)

This bird of prey was originally recorded at the natural area in 2001 and seen again in 2004. This species will be managed as a component of the natural communities on the site. Migrant merlins can be seen in Florida after the first fall cold front and some remain all winter. No special needs for this bird have been identified at the natural area. This species will continue to be protected by enhancing and maintaining the natural communities on the site.

Osprey (*Pandion haliaetus*)

This bird of prey was first recorded at the natural area in 1997, and has since been observed feeding at the natural area. It is found typically on or near large lakes, rivers and coastal areas where nesting sites can be found. It feeds primarily on fish. The species is not known to nest at the natural area. If an osprey nest is observed, visitor uses will be discouraged in the vicinity of the nest. No special needs for this species have been identified on this site. This species will continue to be protected by enhancing and maintaining the natural communities on the site.

Painted bunting (*Passerina ciris*)

This migratory songbird was originally recorded at the natural area in 2005. Kale and Maehr (1990) lists its habitats in Florida as dense, brushy vegetation along roads and woodland edges. It feeds primarily on seeds, but also eats small fruits and insects. According to Sibley (2001), there are two disjunct breeding populations of this species: an eastern population that breeds along the Atlantic Coast from southern North Carolina to north-central Florida; and a western population that breeds from southern Missouri south to southeastern Louisiana, west through Texas and south into northern Mexico. Birds from the eastern population winter in southern Florida, the

Caribbean, and southern Central America; birds from the western population winter in southern Mexico. Sibley (2001) noted that both breeding populations are declining significantly, that the eastern population uses coastal and riparian areas that are under significant development pressure and that the eastern population also suffers more from brood parasitism by the brown-headed cowbird, which has expanded its range into southeastern scrub habitat. This species will continue to be protected by enhancing and maintaining the natural communities on the site.

#### 4.4.3.3 Priority C

Priority C species are species considered by FNAI to be rare in Florida but whose occurrence at the natural area should be considered accidental. Management specifically for these species at this site would therefore serve no meaningful purpose.

No Priority C species are currently found on the site

#### 4.5 ARCHAEOLOGICAL AND HISTORICAL RESOURCES

No archaeological or historic resources are currently known at the natural area (ERM 1993). If any archaeological or historic sites are discovered on the site, the County will comply with Chapter 267, Florida Statutes, specifically Sections 267.061(2)(a) and (b). The collection of artifacts or disturbance of any archaeological or historical site on the natural area is prohibited unless prior authorization has been obtained from the Department of State, Division of Historical Resources.

#### 4.6 COORDINATION WITH ADJACENT LAND USERS

The successful ongoing management of the natural area will require the cooperation of the neighborhood residents. The City of Boynton Beach provides site security and is responsible for opening and closing the entrance and exit gates to the parking lot. Several local residents currently serve as site stewards and assist in the management of the site. The City may delegate opening and/or closing of the parking lot gates to one or more of the stewards.

County staff periodically uses press releases, newspaper articles, and other means to educate the surrounding community on the benefits of managed natural areas and the role of invasive plant control activities in maintaining the native habitat found on the site. The County has and will continue to review any proposed land use changes or development orders related to adjacent

properties. In addition, the County has and will continue to participate in the development and review process to ensure the protection of biological communities on the site and to avoid adverse impacts on listed species.

#### 4.7 NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE REVIEW

On August 16, 1994, the BCC adopted Resolution 94-1051, which established a seven-member Natural Areas Management Advisory Committee (NAMAC) to review and comment on management plans developed by staff for natural areas acquired and/or managed by the County and to hold public hearings on these plans prior to their review and adoption by the BCC. The first members of NAMAC were appointed on November 1, 1994. The membership categories currently include: a member with experience in the management of natural areas, a biological scientist, a professional educator with knowledge of South Florida ecosystems, a representative of a local municipal government public recreation program, a member of the Palm Beach County Parks & Recreation Department staff, a citizen having an interest in natural areas, and a citizen with an interest in natural areas.

As part of their responsibilities, the members of NAMAC held a public hearing on the initial management plan for the Rosemary Scrub Natural Area in November 1996. The public hearing was held in the evening at the Rolling Green Elementary School following an afternoon open house at which the public was able to review the management plan, and the public use facilities, and discuss these with County staff. Copies of the plan were available at public facilities, such as libraries, for two weeks prior to the open house and public hearing. Members of the public who could not attend the hearing were encouraged to submit written comments to the County during the week following the hearing.

NAMAC members took those comments into consideration prior to their approval of the initial plan and then recommended that the plan be forwarded to the BCC. Members of the public also were able to comment on the plan at the time it was considered and adopted by the Board in March 1997. This is the first revision to the initial management plan. Hereinafter, the Rosemary Scrub Management Plan will be reviewed every ten years by NAMAC and revised as necessary on the basis of new information, research data, improvements in management techniques, or other relevant factors. NAMAC has reviewed the revised plan at one or more publicly-noticed meetings. The public was allowed to comment on the revised plan at these meetings and provide written comments to County staff during a specified review period. The City of Boynton Beach,

as a management partner with the County, was invited to provide recommendations for revision of the plan and to participate in the NAMAC meetings.

#### 4.8 ENVIRONMENTAL EDUCATION AND SCIENTIFIC RESEARCH

In conjunction with the construction of the nature trail, County staff prepared and installed interpretive markers keyed to a printed trail guide. The trail guide was updated in 2005. County staff has recruited and trained site stewards and will train interested stewards and local volunteers to give guided tours of the natural area. County staff also is available to assist the faculty of local schools in developing educational programs for school use of the natural area. The timing and frequency of the educational programs will depend on the interest shown in the site by the faculty of local schools. Local schools and youth programs have participated in several volunteer events at the natural area.

At this time, ERM staff does not anticipate performing any scientific research on site other than compiling and interpreting the data from monitoring activities. Researchers affiliated with local institutes of higher learning will be allowed to conduct scientific research on a permit basis.

## 5. RESOURCE ENHANCEMENT

Resource restoration and enhancement is ongoing throughout most of the natural area and will be coordinated with the land managers of nearby conservation and preservation lands. The principal restoration and enhancement activities undertaken at this site include invasive species control and elimination of inappropriate uses of the site. Active restoration (including direct seeding and out-planting) has been necessary in some areas. The goal of these activities is to restore all native vegetation communities to a maintenance condition. The high quality scrub and scrubby flatwoods communities occurring on the site will continue to be preserved and properly maintained to ensure the long-term viability of these vegetative communities.

### 5.1 RESTORATION METHODS

It should be recognized that even the largest and least disturbed sites in southeastern Florida have been impacted significantly by fragmentation from other natural areas, changes in the regional water table, air pollution, the loss of large predators and species extinctions. These types of impacts are mostly irreversible, given the current political and social realities of southeastern Florida. Almost all sites in southeastern Florida also have been affected by reversible changes such as the exclusion of fire and invasion by exotic pest plants.

In southeastern Florida, the exclusion of natural fire is one classic example of a reversible impact that can be at least partially mitigated through human intervention. Natural fire cannot be expected to travel between natural area fragments. However, this interrupted natural ecological function may be partially mitigated for through the use of prescribed burning as a management tool.

Human intervention also can help minimize adverse impacts related to invasive exotic plant species. Management techniques such as mechanical removal, herbicide treatments, prescribed burns, hydrological restoration/enhancement and planting native species, when appropriate, can help to minimize adverse impacts related to invasive exotic plants and to restore a more natural plant community.

The goal of this management plan is to provide guidance for the restoration and maintenance of as many of the functions and values of the historically-occurring natural communities on the natural area as possible. This restoration will continue to be accomplished through the

maintenance removal/eradication of exotic plant species, replanting with native species when appropriate, and exclusion of unauthorized uses. Areas of good to high-quality vegetation have been and will continue to be enhanced and preserved through the initial and maintenance removal/eradication of relatively small areas of exotic vegetation. Prescribed burns have been and will continue to be performed on this site.

#### 5.1.1 Management Unit Design

The natural area is composed of a mosaic of historic natural vegetation communities that have been modified by fire exclusion, exotic pest plant invasions, hydrologic alterations, construction of adjacent roads and buildings, clearing and off-road vehicle traffic. Each of the two represented natural communities historically would have been part of a greater regional mosaic of upland ecosystems. The natural area is now completely isolated from nearby remnants of native vegetation, and is continuously affected by human and human-induced disturbances such as the dissemination of invasive species from nearby residential areas and predation by domestic pets.

The site has been subdivided into two management units (Figure 4). Each management unit encompasses natural vegetation communities, together with their ecotones. Management units have been designed to maximize the long-term diversity of natural vegetation communities and plant and animal species on the site. As described in Section 5.1.2, Fire Management, these units are small enough to allow for safe and practical fire management.

#### 5.1.2 Fire Management

Both of the site's natural communities are dependent upon fire for their long-term restoration and maintenance. Given the extensive alterations that have been made to the local landscape, lightning-induced fires cannot be expected to fulfill the fire needs of these communities. In addition, given the proximity of the site to adjoining residential properties, major roads, and other forms of urban and suburban development, the risk of damage to these developments from wildfire is high. As such, the use of a combination of controlled, prescribed fire, together with firebreaks and other safety precautions, continues to be necessary to fully achieve the stated management objectives.

A successful prescribed burn was conducted in the scrub and scrubby flatwoods communities of Unit 1 in March 2000. The primary responsibility for prescribed burning is assumed by ERM. Assistance is provided by the City and/or Palm Beach County Fire-Rescue, including the



provision of fire-fighting staff and equipment to protect surrounding homes from damage. Additional assistance may be provided by the Florida Division of Forestry (DOF), FFWCC, TNC, and trained volunteers. Fire-related safety training is required of all County staff and others participating in a prescribed burn. All prescribed burns comply with the legal mandates stated in the Florida Prescribed Burning Act, Chapter 590.026 of the Florida Statutes.

The overall goal of the prescribed burn program is to introduce a fire regime (i.e., a repeatable pattern of fire with predictable results) onto the natural area that will sustain the predominant native vegetative communities. Specific objectives for different areas of the site will depend upon site conditions and other management objectives for that area. In general, these objectives will include:

1. To ensure the long-term existence and viability of the native vegetative communities, and the listed plant and animal species that utilize those habitats.
2. To control the regrowth and regeneration of invasive vegetation following treatment or removal activities.
3. To provide viable wildlife habitat for wildlife species that use, or could potentially use, the site.
4. To reduce the danger of wildfire by reducing the build-up of fuels that has resulted from the limited occurrence of fire in recent years.

A perimeter management road has been established as a permanent firebreak within the site to prevent potentially destructive wildfires, as well as to adequately control prescribed fires (Figure 3). Existing trails are used whenever appropriate. Management roads used as firebreaks are at least 15 feet wide at the time of a prescribed burn. Vegetation may be cut along the shoulders of specific management roads, if necessary, to widen them further prior to a controlled burn. After the burn, the vegetation is allowed to regenerate naturally, and management roads are maintained at a width of 10 feet to allow for maintenance vehicle access.

Prior to the construction of the management road, the area was surveyed for listed species. Whenever a listed species was found, the location of the road was adjusted to avoid affecting that species, or the listed species was relocated to another onsite location prior to construction of the

firebreak/management road. Management roads may be used for other management activities (e.g., exotic pest plant control) and as hiking trails.

The two burn/management units range in size from 6.6 to 7.0 acres. They are as large as possible for a relatively small site, so that fires can burn through ecotones and move in a more natural, spotty fashion across the landscape. The resulting patchwork of burned and unburned stands within a management unit produces a mosaic of vegetation at various stages of maturity, thereby maximizing diversity within and among communities. This provides habitat for individual species which typically use, or may even be restricted to, communities in a particular state of maturity. Burn units must not be so large that control of a prescribed fire and attendant smoke becomes difficult or uncertain. Depending on the specific conditions and objectives of a burn, a burn unit may be further subdivided into smaller units for conducting the prescribed burn.

Active fire suppression measures that rely upon the use of heavy machinery and plowlines are extremely destructive to vegetation and other natural features. Active fire suppression measures are to be avoided as much as possible, but will be used to safeguard adjacent residences if necessary. If such measures are undertaken to control a fire, all plowlines and other disturbed areas will be will be rehabilitated to the greatest extent possible.

An initial fire management plan was written for the Rosemary Scrub Natural Area in 1997. This plan was used during the March 2000 prescribed burn. An updated plan was prepared for the site in 2007 as the result of information learned from the 2000 burn and new fire management techniques. The updated fire management plan is provided as Appendix H. The development of this plan was coordinated with DOF and FFWCC. The plan considers the surrounding land uses, safety issues in the event of a wildfire, and the ecological consequences of specific fire management strategies. It also addresses each of the vegetation communities on the site.

The March 2000 burn was performed after a short period of rainy weather in what would turn out to be an extended dry spell. Most of the understory vegetation in the burn unit was chopped before the burn, and the resulting low-intensity burn allowed most of the sand pines to survive initially. However, the stress of the burn and the subsequent drought weakened the sand pines and triggered a pine bark beetle attack that ultimately killed all the pines in the burn unit and some of the pines in the adjacent unburned unit. The extended drought also had an adverse affect on sand pine seed germination and, as a result, there was very little sand pine regeneration in the burn unit.

A flexible, fire management program was initiated in 2000. Prior to burning a unit, a survey will be done for fire-intolerant listed plant species. If necessary, individual plants will be relocated outside the burn area. Fire management began with the prescribed burn of Burn Unit 1 in 2000, and will be followed by a burn of Unit 2 in 2020.

To the extent possible, the seasonality and frequency of prescribed fires should seek to approximate the natural incidence of fire in the site's communities. Generally, prescribed fires should be conducted during the early growing season, which extends from March to July. Natural lightning-induced fires normally occur during the growing season and natural incidence of winter fires is presumed likely to be quite low. Prescribed winter fires, therefore, should be similarly rare in occurrence to ensure that fire events correspond with the fire-adapted life histories and reproductive cycles of resident species. However, where fire has been suppressed for a long period of time and fuel loads have become heavy, prescribed winter fires may be used to begin restoration of a natural fire regime. Winter fires are generally cooler fires that can reduce accumulations of excess fuel while limiting the undesirable destruction of vegetation. In areas such as the Rosemary Scrub Natural Area, where safety is of the utmost concern, winter fuel reduction fires may be more appropriate, at least in the short term. Pre-burn mechanical cutting of understory vegetation may also be employed to lower fire intensity and reduce flame heights and to decrease smoke production by use of backing fires.

Backing fires and other techniques will be used for prescribed burns in the scrubby flatwoods natural community to reduce fire intensity and slash pine mortality. Slash pines are a natural component of the scrubby flatwoods community, and their population levels will be maintained in this habitat.

If a wildfire occurs, the fire suppression authorities will determine how and when the wildfire should be suppressed. The last wildfire known to have occurred on the site was in June 2006.

A public education campaign has been developed that includes informing residents of areas surrounding the natural area of the necessity and benefits of fire, the safety features of prescribed burning versus wildfires, and the strategies that will be developed to minimize the impacts of smoke on nearby communities. The County has and will continue to coordinate with the City prior to conducting a controlled burn. County staff has and will continue to meet with local community groups such as homeowners' associations before each burn to coordinate with residents, to provide information on the necessity of conducting prescribed burns, and to describe

the safety precautions that will be taken to protect adjacent lands. A pre-burn checklist is included in the fire management plan.

A specific burn plan will be prepared for each burn unit prior to conducting a prescribed burn. A summary of key information on prescribed burning is provided in the fire management plan (Appendix H).

### 5.1.3 Invasive Species Control

Many species of exotic plants have been recorded within the natural area, some of which are invasive. These species are included in Appendix B. The presence of numerous exotic plant species is typical for a small habitat preserve surrounded by urban and suburban development, and is not an indication that the site is of low quality. These species and additional exotic species will continue to colonize the site as long as sexually reproducing exotic plants are present in the surrounding urban and suburban areas.

Most of the invasive pest plant species at the natural area constitute a minor to moderate problem. Many have originated from vegetation dumping piles on the site's perimeter or have spread onto the site from the back yards of adjacent residences. Fourteen of the exotic plant species recorded for the site have been identified by the Florida Exotic Pest Plant Council (FLEPPC) as Category I, or those considered to be most invasive: Asian sword fern, asparagus fern, Brazilian pepper, Brazilian jasmine, carrotwood, earleaf acacia, laurel fig, natal grass, Australian umbrella tree, rosary pea, shrubverbena, Surinam cherry, sword fern and torpedo grass. Of these, Brazilian pepper, earleaf acacia, rosary pea, natal grass and torpedo grass have been a re-occurring problem at this site. Control of the Category I plants will continue to be the primary focus of the invasive plant control activities on this site.

Eleven of the exotic plant species have been identified by FLEPPC as Category II, or potentially invasive: bowstring hemp, Caesar's weed, Ganges primrose, Guinea grass, life plant, oyster-plant, puncture vine, queen palm, simple-leaf chaste tree, sisal hemp and wedeila. Of these, Caesar's weed and Guinea grass have been a re-occurring problem at the site. For the most part, these species prefer open, disturbed sites, and normally do not invade and disrupt functioning native plant communities. The control of exotic species that are normally not invasive will be given a low priority. They will be controlled through good management practices such as the elimination of unnecessary disturbances.

In this management plan, the phrase "invasive species" includes all those plants listed as Category I and II by FLEPPC, as well as certain species within the following three groups of plants: species of uncertain origin, ruderal species (species which are found almost exclusively in disturbed areas), and native plants. Although invasive exotic species are the traditional targets of eradication activities, invasive native species also can have adverse impacts on fragmented natural vegetative communities. This is especially true of aggressive native vines, which, with the exclusion of fire, often shade out preferred native trees, shrubs and herbs. When this is the case, portions of the site will be treated for invasive native species as needed on a case by case basis. Ruderal species usually are not problematic, but in some cases they can slow down or arrest restoration processes.

The capital portion of the invasive vegetation control program was initiated in 1995 and completed in 1998. Each of the individual treatments was conducted approximately six months apart, and the treated natural vegetation communities are now in a maintenance condition. Follow-up control activities are conducted on an annual or semi-annual basis. A management unit is considered to be in a maintenance condition (with regard to invasive species) when the cover of invasive tree and shrub species does not exceed one percent of the canopy or understory layers within any management year.

In this plan, invasive vegetation species are not discussed on a species-by-species basis, but are grouped into the following categories: (1) vines; (2) trees; (3) shrubs; and (4) groundcover. Management priorities and techniques for each of these categories are described in the following sections.

#### 5.1.3.1 Vines

This category includes exotic and ruderal species, as well as aggressive native vines. If possible, exotic vines will be eradicated from the natural area. Aggressive native vines will be treated as invasive species until the site reaches a maintenance condition. Once this occurs, aggressive native vines will be allowed to regenerate until they reach historically accurate densities and cover.

Vines pose a significant threat to the natural communities at the natural area because they cover the leaves of shrubs and trees and cause death through the reduction of photosynthetic food production. Invasive exotic and native vines recorded at the natural area include balsampear,

fetid passionflower, Ganges primrose, love vine, muscadine, pink trumpet creeper, Brazilian jasmine and rosary pea. Of these, balsampear, fetid passionflower and rosary pea continue to be found on a regular basis during exotic treatments.

During invasive vegetation control treatments, most species of vines are cut at a height of six feet and again near ground level if they are growing into canopy trees. The bases of the vines are then hand-pulled or treated with an appropriate systemic herbicide. Vines remaining in the canopy are typically left to decompose in the trees. Vines growing on shrubs or saplings under six feet in height are cut near ground level and removed from the supporting plant. The bases of the vines are hand-pulled or treated with a systemic herbicide. Lateral stems of vines growing along the ground surface are cut, hand-pulled and/or treated with a systemic herbicide.

Love vine is a parasitic native vine that may become abundant in fire-maintained natural vegetation communities in the absence of fire. Love vine and muscadine are managed by utilizing physical removal methods. These species are also controlled through prescribed burning.

#### 5.1.3.2 Trees

This category includes woody plants that typically grow over 12 feet in height. In the past, invasive exotic trees were not a major threat to natural communities in southeastern Florida. However, more recently, several species of exotic trees have become established in natural vegetation communities. These trees are especially invasive in disturbed and unburned fire-maintained communities. Invasive/exotic trees found at the natural area include carrotwood, laurel fig, mango, queen palm, Australian umbrella tree, Brazilian pepper and earleaf acacia. Of these, Brazilian pepper and earleaf acacia were the most problematic species when the site was purchased. These species are now under control.

During invasive vegetation control treatments, seedlings of invasive trees were, and continue to be hand-pulled. In general, saplings and mature trees were, and continue to be left standing and treated with an appropriate systemic herbicide. Because Brazilian pepper is a sprawling, shrub-like tree, special treatments such as cutting and mechanical removal were used in especially dense areas.

### 5.1.3.3 Shrubs

Shrubs are similar to trees, except that they generally affect a smaller area in the subcanopy and understory. Invasive/exotic shrubs that have been recorded at the natural area include Caesar's weed, corn plant, java glory bean, spineless yucca and Surinam cherry, aloe, Cape honeysuckle, cochineal cactus, shrubverbena, simple-leaf chaste tree, sisal hemp and valamuerto. Of these, Caesar's weed has been a re-occurring problem at this site.

During invasive vegetation control treatments, any seedlings of invasive/exotic shrubs were, and will continue to be, hand-pulled. Clumps of seedlings were treated with herbicides, and saplings and adults were, and will continue to be, cut near ground level and the bases treated with an appropriate systemic herbicide.

### 5.1.3.4 Groundcover

The groundcover category includes invasive/exotic grasses, sedges, perennial forbs, annual and short-lived forbs, and other low level herbaceous plants. These plants can become a significant problem in fire-maintained communities. Exotic and invasive groundcover recorded at the natural area include: Bahiagrass, Bermudagrass, Durban crowfootgrass, Guinea grass, natal grass, smutgrass, Baldwin's flatsedge, tropical signalgrass, torpedo grass, coast sandbur, gophertail lovegrass, bowstring hemp, aloe, Asian sword fern, Sprenger's asparagus fern, life plant, oyster-plant, sword fern, wedelia, coatbuttons, Florida tasselflower, Ilima, Madagascar periwinkle, puncture vine, rough Mexican clover, shrubby false buttonweed, rattlebox, tropical Mexican clover, zarzabacoa comun, common ragweed, common wireweed, largeflower Mexican clover, wandering jew and grassleaf lettuce. Of these, Guinea grass, rattlebox, torpedo grass and natal grass have been a re-occurring problem at the site.

During invasive vegetation control treatments, most invasive/exotic grasses were, and will continue to be, hand-pulled. It is possible that gopher tortoises are foraging on these grasses, so the use of appropriate herbicides will be used only when necessary. However, there are a few remaining clumps of Guinea grass on the natural area. This large grass has been and will continue to be controlled by cutting the plant down and treating the re-sprouts with an appropriate herbicide. Of most concern is torpedo grass which is capable of invading and disturbing natural community fragments. This species is best controlled through careful applications of an appropriate herbicide.

Invasive perennial forbs can become a problem in all types of natural communities. These species require special treatment. Because they have thick, succulent leaves that prevent herbicides from adhering or being absorbed, hand-pulling may be the only way to eliminate them. They have underground "tubers" and rhizomes that can break off and form new plants. Care has been taken to collect as many of these tubers and rhizomes as possible during invasive vegetation control treatments and remove them from the site. Bowstring hemp is difficult to eradicate, but can be successfully eliminated with selective herbicide use in conjunction with repeated excavation of untreated or resprouting underground rhizomes. Most of the bowstring hemp has been removed from the natural area, however, a few plants continue to resprout in the north-central portion of the site. This area will continue to be treated for this species until it no longer resprouts.

In general, annual or short-lived forbs cause temporary problems and are difficult to eradicate due to their high seed production. Most respond to disturbance; therefore, their populations will drop in numbers as the restoration process proceeds. All will be monitored to determine what (if any) actions should be taken in the future. Control measures, when necessary, usually involve hand-pulling of each individual and spot-treatment with herbicides. Lima, which is a woody-stemmed, short-lived forb, seemed to decline and disappeared from the natural area without the disturbance of periodic mowing.

#### 5.1.3.5 Exotic Animals

One species of invertebrate (the imported fire ant), one species of amphibian (greenhouse frog) and six species of vertebrates (brown anole, northern curly-tailed lizard, European starling, monk parakeet, rock dove and Eurasian collard dove) recorded at the natural area are not indigenous to the south Florida mainland. Domestic dogs and cats may also use the site occasionally. The imported fire ant has been recorded in the former disturbed area. This aggressive ant has nearly eliminated the native fire ant from all native habitats except for intact scrub, and poses a threat to the young of ground-nesting birds. There are no effective and acceptable methods to control the ant at this time.

The northern curly-tailed lizard was first introduced from the Bahamas in the 1930s to control insect pests in sugarcane fields. It also is a popular species in the pet trade and is now common in a variety of habitats in its limited range, which includes Miami-Dade, Broward, and Palm



Beach counties (Bartlett and Bartlett 1999). No specific control strategy will be used for this species since their numbers are relatively low at this time.

According to Bartlett and Bartlett (1999), the brown anole was introduced into Florida in the early 1900s through shipments from the West Indies and is now common to abundant in the southern four-fifths of the peninsula. Although two subspecies, the Bahamian brown anole (*Anolis sagrei ordinatus*) and the Cuban brown anole (*Anolis sagrei sagrei*) were originally introduced into Florida, these have intergraded and are no longer considered to be subspecies (Bartlett and Bartlett 1999). They are considered by some authorities to compete with and reduce the population size of the native green anole, but will not be subject to population control methods unless a significant impact on the population of native anoles is observed.

Eurasian collard doves have been observed at the site. These species were introduced from Europe and now are common in urban areas of southern Florida. It is not expected that they use the site in any significant way. Potential control efforts for this species will be explored in the future if their presence threatens native species. European starlings have been seen on the edges of scrub bordering developed areas. The starling was introduced in New York a hundred years ago and quickly spread across the continent. It is bold and aggressive, and often competes successfully with native species for nest holes (National Geographic Society, 2002). These birds also compete with native bird species for food. Potential control efforts for this species will be explored in the future if their presence threatens native species. Rock doves have been seen flying overhead throughout the site. Being predominantly urban birds introduced from Europe, it is not expected that these doves use or affect the natural area in any significant way. Monk parakeets have also been seen flying overhead and are believed to be nesting in nearby residential areas. These parakeets compete for nesting cavities with native birds and are vectors for the spread of large-seeded exotic plants. Control efforts will not be utilized unless a significant impact is observed in the future. Control of domestic cats and dogs will continue to focus on educating the surrounding community and with selective live-trapping, if necessary.

#### 5.1.4 Restoration and Management

Since its acquisition, Rosemary Scrub Natural Area has been the subject of eleven small restoration planting projects. The first planting project occurred in October 2001 when 15 silk bays were planted just west of the parking area. At the same time, exotic grasses and ferns were removed from this area. In November 2001, 18 cabbage palms were relocated from a Palm Beach

Community College construction project and planted in disturbed areas around the parking lot. In December 2001, 16 live oaks were planted in disturbed areas around the parking lot.

In March 2003, 20 cabbage palms and 20 saw palmettos were planted in and around the parking area. At the same time, love vine was removed from several oak trees in the vicinity of the parking lot. In June 2003, live oak, gumbo limbo, coco plum, wax myrtle and sea grape were planted in the south-east corner of the site near the parking area.

In February 2004, 1,000 sand pine seedlings were planted in three areas on the northern portion of the site that was burned in March 2000, because the burn was deemed unsuccessful in triggering sand pine recruitment. In two of the areas, a polymer was added to the planting hole to help absorb and retain water in the soil. However, when too much polymer was used during planting, expansion of the polymer following a rain event actually pushed some of the seedlings out of the soil, resulting in their death. Only a few seedlings survived in the easternmost planted area, even though the polymer was used in this area. The disturbed nature of the eastern planting area, altered soil characteristics which resulted from the adjacent road construction, a lack of a tree canopy to provide some protection from the intense sun and a lack of rainfall/irrigation may have been factors causing the low survivorship. The other two planted areas had a 20-30% survival rate after the first year.

In March 2005, 500 sand pine seedlings were planted on the southern and northeast portions of the site. Irrigation was added during this planting event to help increase seedling survival rates. 16% of these pines survived after one year. In June 2005, 75 slash pines were planted without irrigation in the northwest portion of the site. The plants were not watered after planting and, as a result, none of the plants survived.

In November 2005, 150 live oaks seedlings were planted in the northeast and southern portion of the site. No irrigation was added, but the plants were watered on a weekly basis.

In March 2006, 126 native trees and shrubs (scrub oaks, ficus, red bay, hog plum and gopher apple) were planted with irrigation in areas around the parking lot. In July 2006, 1,000 saw palmettos seedlings were planted in various locations around the site and these seedlings were also provided with irrigation.

## 5.2 COORDINATION WITH ADJACENT LAND USERS

Both direct and indirect impacts from adjacent land uses are to be expected. Direct impacts include illegal dumping, the invasion of exotic plant species from adjacent properties into the natural area, and the predation of wildlife by dogs and cats. These types of impacts will be mitigated through interpretive programs, public outreach, an aggressive exotic plant control program, and the enforcement of Natural Areas Ordinance (Appendix F) provisions concerning the prohibition of dumping and the allowance of pets on the natural area.

Perhaps the greatest off-site threats to the long-term management of the Rosemary Scrub Natural Area are public fear of fire and the general dislike of attendant smoke. Smoke management is one of the key issues addressed in the fire management plan. An active public education campaign has been developed that describes the necessity of fire, the safety features of prescribed burning versus wildfires, and the strategies that have been developed to minimize the impacts of smoke on nearby communities.

## **6. COST ESTIMATES AND FUNDING SOURCES**

Cost estimates for long-term maintenance and operation of the site are provided in Table 3. Estimated annual maintenance and operation costs are expected to be \$78,294 per year in 2008 dollars. It is expected that annual maintenance and replacement costs will be paid using the Natural Areas Fund. All future expenditures by the County are subject to annual appropriations by the County's Board of County Commissioners.

The primary funding source for site development was the \$100 million Palm Beach County Environmentally Sensitive Lands Bond Referendum approved by the voters on March 12, 1991. The County has the primary responsibility for maintenance and management of the natural area, including supplemental mowing of the perimeter management road/firebreak. The City is responsible for periodic mowing of the perimeter management road/firebreak, site security and opening and closing the gates to the parking lot. Staffing for habitat management and facility maintenance will continue to be accomplished with existing County personnel, with assistance from City staff and community volunteers.

### **6.1 DEVELOPMENT COSTS**

Major expenditures for initial site development and restoration included exotic vegetation removal; fencing, signs, and gates; the parking area; an accessible nature trail; a kiosk with interpretive displays; an initial fuel reduction burn; and design, engineering, and permit fees. Funding for initial site development was provided from the 1991 Palm Beach County Environmentally Sensitive Lands Bond Referendum.

### **6.2 KEY MANAGEMENT ACTIVITIES AND RESOURCE ENHANCEMENT COSTS**

Management costs have been minimized through the cooperation of local citizens' organizations and by coordinating the management of natural areas on a county-wide basis. The Audubon Society of the Everglades, the Palm Beach County Chapter of the Florida Native Plant Society, the Loxahatchee Chapter of the Florida Trail Association, and the Sierra Club - Loxahatchee Group along with various school, business, and civic groups have provided and continue to provide volunteer services for the management of natural areas acquired by the County. However, it is recognized by both the County and the City that the management of this natural area requires more than volunteer assistance. Some activities, such as herbicide applications, chainsaw work, and other hazardous or extremely technical operations are not generally suited to

volunteers. County staff have provided such services, or obtained assistance from contractors where necessary.

The County has established a Natural Areas Stewardship Endowment Fund. Monies from restricted gifts, donations from individuals and businesses, and other sources are invested and the interest earned is used to provide operating funds for the management of County-owned and County-leased natural areas. The County also has applied for, and will continue to apply for, funds that may be available from the State for the control of exotic species and other management purposes.

In addition, funds are available via Article 14 Chapter C (Vegetation Preservation and Protection) of the Palm Beach County Unified Land Development Code. Monies from penalties for violations of the provisions of this section are deposited into the Natural Areas Fund, and can be used for the management of lands acquired by the County as natural areas. Monies from the sale of development rights on lands purchased by the County as natural areas and from leases of County-owned land in the Agricultural Reserve also can be used for management purposes.

## **7. PRIORITY SCHEDULE**

A priority schedule for the initial development of the site was included in the initial management plan for Rosemary Scrub Natural Area. All of these initial activities have been completed. Initial site development activities focused on securing the site against unauthorized uses. Fencing, signs and gates were purchased and installed within six months of acquisition. The first formal gopher tortoise survey was conducted in 2001. An initial fire management plan was prepared, a prescribed burn was completed, and the initial removal of invasive vegetation has been completed. The nature trail and parking area were constructed, management roads cleared, a kiosk with interpretive displays installed, a nature trail guide prepared, and site stewards were recruited and trained. Management for this site has now shifted into the maintenance mode.

Over the next ten years, the site will be monitored on a semi-annual to annual basis, and treated as needed, for invasive/exotic vegetation. Annual and bi-annual listed species surveys will also be conducted depending upon the species being monitored. Migratory and non-migratory wildlife surveys will be conducted each year. A summary of all these activities will be included in an annual stewardship report prepared and submitted to FCT each year, until such time as this requirement is waived by FCT. The next revision of the Rosemary Scrub Natural Area management plan is scheduled to begin in 2017, with the final approval of the next revision due in 2018.

## 8. MONITORING

A monitoring program was initiated in 1997 to measure whether the management objectives for natural communities and listed species were being achieved. The monitoring program was designed to evaluate the success of prescribed fires, invasive vegetation control and disturbed habitat restoration activities, and to determine significant changes in population sizes or distribution of listed species. Management practices have been adjusted when an evaluation of the monitoring data revealed that these objectives were not being met.

A detailed monitoring protocol has been developed to ensure consistency in monitoring activities on all natural areas managed by ERM. A general description of the types of monitoring to be conducted is provided in the following paragraphs. Assistance will be sought from institutions of higher education and volunteers in carrying out the monitoring program, and in the evaluation and interpretation of the data collected. Monitoring data were used as the basis for this revision of the management plan.

### 8.1 PHOTOMONITORING

The objective of photomonitoring is to obtain a qualitative, long-term visual record of changes in vegetative composition and/or structure over time, including the effects of planned management activities. Two permanent photopoints were initially established in areas where planned management activities were anticipated to occur and natural vegetative succession of management interest was expected to occur. Two additional temporary photopoint stations were established – one in each of the two management units in 2005. These photopoints were established to document success of some of the restoration plantings. The photopoints were located with a global positioning system (GPS) unit and their locations clearly described on a photopoint monitoring record form. Additional reference points (such as trees, structures, or other unique features) have also been described on the form for easier location of the photopoint.

One set of color images are taken at each photopoint annually. These images are combined into a panoramic photograph, using digital imaging software, and stored electronically with the name of the site, the management unit number, and the station number. Each panoramic photograph is centered on a pre-determined and repeatable compass heading. When a management unit is burned, changes in vegetation are measured with photos taken pre-burn and immediately post-burn. Additional post-burn photos are taken periodically. A reference collection of all images taken is maintained by ERM and used when the management plan is periodically reviewed.

Additional information that may be collected includes the height and species name of the predominant tree, shrub, and/or herbaceous plant located at the photomonitoring station.

## 8.2 WILDLIFE SURVEYS

Nonmigratory wildlife surveys and migratory bird surveys are performed annually. Opportunistic wildlife surveys also are conducted during other monitoring events and when migratory bird species are expected. Both nonmigratory and migratory surveys are conducted using permanent line transects. All surveys are conducted in a manner that is repeatable in order to obtain information that can be compared from year to year. Survey information includes observations of animals, tracks, burrows/nests, or other signs.

Any animal species observed on the site that is listed as endangered, threatened, or of special concern by USFWS or FWC, or is tracked by FNAI, are recorded for the site. Currently, ERM conducts regularly-scheduled listed wildlife species monitoring only for two species – gopher tortoise (*Gopherus polyphemus*) and Florida scrub jay (*Aphelocoma coerulescens*) – of which only the gopher tortoise has been recorded at the Rosemary Scrub Natural Area. The scrub jay is unlikely to be present on the site because the habitat is too small and is not suitable. A species-specific monitoring plan may be developed for any endangered animal species that is recorded as breeding on the site, if deemed necessary/feasible by the site manager.

Between 1998 and 2005, 33 new species of animals were recorded at the natural area. Results of each year's wildlife surveys have been and will continue to be included in the annual stewardship report for the site.

## 8.3 VEGETATION SURVEYS

If vegetation monitoring is required by the conditions of a permit, grant or any other agreement, a point intercept transect monitoring method will be used, subject to approval by the overseeing agency or organization. Permanent point intercept transects have been established to monitor changes in vegetation. Transects are surveyed twice a year, once in the dry season and once in the wet season. Data is recorded for three strata (canopy, shrub, and herbaceous) at predetermined intervals along each transect. If an analysis of the transect data indicates that negative natural community changes are occurring, additional transects may be established in the affected management unit to determine if the changes are localized or widespread.

Any plant species observed on the site that is listed as endangered or threatened by USFWS, is listed as endangered by FDACS, or is assigned a state rank of S1, S2 or S3 by FNAI will be surveyed biennially in order to track population trends. If the population of a species is too large to practically count all individuals, a representative portion of the population will be surveyed.



Locations of individual plants or groups of plants will be mapped with a GPS receiver. A species-specific monitoring plan may be developed for an endangered plant species when more intense monitoring is needed due to regulatory requirements or management information needs, or because the species is highly endangered or suspected to be declining.

Species listed as threatened by FDACS that have a widespread distribution or species that are commercially available will be monitored at least once every five years to determine if those species are still present on the natural area. Special surveys with specific objectives may be conducted as needed to document changing site conditions, the effects of a land management activity such as a prescribed burn, or the impacts of a significant natural event such as a hurricane, wildfire, pest, disease, or invasive species.

#### 8.4 ANNUAL REPORT

ERM has and will continue to prepare and submit an annual stewardship report to FCT. Major structural improvements, management activities, and restoration plans and activities are discussed, as is the degree of success of these activities. The annual report also includes any changes to the monitoring plan. A general review of management efforts related to natural vegetation communities and the status of listed species also is completed at the end of each management year and included in the annual stewardship report. If an annual stewardship report is no longer required by FCT after initial management activities and construction of the public-use facilities is completed, a general review of management efforts and the status of listed species will continue to be performed on an annual basis.

Any significant proposed modification of the Management Plan and/or undertaking any site alterations or physical improvements that are not addressed in the approved Management Plan require prior FCT review and approval as provided in Section 3.3 and the Grant Award Agreement (Appendix I).

