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## I. INTRODUCTION

The Alafia Scrub Preserve (herein referred to as the Preserve or the Project Area) is an approximately 79.12 acre site located at the northwest corner of Gibsonton Drive and Hagadorn Road, in south-central Hillsborough County, FL (Figure 1). The Preserve was acquired by Hillsborough County in September, 1998, and was conceptually approved for funding by the Florida Communities Trust (FCT) in January, 1999 (P8A Award #98-054-P8A).

The Project Site was acquired with grant funding from the FCT, and this management plan has been developed to ensure that the Project Site will be developed in accordance with the Grant Approval Agreement and in furtherance of the purpose of the grant application.

The Preserve is on the south shoreline of the Alafia River, and as such is within the boundaries of a Natural Greenway Corridor as designated on the Hillsborough Greenways Master Plan. As such, the acquisition and protection of the Alafia Scrub Preserve is an essential link in assuring the long term protection of a significant regional riverine corridor (See Figure 2).

The key feature of the Preserve is the natural vegetative communities which it contains, the majority of which are uplands, and especially the remnant scrub in the southeast corner. This area is all that is left of a much larger scrub ridge which extended to the west for more than a mile. The scrub and adjacent pine flatwoods support several listed species, including the Florida golden aster and gopher tortoise. The remainder of the site is predominantly pine flatwoods, which has become overgrown with hardwood tree species due to lack of fire. Other plant communities present include mixed oak and pine forest, hydric hammock, and tidal marsh. A small tributary stream flows northward across the western half of the site to the river. The area immediately surrounding the site has been developed as low density residential, and there are no other significant blocks of natural upland habitat, or unaltered shoreline habitat, within several miles of the site.

The site was purchased from William A. Read and BRCO, Inc., a Florida Corporation, for the sum of \$2,150,000.00. The property had been approved for development of 1,424 multifamily units, and was vested against the County's recently enacted regulations protecting upland habitat. Due to relatively low demand for this type of development in the immediate area, the owner was a willing seller, and in fact it was the owner's agent that originally nominated the property into the ELAP Program.

Currently, adjacent land uses consist of a travel trailer park to the west, a single row of large waterfront homes to the northeast, and single family residential neighborhoods to the east and south. The site has frontage on public roadways on its east and north boundaries, but it abuts private properties on the south and west. Interstate 75 is located less than one mile to the west, with an interchange at Gibsonton Drive.

This management plan addresses the FCT "Exhibit A" Management Plan Requirements and Section VII. of the Conceptual Approval Agreement (entitled *Conditions particular to the Project Site that must be Addressed in the Management Plan*), and is organized as follows.

**I. Introduction** generally *describes the site* and provides an *overview of past and present land use*.

**II. Purpose** states the project's *goals, objectives, comprehensive plan compliance*, and presents several commitments regarding conservation management, land use amendments, and signage.

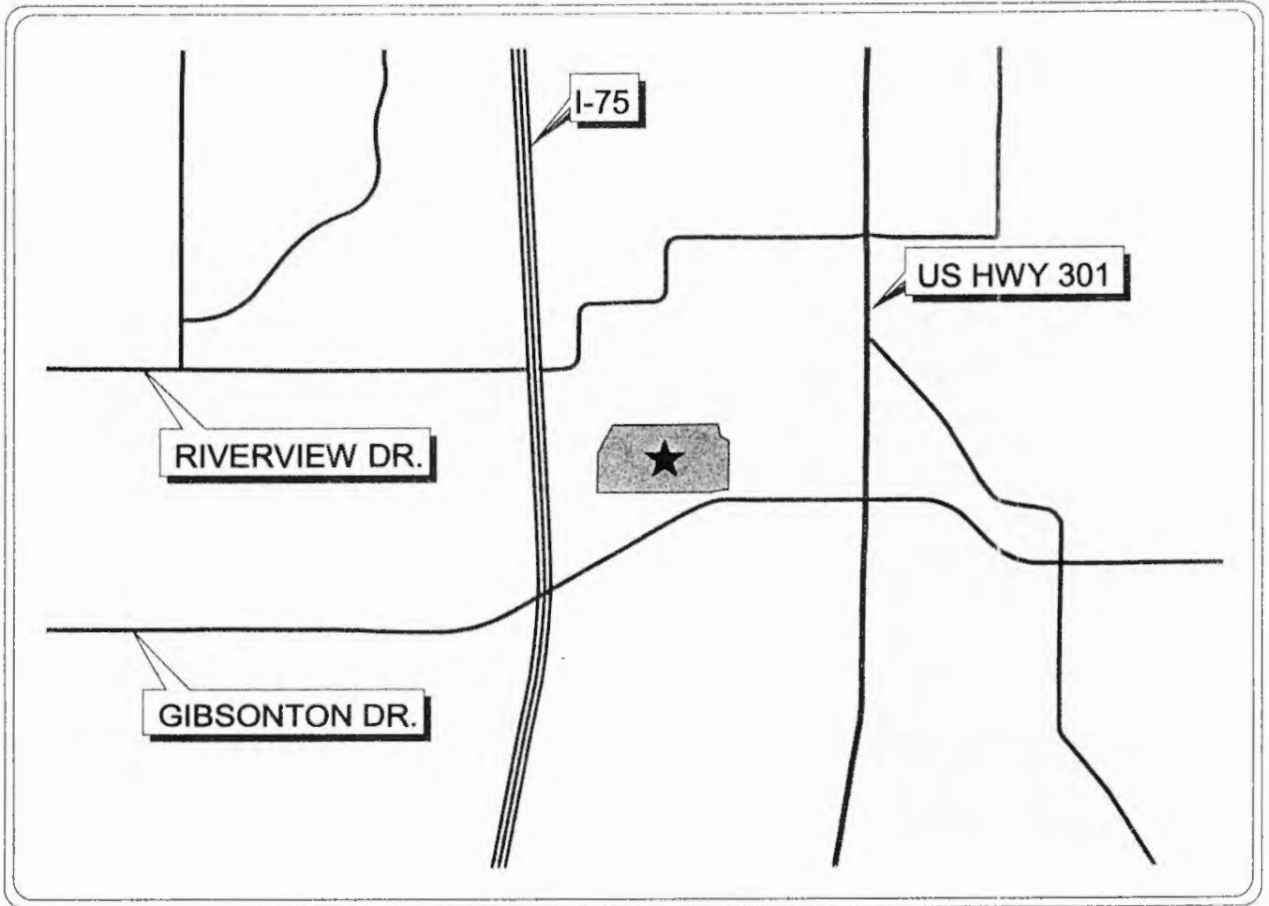
**III. Structures and Improvements** describes *existing improvements* and easements and discusses *proposed improvements* and anticipated easements. This section also identifies *access points* and discusses public access.

**IV. Key Management Activities** identifies: (1) *maintenance/staffing* activities necessary for the upkeep of the Project Site and assigns responsibility, including both permanent and volunteer staff, (2) *security and safety* issues and responsibility, (3) existing *natural resources* requiring *protection* and appropriate management strategies to ensure their continuation and enhancement, (4) *resource enhancement* and ecological restoration opportunities, (5) *archeological and historical resources* that may require protection, (6) *educational programs*, (7) *coordination* issues with adjacent land owners, (8) *greenway management*, and (9) *preservation*.

**V. Cost Estimate and Funding Source** describes the cost and funding for all improvements, activities, and enhancements as described in Sections III and IV, respectively.

**VI. Priority Schedule** establishes a time line for implementation of all improvements, key management activities, and resource enhancements as described in Sections III and IV, respectively.

**VII. Monitoring** acknowledges the County's responsibility for preparing and submitting an annual stewardship report to the FCT that evaluates implementation of the management plan. Success of management will be gauged through adherence to time line and the comparison of baseline ecological conditions (as described in this Plan, see existing natural resources) to the results of annual floral and faunal monitoring events.




**Project Location**

Fig. 1


# HILLSBOROUGH GREENWAYS MASTER PLAN


## Alafia Scrub Preserve

### NATURAL GREENWAY CORRIDORS:


 Natural Areas and Preserves \*


### RECREATIONAL CORRIDORS:


 Proposed Trails

 Proposed Bikeway Connections

### EXISTING TRAILS:

 Designated Canoe Trails

 Alafia Scrub Preserve

 Water

\* Subject to the landowner's desire to participate in greenways program.

DATA SOURCES: Base map, roads and water from Hillsborough County Real Estate Department; Proposed trails and bikeway from Hillsborough County Property Appraiser.

ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy or any other level of accuracy is not guaranteed by Hillsborough County.

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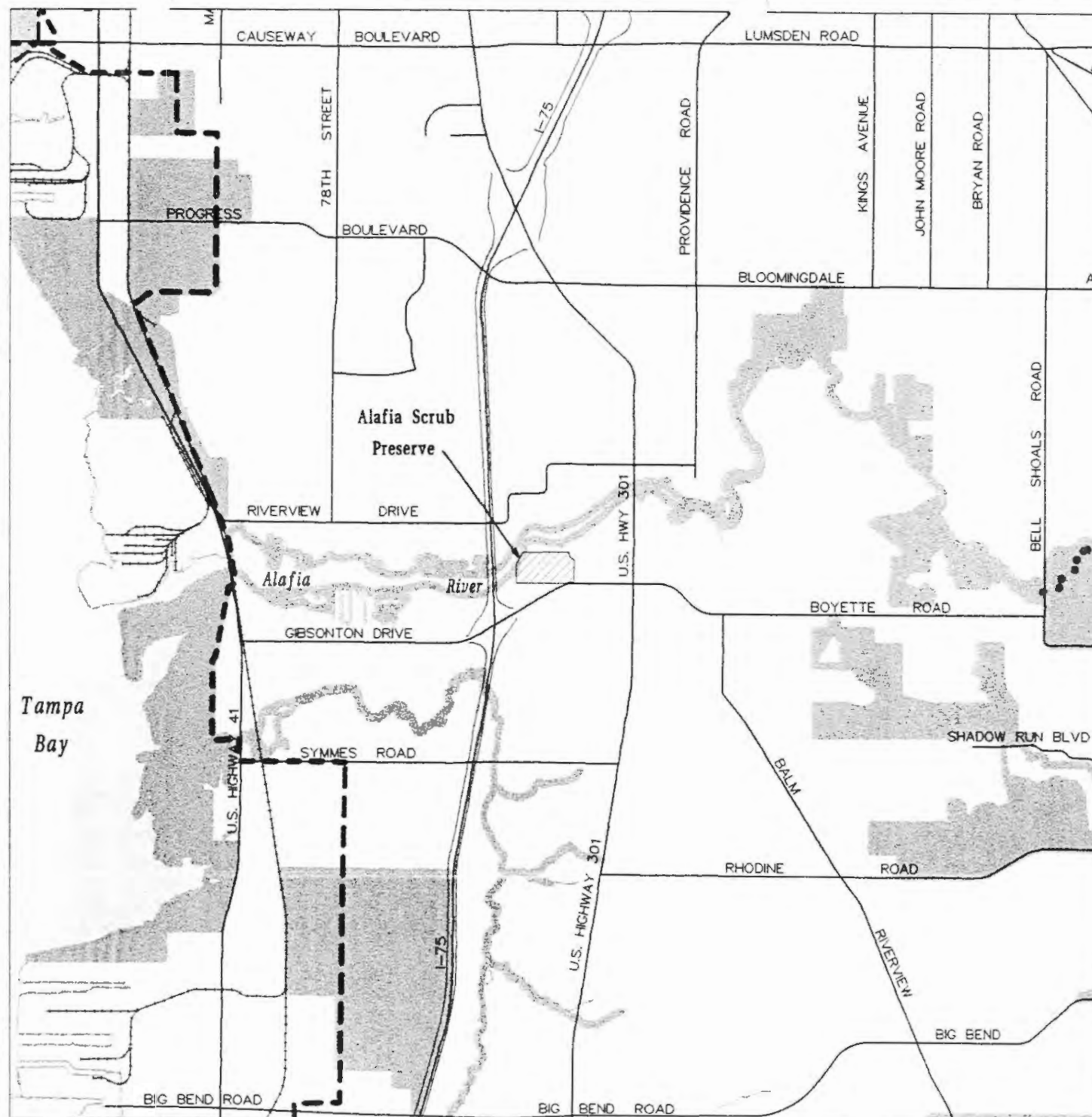


Hillsborough County  
Florida

Planning and Growth Management Department  
Ecosystems Planning Section

APRIL 1998

Work Area: BASBGBD File Name: x1a1.b3 Composed by: Lyle Tonkin





## II. PURPOSE

There are several purposes for the acquisition and protection of the Alafia Scrub Preserve. The following is a prioritized list of management objectives intended to accomplish those purposes:

- 1) protection and enhancement of the natural resources found on the project site,
- 2) protection of the water quality of the Alafia River,
- 3) protection and expansion of the Greenway corridor,
- 4) providing resource based outdoor recreation.

The future uses of the Project Site will be natural resource protection, preservation, and management of listed species, and compatible, resource based passive recreation. A prioritized list of management objectives designed to compliment the goals of site acquisition follow.

- 1) Using Arc View Geographic Information Systems software, separate overlays of information shall be developed for use as a planning tool for management tasks. These overlays will include: land use/land cover, frequency of burns, listed species element occurrence records, trails and fire breaks, and park related infrastructure.
- 2) Design and conduct baseline floral and faunal surveys with special emphasis on listed species. Relate species to habitat of occurrence. The management plan provides initial surveys and suggests recommendations for further study.
- 3) Develop species-specific management strategies that promote conditions favorable to the continued viability of target (listed) species, or which restore existing populations of listed species to levels which are viable. These strategies will be coupled with habitat management strategies directed towards restoring the site to a natural mosaic of natural plant communities. Once these communities are established they will be maintained through the irregular application of controlled burning. This will in turn maximize the diversity of the flora and fauna.
- 4) Develop a mechanism whereby all element occurrences are reported to the Florida Natural Areas Inventory (FNAI).
- 5) Upon consideration of (1) and (2) above, identify the compatibility and siting of appropriate recreational infrastructure (i.e., parking, picnic areas, trails, overlook, etc.)
- 6) Develop supporting educational information that describes the site's natural resources as well as why certain management strategies are being employed.
- 7) Develop a public outreach program that catalyzes local interest and shared responsibility for the Preserve. Solicit the aid of local environmental organizations and neighborhood groups to sponsor educational and volunteer events, such as plant or bird identification seminars, cleanups, or tree plantings.

Alafia Scrub Preserve will assist Hillsborough County in implementing the goals, objectives, and policies of the Recreation and Open Space (ROSE), Future Land Use (FLUE), and Conservation and Aquifer Recharge (CARE) elements of the County's Comprehensive Plan. The preservation of wildlife habitats and the development of public recreation and environmental conservation activities on the project site will help to accomplish or further enhance the following plan goals and objectives.