## 9. GLOSSARY

Burn unit - an area of predetermined size and shape that remains fixed for monitoring purposes throughout a course of fire management

Density - the number of individual plants or animals per unit of habitable area

Diversity - the number of species that live together in an ecosystem; a measure of the variety of species in an ecosystem that takes into account the relative abundance of each species

Dominant - the characteristic species in a particular plant community, contributing most to the general appearance and influencing which other plants and animals live there; typically the largest plant species or the one with the greatest aerial coverage

Ecosystem - an assemblage of living organisms (plants, animals, microorganisms, etc.) and nonliving components (soil, water, air, etc.) that functions as a dynamic whole through organized energy flows

Ecosystem management - an integrated, flexible approach to management of Florida's biological and physical environments -- conducted through the use of tools such as planning, land acquisition, environmental education, regulation, and pollution prevention -- designed to maintain, protect and improve the state's natural, managed, and human communities

Ecotone - a zone of transition between two ecosystems that has characteristics of both

Endemic - a species or other biological grouping whose distribution is restricted to a particular region or locality

Enhancement - an action taken to introduce, reintroduce or restore vegetation and associated animals into an area where the native ecosystem has been disturbed

Firebreak - a strip of land where the vegetation has been cut or removed to stop the spread of a fire; it typically does not exceed 15 feet in width and may be used as a management road and/or a hiking trail

Fire regime - a prevailing condition in which ecosystems have evolved under periodic exposure to natural fires such that the vegetative communities have adapted to, are dependent upon, and are reproductively enhanced by this exposure

Footpath - a narrow trail with a natural soil base that is intended for foot traffic only and does not have interpretive signage

Forb - a broad-leaved herbaceous plant that is not a grass

Habitat - the area or type of environment in which a specific kind of organism normally lives

Hiking trail - an unpaved footpath with a natural soil base and directional signage only; may be combined with management roads

Hydroperiod - the average length of time that soils are saturated during a given year

Kiosk - a small structure used to shelter informational displays

Listed species - a species that is considered to be endangered or threatened with extinction, or a species of special concern, or a species that has been designated in some way by a jurisdictional governmental agency as meriting special protection or consideration

Management road - an unimproved, single-lane dirt or sand road that is designated for vehicular management activities; it does not exceed 15 feet in width and may be used as a firebreak and/or hiking trail

Mosaic - a pattern of vegetation in which two or more different plant communities are interspersed in patches

Natural area - an area containing one or more aquatic, terrestrial, or transitional ecosystems or a combination of ecosystems that has essentially retained its primitive conditions; an area that is a least-disturbed known example of a type of natural ecosystem

Nature trail - a hard-surfaced, accessible trail with interpretive signage

Off-road vehicle - a vehicle capable of traveling in roadless areas

Passive recreation - any recreational activity which has minimal or no impact on natural resources or ecosystems, such as trail-walking, photography, and plant and wildlife observation

Restoration - the process of repairing damage caused by human activity or a natural disaster to the diversity and dynamics of a native system

Ruderal - a species which generally is considered to be native, but often grows in disturbed areas

Subcanopy - the layer of shrubs or trees that is below the canopy, or uppermost layer of vegetation in a forest or woodland

Systemic herbicide - a chemical agent used to destroy or inhibit plant growth that is absorbed into and is effective throughout the entire organism

Taxon (plural - taxa) - a general term for any taxonomic category (for example, a species, genus, family, or order)

Transect - a long, narrow area used for sampling vegetation or counting animals; transects are used for the collection and analysis of data such as frequency of occurrence, size, or number of organisms or kinds of organisms

Transitory taxon (plural - taxa) - a species that is present on a site only for a brief period, often as a response to changing environmental conditions

Vegetative community - the plant component of an ecosystem

Viability - the capability of a seed or organism to grow and develop or the capability of a population of a species or a biological community to reproduce and maintain itself indefinitely

Water table - the level below which soil is saturated with water; the surface of the zone of saturation

## 10. ACRONYMS

ADA - Americans with Disabilities Act

DEP - Florida Department of Environmental Protection

DOF - Florida Department of Agricultural and Consumer Services, Division of Forestry

ERM - Palm Beach County Department of Environmental Resources Management

FCT - Florida Communities Trust

FDACS - Florida Department of Agricultural and Consumer Services

FFWCC - Florida Fish and Wildlife Conservation Commission

FLEPPC – Florida Exotic Pest Plant Council

FNAI- Florida Natural Areas Inventory

GPS- Global Positioning System

NAMAC - Palm Beach County Natural Areas Management Advisory Committee

ORV- Off-road vehicle

SFWMD - South Florida Water Management District

USCGS- U.S. Coastal and Geodetic Survey

USGS- U.S. Geological Survey

USFWS - United States Department of the Interior, Fish and Wildlife Service

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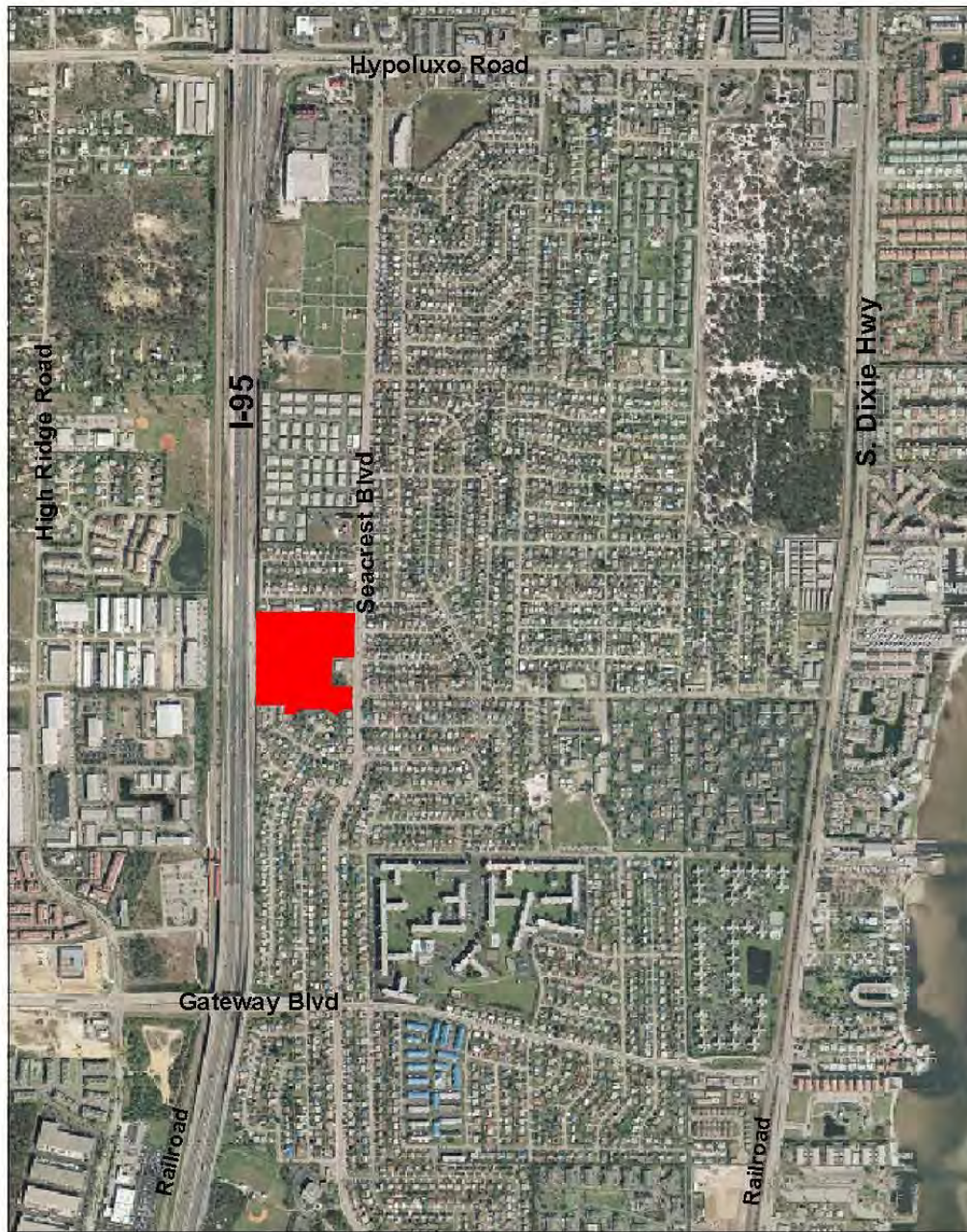
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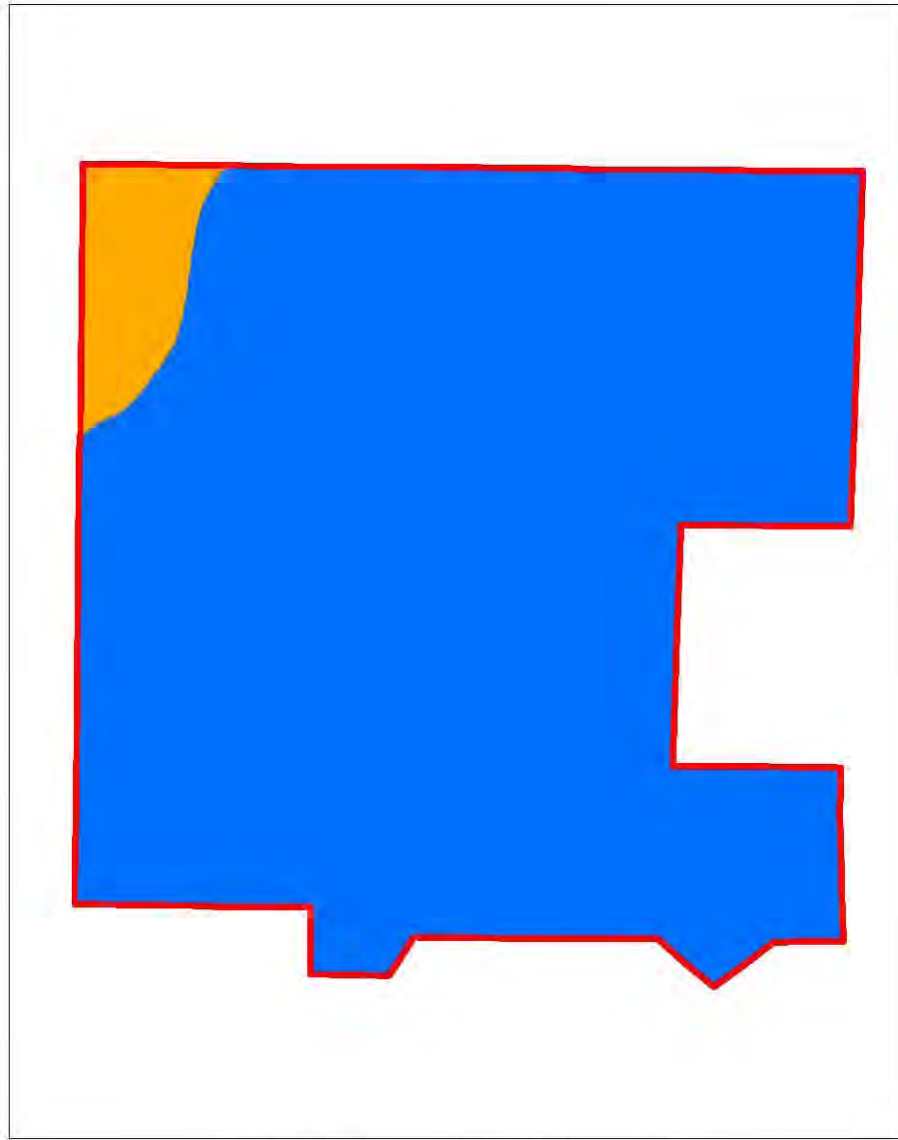
**FIGURES 1-5**






 Rosemary Scrub Natural Area Boundary



**Figure 1- Rosemary Scrub Natural Area Location Map**



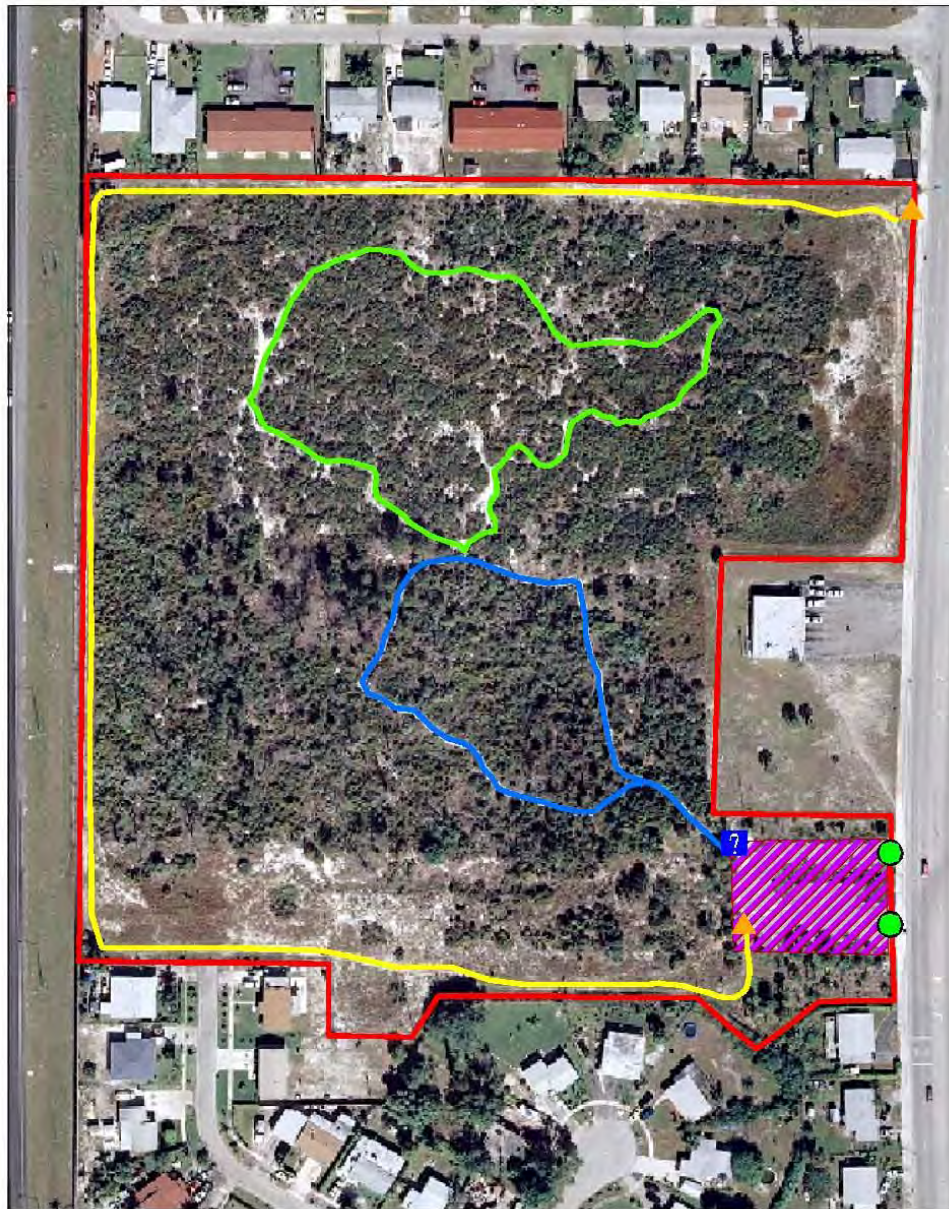
0 50 100 200 300 400 Feet

-  Rosemary Scrub Natural Area Boundary
-  SCRUB
-  SCRUBBY FLATWOODS







**Figure 2- Rosemary Scrub Natural Area Vegetation Map**

12-2



0 50 100 200 300 400 Feet

-  Management Gates
-  Public Access Gates
-  Kiosk
-  Hiking Trail
-  Management Road
-  ADA Trail
-  Rosemary Scrub Natural Area Boundary
-  Rosemary Scrub Parking Lot

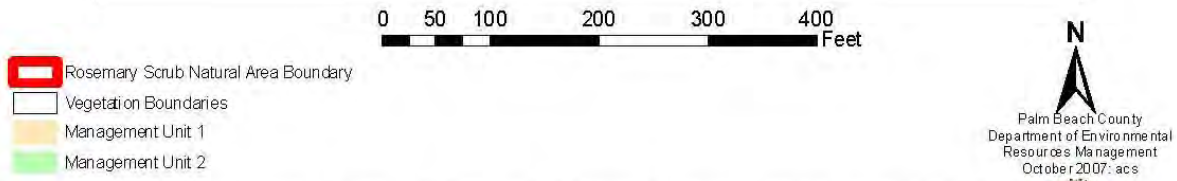
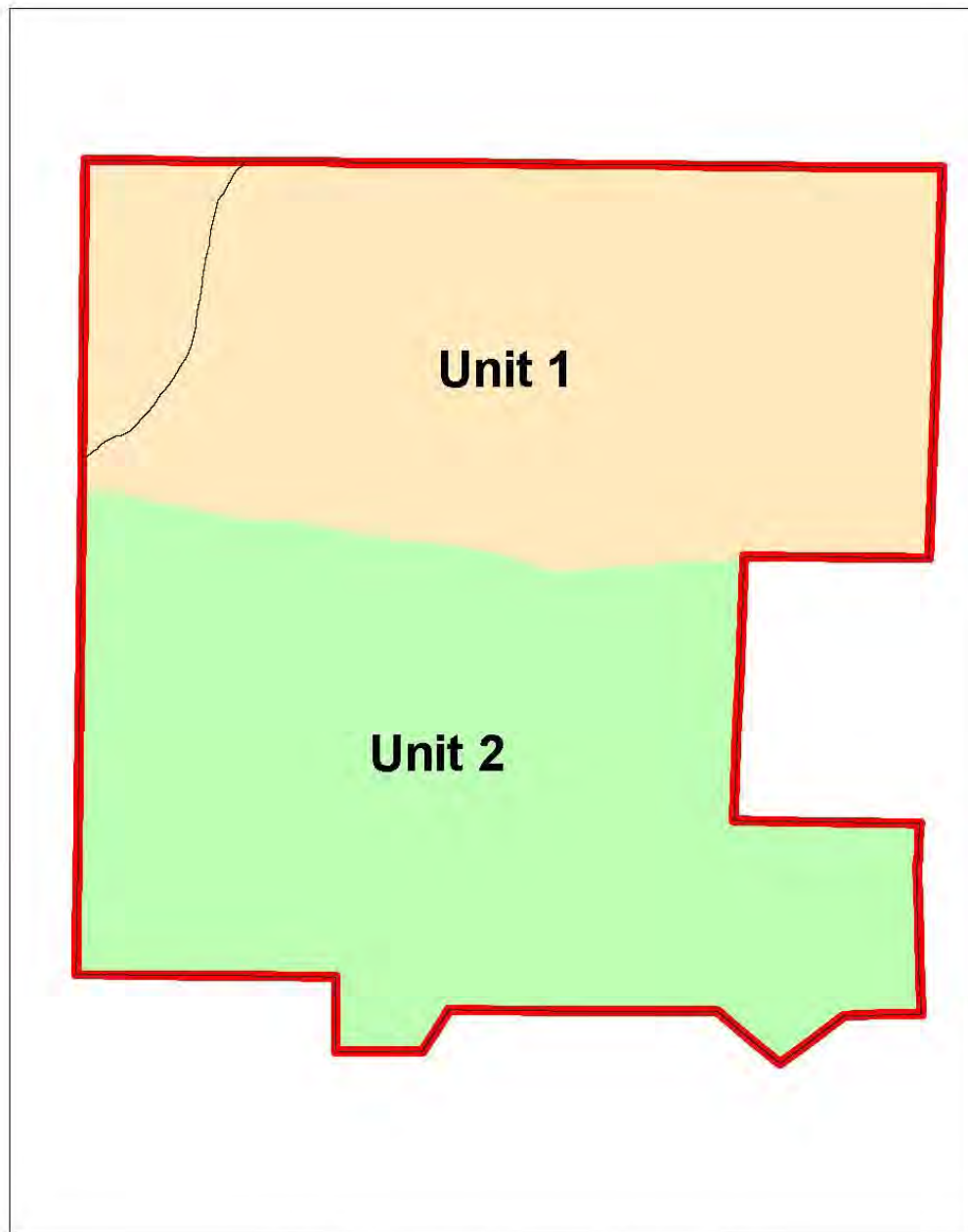


**Figure 3- Rosemary Scrub Natural Area Facilities Map**

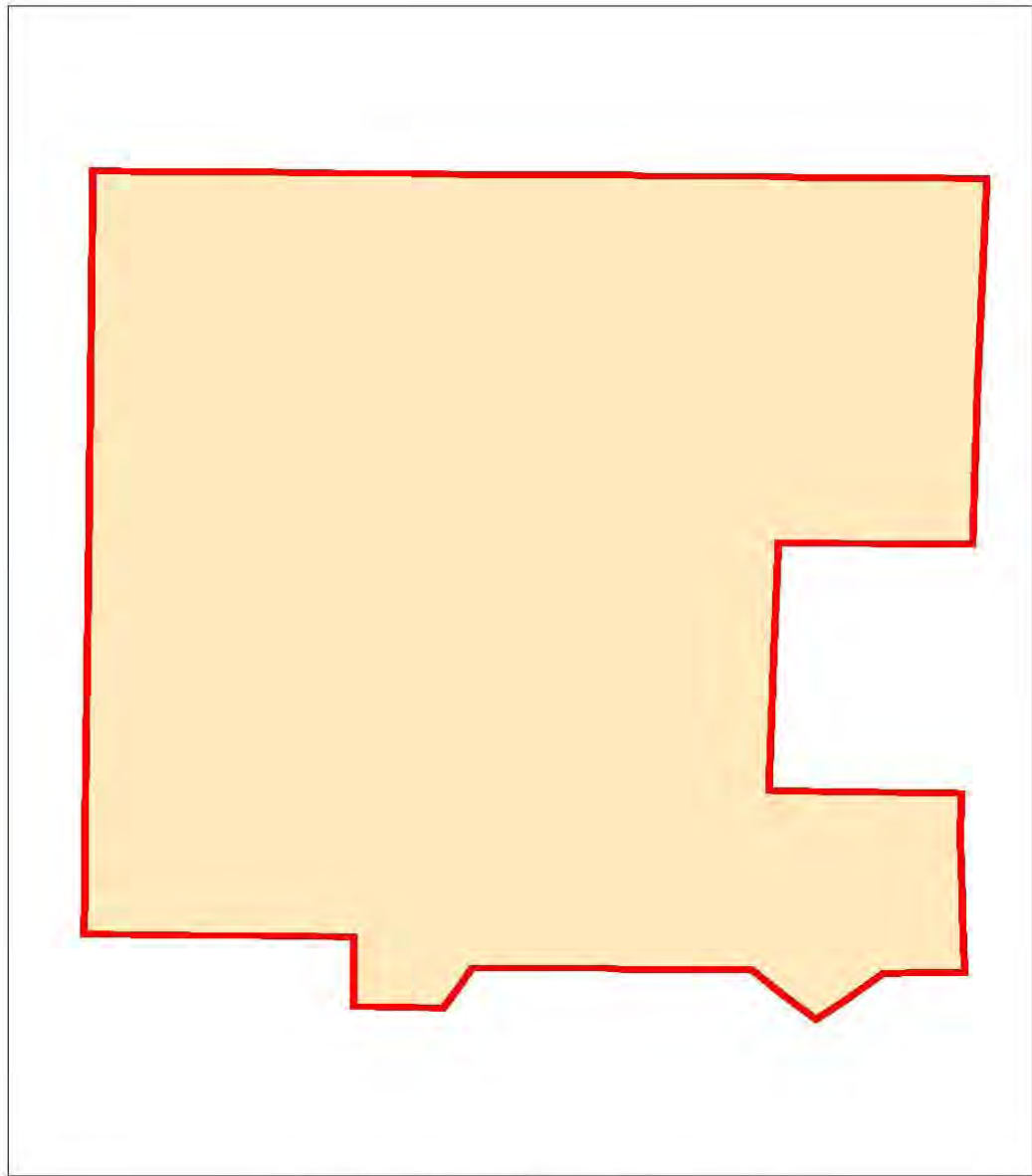
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**Figure 4- Rosemary Scrub Natural Area Management Units Map**



0 50 100 200 300 400 Feet

-  Rosemary Scrub Natural Area Boundary
-  St. Lucie-Paola-Urban Land Complex, 0 TO 8 % Slopes



**Figure 5- Rosemary Scrub Natural Area Soils Map**  
12-5

**TABLES 1-4**



**TABLE 1. LISTED PLANT SPECIES RECORDED AT THE ROSEMARY SCRUB NATURAL AREA**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>LISTING STATUS</u>		
		<u>USFWS</u>	<u>FDACS</u>	<u>FNAI</u>
<i>Asclepias curtissii</i>	Curtiss' milkweed	N	E	N
<i>Conradina grandiflora</i>	Large-flowered rosemary	N	T	G3/S3
<i>Lechea cernua</i>	Nodding pinweed	N	T	G3/S3
<i>Nephrolepis biserrata</i>	Giant sword fern	N	T	N
<i>Opuntia stricta</i>	Shell-mound pricklypear	N	T	N
<i>Tillandsia balbisiana</i>	Reflexed wild pine	N	T	N
<i>Tillandsia fasciculata</i>	Common wild pine	N	E	N
<i>Tillandsia utriculata</i>	Giant wild pine	N	E	N

NOTES:

FDACS = Florida Department of Agriculture and Consumer Services

FNAI = Florida Natural Areas Inventory

N = Not listed

USFWS = United States Fish and Wildlife Service

Occurrences determined from field surveys and from data collected by ERM and others (1991-2007). Listings by FDACS are from Chapter 5B-40 of the Rules of the Department of Agriculture and Consumer Service, Division of Plant Industry (2004); listings by FNAI are from FNAI (2007); listings by USFWS are from 50 CFR 17.12. Listing categories are defined in Appendix D.

**TABLE 2. LISTED ANIMAL SPECIES RECORDED AT THE ROSEMARY SCRUB NATURAL AREA**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>LISTING STATUS</u>		
		<u>USFWS</u>	<u>FFWCC</u>	<u>FNAI</u>
<i>Accipiter cooperii</i>	Cooper's hawk	N	N	G5/S3
<i>Falco columbarius</i>	Merlin	N	N	G5/S2
<i>Gopherus polyphemus</i>	Gopher tortoise	N	SSC	G3/S3
<i>Pandion haliaetus</i>	Osprey	N	SSC**	G5/S3S4
<i>Passerina ciris</i>	Painting bunting	N	N	G5/S3
<i>Sceloporus woodi</i>	Florida scrub lizard	N	N	G3/S3
<i>Setophaga ruticilla</i>	American redstart	N	N	G5/S2

NOTES:

FFWCC = Florida Fish and Wildlife Conservation Commission

FNAI = Florida Natural Areas Inventory

N = Not listed

USFWS = United States Fish and Wildlife Service

\*\*Monroe County only

Occurrences determined from field surveys and from data collected by ERM (1993-2007). Listings by USFWS are from 50 CFR 17-11; listings by FNAI are from FNAI (2007); listings by FFWCC are from Chapter 68A-27, F.A.C.. Listing categories are defined in Appendix D.

**TABLE 3. ESTIMATED ANNUAL MAINTENANCE AND OPERATION COSTS**

<b><u>Responsibilities of Others</u></b>	<b><u>Cost</u></b>
Emptying of trash receptacle	\$700
Opening and closing entrance and exit gates (City opens; steward closes)	<u>\$8,000</u>
<i>Subtotal - present annual cost</i>	<i>\$8,700</i>
<b><u>County Responsibilities</u></b>	<b><u>Cost</u></b>
Prescribed habitat burn (personnel and equipment) \$20,000 cost per burn - one burn every 20 years	\$1,000
Mowing and maintenance of management road/hiking trail (4x-6x per year)	\$4,600
Exotic plant control (13.59 acres @ \$2,396/acre/yr.)	\$32,562
Site management - monitoring program, management plan updates and reports, listed species protection, volunteer coordination and supervision, educational materials, intergovernmental coordination - to be performed by ERM staff	<u>\$23,000</u>
<i>Subtotal - present annual cost</i>	<i>\$61,162</i>
<b><u>Capital Facilities Replacement</u></b>	<b><u>Cost</u></b>
Removal and replacement of facilities with 15-year expected life including (post and rail fences, gates, kiosk roof and display case, and miscellaneous facilities (bike rack, management gate, entrance sign, trail markers); - present cost = \$16,120	
Estimated annual cost over 15 years @ 4% interest rate	\$1,720
Removal and replacement of facilities with 30-year expected life (concrete facilities in parking area [curbs, wheel stops, sidewalk, nature trail], kiosk structure, miscellaneous facilities; resurfacing of parking area) - present cost = \$91,521	
Estimated annual cost over 30 years at 4% interest rate	<u>\$6,712</u>
<i>Subtotal - estimated annual capital replacement costs</i>	<i>\$8,432</i>
<b>TOTAL ANNUAL COST (in 2008 dollars)</b>	<b>\$78,294</b>

**TABLE 4. PRIORITY SCHEDULE FOR PREPARATION OF THE ROSEMARY SCRUB NATURAL AREA FOR PUBLIC USE**

TARGET DATE - MONTH AND YEAR	12/95	12/96	12/97	12/98	12/99	12/00
Install perimeter signs	X					
Install temporary Natural Areas signs	X					
Complete detailed vegetation survey and analysis	X					
Install fencing and gates	X					
Change land use /zoning designation to Conservation						X
Invasive plant removal		X	X	X		
Volunteer day - cleanup of site		X	X	X	X	X
NAMAC review of management plan		X				
Management plan public hearing		X				
County Commission approval of management plan			X			
Initiate prescribed burning and monitoring programs						X
Contract/obtain permits to construct nature trail and parking area					X	X
Construct nature trail, parking area						X
Purchase supplies for nature trail interpretive stations						X
Design, contract, and install kiosk and display						X
Design and erect entrance and recognition signs						X

**CHRONOLOGY OF MAJOR EVENTS:  
ROSEMARY SCRUB NATURAL AREA**

**CHRONOLOGY OF MAJOR EVENTS: Rosemary Scrub Natural Area  
1995-2007**

<b><u>1995</u></b>	January	Fencing installed, perimeter sign installation completed
	April	Exotic and invasive vegetation control program began
<b><u>1996</u></b>	August	Exotic and invasive vegetation treatment performed
<b><u>1997</u></b>	July	Exotic and invasive vegetation treatment performed
<b><u>1998</u></b>		Management roads completed
	October	Exotic and native invasive vegetation treatment
<b><u>1999</u></b>	July	Vandals cut the southern perimeter fence and dumped four piles of garbage on the site
<b><u>2000</u></b>	March	Prescribed burn to Unit 1 (99% burned)
	June	Future Land Use designation for site changed to Recreational
	December	Exotic and invasive vegetation treatment performed
<b><u>2001</u></b>	February	Construction of public use facilities (parking lot and ADA trail) Completed; exotic and invasive vegetation treatment performed
	March	Nature trail, nature guide, interpretative stations, kiosk displays, interpretative signs completed
	April	Site was formally opened to the public
	June	City of Boynton Beach zoning change to Recreation
	October	Native planting- 15 silk bays planted
	November	Native planting- 18 cabbage palms relocated from Palm Beach Community College construction project and planted in disturbed areas around the parking lot
	December	Native planting- 16 live oaks planted
<b><u>2002</u></b>	October	Exotic and invasive vegetation treatment performed

<b><u>2003</u></b>	March	Native planting- 20 cabbage palm and 20 saw palmetto planted around the parking lot
	June	Future Land Use designation change from Recreational to Conservation in Boynton Beach Comp Plan; native planting-live oak, gumbo limbo, coco plum, wax myrtle, and sea grape planted in the southeast corner of the site near the parking area
	August	Exotic and native invasive vegetation treatment; damage from car going through fence
<b><u>2004</u></b>	February	Native planting- 1,000 sand pine seedlings planted in northern portion of site; 20-30% survival rate after 1 year
	August	Exotic and native invasive vegetation treatment
	September	Hurricane Frances- damage to parking lot, post and rail fence damage and fallen trees; Hurricane Jeanne- fallen trees
	October	Native planting- 1000 sand pine seedlings planted
<b><u>2005</u></b>	February	Exotic and native invasive vegetation treatment
	March	Native planting- 500 sand pine seedlings in southern and northeast portion of site- irrigation installed; 16% survival rate after 1 year
	June	Native planting- 75 slash pines planted without irrigation; 0% survival after 1 year
	August	Exotic and native invasive vegetation treatment
	October	Hurricane Wilma (minimal damage)
	November	Native planting- 150 live oak seedlings planted
<b><u>2006</u></b>	March	Native planting- 126 native trees and shrubs planted with irrigation (scrub oaks, ficus, red bay, hog plum, gopher apple)
	June	Wildfire occurred near the ADA trail and burned 0.1 acres, killing 8 sand pines and destroying one of the <i>Tillandsia</i> epicenters
	July	Native planting- 1000 saw palmettos seedlings planted with irrigation; Exotic and invasive vegetation treatment
<b><u>2007</u></b>		No significant activity, management ongoing

**APPENDIX A**

**NATURAL RESOURCES INVENTORY AND ASSESSMENT  
FOR THE ROSEMARY SCRUB NATURAL AREA**



## APPENDIX A

### NATURAL RESOURCES INVENTORY AND ASSESSMENT FOR THE ROSEMARY SCRUB NATURAL AREA

The Rosemary Scrub Natural Area is a fragment of a large ridge of predominately scrub habitat that ran north-south between Lake Worth and an inland lake/marsh system that contained Lake Osborne and the former Lake Webster. Agriculture, urbanization, hydrologic modifications, and a host of other human disturbances have eliminated or severely modified the majority of the upland natural communities in this area. Now, only a small percentage remains.

The acquisition of sites like the Rosemary Scrub Natural Area is an important part of the process of preserving examples of rare natural communities and rare and/or endemic plant and animal species in southeastern Florida. If the goal of preserving these historic remnants is to succeed, management of these sites must be conducted in an active manner. Managers must recognize that these sites are disturbed fragments of larger historic ecosystem mosaics. Management activities must include elimination or mitigation of as many disturbances to the remaining natural communities as possible.

In order to develop meaningful management objectives and procedures, a thorough inventory and assessment of the site's natural resources has been conducted. Information has been obtained on physiography, special geologic features, soils, hydrology, climate, natural communities, fauna, land-use history, and species of special concern. Within these categories, it was critical to identify the disturbance processes that may have altered ecosystem structures and functions and could affect long-term management goals.

Common names have been used for plant and animal species and genera when a unique common name exists. When a common name is not unique to a single species or genus, scientific names have been used. Scientific and common names for plant and animal species are listed in Appendixes B and C, respectively.

#### A.1 PHYSIOGRAPHY AND BIOGEOGRAPHIC REGIONS

Using the system developed by Brooks (1982), Florida lies within the Coastal Plain Province as defined in Physiography of Eastern United States (Fenneman 1938). The bulk of the state belongs in the Florida Section, which Brooks defines as "...a distinctive physiographic unit characterized

by the influences that solution of the underlying limestones have had on the development of topographic features." The mostly underlying limestone was deposited during the Cretaceous, Tertiary, and Quaternary. Sand is the dominant surficial material. Brooks uses four major classical principles to define the physiographic subdivisions of the Florida Section: (1) rock and soil type; (2) geological structure of the underlying rocks; (3) geomorphic processes; and (4) relief. Additional principles are used to define minor divisions. He also believes that "...there is a direct relationship between the natural vegetation and the physiographic units as now distinguished."

Most of southeastern Florida is located within the Gold Coast-Florida Bay District. While this area is dominated by the Everglades, the extreme eastern portion is composed mostly of a series of relict dunes and/or shoals. This area is called the Southern Atlantic Coastal Strip (Brooks 1982). It extends from approximately Juno Beach southward into extreme southern Dade County. Davis (1943) also recognized this physiographic division, which he termed the Atlantic Coastal Strip and Miami Rock Ridge. He described the southern portions of this division (almost exactly corresponding to Brooks' Southern Atlantic Coastal Strip) as "a barrier ridge between the Everglades basin and the sea," which is composed of "sand ridges and elongated depressions" with rocklands in the southern portion.

The two northernmost divisions of the Southern Atlantic Coastal Strip are the Palm Beach-Deerfield Ridge and the Green Acres Sandy Prairie. The Palm Beach-Deerfield Ridge lies to the east of the Green Acres Sandy Prairie and encompasses a narrow band of peninsular Palm Beach County as well as the barrier islands within the county. The soils are dominated by well-drained sands and elevations reach 48 feet above sea level. Scrub vegetation with some sand pine is described by Brooks as the typical vegetation. In contrast, the Green Acres Sandy Prairie has elevations mostly under 20 feet and is described by Brooks as a gently sloping plain dominated by pine flatwoods and wet prairie. The Rosemary Scrub Natural Area is located within the Palm Beach-Deerfield Ridge.

Iverson and Austin (1988) divided Palm Beach County into a number of biogeographic regions, which correlated the biological and physiographic features of the county (Figure 6). Along the eastern edge of Palm Beach County, they identified the Present Dune immediately adjacent to the Atlantic Ocean and the Pamlico Dune Ridge, an area of Pleistocene dunes historically separated from the Present Dune by a series of sloughs, rivers, and lakes. These two biogeographic regions approximately correspond to Brooks' Palm Beach-Deerfield Ridge. In most portions of the

county, a low area called the Pamlico Slough is present immediately to the west of the Pamlico Dune Ridge. Further to the west, there is a series of fragmented dunes that are collectively called the West Pamlico Ridge. This biogeographic region is present in the southern and northern portions of the county but absent in between them. The Pamlico Slough and West Pamlico Ridge roughly correspond to Brooks' Sandy Green Acres physiographic division. To the west of this region lies a series of flatlands, marshes and sloughs. The Rosemary Scrub Natural Area is located on the Pamlico Dune Ridge. Elevations range from a low point of 17.4 feet to a high point of 20.9 feet (Shepard 1986).

The historic soils of the Pamlico Dune Ridge are classified in the well-drained St. Lucie-Urban Land-Paola association; the soils of the Pamlico Slough and West Pamlico Ridge are classified within a number of soil associations with poorly-drained and moderately well-drained soils (United States Department of Agriculture, Soils Conservation Service [SCS] 1978). Both Iverson and Austin (1988) and Fernald (1989) identify scrub as the dominant community on both the Pamlico Dune Ridge and the West Pamlico Ridge. However, neither distinguishes between scrub and scrubby flatwoods within their mapping units, and it would be expected that substantial differences in vegetation historically existed between these two biogeographic regions.

The Treasure Coast Region, while not a physiographic or biogeographic region, is often used to describe or evaluate natural communities or species in southeastern Florida (e.g., Fernald 1989). The Treasure Coast Region is a political unit regulated by the Treasure Coast Regional Planning Council, which encompasses Indian River, St. Lucie, Martin, and Palm Beach counties.

## **A.2 SPECIAL GEOLOGIC FEATURES**

The Pamlico Dune Ridge should be considered a special geologic feature. Most of the relict Pamlico Dune Ridge has been developed in Palm Beach County, and there are few remaining places where this geologic feature is still distinguishable other than a hill in a east-west road transect.

## **A.3 SOILS**

Brown et al. (1990) urged that caution should be used when utilizing soil maps, even at the scales of county soil maps, because soil properties are highly variable over the landscape. Despite these

problems, the Palm Beach County soil map (SCS 1978) is a very useful tool in determining the historic distributions of natural communities and flora as well as in predicting responses of natural communities to alterations of historic hydrology and fire frequency.

The following descriptions of soil series, soil phases, and vegetation are based almost exclusively upon the above-mentioned soil map and accompanying descriptions. Scientific names have been added by the authors for clarification whenever possible. SCS (1989) correlated soil types with ecological communities in Florida, and these correlations are listed for each soil series. Fernald (1989) classified certain soils as soils that historically supported a xeric association. His classification of each soil series also is included. Although the present tense is used to describe these soils, most soils in Palm Beach County have been modified by hydrologic manipulations and other disturbances. Alterations to soils are described where possible.

Only two soil series are found at the Rosemary Scrub Natural Area. The entire site is classified within the St. Lucie-Paola-Urban Land Complex, which is described as nearly-level to sloping, excessively-drained soils that are sandy throughout. The site is dominated by the St. Lucie series, with the Immokalee series apparently occupying a small portion on the northwestern corner of the site. Although the soil map shows the Immokalee mapping unit ending just outside the site's boundary, the vegetation differences and soil appearance indicate that it extends into the site. Mapping units are usually delineated by the vegetation depicted on aerial photographs and unit boundaries often have small errors. Each of these soil series is represented by one soil phase (Figure 5).

#### A.3.1 St. Lucie Soils

The St. Lucie series consists of nearly-level to sloping, excessively-drained, deep, sandy soils on long, narrow, dune-like coastal ridges and isolated knolls along the Atlantic Coast. They are formed in thick beds of marine or wind-blown sands. Under natural conditions, the water table is below a depth of 72 inches. Generally, the soil surface layer is gray sand about 5 inches thick. The subsoil is composed of white sand that extends to a depth of 80 inches or more. Permeability is very rapid throughout. The available water capacity is very low. Organic matter content and natural fertility are very low. SCS (1989) listed sand pine scrub as the typical ecological community found on this soil. Fernald (1989) considered St. Lucie sand to be a primary scrub soil; sand pine scrub dominates this soil.

This series is represented at the Rosemary Scrub Natural Area by one soil phase, St. Lucie sand, 0 to 8 percent slopes, which is described as a nearly-level to sloping, excessively-drained, deep, sandy soil. Included in this mapping unit are small areas of Paola, Palm Beach, and Pomello soils; soils that have either a dark-colored organic-stained layer, or a brownish-yellow layer within a depth of 80 inches. The natural vegetation is described as including sand pine, scrub oak, saw palmetto, and rosemary; the surface is sparsely covered by grasses, prickly pear cacti, and lichens (*Cladonia* spp.). This soil phase occupies 100% of the site.

#### **A.4 HYDROLOGY**

The Surficial Aquifer System underlies all of Palm Beach County. It starts just below the land surface and has an average thickness of 200 feet. It is composed of unconsolidated sand and shell, with discontinuous clay and silt lenses overlying limestone and sandstone. This system is the primary source of freshwater for eastern Palm Beach County and historically provided water resources critical to wetland and upland natural communities. Eastern Palm Beach County is underlain by the Turnpike Aquifer, which is the northern extension of the Biscayne Aquifer. This is generally the most permeable portion of the Surficial Aquifer System, and most County wellfields are located in this area.

The natural area contains no drainage improvements and is not connected to any historic wetland system. Due to the highly permeable nature of the soils at the Rosemary Scrub Natural Area, stormwater runoff does not occur except during extreme storm events. In these cases, stormwater runoff flows east toward Seacrest Boulevard and west toward Interstate 95, both of which are at slightly lower elevations than the site.

The E-1 Canal that lies approximately one mile west of the site drained as much as six feet of water from the former wetlands between the canal and the site (USDI, 1940, 1983). Davis (1943) reviewed the impacts of drainage on the Everglades; average soil subsidence following drainage was estimated at 1.5 feet during the first 10 years following drainage. Most of this subsidence was caused by the slow oxidation of organic soils above the water table.

Iverson and Austin (1988) noted that the regional lowering of the water table could lead to successional changes in ecosystems and to invasion of sites by exotic species. Due to the lack of organic matter and the natural depth to water table, the areas of St. Lucie soil have not been greatly impacted by drainage.

## **A.5 CLIMATE**

The average temperature in Palm Beach County is 75 degrees Fahrenheit; the average rainfall is 62 inches (SCS 1978). More important than water quantity is the temporal distribution of rainfall. A distinct dry season generally occurs from October through May, and a wet season from June through September. Although the rainy season may start any time between May and July, years in which the onset of the rainy season is delayed beyond the end of June are generally considered to be drought years (Snyder et al. 1990). Rainfall within the rainy season is also unevenly distributed, with most of the rainfall occurring in June and September (Snyder et al. 1990).

Average temperatures vary little over eastern Palm Beach County. More important to vegetation are freezing temperatures, which can occur any year. Hard freezes, such as those experienced in the winters of 1976/77 and 1989/90, may play a major role in the long-term distribution of frost-sensitive flora.

Hurricanes, tropical storms, and tornados strike south Florida often. Gentry (1974) estimated that hurricanes alone hit south Florida every three years. All three of these weather events bring high winds, which may lead to tree fall, snapped trees, and broken branches in forest communities. Although these storms infrequently strike individual areas, they undoubtedly influence the composition of vegetation and may help maintain high levels of biological diversity in natural communities. In addition, Myers (1990) speculates that windthrow may be as important as fire in maintaining coastal scrub, especially in the Florida Panhandle. Heavy rains and flooding associated with tropical storms and hurricanes also may influence natural communities. Although south Florida had been spared a major hurricane for 30 years, the damage caused by Hurricane Andrew in 1992 made it clear that hurricanes can cause major changes in natural communities. Hurricanes Frances and Jean in 2004, and Hurricane Wilma in 2005 blew down and broke up a significant amount of trees at the natural area.

## **A.6 OTHER ABIOTIC FEATURES**

There are no other major abiotic features at the Rosemary Scrub Natural Area. There were several off-road vehicle trails that ran through the natural area, but those have since been allowed to regenerate with native vegetation. Many piles of debris were distributed throughout the site prior to its acquisition, but these have since been removed from the site. Some soil disturbances did result from these debris removal activities.

## A.7 NATURAL COMMUNITIES

The following discussion provides a general description of the vegetative communities found at the Rosemary Scrub Natural Area, together with an assessment of their condition. Wherever possible, the vegetative community classifications are based upon the FNAI system (FNAI and DNR 1990). In some cases, the community present does not fit well in any FNAI classification and an alternative classification has been used to supplement the FNAI system. Whenever this has been done, every effort has been made to identify and describe the natural communities that historically occupied the alternatively classified areas. The phrase "natural community" is used in this plan, even when historic associations have been heavily modified. It should be noted that any classification system is artificial and that not all portions of a natural area will fall neatly into discrete classification units.

The present-day natural communities at the Rosemary Scrub Natural Area represent a mosaic of historic, successional, and disturbed natural communities (Figure 2). It appears that the entire site was historically dominated by scrub and scrubby flatwoods. Today, this area is occupied by remnant scrub and scrubby flatwoods, with areas of former disturbance along the perimeter. Modifications to historic natural communities have primarily been the result of decades of fire exclusion, off-road vehicle traffic, clearing and mowing activities, and exotic pest plant invasions. In this report, the natural communities on site are classified as scrub and scrubby flatwoods.

Descriptions of each community in this report are taken from the FNAI text where applicable and from field observations for alternative communities. A comprehensive listing of the plant taxa recorded at the Rosemary Scrub Natural Area is provided in Appendix B. Wildlife species found at the natural area are identified in Appendix C. Although a detailed species inventory has been performed for this site, new species continue to be found and are subsequently added to the appropriate lists.

### A.7.1 Scrub

Scrub communities are highly variable in form but generally are characterized by the occurrence of several species of oaks and/or rosemary as the dominant shrubs in the understory (Myers 1990). The overstory, if present, consists of a closed to open canopy of sand pine. The understory, which is more definitive of the general scrub community, is typically composed of

shrubby, evergreen or nearly evergreen oaks that include sand live oak, myrtle oak, Chapman's oak, and, on the Lake Wales Ridge, scrub oak (*Quercus inopina*). Rosemary may be dominant, may be found with oaks, or may be absent (Myers 1990). Other typical plants include saw palmetto, rusty lyonia (*Lyonia ferruginea*), scrub palmetto, hog plum, silk bay, sandyfield beaksedge, milk peas (*Galactia* spp.), and staggerbush (FNAI and DNR 1990).

All of the aforementioned plant taxa have been recorded at the Rosemary Scrub Natural Area, with the exception of scrub oak, rusty lyonia, and scrub hickory. The ranges of both scrub oak and rusty lyonia are restricted to areas further to the north (Wunderlin 1982), and these species would not be expected to be found in the future at the Rosemary Scrub Natural Area. Scrub hickory is known to be found Palm Beach County, but has a very patchy and scattered distribution.

Iverson and Austin (1988) developed a list of 24 indicator plant species for scrub in Palm Beach County. At the time of their report, 19 (or 79%) of these species have been recorded at the Rosemary Scrub Natural Area. Fernald (1989) also developed a list of scrub indicator plant species for the coastal scrubs of the Treasure Coast region. Twenty-eight of the 47 indicator species (or 60%) identified by Fernald (1989) have been found at the Rosemary Scrub Natural Area. Scrub, in both of these cases, refers to both scrub and scrubby flatwoods natural communities (sensu FNAI).

Several rare and/or endemic plant species that usually are associated with scrub have been recorded at the site. These include large-flowered rosemary, nodding pinweed, Curtiss' milkweed, shell-mound pricklypear, common wild pine, giant sword fern, giant wild pine, and reflexed wild pine. All of these species have been listed by at least one government agency or nonprofit environmental organization, and are recognized as imperiled to varying degrees (Table 1).

Fauna typically associated with scrub include red widow spider (*Latrodectus bishopi*), scrub wolf spider (*Lycosidea*), oak toad, six-lined racerunner, blue-tailed mole skink (*Eumeces egregius lividus*), gopher tortoise, coachwhip (*Masticophis flagellum*), sand skink (*Neoseps reynoldsi*), Florida scrub lizard, Florida scrub jay, common ground dove, yellow-rumped warbler (*Dendroica coronata*), loggerhead shrike (*Lanius ludovicianus*), Florida mouse, and eastern spotted skunk (Cox et al. 1987; FNAI and DNR 1990; Myers 1990). Of these species, the six-



lined racerunner, gopher tortoise, Florida scrub lizard, loggerhead shrike, and yellow-rumped warbler have been recorded at the site (Appendix C).

Scrub communities are characterized by very-well-drained, nutrient-poor soils, a relatively open canopy, a dense to open understory layer, and a sparse groundcover. They are also one of the many pyric (fire-maintained) communities that occur in Florida (Fernald 1989; Myers 1990). In the prolonged absence of fire, the structure and species composition of these communities will gradually change, often resulting in succession to xeric hammock. Alternatively, where sand pines are abundantly present in the canopy, a dense sand pine forest may develop and shade out most of the other species that are typical of scrub (Fernald 1989). Regular fires occurring at intervals of every 20-80 years may naturally return stands of mature scrub to a younger, more open state (FNAI and DNR 1990). Much debate exists, however, concerning historic fire frequencies in scrub (Fernald 1989), and this subject deserves further attention in southeastern Florida. Periodic fire is one of the physical disturbances that may maintain the areas of open sand that characterize typical scrub. It probably is necessary for the growth and proliferation of many of the rare and/or endemic species that are found in scrub communities in Florida.

The density of sand pine within a scrub canopy often is a reflection of fire frequency. Individual sand pines usually are killed by fire, but normally are replaced through reseeding. It takes nearly 10 years for the replacement stand of sand pines to mature and begin producing new seeds (Austin 1976). Long-term fire exclusion may lead to the elimination of sand pines from a scrub site. Myers (1990) estimated that stands of sand pines may begin to break up after 50-70 years, and that individual trees rarely reach 100 years of age. As such, a sequence of fires at relatively short intervals or relatively long intervals may eliminate sand pines from the system entirely. Florida rosemary, which also succumbs to fire and requires 10-15 years to reach reproductive maturity, may also be eliminated from scrub because of relatively frequent fires (Johnson 1982). Most of the other scrub species resprouts readily from root-shoots following fire, although their resistance to fire exclusion varies tremendously.

In spite of these generalizations regarding scrub, it is difficult to extrapolate the history of a scrub site based solely upon vegetative composition. Scrub is a dynamic community, and existing stands reflect a complex interplay of fire frequency, historic land use patterns, and local, site-specific factors such as topography, depth to water table, and relationships to adjoining vegetation.

Many different scrub types have been noted in the literature (Fernald 1989). Distinctions between interior versus coastal scrubs, soil color ("white" versus "yellow" sands), and dominant species (sand pine, rosemary, oak) have been cited. As no differentiation of scrub types occurring in the Treasure Coast Region had been published, Fernald (1989) did not distinguish between scrub types in his mapping units. He did distinguish between scrub and scrubby flatwoods in his discussion and separated scrubby flatwoods into scrubby oak flatwoods and scrubby pine flatwoods. His scrubby oak flatwoods may be equivalent to the oak scrub of other authors (e.g., Duever 1983). Iverson and Austin (1988) also did not distinguish between scrub types in their Inventory of Native Ecosystems in Palm Beach County. Differences in scrub types may play an important role in the regional distribution of both flora and fauna, and deserve further attention.

The Nature Conservancy completed an Element Stewardship Abstract (ESA) for the scrub community. This ESA provides an overview of the ecology and management needs of scrub, and may be of assistance in directing management efforts at the Rosemary Scrub Natural Area. FNAI classifies scrub as G2/S2, or a natural community that is imperiled both in the state and globally.

Given the predominance of St. Lucie sand on the site, it seems probable that scrub has historically dominated the site. ERM has calculated that the area of intact scrub habitat is 12.95 acres, or 95% of the site. Sand pines range in size from 12-30 inches dbh (diameter at breast height). Sand pines with both serotinous and non-serotinous cones are present. Aerial photographs indicate that the last natural fire in the scrub habitat occurred around 1950, and some of the sand pines show signs of becoming senescent. There are young sand pines seen on the site in the ecotone edge of the scrubby flatwoods habitat, where a wildfire occurred in the late 1980s. There are also a few young sand pines which either naturally recruited to the site after the prescribed burn in March 2000 or were planted as part of the restoration plantings.

Sand pine scrub, the dominant vegetation on the site, will continue to be enhanced and maintained through the implementation of prescribed burning and invasive vegetation control programs. An initial fire management plan was written in 1997 for this habitat, and half of the scrub on the site was burned in March 2000. This plan was updated in 2007 and the other half of the scrub habitat is scheduled to be burned in 2020. Only half of the site's scrub habitat will be burned at a time in order to provide a refuge for scrub-dependent plants and animals on the unburned half. As with most scrub areas, it can be expected that this site may burn in a patchy manner, and pre-burn mechanical cutting of the vegetation may be needed for safety reasons.

In areas of sand pine canopy closure, the oak understory is described as sparse. In areas with little or no sand pine canopy, the understory is dominated by sand live oak and myrtle oak reaching heights of 10-12 feet. The groundcover layer is described as sparse in areas of dense oaks. Other common plants recorded in this area include ballmoss, giant wild pine, large-flowered rosemary, coastalplain staggerbush, and hog plum. Along the margins of the scrub and in open areas, additional species such as climbing dayflower, gopher apple and shiny blueberry are present.

#### A.7.2 Scrubby Flatwoods

Scrubby flatwoods communities generally occur in transitional areas between mesic flatwoods and scrub. While some consider scrubby flatwoods as an ecotonal or even an artificial community, others classify it as a discrete community or association (Abrahamson and Hartnett 1990; FNAI and DNR 1990). The canopy is usually composed of scattered pines, which may include slash pine, sand pine, or longleaf pine (*Pinus palustris*). The understory is usually dominated by scrub oaks (*Quercus myrtifolia*, *Q. geminata*, and *Q. chapmanii*), saw palmetto or scrub palmetto, or a combination of these species. Other typical species include coastalplain staggerbush, wiregrass, shiny blueberry, gopher apple, rusty lyonia, silk bay, tarflower (*Befaria racemosa*), climbing aster, ground lichens (*Cladonia* spp.), garberia (*Garberia heterophylla*), huckleberries (*Gaylussacia* spp.), goldenrods (*Solidago* spp.), running oak (*Quercus pumila*), pinweeds (*Lechea* spp.), and frostweeds (*Helianthemum* spp.) (FNAI and DNR, 1990).

All of these species have been recorded at the Rosemary Scrub Natural Area, except for longleaf pine, rusty lyonia, tarflower, wiregrass, garberia, running oak and huckleberries. Longleaf pine and garberia are not found in southeastern Palm Beach County, but the other species could potentially be found at the Rosemary Scrub Natural Area in the future.

Fauna normally associated with scrubby flatwoods include oak toad, pinewoods tree frog (*Hyla femoralis*), gopher tortoise, six-lined racerunner, eastern diamondback rattlesnake (*Crotalus adamanteus*), Florida scrub lizard, blue-tailed mole skink, sand skink, bobwhite quail (*Colinus virginianus*), common ground dove, Florida scrub jay, rufous-sided towhee, southeastern pocket gopher (*Geomys pinetis*), and Florida mouse (Abrahamson and Hartnett 1990). Of these, six-lined racerunner, Florida scrub lizard and gopher tortoise have thus far been documented on the site.

Typical flatwood communities are characterized by a low, flat topography, and moderately- to poorly-drained, acidic, sandy soils often overlying an organic or clay hardpan (Abrahamson and Hartnett 1990; FNAI and DNR 1990). Generally, an overstory of pines is present, which may consist of longleaf pine, slash pine or pond pine (*Pinus serotina*). The understory is quite variable, but generally includes species such as saw palmetto, gallberry (*Ilex glabra*), and wiregrass. Differential drainage, together with fire history, accounts for the highly variable species composition and physiognomy that is observed within and among flatwoods communities. As such, flatwoods are usually distinguished as either wet flatwoods, mesic flatwoods, or scrubby flatwoods (FNAI and DNR 1990). Like scrub and sandhill, flatwoods are pyric communities that are maintained by regular incidences of fire.

Scrubby flatwoods differ from other types of flatwoods in that they occur at slightly higher elevations, on more well-drained soils. Even under extremely wet conditions, scrubby flatwoods will not flood (Abrahamson, et al. 1984). The structure and species composition of scrubby flatwoods is more closely aligned with scrub than with other types of flatwoods. Due to the relatively sparse ground cover, the presence of scrub oaks, and the presence of open, sandy areas, fire frequency in scrubby flatwoods is lower than in other flatwoods communities, and has been estimated at 8 to 25 years (FNAI and DNR 1990). In the absence of regular fire, scrubby flatwoods may succeed to scrub on drier sites, or xeric live oak hammock on less well-drained sites (Laessle 1942). A successional pathway from xeric live oak hammock to mesic hammock also has been proposed (Laessle 1942).

For inventory purposes, neither Iverson and Austin (1988) nor Fernald (1989) distinguished between scrub and scrubby flatwoods. Fernald (1989), however, did distinguish between scrub and scrubby flatwoods in his discussion, and differentiated between scrubby pine flatwoods and scrubby oak flatwoods. His scrubby oak flatwoods may be equivalent to the oak scrub of other authors (e.g., Duever 1983).

Abrahamson and Hartnett (1990) point out that although the scrubby flatwoods community is nearly endemic to Florida and is relatively limited in total area, this natural community has received little study. FNAI lists this community as G3/S3, or a natural community that is very rare and local, or vulnerable to extinction due to other factors, both in the state and globally.

ERM has classified the northwestern portion of the site as scrubby flatwoods and calculated the total area of this community at 0.64 acres, or 5% of the site. The overstory is dominated by

scattered slash pines. Natural regeneration of slash pines is sparse on the site. Sand pine saplings and seedlings are scattered in the eastern ecotonal border with the scrub natural community. The understory layer is a moderately open to dense thicket of sand live oak, myrtle oak, and saw palmetto, with scattered hog plum and fetterbush. The groundcover layer is dominated by grasses in some areas, but is otherwise characterized by sparse, open, sandy areas. Underneath the oaks, gopher apple and sand live oak seedlings are present

Human disturbances in this area have been limited to sporadic dumping and off-road vehicle damage. Because of the different plant and animal species that may depend upon this community for survival at Rosemary Scrub, efforts will be made to preserve the scrubby flatwoods community at the Rosemary Scrub Natural Area.

The scrubby flatwoods area in the northwest corner of the site will continue to be maintained through the implementation of the prescribed burning and invasive vegetation control programs. An initial fire management plan was written in 1997 for this habitat, and half of the scrub on the site was burned in March 2000. This plan was updated in 2007. Because scrubby flatwoods burn at a shorter interval than scrub, this habitat will be burned each time one of the scrub units is prescribed burned. The small area of this habitat will be burned at intervals of 15 to 20 years. Because a scrubby flatwoods community is more flammable than scrub, when a maintenance burn of this community coincides with that of the adjacent scrub community, it will enhance the effectiveness of the prescribed fire by helping to ignite the scrub community.

#### A.7.3 Former Disturbed Scrub

ERM had originally classified the eastern and southern borders of the site as disturbed scrub and calculated the total area of this community at 3.19 acres. Areas classified as disturbed scrub were cleared in the past, and portions were repeatedly mowed. The majority of the vegetation in these areas were characteristic of the scrub natural community, even though it was low in stature and ruderal and pioneer species are over-represented. With numerous vegetative plantings, these disturbed areas have regenerated with native vegetation and been restored back to sand pine scrub habitat.

The former disturbed scrub had scattered clumps of low scrub oaks, silk bay, cabbage palm, and saw palmetto, and were heavily overgrown by love vine, muscadine grape, and scattered exotic vines. Scattered Brazilian pepper thickets also occurred, especially on the south border. Brazilian

pepper has since been removed from the natural area. Other shrubs located in the former disturbed scrub include scrub palmetto, wax myrtle and nettled pawpaw.

The mowed portions of the former disturbed scrub had little woody vegetation and were dominated by camphorweed, *Croton glandulosus*, pinewoods fingergrass, gopher apple, shell-mound pricklypear, the exotic natal grass, coastal sandbur, beggarticks, shiny blueberry, and shrubby false buttonweed. These mowed areas were therefore fairly diverse and were composed of a variety of native, ruderal and exotic plant species. The groundcover layer of this area provides an abundant food source for gopher tortoises, and management attention has been directed towards keeping the better-quality previously mowed areas in a low vegetative state.

## **A.8 FAUNA**

One species of molluscs, 12 species of amphibians and reptiles, 55 species of birds, and 7 species of mammals have been recorded at the Rosemary Scrub Natural Area by ERM staff (Appendix C). Forty-six species of insects have been recorded by ERM and include ants, butterflies, dragonflies, damselflies, and spiders. Little data exists on how these species utilize the various communities at the Rosemary Scrub Natural Area. Of the recorded species, the American redstart, Florida scrub lizard, painted bunting, osprey, gopher tortoise, merlin and Cooper's hawk are listed species (Table 2).

## **A.9 LISTED SPECIES - FLORA**

Eight plant species recorded at the Rosemary Scrub Natural Area have been listed by at least one government agency or nonprofit environmental organization (Table 1). Listed plant species range from relatively common threatened species, such as the reflexed wild pine, to the locally and globally rare Curtiss's milkweed, large-flowered rosemary, and nodding pinweed. These species can be ranked according to degree of rarity, utilizing a system similar to the Center for Plant Conservation's (CPC) sorting order. The following list includes a brief description of each taxon, its location on the site (if known), and the listing categories. Listings are from FNAI (2007), the Florida Department of Agriculture and Consumer Services (FDA), the United States Fish and Wildlife Service (USFWS), and the Florida Fish and Wildlife Conservation Commission (2006). The listing categories are defined in Appendix D.

### A.9.1 Priority A

Priority A plant species are those considered by FNAI to be imperiled or critically imperiled in the state. These species should receive the highest level of management attention. Under no circumstances should extirpation of these species be allowed to occur at the Rosemary Scrub Natural Area. When possible and appropriate, efforts should be made to increase the size of existing populations. There are no Priority A species recorded for the Rosemary Scrub Natural Area.

### A.9.2 Priority B

Priority B plant species are those that are considered by FNAI to be rare in the state. These species should receive significant management attention. Actions should be taken to avoid extirpation of these species at the Rosemary Scrub Natural Area. When possible and appropriate, efforts should be made to increase the size of existing populations, so long as this does not adversely impact natural community level management.

#### Curtiss' milkweed (*Asclepias curtissii*)

This perennial forb was originally recorded at the natural area by ERM in July 1991, when several individuals were located in the sandy ecotone between the scrub and scrubby flatwoods natural communities. This species is and will continue to be monitored on an annual basis. Because of the small size and inconspicuous appearance of this plant when not in bloom, (Ward 1978), individuals in open sandy trails are often the only ones spotted, even though more plants may be present in vegetated areas. This species has been and will continue to be protected by maintaining open sandy habitats through implementation of the prescribed burn program. Curtiss' milkweed is listed as endangered by FDACS.

#### Large-flowered Rosemary (*Conradina grandiflora*)

This short-lived, low shrub is widespread in the scrub habitat at the natural area. A few individuals in declining health were originally found on the natural area in January 1991. This species has increased in numbers throughout the years. This shrubby mint lives for three to four years and produces large quantities of seeds. Open, sunny sites are most favorable for seed germination and flower and seed production, although this plant will grow in the shade in a less

vigorous condition. This species has been and will continue to be protected through implementation of a prescribed burning program that maintains a portion of the scrub habitat in the early successional stage favored by this plant. Large-flowered Rosemary is listed as G3/S3 by FNAI.

Nodding pinweed (*Lechea cernua*)

This perennial forb was originally recorded at the natural area by ERM in January 1991. A small population continues to be present along the edges of the previous central sand trail in the western portion of the site. This population had been somewhat impacted by intermittent off-road vehicle traffic when the road was still in use, but has since become stable over the past few years with discontinued use of the road. It is a pioneer, open-sand scrub species that requires full sunlight and a lack of competition from other scrub herbs. This species tends to be located in areas of past disturbance. This species has been and will continue to be protected by implementation of a prescribed burning program that maintains a portion of the scrub habitat in the early successional stage. Nodding pinweed is listed as G3/S3 by FNAI.

A.9.3 Priority C

Priority C plant species are those that are listed as endangered, or threatened by FDACS, but which are not listed by FNAI. These species should receive moderate management attention. At a minimum, extirpation of these species should be prevented at the Rosemary Scrub Natural Area. When possible and appropriate, efforts should be made to increase the size of existing populations, so long as this does not adversely impact natural community level management.

Giant sword fern (*Nephrolepis biserrata*)

This terrestrial fern was originally recorded at the natural area by ERM in October 1994. This species will continue to be protected by enhancing and maintaining the natural communities in the natural area. Giant sword fern is listed as threatened by FDACS.



Common wild pine (*Tillandsia fasciculata*)

Reflexed wild pine (*Tillandsia balbisiana*)

Giant wild pine (*Tillandsia utriculata*)

These epiphytic bromeliads were originally recorded at the natural area by ERM in January 1991. They are not fire-tolerant, but can quickly recolonize burned areas. They are endangered (*T. fasciculata* and *T. utriculata*) and threatened (*T. balbisiana*) because of attack by the bromeliad weevil. These species will continue to be protected by enhancing and maintaining the natural communities on the site, by monitoring the mortality caused by the bromeliad weevil, and by protecting the site from plant collectors. In June 2006, a 0.1-acre wildfire destroyed one of the epicenters for *Tillandsia*. Common wild pine and giant wild pine are both listed as endangered by FDACS. Reflexed wild pine is listed as threatened by FDACS.

Shell-mound pricklypear (*Opuntia stricta*)

This shrubby cactus was originally recorded at the natural area by ERM in October 1994 in the disturbed scrub habitat in the southwest corner of the site. The small population of this species was intermittently impacted by mowing of this habitat prior to acquisition. This species will be protected by limiting mowing to the perimeter firebreak, relocating individual plants out of the firebreak and implementing a prescribed burning program to maintain the scrub communities. Shell-mound pricklypear is listed as threatened by FDACS.

#### A.9.4 Priority D

Priority D plant species are those that are listed as commercially exploited by FDACS. These species should receive some management attention. Reasonable steps should be taken to encourage the continued existence of these species at the natural area. There are no Priority D species recorded for the Rosemary Scrub Natural Area.

### **A.10 LISTED SPECIES- FAUNA**

Seven animal species recorded at the Rosemary Scrub Natural Area have been listed for protection or special management by at least one government agency or nonprofit environmental organization. These species can be ranked according to degree of rarity and feasibility of managing viable populations at the natural area. Listings by FNAI are from a 2007 FNAI

tracking summary; listings from the United States Fish and Wildlife Service (USFWS) are from 50 CFR 17.11; and listings from the Florida Fish and Wildlife Conservation Commission (FFWCC) are from 2006. The listing categories used by these agencies are defined in Appendix D.

#### A.10.1 Priority A

Priority A animal species are those that are considered by FNAI to be critically imperiled, imperiled, or rare in Florida and/or which are known to occur in viable numbers with a resident or breeding population at the Rosemary Scrub Natural Area. These species should receive the highest level of management attention. Under no circumstances should extirpation of these species be allowed to occur at the natural area. When possible and appropriate, efforts should be made to increase the size of existing populations.

##### Florida scrub lizard (*Sceloporus woodi*)

This small, spiny-scaled lizard was originally recorded at the natural area in 2001. Efforts have been made to identify any populations of this species at the site. Coastal populations of this species are declining rapidly due to habitat destruction (Moler 1992). Habitat for this species will continue to be enhanced through the maintenance of scrub and scrubby flatwoods communities on the site by continued implementation of the prescribed burn program. It is listed as G3/S3 by FNAI; it is not listed by USFWS; it is not listed by FWC.

##### Gopher tortoise (*Gopherus polyphemus*)

Formal gopher tortoise population surveys began in 2001, with 6 active burrows recorded and an estimated 7 tortoises utilizing the natural area. A survey conducted in 2003 showed an increase in the gopher tortoise population to 13 active burrows and an estimated 12 tortoises. The 2005 survey recorded 7 active burrows with an estimated 7 tortoises. This decrease was thought to be caused by hurricanes and dog activity on the site. The latest survey was conducted in November 2007 and recorded 8 active burrows with an estimated 8 tortoises. While the number of tortoises and amount of suitable habitat at Rosemary Scrub is too low to consider the population viable, evidence of the tortoises maintaining current numbers suggests that the population has sufficient habitat to support the existing gopher tortoise population.

Rosemary Scrub is a 13.59 acre site comprised mostly of scrub-type habitats with the largest portion being scrub. Tortoises at the site appear to be distributed evenly throughout the site. Based upon estimates in Cox, et al. (1987), densities of tortoises in favorable habitats range between 1.3 to 1.7 tortoises per acre. Based on these range area requirements, the number of tortoises is either at or above capacity for the site when considering the total area of the site vs. the preferred habitat as indicated by burrow locations.

The gopher tortoise is considered to be a keystone species in upland natural communities in Florida. Many other species of animals depend upon gopher tortoise burrows for critical habitat, its burrowing habits return leached nutrients to the surface, and it serves as a seed dispersal agent for native grasses and forbs (Moler 1992). The distribution of this species in southern Florida is limited and fragmented by unsuitable habitat and habitat loss due to urbanization, and tortoise populations are continuing to decline (Moler 1992). This species will be protected through the management and maintenance of the natural communities on the site. No relocation of additional tortoises to this site will be allowed because of the size of the existing tortoise population. It is listed as G3/S3 by FNAI; it is not listed by USFWS; it is listed as SSC by FWC.

#### A.10.2 Priority B

Priority B animal species are those that are considered to be rare in Florida, but for which a viable resident population is not known to occur at the Rosemary Scrub Natural Area, or the species is transitory in central Palm Beach County. These species should receive management attention. When possible and appropriate, efforts should be made to increase the sizes of existing populations and to provide suitable habitat for transitory species, so long as this does not adversely impact natural community level management. If viable numbers of a Priority B species are recorded at, or become established at the Rosemary Scrub Natural Area, then these species should be elevated to Priority A.

##### American redstart (*Setophaga ruticilla*)

This migratory songbird was recorded at the Rosemary Scrub Natural Area by ERM in April 1993. Kale and Maehr (1990) list its habitats in Florida as pine scrub, mangrove, hardwood swamp, cypress swamp, mesic hammock, mixed pine and hardwood forest, pine flatwoods, urban and agricultural environments, and sandhill; it hawks for flying insects. Peterson (1998) listed its breeding range as deciduous forests from north Georgia, southern Alabama, and Louisiana north

to the Gulf of St. Lawrence and central Manitoba; it winters in the West Indies and in Central and South America. Terborgh (1989) noted that its primary wintering grounds are the West Indies. Kale and Maehr (1990) listed it as an uncommon winter resident in south Florida; it does not appear to breed there, but has been found nesting in northwest Florida. Rodgers, et al. (1996) noted that there were more migrants present along the east coast of Florida in spring than in fall, and that the winter resident population is more numerous southwards and along the coastal sections of the state. He also noted that the breeding population in northwest Florida has been affected by timber operations in its streamside forest habitat. The American redstart is listed as transitory in coastal scrubs in the Treasure Coast Region by Fernald (1989). It will continue to be protected by enhancing and maintaining the natural communities on the site. It is listed as G5/S2 by FNAI.

#### Cooper's hawk (*Accipiter cooperii*)

This migratory hawk was first recorded at the site in 2003. It has since been seen in 2005 perching and hunting on the site. Kale and Maehr (1990) listed its habitats in Florida as pine scrub, mesic hammocks, mixed pine and hardwood forest, pine flatwoods, sandhills, and agricultural environments. It is a common winter resident in much of Florida but is not known to breed in Palm Beach County (Stevenson and Anderson 1994). It will continue to be protected by enhancing and maintaining the natural communities on the site. The Cooper's hawk is listed as G5/S3 by FNAI.

#### Merlin (*Falco columbarius*)

This bird of prey was originally recorded at the natural area in 2001 and seen again in 2004. This species will be managed as a component of the natural communities on the site. Migrant merlins can be seen in Florida after the first fall cold front and some remain all winter. No special needs for this bird have been identified at this site. The bird will continue to be protected by maintaining native communities on the site that can provide roosting and feeding habitats. It is listed as G5/S2 by FNAI.

#### Osprey (*Pandion haliaetus*)

This bird of prey was first recorded at the natural area in 1997, and has since been observed feeding at the natural area. It is found typically on or near large lakes, rivers, and coastal areas

where nesting sites can be found. It feeds primarily on fish. The species is not known to nest at the natural area. If an osprey nest is observed, visitor uses will be discouraged in the vicinity of the nest. No special needs for this species have been identified on this site. This species will continue to be protected by enhancing and maintaining the natural communities on the site. It is listed as G5/S3S4 by FNAI; it is not listed by USFWS; it is not listed by FFWCC in Palm Beach County.

#### Painted Bunting (*Passerina ciris*)

This migratory songbird was originally recorded at the natural area in 2005. Kale and Maehr (1990) lists its habitats in Florida as dense, brushy vegetation along roads and woodland edges. It feeds primarily on seeds, but also eats small fruits and insects. According to Sibley (2001), there are two disjunct breeding populations of this species: an eastern population that breeds along the Atlantic Coast from southern North Carolina to north-central Florida; and a western population that breeds from southern Missouri south to southeastern Louisiana, west through Texas and south into northern Mexico. Birds from the eastern population winter in southern Florida, the Caribbean; and southern Central America; birds from the western population winter in southern Mexico. Sibley (2001) noted that both breeding populations are declining significantly, that the eastern population uses coastal and riparian areas that are under significant development pressure and that the eastern population also suffers more from brood parasitism by the brown-headed cowbird, which has expanded its range into southeastern scrub habitat. This species will continue to be protected by enhancing and maintaining the natural communities on the site. It is listed as G5/S3 by FNAI.

#### A.10.3 Priority C

Priority C species are species considered by FNAI to be rare in Florida but whose occurrence at the natural area should be considered accidental. Management specifically for these species at this site would therefore serve no meaningful purpose. No Priority C species are currently found on the site.

**APPENDIX B**

**PLANT SPECIES RECORDED AT  
ROSEMARY SCRUB NATURAL AREA**

**PLANT TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA**

**Updated September 5, 2007**

<b><u>Scientific Name</u></b>	<b><u>Common Name</u></b>
<i>Abrus precatorius</i>	Rosary pea
<i>Abutilon theophrasti</i>	Velvetleaf
<i>Acacia auriculiformis</i>	Earleaf acacia
<i>Agave sisalana</i>	Sisal hemp
<i>Aloe</i> spp.	Aloe
<i>Ambrosia artemisiifolia</i>	Common ragweed
<i>Andropogon ternarius</i>	Splitbeard bluestem
<i>Andropogon virginicus</i>	Chalky bluestem
<i>Aristida gyrans</i>	Corkscrew threeawn
<i>Asclepias curtissii</i>	Curtiss' milkweed
<i>Asimina reticulata</i>	Netted pawpaw
<i>Asparagus aethiopicus</i>	Asparagus fern
<i>Aster dumosus</i>	Rice button aster
<i>Asystasia gangetica</i>	Ganges primrose
<i>Bidens alba</i>	Beggarticks
<i>Bougainvillea spectabilis</i>	Bougainvillea
<i>Brachiaria subquadriflora</i>	Tropical signalgrass
<i>Brassia actinophylla</i>	Australian umbrella tree
<i>Bulbostylis ciliatifolia</i>	Capillary hairsedge
<i>Bursera simaruba</i>	Gumbo-limbo
<i>Cassia chamaecrista</i>	Partridge pea
<i>Cassia coluteoides</i>	Valamuerto
<i>Cassia obtusifolia</i>	Sicklepod
<i>Cassia pilosa</i>	Hairy sensitive pea
<i>Cassytha filiformis</i>	Love vine
<i>Catharanthus roseus</i>	Madagascar periwinkle
<i>Cenchrus echinatus</i>	Southern sandbur
<i>Cenchrus incertus</i>	Coast sandbur
<i>Ceratiola ericoides</i>	Florida rosemary
<i>Chamaesyce hirta</i>	Pillpod sandmat

<i>Chamaesyce hyssopifolia</i>	Hyssopleaf sandmat
<i>Chenopodium ambrosioides</i>	Mexican tea
<i>Chromolaena odorata</i>	Jack-in-the-bush
<i>Citrullus lanatus</i>	Watermelon
<i>Citrus aurantiifolia</i>	Key lime
<i>Cladina evansii</i>	Deer moss
<i>Cladonia leparina</i>	Jester lichen
<i>Clerodendrum speciosum</i>	Java glory bean
<i>Clusia rosea</i>	Pitchapple
<i>Cnidioscolus stimulosus</i>	Finger-rot
<i>Coccoloba uvifera</i>	Seagrape
<i>Commelina diffusa</i>	Common dayflower
<i>Commelina erecta</i>	Whitemouth dayflower
<i>Conradina grandiflora</i>	Large-flowered rosemary
<i>Conyza canadensis</i>	Canadian horseweed
<i>Crotalaria spp.</i>	Rattlebox
<i>Crotalaria rotundifolia</i>	Rabbitbells
<i>Croton glandulosus</i>	Vente conmigo
<i>Croton punctatus</i>	Beach tea
<i>Cupaniopsis anacardioides</i>	Carrotwood
<i>Cuscuta spp.</i>	Dodder
<i>Cynodon dactylon</i>	Bermudagrass
<i>Cyperus globulosus</i>	Baldwin's flatsedge
<i>Cyperus retrorsus</i>	Pinebarren flatsedge
<i>Dactyloctenium aegyptium</i>	Durban crowfootgrass
<i>Desmodium incanum</i>	Zarabacoa comun
<i>Desmodium triflorum</i>	Threeflower ticktrefoil
<i>Dichanthelium aciculare</i>	Needleleaf witchgrass
<i>Dichanthelium sabulorum</i>	Hemlock witchgrass
<i>Digitaria bicornis</i>	Asia crabgrass
<i>Diodia teres</i>	Rough buttonweed
<i>Dracaena fragrans</i>	Corn plant
<i>Emilia fosbergii</i>	Florida tasselflower
<i>Eragrostis ciliaris</i>	Gophertail lovegrass



<i>Erechtites hieraciifolia</i>	Fireweed
<i>Eugenia uniflora</i>	Surinam cherry
<i>Eupatorium capillifolium</i>	Dogfennel
<i>Eustachys petraea</i>	Pinewoods fingergrass
<i>Euthamia minor</i>	Slender flattop goldenrod
<i>Ficus aurea</i>	Strangler fig
<i>Ficus microcarpa</i>	Laurel fig
<i>Froelichia floridana</i>	Cottonweed
<i>Galactia volubilis</i>	Downy milkpea
<i>Gloriosa superba</i>	Flamelily
<i>Helianthemum nashii</i>	Florida scrub frostweed
<i>Heteropogon contortus</i>	Tanglehead
<i>Heterotheca subaxillaris</i>	Camphorweed
<i>Hymenocallis latifolia</i>	Mangrove spiderlily
<i>Ilex glabra</i>	Gallberry
<i>Iresine diffusa</i>	Juba's bush
<i>Jasminum fluminense</i>	Brazilian jasmine
<i>Jasminum nitidum</i>	Angelwing jasmine
<i>Kalanchoe pinnata</i>	Life plant
<i>Kalanchoe tubiflora</i>	Chandelier plant
<i>Lactuca graminifolia</i>	Grassleaf lettuce
<i>Lantana camara</i>	Shrubverbena
<i>Lechea cernua</i>	Nodding pinweed
<i>Lechea deckertii</i>	Deckert's pinweed
<i>Lepidium virginicum</i>	Virginia pepperweed
<i>Licania michauxii</i>	Gopher apple
<i>Linaria floridana</i>	Apalachicola toadflax
<i>Lippia nodiflora</i>	Capeweed
<i>Lupinus diffusus</i>	Skyblue lupine
<i>Lyonia fruticosa</i>	Coastalplain staggerbush
<i>Lyonia lucida</i>	Fetterbush
<i>Mangifera indica</i>	Mango
<i>Merremia dissecta</i>	Noyau vine
<i>Momordica charantia</i>	Balsampear

<i>Monotropa brittonii</i>	Indianpipe
<i>Myrica cerifera</i>	Wax myrtle
<i>Nephrolepis biserrata</i>	Giant sword fern
<i>Nephrolepis cordifolia</i>	Sword fern
<i>Nephrolepis multiflora</i>	Asian sword fern
<i>Opuntia cochenillifera</i>	Cochineal cactus
<i>Opuntia compressa</i>	Pricklypear
<i>Opuntia stricta</i>	Shell-mound pricklypear
<i>Palafoxia feayi</i>	Feay's palafox
<i>Panicum maximum</i>	Guinea grass
<i>Panicum repens</i>	Torpedo grass
<i>Paronychia americana</i>	American nailwort
<i>Parthenocissus quinquefolia</i>	Virginia creeper
<i>Passiflora edulis</i>	Passionfruit
<i>Passiflora foetida</i>	Fetid passionflower
<i>Passiflora suberosa</i>	Corkystem passionflower
<i>Paspalum notatum</i>	Bahiagrass
<i>Paspalum setaceum</i>	Thin paspalum
<i>Persea borbonia</i>	Redbay
<i>Persea humilis</i>	Silk bay
<i>Phlebodium aureum</i>	Golden polypody
<i>Phyllanthus abnormis</i>	Drummond's leafflower
<i>Physalis viscosa</i>	Walter's groundcherry
<i>Phytolacca americana</i>	American pokeweed
<i>Pinus clausa</i>	Sand pine
<i>Pinus elliottii</i> var. <i>densa</i>	Slash pine
<i>Pityopsis graminifolia</i>	Narrowleaf silkgrass
<i>Podranea ricasoliana</i>	Pink trumpet creeper
<i>Poinsettia cyathophora</i>	Paintedleaf
<i>Polygala grandiflora</i>	Showy milkwort
<i>Polygonella ciliata</i>	Hairy jointweed
<i>Polygonella polygama</i>	October flower
<i>Polypodium polypodioides</i>	Resurrection fern
<i>Portulaca pilosa</i>	Pink purslane

<i>Psilotum nudum</i>	Whisk-fern
<i>Quercus chapmanii</i>	Chapman's oak
<i>Quercus geminata</i>	Sand live oak
<i>Quercus myrtifolia</i>	Myrtle oak
<i>Quercus virginiana</i>	Live oak
<i>Rhoeo spathacea</i>	Oyster-plant
<i>Rhynchelytrum repens</i>	Natal grass
<i>Rhynchospora megalocarpa</i>	Sandyfield beaksedge
<i>Richardia brasiliensis</i>	Tropical Mexican clover
<i>Richardia grandiflora</i>	Largeflower Mexican clover
<i>Richardia scabra</i>	Rough Mexican clover
<i>Sabal etonia</i>	Scrub palmetto
<i>Sabal palmetto</i>	Cabbage palm
<i>Sansevieria hyacinthoides</i>	Bowstring hemp
<i>Schinus terebinthifolius</i>	Brazilian pepper
<i>Schizachyrium scoparium</i>	Little bluestem
<i>Selaginella arenicola</i>	Sand spike-moss
<i>Serenoa repens</i>	Saw palmetto
<i>Setaria corrugata</i>	Coastal foxtail
<i>Setaria geniculata</i>	Knotroot foxtail
<i>Setcreasea pallida</i>	Purplequeen
<i>Seymeria pectinata</i>	Piedmont blacksenna
<i>Sida acuta</i>	Common wireweed
<i>Sida cordifolia</i>	Llima
<i>Sida rhombifolia</i>	Indian hemp
<i>Smilax auriculata</i>	Earleaf greenbrier
<i>Smilax laurifolia</i>	Bamboo vine
<i>Solidago chapmanii</i>	Chapman's goldenrod
<i>Spermacoce verticillata</i>	Shrubby false buttonweed
<i>Sporobolus indicus</i>	Smutgrass
<i>Stipulicida setacea</i>	Pineland scalypink
<i>Syagrus romanzoffiana</i>	Queen palm
<i>Tecomaria capensis</i>	Cape honeysuckle
<i>Tillandsia balbisiana</i>	Reflexed wild pine

<i>Tillandsia fasciculata</i>	Common wild pine
<i>Tillandsia recurvata</i>	Ballmoss
<i>Tillandsia usneoides</i>	Spanish moss
<i>Tillandsia utriculata</i>	Giant wild pine
<i>Tribulus cistoides</i>	Puncture vine
<i>Trichostema dichotomum</i>	Forked bluecurls
<i>Tridax procumbens</i>	Coatbuttons
<i>Triplasis purpurea</i>	Purple sandgrass
<i>Urena lobata</i>	Caesar's weed
<i>Vaccinium myrsinites</i>	Shiny blueberry
<i>Vitex trifolia</i>	Simple-leaf chaste tree
<i>Vitis rotundifolia</i>	Muscadine
<i>Vitis shuttleworthii</i>	Calloose grape
<i>Wedelia trilobata</i>	Wedelia
<i>Ximenia americana</i>	Hog plum
<i>Yucca aloifolia</i>	Spanish bayonet
<i>Yucca elephantipes</i>	Spineless yucca
<i>Zebrina pendula</i>	Wandering-Jew

**APPENDIX C**

**ANIMAL SPECIES RECORDED AT THE  
ROSEMARY SCRUB NATURAL AREA**

## ANIMAL TAXA RECORDED AT ROSEMARY SCRUB NATURAL AREA

Updated August 24, 2007

### SCIENTIFIC NAME

### COMMON NAME

#### **MOLLUSCS**

*Drymaeus multineatus*

Lined tree snail

#### **ARTHROPODS**

*Gasteracantha cancriformis*

Crablike spiny orb weaver

*Nephila clavipes*

Golden silk spider

*Leucauge venusta*

Orchard spider

*Argiope argentata*

Silver argiope spider

#### **INSECTS**

##### **Lepidoptera (Butterflies and Moths)**

*Agraulis vanillae*

Gulf fritillary butterfly

*Anartia jatrophae*

White peacock butterfly

*Ascia monuste*

Great southern white

*Danaus plexippus*

Queen butterfly

*Heliconius charitonius*

Zebra longwing butterfly

*Heraclides cressphontes*

Giant swallowtail butterfly

*Leptotes cassius*

Cassius blue butterfly

*Marpesia petreus*

Ruddy daggerwing butterfly

*Melanchroia chephise*

White tipped black moth

*Papilio glaucas*

Tiger swallowtail butterfly

*Phoebis sennae*

Cloudless sulfur

*Phyciodes tharos*

Pearl crescent

*Thorybes bathyllus*

Southern cloudywing butterfly

*Urbanus proteus*

Long-tailed skipper

## **Odonata (Dragonflies and Damselflies)**

<i>Anax junius</i>	Green darner
<i>Celithemis eponina</i>	Halloween pennant
<i>Erythrodiplax connata</i>	Blue dragonlet
<i>Erythemis plebeja</i>	Black pondhawk
<i>Erythemis simplicicollis</i>	Eastern pondhawk
<i>Erythemis vesiculosa</i>	Great pondhawk
<i>Erythrodiplax umbrata</i>	Band-winged dragonlet
<i>Ischnura hastata</i>	Citrine forktail
<i>Libellula auripennis</i>	Gold-winged skimmer
<i>Pachydiplax longipennis</i>	Blue dasher
<i>Pantala flavescens</i>	Wandering glider
<i>Tramea lacerata</i>	Black mantled gilder

## **Hemiptera (True Bugs)**

<i>Acanthacephala declivis</i>	Big legged-bug
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## **Homoptera (Cicadas, Hoppers)**

<i>Tibicen</i> sp.	Cicada
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## **Hymenoptera (Wasps, Bees, Ants)**

<i>Apis mellifera</i>	Honey bee
<i>Augochlora</i> sp.	Halictid bee
<i>Bombus pennsylvanicus</i>	American bumblebee
<i>Camponotus</i> sp.	Carpenter ant
<i>Culex</i> sp.	Mosquito
<i>Microcentrum retinerve</i>	Katydid
<i>Pogonomyrmex</i> sp.	Harvester ant
<i>Polistes</i> sp.	Paper wasp
<i>Solenopsis invicta</i>	Imported fire ant

## **Neuroptera (Antlions)**

<i>Myrmeleon</i> sp.	Antlion
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**Coleoptera (Beetles)***Cicindela scutellaris*

Tiger beetle

*Coccinella novemnotata*

Nine-spotted ladybug beetle

**Orthoptera (Grasshoppers, Locusts, Crickets)***Chrysops sp.*

Deer fly

*Schistocerca alutacea*

Birdgrasshopper

**AMPHIBIANS***Eleutherodactylus planirostris*

Greenhouse frog

**REPTILES***Anolis carolinensis*

Green anole

*Anolis sagrei*

Brown anole

*Cnemidophorus sexlineatus*

Six-lined racerunner

*Coluber constrictor*

Black racer

*Eumeces inexpectatus*

Southeastern five-lined skink

*Gopherus polyphemus*

Gopher tortoise

*Leiocephalus carinatus*

Northern curly-tailed lizard

*Opheodrys aestivalis*

Rough green snake

*Ophisaurus ventralis*

Eastern glass lizard

*Sceloporus woodi*

Florida scrub lizard

*Terrapene carolina*

Box turtle

**BIRDS****Ciconiiformes (Hérons, Egrets, Bitterns, Ibis, New World Vultures)***Cathartes aura*

Turkey vulture



**Falconiformes (Hawks, Kites, Eagles, Caracaras, Falcons)**

<i>Accipter cooperii</i>	Cooper's hawk
<i>Accipter straitus</i>	Sharp-shinned hawk
<i>Circus cyaneus</i>	Northern harrier
<i>Falco columbarius</i>	Merlin
<i>Falco spaverius spaverius</i>	Eastern American kestrel
<i>Pandion haliaetus</i>	Osprey

**Apodiformes (Swifts, Swallows, Hummingbirds, Martins)**

<i>Archilochus colubris</i>	Ruby-throated hummingbird
<i>Progne subis</i>	Purple martin

**Columbiformes (Pigeons, Doves)**

<i>Columba livia</i>	Rock dove
<i>Streptopelia decaocto</i>	Eurasian collard dove
<i>Zenaida asiatica</i>	White-winged dove
<i>Zenaida macroura</i>	Mourning dove

**Passeriformes (Tyrant Flycatchers, Shrikes, Vireos, Crows, Jays, Swallows, Wrens, Old World Gnatcatchers, Bluebirds, Thrushes, Robins, Mockingbirds, Thrashers, Wood Warblers, Tanagers, Cardinals, Blackbirds)**

<i>Bombycilla cedrorum</i>	Cedar waxwing
<i>Cardinalis cardinalis</i>	Northern cardinal
<i>Corvus brachyrhynchos</i>	American crow
<i>Cyanocitta cristata</i>	Blue jay
<i>Dendroica caerulescens</i>	Black-throated blue warbler
<i>Dendroica coronata</i>	Yellow-rumped warbler
<i>Dendroica dominica</i>	Yellow-throated warbler
<i>Dendroica discolor</i>	Prairie warbler
<i>Dendroica palmarum</i>	Palm warbler
<i>Dendroica pinus</i>	Pine warbler
<i>Dendroica striata</i>	Blackpoll warbler
<i>Dumetella carolinensis</i>	Gray catbird
<i>Geothlypis trichas</i>	Common yellowthroat

<i>Guiraca caerulea</i>	Blue grosbeak
<i>Helmitheros vermivorus</i>	Worm-eating warbler
<i>Hirundo rustica</i>	Barn swallow
<i>Hylocichla guttata</i>	Hermit thrush
<i>Lanius ludovicianus</i>	Loggerhead shrike
<i>Mimus polyglottos</i>	Northern mockingbird
<i>Mniotilta varia</i>	Black-and-white warbler
<i>Parula americana</i>	Northern parula
<i>Passer domesticus</i>	House sparrow
<i>Passerina ciris</i>	Painted bunting
<i>Passerina cyanea</i>	Indigo bunting
<i>Pipilo erythrophthalmus</i>	Eastern towhee
<i>Polioptila caerulea</i>	Blue-gray gnatcatcher
<i>Quiscalus major</i>	Boat-tailed grackle
<i>Quiscalus quiscula</i>	Common grackle
<i>Sayornis phoebe</i>	Eastern phoebe
<i>Seiurus aurocapillus</i>	Ovenbird
<i>Setophaga ruticilla</i>	American redstart
<i>Sturnus vulgaris</i>	Starling
<i>Toxostoma rufum</i>	Brown thrasher
<i>Tyrannus tyrannus</i>	Eastern kingbird
<i>Vireo flavifrons</i>	Yellow-throated vireo
<i>Vireo griseus</i>	White-eyed vireo

**Cuculiformes (Cuckoos, Anis)**

<i>Coccyzus americanus</i>	Yellow-billed cuckoo
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**Caprimulgiformes (Nighthawks, Nightjars)**

<i>Caprimulgus carolinensis</i>	Chuck-will's widow
<i>Caprimulgus vociferus</i>	Whip-poor-will

**Piciformes (Woodpeckers)**

<i>Melanerpes carolinus</i>	Red-bellied woodpecker
<i>Picoides pubescens</i>	Downy woodpecker

**Psittaciformes (Parakeets)**

*Myiopsitta monachus*

Monk parakeet

**MAMMALS**

*Canis domesticus*

Stray dog

*Dasypus novemcinctus*

Nine-banded armadillo

*Didelphis virginiana*

Opossum

*Felis cattus*

Feral cat

*Scalopus aquaticus*

Eastern mole

*Sciurus carolinensis*

Gray squirrel

*Procyon lotor*

Raccoon

**APPENDIX D**

**DEFINITIONS OF LEGAL STATUS AND RANK DESIGNATIONS  
FOR LISTED SPECIES AND NATURAL COMMUNITIES**

## APPENDIX D

### DEFINITIONS OF LEGAL STATUS AND RANK DESIGNATIONS FOR LISTED SPECIES AND NATURAL COMMUNITIES

Appendix D contains definitions of the legal status designations used by the federal and state agencies that are responsible for maintenance of a list of species that are designated as endangered, threatened, or of special concern in Florida (listed species) and the rank designations used by the Florida Natural Areas Inventory, which tracks species and natural communities because of their rarity or other factors.