- Preserve, conserve, restore, and appropriately manage the natural resources of Hillsborough County to maintain or enhance environmental quality for present and future generations (CARE Goal).
- The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration and shall continue to allow wetland encroachment only as a last resort when reasonable use of the property is otherwise unavailable (CARE Policy 3.1).
- The County shall continue to prevent net loss of 100-year floodplain storage volume in Hillsborough County. By 1995, the County shall protect and conserve natural wildlife habitat attributes where they exist within the 100-year floodplains of major rivers and streams (Objective 4).
- Maintain populations of threatened and endangered species and species of special concern occurring in Hillsborough County; and, where feasible and appropriate, increase the abundance and distribution of such species (CARE Objective 14).
- During the land use planning and development review processes, the County shall consider the effects of development on significant wildlife habitat, to protect wildlife corridors from fragmentation. Where necessary to prevent fragmentation of wildlife corridors, the County shall require the preservation of wildlife corridors within developments (CARE Policy 14.7).
- During the land use planning and development review process, the County shall continue to protect Conservation Areas from activities which would significantly damage the natural integrity, character, or ecological balance of said areas, except in cases of overriding public interest (CARE Policy 16.5).
- Correct existing deficiencies and prevent future inadequacies to an efficient system of open space, park, and recreational facilities proportionately distributed to meet the needs of the populations. (ROSE Objective 1, Policies 1.1, 1.2, 1.3, 1.4)
- Increase the provision, protection, and enhancement of open spaces by public agencies and private enterprises. (ROSE Objective 3, Policy 3.8)

- Develop an open space network plan which includes identifying ways to interconnect recreation and conservation areas (ROSE Objective 4).
- The County shall annually review County-owned lands to determine their suitability for open space, park, or recreation facilities and prioritize them for such uses (ROSE Objective 9).
- Implement an aquatic plan to utilize water resources for active and passive recreational activities. (ROSE Objective 10, Policy 10.1)
- Continue to implement a program to allow appropriate utilization and protection of natural resources. (ROSE Objective 11, Policy 11.2)
- Meet the standards for county parks and recreational facilities as specified in the Capital Improvements Element (CIE Policy 1.C.1.f)

Alafia Scrub Preserve will be managed only for the conservation, protection, and enhancement of natural resources, and for public outdoor recreation that is compatible with the conservation, protection, and enhancement of the site.

Management shall comply with state Substantive Laws (See Appendix C for Substantive Laws and all Relevant Sections of the Local Comprehensive Plan).

### *Signage*

- An entrance sign will be positioned at the Preserve's one public entrance. This sign will present the Preserve name, the owner, and the tenants of the cooperative purchase: Florida Communities Trust with funding from the Preservation 2000 Program, and Hillsborough County with funding from the Environmental Lands Acquisition and Protection Program (ELAPP).
- An additional sign at the Preserve entrance will exhibit a map of the site that depicts the parking area, trail system, picnic area, and key features, such as the scenic overlook. This information, as well as security responsibilities, will also be provided on pamphlets available at the entrance.
- Additional entrance signage will identify all County Preserve authorized and/or unauthorized uses.
- In areas along the perimeter where public access is not proposed and trespassing is a concern, Preserve boundary signs will be posted which identify the County as the owner and reference the Park Ordinance, including penalties for violation of the ordinance. Access to the general public will be limited to the parking areas, picnic areas, and trails.

The Project Site will be identified in all literature and advertising as being publicly owned and operated as a nature park and purchased by Florida Communities Trust with funding from the Preservation 2000 Program, and Hillsborough County with funding from ELAPP.

### ***Land Use Amendment Procedure***

In accordance with Section 163, Florida Statutes, and Chapter 9J-5, Florida Administrative Code, the County has two regular plan amendment cycles each year. During one of the two cycles, the County Real Estate Department will submit to the Planning Commission staff a legal description of those properties acquired by ELAPP for preservation. Staff indicates parcels that have been acquired as potential changes from any current designation to "N" Natural Preservation on the County's Future Land Use Map (FLUE). County and City staff hold a series of public meetings throughout the County to discuss the potential plan amendments with the citizens and obtain their input, then present the recommended changes to the Planning Commission/Planning Council. Upon Commission and Council approvals, the map amendment(s) are then submitted to the Board of County Commissioners and the City mayor's office for their action. Upon final approvals, and review and comment by the Florida Department of Community Affairs, the FLUE Map designation will be officially changed at the next available amendment cycle to the comprehensive plan.

## **III. STRUCTURES AND IMPROVEMENTS**

### ***Existing Improvements***

There are no existing improvements on the Project Site, although a Tampa Electric Company power line results in some very minor encroachments consisting of guy wires and anchors. A blanket easement agreement has been executed to address these structures. There are some remnants of atv trails and foot paths on the site, especially in the scrub area at the southeast corner of the site, but these have become overgrown due to lack of use, and will not be incorporated into the future trail layout.

### ***Proposed Improvements (Figure 3)***

The proposed public access point to the Preserve is at the south boundary, just west of the eastern corner. A row of up to ten parking spaces will be provided along the edge of the site, which would be accessed from the right-of-way of Gibsonton Drive. This design will minimize the removal of vegetation by making it unnecessary to construct a road and interior parking lot on the site. Parking area surfaces shall be mulched to prevent erosion and promote drainage. No impervious surfaces will be installed with the exception of one parking space and a sidewalk to the nearest picnic table, which will be paved to provide access for disabled patrons. No living trees larger than 4" DBH will be removed during construction of the parking spaces or other access facilities. Adjacent to the proposed public access and parking, low impact development of Preserve-related facilities are proposed. The main trail head, trail map, a picnic area consisting of 8-12 picnic tables, trash receptacles, and a bike rack, are all proposed in an area that is

currently a mature oak hammock with an open understory of small shrubs and vines.

Prior to the construction of the improvements, a thorough survey of listed plants and animals shall be conducted of the development site during appropriate times of the year to ensure that the site design for the parking and picnic area protects listed plant and animal species and their currently occupied habitat. The Florida golden aster population in the vicinity of the picnic and parking area will be monitored annually and an assessment will be made on whether the activity in the area is negatively impacting the Florida golden aster population. If it is discovered that the Florida golden aster population has been negatively impacted, the County will develop a recovery plan for the Florida golden aster in the area of the parking and picnic area.

A hiking trail will lead into the site from the picnic area, and will traverse each of the various natural vegetative communities, as well as providing a glimpse of the tributary creek. The trail will reach its farthest extent at a scenic overlook, which will provide an open view of the Alafia River. The overlook will consist of a low wooden platform with a short raised walkway in order to minimize impacts to the site's coastal wetland shoreline habitat. All necessary permits will be obtained prior to construction. The trail itself will be routed to minimize impacts to the site's wildlife habitat, and impacts to listed species will be avoided. Wet areas will be avoided, no fill materials will be used during construction, and no living trees larger than 4" DBH will be removed. The trail surface will be stabilized with mulch where needed, and the trail will remain at least ten feet away from all jurisdictional wetlands, with the exception of the short walkway and overlook platform. The platform will consist of a low wooden deck with a railing, approximately 10 feet by 10 feet, or 100 feet square, which will be located beyond the edge of the forested portion of the shoreline, in order to provide an unobstructed view of the tidal marsh and the open water beyond. The trail will consist of a continuous loop, in order to avoid the need to backtrack to the starting point.

The only other improvements proposed for the site will consist of perimeter fencing and fire lanes. The fence will consist of approximately 6,300 linear feet of hog wire, or farm/field fence, and the site will require approximately 20,000 linear feet of fire lanes, cleared to a width of 8 feet.

Due to the lack of disturbed areas on the Preserve, virtually all of the improvements will result in alteration of undisturbed habitat. The design and location of the facilities will not result in the creation of large open areas, or the fragmentation of the existing habitat. Parking spaces are located on the perimeter, and picnic tables will be in a closed canopied mature oak forest area, where only minor clearing of sparse understory vegetation will be needed. The most extensive alteration, in terms of square footage impacted, will be due to fire lane construction, but these features will consist of narrow, linear strips, most of which lie on the perimeter, which will minimize the impacts to habitat continuity and wildlife. The total area of impact will be approximately 165,000 sq. ft., of which 160,000 sq. ft. will be fire lanes.

During the course of constructing the various site improvements, several permits will be required from different regulatory agencies. A presubmittal meeting will be conducted by the Hillsborough County Planning and Growth Management Department, which will include various County agencies as well as the Southwest Florida Water Management District, and the Hillsborough County Environmental Protection Commission. During the meeting, a determination will be made

as to the specific permit requirements, as well as any waivers which may be awarded, based on the site design. In addition, a joint application will be submitted to the State DEP and the U.S. Army Corps of Engineers, for an Environmental Resource Permit, Authorization to Use Sovereign Submerged Land/Federal Dredge and Fill Permit, as required to install the scenic overlook. The County shall provide evidence to the Florida Communities Trust that all required licenses and permits have been obtained 30 days prior to the initiation of the permitted development. Furthermore the County acknowledges that any alterations or physical improvements not addressed in this management plan will require prior review and approval from Florida Communities Trust.

### *Access*

Public access will be restricted to one entrance off Gibsonton Drive towards the southeastern end of the property. The parking area will accommodate up to ten vehicles. A bike rack will be positioned at this entrance. There is no swimming proposed at the Preserve, and it is too far from the proposed access point to the river to provide canoe launching. Therefore, no direct access to the River is proposed. The Alafia Scrub Preserve loop trail will, however, provide viewing access to the River.

Access for County staff to facilitate site management will be available at two or more other points, via fire lanes adjacent to existing right-of-ways.

Site access will comply with the Americans with Disabilities Act. One paved parking space, with an associated sidewalk leading to a wheelchair accessible picnic table, shall be provided.

### *Easements, Concessions, or Leases*

There are a few minor guy wire easements along the property boundaries (see Appendix J). Guy wires are the supporting wires that secure telephone poles. There are no other easements, concessions, or leases being considered at the site.

The County will provide FCT with 60 day prior written notice and information regarding any lease of any interest, the operation of any concession, any sale or option, the granting of any management contracts, and any use by any person other than in such person's capacity as a member of the general public. Prior to the execution of any document authorizing an easement, concession, or lease, the County will first request review and approval by FCT.

# Master Site Plan

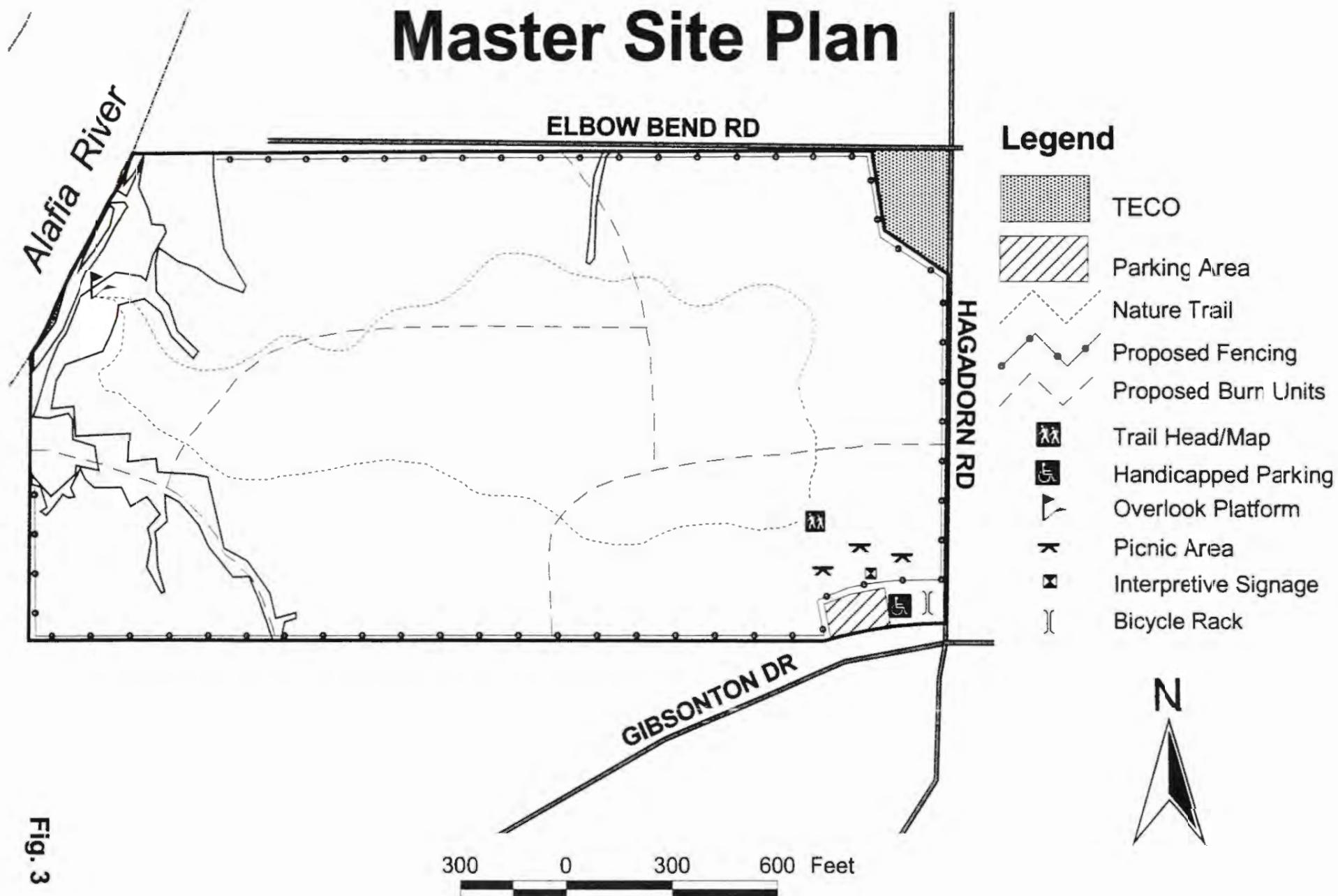


Fig. 3



#### IV. KEY MANAGEMENT ACTIVITIES

##### *Maintenance/Staffing*

Site maintenance will be the responsibility of the Hillsborough County Parks and Recreation Department. This Department's Parks and Recreation Maintenance Unit Two will be responsible for:

- emptying the 50 gallon garbage receptacles that will be located at the picnic area and park access point,
- picking up litter,
- keeping all interpretive literature dispensers stocked,
- facilities upkeep, and
- reporting any fires, vandalism, theft, hunting, or any other trespassing observed within the project area.

The County Parks and Recreation Department's Resource Management Office will be ultimately responsible for fencing installation and repairs (as necessary) as well as the planning and implementation of all management strategies identified in the Resource Enhancement Section of this report including, but not limited to:

- the application of prescription burns with assistance from the Division of Forestry (if necessary),
- the construction and maintenance of fire lanes,
- baseline and annual floral and faunal surveys,
- exotic species identification and eradication,
- development of interpretive materials,
- volunteer coordination, and
- reporting any fires, vandalism, theft, hunting, or any other trespassing observed within the project area.

The Resource Management Team currently consists of twelve permanent staff members. Most activities will be performed by teams of two or three staff members, including plant and animal inventories, exotic plant control, trail and fire lane maintenance, etc. Prescribed burns will be conducted by a burn crew consisting of a burn boss and four to six Resource Management Team members, with a Division of Forestry (DOF) unit on site in stand-by mode if conditions warrant. Volunteers occasionally participate on burn crews, but must be DOF certified and registered in the County's VIP's Program. Volunteer participation has also been used for ELAPP site management on most of the County's natural preserve sites and includes activities such as plant and animal inventories, exotic plant control, nest box construction, installation and maintenance, trash removal, habitat restoration (planting natives), fence and gate installation and repair, site patrol, trail installation and maintenance, etc. The County's Resource Management staff will work with local residents who express an interest in preservation and management of the site. Such volunteers can be invaluable in reporting unauthorized activities, as well as providing additional site observations such as wildlife sightings and public usage.