#### **United States Fish and Wildlife Service (USFWS) - Wildlife and Plants**

Species listed in the Code of Federal Regulations (CFR) and protected under the provisions of the Endangered Species Act of 1973 (P. L. No. 93-205; 16 USC 1531 et seq., as amended; 87 Stat. 884); animals are listed in 50 CFR 17.11 and plants are listed in 50 CFR 17.12; definitions are from 16 USC 1532 and 50 CFR 17.50

Endangered (E) Any species which is in danger of extinction through all or a portion of its range other than a species of the Class Insecta determined by the Secretary [of the Interior] to constitute a pest whose protection under the provisions of this chapter would present an overwhelming and overriding risk to man

Endangered E (S/A) Endangered due to similarity of appearance

Threatened (T) Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range

Threatened T (S/A) Threatened due to similarity of appearance

#### **Florida Fish and Wildlife Conservation Commission (FFWCC) - Animals**

Species listed in Chapter 68A-27 (Rules 68A-27.003, 68A-27.004 and 68A-27.005) of the Florida Administrative Code (F.A.C.) and protected under that chapter and the Endangered and

Threatened Species Act, Section 372.072, Florida Statutes (F.S.); definitions are from an undated FFWCC document entitled “State Listing Process for Designation of Endangered Species, Threatened Species, or Species of Special Concern”

Endangered (E) As designated by the FFWCC, a species, subspecies, or isolated population of a species or subspecies which is so few or depleted in number or so restricted in range or habitat due to any man-made or natural factors that it is in imminent danger of extinction, as determined by *(various criteria developed by FWC, which are not used in this plan)*

Threatened (T) As designated by the FFWCC, a species, subspecies or isolated population of a species or subspecies which is facing a very high risk of extinction in the future, as determined by *(various criteria developed by FWC, which are not used in this plan)*

Species of Special Concern (SSC) As designated by the FFWCC, a species, subspecies, or isolated population of a species or subspecies which is facing a moderate risk of extinction in the future, as determined by *(various criteria developed by FWC, which are not used in this plan); species of special concern are further categorized by one or more of five additional criteria developed by the Commission, which are not used in this plan*

### **Florida Department of Agriculture and Consumer Affairs (FDACS) - Plants**

Species listed in Chapter 5B-40 of the F.A.C. and protected under the Preservation of Native Flora of Florida Act, Section 581.185, F.S.; definitions are from that Act.

Endangered (E) Species of plants native to the state that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue, and includes all species determined to be endangered species or threatened species pursuant to the federal Endangered Species Act of 1973, as amended. Pub. L. No. 93-205 (87 Stat. 884)

Threatened (T)	Species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in such number as to cause them to be endangered
Commercially	Species native to the state which are subject to being removed in significant
Exploited (CE)	numbers from native habitats in the state and sold or transported for sale

### **Florida Natural Areas Inventory (FNAI) - Plants, Animals and Exemplary Natural Communities**

FNAI ranks indicate the global (G) or state (S) status of a species or exemplary natural community; definitions are from the FNAI September 2007 tracking list.

#### Global Rank Definitions

- G1 Critically imperiled globally because of extreme rarity (5 or fewer occurrences or less than 1,000 individuals) or because of extreme vulnerability to extinction due to some natural or man-made factor
- G2 Imperiled globally because of rarity (6 to 20 occurrences or fewer than 3,000 individuals) or because of vulnerability to extinction due to some natural or man-made factor
- G3 Either very rare and local throughout its range (21 to 100 occurrences or fewer than 10,000 individuals), or found locally in a restricted range, or vulnerable to extinction from other factors
- G4 Apparently secure globally (may be rare in parts of range)
- G5 Demonstrably secure globally
- G#? Tentative rank (e.g., G2?)
- G#G# Range of rank; insufficient data to assign specific global rank (e.g., G2G3)

G#T# Rank of a taxonomic subgroup such as a subspecies or variety; the G portion of the rank refers to the entire species, and the T portion refers to the subgroup; T# has same definition as G#

G#Q Rank of questionable species- ranked as species but questionable whether is species or subspecies; numbers has same definition as above (e.g., G2Q)

G#T#Q Same as above, but validity as subspecies or variety is questioned

GH Of historical occurrence throughout its range, may be rediscovered (e.g., ivory-billed woodpecker)

GNR Not yet ranked

GU Unrankable. Due to lack of information, no rank or range can be assigned (e.g., GUT2)

#### State Rank Definitions

S1 Critically imperiled in Florida because of extreme rarity (5 or fewer occurrences or less than 1,000 individuals) or because of extreme vulnerability to extinction due to some natural or man-made factor.

S2 Imperiled in Florida because of rarity (6 to 20 occurrences or less than 3,000 individuals) or because of vulnerability to extinction due to some natural or man-made factor.

S3 Either very rare and local in Florida (21-100 occurrences or less than 10,000 individuals) or found locally in a restricted range or vulnerable to extinction from other factors.

S4 Apparently secure in Florida (may be rare in parts of range).

S5 Demonstrably secure in Florida.

SH Of historical occurrence in Florida, possibly extirpated, but may be rediscovered (e.g., ivory-billed woodpecker).

SX Believed to be extirpated throughout Florida.

SU Unrankable; due to a lack of information no rank or range can be assigned.



SNA State ranking is not applicable because the element is not a suitable target for conservation (e.g., a hybrid species).

SNR Element not yet ranked (temporary).

*FNAI has additional global and state rank definitions, such as those for extinct species or species extirpated from the wild, which are not used in this plan.*

**APPENDIX E**

**INTERLOCAL AGREEMENT**

R95 1629D

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOYNTON BEACH, FLORIDA AND PALM BEACH COUNTY FOR THE ACQUISITION OF THE ROSEMARY SCRUB ECOSITE AND ITS MANAGEMENT AS A NATURAL AREA**

THIS AGREEMENT is made and entered into on this \_\_\_\_\_ day of **NOV 21 1995**, 1995, by and between the City of Boynton Beach, Florida, hereinafter referred to as the "City", a Florida municipal corporation, and Palm Beach County, Florida, hereinafter referred to as the "County", a political subdivision of the State of Florida.

**WITNESETH:**

**WHEREAS**, on March 12, 1991, the voters of Palm Beach County approved a \$100 million bond referendum for the acquisition of environmentally sensitive lands; and

**WHEREAS**, the Rosemary Scrub site (Ecosite 36) in Boynton Beach was designated as one of the high-priority sites to be acquired with funds from this bond referendum; and

**WHEREAS**, both the City and the County have deemed that it is in the best interest of the residents and citizens of Palm Beach County and the City of Boynton Beach to acquire the Rosemary Scrub property in order to preserve the site in its natural state for future generations as an intact native Florida ecosystem; and

**WHEREAS**, the Board of County Commissioners and the City of Boynton Beach have submitted a partnership grant application to the Florida Communities Trust (FCT) for state matching funds to acquire the Rosemary Scrub site; and

**WHEREAS**, the County and the City, as the FCT Recipients, have signed a Conceptual Approval Agreement with FCT for the receipt of these funds; and

**WHEREAS**, the County has purchased the Rosemary Scrub site, now known as the Rosemary Scrub Natural Area, and wishes to be reimbursed by FCT for the state's portion of the acquisition costs; and

**WHEREAS**, the Conceptual Approval Agreement requires that the parties of the partnership application enter into an interlocal agreement which sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Ecosite and that the interlocal agreement be made a part of the project plan; and

**WHEREAS**, the execution of this agreement is in the best interest of both governmental units and the residents and citizens of same.

**NOW, THEREFORE**, in consideration of the mutual covenants, agreements, and restrictions set forth herein, the parties to this agreement agree as follows:

**ARTICLE I - IN GENERAL**

1. The County and City agree that the County has acquired and will manage certain real property located within the corporate limits of the City of Boynton Beach, Florida, known as the "Rosemary Scrub Natural Area", which real property is more particularly described in Exhibit A attached hereto and made a part hereof.

2. The management of the property by the County, with assistance from the City, shall serve to preserve the biological community on the property in its natural state as an example of a Florida scrub ecosystem in Palm Beach County. It is the intent of the parties that the Rosemary Scrub Natural Area shall be managed solely as a nature preserve, to provide certain scientific and educational benefits and to provide passive recreational opportunities for residents and citizens of the City and the County. The property shall be kept in its natural state, such that present and future generations will be able to experience the natural values currently exhibited on the property, acts of God or other events beyond the control of the City and the County notwithstanding.

3. The parties hereto agree to review their respective zoning ordinances and comprehensive plans and to take steps to designate this property appropriately in the future under their comprehensive land use plans and zoning ordinances, given its intended use as a natural area. The future land use designation assigned to the Natural Area shall be for conservation. If an amendment to the City's and/or County's comprehensive land use plan is required, the amendment shall be proposed at the next comprehensive plan amendment cycle available.

4. The Natural Area shall be managed only for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation that is compatible with the conservation, protection and enhancement of the Natural Area. The parties may make and maintain physical improvements to the property such as fencing, a parking area and foot trails, only as appropriate for passive resource-based uses.

5. The Natural Area shall be open to the public. The locations of public access points and any restrictions on access will be described in the management plan.

6. The parties shall use their best efforts, through their agents and employees, to prevent the unauthorized use of the Natural Area or any use not compatible with the management of the site as a natural area or nature preserve.

7. In the acquisition, management, and maintenance of the subject property, each party shall be liable for its own actions and negligence.

8. The title to the property shall be held by the County.

9. This Interlocal Agreement shall be recorded in the Public Records of Palm Beach County, Florida, in accordance with applicable law.

10. This Agreement shall be deemed to be the sole agreement between the parties, and no prior agreements or other writings shall supersede that which is contained in this Interlocal Agreement.

11. For the purposes of this Interlocal Agreement, notices to the other party shall be deemed sufficient when addressed to the following address and deposited in the United States Mail:

- a. City of Boynton Beach  
Office of the City Manager  
100 E. Boynton Beach Boulevard  
Boynton Beach, FL 33425-0310
- b. Palm Beach County  
Department of Environmental Resources Management  
3323 Belvedere Road, Bldg. 502  
West Palm Beach, FL 33406

12. This Agreement shall be rendered null and void if not executed by all parties hereto on or before December 4, 1995.

#### ARTICLE II - JOINT RESPONSIBILITIES

13. The County, in cooperation with the City, shall manage the Natural Area for habitat preservation and passive recreation, keeping the property in its natural state except for the maintenance of fences, firebreaks and foot trails and other management activities appropriate for a nature preserve. Management activities will initially consist of removal of trash and invasive vegetation from the site. Long-term management of this site will require controlling invasive vegetation, monitoring listed plant and animal species, and prescribed burning. Subject to annual appropriations by the County's Board of County Commissioners and the City of Boynton Beach, personnel time and expertise for on-going, site-specific management of this site will be provided by both parties. A detailed division of responsibilities for the management of this site will be provided in the management plan. The parties shall apply for any funds available from the State for management purposes, and will minimize management costs through the involvement of volunteers.

14. The parties shall prepare, separately or jointly, brochures and other educational material describing the natural resources, uses, and joint management of the property. Any material prepared by one party shall be submitted to the other party for its prior review and approval. Approval shall not be unreasonably withheld. The cost of any jointly-prepared materials shall be shared equally by the parties, and the costs of any material prepared individually shall be solely that party's responsibility. Both parties shall encourage students and residents to use the natural area for educational and passive recreational purposes.

15. The Natural Area will be identified as being publicly owned and operated as a passive, natural resource-based public outdoor recreational site in all signs, literature and advertising.

16. The parties agree that the County will erect a sign or monument identifying the Natural Area as being open to the public, as having been purchased with funds from FCT and the County, and as being managed by the County, with the cooperation of the City.

ARTICLE III - RESPONSIBILITIES OF THE COUNTY

17. The County agrees to comply with all requirements of FCT for provision to the County of the State's share of forty percent (40%) of the acquisition costs.

18. The County agrees to plan and, subject to FCT approval and a budget approved by the Board of County Commissioners, to pay for physical improvements to the site that would encourage public use of the site as a nature preserve. These facilities may include, but not be limited to, walking and interpretive trails, an educational display (kiosk), and parking facilities. The City and County shall use their best efforts to plan and construct these facilities, taking into consideration primarily the sensitivity and needs of the biological community and secondarily the intended research, educational and recreational uses of the property.

19. The County agrees to secure the Natural Area with fencing, gates and signage to discourage unauthorized activities such as dumping of trash and off-road vehicle usage, while permitting public access to the Natural Area for scientific research, environmental education, and passive recreational activities. The County will be responsible for upkeep of the fences, gates, kiosk, parking area, and signs.

20. The County will develop a management plan and a controlled burn plan for the Natural Area, in consultation with the City. The management plan will be subject to the approval of FCT.

21. The management plan will contain a mechanism for the City and the County to determine jointly the future of the natural preserve, should any unforeseen events or activities, either natural or man-made, severely limit or eliminate the natural values presently on the property.

22. The County, in coordination with the City, will prepare and submit to FCT an annual report to FCT as required in the Conceptual Approval Agreement.

23. Management of all natural areas acquired by the County will be coordinated on a countywide basis to protect ecosystems and populations of listed species throughout the County.

24. The County agrees to identify a County employee as a contact person to interact with the City in planning for and managing the Natural Area.

25. The County agrees to identify a County employee as the public contact person to coordinate group usage and research on the Natural Area and to answer public inquiries about the site.

ARTICLE IV - RESPONSIBILITIES OF THE CITY

26. The City agrees to assume primary responsibility for public safety and law enforcement at the Natural Area. This includes routine patrols of the boundaries and the prevention of vandalism, vehicular trespass, dumping, and damage to property and natural resources.

27. The City agrees to provide long-term maintenance of the site, including weekly garbage pick-up, police services, and regular mowing of perimeter firebreaks. The City will assume responsibility for the daily opening and closing of any gates providing public access to the site. This responsibility may be delegated to a local resident or stewardship group if approved by both the County and the City.

28. The City agrees to assist the County in the long-term management of the site, including removal of exotic vegetation, removal of trash and debris collected during volunteer activities, periodic prescribed burns, and other activities.

29. The City agrees that its review of any proposed changes and uses of, or activities on, real property immediately adjacent to the Natural Area shall be reviewed to ensure the protection of the biological community on the preserve and to avoid adverse impact on the species present.

30. The City agrees to identify a City employee as the contact person to interact with the County in planning for and managing the Natural Area.

31. The City will encourage students and residents to utilize the site for educational and recreational purposes.

WHEREFORE, the parties hereto have set their hands and seals on the day set forth next to their signatures.

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

BY: *Shirley C. Hickman*  
Deputy Clerk

DATE: NOV 21 1995

BY: *[Signature]*  
Vice-Chair

DATE: NOV 21 1995

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY



BY: *Mark J. Hall*  
Assistant County Attorney

DATE: 11/16/95

R95 1629D

ATTEST:

CITY OF BOYNTON BEACH, FLORIDA,  
BY ITS COUNCIL

BY: *Suparna P. House*  
Clerk

DATE: 11/14/95

BY: *Gerald Taylor*  
Mayor

DATE: 11/14/95

(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

BY: *[Signature]*  
City Attorney

DATE: 11/7/95

**DESCRIPTION - PARCELS ONE AND TWO:**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE WEST A DISTANCE OF 40.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD., SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE WEST A DISTANCE OF 793.14 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9; THENCE RUN NORTH 00°05'00" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, A DISTANCE OF 658.68 FEET TO A POINT; SAID POINT BEING THE SOUTHWEST CORNER OF NORTH RIDGE ESTATES, AS RECORDED IN PLAT BOOK 25, PAGE 144, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF SOUTH 89°38'45" EAST, ALONG THE SOUTH LINE OF NORTH RIDGE ESTATES, A DISTANCE OF 809.90 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF NORTH RIDGE ESTATES, AS RECORDED IN PLAT BOOK 25, PAGE 144, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF SOUTH 01°32'45" WEST, ALONG A LINE THAT IS 40.00 FEET WEST OF AS MEASURED AT RIGHT ANGLES, THE EAST LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 9 (SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD.) A DISTANCE OF 658.52 FEET MORE OR LESS TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 45 SOUTH RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE WEST, A DISTANCE OF 108.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 40.00 FEET TO A POINT; THENCE EAST, A DISTANCE OF 45.88 FEET TO A POINT; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87°37'15", AND AN ARC LENGTH OF 38.38 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD.; THENCE WITH A BEARING OF SOUTH 02°02'45" EAST, ALONG A LINE THAT IS 40.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16 (SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SEACREST BLVD.) A DISTANCE OF 75.88 FEET TO A POINT; THENCE SOUTH 87°37'15" WEST A DISTANCE OF 73.62 FEET TO A POINT; THENCE SOUTH 52°20'15" WEST, A DISTANCE OF 75.79 FEET TO A POINT; THENCE NORTH 50°50'05" WEST, A DISTANCE OF 77.39 FEET TO A POINT; THENCE WEST A DISTANCE OF 253.02 FEET TO A POINT; THENCE SOUTH 31°21'10" WEST, A DISTANCE OF 47.13 FEET TO A POINT; THENCE NORTH 89°55'00" WEST, A DISTANCE OF 82.46 FEET TO A POINT; THENCE NORTH A DISTANCE OF 70.00 FEET TO A POINT; THENCE NORTH 89°55'00" WEST A DISTANCE OF 94.71 FEET TO A POINT; THENCE WEST A DISTANCE OF 50.00 FEET TO A POINT; THENCE NORTH 89°55'00" WEST, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9; THENCE NORTH 00°05'00" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, A DISTANCE OF 109.85 FEET TO A POINT; THENCE EAST, A DISTANCE OF 724.55 FEET MORE OR LESS TO THE POINT OF BEGINNING.

LESS

A PARCEL OF LAND LYING IN SECTIONS 9, AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION NINE RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE DUE EAST A DISTANCE OF 45.88 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°57'15" A DISTANCE OF 38.38 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AND POINT OF TANGENCY OF SAID CURVE; THENCE S02°02'45"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 75.88 FEET; THENCE S87°57'15"W ALONG THE SOUTH LINE OF LOT 10, BLOCK 20 OF ROLLING GREEN RIDGE, 1ST ADDITION AS RECORDED IN PLAT BOOK 24, PAGE 223 OF THE PUBLIC RECORDS OF PALM BEACH FLORIDA, A DISTANCE OF 73.62 FEET; THENCE ALONG THE NORTH LINE OF SAID PLAT OF ROLLING GREEN RIDGE S52°20'15"W A DISTANCE OF 75.79 FEET; THENCE N50°50'05"W A DISTANCE OF 77.39 FEET; THENCE N90°00'00"W A DISTANCE OF 130.42 FEET; THENCE LEAVING SAID NORTH LINE N02°02'45"W ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 140.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 658.72 FEET; TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9; THENCE ALONG SAID NORTH LINE S89°58'45"E A DISTANCE OF 324.05 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD AN 80.00 FOOT WIDE ROAD RIGHT-OF-WAY; THENCE S01°32'45"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 658.62 FEET TO THE POINT OF BEGINNING.

OWNERS - PARCELS ONE AND TWO: JANMER PROPERTIES, LTD.  
C/O B.D. RAWLS  
4649 PONCE DE LEON BOULEVARD  
CORAL GABLES, FLORIDA 33146

B 03/04/97

**EASEMENT "A" - 10' UTILITY EASEMENT**  
(O.R.B. 3503 - PAGES 1838-1844)

A TEN (10) FOOT STRIP OF LAND RUNNING FROM EAST TO WEST ACROSS THE ABOVE DESCRIBED PROPERTY WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF THE NORTH WEST ONE QUARTER (NW 1/4) OF SAID SECTION 16 RUN WESTERLY ALONG THE NORTH LINE OF SAID SECTION 16 ON AN ASSUMED BEARING OF NORTH 87°57'15" WEST A DISTANCE OF 108.60 FEET; THENCE SOUTH 2°02'45" WEST A DISTANCE OF FORTY NINE (49) FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 20, ROLLING GREEN RIDGE FIRST ADDITION A SUBDIVISION IN THE CITY OF BOYNTON BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 24, PAGE 224, AND THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE, THENCE NORTH 87°57'15" WEST, PARALLEL TO SAID NORTH SECTION LINE A DISTANCE OF 479.00 FEET, THENCE NORTH 84°09'00" WEST A DISTANCE OF 211.01 FEET TO A POINT ON A LINE PARALLEL TO AND 35.00 FEET SOUTH OF SAID NORTH LINE OF SECTION 16, THENCE NORTH 87°57'15" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 35.00 FEET, MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95) AND THE END OF SAID EASEMENT CENTER LINE.

**EASEMENT "B" - 20' UTILITY EASEMENT/AGREEMENT**  
(O.R.B. 4883 - PAGES 408-415)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING. PROCEED THENCE N90°00'00"W A DISTANCE OF 324.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

**EASEMENT "C" - 80' ROAD EASEMENT**  
(O.R.B. 4883 - PAGES 416-422)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE N90°00'00"W A DISTANCE OF 253.99 FEET; THENCE N02°02'45"W A DISTANCE OF 40.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E A DISTANCE OF 40.02 FEET; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 40.02 FEET TO THE POINT OF BEGINNING.

B 03/04/97



**EASEMENT "A" - 10' UTILITY EASEMENT**  
(O.R.B. 3503 - PAGES 1838-1844)

A TEN (10) FOOT STRIP OF LAND RUNNING FROM EAST TO WEST ACROSS THE ABOVE DESCRIBED PROPERTY WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF THE NORTH WEST ONE QUARTER (NW 1/4) OF SAID SECTION 16 RUN WESTERLY ALONG THE NORTH LINE OF SAID SECTION 16 ON AN ASSUMED BEARING OF NORTH 87°57'15" WEST A DISTANCE OF 108.60 FEET; THENCE SOUTH 2°02'45" WEST A DISTANCE OF FORTY NINE (49) FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 20, ROLLING GREEN RIDGE FIRST ADDITION A SUBDIVISION IN THE CITY OF BOYNTON BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 24, PAGE 224, AND THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE, THENCE NORTH 87°57'15" WEST, PARALLEL TO SAID NORTH SECTION LINE A DISTANCE OF 479.00 FEET, THENCE NORTH 84°09'00" WEST A DISTANCE OF 211.01 FEET TO A POINT ON A LINE PARALLEL TO AND 35.00 FEET SOUTH OF SAID NORTH LINE OF SECTION 16, THENCE NORTH 87°57'15" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 35.00 FEET, MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95) AND THE END OF SAID EASEMENT CENTER LINE.

**EASEMENT "B" - 20' UTILITY EASEMENT/AGREEMENT**  
(O.R.B. 4883 - PAGES 408-415)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING. PROCEED THENCE N90°00'00"W A DISTANCE OF 324.01 FEET; THENCE N01°32'45"E A DISTANCE OF 20.01; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

**EASEMENT "C" - 80' ROAD EASEMENT**  
(O.R.B. 4883 - PAGES 416-422)

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE N90°00'00"W A DISTANCE OF 253.99 FEET; THENCE N02°02'45"W A DISTANCE OF 40.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E A DISTANCE OF 40.02 FEET; THENCE N90°00'00"E A DISTANCE OF 324.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEACREST DRIVE, THENCE S01°32'45"W A DISTANCE OF 40.02 FEET TO THE POINT OF BEGINNING.

ALSO:

D. Easements and dedications as shown on the Plat of Rolling Green Ridge First Addition, recorded in Plat Book 24, page(s) 233.

E. Restrictive covenants, conditions, stipulations and easements contained in Deed Book 1141, page 174, and amended in Official Record Book 2009, page 1787, and Official Record Book 2009, page 1788.

F. Easements granted to City of Boynton Beach, recorded in Official Record Book 3505, Page 1832.

B 03/04/97

**DESCRIPTION - PARCELS THREE AND FOUR:**

A PARCEL OF LAND LYING IN SECTIONS 9, AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION NINE RUN N90°00'00"W ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; CONTINUE THENCE N90°00'00"W A DISTANCE OF 68.59 FEET; THENCE DUE SOUTH A DISTANCE OF 40.00 FEET; THENCE DUE EAST A DISTANCE OF 45.88 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°57'15" A DISTANCE OF 38.38 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AND POINT OF TANGENCY OF SAID CURVE; THENCE S02°02'45"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 75.88 FEET; THENCE S87°57'15"W ALONG THE SOUTH LINE OF LOT 10, BLOCK 20 OF ROLLING GREEN RIDGE, 1ST ADDITION AS RECORDED IN PLAT BOOK 24, PAGE 223 OF THE PUBLIC RECORDS OF PALM BEACH FLORIDA, A DISTANCE OF 73.62 FEET; THENCE ALONG THE NORTH LINE OF SAID PLAT OF ROLLING GREEN RIDGE S52°20'15"W A DISTANCE OF 75.79 FEET; THENCE N50°50'05"W A DISTANCE OF 77.39 FEET; THENCE N90°00'00"W A DISTANCE OF 130.42 FEET; THENCE LEAVING SAID NORTH LINE N02°02'45"W ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 140.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 9; THENCE N01°32'45"E ALONG A LINE PARALLEL TO SEACREST BOULEVARD A DISTANCE OF 658.72 FEET; TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9; THENCE ALONG SAID NORTH LINE S89°58'45"E A DISTANCE OF 324.05 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SEACREST BOULEVARD AN 80.00 FOOT WIDE ROAD RIGHT-OF-WAY; THENCE S01°32'45"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 658.62 FEET TO THE POINT OF BEGINNING.

LESS

DESCRIPTION (PER O.R.B. 6981 - PAGE 602)

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9, THENCE DUE WEST ALONG THE SOUTH LINE OF SECTION 9 A DISTANCE OF 40.01 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL WITH AND 40 FEET AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, THENCE NORTH 01°32'45" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 40.01 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL AND 40 FEET AT RIGHT ANGLES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 9 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE NORTH 01°32'45" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SEACREST BOULEVARD, AS NOW LAID OUT AND IN USE, A DISTANCE OF 250 FEET; THENCE DUE WEST A DISTANCE OF 175 FEET; THENCE SOUTH 01°32'45" WEST A DISTANCE OF 250 FEET; THENCE DUE EAST A DISTANCE OF 175 FEET TO THE POINT OF BEGINNING.

OWNERS - PARCELS THREE AND FOUR: GOLD COAST SAVINGS BANK  
C/O GRAIMARK / MIG JOINT VENTURE  
1920 CORPORATE DRIVE  
BOYNTON BEACH, FLORIDA 33426

B 03/04/97

DESCRIPTION - PARCELS ONE AND TWO

A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONVEYING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LESS

DESCRIPTION - PARCELS THREE AND FOUR

A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONVEYING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LESS

BY FILED CERTIFICATE

AN EJECTMENT AND A PARCEL OF LAND LYING IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONVEYING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LESS

PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES P.O. BOX 1122, WEST PALM BEACH, FLORIDA

Table with columns: NO., REVISION, DATE, BY

BOUNDARY SURVEY ROSEMARY SCRUB SECTIONS 9 AND 16, TOWNSHIP 45 SOUTH, RANGE 43 EAST

B 03/04/97



APPENDIX F

PALM BEACH COUNTY  
NATURAL AREAS ORDINANCE

1 A COUNTYWIDE ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO BE KNOWN  
3 AS THE NATURAL AREAS ORDINANCE; PROVIDING FOR A SHORT  
4 TITLE AND APPLICABILITY; SETTING OUT PROHIBITED AND  
5 PERMITTED ACTIVITIES; PROVIDING FOR OPERATING HOURS AND  
6 VEHICULAR CONTROL; PROVIDING FOR ENFORCEMENT; PROVIDING  
7 FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF  
8 LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

9  
10  
11  
12  
13 WHEREAS, certain environmentally sensitive lands containing  
14 high-quality native ecosystems characteristic of southern Florida  
15 have become publicly-owned through acquisition or lease by Palm  
16 Beach County; and

17  
18 WHEREAS, these natural areas are part of the heritage of Palm  
19 Beach County's citizens; provide opportunities for passive  
20 recreation, environmental education, and scientific research; serve  
21 as show places for residents and visitors; and enhance the overall  
22 quality and diversity of life in Palm Beach County; and

23  
24 WHEREAS, these natural areas provide habitat for plant and  
25 animal species, including resident and migratory wildlife; and  
26  
27 WHEREAS, endangered, threatened, and rare plant and animal  
28 species, and species of special concern to the State of Florida are  
29 ecologically dependent upon these natural areas; and

30  
31 WHEREAS, these natural areas also provide important and  
32 valuable support services such as groundwater retention and  
33 recharge, flood and erosion control, and enhancement of air and  
34 water quality; and

35  
36 WHEREAS, Palm Beach County will manage these natural areas to  
37 preserve and maintain their natural functions and values; and

38  
39 WHEREAS, alteration or misuse of these natural areas will  
40 cause an irreparable aesthetic, educational, scientific, and  
41 cultural loss to the citizens of and visitors to Palm Beach County,  
42 and will result in potential harm to, and degradation of,  
43 groundwater, surface waters, air quality, and native plant and  
44 animal populations; and

45  
46 WHEREAS, the Board of County Commissioners desires to prevent  
47 the harm recited above and protect and maintain the native  
48 biological diversity of County-managed natural areas by  
49 promulgating appropriate regulations to govern public use of these  
50 natural areas.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

3 Section 1. SHORT TITLE/ APPLICABILITY.

4 1.01 This Ordinance shall be known as the "Palm Beach County  
5 Natural Areas Ordinance."

6 1.02 The recitations set forth in the "WHEREAS" paragraphs  
7 above are incorporated by reference herein as findings of fact upon  
8 which this Ordinance is based.

9 1.03 All provisions of this Ordinance shall be effective  
10 within the unincorporated and incorporated areas of Palm Beach  
11 County, Florida, and shall set restrictions, constraints, and  
12 requirements to protect and preserve County-managed natural areas.

13 1.04 This Ordinance shall be liberally construed to effect  
14 the purposes set forth herein.

15 Section 2. AUTHORITY.

16 This Ordinance is adopted under the authority of Chapter 125,  
17 Florida Statutes.

18 Section 3. PURPOSE.

19 The purpose of the Ordinance is to preserve and protect in  
20 perpetuity County-managed natural areas by regulating public uses  
21 of these lands.

22 Section 4. DEFINITIONS.

23 The following terms when used in this Ordinance shall have the  
24 meanings ascribed to them in this section:

25 Department means the Department of Environmental Resources  
26 Management.

27 Natural area means all public lands containing high-quality  
28 native ecosystems that are under the control of or assigned to the  
29 Department for management, maintenance, and operation.

30 Natural areas property means all structures, facilities,  
31 plants, and animals contained within a natural area.

32 Parking area means a specially designed and publicly  
33 designated area set aside for the standing or temporary stationing  
34 of vehicles.

1 Permit means a document or certificate provided by the County  
2 Administrator or his designee granting permission to conduct or  
3 take part in a specific activity at a specific location.

4  
5 Vehicle means any wheeled conveyance for transportation of  
6 persons or materials whether:  
7

8 (1) Powered or drawn by motor such as an automobile, truck,  
9 motorcycle, scooter, or minibike.

10  
11 (2) Animal-drawn such as a carriage, wagon, or cart.

12  
13 (3) Self-propelled such as a bicycle.

14  
15 Watercraft means any boat, kayak, canoe, raft, houseboat,  
16 barge, vessel, ship or any other floating device capable of  
17 transporting humans or objects over water.

18  
19 Section 5. SCOPK.

20 This Ordinance applies only to County-owned or County-  
21 controlled natural areas and natural areas property that is  
22 assigned to the Department of Environmental Resources Management  
23 for management, maintenance and operation. Department staff and  
24 other authorized persons working under staff supervision shall be  
25 exempt from the provisions of this Ordinance when performing  
26 activities related to management plans.

27  
28 Section 6. WILDLIFE AND OTHER PROPERTY.

29 (a) No person shall willfully mark, deface, or damage in any  
30 way, or displace, remove or tamper with, any natural area building,  
31 fence, educational or informational structure, walkway, bridge,  
32 bench, railing, public utility, paving or paving material, or part  
33 or appurtenance thereof, natural area sign, notice or placard,  
34 monument, stake, post, or other boundary marker, or other structure  
35 or equipment, facility or natural area property or appurtenance  
36 that is located on a natural area.

37  
38 (b) No person shall dig, move, or remove from any natural area  
39 any sand, soil, rocks, stones, trees, shrubs, or plants, fallen  
40 timber, or other wood or materials, or make any excavation by tool,  
41 equipment, blasting or other means.  
42  
43

1 Section 7. PLANT AND WILDLIFE PROTECTION AND PRESERVATION.

2 (a) Within any natural area, no person shall cut, carve, or  
3 damage the bark, or break off limbs or branches or mutilate in any  
4 way, or pick the flowers or seeds, of any tree or plant, or shrub,  
5 nor shall any person dig in or disturb grassy areas, or transplant  
6 or remove any tree or plant or part thereof, or in any other way  
7 damage or impair the natural beauty or usefulness of any natural  
8 area, nor shall any person deposit any debris or material on or  
9 about any tree or plant.  
10

11 (b) Within any natural area, no person shall molest, harm,  
12 frighten, kill, trap, hunt, chase, shoot, throw objects at, harass,  
13 feed, or otherwise inhibit the natural movements and habits of any  
14 invertebrate, mammal, amphibian, reptile, fish or bird. No person  
15 shall remove or have in his or her possession the young of any wild  
16 animal, or the eggs or nests of any amphibian, reptile, fish, bird  
17 or invertebrate. The provisions of this section applying to fishes  
18 are not applicable in designated fishing areas.  
19

20 (c) In order to prevent disruption of natural ecosystems and  
21 the spread of disease, no person shall introduce, plant, or release  
22 any plant or animal into any natural area.  
23

24 Section 9. FIRES.

25 No person shall build or attempt to build, light, or cause to  
26 be lighted any fire or fires within any natural area unless given  
27 permission under a written permit from the County Administrator or  
28 his designee. No person shall drop, throw, or otherwise deposit  
29 lighted matches, burning cigarettes or cigars, tobacco paper, or  
30 other flammable materials within any natural area or on any county  
31 highway, road or street abutting or contiguous thereto.  
32

33 Section 10. BOATING.

34 (a) All provisions of Chapter 327, Florida Statutes, shall  
35 apply to County-managed natural areas waters.  
36

37 (b) No person shall launch or operate any watercraft upon any  
38 watercourse, lagoon, lake, canal, pond, marsh, wet prairie or  
39 slough within a natural area except at such places that are  
40 designated for such use by the Board of County Commissioners or the  
41 County Administrator or his designee.  
42

43 (c) No person shall operate, moor, or anchor any watercraft  
44 within the waters of any natural area in a manner that results in  
45 damage or harm to the vegetation, wildlife or shoreline.  
46

Section 11. **FISHING.**  
 Except where specifically designated, fishing, or the buying or selling of fish caught in any natural area waters, is prohibited in all natural areas.

Section 12. **PROHIBITED ACTIVITIES.**  
 The following are prohibited in County-managed natural areas:

(a) Hunting, trapping, or the possession of any kind of trapping device. Licensed hunters and trappers authorized by the County Administrator or his designee to remove nuisance and exotic animals are exempt from this prohibition, as are licensed hunters authorized by the County Administrator or his designee to reduce excessive populations of animals causing environmental damage in a natural area.

(b) Use of firearms or other weapons potentially injurious to wildlife and dangerous to human safety by persons other than authorized law enforcement personnel and persons authorized to remove nuisance and exotic animals. This prohibition includes shooting into a natural area from beyond the boundaries of the natural area.

(c) The sale, purchase, consumption, or possession of alcoholic beverages as defined in Section 561.01(4), Florida Statutes.

(d) Use, discharge or possession of fireworks, explosives, or substances that could be combined into an explosive mixture.

(e) Domestic animals and pets.

(f) Placement of beehives or other apicultural practices.

(g) Cultivation of plants.

(h) Vehicle repair.

(i) Use of airports.

(j) Loud, unnecessary noise that disturbs wildlife and produces physical discomfort or annoyance to other people.

(k) Possession and release of inflated balloons.

Section 13. **ACTIVITIES REQUIRING A SPECIAL PERMIT.**  
 The following activities may be allowed only if a written permit is obtained from the County Administrator or his authorized designee. Written terms and conditions shall accompany each permit and a fee will be charged as set by resolution of the Board of County Commissioners. The decision on whether or not to issue a permit will be based on the potential for damage to the natural resources of the site, the carrying capacity for that particular use, and any conflicts with a previously-issued permit for the same use. The activities requiring a special permit are:

(a) Camping.

(b) Erection of temporary or permanent structures.

(c) Horseback riding.

(d) Public demonstrations and gatherings.

(e) Collection of plant and animal specimens and use of wetlands in wetlands for scientific research.

(g) After-hours and night-time use of natural areas.

Section 14. **MERCANDISING, ADVERTISING AND SIGNS.**

(a) No person shall expose or offer for sale, rent or trade, any article or thing, or station or place any stand, cart, or vehicle, for the transportation, sale or display of any articles, merchandise, or other item within the limits of any natural area.

(b) No person shall use the natural area roadways or paths, or enter any natural area, for the purpose of announcing, displaying, advertising or calling attention to any person, political party, religious institution, or meetings or assemblies thereof, or for the purpose of demonstrating, advertising or calling attention to any article or service for sale or for hire, nor shall any signs, slogans, loudspeakers or advertising display be used for such purposes unless a written permit allows such activity.

(c) No person shall display, distribute, post, paste, give, tack, or otherwise fix any handbill, pamphlet, circular, sign, placard or any other printed matter containing advertising within any natural area or upon any natural area tree, fence or other structure.



1 Section 15. POLLUTION OF WATERS.  
2 No person shall throw, discharge, or otherwise place or cause  
3 to be placed in the waters of any pond, lake, canal, slough, marsh,  
4 wet prairie, lagoon, or any other body of water or wetland in any  
5 natural area, any substance, matter, object or item which will or  
6 may result in pollution of said waters.

7 Section 16. EXPIRE AND TRASH.

8 No person shall take into, dump or deposit on land of, or  
9 leave in, any natural area or county road abutting such natural  
10 area, bottles, broken glass, ashes, paper, boxes, cans, dirt,  
11 construction or agricultural debris, rubbish, waste, garbage,  
12 refuse, or any other solid or liquid discard. Such discard shall  
13 be placed in the proper receptacles where provided on a natural  
14 area. Where receptacles are not provided, all such discard shall  
15 be carried away from the natural area and properly disposed of by  
16 the person responsible for its presence.

17 Section 17. PUBLIC UTILITIES.

18 No entity shall be allowed to place any new public service  
19 utility into, upon, or across natural area lands except by prior  
20 written permit from the County Administrator or his designee.

21 Section 18. CLOSING OF NATURAL AREAS.

22 (a) Each natural area managed by the County shall be open to  
23 the public at hours and days that are determined to be appropriate  
24 and adopted as part of the management plan for that natural area.  
25 These hours shall be posted at each natural area.

26 (b) The County Administrator or his designee may declare any  
27 section of a natural area closed to the public, either temporarily  
28 or at regular stated intervals, in order to protect natural  
29 resources or for public safety reasons. No person shall enter  
30 upon any part of any natural area which is withheld from general  
31 public usage in the interest of natural resource protection, public  
32 safety, health and/or welfare.

33 (c) No person shall remain in any natural area during the  
34 hours that the natural area is closed, unless he or she has a  
35 permit.

1 Section 19. VEHICLE.  
2 (a) All state vehicle laws and County traffic regulations  
3 shall be applicable in all natural areas. Municipal traffic  
4 ordinances shall be applicable in those natural areas located  
5 within municipalities.

6 (b) No person shall drive, operate, or propel any vehicle  
7 outside the boundaries of designated paved or improved natural area  
8 access roads or driveways unless specifically authorized by the  
9 County Administrator or his designee.

10 (c) No person shall park any vehicle on a natural area at any  
11 place other than a designated parking area without prior  
12 authorization from the County Administrator or his designee. No  
13 person shall park any vehicle in a manner that blocks or impedes  
14 access to a parking area or access road. No vehicle shall be left  
15 in a parking area overnight without prior authorization by the  
16 County Administrator or his designee.

17 Section 20. ENFORCEMENT.

18 (a) It shall be the duty and responsibility of law enforcement  
19 officials to, within their jurisdiction, enforce all state laws,  
20 municipal ordinances, County ordinances, and County traffic  
21 regulations within and adjacent to the limits of all natural areas  
22 maintained and operated by the Department.