Preserve staff, volunteers, and adjacent land owners will be instructed to contact the appropriate agency/department in the event of a wildfire, or any suspected infractions (see Coordination Section).

### ***Security and Safety***

Security will be the responsibility of the County. Boundary and entry signs will be erected in accordance with state posting requirements. Surveillance and patrol of the area will be carried out by the County Parks Department and local law enforcement officers on routine duty. The property is not currently fenced, with the exception of the western property line adjacent to the travel trailer park. The site will be fenced under an existing term contract within one year of approval of this management plan. Local residents that frequently use the Preserve will be encouraged to report any unlawful uses. Currently, illegal activities known to occur on the site have been limited to minor dumping of yard waste by adjacent homeowners. Existing trash piles were removed by the seller prior to closing, and adjacent residents have been advised by US Mail that disposal of landscape debris on the site is illegal. Law enforcement will be the responsibility of the Hillsborough County Sheriff's office and the GFC. The sheriff's office will be contacted if any criminal infractions occur on the property. The GFC will be kept abreast of all or any infractions related to Florida's fish and wildlife resources. These responsibilities will be identified on signage at the Preserve's entrance.

Safety - County Parks and Recreation Department staff shall identify significant potential hazards to public health within the project area and take appropriate measures to minimize risk. Hillsborough County's Environmental Enforcement Unit will investigate any reported promiscuous dumping. The Division of Forestry shall be contacted in the event of a wildfire. The County is self-insured for any injuries that occur during permitted access.

### ***Natural Resource Protection***

#### ***Site Description.***

The site is dominated by natural plant communities - The Alafia River and its small tributary are fringed with tidal marsh and coastal hydric hammock dominated by oaks, bay trees, and sabal palms. The majority of the upland (nonwetland) area is dominated by mesic hammock and pine flatwoods which are becoming overgrown with hardwood species due to fire suppression. A small area of more open, scrub live oak hammock occupies the southeast corner of the site. Patches of white sand, which appear to have been created or maintained in the past by dirt bike or atv activity, have allowed the proliferation of scrub species which thrive in open, sunny areas.

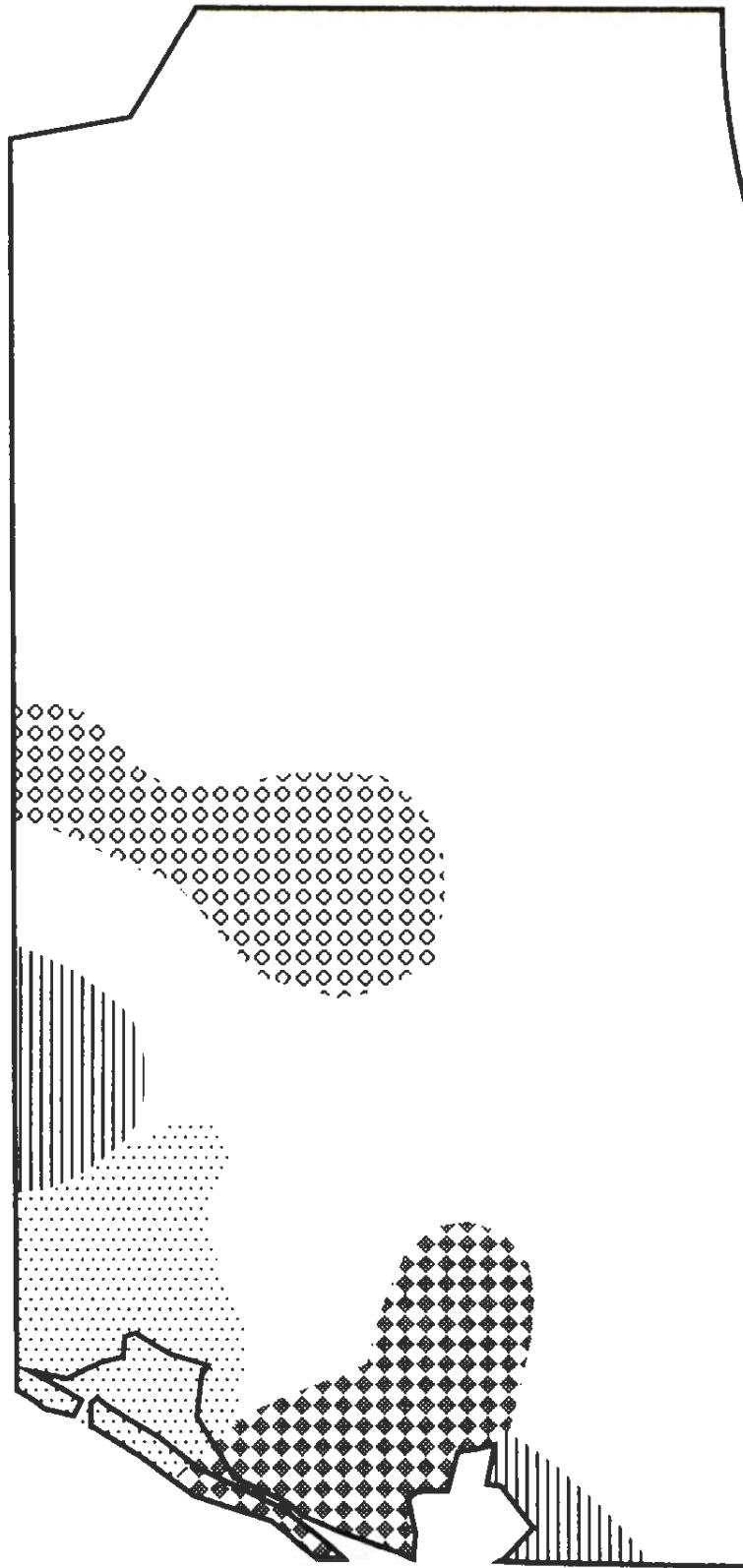
*Soils.*(See Figure 4).

The Hillsborough County Soil Survey (1989) was reviewed in order to correlate biotic communities to soil map unit. In general, the soil associations are consistent with the vegetative

community; although the area containing scrub plant species is mapped as Myakka fine sand, a mesic soil type. It has been well documented that this soil series contains a wide variation of moisture ranges, with some areas characterized as xeric, and others supporting hydric vegetative communities. Earlier editions of the soil survey often depict xeric soil types in areas which are currently mapped as Myakka. The vegetative associations referred to for each soil type below were derived from soil descriptions in the soil survey and from the Twenty Six Ecological Communities of Florida (Florida Chapter Soil and Water Conservation Society, 1989). The number in parentheses refers to the label in the soil survey map (Figure 4).

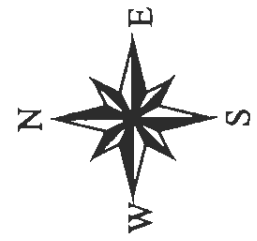
- (27) Malabar fine sand This soil is nearly level and poorly drained. Along with St. Johns fine sand, this soil type is on low-lying sloughs and shallow depressions of *pine flatwoods*. This soil type corresponds to the hydric hammock and tidal marsh on the Project Site. The seasonal high water table of this soil type fluctuates from the soil surface to a depth of about 10 inches for two to six months.
- (29) Myakka fine sand This soil consists of deep, poorly drained soils. These soils formed in sandy marine sediment, and are on broad plains on the flatwoods. A seasonal high water table is within 10 inches of the soil surface for 1 to 4 months during most years. The slope is less than 2 percent. This soil type is the most common on the site, and includes areas containing mesic oak and pine, pine flatwoods, and scrub oak hammock.
- (30) Myakka fine sand, frequently flooded This soil is nearly level and very poorly drained. These soils formed in sandy marine sediment, and are on broad plains in tidal areas. This soil type occurs in the *tidal marsh* area of the Project Site.
- (33) Ona Fine Sand This soil occurs on broad plains in *pine flatwoods*. It is a nearly level and poorly drained soil type that has a 4 inch thick very dark gray fine sand topsoil. The upper part of the subsoil, to a depth of about 8 inches is a distinctive black fine sand. Ona fine sand is one of the mesic soils that occurs in the site's mesic oak and pine area, in the north central part of the site.
- (61) Zolfo fine sand This soil is nearly level and somewhat poorly drained. It occurs on broad ridges in pine flatwoods. The surface layer is a very dark gray fine sand about 3 inches thick. The upper part of the subsurface layer (approx. 15 inches) is grayish brown, mottled fine sand. This soil type is typically associated with *oak hammocks* or *upland hardwood hammocks*. On site, it corresponds with the mesic oak and pine area.

# SOILS



Myakka f.s.  
Ona f.s.  
Zolfo f.s.

Malabar f.s.  
Myakka f.s. freq.fl.



300 0 300 600 Feet

Fig. 4

### *Hydrology.*

The entire site lies within the watershed of the Alafia River, and a portion of the site lies within the 100 year floodplain. Stormwater runoff from approximately the western one-half of the site travels via sheet flow in a westward direction to the river, or through a small creek that cuts diagonally across the western third of the site. Stormwater runoff from the remaining eastern portion of the site also generally travels via sheet flow, but the direction of flow is northward to Elbow Bend Road at the northern boundary of the parcel. The roadside ditch collects this stormwater and passes it northward via a culvert and ditch to the Alafia River at a location about 400 feet from the road. It should be noted that a small area along the extreme eastern boundary of the site drains to the Hagadorn Road ditch which is located along the eastern boundary. This ditch then directs flow northward to the Alafia River. Finally, an offsite area located between the southern site boundary and Gibsonton Drive, and containing mostly wooded and pasture land with some residential and roadway land cover, drains onto and through the site, either via sheet flow or through the small creek located in the western third of the site.

The Myakka and Ona soils, which dominate the site, have a seasonal high water table between 0 and 1 foot below the ground surface. The site topography, which slopes gradually from a high of 30 feet above MSL at the southeast corner, to a low of 0 feet above MSL at the river shoreline, indicates that the natural, onsite retention of any significant quantity of stormwater is unlikely due to the absence of depressions. However, the substantial ground vegetation cover and tree canopy on the site will have the effect of some onsite retention through the interception of rainfall, evapotranspiration, and the retarding of the sheet flow as it travels through the Preserve. The County is committed to protecting the water quality of the Alafia River, and the natural hydrology of the Project Area will be preserved.

### *Biotic Communities (Figure 5).*

The site is dominated by natural plant communities. The Preserve consists of approximately 80 acres of primarily wooded habitat along the Alafia River, a freshwater tributary of Tampa Bay. Forested areas are broken up by interior and transitional marshes. Many feeder creeks with incised banks are found draining toward the river. Only one of these creeks, located in the southwest corner of the site, flows for more than short durations during seasonally wet periods.

The Alafia is a 24-mile long river which begins south of the town of Mulberry in Polk County (SWFWMD, 1995) and empties into the southern end of Hillsborough Bay. Most of its volume is made up of surface water, although several significant springs also contribute.

The Alafia River is classified as a Class III water body according to the Florida Administrative Code, section 62-302.400. Acceptable uses in this classification include recreational interests as well as propagation and maintenance of a healthy well-balanced population of fish and wildlife.

The major source of pollution in the Alafia basin is from phosphate processing and mining. Spills from settling ponds have impacted the water quality. Water quality has also been impacted by the impoundment of two major tributaries. The river is susceptible to runoff from agricultural and

residential development, which increase levels of nutrients and bacteria (SWFWMD, 1995).

A number of parcels of land along the Alafia have been targeted for acquisition by local and state agencies, and a number have been purchased. Although there are no other public lands immediately adjacent to the site, a significant amount of land has been protected upstream in the vicinity of Alderman's Ford Park and south to the southeast part of Hillsborough County.

The site has at least one small, incised creek which feeds into the river. The vegetation of the Alafia River tributaries was characterized by Clewell et al., in his 1982 description of the Alafia River's South Prong.

The Project Site's most unique biotic community is the scrub located in the southeast corner. This area is all that is left of a much larger scrub ridge which extended to the west for more than a mile. The scrub and adjacent pine flatwoods support several listed species, including the Florida golden aster and gopher tortoise. The remainder of the site is predominantly pine flatwoods, which has become overgrown with hardwood tree species due to lack of fire. Other plant communities present include mixed oak and pine forest, hydric hammock, and tidal marsh. A small tributary stream flows northward across the western half of the site to the river. The area immediately surrounding the site has been developed as low density residential, and there are no other significant blocks of natural upland habitat, or unaltered shoreline habitat, within several miles of the site.

A plant survey has been initiated for the Preserve, and the current list of species documented is shown below. The survey will continue until a full year's worth of data has been collected, to include species which are only present or identifiable on a seasonal basis. Additional species documentation will likely be an ongoing process during routine site visits, and the species list will be updated on an annual basis and submitted to FCT as part of the annual stewardship report.

#### **Table 1-Plant List**

*Acer rubrum* - red maple  
*Acrostichum danaeifolium* - giant leather fern \*\*C  
*Ageratina jucunda* - hammock snakeroot  
*Aloe vera* - aloe \*  
*Ampelopsis arborea* - peppervine  
*Andropogon virginicus* var. *glaucus* - bluestem  
*Apios americana* - groundnut  
*Arisaema triphyllum* - Jack-in-the-pulpit  
*Aristida beyrichiana* - wiregrass  
*Aristida spiciformis* - bottlebrush threeawn  
*Asimina reticulata* - netted pawpaw  
*Aster reticulatus* - whitetop aster  
*Baccharis angustifolia* - saltwater falsewillow  
*Baccharis glomeruliflora* - silverling  
*Baccharis halimifolia* - groundsel tree

*Bacopa monnieri* - herb-of-grace  
*Balduina angustifolia* - coastalplain honeycombhead  
*Bejaria racemosa* - tarflower  
*Bidens alba* var. *radiata* - beggarticks  
*Blechnum serrulatum* - swamp fern  
*Boehmeria cylindrica* - false nettle  
*Callicarpa americana* - American beautyberry  
*Campsis radicans* - trumpet creeper  
*Canna flaccida* - Indian shot  
*Carex longii* - Long's sedge  
*Carpinus caroliniana* - bluebeech  
*Carphephorus corymbosus* - Florida paintbrush  
*Carya glabra* - pignut hickory  
*Celtis laevigata* - sugarberry  
*Centella asiatica* - spadeleaf  
*Cephalanthus occidentalis* - buttonbush  
*Chasmanthium laxum* var. *sessiliflorum* - longleaf chasmanthium  
*Chlorophytum capense* - spider-plant \*  
*Chrysopsis floridana* - Florida goldenaster \*\* E  
*Citrus* spp. - citrus \*  
*Cladium jamaicense* - Jamaican swamp sawgrass  
*Cnidioscolus stimulosus* - tread-softly  
*Conyza canadensis* var. *pusilla* - dwarf Canadian horseweed  
*Coreopsis leavenworthii* - tickseed  
*Cornus foemina* - swamp dogwood  
*Crinum americanum* - string-lily  
*Croton michauxii* - rushfoil  
*Dicanthelium commutatum* - variable witchgrass  
*Dicanthelium* spp. - witchgrasses  
*Dioscorea bulbifera* - air potato \*  
*Diospyros virginiana* - common persimmon  
*Elephantopus elatus* - tall elephantsfoot  
*Eleocharis* spp. - spikerushes  
*Erechtites hieracifolia* - fireweed  
*Eriocaulon* spp. - pipeworts  
*Eryngium aromaticum* - fragrant eryngo  
*Eupatorium leptophyllum* - falsefennel  
*Euthamia caroliniana* - slender goldenrod  
*Galactia elliotii* - Elliott's milkpea  
*Galium hispidulum* - coastal bedstraw  
*Gaura angustifolia* - southern beeblossom  
*Gaylussacia dumosa* - dwarf huckleberry  
*Gelsemium sempervirens* - Carolina jessamine  
*Gnaphalium obtusifolium* - rabbit tobacco  
*Gordonia lasianthus* - loblolly bay

*Gratiola hispida* - rough hedgehyssop  
 *Habenaria floribunda* - toothpetal false reinorchid  
*Hedyotis procumbens* - innocence  
*Helianthemum corymbosum* - pinebarren frostweed  
*Hydrocotyle verticillata* - whorled marsh  
*Hypericum hypericoides* - St. Andrew's-cross  
*Hypericum reductum* - Atlantic St. John's-wort  
*Hypericum tetrapetalum* - fourpetal St. John's-wort  
*Hypoxis juncea* - fringed yellow stargrass  
*Ilex cassine* var. *cassine* - dahoon holly  
*Ilex glabra* - gallberry  
*Ilex vomitoria* - yaupon  
*Itea virginica* - Virginia willow  
*Juncus roemerianus* - needle rush  
*Juncus marginatus* - grassleaf rush  
*Lachnanthes caroliana* - redroot  
*Lachnocaulon minus* - Small's bogbutton  
*Lantana camara* - lantana  
*Lechea sessiliflora* - pineland pinweed  
*Lepidium virginicum* - Virginia pepperweed  
*Licania michauxii* - gopher apple  
*Liquidambar styraciflua* - sweetgum  
*Ludwigia peruviana* - Peruvian primrosewillow \*  
*Lygodesmia aphylla* - rose-rush  
*Lyonia fruticosa* - coastalplain staggerbush  
*Lyonia lucida* - fetterbush  
*Magnolia grandiflora* - southern magnolia  
*Magnolia virginiana* - sweetbay  
*Matelea* sp. - milkvine  
*Melothria pendula* - creeping cucumber  
*Mikania cordifolia* - Florida Keys hempvine  
*Mikania scandens* - climbing hempvine  
*Mimosa quadrivalvis* - sensitive brier  
*Mitchella repens* - partridgeberry  
*Morus rubra* - red mulberry  
*Myrica cerifera* - wax myrtle  
*Nephrolepis cordifolia* - tuberous sword fern \*  
*Oplismenus hirtellus* - basketgrass  
*Opuntia humifusa* - pricklypear  
*Osmanthus americanus* - wild olive  
*Osmunda cinnamomea* - cinnamon fern \*\*C  
*Osmunda regalis* - royal fern \*\*C  
*Panicum longifolium* - tall thin panicum  
*Panicum rigidulum* - redtop panicum  
*Panicum verrucosum* - warty panicgrass

*Parietaria floridana* - Florida pellitory  
*Parthenocissus quinquefolia* - Virginia creeper  
*Paspalum notatum* - bahiagrass \*  
*Paspalum setaceum* - thin paspalum  
*Passiflora suberosa* - corkstem passionflower  
*Persea borbonia* - red bay  
*Phlebodium aureum* - golden polypody  
*Phoradendron leucarpum* - oak mistletoe  
*Phyllanthus urinaria* - chamber bitter  
*Phytolacca americana* - American pokeweed  
*Pinus clausa* - sand pine  
*Pinus palustris* - longleaf pine  
*Pityopsis graminifolia* - narrowleaf silkgrass  
*Pleopeltis polypodioides* var. *michauxiana* - resurrection fern  
*Pluchea odorata* - sweetscent  
*Polygala grandiflora* - showy milkwort  
*Polygala nana* - candyroot  
*Polygonella gracilis* - tall jointweed  
*Polypremum procumbens* - rustweed  
*Prunus caroliniana* - Carolina laurelcherry  
*Prunus serotina* var. *serotina* - black cherry  
*Psychotria nervosa* - wild coffee  
*Pteridium aquilinum* - bracken fern  
*Pterocaulon pycnostachyum* - blackroot  
*Quercus geminata* - sand live oak  
*Quercus laurifolia* - laurel oak  
*Quercus myrtifolia* - myrtle oak  
*Quercus nigra* - water oak  
*Quercus pumila* - running oak  
*Quercus virginiana* - Virginia live oak  
*Rapanea punctata* - myrsine  
*Rhexia mariana* - pale meadowbeauty  
*Rhododendron viscosum* - swamp azalea  
*Rhus copallinum* - winged sumac  
*Rhynchospora decurrens* - swampforest beakrush  
*Rhynchospora* spp. - beakrushes  
*Richardia brasiliensis* - tropical Mexican clover \*  
*Rubus* spp. - blackberry  
*Ruellia caroliniensis* - Carolina wild petunia  
*Sabal palmetto* - cabbage palm  
*Sabatia brevifolia* - shortleaf rosegentian  
*Sambucus canadensis* - elderberry  
*Samolus ebracteatus* - water pimpernel  
*Samolus valerandi* - pineland pimpernel  
*Sanservieria hyacinthoides* - bowstring hemp \*



*Schinus terebinthifolius* - Brazilian pepper \*  
*Schizachyrium scoparium* - little bluestem  
*Scleria* spp. - nutrushes  
*Serenoa repens* - saw palmetto  
*Severinia monophylla* - Chinese boxorange \*  
*Smilax auriculata* - earleaf greenbrier  
*Smilax bona-nox* - saw greenbrier  
*Smilax glauca* - greenbrier  
*Smilax laurifolia* - bamboo vine  
*Smilax pumila* - sarsaparilla vine  
*Smilax tamnoides* - bristly greenbrier  
*Solanum americanum* - American black nightshade  
*Solanum diphyllum* - twoleaf nightshade \*  
*Solidago odora* var. *chapmanii* - Chapman's goldenrod  
*Stillingia sylvatica* - queensdelight  
*Stipulicida setacea* var. *setacea* - pineland scalypink  
*Syngonanthus flavidulus* - yellow hatpins  
*Thelypteris dentata* - downy maiden fern \*  
*Thelypteris hispida* var. *versicolor* - hairy maiden fern  
*Thelypteris interrupta* - Hottentot fern  
*Tillandsia recurvata* - ballmoss  
*Tillandsia usneoides* - Spanish moss  
*Toxicodendron radicans* - eastern poison ivy  
*Tradescantia fluminensis* - small-leaf spiderwort \*  
*Typha* sp. - cattails  
*Ulmus americana* - American elm  
*Urena lobata* - ceasarweed  
*Vaccinium arboreum* - sparkleberry  
*Vaccinium corymbosum* - highbush blueberry  
*Vaccinium myrsinites* - shiny blueberry  
*Vaccinium stamineum* - deerberry  
*Vernonia gigantea* - giant ironweed  
*Viburnum nudum* - possumhaw  
*Viburnum obovatum* - Walter's viburnum  
*Vitis rotundifolia* - muscadine  
*Vitis shuttleworthii* - calloose grape  
*Wedelia trilobata* - creeping oxeye \*  
*Woodwardia areolata* - netted chain fern  
*Woodwardia virginica* - Virginia chain fern  
*Xanthosoma sagittifolium* - arrowleaf elephantear \*  
*Ximenia americana* - hog plum  
*Xyris brevifolia* - shortleaf yelloweyed grass  
*Xyris flabelliformis* - Savannah yelloweyed grass  
*Yucca aloifolia* - Spanish bayonet \*  
*Yucca filamentosa* - Adam's needle

*Zebrina pendula* - wandering jew \*

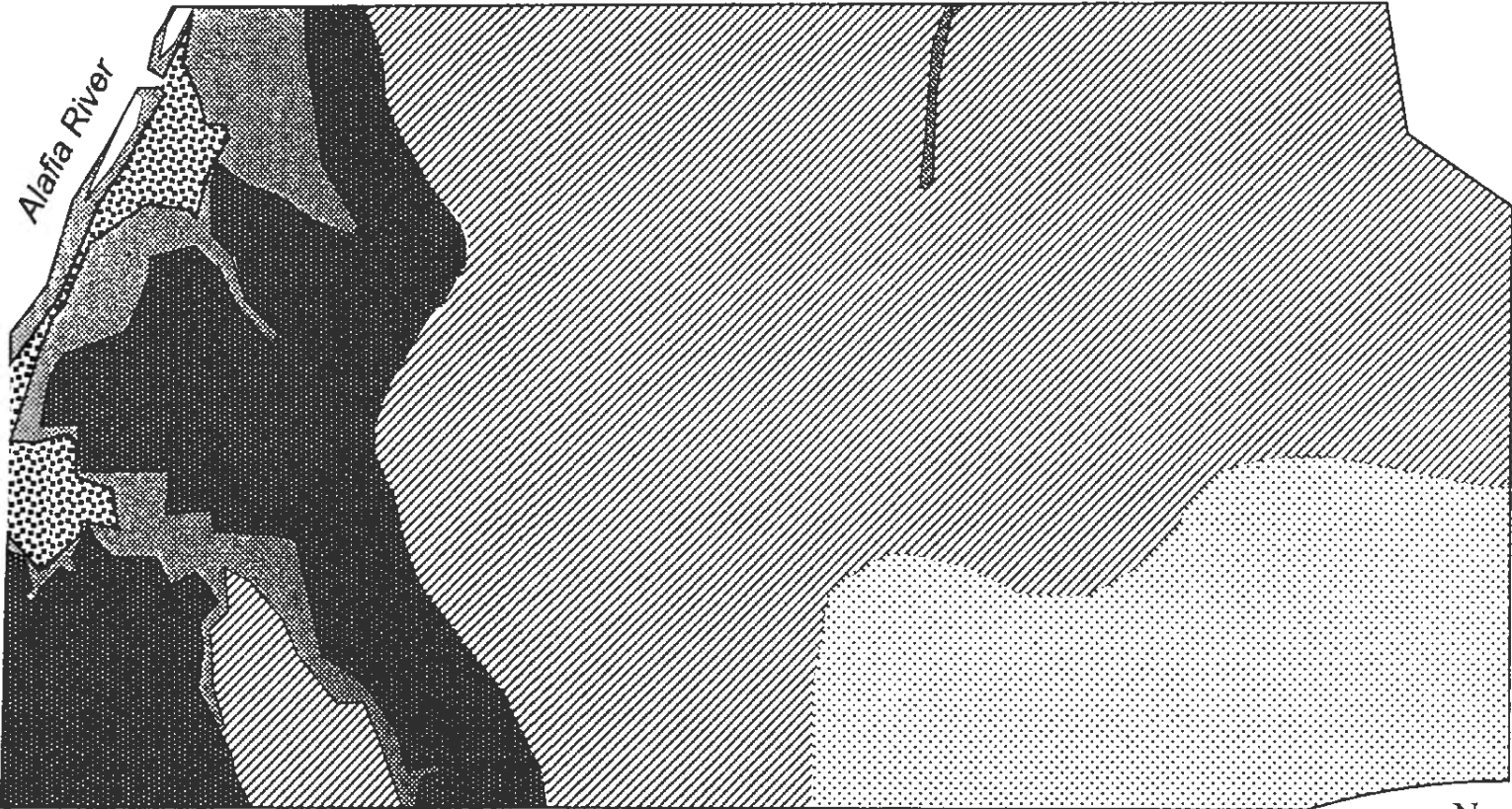
\* Denotes nonnative species

\*\* Denotes listed species

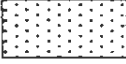
C=Commercially Exploited (FDA)

E=Endangered (FDA, FWS)

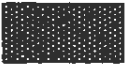
# Biotic Communities



Pine Flatwoods



Scrub Oak Hammock



Mesic Oak and Pine



Hydric Hammock



Tidal Marsh



Fig. 5



**Figure 6.**Alafia Scrub Preserve - Pine Flatwoods

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**Pine Flatwoods:**

The nearly-level pine flatwoods areas are heavily overgrown due to decades of fire suppression. Closed canopy exists on approximately 75% of the property. These areas are dominated by trees such as laurel and water oak, cabbage palm, and occasional pines. The understory consists mainly of scattered shrubs such as saw palmetto, gallberry, and groundcover represented by briar, poison ivy, yellow jessamine, and grapevine. The oaks in particular are draped with epiphytes such as Spanish moss and bromeliads.

Although almost the entire pine flatwoods area could be classified as a fire-suppressed hardwood hammock community, the majority is in an undisturbed condition. However, there are areas along the perimeter which have been impacted by illegal dumping. The dumping varies from household debris to landscaping debris. Much of the dumping was cleaned up prior to acquisition. However, small, remote dumping sites continue to be discovered.



**Figure 7. Alafia Scrub Preserve -Tidal Marsh**

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**Tidal Marsh:**

Tidal Marsh occurs in several variations on the site, including as a fringe along a slightly elevated linear strip which forms a ridge along the river. This narrow feature contains live oak, cabbage palm, saw palmetto, hog plum, and Spanish bayonet. This particular plant composition makes the area difficult to traverse. The majority of the Preserve's tidal marshes are located along its river frontage. The marshes are dominated by black needle rushes, but also contain significant stands of sawgrass, which indicates a transitional area where the estuary blends with the freshwater tidal marsh. In addition to sawgrass, the marsh contains scattered leather fern and Brazilian pepper. The latter are found mainly in the interface between uplands and marsh.

The seepage slope at the southwest corner has been heavily impacted by invasive exotic, particularly vines as a result of landscape dumping on adjacent property.





**Figure 8.**Alafia Scrub Preserve - Mesic Oak and Pine

Mesic Oak and Pine:

In some fire-suppressed areas the natural long leaf pine (*Pinus palustris*) flatwoods have succeeded to mesic oak hammocks with dense canopies co-dominated by long leaf pines and laurel oaks (*Quercus laurifolia*). The large oaks are draped with spanish moss (*Tillandsia usenoides*) and grape vines (*Vitis* spp.). In some areas, the canopy is so dense that very little shrub layer or ground cover is present; only leaf litter covers the hammock floor. In more open areas saw palmetto (*Serenoa repens*), gallberry (*Ilex glabra*), winged sumac (*Rhus copallina*), paw paw (*Asimina triloba*) and St. John's-wort (*Hypericum* spp.) characterize the shrub layer with a ground cover of bracken fern (*pteridium* spp.) and wiregrass (*Aristida stricta*).