23 (b) It shall be unlawful for any person to do any act  
24 forbidden, or fail to perform any act required, by this Ordinance  
25 or for any person to fail to comply with any lawful and reasonable  
26 order given by law enforcement officers or authorized Department  
27 officials. It shall be the duty and responsibility of law  
28 enforcement officers and authorized Department officials to enforce  
29 all natural areas rules.

30 Section 21. PENALTIES.

31 The violation of any provision of this Ordinance shall be  
32 punishable by a fine not to exceed five hundred dollars (\$500.00),  
33 or by imprisonment in the County jail not to exceed sixty (60)  
34 days, or by both such fine and imprisonment, or by such other  
35 penalty as may hereafter be provided in Section 125.69, Florida  
36 Statutes.

1 Section 22. **REPEAL OF LAWS IN CONFLICT.**  
2 All local laws and ordinances applying to the unincorporated  
3 areas of Palm Beach county in conflict with any provisions of this  
4 Ordinance are hereby repealed to the extent of such conflict.

5  
6 Section 23. **MUNICIPAL ORDINANCES AND LAND DEVELOPMENT**  
7 **REGULATIONS.**  
8 This Ordinance does not supersede any municipal ordinance or  
9 land development regulation.

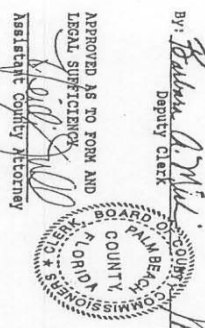
10  
11 Section 24. **SEVERABILITY.**  
12 If any section, paragraph, sentence, clause, phrase or word of  
13 this Ordinance is for any reason held by a court to be  
14 unconstitutional, imperative or void, such holding shall not  
15 affect the remainder of this Ordinance.

16  
17 Section 25. **INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**  
18 The provisions of this Ordinance shall become and be made  
19 part of the Code of Laws and Ordinances of Palm Beach County,  
20 Florida. The sections of this Ordinance may be renumbered or  
21 relettered to accomplish such, and the word "ordinance" may be  
22 changed to "section", "article", or any other appropriate word.

23  
24 Section 26. **EFFECTIVE DATE.**  
25 This Ordinance shall become law upon receipt of  
26 acknowledgement from the Secretary of State.

27  
28 APPROVED AND ADOPTED by the Board of County Commissioners of Palm  
29 Beach County, Florida, on the 21st day of June, 1994.

30  
31  
32 ATTEST:  
33 Dorothy H. Wilken, Clerk  
34 Board of County Commissioners  
35  
36 By: *Robert D. Wilken*  
37 Deputy Clerk  
38  
39  
40  
41  
42  
43  
44  
45  
46  
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50



51 APPROVED AS TO FORM AND  
52 LEGAL SUFFICIENCY  
53 Assistant County Attorney

Acknowledgment by the Department of State of the State of  
Florida, on this, the 24th day of June, 1994.

1 EFFECTIVE DATE: Acknowledgment from the Department of State  
2 received on the 27th day of June, 1994, at 1:07 P.M., and  
3 filed in the Office of the Clerk of the Board of County  
4 Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
DOROTHY H. WILKEN, Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original and in my office  
on June 21, 1994.  
DATED at West Palm Beach, Fla. 6/27/94  
DOROTHY H. WILKEN, Clerk  
By: *Dorothy H. Wilken*  
Clerk

**APPENDIX G**  
**RECORDED DEEDS**

MAR-13-1995 1:38PM 95-076209

Prepared by and  
Return to:

ORF 3654 Pg 1133  
Can 200,000.00 Doc 1,400.00

David S. Pressly, Esq.  
Pressly & Pressly, P.A.  
222 Lakeview Avenue, Suite 910  
West Palm Beach, FL 33401-6112

Property Identification Number: 08-43-45-09-00-000-7080  
08-43-45-16-00-000-3100

Space above this line for recording

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED made the 8th day of March, 1995, by JANMAR PROPERTIES, LTD., a Florida Limited Partnership a/k/a Janmer Properties, Ltd., a Florida Limited Partnership (hereinafter referred to as "Grantor"), to PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (hereinafter referred to as "Grantee"), whose post office address is P.O. Box 1989, West Palm Beach, Florida 33402-1989.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other valuable considerations, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, and sell to the Grantee, Grantee's successors and assigns forever, the following described land in Palm Beach County, Florida:

SEE EXHIBIT "A" ANNEXED HERETO

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

SUBJECT, HOWEVER, TO:

1. Taxes for the year 1996, and all subsequent years.
2. Zoning, prohibitions and other requirements imposed by government authority.
3. All matters of Public Record (it not being the intent hereof to reimpose same).

#10 Return to  
CHICAGO TITLE INSURANCE COMPANY  
2393 South Congress Avenue  
West Palm Beach, FL 33406  
CT 21491 KF

B 03/04/97

[Space above this line for recording]

STATE OF FLORIDA )  
COUNTY OF DADE )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of March, 1995, by B.D. Rawls, as the Vice President of Janmar Corporation, a Florida corporation, on behalf of the Corporation, in its capacity as general partner of Janmar Properties, Ltd., a Florida limited partnership. He is personally known to me or he has produced a Florida driver's license as identification.

Amalia M. Slater  
Notary Public (Signature)

AMALIA M. SLATER  
Notary Public (Print)

My Commission Expires:

(Notary Seal)

NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: Dec. 16, 1995  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

janmar.statwarr.ded

B 03/04/97

ORB 8654 Pg 1136  
EXHIBIT "A" TO STATUTORY WARRANTY DEED  
JANMAR PROPERTIES, LTD. TO PALM BEACH COUNTY

LEGAL DESCRIPTION

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida. Said Parcel being more particularly described as follows:

Commencing at the southeast corner of the Southwest 1/4 of Section 9 Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 40.01 feet to a point on the West right-of-way line of Seacrest Blvd., said point also being the point of beginning; thence continue West, a distance of 793.14 feet to a point on the East right-of-way line of State Road No. 9; thence run North 00°05'00" East along the East right-of-way line of State Road No. 9, a distance of 658.68 feet to a point; said point being the southwest corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 89°58'45" East, along the South line of North Ridge Estates, a distance of 809.90 feet to a point; said point being the Southeast corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 01°32'45" West, along a line that is 40.00 feet West of, as measured at right angles, the East line of the said Southwest 1/4 of Section 9 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 658.62 feet more or less to the point of beginning.

AND

A parcel of land lying in Section 16, Township 45 South, Range 43 East, Palm Beach County, Florida. Said parcel being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 108.60 feet to the point of beginning; thence South a distance of 40.00 feet to a point; thence East, a distance of 45.88 feet to a point; thence with a curve to the right having a radius of 25.00 feet, a central angle of 87°57'15", and an arc length of 38.38 feet, to a point on the West right-of-way line of Seacrest Blvd.; thence with a bearing of South 02°02'45" East, along a line that is 40.00 feet West of, as measured at right angles, the East line of the Northwest 1/4 (NW 1/4) of Section 16 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 75.88 feet to a point; thence South 87°57'15" West, a distance of 73.62 feet to a point; thence South 52°20'15" West, a distance of 75.79 feet to a point; thence North 50°50'05" West, a distance of 77.39 feet to a point; thence West a distance of 253.02 feet to a point; thence South 31°21'10" West, a distance of 47.13 feet to a point; thence North 89°55'00" West, a distance of 82.46 feet to a point; thence North a distance of 70.00 feet to a point; thence North 89°55'00" West, a distance of 94.71 feet to a point; thence West, a distance of 50.00 feet to a point; thence North 89°55'00" West, a distance of 100.00 feet to a point on the

RECORD AND RETURN TO:  
EDWARD A. KALISH, ESQUIRE  
1110 BRICKELL AVENUE  
SUITE 605  
MIAMI, FLORIDA 33131

This Instrument Prepared By:  
Edward A. Kalish, Esquire  
1110 Brickell Avenue  
Suite 605  
Miami, Florida 33131  
(305) 373-7003

1  
JAN-27-1995 12:13pm 95-026781  
088 8597 Pg 1699  
1  
Ann 1.00 Doc .70

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 24<sup>th</sup> day of January, 1995, by RESOLUTION TRUST CORPORATION AS RECEIVER FOR GOLD COAST FEDERAL SAVINGS BANK ("Grantor"), whose address is Marquis I Tower, 245 Peachtree Street, N.E., Suite 1200, Atlanta, Georgia 30303, to PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA ("Grantee"), whose address is 301 North Olive Avenue, Suite 601, West Palm Beach, Florida 33401.

\*Whenever used herein, the terms "Grantor" and "Grantee" shall include both singular and plural, the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships or limited partnerships, whenever or wherever the context so admits or requires.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs and assigns forever, the following described land situate, lying and being in Palm Beach County, Florida, to-wit:

A parcel of land lying in Sections 9 and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9 run North 90 degrees 00 minutes 00 seconds West along the South line of said Section 9 a distance of 40.00 feet to the Point of Beginning of the herein described parcel of land; continue thence North 90 degrees 00 minutes 00 seconds West a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet, thence Southeasterly along the arc of said curve through a central angle of 87 degrees 57 minutes 15 seconds a distance of 38.38 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, and

Special Warranty Deed  
- 1 -

B 03/04/97

point of tangency of said curve; thence South 02 degrees 02 minutes 45 seconds East along said Westerly Right-of-Way line a distance of 75.88 feet; thence South 87 degrees 57 minutes 15 seconds West along the South line of Lot 10, Block 20, of Rolling Green Ridge, 1st Addition, as recorded in Plat Book 24, at Page 223, of the Public Records of Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52 degrees 20 minutes 15 seconds West a distance of 75.79 feet; thence North 50 degrees 50 minutes 05 seconds West a distance of 77.39 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 130.42 feet; thence leaving said North line North 02 degrees 02 minutes 45 seconds West along a line parallel to Seacrest Boulevard a distance of 140.08 feet to a point on the South line of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along a line parallel to Seacrest Boulevard a distance of 658.72 feet to a point on the North line of the South half (S 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 9; thence along said North line South 89 degrees 58 minutes 45 seconds East a distance of 324.05 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, an 80.00 foot wide road Right-of-Way; thence South 01 degrees 32 minutes 45 seconds West along said Westerly Right-of-Way line a distance of 658.62 feet to the Point of Beginning.

LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9; thence due West along the South line of said Section 9, a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the East line of the Southwest Quarter (SW 1/4) of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along said parallel line a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the South line of the Southwest Quarter (SW 1/4) of said Section 9 and the Point of Beginning of the herein described parcel; thence continue North 01 degrees 32 minutes 45 seconds East along the West Right-of-Way line of Seacrest Boulevard, as now laid out and in use, a distance of 250.00 feet; thence due West a distance of 175.00 feet; thence South 01 degrees 32 minutes 45 seconds West a distance of 250.00 feet; thence due East a distance of 175.00 feet to the Point of Beginning.

THIS DEED IS GIVEN SUBJECT TO THE FOLLOWING:

1. All real estate taxes and assessments for the calendar year 1995 and all subsequent years;



STATE OF GEORGIA )  
 ) SS:  
COUNTY OF FULTON )

The foregoing Special Warranty Deed was sworn to, subscribed and acknowledged before me this 24th day of January, 1995, by Terry Day, as Attorney-In-Fact for Resolution Trust Corporation as Receiver for Gold Coast Federal Savings Bank, on behalf of the said Resolution Trust Corporation as Receiver for Gold Coast Federal Savings Bank, on behalf of the said savings and loan association. Terry Day is personally known to me.

*Eriynne M. Decker*

[signature of Notary Public]

*Eriynne M. Decker*

[typed or printed name of Notary Public]

Notary Public, State of Georgia

Notary Public, Fulton County, Georgia  
My Commission Expires Sept. 29, 1998

My Commission expires: \_\_\_\_\_

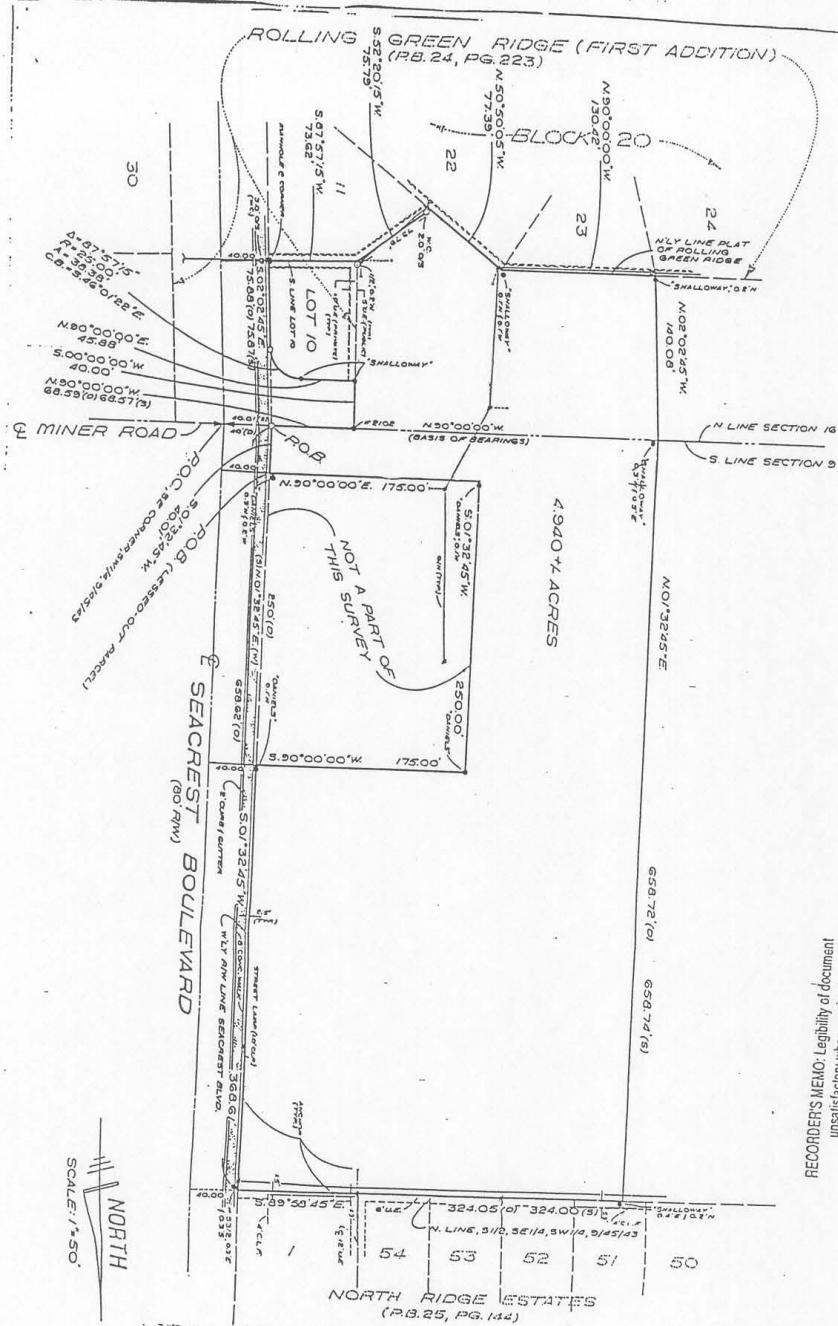


APPROVED BY BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, on January 10, 1995 by Resolution No. R-95-43

BY:

*Heidi Juhl*  
HEIDI JUHL, ESQUIRE  
Assistant County Attorney

ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE IS A ONE PAGE DESCRIPTION SKETCH, WHICH IS NOT A SURVEY, FOR THE SOLE PURPOSE OF COMPLIANCE WITH SECTION 28.222(4), FLORIDA STATUTES.



RECORDER'S MEMO: Legibility of document unsatisfactory when received.

B 03/04/97

APPENDIX H

FIRE MANAGEMENT PLAN FOR  
ROSEMARY SCRUB NATURAL AREA

BCC 4/1/2008

## **APPENDIX H**

### **FIRE MANAGEMENT PLAN FOR ROSEMARY SCRUB NATURAL AREA**

This plan contains generalized procedures that will apply to all burns conducted on the Rosemary Natural Area. Prescribed burns are delineated by management units. The locations of individual management units on the natural area are shown on Figure 4. Specific information for each management unit will be gathered and reviewed prior to preparing the prescribed burn plan for each unit. A prescribed burn plan will not be finalized until several weeks before a unit is planned to be burned, in order to incorporate the current conditions on that unit. Therefore, specific prescribed burn plans will not be included in this fire management plan. Additional information on fire management can be found on pages 5-2 to 5-6 of the management plan.

#### **H.1 GOALS**

The primary goal of the burn program at the Rosemary Natural Area is to reintroduce fire to the wet prairie, wet flatwoods, depression marsh, and mesic flatwoods habitats at a frequency and intensity that will maintain these habitats in their various seral stages within the natural area. The fires are to be allowed to burn in a natural “patchy” fashion to most closely mimic natural fire patterns. The resulting patchwork of burned and unburned stands within a management unit will produce a mosaic of vegetation at various stages of maturity, thereby maximizing diversity within and among communities. This will provide habitat for individual species which typically use, or may even be restricted to, communities in a particular state of maturity. Additional goals to be achieved by the reintroduction of fire include: 1) providing viable wildlife habitat and ensuring the long-term existence of listed plants and animals that use the Rosemary Natural Area; 2) assisting in the control of invasive non-native vegetation; and 3) reducing fuel loads that could lead to catastrophic wildfires. Individual goals for the success of each burn shall be established as part of the burn prescription and generally will include a desired percentage of consumption of ground cover and understory and a percentage of acceptable crown scorch and consumption.

#### **H.2 GENERAL PROCEDURES**

The Incident Command System (ICS) shall be used on prescribed burns. This system enables communications to be guided through a chain-of-command process and permits the prescribed

burn to be conducted in an organized manner. The system is used by Palm Beach County Fire-Rescue and the Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF). The ICS allows these agencies to be easily brought into the prescribed burn operation when their assistance is requested.

### H.2.1 Personnel

The Palm Beach County Department of Environmental Resources Management (ERM) shall provide the personnel necessary to conduct prescribed burns. Additional personnel assistance may be sought from Palm Beach County Fire-Rescue, Palm Beach County Parks and Recreation Department, DOF, and other agencies and organizations that are active members of the South Florida Interagency Fire Management Council. Each burn team shall be headed by an Incident Commander (IC), who shall conduct the prescribed burn. The IC must be currently certified by DOF as a Certified Prescribed Burn Manager. The duties of the Fire Management Coordinator (FMC) are to prepare the prescribed burn plan, to conduct pre-burn coordination with other agencies and homeowners' groups, to establish firebreaks, to make crew assignments, and to coordinate communications. The duties of the IC are to obtain the burn permit, to oversee the burn, and to make final decisions and adjustments during the burn.

Positions on the burn crew include (from lowest responsibility to highest): crew member trainee, crew member, ignition crew leader, brush patrol leader, division supervisor, burn boss trainee, burn boss, and IC. Crew member trainees have little or no experience and work under the direct supervision of qualified crew member or higher. Crew members may be assigned to brush patrol, ignition, weather officer, public information officer, safety officer, or similar duties. Ignition crew leaders and brush patrol leaders are responsible for communications with division supervisors and the safety of any assigned crew members. Division supervisors are primarily responsible for relaying communications between ignition and brush patrol leaders and the IC and ensuring that all assigned crew members are correctly and safely implementing their assignments. Burn boss trainees are responsible for shadowing the burn boss/IC and observing how the prescribed burn is implemented. Burn bosses are responsible for all aspects of implementing a prescribed burn on more rural and low-complexity prescribed burns. The IC is responsible for all aspects of implementing a prescribed burn on all urban and high-complexity prescribed burns.

## H.2.2 Equipment

ERM shall provide the equipment resources necessary to conduct prescribed burns. Additional equipment resources may be sought from Palm Beach County Fire-Rescue, Palm Beach County Parks and Recreation Department, DOF, and other agencies and organizations that are active members of the South Florida Interagency Fire Management Council. All burn crew members shall wear Nomex fire-resistant outer clothing, leather lace-up boots with non-slip soles, leather or leather/Nomex gloves, a wildland firefighter's helmet equipped with a neck flap, a belt- or pack-mounted emergency fire shelter, eye protection, and a source of drinking water. Round-point shovels, fire rakes, and fire flaps shall be available for crew members' use. Other hand tools available to the burn crew shall be drip torches for igniting the fire and a belt weather kit for weather monitoring. An attempt shall be made to ensure that at least one hand-held radio is available for every two members of the burn crew who are working together. The IC shall also have a radio capable of communicating on the frequencies used by other participating agencies. A first-aid kit and other safety equipment shall be kept in each crew vehicle.

Mobile equipment such as 4-wheel-drive pickup trucks (equipped with water tanks, pumps, and hoses) and all-terrain vehicles shall be used, as well as other fire-suppression equipment such as pumper trucks and fire engines that may be supplied by Palm Beach County Fire-Rescue. DOF personnel with tractor-mounted plows and pumper trucks are stationed at the nearby Loxahatchee Work Center on "D" Road in Loxahatchee Groves. They will be notified of any prescribed burn, so that they can respond if more aggressive fire suppression measures are necessary.

## H.2.3 Pre-burn Checklist

- o Prepare a specific burn prescription plan for each management unit
- o Provide public information about prescribed burning and, as necessary, inform media about the proposed burn
- o Establish perimeter firebreaks
- o Inspect management unit to determine potentially hazardous areas
- o Assemble and inspect necessary equipment
- o Make burn crew assignments
- o Prepare maps and materials for pre-burn briefing
- o Notify local agencies and officials and arrange for backup assistance
- o Notify adjacent landowners and residents
- o Distribute notification to nearby businesses and residents that may be impacted by the burn

- o When deemed appropriate by ERM, brief local news media on use of prescribed burning as a management tool
- o Monitor weather forecasts as the proposed burn day approaches
- o Contact Palm Beach Sheriff's Office/Wildlands Task Force for assistance in directing traffic, if necessary, or providing audible notification of the impending burn to on-site visitors who may be in the burn unit

#### H.2.4 Burn Day Checklist

- o Close natural area to public and provide on-site audible notification of burn
- o Obtain burn authorization from DOF
- o Mobilize burn crew and equipment
- o Notify adjacent landowners and others who have requested prior notification of the burn
- o Post burn notices on adjacent highways, and other roads as needed
- o Obtain weather forecast for management unit and other information necessary to determine that
  - burn parameters will comply with the burn prescription
- o Request back-up fire suppression support
- o Conduct pre-burn safety and ignition plan briefing for burn team
- o Monitor weather forecasts and record on-site weather data
- o Conduct test burn
- o Conduct main burn if prescription conditions are met

#### H.2.5 Post-burn Checklist

- o Mop up and extinguish hot spots
- o Monitor burn for rekindling of fire
- o Remove burn notice signs and open natural area for public use
- o Conduct post-burn review
- o Evaluate burn for success in meeting environmental objectives
- o Evaluate burn plan and burn crew for areas of improvement
- o Continue to evaluate burn at regular intervals
- o Respond to follow-up contacts/requests for news media information

## H.2.6 Forms

Standardized burn prescription forms shall be used as the basis of the burn prescription. An example of a burn prescription form used is attached as Exhibit 1. Other forms that may be used may vary slightly in design, but generally deal with incident objectives, organizational structure of the burn team, and a medical plan for the burn. Examples are supplied as Exhibits 2, 3, and 4, respectively.

## H.3 FIRE MANAGEMENT PRESCRIPTION PREPARATION

Prior to conducting a prescribed burn within the natural area management units, a prescription for the burn shall be developed. This prescription is a carefully prepared document that provides the strategy for introducing fire to the natural area in the safest manner possible. Preparation of the fire prescription for each burn involves the consideration of several factors, which may include, but are not limited to:

- o Size and location of the management unit
- o Boundaries of the management unit
- o Topography and soils of the management unit
- o Habitat type, density, and crown height
- o Fuel load
- o Smoke-sensitive areas (e.g., hospitals, schools, nursing homes, highways and roads, and other areas as determined by following the guidance for smoke management cited on pages 29-32 of Wade and Lunsford (1989).\*)
- o Dispersion index
- o Drought index
- o Temperature
- o Wind speed
- o Wind direction
- o Relative humidity
- o Fine fuel moisture
- o Staffing and equipment availability
- o Time to complete the burn
- o Specific objectives of the burn

\*Wade, D.D. and J. D. Lunsford. 1989. A guide for prescribed fire in southern forests. U. S. Department of Agriculture, Forest Service, Southern Region. Technical Publication R8-TP 11. Atlanta, GA 56 pp. Published by National Wildfire Coordinating Group. NFES 2108. Interagency Fire Center, Boise, ID.

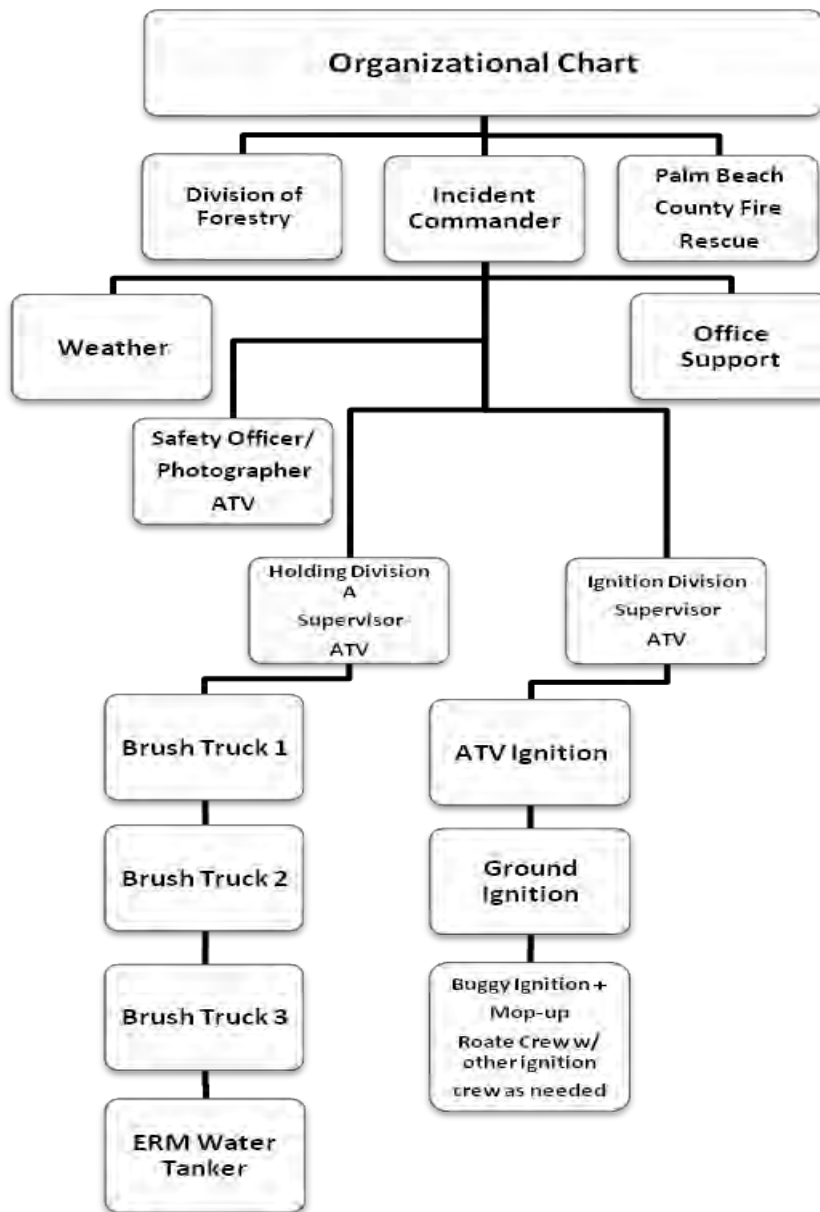




**PALM BEACH COUNTY**  
**DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT**  
 Burn Unit Prescription

<b>BURN UNIT#</b>	<b>QUAD NAME:</b>	<b>SECTION</b>	<b>TOWNSHIP</b>	<b>RANGE</b>	<b>BURN UNIT SIZE (ac):</b>
<b>DATE PREPARED:</b>		<b>LATITUDE:</b>		<b>LONGITUDE:</b>	
<b>PRESCRIPTION BY:</b>				<b>ADDRESS &amp; PHONE:</b>	
<b>CERTIFIED BURNER:</b>					
<b>A. PREVIOUS BURNS</b>		<b>Date:</b>		<b>Fire Type:</b>	
<b>B. STAND DESCRIPTION</b>					
<b>1. Overstory Type:</b>		<b>Fuel Model: 7</b>		<b>Density:</b>	
<b>2. Understory Type:</b>		<b>Understory Height:</b>		<b>Height to Crown:</b>	
<b>3. Dead Fuel Type:</b>		<b>Stand Age:</b>		<b>Overstory Percent Cover:</b>	
<b>4. Soil Type and Topography:</b>				<b>Estimated Tons per Acre:</b>	
<b>C. PURPOSE(S) OF BURN:</b>					
<b>D. SPECIFIC OBJECTIVES:</b>					
<b>E. PRE-BURN FACTORS</b>					
<b>1. Passed Smoke Screening Test?</b>					
<b>2. Special Precautions:</b>					
<b>3. Notification List:</b>					
<b>4. Applicable Regulations:</b>					
<b>5. Smoke-Sensitive Areas &amp; Critical Targets (see map):</b>					
<b>6. # of Crew Needed:</b>			<b>7. Equipment Needed:</b>		
<b>F. WEATHER FACTORS</b>		<b>Desired Range</b>		<b>Predicted</b>	
<b>1. 20' Wind Speed (mph)</b>					
<b>2. Wind Direction</b>					
<b>3. Minimum Mixing Height (feet)</b>					
<b>4. Dispersion Index</b>					
<b>5. Minimum Relative Humidity (%)</b>					
<b>6. Maximum Temperature (F)</b>					
<b>7. Fine Fuel Moisture (%)</b>					
<b>8. Days Since 1/2" Rain</b>					
<b>9. County Average Drought Index</b>					
<b>G. FIRE BEHAVIOR</b>		<b>Desired Range</b>		<b>Actual Range</b>	
<b>1. Firing Methods</b>					
<b>2. Months to Burn</b>					
<b>3. Time to Begin Ignition</b>					
<b>4. # of Hours to Complete</b>					
<b>5. Average Flame Lengths (feet)</b>					
<b>6. Rate of Spread (feet/hour)</b>					
<b>7. Fire Line Intensity (btu)</b>					
<b>H. POST BURN EVALUATIONS</b>		<b>Immediately After Burn</b>		<b>Future</b>	
<b>1. Objectives Met?</b>				<b>Date:</b>	
<b>2. Escapes (indicate on map)</b>				<b>Insect or Disease Damage:</b>	
<b>3. Spotting</b>					
<b>4. Smoke Problems</b>					
<b>5. % Understory Veg Consumed</b>					
<b>6. % Crown Scorch</b>					
<b>7. % Live Crown Consumed</b>				<b>Tree Mortality:</b>	
<b>8. Adverse Publicity</b>					
<b>9. Remarks</b>					
<b>I. SIGNATURE OF CERTIFIED BURNER AND DATE:</b>					

<b>INCIDENT OBJECTIVES</b>	<b>1. INCIDENT NAME</b>	<b>2. DATE PREPARED</b>
<b>3. OPERATIONAL PERIOD (DATE/TIME)</b>		
<b>4. OBJECTIVES</b>		
<b>5. CONTINGENCY:</b>		
<b>6. MOP UP:</b>		
<b>7. GENERAL SAFETY MESSAGES</b>		
202 ICS	<b>8. PREPARED BY:</b>	<b>9. APPROVED BY (INCIDENT COMMANDER):</b>



**MEDICAL PLAN**

This medivac protocol will be used in the event an injury occurs during a prescribed burn on XXXX Natural Area.

XXXX Fire Rescue (XXXFR) will provide medical staff to act as the medical unit and provide first responder medical assistance if assisting with the burn.

1. Report injuries to the IC via command organizational structure.
2. First burn team member to assist will ensure injured is in a safe location.
3. Personnel on scene to provide first aid.
4. IC to determine status of injured.
5. If IC determines the injured requires medical assistance, XXX Fire Rescue responds. If XXXFR is not assisting with the burn, they will be advised what type of vehicle will be needed to get to injured (4-wheel drive, etc.), and what vehicle(s) we have available should they need help getting to the injured.
6. If the condition of the injured requires transport to a hospital by helicopter, Fire Rescue on the scene will make the request.
7. If the IC determines that the injured will only need transport to an emergency room by our personnel then transportation will be decided by the IC at that time. The injured will be taken to XXXX Hospital Emergency Room.
8. If the injury does not require emergency room treatment, then worker's compensation procedures will be followed; that is, the injured will be taken to the Occupational Health Clinic, and a Supervisor's Incident Report must be filled out by the employee's immediate supervisor.

**APPENDIX I**

**GRANT AWARD AGREEMENT WITH THE LIST OF SPECIAL MANAGEMENT  
CONDITIONS REQUIRED TO BE ADDRESSED IN THE MANAGEMENT PLAN**

This instrument prepared by:  
Ann J. Wild  
Florida Communities Trust  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100

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JAN 09 1996

CONTRACT # 96-CT-90-93-3A-J1-008

FLORIDA COMMUNITIES TRUST  
P3A AWARD# 93-008-P3A

#### GRANT AWARD AGREEMENT

THIS AGREEMENT is entered into this 3<sup>rd</sup> day of February 1996, by and between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the State of Florida Department of Community Affairs, and the CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivisions of the State of Florida ("FCT Recipient"), in order to impose terms, conditions, and restrictions on the use of the proceeds of certain bonds, hereinafter described, and the lands acquired with such proceeds and as described in Exhibit "A" attached hereto and made a part hereof ("Project Site"), as shall be necessary to ensure compliance with applicable Florida Law and federal income tax law and to otherwise implement provisions of Chapters 253, 259, and 380, Florida Statutes.

WHEREAS, Part III Chapter 380, Florida Statutes, the Florida Communities Trust Act, creates a nonregulatory agency within the Department of Community Affairs, which will assist local governments in bringing into compliance and implementing the conservation, recreation and open space, and coastal elements of their comprehensive plans and in otherwise conserving natural resources and resolving land use conflicts by providing financial assistance to local governments to carry out projects and activities authorized by the Florida Communities Trust Act;

WHEREAS, Section 259.101(3)(c), Florida Statutes, provides for the distribution of ten percent (10%) of the net Preservation 2000 Revenue Bond proceeds to the Department of Community Affairs to provide land acquisition grants and loans to local governments through the FCT;

WHEREAS, the Governor and Cabinet authorized the sale and issuance of State of Florida Department of Natural Resources Preservation 2000 Revenue Bonds ("Bonds");

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WHEREAS, the Bonds were issued as tax-exempt bonds, meaning that the interest on the Bonds is excluded from the gross income of Bondholders for federal income tax purposes;

WHEREAS, Rule 9K-4.010(2)(e), F.A.C., authorizes FCT to impose conditions for funding on those FCT applicants whose projects have been selected for funding in accordance with Rule Chapter 9K-4, F.A.C.;

WHEREAS, the FCT has approved the terms under which the Project Site was acquired and the FCT Recipient has acquired title to the Project Site and the Project Site shall be subject to such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State Constitution and such covenants and restrictions shall contain clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon the failure of the FCT Recipient to use the Project Site acquired thereby for such purposes; and

WHEREAS, such covenants and restrictions shall be imposed by an agreement which shall describe with particularity the real property which is subject to the agreement and shall be recorded in the county in which the real property is located; and

WHEREAS, the purpose of this Agreement is to set forth the covenants and restrictions that are imposed on the Project Site subsequent to its acquisition with FCT Preservation 2000 Bond Proceeds.

NOW THEREFORE, in consideration of the mutual covenants and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, FCT and FCT Recipient do hereby contract and agree as follows:

**I. GENERAL CONDITIONS.**

1. Upon execution and delivery by the parties hereto, the FCT Recipient shall cause this Agreement to be recorded and filed in the official public records of Palm Beach County, Florida, and in such manner and in such other places as FCT may reasonably request, and shall pay all fees and charges incurred in connection therewith.

2. The FCT Recipient and FCT agree that the State of Florida Department of Environmental Protection will forward this Agreement to Department of Environmental Protection Bond Counsel for review. In the event Bond Counsel opines that an amendment is required to this Agreement so that the tax exempt status of

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the Preservation 2000 Revenue Bonds is not jeopardized, FCT and FCT Recipient shall amend the Agreement accordingly.

3. This Agreement may be amended at any time. Any amendment must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT.

4. This Agreement and the covenants and restrictions contained herein shall run with the Property herein described and shall bind, and the benefits shall inure to, respectively, the FCT and the FCT Recipient and their respective successors and assigns.

5. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, with respect to both substantive rights and with respect to procedures and remedies.

6. Any notice required to be given hereunder shall be given by personal delivery, by registered mail or by registered expedited service at the addresses specified below or at such other addresses as may be specified in writing by the parties hereto, and any such notice shall be deemed received on the date of delivery if by personal delivery or expedited delivery service, or upon actual receipt if sent by registered mail.

FCT: Florida Communities Trust  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100  
ATTN: Executive Director

FCT Recipient: City of Boynton Beach  
\_\_\_\_\_  
ATTN: \_\_\_\_\_

FCT Recipient: Palm Beach County  
\_\_\_\_\_  
ATTN: \_\_\_\_\_

7. If any provision of the Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

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**II. PROJECT SITE REQUIREMENTS IMPOSED BY CHAPTER 259, CHAPTER 375, AND CHAPTER 380, PART III, FLORIDA STATUTES.**

1. If any essential term or condition of this grant agreement is violated by the FCT Recipient or by some third party with the knowledge of the FCT Recipient and the FCT Recipient does not correct the violation within 30 days of notice of the violation, fee simple title to all interest in the Project Site shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund. The FCT shall treat such property in accordance with Section 308.508(4)(e), Florida Statutes.

2. Any transfer of the Project Site shall be subject to the approval of FCT and FCT shall enter into a new agreement with the transferee, containing such covenants, clauses, or other restrictions as are sufficient to protect the interest of the people of Florida.

3. The interest, if any, acquired by the FCT Recipient in the Project Site will not serve as security for any debt of the FCT Recipient unless FCT approves the transaction.

4. If the existence of the FCT Recipient terminates for any reason, title to all interest in the Project Site it has acquired with the FCT award shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund, unless FCT negotiates an agreement with another local government or nonprofit organization which agrees to accept title to all interest in and to manage the Project Site.

5. In the event that the Project Site is damaged or destroyed or title to the Project Site, or any part thereof, is taken by any governmental body through the exercise or the threat of the exercise of the power of eminent domain, the FCT Recipient shall deposit with the FCT any insurance proceeds or any condemnation award, and shall promptly commence to rebuild, replace, repair or restore the Project Site in such manner as is consistent with the Agreement. The FCT shall make any such insurance proceeds or condemnation award moneys available to provide funds for such restoration work. In the event that the FCT Recipient fails to commence or to complete the rebuilding, repair, replacement or restoration of the Project Site after notice from the FCT, the FCT shall have the right, in addition to any other remedies at law or in equity, to repair, restore, rebuild or replace the Project Site so as to prevent the occurrence of a default hereunder.

Notwithstanding any of the foregoing, FCT will have the right to seek specific performance of any of the covenants and restrictions of this Agreement concerning the construction and operation of the Project Site.

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**III. PROJECT SITE OBLIGATIONS IMPOSED BY FCT ON THE FCT RECIPIENT.**

1. The Project Site shall be managed only for the conservation, protection and enhancement of natural and historical resources and for resource-based public outdoor recreation which is compatible with the conservation, protection and enhancement of the Project Site, along with other related uses necessary for the accomplishment of this purpose. The proposed uses for the Project Site are specifically designated in the Project Plan as approved by FCT.

2. The FCT Recipient shall prepare and submit to FCT an annual report as required by Rule 9K-4.013, F.A.C.

3. The FCT Recipient shall ensure that the future land use designation assigned to the Project Site is for a category dedicated to open space, conservation, or outdoor recreation uses as appropriate. If an amendment to the FCT Recipient's comprehensive plan is required to comply with this paragraph, the amendment shall be proposed at the next comprehensive plan amendment cycle available to the FCT Recipient.

4. FCT Recipient shall ensure, and provide evidence thereof to FCT, that all activities under this Agreement comply with all applicable local, state, regional and federal laws and regulations, including zoning ordinances and the adopted and approved comprehensive plan for the jurisdiction as applicable. Evidence shall be provided to FCT that all required licenses and permits have been obtained prior to the commencement of any construction.

5. The FCT Recipient shall, through its agents and employees, prevent the unauthorized use of the Project Site or any use thereof not in conformity with the FCT approved project plan.

6. FCT staff or its duly authorized representatives shall have the right at any time to inspect the Project Site and the operations of the FCT Recipient at the Project Site.

7. All buildings, structures, improvements, and signs shall require the prior written approval of FCT as to purpose. Further, tree removal, other than non-native species, and/or major land alterations shall require the written approval of FCT. The approvals required from FCT shall not be unreasonably withheld by FCT upon sufficient demonstration that the proposed structures, buildings, improvements, signs, vegetation removal or land alterations will not adversely impact the natural resources of the Project Site. The approval by FCT of the FCT Recipient's

management plan addressing the items mentioned herein shall be considered written approval from FCT.

8. If archaeological and historic sites are located on the Project Site, the FCT Recipient shall comply with Chapter 267, Florida Statutes. The collection of artifacts from the Project Site or the disturbance of archaeological and historic sites on the Project Site will be prohibited unless prior written authorization has been obtained from the Department of State, Division of Historical Resources.

9. The FCT Recipient shall ensure that the Project Site is identified as being publicly owned and operated as a passive, natural resource-based public outdoor recreational site in all signs, literature and advertising regarding the Project Site. The FCT Recipient shall erect a sign(s) identifying the Project Site as being open to the public and as having been purchased with funds from FCT and FCT Recipient.

**IV. OBLIGATIONS INCURRED BY FCT RECIPIENT AS A RESULT OF BOND PROCEEDS BEING UTILIZED TO PURCHASE THE PROJECT SITE.**

1. If the Project Site is to remain subject, after its acquisition by the State and the FCT Recipient, to any of the below listed activities or interests, the FCT Recipient shall provide at least 60 days written notice of any such activity or interest to FCT prior to the activity taking place, and shall provide to FCT such information with respect thereto as FCT reasonably requests in order to evaluate the legal and tax consequences of such activity or interest:

a. any lease of any interest in the Project Site to a non-governmental person or organization;

b. the operation of any concession on the Project Site to a non-governmental person or organization;

c. any sales contract or option to buy things attached to the Project Site to be severed from the Project Site, with a non-governmental person or organization;

d. any use of the Project Site by non-governmental persons other than in such person's capacity as a member of the general public;

e. a management contract of the Project Site with a non-governmental person or organization; and

f. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

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2. FCT Recipient agrees and acknowledges that the following transaction, events, and circumstances may not be permitted on the Project Site as they may have negative legal and tax consequences under Florida law and federal income tax law:

- a. a sale of the Project Site or a lease of the Project Site to a non-governmental person or organization;
- b. the operation of a concession on the Project Site by a non-governmental person or organization;
- c. a sale of things attached to the Project Site to be severed from the Project Site to a non-governmental person or organization;
- d. any change in the character or use of the Project Site from that use expected at the date of the issuance of any series of bonds from which the disbursement is to be made;
- e. any use of the Project Site by non-governmental persons other than in such person's capacity as a member of the general public;
- f. a management contract of the Project Site with a non-governmental person or organization; and
- g. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

DELEGATIONS AND CONTRACTUAL ARRANGEMENTS BETWEEN THE FCT RECIPIENT AND OTHER GOVERNMENTAL BODIES, NOT FOR PROFIT ENTITIES, OR NON GOVERNMENTAL PERSONS FOR USE OR MANAGEMENT OF THE PROJECT SITE WILL IN NO WAY RELIEVE THE FCT RECIPIENT OF THE RESPONSIBILITY TO ENSURE THAT THE CONDITIONS IMPOSED HEREIN ON THE PROJECT SITE AS A RESULT OF UTILIZING BOND PROCEEDS TO ACQUIRE THE PROJECT SITE ARE FULLY COMPLIED WITH BY THE CONTRACTING PARTY.

**V. CONDITIONS PARTICULAR TO THE PROJECT SITE THAT MUST BE ADDRESSED IN THE MANAGEMENT PLAN**

1. The FCT Recipient shall provide outdoor recreational facilities including nature trails, an interpretive kiosk and a parking area on the Project Site. The facilities shall be developed in a manner that allows the general public reasonable access for observation and appreciation of the significant natural resources on the Project Site without causing harm to those resources.

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2. The timing and extent of a vegetative survey of vegetative communities and plant species on the Project Site shall be specified in the management plan. The FCT Recipient shall detail how the survey shall be used during development of the site to insure the protection, restoration, and preservation of the natural resources on the Project Site.

3. The sand pine scrub, pine flatwoods and mesic hammock plant communities that exist on the Project Site shall be preserved and appropriately managed to ensure the long-term viability of these communities.

4. The Project Site shall be managed in a manner that optimizes habitat conditions for listed wildlife species that utilize or could potentially utilize the Project Site, including the gopher tortoise, the Florida scrub lizard and Florida scrub jay. The FCT Recipient shall coordinate with the Game and Fresh Water Fish Commission and the Nature Conservancy on the management of the Project Site for the protection of listed species and listed species habitat. The FCT Recipient shall also conduct periodic surveys of listed species using the Project Site and develop informational signs relating to the protection of listed animal species and their habitat.

5. The FCT Recipient shall remove approximately 4 acres of exotic vegetation from the Project Site and manage this area to allow for natural succession by native vegetative species.

6. Prior to the commencement of any proposed development activities, measures will be taken to determine the presence of any archaeological sites. All planned activities involving known archaeological sites or potential site areas shall be closely coordinated with the Department of State, Division of Historic Resources, in order to prevent the disturbance of significant sites.

7. The FCT Recipient shall ensure that the Project Site and listed animal species and their habitat are sufficiently buffered from the adverse impacts of adjacent land uses.

8. A vegetative analysis of the Project Site shall be performed to determine which areas of the Project Site require a prescribed burning regime implemented to maintain natural fire-dependent vegetative communities. The FCT Recipient shall coordinate with the Division of Forestry and the Game and Fresh Water Fish Commission on the development of a prescribed burn plan for the Project Site.

9. Environmental education and scientific research programs related to the natural resources on the Project Site shall be developed and implemented.

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10. Access to the Project Site by pedestrians and bicyclists shall be promoted as an alternative to automobile access.


11. The requirements imposed by other grant program funds that may be sought by the FCT Recipient for activities associated with the Project Site shall not conflict with the terms and conditions of the FCT award.

THIS GRANT AWARD AGREEMENT embodies the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

AGREED AND ACCEPTED, this  
\_\_\_ day of \_\_\_\_\_, 199\_

ATTEST:  
Dorothy H. Wilken, Clerk

 BY: *Robert A. Meli*  
Deputy Clerk  
Date: JAN 09 1996

PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*  
Chair  
Date: JAN 09 1996

Accepted as to Form and Legal  
Efficiency:

BY: *[Signature]*  
County Attorney  
Date: 1/5/96

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CITY OF BOYNTON BEACH

ATTEST:

As to the City

By: *Supurna M. Kousar*

By: *Gerald Taylor*

Title: *City Clerk*

Title: *MAYOR*

Date: *1/4/96*

Date: *1-4-96*

Accepted to Legal Form and Sufficiency:

By: *[Signature]*  
City Attorney

Date: *12/27/95*

FLORIDA COMMUNITIES TRUST

*Linda Meyer*  
Witness Name:

*[Signature]*  
James F. Murley, Chair

*Jessie D. Dugan*  
Witness Name:  
*JANICE D. DUGAN*

Date: *2/8/96*

Accepted as to Legal Form and Sufficiency:

*[Signature]*  
Ann J. Wild, Trust Counsel

Date: *1-31-96*

R96 54 D

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

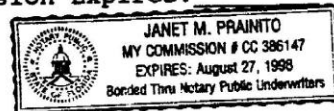
The foregoing instrument was acknowledged before me this  
\_\_\_\_ day of \_\_\_\_\_, 199\_, by \_\_\_\_\_,  
as \_\_\_\_\_. He is personally  
known to me, or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 5th  
\_\_\_\_ day of January, 1996, by Gerald Taylor  
as Mayor of City of Boynton Beach. He is personally  
known to me, or has produced \_\_\_\_\_ as identification.

Janet M. Prainito  
\_\_\_\_\_  
Notary Public  
Print Name: Janet M. Prainito  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



STATE OF FLORIDA  
COUNTY OF LEON

J. Steven Pfeiffer Jr.  
\_\_\_\_\_  
The foregoing instrument was acknowledged before me this  
3<sup>rd</sup> day of February, 1996 by JAMES F. MURLEY, as Chair  
of the Florida Communities Trust. He is personally known to me.

Janice D. Dughi  
\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

GAA\93-008-P3A  
11-9-95

11





A parcel of land lying in Sections 9 and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9 run North 90 degrees 00 minutes 00 seconds West along the South line of said Section 9 a distance of 40.00 feet to the Point of Beginning of the herein described parcel of land; continue thence North 90 degrees 00 minutes 00 seconds West a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet, thence Southeasterly along the arc of said curve through a central angle of 87 degrees 57 minutes 15 seconds a distance of 38.38 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, and point of tangency of said curve; thence South 02 degrees 02 minutes 45 seconds East along said Westerly Right-of-Way line a distance of 75.88 feet; thence South 87 degrees 57 minutes 15 seconds West along the South line of Lot 10, Block 20, of Rolling Green Ridge, 1st Addition, as recorded in Plat Book 24, at Page 223, of the Public Records of Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52 degrees 20 minutes 15 seconds West a distance of 75.79 feet; thence North 50 degrees 50 minutes 05 seconds West a distance of 77.39 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 130.42 feet; thence leaving said North line North 02 degrees 02 minutes 45 seconds West along a line parallel to Seacrest Boulevard a distance of 140.08 feet to a point on the South line of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along a line parallel to Seacrest Boulevard a distance of 658.72 feet to a point on the North line of the South half (S 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 9; thence along said North line South 89 degrees 58 minutes 45 seconds East a distance of 324.05 feet to a point on the Westerly Right-of-Way line of Seacrest Boulevard, an 80.00 foot wide road Right-of-Way; thence South 01 degrees 32 minutes 45 seconds West along said Westerly Right-of-Way line a distance of 658.62 feet to the Point of Beginning.

LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest Quarter (SW 1/4) of said Section 9; thence due West along the South line of said Section 9, a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the East line of the Southwest Quarter (SW 1/4) of said Section 9; thence North 01 degrees 32 minutes 45 seconds East along said parallel line a distance of 40.01 feet to a point of intersection with a line parallel with and 40.00 feet at right angles to the South line of the Southwest Quarter (SW 1/4) of said Section 9 and the Point of Beginning of the herein described parcel; thence continue North 01 degrees 32 minutes 45 seconds East along the West Right-of-Way line of Seacrest Boulevard, as now laid out and in use, a distance of 250.00 feet; thence due West a distance of 175.00 feet; thence South 01 degrees 32 minutes 45 seconds West a distance of 250.00 feet; thence due East a distance of 175.00 feet to the Point of Beginning.

## EXHIBIT "A" (continued)

AND ALSO:

A parcel of land lying in Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida. Said Parcel being more particularly described as follows:

Commencing at the southeast corner of the Southwest 1/4 of Section 9 Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 40.01 feet to a point on the West right-of-way line of Seacrest Blvd., said point also being the point of beginning; thence continue West, a distance of 793.14 feet to a point on the East right-of-way line of State Road No. 9; thence run North 00°05'00" East along the East right-of-way line of State Road No. 9, a distance of 658.68 feet to a point; said point being the southwest corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 89°58'45" East, along the South line of North Ridge Estates, a distance of 809.90 feet to a point; said point being the Southeast corner of North Ridge Estates, as recorded in Plat Book 25, page 144 of the Public Records of Palm Beach County, Florida; thence with a bearing of South 01°32'45" West, along a line that is 40.00 feet West of, as measured at right angles, the East line of the said Southwest 1/4 of Section 9 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 658.62 feet more or less to the point of beginning.

AND

A parcel of land lying in Section 16, Township 45 South, Range 43 East, Palm Beach County, Florida. Said parcel being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of Section 9, Township 45 South, Range 43 East, Palm Beach County, Florida; thence West, a distance of 108.60 feet to the point of beginning; thence South a distance of 40.00 feet to a point; thence East, a distance of 45.88 feet to a point; thence with a curve to the right having a radius of 25.00 feet, a central angle of 87°57'15", and an arc length of 38.38 feet, to a point on the West right-of-way line of Seacrest Blvd.; thence with a bearing of South 02°02'45" East, along a line that is 40.00 feet West of, as measured at right angles, the East line of the Northwest 1/4 (NW 1/4) of Section 16 (said line also being the West right-of-way line of Seacrest Blvd.), a distance of 75.88 feet to a point; thence South 87°57'15" West, a distance of 73.62 feet to a point; thence South 52°20'15" West, a distance of 75.79 feet to a point; thence North 50°50'05" West, a distance of 77.39 feet to a point; thence West a distance of 253.02 feet to a point; thence South 31°21'10" West, a distance of 47.13 feet to a point; thence North 89°55'00" West, a distance of 82.46 feet to a point; thence North a distance of 70.00 feet to a point; thence North 89°55'00" West, a distance of 94.71 feet to a point; thence West, a distance of 50.00 feet to a point; thence North 89°55'00" West, a distance of 100.00 feet to a point on the

EXHIBIT "A" (continued)

East right-of-way line of State Road No. 9; thence North 00°05'00" East, along the East right-of-way line of State Road No. 9, a distance of 109.85 feet to a point; thence East, a distance of 724.55 feet more or less to the point of beginning.

LESS AND EXCEPT the following described parcel of land:

A parcel of land lying in Section 9, and 16, Township 45 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the Southwest quarter (SW 1/4) of said Section 9, run North 90°00'00" West, along the South line of said Section 9, a distance of 40.00 feet to the point of beginning of the herein described parcel of land; continue thence North 90°00'00" West, a distance of 68.59 feet; thence due South a distance of 40.00 feet; thence due East a distance of 45.88 feet to the point of curvature of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along the arc of said curve through a central angle of 87°57'15", a distance of 38.38 feet, to a point on the Westerly right-of-way line of Seacrest Blvd., and point of tangency of said curve; thence South 02°02'45" East, along said Westerly right-of-way line, a distance of 75.88 feet; thence South 87°57'15" West, along the South line of Lot 10, Block 20 of Rolling Green Ridge, 1st. Addition, as recorded in Plat Book 24, page 223 of the Public Records Palm Beach County, Florida, a distance of 73.62 feet; thence along the North line of said Plat of Rolling Green Ridge, South 52°20'15" West, a distance of 75.79 feet; thence North 50°50'05" West, a distance of 77.39 feet; thence North 90°00'00" West, a distance of 130.42 feet; thence leaving said North line, North 02°02'45" West, along a line parallel to Seacrest Blvd., a distance of 140.00 feet to a point on the South line of Section 9; thence North 01°32'45" East, along a line parallel to Seacrest Blvd., a distance of 658.72 feet; to a point on the North line of the South half (S 1/2) of the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of said Section 9; thence along said North line South 89°58'45" East, a distance of 324.05 feet to a point on the Westerly right-of-way line of Seacrest Blvd. an 80.00 foot wide road right-of-way; thence South 01°32'45" West, along said Westerly right-of-way line, a distance of 658.62 feet to the point of beginning.

FCT Recipient: City of Boynton Beach  
Palm Beach County

Rosemary Scrub

FCT Project #93-008-P3A

FCT Contract # ~~93-CT-90-93-3A-K1-008~~

Date: \_\_\_\_\_

R96 54 D  
JAN 09 1996

GRANT AWARD CALCULATION

TOTAL PROJECT COSTS

Purchase Price		
Janmar Properties, Ltd.	\$ 200,000.00(1)	
RTC	<u>243,000.00(2)</u>	
Total Purchase Price		\$ 443,000.00
Acquisition Expenses		
Appraisals	\$ 13,050.00(3)	
Appraisal Review	968.49(4)	
Title Search	625.00(5)	
Survey	8,866.50(6)	
Negotiating fee	<u>4,430.00(7)</u>	
Total Acquisition Expenses		\$ 27,939.99(8)
Total Project Costs		<u>\$ 470,939.99</u>

COMPUTATION OF GRANT AWARD AND LOCAL MATCH AMOUNT

FCT Award Computation		
Share of Total Purchase Price	\$ 177,200.00	
Share of Acquisition Expenses	<u>11,175.99</u>	
Total Share of Project Costs		\$ 188,375.99(9)

FCT Recipient		
Share of Total Purchase Price	\$ 265,800.00	
Share of Acquisition Expenses	<u>16,764.00</u>	
Total Share of Project Costs		\$ 282,564.00

Total Project Costs \$ 470,939.99

COMPUTATION OF PREPAIDS, REIMBURSEMENTS AND ADDITIONAL COSTS

FLORIDA COMMUNITIES TRUST

FCT Prepaid Project Costs	
Appraisal Review	\$ 968.49
Total Prepaid Costs	\$ 968.49

FCT Amount Due		
Share of Total Purchase Price	\$ 177,200.00	
Share of Total Project Costs	11,175.99	
Less Total Prepaid Costs	<u>968.49</u>	
Total Amount Due from FCT		<u>\$ 187,407.50</u>

FCT Recipient: City of Boynton Beach  
 Palm Beach County  
 Rosemary Scrub  
 FCT Project #93-008-P3A  
 FCT Contract # \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Page 2

**FCT RECIPIENT**

**FCT Recipient Prepaid Project Costs**

Purchase Price:		
Janmar Properties, Ltd.	\$ 200,000.00	
RTC	243,000.00	
Appraisals	13,050.00 (3)	
Title Search	625.00 (5)	
Survey	8,866.50 (6)	
Negotiating fee	<u>4,430.00 (7)</u>	
Total Prepaid Costs		\$ 469,971.50

**FCT Recipient Amount Due**

Share of Total Purchase Price	\$ 265,800.00
Plus Share of Acquisition Expenses	16,764.00
Less Prepays	<u>469,971.50</u>

**Total Amount Due To Recipient**

\$ 187,407.50

**FCT Recipient Additional Costs**

Record Grant Award Agreement	\$ <u>64.50</u> (10)
Total Additional Costs	\$ 64.50

**Notes:**

- (1) Maximum approved purchase price is \$435,000 pursuant to memorandum dated November 1, 1995, from Stephen Boyle to Howard Douglas.
- (2) Maximum approved purchase price is \$280,000 pursuant to memorandum dated November 1, 1995, from Stephen Boyle to Howard Douglas.
- (3) Cost of two appraisals of \$8,600 and \$4,500 for both parcels.
- (4) Cost of review of appraisals for both parcels.
- (5) RCT parcel only.
- (6) Cost of appraisal boundary survey of \$5,146 and final boundary survey of \$3,720 for both parcels.
- (7) Fee paid to The Nature Conservancy calculated at 1% of total land purchase price.
- (8) Pursuant to the terms of the option agreements, the sellers paid the costs of title insurance. Cost of environmental audit absorbed by County.
- (9) Pursuant to the terms of the Conceptual Approval Agreement, the amount of the grant shall be the lesser of \$264,377.00 or 40% of the total project costs.

City of Boynton Beach  
Palm Beach County  
Rosemary Scrub  
FCT Project #93-008-P3A  
FCT Contract # \_\_\_\_\_  
Date: \_\_\_\_\_  
Page 3

(10) Disbursed to Clerk of the Court, Palm Beach County, at time of reimbursement from FCT.

The foregoing calculation of grant award and total project costs is hereby approved by the undersigned.

CITY OF BOYNTON BEACH

FLORIDA COMMUNITIES TRUST

By: *Marcelle S. Taylor*  
Its: mayor

*James F. Murley*  
James F. Murley, Chair

Date: 1/14/96

Date: Jan 3, 1996

Approved as to form and legality  
*Shirley*  
Date: 12/21/95

Approved as to form and legality  
*Ann Alred*  
Date: 1/8/96

PALM BEACH COUNTY

By: *Kristen*  
Its: CHAIR  
Date: JAN 09 1996

R96 54 D

Approved as to form and legality  
*David Galt*  
Date: 1/5/96

DOROTHY H. WILKEN, CLERK  
Board of County Commissioners  
By: *Barbara A. Wilken*  
DEPUTY CLERK



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on January 9, 1996  
DATED at West Palm Beach, FL on 2-15-96  
DOROTHY H. WILKEN, Clerk  
By: *Barbara A. Wilken* D.C.

**APPENDIX J**

**FLORIDA NATURAL AREAS INVENTORY FORM**







Scientific Name: \_\_\_\_\_ County: \_\_\_\_\_
Common Name: \_\_\_\_\_ Date observed: \_\_\_\_\_
Basis for Identification: \_\_\_\_\_ Investigator: \_\_\_\_\_

Location of Animal (please attach map and give specific directions; if possible, mark site on copy of USGS 7.5 minute topo map or draw detailed map on back of this page):

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Describe habitat/plant community, list dominant species:

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Extent of this habitat at site that may support animal (e.g., acres, miles) \_\_\_\_\_
Number of individuals (or nests, burrows, etc.) seen: \_\_\_\_\_

Age/population structure (adults, young, etc.) \_\_\_\_\_

Ecological/behavioral notes (e.g., reproductive state, activity type, feeding, flying, nesting):

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Have you seen this species at the same location in the past? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give date(s): \_\_\_\_\_ Previous condition: \_\_\_\_\_

Is there evidence of disturbance at the site? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe:

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Owner(s) of site: \_\_\_\_\_

Is Owner protecting this animal? Yes \_\_\_\_\_ No \_\_\_\_\_

Conservation/Management

Needs \_\_\_\_\_

Comments (other useful information concerning this animal and site – e.g., names and addresses of individuals who might be helpful, publications, museum specimen numbers, etc \_\_\_\_\_

(please include any additional information on the back of this sheet.)

Additional forms may be obtained upon request. Please send completed field report forms to:

Submitted by: \_\_\_\_\_ Zoologist
Affiliation: \_\_\_\_\_ Florida Natural Areas Inventory
Address: \_\_\_\_\_ 1018 Thomasville Road, Suite 200-C
Tallahassee, FL 32303; ph. (850) 224-8207
Phone: \_\_\_\_\_ Fax (850) 681-9364; dhipes@fnai.org

\*\* note: each form should include only one species, one locality, and one date

**FLORIDA NATURAL AREAS INVENTORY**  
**FIELD REPORT FORM FOR RARE PLANTS**

Thank you for taking the time to complete and mail this form. Information from knowledgeable individuals such as yourself makes an important contribution to the FNAI Biological Conservation Database. If you need help with this form, or would like additional information, please call the FNAI Botanist at 850-224-8207.

Scientific name: \_\_\_\_\_ Common name: \_\_\_\_\_

Basis for identification or manual used: \_\_\_\_\_ Date(s) seen: \_\_\_\_\_

Photograph taken? \_\_\_\_\_ Specimen deposited at a herbarium? \_\_\_\_\_ Name of herbarium: \_\_\_\_\_

Quad name: \_\_\_\_\_ County: \_\_\_\_\_ Site or managed area name: \_\_\_\_\_

Directions (mark site on copy of USGS 7.5 minute quad map or aerial photo and attach to this form, or draw a detailed map on back of this page that shows boundary of population, and/or give GPS location (latitude/longitude): \_\_\_\_\_

\_\_\_\_\_

Describe the site: habitat/plant community; topography; hydrology; dominant species in tree, shrub, and ground layers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Size of Population (no. of individuals, size of area occupied, and % of that area occupied by this species): \_\_\_\_\_

\_\_\_\_\_

Are you confident this is the full extent of the population? Yes \_\_\_\_\_ No \_\_\_\_\_ Is further survey needed? Yes \_\_\_\_\_ No \_\_\_\_\_

Flowering? Yes \_\_\_ No \_\_\_ Fruiting? Yes \_\_\_ No \_\_\_ In bud? Yes \_\_\_ No \_\_\_ In leaf? Yes \_\_\_ No \_\_\_ Dormant? Yes \_\_\_ No \_\_\_

Have you seen this species at the same location in the past? Yes \_\_\_ No \_\_\_ If yes, give dates: \_\_\_\_\_ If yes, describe changes,

If any, to site and population since last visit: \_\_\_\_\_

\_\_\_\_\_

Are there disturbances or threats (e.g. vehicle use, trash dumping, fire suppression, exotic species invasion) to the population? If yes, describe:

\_\_\_\_\_

Is there evidence (e.g. fire breaks, scorching) of the use of fire at the site? Yes \_\_\_ No \_\_\_ If yes, describe and give dates of recent fires, if known:

\_\_\_\_\_

Other useful information concerning the population, its ecological conditions, management history, management needs, names of individuals who might be helpful, etc.: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Your name: \_\_\_\_\_ Tel no.: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Please include any additional information on the back of this sheet and send this form to: Botanist, Florida Natural Areas Inventory, 1018 Thomasville Road, Suite 200-C, Tallahassee, FL 32303. THANK YOU!

**APPENDIX K**

**FLORIDA EXOTIC PEST PLANT COUNCIL'S  
LIST OF INVASIVE SPECIES**

# Florida Exotic Pest Plant Council's

2005

## List of Invasive Species

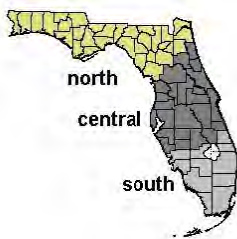
**Purpose of the List:** *To focus attention on -*

- the adverse effects exotic pest plants have on Florida's biodiversity and plant communities,
- the habitat losses from exotic pest plant infestations,
- the impacts on endangered species via habitat loss and alteration,
- the need to prevent habitat losses through pest-plant management,
- the socio-economic impacts of these plants (e.g., increased wildfires in certain areas),
- changes in the seriousness of different pest plants over time,
- the need to provide information that helps managers set priorities for control programs.

**DEFINITIONS :** *Exotic*—a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. *Native*—a species whose natural range included Florida at the time of European contact (1500 AD). *Naturalized exotic*—an exotic that sustains itself outside cultivation (it is still exotic; it has not "become" native). *Invasive exotic*—an exotic that not only has naturalized but is expanding on its own in Florida plant communities.

**Abbreviations used:**

for "Gov. list": **P** = Prohibited by Fla. Dept. of Environmental Protection, **N** = Noxious weed listed by Fla. Dept. of Agriculture & Consumer Services, **U** = Noxious weed listed by U.S. Department of Agriculture.  
 for "Reg. Dis.": **N** = north, **C** = central, **S** = south, referring to each species' current distribution in general



regions of Florida (not its potential range in the state). See following map.

For additional information on distributions of particular species by county, visit the University of South Florida's Atlas of Florida Vascular Plants web site, [www.plantatlas.usf.edu](http://www.plantatlas.usf.edu). Many of those species entries also have habit and close-up pictures of the species. Additional images for some species may be found at the "Introduced Species" page on the [Univ. of Florida Herbarium](#) website, at Fairchild Tropical Garden's [Virtual Herbarium](#), and the [Godfrey Herbarium database](#), Florida State University. For other additional information on plants included in this list, see related links and pages at this web site on the [home page](#) menu.

**Category I** -Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. *This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.*

<u>Scientific Name</u>	Common Name	EPPC Cat.	Gov. list	Reg. Dist.
<i>Abrus precatorius</i>	rosary pea	I		C,S

<i>Acacia auriculiformis</i>	earleaf acacia	I		S
<i>Albizia julibrissin</i>	mimosa, silk tree	I		N, C
<i>Albizia lebbbeck</i>	woman's tongue	I		C, S
<i>Ardisia crenata</i> (=A. <i>crenulata</i> )	coral ardisia	I		S
<i>Asparagus aethiopicus</i> (=A. <i>sprengeri</i> ; A. <i>densiflorus</i> misapplied)	asparagus-fern	I		C, S
<i>Bauhinia variegata</i>	orchid tree	I		C, S
<i>Bischofia javanica</i>	bischofia	I		C, S
<i>Calophyllum antillanum</i> (=C. <i>calaba</i> ; C. <i>Inophyllum</i> misapplied)	santa maria (names — <del>ant</del> Wood," —Alexandrian laurel" Used in cultivation)	I		S
<i>Casuarina equisetifolia</i>	Australian pine	I	P	N, C, S
<i>Casuarina glauca</i>	suckering Australian pine	I	P	C, S
<i>Cinnamomum camphora</i>	camphor-tree	I		N, C, S
<i>Colocasia esculenta</i>	wild taro	I		N, C, S
<i>Colocasia asiatica</i>	lather leaf	I		S
<i>Cupaniopsis anacardioides</i>	carrotwood	I	N	C, S
<i>Dioscorea alata</i>	winged yam	I	N	N, C, S
<i>Dioscorea bulbifera</i>	air-potato	I	N	N, C, S
<i>Eichhornia crassipes</i>	water-hyacinth	I	P	N, C, S
<i>Eugenia uniflora</i>	Surinam cherry	I		C, S
<i>Ficus Microcarpa</i> (F. <i>Nitida</i> and F. <i>retusa</i> var. <i>Nitida</i> misapplied)	laurel fig	I		C, S
<i>Hydrilla verticillata</i>	hydrilla	I	P, U	N, C, S
<i>Hygrophila polysperma</i>	green hydro	I	P, U	N, C, S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	I		C, S

<i>Imperata cylindrical</i> ( <i>I. brasiliensis</i> misapplied)	cogon grass	I	<b>N, U</b>	N, C, S
<i>Ipomoea aquatica</i>	waterspinach	I	<b>P, U</b>	C
<i>Jasminum dichotomum</i>	Gold Coast jasmine	I		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine	I		C, S
<i>Lantana camara</i>	lantana, shrub verbena	I		N, C, S
<i>Ligustrum lucidum</i>	glossy privet	I		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		N, C, S
<i>Lonicera japonica</i>	Japanese honeysuckle	I		N, C, S
<i>Lygodium japonicum</i>	Japanese climbing fern	I	<b>N</b>	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	I	<b>N</b>	C, S
<i>Macfadvena unguis-cati</i>	cat's claw vine	I		N, C, S
<i>Manikara zapota</i>	sapodilla	I		S
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	<b>P, N, U</b>	C, S
<i>Mimosa pigra</i>	catclaw mimosa	I	<b>P, N, U</b>	C, S
<i>Nandina domestica</i>	nandina, heavenly bamboo	I		N, C
<i>Nephrolepis cordifolia</i>	sword fern	I		N, C, S
<i>Nephrolepis multiflora</i>	Asian sword fern	I		C, S
<i>Nevraudia revnaudiana</i>	Burma reed, cane grass	I	<b>N</b>	S
<i>Paederia cruddasiana</i>	sewer vine, onion vine	I	<b>N</b>	S
<i>Paederia foetida</i>	skunk vine	I	<b>N</b>	N, C
<i>Panicum repens</i>	torpedo grass	I		N, C, S
<i>Pennisetum purpureum</i>	Napier grass	I		C, S
<i>Pistia stratiotes</i>	waterlettuce	I	<b>P</b>	N, C, S
<i>Psidium cattleianum</i> (= <i>P. littorale</i> )	strawberry guava	I		C, S
<i>Psidium guajava</i>	guava	I		C, S
<i>Pueraria montana</i> var. <i>lobata</i> (= <i>P. lobata</i> )	kudzu	I	<b>N, U</b>	N, C, S

<i>Rhodomyrtus tomentosa</i>	Downy rose-myrtle	I	N	C, S
<i>Rhoeo spathacea</i> (see <i>Tradescantia spathacea</i> )				
<i>Rhynchelytrum repens</i>	Natal grass	I		N, C, S
<i>Ruellia tweediana</i> (= <i>R. brittoniana</i> )	Mexican petunia	I		N, C, S
<i>Sapium sebiferum</i> (= <i>Triadaca sebifera</i> )	popcorn tree, Chinese tallow tree	I	N	N, C, S
<i>Scaevola taccada</i> (= <i>Scaevola sericea</i> , <i>S. frutescens</i> )	Scaevola, half-flower, beach naupaka	I		C, S
<i>Schefflera actinophylla</i> (= <i>Brassaia actinophylla</i> )	schefflera, Queensland umbrella tree	I		C, S
<i>Schinus terebinthifolius</i>	Brazilian pepper	I	P, N	N, C, S
<i>Senna pendula</i> (var. <i>Glabrata</i> (= <i>Cassia Coluteoides</i> )	climbing cassia, Christmas cassia, Christmas senna	I		C, S
<i>Solanum tampicense</i> (= <i>S. houstonii</i> )	wetland night shade, aquatic soda apple	I	N, U	C, S
<i>Solanum viarum</i>	tropical soda apple	I	N, U	N, C, S
<i>Syngonium podophyllum</i>	arrowhead vine	I		C, S
<i>Syzygium cumini</i>	jambolan, Java plum	I		C, S
<i>Tectaria incise</i>	incised halberd fern	I		S
<i>Thespesia populnea</i>	seaside mahoe	I		C, S
<i>Tradescantia fluminensis</i>	white-flowerd jew wandering	I		N, C
<i>Tradescantia spathacea</i> (= <i>Rhoeo spathacea</i> , <i>Rhoeo discolor</i> )	oyster plant	I		S
<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i> )	Para grass	I		C, S



**Category II** -Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category I species. *These species may become ranked Category I, if ecological damage is demonstrated.*

Scientific Name	Common Name	EPPC Cat.	Gov. list	Reg. Dist.
<i>Adenanthera pavonina</i>	red sandal wood	II		S
<i>Agave sisalana</i>	sisal hemp	II		C, S
<i>Aleurites fordii</i> (= <i>Vernicia fordii</i> )	tung oil tree	II		N,, C
<i>Alstonia macrophylla</i>	devil-tree	II		S
<i>Alternanthera philoxeroides</i>	alligator weed	II	<b>P</b>	N, C, S
<i>Antigonon leptopus</i>	coral vine	II		N, C,S
<i>Aristolochia littoralis</i>	calico flower	II		N, C
<i>Asystasia gangetica</i>	Ganges primrose	II		C, S
<i>Begonia cucullata</i>	wax begonia	II		N, C
<i>Blechnum pyramidatum</i>	green shrimp plant, Browne's blechnum	II		N, C,S
<i>Broussonetia papyrifera</i>	paper mulberry	II		N, C
<i>Callisia fragrans</i>	inch plant, spironema	II		C, S
<i>Casuarina cunninghamiana</i>	Australian pine	II	<b>P</b>	C, S
<i>Cecropia palmate</i>	trumpet tree	II		S
<i>Cestrum diurnum</i>	day jessamine	II		C, S
<i>Chamaedorea seifrizii</i>	bamboo palm	II		S
<i>Clematis terniflora</i>	Japanese clematis	II		N, C
<i>Crytostegia madagascariensis</i>	rubber vine	II		C, S
<i>Cyperus involucratus</i> ( <i>C. alternifolius</i> misapplied)	umbrella plant	II		C, S
<i>Cyperus prolifer</i>	dwarf papyrus	II		C
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	II		C, S
<i>Elaeagnus pungens</i>	thorny eleagnus	II		N, C
<i>Epipremnum pinnatum</i> cv. Aureum	pathos	II		C, S
<i>Ficus altissima</i>	false banyan, council tree	II		S
<i>Flacourtia indica</i>	governor's plum	II		S
<i>Hemarthria altissima</i>	limpo grass	II		C, S
<i>Hibiscus tiliaceus</i>	mahoe, sea hibiscus	II		C, S
<i>Ipomoea fistulosa</i> (= <i>I. carnea</i> spp. <i>fistulosa</i> )	shrub morning-glory	II	<b>P</b>	C, S
<i>Jasminum sambac</i>	Arabian jasmine	II		S
<i>Kalanchoe pinnata</i>	life plant	II		C, S
<i>Koelreuteria elegans</i> ssp. <i>formosana</i> (= <i>K. formosana</i> ; <i>K. paniculata</i> misapplied)	flamegold tree	II		C, S
<i>Leucaena leucocephala</i>	lead tree	II		N, C, S

<i>Limnophila sessiliflora</i>	Asian marshweed	II	<b>P</b>	N, C, S
<i>Livistona chinensis</i>	Chinese fan palm	II		C, S
<i>Melia azedarach</i>	Chinaberry	II		N, C, S
<i>Merremia tuberosa</i>	wood-rose	II		S
<i>Murraya paniculata</i>	orange-jessamine	II		S
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	II	<b>P</b>	N, C, S
<i>Nymphoides cristata</i>	snowflake	II		C, S
<i>Panicum maximum</i>	Guinea grass	II		C, S
<i>Passiflora biflora</i>	two-flowered passion vine	II		S
<i>Pennisetum setaceum</i>	green fountain grass	II		S
<i>Phoenix reclinata</i>	Senegal date palm	II		C, S
<i>Pittosporum pentandrum</i>	Philippine pittosporum, Taiwanese cheesewood	II		S
<i>Phyllostachys aurea</i>	golden bamboo	II		N, C
<i>Pteris vittata</i>	Chinese brake fern	II		N, C, S
<i>Ptychosperma elegans</i>	solitary palm	II		S
<i>Ricinus communis</i>	castor bean	II		N, C, S
<i>Sansevieria hyacinthoides</i>	bowstring hemp	II		C, S
<i>Scleria lacustris</i>	Wrights' nutrush	II		C, S
<i>Sesbania punicea</i>	purple sesban, rattlebox	II		N, C, S
<i>Solanum diphyllum</i>	Two-leave nightshade	II		N, C, S
<i>Solanum jamaicense</i>	Jamaica nightshade	II		C
<i>Solanum torvum</i>	susumber, turkey berry	II	<b>N, U</b>	N, C, S
<i>Sphagneticola trilobata</i> (= <i>Wedelia trilobata</i> )	wedelia	II		N, C, S
<i>Stachytarpheta urticifolia</i> (= <i>S. cayennensis</i> )	nettle-leaf porterweed	II		S
<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i> )	queen palm	II		C, S
<i>Syzygium jambos</i>	rose-apple	II		C, S
<i>Terminalia catappa</i>	tropical almond	II		C, S
<i>Terminalia muelleri</i>	Australian almond	II		C, S
<i>Tribulus cistoides</i>	puncture vine, burr-nut	II		C, S
<i>Urena lobate</i>	Caesar's weed	II		N, C, S
<i>Vitex trifolia</i>	simple-leaf chaste tree	II		C, S
<i>Washingtonia robusta</i>	Washington fan palm	II		C, S
<i>Wedelia</i> (see <i>Sphagnetiola</i> above)				
<i>Wisteria sinensis</i>	Chinese Wisteria	II		N, C
<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	II		N, C, S

**Citation example:**

FLEPPC. 2005. List of Florida's Invasive Species. Florida Exotic Pest Plant Council. Internet: [http://www.fleppc.org/05\\_list.htm](http://www.fleppc.org/05_list.htm)

**The 2005 list was prepared by the FLEPPC Plant List Committee:**

Keith A. Bradley

The Institute for Regional Conservation

22601 S. W. 152<sup>nd</sup> Avenue

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Kathy Craddock Burks (**CHAIR**)

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Florida Department of Agriculture and Consumer Services

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Janice Duquesnel

Florida Park Service

Florida Department of Environmental Protection

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Roger L. Hammer

Miami-Dade Parks Department

Castellow Hammock Nature Center

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Center for Aquatic and Invasive Plants, IFAS

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Institute for Systematic Botany

Department of Biological Sciences

University of South Florida

Tampa, FL 33620

**APPENDIX L**  
**CONCEPTUAL APPROVAL AGREEMENT**

170114

R95 1077D AUG 15 1995  
FLORIDA COMMUNITIES TRUST  
P3A AWARD# 93-008-P3A

CONTRACT #95-CT-90-93-3A-A1-008

ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT

THIS ADDENDUM II to the Conceptual Approval Agreement is entered into by and between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the State of Florida Department of Community Affairs, and CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivision of the State of Florida ("FCT Recipient"), this 15th day of September, 1995.

WHEREAS, the parties hereto entered into a Conceptual Approval Agreement which sets forth the conditions of conceptual approval that must be satisfied by FCT Recipient prior to the receipt of the FCT Preservation 2000 award and the restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Preservation 2000 award;

I. WHEREAS, the initial term of the Conceptual Approval Agreement expired December 4, 1994;

WHEREAS, the Conceptual Approval Agreement was amended by ADDENDUM I to expire June 4, 1995.

WHEREAS, the FCT Recipient in accordance with GENERAL CONDITIONS paragraph 2 of the Conceptual Approval Agreement and in compliance with Rule 9K-4.010(2)(k), F.A.C., has timely submitted to FCT a written request for extension of the June 4, 1995, deadline;

WHEREAS, the parties hereto desire to extend the term of the Conceptual Approval Agreement as provided by Rule 9K-4.010(2)(k), F.A.C.; and

II. WHEREAS, the Conceptual Approval Agreement provides for the disbursement of FCT Preservation 2000 award funds at the closing of the acquisition of the Project Site;

WHEREAS, the FCT Recipient has requested disbursement of FCT Preservation 2000 award funds from FCT subsequent to the closing on the acquisition of the Project Site for the project costs expended for the acquisition of the Project Site by the FCT Recipient;

WHEREAS, the parties hereto desire to amend the Conceptual Approval Agreement to provide for the disbursement of FCT Preservation 2000 award funds subsequent to the FCT Recipient's acquisition of the Project Site;

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5-19-95

WHEREAS, the purpose of this ADDENDUM is to set forth the conditions of Conceptual Approval that must be satisfied by FCT Recipient prior to the disbursement of any FCT Preservation 2000 award funds; and

WHEREAS, GENERAL CONDITIONS paragraph 10 of the Conceptual Approval Agreement states that the agreement may be amended at any time prior to FCT giving final project plan approval to the FCT Recipient. Any agreement must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT;

NOW THEREFORE, the FCT and FCT RECIPIENT mutually agree as follows:

1. Notwithstanding the language of Section I. GENERAL CONDITIONS, paragraph 2. and paragraph 10., the parties hereby agree to revive it nunc pro tunc as though it had not lapsed in accordance with paragraph 2.

2. In every respect, this amendment is to be construed and applied as though the parties had both signed it before June 4, 1995.

3. The Conceptual Approval Agreement by and between FCT and FCT Recipient is hereby extended until December 4, 1995.

4. Section I. 4. is hereby replaced, revised and superseded by the following:

4. The grant amount reflected in paragraph I.3., hereinabove, is based on the FCT Recipient's estimation of Project Costs in application #93-008-P3A and limits on awards in the Notice of Application Period announcing the application cycle. The actual total Project Costs, defined in Rule 9K-4.002(31), Florida Administrative Code, for acquisition of the Project-Site will be reflected on the reconciliation statement prepared as set forth in paragraph III. 1., hereinbelow. The FCT will participate in the land cost at the percent stated in paragraph I.3. times 100% of the approved maximum value based on appraisal reports that comply with requirements set forth in Section 380.507 (11), Florida Statutes, and Rule 9K-6, Florida Administrative Code. All eligible Project Costs expended by FCT Recipient will be recognized as local match on the reconciliation statement.

5. Sections I. 6. and I. 7. are hereby deleted.

6. Section I. 9. is hereby replaced, revised and superseded by the following:

9. FCT Recipient agrees to make diligent efforts to

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submit the documentation that is required in this Agreement as soon as is reasonably possible to FCT so that the funds awarded under this agreement may be disbursed in an expeditious manner.

7. Sections II. 1., II. 2., and II. 4. are hereby deleted.

8. Section III. is hereby replaced, revised and superseded by the following:

**III. REQUIREMENTS THAT MUST BE MET PRIOR TO DELIVERY OF AWARD FOR REIMBURSEMENT OF PROJECT COSTS EXPENDED BY FCT RECIPIENT TO ACQUIRE THE PROJECT SITE**

1. FCT awards shall only be delivered, after FCT approval of the project plan and terms of the acquisition of the Project Site, to the FCT Recipient. If the Project Site is comprised of multiple parcels, FCT shall deliver at the reimbursement for each parcel only the share of the FCT award that corresponds to the parcel acquired. FCT will prepare a reconciliation statement prior to the reimbursement for the Project Site parcel that will evidence the amount of local match provided by the FCT Recipient and the portion of the FCT award that corresponds to the parcel acquired.

2. The cash expended by the FCT Recipient for Project Costs, defined in Rule 9K-4.002(31), F.A.C., to acquire the Project Site will be recognized as part of the local match on the reconciliation statement prepared as set forth in paragraph III. 1. hereinabove.

3. The value attributed to the land purchase price portion of the Project Cost shall be based on the appraisal report(s) that complies with the procedures and requirements set forth in Section 380.507(11), Florida Statutes, Rule 9K-6, Florida Administrative Code, and Uniform Standards of Professional Appraisal Practice as defined in Chapter 475, Florida Statutes.

4. Prior to final disbursement of award funds by FCT, the FCT Recipient must prepare a project plan that complies with Rule 9K-4.011, F.A.C. This project plan, which is a compilation of documents, must be reviewed and approved by FCT, and include the following documents:

a. A statement that the acquisition activities were conducted consistent with either Rule 9K-6.004(3)(d)(1) or (2), F.A.C., whichever applies.

b. The following documents, to be reviewed by FCT to ensure that the interest of the State of Florida will be protected:

(1) A copy of the real estate contracts for sale and purchase of the Project Site between FCT Recipient and Resolution Trust Corporation and Janmar Properties, Ltd.

(2) A copy of Buyer and Seller closing statements for the purchase of the Project Site.

(3) A copy of the recorded deed evidencing conveyance of title to the Project Site to the FCT Recipient.

(4) Certified survey of the Project Site that meets the requirements of Rule 9K-6.006, F.A.C., and dated within 90 days of the date of acquisition of Project Site by FCT Recipient.

(5) Appraisal report(s) prepared for the FCT Recipient's acquisition of the Project Site that complies with the requirements of Rule 9K-6.007, F.A.C.

(6) A copy of the title insurance policy evidencing marketable title in FCT Recipient to the Project Site and effective the date of acquisition of the Project Site by the FCT Recipient, including a statement from the title insurer as to the minimum promulgated rate-if premium was paid by FCT Recipient, and all documents referenced in the title policy.

(7) Environmental site assessment of the Project Site certified to the FCT Recipient, which meets the standards and requirements of the FCT Recipient, and with a date of certification within 45 days before the date of acquisition of the Project Site by FCT Recipient, together with the statement required by Rule 9K-6.012(4), F.A.C.

c. A management plan that is acceptable to FCT and that at a minimum addresses the criteria and conditions set forth in Section V, VI and VII hereinbelow and Exhibit B, which is attached hereto and incorporated herein by reference.

d. A statement of the total project cost, including all non-recurring costs of project development.

e. A statement of the amount of the award being requested from FCT.

f. A statement from each FCT Recipient in whose jurisdiction the Project Site is located that the project plan is consistent with the local comprehensive plan.