**Figure 9. Alafia Scrub Preserve - Hydric Hammock**

**Hydric Hammock:**

The vegetation along the shoreline of the Alafia, beyond the tidal marsh zone, varies depending on the steepness of the slopes. For example, on the north end of the site's frontage on the river, the elevational change is gradual, and the vegetation is characteristic of a riverine floodplain forest. On the southwest side of the frontage, the river shows steeper changes in elevation, with drops of more than 10 feet. Natural features resulting from the changes include a creek which originates offsite and descends through the bank in a terraced fashion. Plants found along the creek are characteristics of hydric hammock wetlands: dahoon holly, bay, ferns, cabbage palm, and Virginia willow.

In addition, there are incised areas in the slope. Although they do not have flowing water, moisture seeps through the soil and creates habitat for transitional wetland species. Sizable colonies of swamp rhododendron dominate these areas, which are sometimes referred to as seepage slopes.



**Figure 10.**Alafia Scrub Preserve - Scrub Oak Hammock

**Scrub Oak Hammock:**

The site contains several acres of scrub, located along the south and eastern boundaries. Scrub is generally considered one of the rarest, unique, and most endangered plant communities in the state (Myers and Ewel, 1990). This particular scrub is a fire-suppressed community which is being invaded by water oaks. Sand live oaks and live oaks are in abundance. This area has scattered longleaf and sand pine in the canopy, and occasional other hardwoods such as pignut hickory. The vegetation in association with the closed-canopy areas includes saw palmetto, yellow jessamine, green briar, and bracken fern.

Other parts of the scrub have various degrees of openings from completely open to partially open, the latter including those areas which transition into the closed canopy. The completely open areas contain herbaceous wildflowers and grasses such as the Florida golden aster, silk grass, snakeroot, broom sedge, St. John's-wort, prickly-pear cactus, frostweed, and witchgrass. Reindeer lichens are also found on open ground among the plants.

Areas with partially open or transitioning vegetation include shrubs such as fetterbush, tarflower, saw palmetto, dwarf wax myrtle, runner oaks, and seedling sand and longleaf pines.



## Wildlife.

The size, quality and composition of the site's vegetative communities indicate that it should be capable of supporting a healthy and diverse population of wildlife species. Although it is effectively isolated from other large blocks of natural habitat, its location on the shoreline of the Alafia River increases the likelihood that at least some large, wide ranging species, such as river otter and bobcat, utilize the site on a frequent basis. Many other species with relatively small range requirements would be expected to occur on the site in numbers large enough to maintain viability. Site surveys conducted to date have been intended only to confirm the presence of species rather than the size or vitality of populations present. One exception is the gopher tortoise, which has undergone a more extensive survey as detailed in the **Natural Resource Protection** section below.

The Resource Management Team, with the assistance of volunteers, will continue to monitor the site's wildlife resources at least once a year.

Observations of wildlife utilization during routine site visits conducted since acquisition are listed below:

### Vertebrates

*Ardea herodias* - Great blue heron  
*Cardinalis cardinalis* - Northern cardinal  
*Cathartes aura* - Turkey vulture  
*Cyanocitta cristata* - Bluejay  
*Dendroica palmarum* - Palm warbler  
*Dumetella carolinensis* - Gray catbird  
*Gopherus polyphemus* - Gopher tortoise  
*Melanerpes carolinus* - Red-bellied woodpecker  
*Mimus polyglottos* - Northern mockingbird  
*Parus bicolor* - Tufted titmouse  
*Pelecanus erythrorhynchos* - American white pelican  
*Pipilo erythrophthalmus* - Eastern towhee  
*Scincella laterale* - Ground skink  
*Thryothorus ludovicianus* - Carolina wren  
*Vireo griseus* - White-eyed vireo

### Invertebrates

*Heliconius charitonius* - Zebra longwing butterfly

The Project Area's potential wildlife utilization is moderate due to several characteristics:

- The site is comprised of a diverse assemblage of high quality natural plant communities, but habitat quality and diversity have declined due to fire suppression.
- The site is located within the Alafia River Natural Greenway Corridor, and some species

utilizing this riverine corridor are expected to depend on the site for at least a portion of their habitat needs.

Characteristics that may have a negative impact on the Preserve with respect to wildlife habitat may be:

- **Size.** The site is on the lower threshold of the minimum size/width criteria defined by the County's Comprehensive Plan and Habitat Ordinance for Significant Wildlife Habitat, or areas that have the potential to support healthy and diverse populations of wildlife.
- **Isolation.** The lack of other areas of natural habitat within a reasonable distance of the Preserve would prevent the migration of most small animal species to and from the Preserve, effectively isolating their populations.
- **Surrounding development.** The residential character of the adjacent area, as well as the heavily traveled four lane roadway on the south boundary, both result in negative impacts to the site's wildlife populations, including increased mortality from road kills and domestic pets, more frequent introductions of exotic pest plants, noise and light pollution, etc.

Management strategies designed to address these characteristics will be discussed in the **Resource Enhancement** Section of this report.

#### *Listed Species.*

All listed species documented on site will be reported to the Florida Natural Areas Inventory (FNAI) on the appropriate form (Appendix F).

#### **Wildlife.**

Numerous species which are listed as Endangered, Threatened, Species of Special Concern, or Commercially Exploited, potentially utilize the Alafia Scrub Preserve (Table 2). Some species that haven't been observed are unlikely to occur due to the lack of utilized habitat, and/or are difficult to verify without specialized survey techniques (Florida mouse and Florida pine snake, for example). The following species have either been documented on site, or potentially occur on the Preserve because (a) they utilize habitat found on the site and (b) are known to occur on other preserve lands in the region.

The gopher tortoise (*Gopherus polyphemus*) is prevalent on site and active burrows are located sparsely throughout the pine flatwoods. A preliminary survey has been conducted in order to obtain an indication of the status of the existing population on the site. The results of the survey are summarized here:

The entire site is extremely overgrown, making burrow detection difficult. This factor hindered the surveyors from doing a complete count of all tortoise burrows, therefore, a line plot survey was conducted on 2/22, 3/1, and 3/2/99. To accomplish the survey, the portion of the site

containing potential tortoise habitat was broken into a 4x5 chain (2 acre) grid. All burrows were counted in a single 1/5 acre plot within each grid cell, resulting in the coverage of 10% of the total survey area. The survey originated in the northeast corner of the site, and proceeded to the southeast corner. The next line began 5 chains west of the first, and proceeded north. This pattern was continued until the mesic to hydric soils in the western portion of the site were reached. The surveyors used a magnetic compass and pace method to adhere to grid lines in the field. A total of 28 plots were surveyed, with the following results:

- A total of 1 active burrow was found.
- A total of 10 inactive burrows were found.
- A total of 22 old burrows were found.
- No juvenile burrows were found.

The following formula was applied to the survey data (developed by GFC):  $\{[(A+I)(C)]E\}/As=D$

Where: A=active burrows (1) E=expansion factor (10 as in 10% coverage)  
I=inactive burrows (10) As=Acreage surveyed (56)  
C=conversion factor (.614) D=density

$$\{[(1+10)(.614)]10\}/56 = \mathbf{1.2 \text{ tortoises/acre}}$$

Information regarding population distribution on the site can be found on the Gopher Tortoise Dot Density Map (figure 11). Marker symbols on the map do not show actual burrow locations, but rather indicate their density and distribution. The dots represent existing population distribution, while the triangles represent historical distribution based on old burrows. The survey results show that there are twice as many old burrows as there are active/inactive. The most logical conclusion from this aspect of the survey data is that the population of tortoises on the site has been declining in the recent past, and the most likely reason would be due to declining habitat suitability for this species, due to the lack of fire and resulting overgrown character of the vegetative communities.

It is clear from the survey results that the most important habitat management strategy for this species is the reintroduction of fire.

Florida gopher frogs (*Rana areolata*), utilizes gopher burrows and breed in shallow grassy ponds and ditches. The lack of suitable breeding habitat on the site or in the immediate vicinity makes it unlikely that this species will be found on the Preserve. County staff will establish whether this species is present through a combination of periodically surveying tortoise burrow entrances in early morning through summer and spring and listening for the gopher frog's snoring vocalizations after rains particularly near the isolated marshes and dry prairies in the late fall and winter.

The eastern indigo snake (*Drymarchon couperi*) uses tortoise burrows as well as most other natural plant communities represented on site (Moler, 1985). An individual snake is known to occupy an area of approximately 500 acres, on average, so there is no

chance that a single individual, much less an entire population of this species can be supported on the site. There is no easy way to survey for indigo snakes. On site documentation will rely on incidental observations. The surrounding residential development, and the heavily traveled roadways adjacent to the site, will result in high mortality levels for this species, indicating that, even if its presence is confirmed through observation, long term viability is doubtful.

The Florida mouse (*Podomys floridanus*) (Layne, 1990) absence/presence may be confirmed by running baited Sherman live traps through the areas with the highest concentration of tortoise burrows.

Florida pine snakes (*Pituophis m. mugitus*) seem to prefer pocket gopher burrows, which are not present on the site, but also utilize tortoise burrows (Franz, 1986). There is no easy way to survey for pine snakes. On site documentation will rely on incidental observations.

Short-tailed snakes (*Stilosoma extenuatum*) are not known to use tortoise burrows but occupy the same habitat, with a preference for sandhills, which are not present on site (Highton, 1976). Absence/presence can be determined through the establishment of herpetofaunal arrays in tortoise habitat.

Management strategy - Optimal habitat for tortoise is sandhill; none occurs on site. Therefore, several of the tortoise associates may never have occurred on site. This applies particularly to the short-tailed snake and Florida mouse which rely most exclusively on sandhill communities. Application of the specialized survey techniques described above will eventually determine the absence/presence of these species. Based on initial survey results, the site contains a viable population of gopher tortoises, and has the potential to support a significantly larger population if properly managed with a combination of prescribed burning and protection from impacts such as poaching, predation, roadkills, etc.

The wood stork (*Mycteria americana*), little blue heron (*Egretta caerulea*), snowy egret (*Egretta thula*), tricolored heron (*Egretta tricolor*), white ibis (*Eudocymus albus*), limpkin (*Aramus guarauna*), and roseate spoonbill (*Ajaia ajaja*) all breed and forage in marsh and in and along riverine systems. All are known to occur in the Alafia River watershed; some have been documented in the vicinity of the Preserve shoreline. None are currently known to nest on site.

Management Strategy - The County will monitor wading bird activities particularly in and along the site's wetlands and shoreline with special emphasis during the breeding season.

The closest known southern bald eagle nest (*Haliaeetus leucocephalus*) is approximately 3 miles away, adjacent to Bullfrog Creek. This places the Preserve outside of the "primary and secondary management zones" (as defined by U.S. Fish and Wildlife Service, 1987). These eagles and several others that nest in the vicinity may forage along the shoreline adjacent to the Preserve boundaries.

Management Strategy - Since the Preserve falls outside the critical management zones, which extend up to 1 mile from the location of a nest, no specific strategies with respect to eagles are proposed.

This Plan initiates coordination efforts with the GFC and FNAI. These agencies have suggested ways in which data can be shared between the County and their respective agencies. The County will provide each entity with information on all protected species element occurrences observed on the Preserve. In return, they will keep us informed on any new element occurrence records in the vicinity of the Preserve.



Table 2. Listed wildlife species that potentially utilize the Alafia Scrub Preserve.  
Source: FNAI records for Hillsborough County.

COMMON NAME	SCIENTIFIC NAME	GFC <sup>1</sup>	USFWS <sup>2</sup>	CITES <sup>3</sup>	COMMENTS (on site characteristics that may support species)
Gopher tortoise*	<i>Gopherus polyphemus</i>	SSC	C2		Observed in high, dry flatwoods and improved pasture.
Gopher frog	<i>Rana areolata</i>	SSC	C2		May use tortoise habitat; breed in ephemeral wetlands.
Eastern indigo snake*	<i>Drymarchon c. couperi</i>	T	T		Tortoise burrow commensal; also uses flatwoods, hydric hammocks, and forested wetlands (observed on site in hydric hammock).
Florida pine snake	<i>Pituophis m. mugitus</i>	SSC	C2		Tortoise burrow/pocket gopher borrow commensal; uses dry flatwoods and ruderal communities.
American alligator*	<i>Alligator mississippiensis</i>	SSC	T(S/A)		Use all palustrine, riverine, and lacustrine habitats.
Wood stork*	<i>Mycteria americana</i>	E	E		Forages in various palustrine, lacustrine, and riverine habitats; nests in rookeries.
Little blue heron*	<i>Egretta caerulea</i>	SSC			Forages and nests in most palustrine, lacustrine, and riverine habitats.
Roseate spoonbill	<i>Ajaja ajaja</i>	SSC			Forages and nests in most palustrine, lacustrine, and riverine habitats.
Snowy egret*	<i>Egretta thula</i>	SSC			Forages and nests in most palustrine, lacustrine, and riverine habitats.
Tricolored heron*	<i>Egretta tricolor</i>	SSC			Forages and nests in most palustrine, lacustrine, and riverine habitats.

Table 2 (continued).

COMMON NAME	SCIENTIFIC NAME	GFC <sup>1</sup>	USFWS <sup>2</sup>	CITES <sup>3</sup>	COMMENTS (on site characteristics that may support species)
Southern bald eagle	<i>Haliaeetus leucocephalus</i>	T	E	I	Nests and forages near body of water; nests located on all 4 sides of the Preserve.
Florida mouse*	<i>Peromyscus floridanus</i>	SSc	C2		Tortoise burrow commensal; usually found in xeric sites.

## Plants.

Four species of listed plants have been documented on site. All are indigenous to the site's natural communities. Only one of these, the Florida golden aster, will require specific management strategies to ensure its continued existence on the site. The other three species are wetland fern species, which are not rare in the region, and depend on the protection of the jurisdictional wetlands for survival.

The Florida golden aster requires scrub habitat and open sun for survival and reproduction. On site management will consist of avoidance of existing populations during facilities development, and the maintenance of open patches of bare sand in full sun. In order to promote reproduction, it may be necessary to manually scrape small patches of sand in and around clusters of seed-bearing plants. The highest concentrations of existing plants are in areas of the scrub which contain the remnants of abandoned ATV trails, indicating that this species may actually require a certain amount of soil disturbance to expand its numbers. As a result, it is not necessary to take extraordinary measures to protect this species from low level human impacts associated with the nearby picnic area.

Due to the site's current isolation from other scrub habitat areas in the region, it can be assumed that this population of Florida golden aster is a separate and distinct population. Preservation and management of the site to maintain the health and viability of this population will further the objectives of the Recovery Plan for this species which has been developed by the USFWS (see appendix E).

### ***Resource Enhancement***

The goal of management with respect to the Preserve's natural resources is to restore and/or preserve natural plant communities adapted to the region's natural processes (particularly fire) in a balance that mimics or approaches "pre-settlement" conditions. In the case of the Alafia Scrub Preserve, pyrogenic habitats have been degraded by the suppression of fire and the site management strategy will be to restore and enhance plant communities through the reintroduction of a burn regime.

In addition to the restoration and maintenance of native plant communities, efforts to manage at the species level shall be employed. Species-specific management strategies were identified previously in the listed species section. Those strategies are incorporated into the following proposed resource enhancements. These enhancements are listed in order of occurrence.

In addition to these enhancements, ongoing monitoring of vegetative communities, flora and fauna with special emphasis on listed species will be conducted annually, at a minimum.

#### (1) Removal of exotic species -

**Plants:** Using the Exotic Pest Plant Council's list of Florida's Most Invasive Species (located in Appendix H) as a guide, all invasive exotics will be identified and control efforts will be



implemented. The objective of control efforts will be the total elimination of exotic nuisance species; however, since the primary characteristic of such species which causes their nuisance status is their ability to colonize and expand in the local environment, control will be an ongoing process, and total eradication will not be feasible with current technology and resources.

Approximately eighteen exotic species have been identified on the preserve to date. Other exotics are expected to appear during the growing season, but many are either relatively harmless or they occur in small numbers. Those of concern include *Citrus* spp. (citrus), *Dioscorea bulbifera* (air potato), *Nephrolepis cordifolia* (tuberous sword fern), *Schinus terebinthifolius* (Brazilian pepper), *Tradescantia fluminensis* (small-leaf spiderwort), and *Xanthosoma sagittifolium* (arrowleaf elephantear). These are primarily found in the extreme northwest corner of the site escaping from the adjacent travel trailer park where they have smothered the native ground cover. Brazilian pepper and citrus are scattered throughout the northwest quarter of the site. Citrus is only considered a problem because of numbers present, the abundance of fruit it produces, and the probability that it could serve as host to agricultural pests such as Mediterranean Fruit Fly.

Collection of air potato bulbils during dormancy has already been initiated. A combination of foliar and cut-stump treatment with herbicides will be used to treat air potato during the growing season. The spiderwort and elephantear will receive foliar herbicide treatment as needed. Tuberous sword fern will be hand-pulled, dug, or treated with herbicide. After a fire lane is installed between the travel trailer park and the preserve some of these invasive exotics can be effectively excluded from the site. Citrus and Brazilian pepper will receive basal bark or cut-stump treatment, depending on location.

Small numbers of other invasive and non-invasive exotics have been dumped as landscape debris inside the northern boundary. These are removed or treated with herbicides as they are discovered by Resource Management staff. The boundaries have been posted and letters delivered to residents adjacent to problem areas asking for their cooperation.

Resource Management Team staff in their weekly to monthly visits to the site will continue to survey for exotic plant species and take appropriate actions to eliminate invasives upon identification.

Animals: Because of the residential nature of the area surrounding the site, feral dog and cat impacts are anticipated to be low. Domestic pets, on the other hand, are expected to frequently wander onto the site. If any feral dogs or cats are documented, they will be removed by Hillsborough County Animal Control. The site will be posted with signs that state that all dogs must be restrained by a leash. If domestic cats are frequently sighted on the Preserve, an attempt will be made to identify the owners, and to educate nearby residents of the impacts to wildlife of free roaming housecats. If all else fails, live trapping may be used as a last resort. Other feral animals, including hogs and non-native ducks, have not been documented, and are not expected to occur on the Preserve; however, if these or other non-native nuisance species are discovered, appropriate measures will be taken to remove them.

(2) Prescribed burning (also see Coordination Section) - Burn regimes will be re-established to reduce hardwood tree species and diversify habitat structural characteristics. Pine flatwood communities will be burned at a frequency of anywhere from 3 to 7 years. With the exception of fuel reduction burns which will be necessary due to the suppression of fire for many years, most burns will be conducted in the growing season. This mimics natural conditions. Existing snags will be preserved by clearing fuel in a circle around the base prior to initiating the burn prescription. Burn regimes may vary within any given burn unit depending upon the vegetative response to the previous burn.

A preliminary Burn Plan has been developed for the site, consisting of the identification of burn units, and a brief description of how prescribed fire will be applied to each unit. Figure 12- Burn Units, shows the size and location of each of the burn units discussed below.

**Unit 1** (12 ac.): Prior to fire exclusion, this unit probably supported a drier and more open, grassy flatwoods than elsewhere on the site. Presently the overstory consists of high density water oak and widely scattered longleaf pine. The thick accumulation of oak leaf litter (4") in this unit commands prescribed burning to be done under conditions with moderate soil moisture to prevent prolonged periods of residual smoke. Frequent growing season fires will be required to restore this habitat to historical conditions.

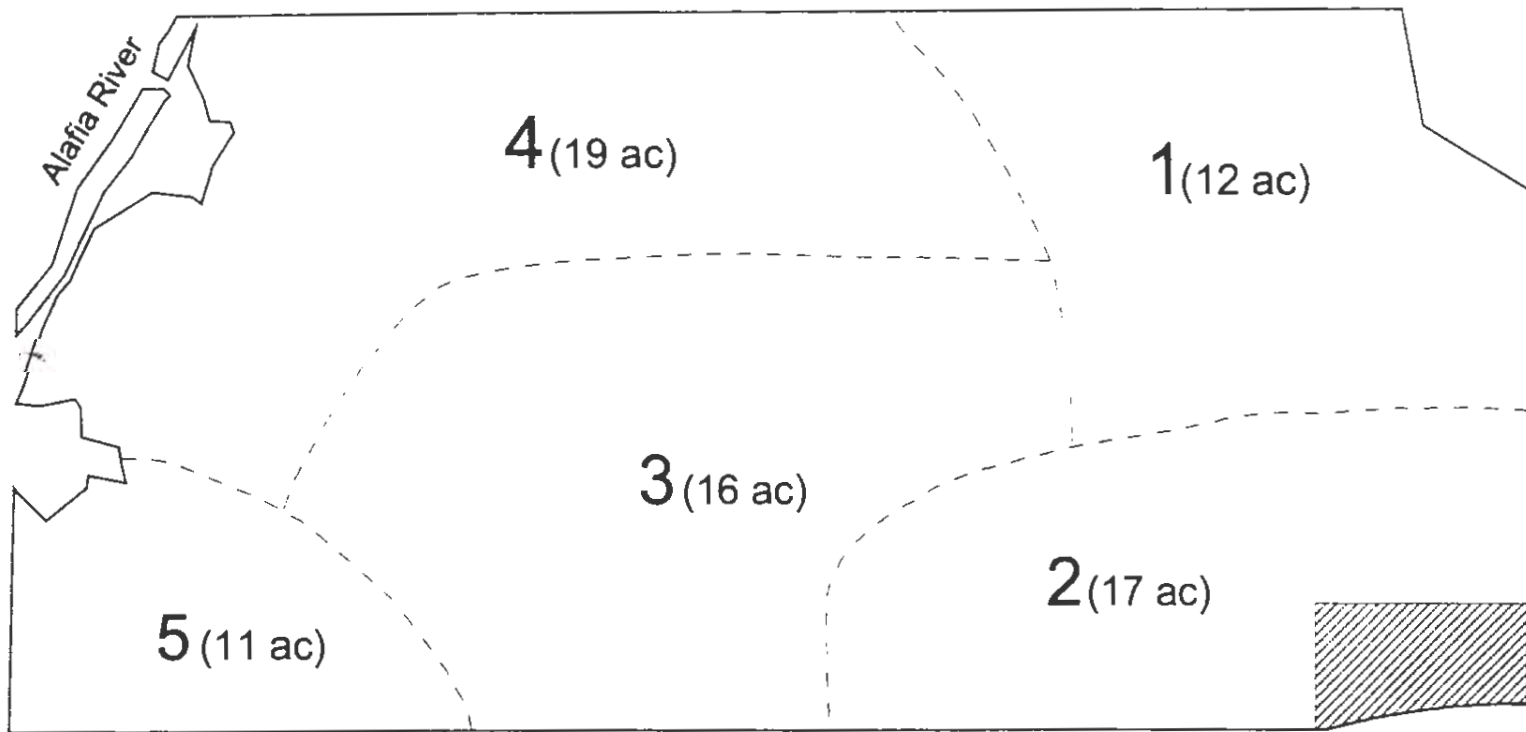
**Unit 2** (17 ac.): This unit contains the xeric oak scrub habitat and Florida golden aster found on the site. Prescribed fire will be necessary in the future in order to prevent canopy closure and resulting shading of the Florida golden aster.

**Unit 3** (16 ac.): Hardwood-invaded flatwoods dominate this unit. However, moisture regime in this unit ranges from xeric to hydric. As with other units, fuel loading is very high, and the duff layer is deep. Longleaf pine is probably a larger constituent of the overstory in this unit than in the others. The pines in this unit are good seed trees, and will naturally reestablish longleaf as the dominate overstory species when shading and fuel load has been reduced. To protect these, an initial fuel reduction burn accomplished under cool, moist conditions should be conducted before proceeding with growing season burns.

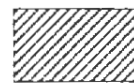
**Unit 4** (19 ac.): Much of this unit contains hardwood hammock that will burn only under drier conditions. There is a remnant of wiregrass and other fire dependant species in the middle and eastern sections of this unit. Prescribed fire should predominantly be applied during the growing season to reduce hardwood vigor and promote fire adapted species.

**Unit 5** (11 ac.): Most of this unit lies adjacent to an RV park, making residual smoke a concern for burn managers. As with other areas on the site, there is a thick accumulation of duff in this unit. This necessitates moist conditions for burning. This unit should be burned in the near future to reduce the risk of wildfire danger to the RV park. Furthermore, a burn here may prevent the remnant gopher tortoise population from leaving the site.

# Burn Units



Unit Boundaries



Picnic Area (No Burn)



(3) Listed Species Recovery Plans - All management strategies identified in the wildlife and plant listed species sections of this plan will be implemented. Application of these strategies will lead to the documentation of all listed species occurrences on site. Specific management strategies will be applied to species known to occur:

- Listed species surveys have been conducted for gopher tortoises and Florida golden aster, and additional surveys will be conducted for other potential species as specified in the Listed Species section of this report. If funds are made available to conduct more intensive surveys, small mammal trapping and herpetofaunal arrays will be established to determine tortoise burrow associate utilization.
- Re-establishing a variable burn regime will serve to enhance the suitability of the Preserve to a larger diversity of species. A frequent regime in the flatwoods favors the gopher tortoise and its associates. A less frequent regime favors several nonlisted species including common yellowthroat, rufous-sided towhee, white-eyed vireo, and Carolina wren.

### ***Archeological and Historical Resource Protection***

The cultural resources of the project site are poorly known, based on the property's geographical and ecological environmental setting, however, it is likely that undiscovered archaeological sites are present.

Hillsborough County will perform a cultural resource survey of any area within the project site that is proposed for development prior to the commencement of proposed development activities in that area. All planned activities involving known cultural resources will be closely coordinated with the Department of State, Division of Historical Resources in order to prevent the disturbance of significant sites. Management of the on-site cultural resources will comply with the provisions of the Florida Historical Resources Act, specifically §267.061(2)(a) and (b), Florida Statutes. The County requested a review by the Bureau of Historic Preservation to determine if there are any cultural resources on file that could be impacted by the proposed improvements or management activities. A written response was received on March 30, 1999 which included specific recommendations with regard to the activities proposed for the site. Due to the "only minor ground disturbances" proposed by the County, a comprehensive archaeological survey is not stipulated, however, since the site's location increases the potential that significant archaeological sites will be found, it would be advantageous for a professional archaeological survey to be performed in the future, if funding becomes available, or if it could be done at no cost by the University of South Florida Department of Anthropology. In accordance with the other recommendations in the letter, the County will recover, record, and map any archaeological material encountered during site development, and a Florida Master Site File form will be completed and submitted to the Division of Historic Resources. In addition, metal, rather than wooden fence posts, will be used for fencing, and if future park development is proposed which would involve large areas of ground disturbance, archaeological testing will be conducted (see letter and response, Appendix F).

### ***Education Programs***

The nature trail will take advantage of scenic vistas as well as ecologically interesting features. An interpretive sign at the Preserve's entrance will describe the general natural features of the Preserve, and a brochure dispenser will provide a trail guide which, along with numbered trail markers, will interpret any interesting or environmentally significant features encountered along the trail. The sign near the entrance will direct people to remain on the trails and respect wildlife.

As with other sites purchased through the ELAP program, interested individuals have been directed to ELAPP by Hillsborough County's "Volunteers in Public Service" (VIP's). Since volunteer activities are led by an ELAPP staff member, this provides educational opportunities. Staff typically cover not only natural history and information concerning the habitat, but also management needs and activities (such as prescribed burning and exotic control). Passive education (interpretive signs, nature trail, etc.) has been described above. The Preserve will be made available for field trips by groups including Audubon, Native Plant Society, Sierra Club, school ecology clubs, etc., with ELAPP staff guidance when requested. Further, it will be made available for use as a field trip site and outdoor laboratory for USF, the University of Tampa,

and Hillsborough Community College. This type of educational support will not require additional facilities.

Education Program development will begin once Park-related infrastructure is developed.

### *Coordination*

The Preserve is bounded on all sides by smoke sensitive areas; there is residential development to the northeast, east, and south and Interstate 75 to the west. Any prescribed burning must be conducted under conditions that minimize or avoid impacts to these areas. In general, burn units will be smaller than usual (no more than 20 acres). The overall burn strategy will be developed in cooperation with the Florida Department of Agriculture and Consumer Service's Division of Forestry (DOF). Well in advance of any burning activities, the Resource Management Team will fill out a Prescribed Burn Plan Pre-Burn Data sheet (Appendix G). This form includes a checklist of individuals to notify which includes the DOF, Environmental Protection Commission Air Management, Hillsborough County Fire Department, Hillsborough County Public Information Office, County Administrator's Office, and the Parks and Recreation Department. All adjacent land owners are also notified. Accompanying this notification should be a brief synopsis of why it is necessary to burn (See Appendix G for example).

The County will coordinate with the DOF on the development of the prescribed burn plan. In addition, the Florida Game and Freshwater Fish Commission (GFC) has been asked to review the plan in order to evaluate the effectiveness of the overall strategy in terms of recovery of the gopher tortoise population. Coordination has been initiated by providing the DOF and GFC with copies of the draft management plan along with a request for review and comment. Any comments or recommendations received from those agencies will be incorporated into the Plan by inclusion in Appendix F. This information will also be forwarded to FCT, along with a summary of any proposed management activities necessary to implement those recommendations, for review and approval by FCT.

The County will coordinate management of the Preserve with the development and management of other public lands in the area, particularly within the Alafia River corridor.

The County will continue to coordinate with the GFC for appropriate guidance, recommendations and/or necessary permits to avoid impacts to listed species. Upon FCT approval of the management plan, a copy will be submitted to the GFC for comment.

As with all publicly owned lands in the County, the managing agents will collect and share data on biotic communities and the ecological response to management strategies.

A copy of the draft management plan has been provided to DEP for review and comment, and a response was received from Deirdre Hewitt of the Division of State Lands. The only comment was that the County should consider additional restoration techniques, other than prescribed fire, to restore the natural areas identified by the plan. The County's plan to control the existing exotic

nuisance plant species on the site is considered to be an additional restoration technique. In addition, if it appears that prescribed burning is not having the desired effect of reversing the natural succession which has occurred on site due to fire suppression, other methods, such as selective thinning of hardwoods by cutting or girdling, will be proposed for FCT review and approval. The full text of the DEP letter is included in Appendix F.