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g. Evidence that conditions imposed as a part of the Conceptual Approval Agreement have been satisfied.

h. An affidavit from the FCT Recipient evidencing that after conducting a diligent search, the FCT Recipient, to the best of its knowledge, represents that there are no existing or pending violations of any local, state, regional and federal laws and regulations on the Project Site.

i. In the event that the FCT Recipient is a partnership, the FCT Recipient must provide FCT with the interlocal agreement that sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Project Site.

5. Pursuant to 9K-4.011(2)(h), Florida Administrative Code, FCT shall withhold project plan approval if the local comprehensive plan(s) of the FCT Recipient or the FCT Recipient's partner is, for any reason found not in compliance by the Department after conceptual approval has been granted by FCT, unless the FCT Recipient has executed a stipulated settlement agreement with the Department to resolve all of the issues raised by the Department in a statement of intent to find a plan not in compliance issued pursuant to Section 163.3184(8), Florida Statutes.

9. Sections IV. 3. and IV. 4. are hereby deleted.

10. Section IV. 5. is hereby replaced, revised and superseded by the following:

5. A Grant Award Agreement containing such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State Constitution, containing clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site for such purposes and describing the real property subject to the Agreement shall be executed by the FCT and FCT Recipient prior to the disbursement of funds to the FCT Recipient and shall be recorded in the county in which the Project Site is located.

11. The date of execution of this addendum shall be the date that the last party signs this addendum.

THIS ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT, ADDENDUM I, and the CONCEPTUAL APPROVAL AGREEMENT and its Exhibits "A" and "B" embody the entire Agreement between the parties.

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5-19-95

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IN WITNESS WHEREOF, the parties hereto have duly executed this ADDENDUM II TO CONCEPTUAL APPROVAL AGREEMENT.

R95 1077D

ATTEST:  
Dorothy H. Wilken, Clerk

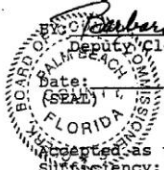
PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: Barbara A. Mul  
Deputy Clerk

BY: [Signature]  
Chair

Date: AUG 15 1995

Date: AUG 15 1995



Accepted as to Form and Legal Sufficiency:

BY: [Signature]  
County Attorney

Date: 8/10/95

CITY OF BOYNTON BEACH

ATTEST:

As to the City

By: [Signature]

By: [Signature]

Title: SUZANNE M. KRUSE  
CITY CLERK

Title: GERALD TAYLOR  
MAYOR

Date: 7/20/95

Date: 7/20/95

Accepted to Legal Form and Sufficiency:

By: [Signature]  
City Attorney

Date: 7/19/95

FLORIDA COMMUNITIES TRUST

[Signature]  
~~Linda Loomis Shelley, Chair~~  
James F. Murley, Chair

Date: 7/15/95

Accepted as to Form and Legality:

Date: [Signature]  
7/10/95

ADDII/93-008-P3A  
5-19-95

CONCEPTUAL APPROVAL AGREEMENT

THIS AGREEMENT is entered into on August 12, 1994, by and between the FLORIDA COMMUNITIES TRUST (FCT), a nonregulatory agency within the State of Florida Department of Community Affairs, and CITY OF BOYNTON BEACH, a municipality within the State of Florida and PALM BEACH COUNTY, a political subdivisions of the State of Florida (FCT Recipients) in order to impose terms and conditions on the use of the proceeds of certain bonds, hereinafter described, and the lands acquired with such proceeds (Project Site), as shall be necessary to ensure compliance with applicable Florida Law and federal income tax law and to otherwise implement provisions of Sections 259.101, 375.045, and Chapter 380, Part III, Florida Statutes.

\* \* \* \* \*

WHEREAS, Chapter 380, Part III, Florida Statutes, the Florida Communities Trust Act, creates a nonregulatory agency within the Department of Community Affairs (Department) that will assist local governments in bringing local comprehensive plans into compliance and implementing the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or in conserving natural resources and resolving land use conflicts by providing financial assistance to local governments to carry out projects and activities authorized by the Florida Communities Trust Act;

WHEREAS, Section 259.101(3)(c) of the Florida Preservation 2000 Act provides for the distribution of ten percent (10%) of the net Preservation 2000 Revenue Bond proceeds to the Department of Community Affairs to provide land acquisition grants and loans to local governments through the FCT;

WHEREAS, the Governor and Cabinet authorized the sale and issuance of State of Florida Department of Natural Resources Preservation 2000 Revenue Bonds (Bonds);

WHEREAS, the Bonds were issued as tax-exempt bonds, meaning that the interest on the Bonds is excluded from the gross income of Bondholders for federal income tax purposes;

WHEREAS, Rule Chapter 9K-4, Florida Administrative Code, sets forth the procedures for evaluation and selection of lands proposed for acquisition using funds allocated to the FCT through the Department of Community Affairs from the Preservation 2000 Trust Fund;

WHEREAS, the FCT Governing Body met on January 6, 1994, to rank and select projects that were to receive Conceptual Approval for funding;

WHEREAS, the FCT Recipient's project was selected for funding in accordance with Rule Chapter 9K-4, Florida Administrative Code;

WHEREAS, Rule 9K-4.010(2)(f), Florida Administrative Code, authorizes FCT to impose conditions for funding on those FCT applicants whose projects have been selected for funding in accordance with Rule Chapter 9K-4, Florida Administrative Code; and

WHEREAS, the purpose of this Agreement is to set forth the conditions of Conceptual Approval that must be satisfied by FCT Recipient prior to the disbursement of any FCT Preservation 2000 award and the restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Preservation 2000 Series Bond Proceeds.

NOW THEREFORE, FCT and FCT Recipient mutually agree as follows:

## I. GENERAL CONDITIONS

1. At least two original copies of this Agreement shall be executed by FCT Recipient and returned to the FCT office at 2740 Centerview Drive, Tallahassee, Florida 32399-2100 within ninety days (90) of mailing by FCT to the FCT Recipient. Upon receipt by FCT of the signed Agreements, FCT will execute the Agreements, retain one original copy and return all other copies to FCT Recipient.

2. Conceptual Approval for funding shall be until December 4, 1994. In the event a project plan has not received project plan approval by December 4, 1994, the FCT Recipient must request a written extension to the Conceptual Approval Agreement for project continuation in compliance with Rule 9K-4.010(2)(k), Florida Administrative Code. If the Recipient does not request an extension, or if an extension is not granted to the FCT Recipient by the FCT Governing Body, the Preservation 2000 Series P3A award granted to the FCT Recipient by the Governing Body shall be withdrawn and this Agreement shall become null and void.

3. The FCT Preservation 2000 Series P3A award granted to the FCT Recipient will in no event exceed the lesser of FORTY percent (40%) of the final total project costs, as defined in Rule 9K-4.002(31), Florida Administrative Code, or TWO HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED SEVENTY SEVEN AND 00/100 Dollars (\$264,377.00), unless the FCT Governing Body approves a greater amount pursuant to Rule 9K-4.011(2)(a), Florida Administrative Code.

4. The grant amount reflected in paragraph I.3., hereinabove, is based on the FCT Recipient's estimation of Project Costs in application #93-008-P3A and limits on awards in the Notice of Application Period announcing the application cycle. The actual total Project Costs, defined in Rule 9K-4.002(31), Florida Administrative Code, for acquisition of the Project Site will be reflected on the reconciliation statement prepared as set forth in paragraph I. 5., hereinbelow. The FCT will participate in the land cost at the percent stated in paragraph I.3. times 100% of the approved maximum value based on appraisal reports that comply with requirements set forth in Section 380.507 (11), Florida Statutes, and Rule 9K-6, Florida Administrative Code. All eligible Project Costs expended by FCT Recipient will be recognized as local match on the reconciliation statement.

5. The FCT Governing Body has given Conceptual Approval for funding to acquire the entire Project Site identified in the FCT Recipient's application #93-008-P3A. The Governing Body reserves the right to withdraw its FCT award if the acreage that comprises the Project Site is reduced so that the objectives of the acquisition cannot be achieved or if the priority parcel(s) identified in the acquisition plan prepared pursuant to Section II, paragraph 4., hereinbelow cannot be acquired through negotiations by the FCT, or the FCT Recipient if a multi-party agreement is in effect.

6. FCT awards shall be delivered in the form of a state warrant at the closing of the Project Site to the ultimate beneficiary or in accordance with written authorization from the ultimate beneficiary to allow a third party authorized by law to receive such payment, provided the Comptroller determines that such disbursement is consistent with good business practices and can be completed in a manner minimizing costs and risks to the State. If the Project Site is comprised of multiple parcels, FCT shall deliver at the closing of each parcel only the share of the FCT award that corresponds to the parcel being closed. FCT will prepare a reconciliation statement prior to the closing of the Project Site parcel that will evidence the amount of local match provided by the FCT Recipient and the portion of the FCT award that corresponds to the parcel being closed.

7. The FCT Recipient's local match shall be delivered at the closing of the Project Site. If the Project Site is comprised of multiple parcels, the FCT Recipient shall deliver at the closing of each parcel the share of the local match that corresponds to the parcel being closed. The cash expended by the FCT Recipient for eligible project costs incurred by the FCT Recipient conducting acquisition activities pursuant to a multiparty agreement between FCT and the FCT Recipient will be recognized as part of the local match on the reconciliation statement prepared as set forth in paragraph I. 5., hereinabove. In the event FCT Recipient's application

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#93-008-P3A represents that land is the source of local match, the value attributed to the land local match shall be determined after an appraisal report that complies with the procedures and requirements set forth in Section 380.507(11), Florida Statutes, Rule 9K-6, Florida Administrative Code, and Uniform Appraisal Standards of Board of Trustees Land Acquisition is prepared for the land local match.

8. The FCT Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series 3A Funding Cycle on January 6, 1994. If by local government initiated action taken subsequent to January 6, 1994, a Project Site is given an enhanced highest and best use which would result in a governmentally derived higher value, the FCT acquisition activities will be terminated unless the seller agrees that the appraisal will be done at the highest and best use of the Project Site on or before January 6, 1994. FCT advised the FCT Recipient of this condition by letter as attached hereto as Exhibit A and incorporated herein by reference.

9. FCT Recipient agrees to make diligent efforts to submit the documentation that is required in this Agreement as soon as is reasonably possible to FCT so that the Project Site may be acquired in an expeditious manner.

10. This Agreement may be amended at any time prior to FCT giving project plan approval to the FCT Recipient. Any amendment must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT.

## II. REQUIREMENTS THAT MUST BE MET PRIOR TO INITIATION OF PROJECT SITE NEGOTIATION

1. No later than June 30, 1994, the FCT Recipient must provide FCT with copies of the Property Tax Identification cards for each parcel that comprises the Project Site.

2. The FCT Recipient hereby notifies the FCT that Palm Beach County and The Nature Conservancy will be the party responsible for all negotiation and acquisition activities. If the FCT is not the party responsible for all negotiation and acquisition activities, the FCT Recipient hereby agrees to enter into a multiparty agreement with the FCT. If the FCT Recipient does not enter into a multiparty agreement, FCT shall conduct all of the negotiation and acquisition activities for the Project Site.

3. By execution of this agreement, the FCT Recipient affirms that:

a. the FCT Recipient is ready, willing and able to provide the local match;

b. the FCT Recipient reaffirms the representations made in FCT Application #93-008-P3A;

c. the FCT Recipient shall, on the anniversary date of the approval of the project plan by the Governing Body, prepare and submit to FCT an annual report as required by Rule 9K-4.013, Florida Administrative Code.

4. No later than July 31, 1994, the FCT Recipient must deliver to FCT a written statement from the Project Site property owner(s) evidencing that the owner(s) is willing to entertain an offer from the FCT Recipient and FCT.

5. In the event the Project Site is comprised of multiple parcels, FCT Recipient will provide an acquisition plan to FCT no later than July 31, 1994. The acquisition plan must be approved by FCT prior to the commencement of negotiations for any parcel in the Project Site. The acquisition plan will address the order in which the Project Site parcels will be acquired and the measures that will be taken to assure that the entire Project Site will be acquired with the FCT Preservation 2000 Series P3A award to the FCT Recipient.

III. OBLIGATIONS OF THE FCT RECIPIENT AS A CONDITION OF PROJECT PLAN APPROVAL

1. Prior to disbursement of award funds by FCT, the FCT Recipient must prepare a project plan that complies with Rule 9K-4.011, Florida Administrative Code. This project plan must include the following documents for review and approval by FCT:
  - a. A signed agreement for acquisition of the Project Site that is prepared consistent with the requirements of Rule 9K-6, Florida Administrative Code.
  - b. A management plan that is acceptable to FCT and that at a minimum addresses the criteria and conditions set forth in Section V, VI and VII hereinbelow and Exhibit B, which is attached hereto and incorporated herein by reference.
  - c. A statement of the total project cost, including all non-recurring costs of project development.
  - d. A statement of the amount of the award being requested from the FCT.
  - e. A statement from each local government in whose jurisdiction the Project Site is located that the project plan is consistent with the local comprehensive plan.
  - f. In the event that the FCT Recipient is a partnership, the FCT Recipient must provide FCT with the interlocal agreement that sets forth the relationship among the partners and the fiscal and management responsibilities and obligations incurred by each partner for the Project Site.
2. Pursuant to 9K-4.011(2)(h), Florida Administrative Code, FCT shall withhold project plan approval if the local comprehensive plan(s) of the FCT Recipient or the FCT Recipient's partner is, for any reason found not in compliance by the Department after conceptual approval has been granted by FCT, unless the FCT Recipient has executed a stipulated settlement agreement with the Department to resolve all of the issues raised by the Department in a statement of intent to find a plan not in compliance issued to pursuant to Section 163.3184(8), Florida Statutes.

IV. PROJECT SITE ACQUISITION REQUIREMENTS IMPOSED BY CHAPTER 259, CHAPTER 375, AND CHAPTER 380, PART III, FLORIDA STATUTES.

FCT RECIPIENT AGREES AS FOLLOWS:

1. FCT shall approve the terms under which the interest in land is acquired, pursuant to Section 380.510(3), Florida Statutes.
2. Title to the Project Site shall be titled in the FCT Recipient, unless the FCT Recipient specifically requests that title shall permanently vest in the Board of Trustees of the Internal Improvement Trust Fund (Trustees). Such request shall be subject to the approval of FCT and the Trustees. The FCT Recipient hereby elects that title to the Project Site shall be vested in Palm Beach County. If the FCT Recipient elects that title shall vest in the Trustees, then all acquisition activities shall be administered by FCT and the Division of State Lands as specified in Section 253.025, Florida Statutes, and Rule 18-1, Florida Administrative Code.
3. The transfer of title to the FCT Recipient for the Project Site shall not occur until the requirements for the acquisition of lands, as specified in Section 380.507(11), Florida Statutes, and Rule 9K-6, Florida Administrative Code, have been fully complied with by the FCT Recipient and FCT.
4. Any deed whereby the FCT Recipient acquires title to the Project Site shall contain such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State

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Constitution and shall contain clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site conveyed thereby for such purposes.

5. A Grant Award Agreement containing such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XIII of the State Constitution, containing clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site for such purposes and describing the real property subject to the Agreement shall be executed by the FCT and FCT Recipient at the time of the conveyance of the Project Site and shall be recorded in the county in which the Project Site is located.

6. If any essential term or condition of the grant is violated, and the FCT Recipient does not correct the violation within 30 days of written notice of violation, title to all interest in the Project Site shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund. The deed transferring title to the Project Site to the FCT Recipient shall set forth the executory interest of the Board of Trustees of the Internal Improvement Trust Fund.

7. The interest, if any, acquired by the FCT Recipient in the Project Site will not serve as security for any debt of the FCT Recipient.

8. If the existence of the FCT Recipient terminates for any reason, title to all interest in real property it has acquired with the FCT award shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund, unless FCT negotiates an agreement with another local government or nonprofit organization.

9. The Project Site shall be managed only for the conservation, protection and enhancement of natural and historical resources and for public outdoor recreation that is compatible with the conservation, protection and enhancement of the Project Site, along with other related uses necessary for the accomplishment of this purpose. The proposed uses for the Project Site must be specifically designated in the management plan approved by the FCT as a part of the project plan.

#### V. OBLIGATIONS OF THE FCT RECIPIENT AS A CONDITION OF PROJECT FUNDING

1. Following the acquisition of the Project Site, the FCT Recipient shall ensure that the future land use designation assigned to the Project Site is for a category dedicated to open space, conservation, or outdoor recreation uses as appropriate. If an amendment to the FCT Recipient's comprehensive plan is required, the amendment shall be proposed at the next comprehensive plan amendment cycle available to the FCT Recipient subsequent to the Project Site's acquisition.

2. FCT Recipient shall ensure, and provide evidence thereof to FCT, that all activities under this Agreement comply with all applicable local, state, regional and federal laws and regulations, including zoning ordinances and the applicable adopted and approved comprehensive plan. Evidence shall be provided to FCT that all required licenses and permits have been obtained prior to the commencement of any construction.

3. The FCT Recipient shall, through its agents and employees, prevent the unauthorized use of the Project Site or any use thereof not in conformity with the management plan approved by the FCT as a part of the project plan.

4. FCT staff or its duly authorized representatives shall have the right at any time to inspect the Project Site and the operations of the FCT Recipient at the Project Site.

5. All buildings, structures, improvements, and signs shall require the prior written approval of FCT as to purpose. Further, tree removal, other than non-native species, and major land alterations shall require the written approval of FCT. The approvals required from FCT shall not be unreasonably withheld by FCT upon sufficient demonstration that the

proposed structures, buildings, improvements, signs, vegetation removal or land alterations will not adversely impact the natural resources of the Project Site. The approval by FCT of the FCT Recipient's management plan addressing the items mentioned herein shall be considered written approval from FCT.

VI. OBLIGATIONS OF THE FCT RECIPIENT RELATING TO THE USE OF BOND PROCEEDS

1. FCT is authorized by Section 375.045(4), Florida Statutes, to impose conditions for funding on FCT Recipient in order to ensure that the project complies the requirements for the use of Preservation 2000 Bond proceeds.

2. If the Project Site is to remain subject, after its acquisition by the FCT Recipient and/or the Trustees, to any of the below listed activities or interests, the FCT Recipient shall provide at least 60 days advance written notice of any such activity or interest to FCT, and shall provide to FCT such information with respect thereto as FCT reasonably requests in order to evaluate the legal and tax consequences of such activity or interest:

a. any lease of any interest in the Project Site to any person or organization;

b. the operation of any concession on the Project Site to any person or organization;

c. any sales contract or option to buy things attached to the Project Site to be severed from the Project Site, with any person or organization;

d. any use of the Project Site by any person other than in such person's capacity as a member of the general public;

e. a management contract of the Project Site with any person or organization; and

f. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

3. FCT Recipient agrees and acknowledges that the following transaction, events, and circumstances may be disallowed on the Project Site as they may have negative legal and tax consequences under Florida law and federal income tax law:

a. a sale of the Project Site or a lease of the Project Site to any person or organization;

b. the operation of a concession on the Project Site by any person or organization;

c. a sale of things attached to the Project Site to be severed from the Project Site to any person or organization;

d. any change in the character or use of the Project Site from that use expected at the date of the issuance of any series of bonds from which the disbursement is to be made;

e. any use of the Project Site by any person other than in such person's capacity as a member of the general public;

f. a management contract of the Project Site with any person or organization; and

g. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

DELEGATIONS AND CONTRACTUAL ARRANGEMENTS BETWEEN THE FCT RECIPIENT AND OTHER GOVERNMENTAL BODIES, NOT FOR PROFIT ENTITIES, OR NON GOVERNMENTAL PERSONS FOR USE OR MANAGEMENT OF THE PROJECT SITE WILL IN NO WAY RELIEVE THE FCT RECIPIENT OF THE RESPONSIBILITY TO ENSURE THAT THE CONDITIONS IMPOSED HEREIN ON THE PROJECT SITE AS A RESULT OF UTILIZING BOND PROCEEDS



TO ACQUIRE THE PROJECT SITE ARE FULLY COMPLIED BY THE CONTRACTING PARTY.

VII. CONDITIONS PARTICULAR TO THE PROJECT SITE THAT MUST BE ADDRESSED IN THE MANAGEMENT PLAN

1. The FCT Recipient shall provide outdoor recreational facilities including nature trails, an interpretive kiosk and a parking area on the Project Site. The facilities shall be developed in a manner that allows the general public reasonable access for observation and appreciation of the significant natural resources on the Project Site without causing harm to those resources.
2. The timing and extent of a vegetative survey of vegetative communities and plant species on the Project Site shall be specified in the management plan. The FCT Recipient shall detail how the survey shall be used during development of the site to insure the protection, restoration, and preservation of the natural resources on the Project Site.
3. The sand pine scrub, pine flatwoods and mesic hammock plant communities that exist on the Project Site shall be preserved and appropriately managed to ensure the long-term viability of these communities.
4. The Project Site shall be managed in a manner that optimizes habitat conditions for listed wildlife species that utilize or could potentially utilize the Project Site, including the gopher tortoise, the Florida scrub lizard and Florida scrub jay. The FCT Recipient shall coordinate with the Game and Fresh Water Fish Commission and the Nature Conservancy on the management of the Project Site for the protection of listed species and listed species habitat. The FCT Recipient shall also conduct periodic surveys of listed species using the Project Site and develop informational signs relating to the protection of listed animal species and their habitat.
5. The FCT Recipient shall remove approximately 4 acres of exotic vegetation from the Project Site and manage this area to allow for natural succession by native vegetative species.
6. Prior to the commencement of any proposed development activities, measures will be taken to determine the presence of any archaeological sites. All planned activities involving known archaeological sites or potential site areas shall be closely coordinated with the Department of State, Division of Historic Resources, in order to prevent the disturbance of significant sites.
7. The FCT Recipient shall ensure that the Project Site and listed animal species and their habitat are sufficiently buffered from the adverse impacts of adjacent land uses.
8. A vegetative analysis of the Project Site shall be performed to determine which areas of the Project Site require a prescribed burning regime implemented to maintain natural fire-dependent vegetative communities. The FCT Recipient shall coordinate with the Division of Forestry and the Game and Fresh Water Fish Commission on the development of a prescribed burn plan for the Project Site.
9. Environmental education and scientific research programs related to the natural resources on the Project Site shall be developed and implemented.
10. Access to the Project Site by pedestrians and bicyclists shall be promoted as an alternative to automobile access.
11. The requirements imposed by other grant program funds that may be sought by the FCT Recipient for activities associated with the Project Site shall not conflict with the terms and conditions of the FCT award.

This Agreement including Exhibits "A" and "B" embodies the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

CAA/93-008-P3A  
3-4-94

AGREED AND ACCEPTED, this  
day of \_\_\_\_\_, 1994

ATTEST:  
Dorothy H. Wilken, Clerk

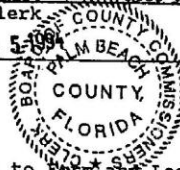
PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

BY: *Vivian A. Lewis*  
Deputy Clerk

BY: *Mary McCarty*  
Chair

Date: JUL 05 1994  
(SEAL)

Date: JUL 05 1994



Accepted as to Form and Legal  
Sufficiency:

R94 818 D

BY: *Heidi Gill*  
County Attorney

Date: 6/21/94

CITY OF BOYNTON BEACH

ATTEST:

As to the City

By: *Suzanne M. Kusan*

By: *Edward Harwin*

Title: City Clerk

Title: Mayor

Date: MAY 31, 1994

Date: MAY 31, 1994

Accepted to Legal Form and Sufficiency:

By: *[Signature]*  
City Attorney

Date: MAY 31, 1994

FLORIDA COMMUNITIES TRUST

*Mary Dore McMulle*  
Linda Hoomis Shelley, Chair  
Date: 8/12/94

Accepted as to Form and Legality:

*Ana David*  
Date: 8-4-94



## Florida Communities Trust

January 21, 1994

Richard E. Walesky, Director  
 Palm Beach County  
 Department of Environmental Resource Management  
 3111 S. Dixie Highway, Suite 146  
 West Palm Beach, Florida 33405

RE: Rosemary Scrub  
 Palm Beach County & City of Boca Raton  
 FCT Project Number: #93-0087-P3A

Dear Mr. Walesky:

On October 19, 1993, the Florida Communities Trust ("FCT") Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle. On January 6, 1994, the FCT Governing Body ranked and selected for funding certain applications on the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle. The above referenced project application, which was submitted by your jurisdiction, is included on the above-referenced list and was selected for conceptual approval for funding.

All FCT project sites will be purchased upon voluntary negotiated terms between FCT, the local government and the seller. Once an application has been placed on the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle, decisions made by governmental authorities, such as rezoning, annexation, extension of water/sewer services, etc., may have an effect on the value of the project site identified in that FCT application.

In that regard, the staff of the FCT has been directed by the Governing Body as follows:

If by an action initiated by the local government subsequent to the time the FCT Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle, a project site is given an enhanced highest and best use which would result in a governmentally derived higher value, the FCT acquisition activities will be terminated unless the seller agrees that

DEPARTMENT OF COMMUNITY AFFAIRS - 2740 CENTERVIEW DRIVE - TALLAHASSEE, FL 32399-2100 - 904/922-2207 - SYNCON 292-2207



Florida Communities Trust

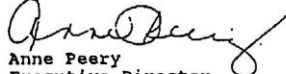
January 21, 1994  
Page Two

the appraisal will be done at the highest and best use of the project site at the time the FCT Governing Body approved the Preservation 2000 Program Approved List of Complete Applications for Series P3A Funding Cycle.

This policy is revised from earlier cycles to apply only to actions initiated by the local government. Previously, the policy applied to all action, whether initiated by a property owner or the local government. The governing body recognizes that local governments must respond to actions requested by property owners and may be compelled by local government regulations to grant land use changes that may impact values.

Therefore, please advise me in writing at the time you return to FCT the executed Conceptual Approval Agreement, whether any action has been taken by your local government subsequent to October 19, 1993, which potentially affects the FCT project site in your jurisdiction or if any action has been requested of the local government concerning the FCT project site.

Sincerely,

  
Anne Peery  
Executive Director

AP/cr

"EXHIBIT B"

FLORIDA COMMUNITIES TRUST  
TECHNICAL ASSISTANCE BULLETIN: 02  
*WRITING A MANAGEMENT PLAN*

The conceptual management plan submitted as a part of a Florida Communities Trust ("FCT") grant application or proposal serves as a basis for the management plan for project sites purchased with funds from FCT. Materials and information gathered for the application or proposal can and should be reflected in the plan where appropriate. Conditions required in the Conceptual Approval Agreement or Grant Agreement should be incorporated in the management plan. Location map, boundary map, vegetative surveys, site plans, Conceptual Approval Agreement, the recorded deed when it becomes available, and other supporting documents should be included as exhibits or included in the appendix of the management plan for future readers. The following general outline identifies the range of issues to be addressed in the management plan, where applicable.

**INTRODUCTION AND GENERAL INFORMATION**

Provide information including the name of the project, the location of the Project Site, and other general information such as a brief resource description, and historical information relevant to site management.

Provide a table of contents of the management plan.

**PURPOSE OF THE PROJECT AND MANAGEMENT**

Discuss the purpose for acquiring the Project Site and proposed future uses consistent with statements made in the application or proposal. Provide a summary of the comprehensive plan directives that would be furthered by managing the site as proposed. Commitments made in the application or proposal and reinforced by conditions of the grant funding must be reflected in the management plan.

Identify the principle objectives for managing natural resources and compatible outdoor recreation.

Identify a procedure to amend the land use designation to conservation, outdoor recreation, open space, or other similar category once the land is acquired.

Include provisions to ensure that the Project Site is identified in all signs, literature, and advertising as being publicly owned, open to the public and operated as a natural resource conservation area, outdoor recreation area, or other appropriate descriptive language, and identifying the Project Site as having been purchased with funds from the FCT and the Recipient.

#### SITE DEVELOPMENT, IMPROVEMENTS AND ACCESS

Incorporate a provision for requesting written approval from the FCT before undertaking any site alterations or physical improvements that are not addressed in the FCT approved management plan.

##### Physical Improvements

Identify and locate existing and proposed physical improvements to the Project Site on a master site plan. These might include such things as signs, fences, walkways, recreational paths, campgrounds, restrooms, educational space, utility corridors, parking areas and buildings.

Identify any proposed alteration of land use or character, the approximate area affected and how this activity will be coordinated with the protection of listed plant and animal species. Identify any permits or approvals that may be required for the development or restoration work and a procedure for providing evidence to the FCT prior to the initiation of any activity that all required licenses and permits have been obtained.

Include the placement of at least one sign identifying the Project Site as being open to the public, purchased with funds from FCT and the Recipient, operated as a natural resource conservation area, outdoor recreation area, or other appropriate descriptive language.

##### Access

Identify how access to the Project Site will be provided. For example, are parking places proposed on-site, and if so, approximately how many spaces or how much area will be devoted to this use? If parking is not proposed on-site, are there existing or proposed spaces adjacent to or sufficiently near the property? Identify any proposed access to waterbodies including, but not limited to, marinas, docks, boat ramps, fishing piers or viewing platforms and the approximate size of the facility. Consider providing bike paths to the site and bike racks at the site to provide an alternative to automobile transportation to the Project Site.

Access to Project Sites should be compatible with all state and federal construction standards, including the Americans with Disabilities Act.

Identify existing and proposed easements, concessions, or leases. If easements, concessions, or leases are anticipated to be granted on the Project Site, such proposed arrangements need to be identified. These might include utility rights-of-way, flowage or access easements, recreation or supply concessions, and leases or other instruments that would allow grazing, timbering, agriculture, or other revenue producing enterprises.

Include a procedure to provide 60 days prior written notice and information regarding any lease of any interest, the operation of any concession, any sale or option, any use other than by a member

of the public, and management contracts of the Project Site with non-governmental persons or organizations.

#### KEY MANAGEMENT ACTIVITIES

**Maintenance:** Identify required maintenance activities, including but not limited to trash removal, site cleanup, and facilities upkeep. Identify the entity responsible for property maintenance. Identify procedures to ensure that dumping of trash or hazardous material does not occur on or adjacent to the Project Site. Identify contemplated service contracts with private concerns such as garbage removal, restroom cleaning, security guards, etc.

**Security:** Identify the parties responsible for preventing vandalism, trespassing, and other property damage. Identify measures to protect the Project Site and the public using the site such as on-site manager, security guards, neighborhood watch, emergency phones, etc.

**Staffing:** Identify the expected staffing requirements for management of the Project Site including both permanent and volunteer staff.

**Natural resource protection:** Identify the natural resources at the Project Site and the issues, problems, and proposed management techniques associated with protection of those natural resources. Management techniques should include, but not be limited to, a baseline survey of listed plant and animal species, protection of listed plant and animal species, protection of imperiled or critically imperiled vegetative communities, protection of geological features, protection of surface water and groundwater quality and hydrology and prescribed burns.

Identify monitoring activities to insure the continued viability of vegetative communities and listed species found on the Project Site. The monitoring plan should include periodic surveys of the vegetative communities, listed plant species, and listed animal species found on the Project Site. Provide for forwarding survey information on the occurrence of listed plant and animal species to the Florida Natural Areas Inventory.

**Resource restoration and enhancement:** Identify the primary components of the Project Site enhancement and restoration effort, if any. These might include removal of invasive exotic plant species, removal of feral animals, restoration of wetlands, improvement of surface water quality, recovery plan for listed species, and restoration of uplands habitat. This section should include a time frame for implementing and completing the activities and a monitoring program to insure success of the resource enhancement activities. Identify parts of the property that require different degrees or types of enhancement management.

**Archeological and historical resource protection:** Identify any archeological or historical sites on the Project Site and the primary components of managing the archeological or historical

sites. Outline procedures to protect archeological or historical sites that may be identified in the future.

Incorporate a provision that if any archaeological and historic resources are discovered at the Project Site, the Recipient shall comply with the provisions of Chapter 267, Florida Statutes specifically Sections 267.061 (2)(a) and (b). Provide for coordination with the Division of Historical Resources, Florida Department of State.

Coordination: Explain how the management of the site will be coordinated with other adjacent land owners and other resource protection agencies. For example, in the case of prescribed burns, what measures will be used to minimize impacts on nearby residential properties? Identify measures to protect the Project Sites from adjacent off-site activities that might impact resources on the Project Site such as pesticide spraying on adjacent property, water treatment facility discharging into creeks flowing through Project Site, etc.

Include provisions to coordinate with other agencies for appropriate guidance, recommendations, and necessary permits that may be related to the Project Site, such as the following: the Florida Game and Fresh Water Fish Commission and U.S. Fish and Wildlife Service to avoid impacts to listed species; the Water Management District and Department of Environmental Protection to ensure that development of the Project Site is done in a manner to protect or improve water quality; the Division of Forestry and the Game and Fresh Water Fish Commission on the implementation of a prescribed burn program; other local, state, or federal agencies special management plans, if appropriate.

#### COST ESTIMATE AND FUNDING SOURCE

Identify the estimated costs of the various development and management activities outlined in the management plan. For review and analysis purposes, the estimated costs should be separated into the same categories as the identified activities.

Identify the entity that will pay for development and management of the Project Site and some measure of the commitment or capacity to provide these monies. For example, adequate personnel and resources in the local parks and recreation department may exist to address the added burden associated with the Project Site. Identify any citizen organization or non-profit groups committed to providing services or funding and a measure of commitment or capacity to provide these services.

#### PRIORITY SCHEDULE

Identify a proposed time line for implementing the development and management activities of the management plan based on established priorities and the availability of funds. Provide a graphic display of the implementation time lines.



**APPENDIX M**  
**MONITORING PROTOCOLS**

# **LISTED SPECIES AND WILDLIFE MONITORING PROTOCOL FOR PALM BEACH COUNTY NATURAL AREAS**

**February 2008**

This protocol is intended to assist site managers and staff in the Natural Resources Stewardship Division (NRS) of the Department of Environmental Resources Management in conducting listed species and wildlife monitoring on natural area managed by Palm Beach County (PBC). For the purposes of this protocol, listed species are defined as plants or animals that are considered endangered, threatened, or of special concern in Florida by the following agencies: Florida Fish and Wildlife Conservation Commission (FWC), Florida Department of Agriculture and Consumer Services (FDACS), Florida Natural Areas Inventory (FNAI), and the United States Fish and Wildlife Service (FWS). This protocol is to be applied to all listed species of plants and animals occurring on Natural Areas managed by PBC and listed on the attached Listed Species Monitoring Table unless otherwise stated in a separate species-specific protocol.

This protocol is a simplified adaptation of a three-level approach proposed by Menges and Gordon (1996) and refined in Phillipi et al. (2001). The Menges and Gordon monitoring strategy was presented during The Nature Conservancy's *Vegetation Monitoring in a Management Context* course as part of the Natural Areas Training Academy continuing professional education program. It has also been expanded upon and refined in the Natural Areas Journal article titled *A Multistage Approach to Population Monitoring for Rare Plant Populations* (Phillipi et al. 2001). The first protocol section (Listed Species and Wildlife Monitoring Protocol) describes the different monitoring levels and methodologies associated with each, and is primarily applicable for listed plant species unless otherwise specified. The second section (Wildlife Survey Protocol) describes methodologies for conducting wildlife and listed animal species surveys. Attachments include sample field data sheets (Attachment 1) and the Listed Species Monitoring Table (Attachment 2).

## **OBJECTIVES**

The primary objective of the monitoring program is to determine the presence of listed species of plants (per FNAI, FWS, and FDACS), and animals (per FNAI, FWS, and FWC) in Palm Beach County, using County-managed natural areas. The secondary objective is to determine the relative abundance of each species on each natural area, as staff time and other resources allow. Additional objectives may be developed for certain periods of time, such as to comply with permit conditions for a specific project on a specific natural area or to determine the impact of a destructive natural event such as a hurricane, wildfire, pest, disease or invasive species on one or more natural areas.

## **GENERAL METHODOGIES**

The first monitoring effort conducted at a given site will be the most labor intensive and time consuming. The goal of the initial surveys will be to obtain estimates of entire site population densities, and distributions, or presence/absence data if the site has not been surveyed before, and

to establish permanent monitoring stations based on these estimates. The initial surveys will consist of random transects through appropriate habitat until the majority of the habitat types are sufficiently covered within each management unit (as determined by the site manager).

It is important to map or describe all geographic areas covered during the initial survey effort so there is no duplication of survey effort and time by subsequent observers. All data collected during listed species and wildlife surveys shall be entered into the Environmental Resources Management Enterprise Database (EEDB) as dictated by PBC Environmental Resources Management Policies and Procedures Memorandum (PPM) number EV-0-619 titled *Collection, Entry and Storage of Natural Areas Field Data*. It is important to document any additional monitoring that takes place on any natural area, or with any particular species, in order to assure repeatability in future survey efforts. The following monitoring levels and general methodologies are primarily utilized for listed plant species unless otherwise specified.

The three different levels of monitoring are:

Level I – Recording the presence of a species or population (opportunistic observations)

Level II – Surveying the number of individuals within a population

Level III – Census monitoring of marked individuals

The following definitions, codes, sample data sheets, and Listed Species Monitoring Table are intended to serve as a general guide for listed species monitoring and wildlife surveying on all County managed Natural Areas. The monitoring levels suggested here shall be considered the minimum necessary to detect large-scale population trends over time.

## **LEVELS OF MONITORING**

### **Level I – Recording the presence of a species or population (opportunistic observations)**

A record should be kept of all listed plant and animal species opportunistically encountered on all natural areas during regular site visits. The presence of a listed plant species or stationary listed animal sign (e.g., nest or burrow) shall be recorded using a Global Positioning System (GPS) receiver as described in the mapping section below. Any additional information about each sighting (e.g., Flowering/Fruiting, Adult/Juvenile, Male/Female, etc.) shall be recorded in the EEDB as per PPM EV-0-619.

Level I data will provide good baseline information, including whole population and community-wide qualitative indicators, as well as species status and management needs. Weaknesses of Level I monitoring include: 1) lack of repeatability, 2) observer bias, 3) semi-quantitative data (no analytical value), and 4) the ability to only detect dramatic change. Site-or species-specific protocols may be further developed in the future as needed.

### **Level II – Surveying the number of individuals within a population**

Level II monitoring may be used for listed animals and shall be utilized for listed plant populations of 200 or more individuals. If the entire known population of a listed plant species

present at one site is less than 200 individuals, Level III monitoring shall be utilized (as described below). Level II monitoring provides the ability to record qualitative and semi-quantitative information as well as the GPS location of individuals or groupings of listed plant species or listed animal features (e.g., nests or burrows). Techniques utilized for Level II monitoring include individual counts or ocular estimates and are described as follows.

### Individual Count

**I = Individual Count.** If the number of individuals at one survey station is less than 50, then count all individuals at that one station and record the location with a GPS receiver as described in the mapping section below.

### Ocular Estimates

**O = Ocular Estimates.** If the number of individuals at one survey station is greater than or equal to 50, then make an ocular estimate using the following ranges:

- 50 – 99
- 100 – 199
- 200 – 499
- 500 – 999
- 1,000 – 2, 999
- 3,000 – 9, 999
- 10,000 – or greater

Record the location of the survey station with a GPS receiver as described in the mapping section below.

### **Level III – Census monitoring of marked individuals**

If the entire known population of a listed species *at one site* is less than 200 individuals, count all individuals and record the location of the individuals or groups with a GPS receiver as described in the mapping section below. Level III monitoring provides quantitative measures of population and community. The following monitoring techniques are utilized at Level III:

- Density or relative abundance of individuals (number of individuals per unit area)
- Percent cover
- Percent flowering/fruitletting/seeding
- Census (total number of individuals on entire site)

**D = Density.** This will be done for species that have relatively even spatial distribution (rare in plants, which usually have clumped distribution) in relatively continuous vegetation community types or for wildlife surveys using transects, quadrants, or other fixed sample units. Randomly sampled subunits within management units will be used to make site-wide estimates of relative species density.

**P = Percent Cover.** This methodology is primarily for plants and can be used to estimate the percentage of a defined area covered by the leaf area of the subject species.

**PF = Percent Flowering.** This methodology is for plants and simply involves counting the number of individuals flowering (or fruiting or seeding) at the time of a census event and determining the percentage of individuals in this condition.

**C = Census.** This is the same as Level I counting of an entire population at a site if the total population is less than 200 individuals. Once again, this should only be utilized for species with limited population distributions on natural areas and/or relatively small populations (e.g., *Oncidium bahamensis* and *Tillandsia valenzuelana*).

## MAPPING

The following mapping techniques shall be utilized for all monitoring levels as necessary to capture the number of listed plants or listed animal signs at a specific survey station.

**ME = Map Epicenter.** This involves recording one GPS point ( $\pm 1$  meter accuracy is preferred, but  $\pm 3$  meters may be sufficient) at or near the epicenter, or geographic center, of the highest density of plants or listed animal signs. This area will be defined as a 25 foot radius circle unless otherwise stated. Do this at all known population epicenters or, at least at one point within each representative management unit or other logical geographic unit. For example, a north, central, and south unit may be appropriated if the species is present in all units and several units contain similar vegetation community types. Examples of species appropriate for this level of mapping include *Tillandsia* spp. and *Lechea cernua*. Flag or otherwise mark this point in the field as well for relocatability.

**MI = Map Individuals.** This is similar to **ME**, but involves mapping individual plants, not epicenters. This will require sub-meter accuracy GPS equipment and will only be suitable for widely distributed ephemeral species (e.g., *Cladonia perforata* or clump-growing herbaceous species such as *Panicum abscissum*).

**MP = Map Perimeter.** This is similar to **MI**, but delineates the outer boundary of the total area occupied by the population. This will create a polygon shapefile that can be used to track the total area occupied by the species over time. This is better suited to species that cannot be easily distinguished as individuals (e.g., *Cladonia perforate* or clump-growing herbaceous species such as *Panicum abscissum*).

**MN = Map Nest.** This is also the same as **MI**, but is utilized to map stationary listed animal signs including nests, burrows, feeding platforms, beds, etc. Simply map the identifiable sign the particular animal has left. This can also include scat and tracks.

## FREQUENCY OF MONITORING EVENTS

The frequency of monitoring depends on the species to be monitored, the needs of the land management staff, the requirements of the management plan for the site, and any requirements

imposed by one or more permitting agencies (if applicable). The monitoring frequency categories to be used and the codes for these frequencies are:

A = Annual

BI = Biannual (twice a year)

B = Biennial (every two years)

T = Triennial (every three years)

V = Variable (as determined by site manager)

Most listed plant species shall be monitored biennially; most listed animal species shall be monitored annually. Additional surveys may be conducted if the site manager, in consultation with his or her Environmental Program Supervisor and the NRS Environmental Manager, determines that such surveys are necessary to document changing site conditions or the effects of significant events.

### **LISTED SPECIES MONITORING TABLE**

The Listed Species Monitoring Table (Attachment 2) is a comprehensive table that summarizes the monitoring frequency, legal status, natural area(s) where the species occur, and the preferable survey season/timing for currently 43 listed plant and 44 listed animal species. Monitoring levels and counting techniques (individual count or ocular estimate) are not indicated for any one particular species as they will vary dependent on the size and distribution of the population of that species on each natural area. The ultimate purpose of the Listed Species Monitoring Table is to provide site managers and staff in the NRS Division with a readily accessible guide to assist in the planning, scheduling, and surveying of listed species. The table shall be modified periodically by NRS staff to add or delete species and to update the legal status of species as needed to stay current with newly released listings from the various regulatory state and federal agencies.

### **Literature Cited**

Menges, E.S. and D. Gordon, 1996. Three Levels of Monitoring Intensity for Rare Plant Species. Natural Areas Journal 16: 227-237.

Philippi, T., B. Collins, S. Guisti, and P.M. Dixon. A Multistage Approach to Population Monitoring for Rare Plant Populations. Natural Areas Journal 21: 111-116.