The County will coordinate with SWFWMD and DEP to ensure that development of the Project Site is done in a manner consistent with the protection of the Alafia River's water quality. Coordination shall be initiated upon completion of the management plan; SWFWMD and DEP will be provided a summary of the proposed site development and involved in the plans to permit the construction of the overlook and walkway.

### ***Greenway Management***

The Alafia Scrub Preserve is recognized in the Hillsborough Greenways Conceptual Plan as part of a Natural Greenway Corridor (Hillsborough Greenways Master Plan, 1998). The Hillsborough Greenways Master Plan identifies a network of greenways that extend throughout the County (Figure 2).

The term "greenways" refers to linear parks or open spaces which connect natural, cultural, recreational, and historic resources. They can be hard surfaced pathways that permit different recreational uses such as walking, jogging, and hiking, or they can be natural corridors with a simple path along a stream or riverbank. Many greenways connect destination points such as parks, libraries, schools, and shopping areas. A utility or drainage right-of-way or an abandoned railroad corridor can be converted to a pedestrian bike or walkway. Conservation areas protecting a community's natural resources, such as rivers, wetlands, wildlife and floodways are often included in greenways. Greenways benefit the community in many ways by providing opportunities for recreation and alternative transportation, improving environmental protection, providing places for environmental education, and stimulating economic development. Because of their diverse functions, they fulfill many needs.

The Alafia Scrub Preserve falls within the lower Alafia River Basin. Major sections of the middle and upper sections of this corridor are already in public ownership. The Alafia Scrub Preserve is geographically isolated from these other public lands; however, partially due to this isolation, it may serve as an important habitat refuge for wildlife species which utilize the riverine corridor. A secondary greenway corridor function is the aesthetic benefit which the Preserve provides to the public. Boaters using the river, as well as motorists traveling north on the interstate, are afforded a view of undeveloped natural shoreline which is strikingly beautiful as well as scarce in the surrounding area. Protection of the natural resources of the Project Site, as described in this Management Plan, will ensure that the site continues to fulfill its role as a part of the Greenway Corridor System.

Although not shown as part of the Hillsborough Greenways Master Plan, an existing power line right-of-way offers the potential to link the Alafia Scrub Preserve to other public lands with a recreational trail. The right-of-way extends to the east, crossing the Rice Creek, Bell Creek, and



eventually the FishHawk Creek, corridors. Together with connector trails and sidewalks, this system could link the site with the Sterling Downs Greenway Preserve and the Fish Hawk Preserve. The Hillsborough Greenway Committee will be provided with a copy of the approved plan so that they may consider amending the master plan to incorporate this concept.

## **Preservation**

The site is protected under the provisions of the County's Park Ordinance #97-14, as well as the various ELAPP Ordinances which restrict lands acquired with funds collected under the program. In addition, the County's zoning and development review processes provide for the protection of natural preservation areas. During the County's zoning review process, various County agencies, including the Parks and Recreation Department, may recommend conditions necessary to reduce or eliminate negative impacts from proposed developments. During the permitting process, the County's Land Development Code includes a provision requiring landowner's to prepare a Project Compatibility Plan, which must detail actions to be taken and conditions imposed in order to avoid or minimize negative impacts to natural preservation areas.

Using these mechanisms, the County will monitor adjacent development activities to ensure that such activities do not negatively affect the resources on the Project Site. Measures such as vegetated buffers, site design, height limitations, etc. shall be required as necessary to ensure that resources and planned outdoor recreation activities on the Project Site are protected from adverse impacts of adjacent land uses.

## **V. COST ESTIMATE AND FUNDING SOURCE**

Funding for development and ongoing implementation of the Alafia Scrub Preserve will be taken from the 250 thousand dollar annual fund set aside as Site Management funds for all ELAPP acquisitions. The County has been awarded a grant from the SWFWMD's Alafia River Basin Board for exotic nuisance plant control on natural preserve lands within the basin. A portion of this grant will be applied to the Preserve during the term of the grant, which runs through July, 2000.

Estimated costs for the preserve are as follows:

- (1) Fencing: Approximately \$2.35/linear foot for 6,300 linear feet. \$14,800.00
- (2) Recreation-related infrastructural development-this includes picnic tables (\$500.00), parking area (\$2,500.00), interpretive signage (\$500.00), entrance signage (\$500.00), trail development (\$2,000.00), and overlook platform (\$4,000.00). Total cost for infrastructural development: \$24,300.00
- (3) Ecological monitoring (floral/faunal surveys and exotic species id): \$500.00/yr.
- (4) Prescribed burns (@\$2,000/burn event): \$2,000/yr.

(5) Exotic Species control: \$2000 first two years, \$200/yr. ongoing.

(6) Miscellaneous ecological improvements (supplemental plantings, bird boxes, etc.) \$200.00/yr.

Totals:     \$32,000.00 for the first two years.  
              \$3,200.00/yr. (after second year).

The picnic and parking areas, trail and overlook will be developed within the first 24 months.

The Tampa Audubon Society and Florida Native Plant Society have provided surveys (as needed) on lands acquired with ELAPP moneys for the County. These organizations include individuals with expertise in plant and animal identification. These organizations will be approached to conduct ongoing surveys of the Project Area.

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.

## VI. PRIORITY SCHEDULE

Implementations of all aspects of the management plan are based upon established priorities and the availability of funds. The Tasks listed below are in order of appearance and are presented in a schedule in Table 3.

1) **Surveys** are currently being conducted using GPS and standard surveying equipment. This information is being stored using Arc View. This information was used to create the Figures for this Plan and are compatible with Arc Info and may be used for site management. Time of Completion: initial surveys - 1 year. New information will be collected as necessary.

2) **Agency Coordination** - with FNAI, SWFWMD, GFC, and DOF. This process has been initiated with these agencies.

3) **Exotic species removal.** Exotic species removal will begin immediately after project completion.

4) **Implementation of a prescribed burn plan.** A preliminary burn plan has been developed as a part of this management plan, to be finalized upon receipt and incorporation of DOF and GFC input. Fire lane construction will begin soon after approval of the management plan by FCT. Prescription writing has already begun and will be expanded and implemented as prescription and other conditions allow. The burn plan will be modified based on the vegetative response to prescribed burns.

5) **Floral/faunal baseline surveys.** Baseline surveys have been initiated, and will continue to be performed as described in the Resource Enhancement Section of this report.

6) **Infrastructural development.** This task includes installation of perimeter fencing.

establishment of parking areas and park access, signage posted, picnic tables and bike racks positioned, trail locations finalized and marked, and interpretive literature developed. Time of completion: 24 months after approval of management plan.

7) **Exotic species patrol** and removal as needed shall occur at least biannually in perpetuity.

8) **Floral/faunal monitoring.** At a minimum annual surveys shall be conducted.

9) **Prescription burns.** Prescription burns will be initially conducted under optimal conditions for fuel reduction and smoke management, and subsequently in the growing season unless fuel reduction becomes a problem in the future.

10) **Park maintenance.** Fixing gates, fences, replacing picnic tables, policing the parking areas will be ongoing.

Table 3. Priority Schedule

Task #	Task Name	1998					1999					2000					2001								
		A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J
	Site Acquisition	X																							
	Approval of Management Plan									X															
1	Site Surveys																								
2	Agency Coordination																								
3	Exotic Species Removal																								
4	Prescribed Burn Plan/Burns																								
5	Floral and Faunal Baseline/ Long Term Surveys																								
6	Infrastructure Development: Install Fencing																								
	Parking and Picnic Area Access Trail, Overlook, and Interpretive Signage																								
7	Exotic Species Patrol and Removal																								
8	Floral/Faunal Monitoring																								
9	Prescribed Burns																								
10	Park Maintenance																								

## **VII. MONITORING**

The County is responsible for preparing and submitting an annual stewardship report to the Florida Communities Trust that evaluates implementation of the management plan. The progress of the management plan will be measured through careful consideration of the annual or more frequent monitoring events and comparison of conditions to goal conditions. Additionally, the progress of the aforementioned schedule may be used to gauge success.

The Resource Management Team will assess the progress of all key management activities at least thirty days prior to the due date of the annual report. Thirty days prior to the due date, the report will be submitted to the FCT for review. The annual stewardship report shall provide information including but not limited to: proposed changes in adjacent land uses, floral and faunal monitoring results, burns conducted in the past year and proposed for the subsequent year, the status of restoration/enhancement efforts, recreational uses, exotic species removal, infrastructural development, permit applications, new management recommendations, and any or all actions not discussed in this management plan. Any proposed revisions to this management plan resulting from the annual review process will be submitted to FCT for the required review and approval.

The annual stewardship report is due on the anniversary of the date on which the project plan is approved.

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**APPENDIX A.**  
**Master Site Plan.**

# Master Site Plan

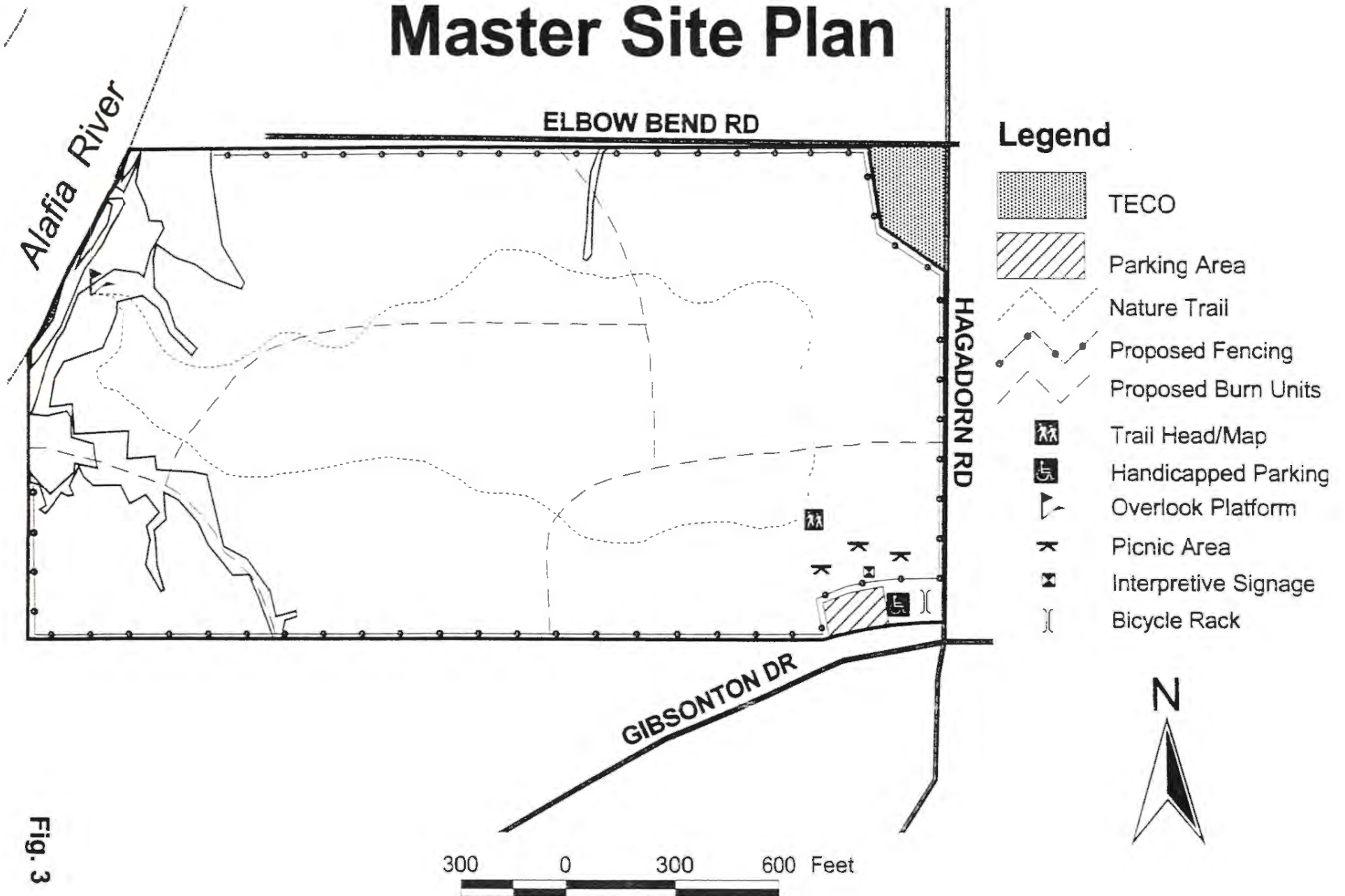


Fig. 3

**APPENDIX B.**  
**Conceptual Approval Agreement**

FCT Contract # 99-CT-8G-98-8A-A1-054

FLORIDA COMMUNITIES TRUST  
P8A AWARD #98-054-P8A  
ALAFIA SCRUB PRESERVE

### CONCEPTUAL APPROVAL AGREEMENT

THIS AGREEMENT is entered into on JANUARY 7, 1999, the date the last party executes this Agreement, by and between the FLORIDA COMMUNITIES TRUST (FCT), a nonregulatory agency within the State of Florida Department of Community Affairs, and HILLSBOROUGH COUNTY (FCT Recipient), a local government of the State of Florida. The intent of this Agreement is 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), that are 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 (F.S.).

\* \* \* \* \*

WHEREAS, Chapter 380, Part III, F.S., 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 management 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%) less certain reductions 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 have annually authorized the sale and issuance of State of Florida Department of Environmental Protection Preservation 2000 Revenue Bonds (Bonds); and Bonds have been annually sold, thereby producing revenues for distribution according to Section 259.101(3)(c), F.S.;

WHEREAS, the Bonds are 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 (F.A.C.), describes 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 August 27-28, 1998, to score, rank and select projects that were to receive Conceptual Approval for funding;

WHEREAS, the FCT Recipient's project, described in an application submitted for evaluation, was selected for funding and in accordance with Rule Chapter 9K-4, F.A.C., and more particularly described within this Agreement;

WHEREAS, Rule 9K-4.010(2)(f), F.A.C., authorizes FCT to impose conditions for funding on those FCT applicants whose projects have been selected for funding; and

WHEREAS, Rule 9K-4.0031(9) F.A.C., recognizes real property owned by the Recipient and included in the application as part of the Project Site as an eligible source of local match, provided that real property owned by the Recipient has been acquired by the Recipient within one year prior to the application deadline or within 180 days after the application deadline for which the application was made. The date of this application deadline was April 27, 1998;

WHEREAS, the FCT Recipient acquired the fee simple title to the entire Project Site on 9-22-98 (insert date[s]) from William A. Read and BRCO, Inc. (insert Seller name[s]);

WHEREAS, the FCT Recipient has requested disbursement of FCT Preservation 2000 Series Bond Proceeds 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; 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 funds awarded, as well as 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 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 as soon as possible and before **December 15, 1998**. Upon receipt of the signed Agreements by FCT, FCT will execute the Agreements, retain one original copy and return all other copies that have been executed to FCT Recipient. If the FCT Recipient requires more than one original document, the FCT Recipient should photocopy the number of additional copies needed, and

then execute each as an original document.

2. The name *Conceptual Approval Agreement* is used to indicate that the project has been approved as a concept that was described in FCT Application #98-054-P8A. The Conceptual Approval Agreement is in every respect a grant contract between the parties. The Agreement describes activities that will be conducted both prior and subsequent to acquisition of the Project Site, described in the application that was submitted and selected for funding by the FCT.