## **WILDLIFE SURVEY PROTOCOL FOR PALM BEACH COUNTY NATURAL AREAS**

- A. NON-MIGRATORY WILDLIFE SURVEYED**
- B. MIGRATORY WILDLIFE SURVEYS**
- C. LISTED WILDLIFE SPECIES SURVEYS**

### **A. NON-MIGRATORY WILDLIFE SURVEYS**

#### **OBJECTIVE**

Monitor the relative abundance of non-migratory wildlife species (mammals, birds, fish, reptiles, amphibians, and insects) utilizing County-owned Natural Areas.

#### **METHOD**

Time period: last week of May to first three weeks of June

Frequency: Annual

Technique: permanent line transect

Establish at least one permanent transect within each representative habitat type or management unit. Alternatively, if the site is relatively small, establish at least one transect for the entire site that encompasses as many of the dominant vegetative community types as possible. As a general rule, transects should be at least 100 meters long ( $\approx 330'$ ), but greater lengths (up to 1 km, or  $\approx 3,280'$ ) are preferable when habitat allows. The transect length shall be measured and the endpoints recorded with a Global Positioning System (GPS) receiver and permanently marked in the field with rebar, spray-paint, landmarks, or other permanent fixture easily recognizable for future surveys.

At least two skilled observers will walk at a natural, steady pace as close to the centerline of the transect as possible from sunrise to within two hours after sunrise on fair weather days. Each of the two observers will focus on recording only the species and number of individuals of one taxonomic group of organisms (either birds or mammals) to an unlimited distance from the centerline. One observer will focus on mammals and their sign (e.g. browse, rubs, burrows, scat, tracks, skeletal remains, etc.), and the other on birds and their calls. All wildlife species observed opportunistically outside of established transect routes during a survey period will be recorded under Opportunistic Sightings on the data sheet nearest to the observation location. These observations will include birds, mammals, reptiles, amphibians, and insects. If additional staff and time allow, a third observer will focus on reptiles and amphibians and their sign and calls, and a fourth observer would focus only on insects. Surveyors of reptiles and amphibians can turn over, or look under, any "cover objects" (e.g. logs, rocks, trash, or other debris) intercepted by the transect line (Elzinga et al. 2001). Cover objects may be placed along transect routes if few or no animals are observed along the entire transect length.

Vegetation community type does not need to be recorded for transects that cross multiple habitat types (i.e. smaller sites *only*). Adjacent transects should be no closer than 150-200 meters (500'-

650') in enclosed habitat and 250-500 meters (820'-1,640') in open habitats. Site managers will assure that surveys are conducted during the same time period in subsequent years.

**Note:** Fish surveys are considered optional and may be conducted during a separate sampling event using the methods described in the separate PBC Protocol titled Aquatic Macrofauna Sampling Protocol for Palm Beach County Natural Areas.

## **B. MIGRATORY WILDLIFE SURVEYS**

### **OBJECTIVE**

Monitor the relative abundance of migratory bird species utilizing County-owned Natural Areas.

### **METHOD**

Time period: Last two weeks of September to first two weeks of October (Fall) and last two weeks of April to first two weeks of May (Spring).

Frequency: Biannual

Technique: point count or line transect

Migratory wildlife surveys will be conducted twice annually during fair weather days with no rain. Surveys will consist of either point counts or line transects. Point counts will be utilized in small natural areas with closed canopies or at sites with fine-scaled habitat variability over short distances. Line transects will be utilized at larger sites or in more open habitats where the vegetative community remains relatively homogeneous over hundreds of meters or more (Bibby *et al.* 1993). The following includes basic guidelines for conducting migratory wildlife surveys.

#### **Point counts**

Locate at least one permanent point within each representative habitat type or management unit. Locate the point in a relatively homogeneous vegetative community away from management roads (although management roads can be used if habitat is not readily accessible). Also locate the points in areas which maximize visibility in all directions (360°) while still being representative of the target vegetation type. Record all bird species and the number of individuals of each seen and heard at each point during a ten minute period between sunrise and 11:00a.m. (record start and stop times). Shorter five minute periods can be used for larger sites if time is limited. No distance estimates will be recorded unless counts are being conducted for estimates of density. Counts will be conducted by at least two skilled observers facing opposite directions. Counting can begin immediately upon arriving at a point unless motor vehicles were used, in which case the count should begin after a several minute settling period. Vegetation community type will be recorded at each point using the most appropriate FNAI Natural Community description. Adjacent points will be no closer than approximately 200 meters (~660') apart unless in extremely dense vegetation.

#### **Line transect counts**

Migratory wildlife survey transects should be the same line transects as those established for non-migratory surveys. Otherwise, locate at least one permanent transect within each representative habitat type or representative management unit as explained in **Section A**.



**Non-migratory Wildlife Surveys.** The transect should be entirely located within the same vegetative community, thus the length of each transect may differ depending upon habitat. As a general rule, transects should be at least 100 meters long ( $\approx 330'$ ), but greater lengths (up to 1km, or  $\approx 3,280'$ ) are preferable when habitats allow. Transect length will be measured using GPS. Transects will be walked at a natural, steady pace by at least two skilled observers between sunrise and 11:00a.m. Each observer will count all birds seen and heard on each side of the transect for an unlimited distance and record the start and end times of each survey period. Vegetation community type will be recorded for each transect using the most appropriate FNAI Natural Community description. Adjacent transects will be no closer than 150-200 meters (500'-650') in enclosed habitat and 250-500 (820'-1,640') meters in open habitats.

## **C. LISTED WILDLIFE SPECIES SURVEYS**

### **OBJECTIVE**

Monitor the relative abundance of listed wildlife species utilizing County-owned Natural Areas.

### **METHOD**

Specific methods for each listed species are found below:

#### **Fish**

Mangrove rivulus - *Rivulus marmoratus* – Species of Special Concern (FWC)

Time period: all year

Frequency: Annual

Technique: Dip net and/or throw trap

Confirm presence/absence of species at any sites with brackish water and estimate their relative abundance. Survey using a small dip net in great land crab (*Cardosoma guanhummi*) burrows during low tide or with a 1-m<sup>2</sup> throw trap near prop roots of red mangrove (*Rhizophora mangle*). Sample at least ten land crab burrows each survey or at least three throw trap stations with three replicate throws each.

#### **Amphibians**

Gopher frog – *Rana capito* – Species of Special Concern (FWC)

Time period: All year

Frequency: Annual

Technique: Line transects

Confirm presence/absence of species on any sites with appropriate habitat and estimate relative abundance based on known gopher tortoise densities or suitable habitat. Surveys can be time-constrained line transects around the perimeter of wetlands during the summer and/or observing the mouth of gopher tortoise burrows in early evening on warm, rainy or humid nights throughout the year using flashlights, mirrors, and/or a wildlife cameras. All frogs seen and/or heard along transects are recorded as the number of individuals/per unit effort (e.g. six person hours or 1km of transect length). Appropriate habitat includes all areas known to contain gopher tortoises within one mile of seasonal wetlands used for breeding (ideally lacking fish populations).

## Reptiles

All sea turtle species will continue to be monitored by the Shoreline Restoration Section of the Environmental Enhancement & Restoration Division on Natural Areas. Land Management and Monitoring Staff will communicate regularly with Shoreline Restoration staff concerning sea turtle management issues.

American alligator – *Alligator mississippiensis* – Threatened/Similarity of appearance (FWS) and Species of special concern (FWC)

Time period: May-October, preferably near May.

Frequency: Annual

Technique: Permanent line transects with spotlight

Populations are currently surveyed statewide by FWC and appear to be stable. Optional surveys for this species may be conducted on natural areas if deemed necessary from a motor vehicle, boat, swamp buggy, etc., or on foot. The number of individuals seen or heard along transect routes will be counted, including an estimate of their total length (i.e. 0-1 ft., 2-3 ft. 4-5 ft., and >6 ft.).

Eastern indigo snake – *Drymarchon corais couperi* – Threatened (FWS & FWC), and Florida pine snake - *Pituophis melanoleucus mugitus* – Species of special concern (FWC)

Time period: April-May

Frequency: Annual

Technique: Line transect with light and mirror or wildlife camera.

As snakes are inherently difficult to survey in the wild, surveying for these species will be optional. If surveyed, presence/absence and relative abundance information can be obtained from placing cover objects in suitable habitat (e.g. near gopher tortoise or armadillo burrows in virtually all habitat types) at regular intervals and surveying during April and May in the early morning (sunrise to 11:00 a.m.) or late afternoon (two hours before sunset). More costly and time-consuming drift fences and pit-fall traps can also be used near burrows or in representative wetland/upland ecotones once presence of the species has been confirmed.

Gopher tortoise – *Gopherus polyphemus* – Species of special concern (FWC)

Time period: All year

Frequency: Biennial

Technique: Line transect

Surveys will follow the latest Florida state guidelines (FWC) for conducting surveys. To date this has been Cox, J., D. Inkley, and R. Kautz. 1987. *Ecology and habitat protection needs of gopher tortoise (Gopherus polyphemus) populations found on lands slated for large-scale development in Florida*, Non-game Wildlife Program Technical Report No. 4. Tallahassee, FL.

## **Birds**

### **Colonially Nesting Waterbirds**

Time period: February-June (depending upon species)

Frequency: Annual

Technique: Morning and/or evening flight-line counts

All of the following species are known only to breed in mixed-species colonies in our area and will be surveyed during the typical February-June nesting season (except brown pelicans and least terns) at known colony locations. Waterbird breeding colonies are typically located in the same location year after year and are rather conspicuous due to the often large number of birds nesting in a relatively small area, courtship displays, calls, visibility in flight, impact on surrounding vegetation (e.g. white guano coating leaves, trampled vegetation, etc.), and odor of fecal matter and regurgitated prey. These colonies begin to form in late February and can last through June, depending on the breeding species. Surveys will consist of temporary transects covering as much of the appropriate habitat (→woody vegetation submerged or surrounded by water”) as possible between sunrise and 11:00 a.m. (White *et al.* 2005). Once (or if) a colony is located during any time throughout the breeding season, at least one morning or evening flight-line count will be conducted. A minimum of two people positioned on opposite sides of the colony, and at a distance greater than 300’ from nesting birds, will count all species departing from (a.m.) or arriving to (p.m.) the colony from an unobstructed vantage point. Birds will be recorded as the number of individuals of each species observed flying in one of eight cardinal directions within approximately 300’ of the colony (i.e. N, NE, E, SE, S, SW, W, NW). Morning surveys will begin at first light and extend until all foraging birds have departed, while evening surveys will begin approximately two hours before sunset and last at least 1.5 hours.

Least tern – *Sterna antillarum* – Threatened (FWC)

Time period: April-May

Frequency: Annual

Technique: Opportunistic (until a nest is observed)

This species is not known to currently nest in any of the County-owned Natural Areas. This bird now nests regularly on artificial surfaces (e.g. gravel-covered roofs, spoil material, and otherwise disturbed areas) that mimic open, sandy beaches historically used for nesting. Survey for this colonially nesting species anywhere with sand or gravel and a very low density of vegetation adjacent to aquatic foraging grounds (i.e. ocean, lakes, ponds, and canals)

Brown pelican- *Pelecanus occidentalis* - Species of special concern (FWC)

Time period: November-August

Frequency: Annual

Technique: Opportunistic (until a nest is observed)

This species is not known to have bred in Palm Beach County in recent times. Specific surveys will be initiated if birds are observed nesting in remaining coastal mangroves anytime throughout the year.

The following species are typical wading bird colony associates:

Little blue heron – *Egretta caerulea* – Species of special concern (FWC)

Snowy egret – *Egretta thula* - Species of special concern (FWC)

Tricolored heron – *Egretta tricolor* - Species of special concern (FWC)

White ibis – *Eudocimus albus* - Species of special concern (FWC)

Wood stork – *Mycteria Americana* – Endangered (FWS and FWC)

Roseate spoonbill - *Ajaia ajaja* – Species of special concern (FWC)

In Palm Beach County this species breeds in mixed-species colonies with other wading birds from February-June. This conspicuous bird is known currently to breed only in very small numbers (<5 pairs) at the Solid Waste Authority site (western end of 45<sup>th</sup> street). Small groups also breed in the Water Conservation Areas in western Palm Beach County. Birds will be surveyed with other long-legged waders above.

### **Non-colonial Listed Bird Species**

Limpkin – *Aramus guarauna* – Species of special concern (FWC)

Time period: January-March

Frequency: Annual

Technique: census all wetlands with appropriate habitat

Surveying for this species will be optional since it is largely nocturnal and the population appears to have increased from an early 20<sup>th</sup> century low due to hunting pressure. This species has been known to breed throughout the year depending on food availability, but January through March is typical in Palm Beach County. Surveys for this solitary nester will utilize temporary or permanent nocturnal point counts with playback tapes of vocalizations near suitable apple snail habitat (i.e. any wetlands holding 4-20 inches of water during the winter breeding season). Calls will be played for one minute intervals in each of the four cardinal directions with one minute breaks between each directional change. Since the species is highly territorial during the breeding season, each point count will end once a bird responds.

Florida sandhill crane – *Grus Canadensis pratensis* – Threatened (FWC)

Time period: January-March

Frequency: Annual

Technique: census approximately 15% of all wetlands with appropriate habitat *only* if adult or immature birds are observed on site during the breeding season.

Temporary transect routes will entail visual counts of birds and nests in optimal breeding habitat (pastures/prairies and wetlands dominated by Pickerelweed (*Pontedaria cordata*), maidencane (*Panicum hemitomom*), and *Eleocharis* sp.) during the egg-laying period. Nests are usually constructed over water (averaging five inches above water with average depths of 12 inches) amongst emergent native aquatic vegetation but they can also be constructed on dry land or floating mats of vegetation (Rodgers *et al.* 1996). Nesting material is composed of plants in the vicinity of the nest, with a layer of finer materials placed in the cup. Surveyors will look for nests and birds from several vantage points along the perimeter of wetlands while minimizing disturbance to breeding birds.

Florida scrub jay – *Aphelocoma coerulescens coerulescens* – Threatened (FWS/FWC)

Time period: March-April

Frequency: Annual

Technique: Point counts

Surveys will follow the latest Florida state guidelines (FWC and/or FWS) for conducting surveys. To date this has been Fitzpatrick, J.D., G.E. Woolfenden, and M.T. Kopeny. 1991. Ecology and development-related habitat requirements of the Florida scrub-jay (*Aphelocoma coerulescens coerulescens*). Florida Game and Fresh Water Fish Commission. Nongame Wildlife Program Technical Report Number 8.

### **Listed species potentially breeding in County-owned Natural Areas**

The following species have been observed on County-owned Natural Areas but have not been confirmed as on-site breeders. Site managers will record any opportunistic sightings of these species throughout the year and will initiate specific surveys if birds are observed during their respective breeding seasons. Nests of these species will be followed during the season of their discovery and a species-specific monitoring plan may be developed if deemed necessary/feasible by the site manager.

Southeastern American kestrel – *Falco sparverius paulus* – Threatened (FWC)

Time period: May-August

Frequency: Annual

Technique: Opportunistic (until nest is observed)

This species has not been confirmed in recent times to breed anywhere in Palm Beach County (Stevenson and Anderson 1994; Florida Breeding Bird Atlas 1991).

Bald eagle – *Haliaeetus leucocephalus* – Threatened (FWC)

Time period: November-June

Frequency: Annual

Technique: Opportunistic (until a nest is observed)

As this conspicuous species constructs large nests that are used year after year, they are readily observed in flight to and from a nest tree (typically older, taller trees, often snags, with open vistas of surrounding habitat). FWC has a website listing the locations of known active and inactive bald eagle nests throughout the state (<http://myfwc.com/eagle/eaglenests/Default.asp>).

Red-cockaded woodpecker – *Picoides borealis* – Endangered (FWS) and Species of Special Concern (FWC)

Time period: April-July

Frequency: Annual

Technique: Opportunistic (until a nest is observed)

This species is known only to breed in extreme northern Palm Beach County near the J. W. Corbett Wildlife Management Area (FWC) and Pal-Mar area. Look for this bird to occur in northern natural areas (north of Okeechobee Blvd.) in open pine flatwoods during the late April through mid-July breeding season. Active nest cavity trees are live slash pines with distinctive “resin wells” that exude resin from the cambium layer after being punctured by the birds. The

wells are typically located below the cavity and resin accumulates along the trunk below. Active cavities exhibit reddish wells and clear sticky sap, whereas inactive cavities exhibit grayish wells and dry, white sap.

Snail kite – *Rostrhamus sociabilis plumbeus* – Endangered (FWS and FWC)

Time period: December-June

Frequency: Annual

Technique: Opportunistic (until a nest is observed)

Survey wetland habitats with relatively low density of emergent vegetation (e.g. cattail (*Typha* spp.), *Eleocharis* sp., maidencane (*Panicum hemitomon*), sawgrass (*Cladium jamaicense*), etc.) adjacent to woody wetland species such as cypress (*Taxodium distichum*), cocoplum (*Chrysobalanus icaco*), southern willow (*Salix caroliniana*), pond apple (*Annona glabra*), and buttonbush (*Cephalanthus occidentalis*). The former habitat provides optimal foraging for apple snails (*Pomacea paludosa*), the kites' principal food, and the latter offers typical nesting substrate.

### **Mammals**

Manatees will continue to be monitored by the Florida Fish and Wildlife Conservation Commission and opportunistic sightings near the natural areas will continue to be recorded by staff.

Florida mouse – *Podomys floridanus* – Species of Special Concern (FWC)

Time period: April-May

Frequency: Annual

Technique: Line transect, wildlife camera, or Sherman live traps.

Confirm presence/absence and then initiate a more intensive sampling effort with Sherman live traps if deemed appropriate by the site manager. Presence/absence will be determined through visual counts of sign along line transects connecting gopher tortoise burrows or setting up wildlife cameras near the mouths of gopher tortoise burrows. Trap lines should be established following the basic guidelines described in Elzinga *et al.* 2001 ("Field Methods for Mammals", pg. 244).

## REFERENCES

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**SURVEY STATION DATA SHEET**

**NATURAL AREA:** \_\_\_\_\_

**STATION TYPE/SPECIES:** \_\_\_\_\_

**STATION NUMBER /FCODE:** \_\_\_\_\_

**STAFF:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**GPS COORDINANTS**

**START – EASTING (X):** \_\_\_\_\_ **NORTHING (Y):** \_\_\_\_\_

**LONGITUDE:** \_\_\_\_\_ **LATITUDE:** \_\_\_\_\_

**TRANSECTS ONLY:**

**END – EASTING (X):** \_\_\_\_\_ **NORTHING (Y):** \_\_\_\_\_

**LONGITUDE:** \_\_\_\_\_ **LATITUDE:** \_\_\_\_\_

**DOMINANT HABITAT TYPE (CIRCLE ONE)**

- |                            |                             |                   |
|----------------------------|-----------------------------|-------------------|
| AUSTRALIAN PINE            | DISTURBED MESIC FLATWOODS   | MELALEUCA         |
| BASIN MARSH                | DOME SWAMP                  | PRAIRIE HAMMOCK   |
| BASIN SWAMP                | DISTURBED SCRUBBY FLATWOODS | SCRUBBY FLATWOODS |
| BEACH DUNE                 | DISTURBED STRAND SWAMP      | SCRUB             |
| BRAZILIAN PEPPER           | DISTURBED TIDAL MARSH       | STRAND SWAMP      |
| CANAL                      | DISTURBED TIDAL SWAMP       | TIDAL MARSH       |
| COASTAL STRAND             | DISTURBED WET FLATWOODS     | TIDAL SWAMP       |
| DISTURBED BASIN MARSH      | DISTURBED WET PRAIRIE       | WET FLATWOODS     |
| DISTURBED DEPRESSION MARSH | HYDRIC HAMMOCK              | WET PRAIRIE       |
| DEPRESSION MARSH           | MARITIME HAMMOCK            | XERIC HAMMOCK     |
| DISTURBED SCRUB            | MESIC FLATWOODS             |                   |

**SAMPLE UNIT DESCRIPTION**

- |                    |                                 |                                 |
|--------------------|---------------------------------|---------------------------------|
| POINT COUNT        | TRANSECT                        | QUADRAT                         |
| RADIUS (ft.) _____ | L: _____ (ft.) x W: _____ (ft.) | L: _____ (ft.) x W: _____ (ft.) |

**SURVEY STATION DESCRIPTION**

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## LISTED SPECIES MONITORING TABLE (updated 2/27/08)

LEGAL STATUS								
Scientific Name	Common Name	Monitoring Frequency	FNAI Rank (1) Global-G State-S		FWS (2)	FDACS (3)	Natural Areas Present	Preferable Survey Season/Timing
<b>PLANTS</b>								
<i>Asclepias curtissii</i>	Curtiss' milkweed	A	n/a	n/a	n/a	E	JUD	May-September
<i>Asimina tetramera</i>	Fourpetal pawpaw	T	G1	S1	E	E	JUD, JUI, JUR, PAP	May-August
<i>Bletia purpurea</i>	Pinepink	B	n/a	n/a	n/a	T	RPB, LOR, POC, LOS, SWE	February –April
<i>Calopogon multiflorus</i>	Manyflowered grasspink	B	G2G3	S2S3	C	E	LOS, POC, PIG	April (March-June), few weeks following spring burn
<i>Chamaesyce cumulicola</i>	Sanddune spurge	A	G2	S2	C	E	JUD, JUR, YAS	All year (wet season)
<i>Chrysophyllum oliviforme</i>	Satinleaf	T	n/a	n/a	n/a	T	LOS	All year (wet season)
<i>Cladonia perforata</i>	Perforate reindeer lichen	T	G1	S1	E	E	JUR, JUI	All year (wet season)
<i>Conradina grandiflora</i>	Largeflower false rosemary	T	G3	S3	n/a	T	ROS, SES, JUD, JUI, JUR, YAS, LPS	
<i>Cyperus pedunculatus</i>	Beachstar	A	n/a	n/a	n/a	E	JUD	July-November
<i>Cyrtopodium punctatum</i>	Cowhorn orchid	T	G5?	S1	n/a	E	POC	March-May
<i>Encyclia tampensis</i>	Florida butterfly orchid	B	n/a	n/a	n/a	CE	FRF, HUS, JUR, RPB, JUD, LOR, POC, PIG, LOS, NJF	May-July (all year)
<i>Gossypium hirsutum</i>	Wild cotton	T	G4G5	S3	n/a	E	LIC	All year (wet season)
<i>Lechea cernua</i>	Nodding pinweed	B	G3	S3	n/a	T	JUD, JIU, JUR, HYS, ROS, SES, YAS, LPS, POH	July-January
<i>Lechea divaricata</i>	Drysand pinweed	A	G2	S2	n/a	E	HRS, JUR, SES, JIU, LIC	May-October
<i>Lilium catesbaei</i>	Catesby's lily	B	n/a	n/a	n/a	T	HUS, RPB, LOR, LOS, POC, C18, PIG, NJR, SWE	July-November
<i>Lycopodium cernuum</i>	Nodding club-moss	T	n/a	n/a	n/a	CE	JUR, RPB, LOR, LOS, POC, PIG, JUD	All year (wet season)
<i>Myrcianthes fragrans</i>	Simpson's stopper	T	n/a	n/a	n/a	T	LIC	March-April (all year)
<i>Nemastylis floridana</i>	Celestial lily	A	G2	S2	n/a	E	RPB, LOS, SWE, LOR	September (late)-November (early), after 2:00 p.m. only
<i>Nephrolepis biserrata</i>	Giant sword fern	B	n/a	n/a	n/a	T	DEO, JUD, RPB, POC, LOS	All year (wet season)
<i>Okenia hypogaea</i>	Burrowing four'o'clock	A	G3?	S2	n/a	E	JUD, YAS, SES	April-November
<i>Oncidium ensatum</i>	Florida dancinglady orchid	A	G2Q	S1	n/a	E	JUR, JUI	April (late)-May
<i>Ophioglossum palmatum</i>	hand fern	B	G4	S2	n/a	E	FRF, RPB, YAS, HUS, JUD, LOS, C18	All year (wet season)
<i>Opuntia stricta</i>	Shell-mound prickly pear	B	n/a	n/a	n/a	T	FRF, HRS, JUD, ROS, SES, HYS	All year (wet season)
<i>Osmunda cinnamomea</i>	Cinnamon fern	B	n/a	n/a	n/a	CE	DEO, JUD, RPB, LOR, POC, PIG, LOS, NJF, PON, FRF	August-September

<i>Osmunda regalis</i>	Royal fern	B	n/a	n/a	n/a	CE	DEO, JUD, JUR, FRF, SWE, RPB, LOR, POC, HUS, PIG, LOS, NJF, ACP, PON, C18	March-September	
<i>Panicum abscissum</i>	Cutthroat grass	B	G3	S3	n/a	E	YAS, PON	March-September	
<i>Pinguicula caerulea</i>	Blueflower butterwort	B	n/a	n/a	n/a	T	LOS, POC, PIG	December-May	
<i>Pinguicula lutea</i>	Yellow butterwort	B	n/a	n/a	n/a	T	RPB	February-May	
<i>Platanthera integra</i>	Orange reinorchid	B	n/a	n/a	n/a	T	SWE, RPB, LOR, POC, PIG, LOS	Late May-July, few weeks after burn	
<i>Pogonia ophioglossoides</i>	Rose pogonia	B	n/a	n/a	n/a	T	LOS, PIG	March-May	
<i>Polygala smallii</i>	Small's milkwort	A	G1	S1	E	E	JUR, LIC	March-May	
<i>Sacoila lanceolata</i>	Leafless beaked orchid	B	n/a	n/a	n/a	T	HUS, LOS	Early May, April-June	
<i>Scaevola plumieri</i>	Inkberry	B	n/a	n/a	n/a	T	JUD	All year	
<i>Spiranthes laciniata</i>	Lacelip ladiestresses	B	n/a	n/a	n/a	T	RPB, LOR, LOS, POC	April (May-July)	
<i>Spiranthes longilabris</i>	Longlip ladiestresses	B	n/a	n/a	n/a	T	LOS, LOR, RPB, POC, NJF	November-December	
<i>Thelypteris augescens</i>	Abrupt-tip maiden fern	B	n/a	n/a	n/a	T	LOS	All year (wet season)	
<i>Tillandsia balbisiana</i>	Inflated and reflexed wild pine	B	n/a	n/a	n/a	T	DEO, HRS, HUS, JUD, JUR, FRF, SWE, ROS, RPB, SES, YAS, LOR, POC, LOS, NJF, JUI, LPS, PON, C18	March – September	
<i>Tillandsia fasciculata</i>	Common wild pine	A	n/a	n/a	n/a	E	DEO, HRS, HUS, JUD, JUR, FRF, SWE, ROS, RPB, SES, YAS, LOR, POC, LOS, NJF, JUI, ACP, C18, LPS PON	March-September	
<i>Tillandsia flexuosa</i>	Twisted airplant	A	G5	S3	n/a	T	DEO, JUD, JUI, JUR, FRF, RPB, SES, YAS, LOR, LOS, NJF	March-September	
<i>Tillandsia utriculata</i>	Giant wild pine	A	n/a	n/a	n/a	E	DEO, HRS, HUS, JUD, JUR, FRF, SWE, ROS, RPB, SES, YAS, LOR, POC, LOS, NJF, JUI, PIG, HRS, ACP, PON	March-September	
<i>Tillandsia variabilis</i>	Sof-leaved wild pine	A	n/a	n/a	n/a	T	ACP	March-December	
<i>Zamia pumila</i>	Coontie	B	n/a	n/a	n/a	CE	JUI, PON	All year (wet season)	
<i>Zephyranthes simpsonii</i>	Simpson' zephyrily	A	G2G3	S2S3	n/a	T	RPB	April-August (December-August), few weeks following burn	
<b>ANIMALS</b>		<b>FWC(4)</b>							
<b>FISH</b>									
<i>Rivulus marmoratus*</i>	Mangrove rivulus	B	G3	S3	n/a	SSC	JUD, JUR, FRF, JUI	All year	
<b>AMPHIBIANS</b>									
<i>Rana capito*</i>	Gopher frog	B	G3G4	S3	n/a	SSC	JUD, JUR	March-September (calls after heavy rains)	
<b>REPTILES</b>									
<i>Alligator mississippiensis*</i>	American alligator	A	G5	S4	T (s/a)	SSC	HUS, RPB, LOR, POC, LOS, SWE, PIG, LOR, POC	May-October, preferably near May	
<i>Caretta caretta**</i>	Loggerhead	EER	G3	S3	T	T	JUD	All year	

<i>Chelonia mydas</i> **	Green turtle	EER	G3	S2	E	E	JUD	All year
<i>Dermochelys coriacea</i> **	Leatherback	EER	G2	S2	E	E	JUD	All year
<i>Drymarchon couperi</i> *	Eastern indigo snake	A	G4T3	S3	T	T	YAS, HUS, JUR, JUD, LOS	All year (nests mid-May to mid-June)
<i>Eretmochelys imbricata</i> **	Hawksbill	EER	G3	S1	E	E		All year
<i>Gopherus polyphemus</i>	Gopher tortoise	B	G3	S3	n/a	SSC	YAS, HRS, FRF, HUS, RPB, JUR, DEO, JUD, LOR, SES, ROS, JUI, LOS, HYS, NJF, ACP, LPS, PON	All year
<i>Lepidochelys kempii</i> **	Kemp's ridley	EER	G1	S1	E	E	JUD (Potentially)	All year
<i>Pituophis melanoleucus mugitus</i> *	Florida pine snake	A	G4T3	S3	n/a	SSC	LOR	All year
<b>BIRDS</b>								
<i>Accipiter cooperii</i>	Cooper's hawk		G5	G3	n/a	n/a	JUD, SES, POC, HYS, FRF, POC, JUR, RPB, LOS, DEO	
<i>Aimophila aestivalis</i>	Bachman's sparrow		G3	S3	n/a	n/a	HUS, RPB, LOR, LOS, PIG	
<i>Ajaia ajaja</i>	Roseate spoonbill		G5	S2	n/a	SSC	RPB PIG, POC	
<i>Aphelocoma coerulescens</i>	Florida scrub-jay		G2	S2	T	T	JUR, JUD, JUI, HYS	March-April
<i>Aramus guarana</i> *	Limpkin		G5	S3	n/a	SSC	HUS, RPB, PIG, POC, LOS	January- March
<i>Ardea alba</i>	Great egret		G5	S4	n/a	n/a	YAS, HUS, RPB, LOR, POC, LOS, ACP, FRF, NJF, PIG, JUR, DEO	January- June
<i>Dendroica discolor paludicola</i>	Florida prairie warbler		G5T3	S3	n/a	n/a	SES	
<i>Egretta caerulea</i>	Little blue heron		G5	S4	n/a	SSC	HUS, RPB, JUR, JUD, LOR, PIG, POC, LOS, HYS, ACP, NJF	February – June
<i>Egretta thula</i>	Snowy egret		G5	S3	n/a	SSC	HUS, RPB, PIG, POC, LOS, ACP	February-June
<i>Egretta tricolor</i>	Tricolored heron		G5	S4	n/a	SSC	YAS, HUS, RPB, JUR, JUD, LOR, PIG, POC, LOS, ACP, DEO, SES	February-June
<i>Elanoides forficatus</i>	Swallow-tailed kite		G5	S2	n/a	n/a	LOR, RPB, LOS, NJF, PIG, LOS	
<i>Eudocimus albus</i>	White ibis		G5	S4	n/a	SSC	HUS, RPB, JUR, PIG, POC, LOS, WIW	February- June
<i>Falco columbarius</i>	Merlin		G5	S2	n/a	n/a	RPB, FRF, JUR, JUD, NJF, JUI	
<i>Falco peregrinus tundrius</i>	Arctic peregrine falcon		G4	S2	n/a	E	YAS, LOR, JUD	
<i>Falco sparverius paulus</i>	Southeastern American kestrel		G5T4	S3	n/a	T	PIG, POC	May-August
<i>Fregata magnificens</i>	Magnificent frigatebird		G5	S1	n/a	n/a	SES, JUD	
<i>Grus canadensis pratensis</i>	Florida sandhill crane		G5T2T3	S3S3	n/a	T	HUS, RPB, LOR, PIG, POC, SWE, LOS	January-March
<i>Haliaeetus leucocephalus</i>	Bald eagle		G4	S3	n/a	T	HUS, RPB, LOR, PIG, HRS, YAS	November-June
<i>Helmitheros vermivorus</i>	Worm-eating warbler		G5	S1	n/a	n/a	YAS, ROS, SES	
<i>Mycteria americana</i>	Wood stork		G4	S2	E	E	YAS, HUS, RPB, JUR, JUD, LOR, PIG, POC, LOS, NJF	

<i>Nyctanassa violacea</i>	Yellow-crowned night-heron		G5	S3	n/a	n/a	HUS, LOS	
<i>Nycticorax nycticorax</i>	Black-crowned night-heron		G5	S3	n/a	n/a	HUS, RPB, LOS, POC	
<i>Pandion haliaetus</i>	Osprey		G5	S3S4	n/a	n/a	YAS, HRS, HUS, RPB, JUR, JUD, LOR, PIG, HYS, SES, PON, NJF, LOS, FRF, JUI, DEO, POC	
<i>Passerina ciris</i>	Painted bunting		G5	S3	n/a	n/a	YAS, SES, JUI	
<i>Pelecanus occidentalis</i>	Brown pelican		G4	S3	n/a	SSC	JUR, JUD, SES, JUI	November-August
<i>Picoides borealis</i>	Red-cockaded woodpecker		G3	S2	E	SSC	HUS, PIG	April-July
<i>Rostrhamus sociabilis plumbeus</i>	Snail kite		G4G5T2	S2	E	E	HUS PIG, POC, LOS, SWE	December-June
<i>Setophaga ruticilla</i>	American redstart		G5	S2	n/a	n/a	YAS, HRS, HUS, RPB, LPS, JUR, DEO, JUD, LOR, SES, ROS, HYS	
<i>Sterna antillarum</i>	Least tern		G4	S3	n/a	T	HUS, RPB, JUR, JUD, PIG, POC, LOS	April-May
<b>MAMMALS</b>								
<i>Neofiber alleni</i>	Round-tailed muskrat		G3	S3	n/a	n/a	HUS, LOR, LOS, PIG	
<i>Podomys floridanus*</i>	Florida mouse	A	G3	S3	n/a	SSC	YAS, SES, JUI, PON, JUR, JUD	April - May
<i>Sciurus niger shermanii</i>	Sherman's fox squirrel		G5T3	S3	n/a	SSC	LOS	
<i>Trichechus manatus***</i>	West Indian manatee	FWC	G2	S2	E	E	JUR, JUD, JUI, FRF	All year

**LEGEND:**

\* = Surveying for species is optional

\*\* = Surveying is conducted by ERM's Environmental Enhancement & Restoration (EER) Division

\*\*\* = Surveying is conducted by the Florida Fish & Wildlife Conservation Commission (FWC)

(1) – Florida Natural Areas Inventory (FNAI) ranking from January 9, 2008

(2) – U. S. Fish and Wildlife Service (FWS) status from FWS website on 2/27/2008

(3) – Florida Department of Agriculture and Consumer Services (FDACS) status from April 22, 2004

(latest as of this update)

(4) – Florida Fish and Wildlife Conservation Commission (FWC) status from January 29, 2004 (latest as of this update)

**Monitoring Frequency**

A = Annual

BI = Biennial (every two years)

B = Biannual (twice a year)

T = Triennial (every three years)

V = Variable (as determined by site manager)

**Legal Status**

FNAI: G = Globally, S = State (in Florida), T = Taxonomic Subgroup, 1 = Critically Imperiled, 2 = Imperiled, 3 = Very Rare or Locally Restricted, 4 = Apparently Secure, 5 = Demonstrably Secure

FWS: E = Endangered, T = Threatened, T (s/a) = Threatened due to Similarity of Appearance, C = Candidate Species for Addition to the List

FDACS/FWC: E = Endangered, T = Threatened, SSC = Species of Special Concern, CE = Commercially Exploited

**Natural Areas**

ACP = Acreage Pines	JUI = Jupiter Inlet	PON = Pondhawk
C18 = C18 Triangle	JUR = Jupiter Ridge	ROS = Rosemary Scrub
DEO = Delray Oaks	LPS = Lake Park Scrub	RPB = Royal Palm Beach Pines
FRF = Frenchman's Forest	LIC = Limestone Creek	SES = Seacrest Scrub
HRS = High Ridge Scrub	LOS = Loxahatchee Slough	SWE = Sweetbay
HUS = Hungryland Slough	NJF = North Jupiter Flatwoods	WIW = Winding Waters
HYS = Hypoluxo Scrub	PAP = Paw Paw	YAS = Yamato Scrub
JRS = Jupiter Ridge Scrub	PIG = Pine Glades	
JUD = Juno Dunes	POC = Pond Cypress	

NOTE: Taxonomy follows Wunderlin and Hansen (Atlas of Florida Vascular Plants) for vascular plants and Florida Natural Areas Inventory for animals.

**AQUATIC MACROFAUNA MONITORING PROTOCOL  
FOR PALM BEACH COUNTY NATURAL AREAS  
January 2008**

This protocol shall be followed by site managers and staff of the Natural Resources Stewardship (NRS) Division of the Department of Environmental Resources Management (ERM) in conducting monitoring for aquatic macrofauna (fish and aquatic macroinvertebrates) on natural areas managed by Palm Beach County. Sampling for aquatic macrofauna may be done in response to data needs, such as initial identification of species on a site, or to comply with permit conditions imposed by the South Florida Water Management District or other permitting agencies for a mitigation area or a restoration project. Several different methods can be used, depending on the sampling goals.

**THROW TRAP OR DROP TRAP METHOD**

A 1-M<sup>2</sup> (100 cm x 100 cm x 90 cm) aluminum throw trap or drop trap shall be used for repeatable measures of density, diversity and biomass comparable across a variety of habitats and/or over time. A throw traps is a sampling device used in shallow-water locations to quickly enclose an area of known size. This type of trap has been shown to provide accurate estimates of density, size structure, and relative abundance of populations of small fish within heavily vegetated habitats (Kushlan 1981, Chick et al. 1992, and Jordan et al. 1997). Rozas and Minello noted that throw traps are most effective in water less than 1.5 meters deep (Rozas and Minello 1997).

Sampling may be conducted twice yearly, once during the wet season and once during the dry season, depending upon sampling objectives. Sampling stations will be located in representative wetlands within each management unit (or habitat type of interest) and near existing hydrological monitoring wells and/or staff gauges, where possible.

Data collected during a survey in the dry season shall be recorded on a Macrofauna Survey Data Sheet – Dry Season (Attachment 1). Data collected during a survey in the wet season, when the yield is likely to be lower because the organisms are more dispersed, shall be recorded on a Macrofauna Survey Data Sheet – Wet Season (Attachment 2).

Three replicate throws per station will be collected on each sampling date. Surveyors shall walk slowly through the water to minimize disturbance, prior to throwing the trap in the air as far as possible so that it lands flat in the water column. Disturbance should be minimized by sampling in a linear pattern and avoiding walking in areas that have not yet been sampled. The trap may need to be pushed slightly into the substrate with a shaking motion immediately after being thrown, to minimize gaps along the bottom through which organisms could escape. Water depth



shall then be recorded at the center of the trap, and all unrooted vegetation shall be removed with a dip net and/or a 0.98m<sup>2</sup> bar seine (1-mm mesh). All aquatic macrofauna shall be removed by passing the net or the seine through the water column inside the trap.

When passing the seine through the water yields no additional organisms during three consecutive sweeps, a hand dip net (1-mm mesh) shall then be passed rapidly through the water column, concentrating on the corners of the trap, until five consecutive sweeps yield no additional organisms. All organisms captured shall then be identified to species (if possible) and counted. Data shall be expressed in the units of the variable of interest/m<sup>2</sup>.

### **DIP NET, SEINE NET, CAST NET, MINNOW TRAP, OR OTHER METHODS**

These methods can be used for conducting site inventories, determining species presence/absence, determining species composition, and obtaining gross estimates of abundance. They may be less labor-intensive in certain situations than throw trapping, but they are not the methods of choice for statistically rigorous estimates of density, diversity, biomass, etc.

### **BASELINE DATA COLLECTION**

NRS staff shall develop a list of the animal species present on a natural area for use in preparation of the management plan for the site. If feasible and appropriate, this list shall include aquatic invertebrates and fish. All species observed shall be recorded in the field and the names of the species then entered into the NRS Environmental Enterprise Database (EEDB), in accordance with the guidance provided in ERM Policies and Procedures Memorandum (PPM) #EV-O-619 (Collection, Entry and Storage of Natural Areas Field Data). Additional species of aquatic macrofauna shall be added to the animal species list for the natural area as they are observed by staff. After the management plan for the site has been approved, a baseline list of aquatic macrofauna can be generated from the NRS EEDB data for use in surveys of aquatic macrofauna.

### **OPPORTUNISITIC OBSERVATIONS**

NRS staff shall record any species of aquatic macrofauna not previously recorded for a natural area if the species is encountered on a natural area during a regular site visit. The information obtained during each sighting shall be recorded in the NRS EEDB.

### **DATA STORAGE**

Following a monitoring event, all data shall be entered into the NRS EEDB, as required by PPM EV-O-619. Refer to the current version of the PPM for specific requirements for data entry.

## REFERENCES CITED

- Chick, J.C., F. Jordan, J. P. Smith and C. C. McIvor. 1992. A comparison of four enclosure traps and methods used to sample fish in aquatic macrophytes. *Journal of Freshwater Ecology* 7: 353-361.
- Jordan, F., S. Coyne and J.C. Trexler. 1997. Sampling fishes in vegetated habitats: Effects of habitat structure on sampling characteristics of the 1-m<sup>2</sup> throw trap. *Transactions of the American Fisheries Society* 126: 1012-1020.
- Kushlan, J.A. 1981. Sampling characteristics of enclosure fish traps. *Transactions of the American Fisheries Society* 110: 557-662.
- Rozas, L.P. and T.J. Minello. 1997. Estimating densities of small fishes and decapods crustaceans in shallow estuarine habitats: A review of sampling design with focus on gear selection. *Estuaries* 20: 199-213.

MACROFAUNA SURVEY DATA SHEET – DRY SEASON

Natural Area: \_\_\_\_\_

Sampling Station # \_\_\_\_\_

Date: \_\_\_\_\_ Field Crew: \_\_\_\_\_

Start/End Times: \_\_\_\_\_ / \_\_\_\_\_ Weather: \_\_\_\_\_

(circle one – seine or dip net – for each throw)

Throw Number: 1													
Water Depth (ft): _____		Number of Individuals											
Species	Seine/ Dip Net 1	Seine/ Dip Net 2	Seine/ Dip Net 3	Seine/ Dip Net 4	Seine/ Dip Net 5	Seine/ Dip Net 6	Seine/ Dip Net 7	Seine/ Dip Net 8	Seine/ Dip Net 9	Seine/ Dip Net 10	Seine/ Dip Net 11	Seine/ Dip Net 12	Totals

Opportunistic Sightings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Monitoring Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



MACROFAUNA SURVEY DATA SHEET – WET SEASON

Natural Area: \_\_\_\_\_

Sampling Station # \_\_\_\_\_

Date: \_\_\_\_\_ Field Crew: \_\_\_\_\_

Start/End Times: \_\_\_\_\_ / \_\_\_\_\_ Weather: \_\_\_\_\_

(circle one – seine or dip net – for each throw)

<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number
<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number

<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number
<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number
<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number

<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number
<b>Throw Number:</b> _____		<b>Throw Number:</b> _____		<b>Throw Number:</b> _____	
Water Depth (ft.): _____		Water Depth (ft.): _____		Water Depth (ft.): _____	
Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____		Seine/ Dip Net Number: _____	
Species	Number	Species	Number	Species	Number

**Opportunistic Sightings:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Monitoring Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_