3. Conceptual Approval for funding shall be until **July 27, 1999**. The FCT expects that, because the Project Site was preacquired by the FCT Recipient and substantial work has already been done, the project will be fully completed by **July 27, 1999**. In the event the project has not been completed in full by **July 27, 1999**, the Conceptual Approval Agreement must be extended in order that the grant will remain in effect. In advance of the **July 27, 1999**, date and in sufficient time before a meeting of the FCT governing board that would allow approval of an extension to this Agreement before its expiration, the FCT Recipient must request a written extension to the Conceptual Approval Agreement for project continuation in compliance with Rule 9K-4.010(2)(j), F.A.C. If the FCT 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 award granted to the FCT Recipient by the Governing Body shall terminate and all obligations hereunder shall cease.

Based upon the Florida Legislature's ongoing oversight of the rate of expenditure of funds, and the impact on future funding if expenditures do not timely occur, the FCT requires that the project be completed as soon as possible after project selection.

4. Extensions to this Agreement, described in Paragraph 3 above, shall not exceed 24 months from the date the Agreement was approved by the FCT, except as described in this paragraph. In compliance with Section 380.510(f), F.S., if the project is not concluded by **October 17, 2000**, the project shall only be extended if the FCT Governing Body determines that a request for additional time to complete the project is warranted based upon FCT Recipient's demonstration that significant progress is being made toward closing the project or that extenuating circumstances warrant an extension of time.

5. This Agreement may be terminated before its expiration at the written request of the FCT Recipient. Such a request shall fully describe the circumstances that compel the FCT Recipient to terminate the project. A request for termination should be mailed to the offices of the FCT at the address given in paragraph 1 above. The request for termination will be placed on the agenda of the next regularly scheduled meeting of the FCT Governing Body for concurrence by the FCT. The termination shall be acknowledged by the FCT in a letter to the FCT Recipient.

Circumstances may arise that, in the analysis of the FCT, warrant termination of the project before its completion. In such an event, the FCT will advise the FCT Recipient of its



analysis and will confer with the FCT Recipient on continuation of the project. If the FCT Recipient concurs, a request for termination will be considered at the next regularly scheduled meeting of the FCT Governing Body.

6. FCT Recipient agrees to make diligent efforts to submit the documentation to FCT that is required in this Agreement as soon as is reasonably possible so that the Project Site costs may be reimbursed in an expeditious manner. Deadlines stated in this Agreement, as well as deadlines associated with any FCT activity relating to the project, are strictly enforced. Failure to adhere to deadlines, whether stated in this Agreement or associated with meetings of the FCT Governing Body, may result in delays in the project, may result in allocation of time or resources to other recipients that responded timely, and may result in this Agreement being voidable. It is the responsibility of the FCT Recipient to know all project deadlines, to devise a method of monitoring the project, and to adhere to all deadlines.

7. The FCT Preservation 2000 award granted to the FCT Recipient will in no event exceed the lesser of Fifty Percent (50.00%) of the final Total Project Costs, as defined in Rule 9K-4.002(30), F.A.C., or One Million Ninety-Three Thousand Dollars And No Cents (\$1,093,000.00), unless the FCT Governing Body approves a different amount, which shall be reflected in an addendum to this Agreement.

8. The grant amount stated in paragraph 7 above is based on the FCT Recipient's estimate of Total Project Costs in application #98-054-P8A, as well as limits on awards in the Notice of Application Period announcing the application cycle. When disbursing funds for the project, the FCT will recognize the actual Total Project Costs, defined in Rule 9K-4.002(31), F.A.C., for acquisition of the Project Site. The Total Project Costs will be reflected on a grant reconciliation statement prepared pursuant to paragraph 10 below. The FCT will participate in the land cost at either the actual purchase price, or the Maximum Approved Purchase Price based on appraisal reports that comply with requirements set forth in Rule 9K-6.007, F.A.C., whichever is less, and multiplied by the percent stated in paragraph 7 above.

9. The FCT Governing Body has given Conceptual Approval for funding to acquire the entire Project Site identified in the FCT Recipient's application #98-054-P8A. The FCT Governing Body reserves the right to withdraw the FCT award if the acreage that comprises the Project Site is reduced so that the objectives of the acquisition cannot be achieved. Request for modification of the boundary of the Project Site identified in the FCT Recipient's application #98-054-P8A may be considered by the FCT Governing Body following the procedures for submission and review of boundary modification requests set forth in Rule 9K-4.0105, F.A.C.

10. The FCT funds shall be delivered either in the form of eligible Project Costs prepaid by FCT to vendors or in the form of a State of Florida warrant to the FCT Recipient. FCT award funds shall only be delivered after FCT approval of the Project Plan and terms of the acquisition of the Project Site. FCT will prepare a grant reconciliation statement prior to the reimbursement that will evidence the amount of local match, if any is required, provided by the

FCT Recipient. Cash expended by the FCT for eligible Project Costs incurred by the FCT will be recognized as part of the FCT grant award amount on the grant reconciliation statement.

11. The FCT Recipient's local match, if any is required, shall be delivered either in the form of eligible Project Costs prepaid to vendors by the FCT Recipient; purchase price paid to Seller; or eligible documented donation by Seller of land value. The cash expended by the FCT Recipient for eligible Project Costs incurred by the FCT Recipient will be recognized as part of the local match, if any is required, on the grant reconciliation statement prepared pursuant to paragraph 10 above. In the event FCT Recipient's application #98-054-P8A represents that land preacquired or land value donated by the Seller is the source of local match, if any is required, the value attributed to the land value local match for reimbursement shall be determined after an appraisal report that complies with the procedures and requirements set forth in Rule 9K-6.007, F.A.C. Such appraisal report shall be subject to review and approval by FCT prior to FCT funds being delivered for the project.

12. The FCT Governing Body adopted the Preservation 2000 Program Approved List of Complete Applications for Series P8A Funding Cycle on May 18, 1998, at which time the Project Site became part of a list of lands that were approved for consideration for land acquisition. If action initiated by the FCT Recipient that is the local government having jurisdiction over the Project Site, subsequent to May 18, 1998, results in a governmentally-derived higher value due to an enhanced highest and best use, 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 May 18, 1998.

13. **FCT Recipient hereby notifies the FCT that the following local government employee or official is the authorized key contact, or project manager, on behalf of the FCT Recipient for purposes of coordinating project activities for the duration of the project:**

Name: Kurt G. Gremley  
Title: ELAPP Acquisition Manager  
Address: P. O. Box 1110 (601 E. Kennedy Blvd., 23rd Floor)  
Tampa, Florida 33601  
Phone: (813)272-5810 Fax: (813)272-5597

The FCT Recipient must notify the FCT as to any change in the authorization of the key contact on behalf of the FCT Recipient named above. This notification must be made in writing to the Executive Director and signed by the appropriate local government employee, official or authorized representative named in paragraph II.6.d. below.

14. 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. Such amendments shall become a part of this Agreement.

## II. AFFIRMATIONS, ANNUAL REPORT, AUTHORIZED EXECUTOR AND FEIN

By execution of this Agreement, the FCT Recipient affirms that:

1. the FCT Recipient reaffirms the representations made in FCT Application #98-054-P8A.;
2. the FCT Recipient shall, on the anniversary date of the approval of the Project Plan by the FCT Governing Body, prepare and submit to FCT an annual report as required by Rule 9K-4.013, F.A.C.;
3. the FCT Recipient authorizes local government employee, official or authorized representative named in this paragraph to execute all documents in connection with this project on behalf of the FCT Recipient, including but not limited to the Conceptual Approval Agreement or any addenda thereto, grant reconciliation statement, statements submitted as a part of the Project Plan, and Grant Award Agreement pursuant to Rule 9K-6.014(6), F.A.C.;

Name: Jan Platt or Chris Hart  
Title: Chairman Vice Chairman  
Address: P. O. Box 1110  
Tampa, Florida 33601  
Phone: (813) 272-5730 Fax: (813) 272-7053

The FCT Recipient must notify the FCT as to any change in the authorization of the key contact on behalf of the FCT Recipient named above. This notification must be made in writing to the Executive Director and signed by the appropriate local government employee, official or authorized representative.

4. the FCT Recipient hereby notifies the FCT that the FCT Recipient's Federal Employer Identification Number is 59-60000-661.

## III. PROJECT PLAN APPROVAL

1. 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 is a compilation of the following items listed below, which must be reviewed and approved by FCT in a meeting of the FCT Governing Body. In the event that the FCT Recipient is a partnership, the FCT Recipient must also 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 as a part of its Project Plan.

The Project Plan shall include, and shall not be considered by FCT unless it includes all of the following documents to be reviewed and approved by FCT to ensure that the interest of the State of Florida will be protected:

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 closing documents associated with the preacquired parcel(s):

(1) A copy(s) of the real estate contract for sale and purchase of the Project Site between FCT Recipient and William A. Read and BRCO, Inc. (insert name of Seller[s]).

(2) A copy(s) of Buyer and Seller closing statements for the purchase of the Project Site.

(3) A copy(s) of the recorded deed(s) evidencing conveyance of title to the Project Site to the FCT Recipient.

(4) Certified survey(s) 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.; said appraisal report(s) must be delivered to FCT in sufficient time for the review described in Section I.11. above to be fully concluded before delivery of FCT funds.

(6) A copy(s) of the title insurance policy(s) 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(s) 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 complies with the following: written according to Exhibit "A" (*FCT Technical Assistance Bulletin #2--Writing a Management Plan*), which is attached hereto and incorporated herein by reference; acceptable to FCT; addresses the criteria

and conditions set forth in Section IV, V, VI, VII and VIII hereinbelow; and, at a minimum, sets forth how the site will be managed to further the purpose of the project, contains a description of all planned improvements to the Project Site, identifies the costs of management and site improvement and funding sources, and identifies the management entity and its funding source.

If the FCT Recipient is not the proposed managing entity, the Project Plan must also include a signed agreement between the FCT Recipient and the managing entity stating the managing entity's willingness to manage the site, the manner in which the site will be managed to further the purpose(s) of the project, and identification of the source of funding for management.

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.

2. The FCT strongly encourages the FCT Recipient to request a courtesy review of its entire Project Plan, but especially its management plan, well in advance of the meeting of the FCT Governing Body where the Project Plan will be considered for approval and funds will be authorized for disbursement. As a part of its duties to the FCT Governing Body, FCT Staff will make a recommendation of approval of complete and accurate Project Plans or disapproval of incomplete or insufficient Project Plans. FCT Recipient is strongly urged to coordinate with the FCT staff in order that the FCT review of the management plan coincides with the anticipated FCT Governing Body approval.

3. Pursuant to 9K-4.011(2)(h), F.A.C., 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 Compliance Agreement (formerly called 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), F.S.

4. Pursuant to Rule 9K-4.010(3), F.A.C., the FCT shall publish a Notice of Approval for Preservation 2000 Funds in the *Florida Administrative Weekly* that shall list each Project Plan that has received approval for funding and the amount of funding approved. Any person with a substantial interest that is or may be determined by the decision of the FCT to reject or approve the Project Plan may request an administrative proceeding pursuant to Section 120.57, F.S. within 21 days from publication of the Notice of Approval for Preservation 2000 Funds. Reimbursement of costs of acquisition of the Project Site may only take place after expiration of the 21-day notice period, so long as no requests for an administrative proceeding have been filed.

#### **IV. PROJECT SITE ACQUISITION REQUIREMENTS IMPOSED BY CHAPTER 259, CHAPTER 375, AND CHAPTER 380, PART III, F.S.**

##### **FCT RECIPIENT AGREES AS FOLLOWS:**

1. FCT shall approve the terms under which the interest in land was acquired, pursuant to Section 380.510(3), F.S. Such approval is deemed given when the FCT governing body approves the Project Plan containing a copy of the document vesting title to the Project Site in the FCT Recipient.

2. Title to the Project Site shall be titled in the FCT Recipient.

3. Each parcel to which the FCT Recipient acquires title in the Project Site shall be subject to such covenants and restrictions as are, at a minimum, sufficient to ensure that the use of the Project Site at all times complies with Section 375.045 and 375.051, F.S.; Section 9, Article XII of the State Constitution; the applicable bond indenture under which the Bonds were issued; and any provision of the Internal Revenue Code or the regulations promulgated thereunder that pertain to tax exempt bonds and shall contain clauses providing for the conveyance of title to the Project Site in the Board of Trustees of the Internal Improvement Trust Fund upon failure to use the Project Site conveyed thereby for such purposes. Such covenants and restrictions as are described in this paragraph shall be in the form of a Grant Award Agreement, prepared by FCT, executed by the parties to the Conceptual Approval Agreement and recorded at the time of reimbursement for acquisition of the Project Site. The recordable Grant Award Agreement shall restate the conditions that were placed on the Project Site at the time of project selection and initial grant approval. All statements contained in the recordable Grant Award Agreement are contained in this Conceptual Approval Agreement, with the exception of statements that do not survive the reimbursement for the acquisition of the Project Site.

4. The Grant Award Agreement containing such covenants and restrictions as referenced in paragraph 3 above and describing the real property subject to the Agreement shall be executed by the FCT and FCT Recipient at the time of the reimbursement for the Project Site and shall be recorded in the county in which the Project Site is located.

5. If any essential term or condition of the Grant Award Agreement 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 Grant Award Agreement referenced in paragraph 3 above shall set forth the executory interest of the Board of Trustees of the Internal Improvement Trust Fund.

6. The interest acquired by the FCT Recipient in the Project Site shall not serve as security for any debt of the FCT Recipient.

7. 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 or revert 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.

8. The Project Site shall be managed only for the conservation, protection and enhancement of natural 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 Sections 375.045(4) and 380.510(7)(a) and (b), F.S., to impose conditions for funding on FCT Recipient in order to ensure that the project complies with the requirements for the use of Preservation 2000 Bond proceeds including without limitation the provisions of the Internal Revenue Code and the regulations promulgated thereunder as the same pertain to tax exempt bonds.

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 transactions, events, and circumstances, the FCT Recipient shall provide at least 60 days advance written notice of any such transactions, events, and circumstances 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. FCT Recipient agrees and acknowledges that the following transactions, 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. The FCT Recipient further agrees and acknowledges that the following transactions, events, and circumstances may be allowed up to a certain extent based on guidelines or tests outlined in the Federal Private Activity regulations of the Internal Revenue Service:

- a. any sale or lease of any interest in the Project Site to any person or organization;
- b. the operation of any concession on the Project Site by 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. 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;

f. a management contract of the Project Site with any person or organization;  
or

g. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

The foregoing are collectively referred to as the "Disallowable Activities."

## **VII. DISALLOWABLE ACTIVITIES/REMEDIES**

In the event that FCT determines at any time or from time to time that the FCT Recipient is engaging or allowing others to engage in Disallowable Activities on the Project Site, the FCT Recipient agrees to immediately cease or cause the cessation of the Disallowable Activity upon receipt of written notice from the FCT. To the extent allowed by law, FCT Recipient hereby indemnifies and agrees to hold FCT harmless from all claims, causes of action or damages of any nature whatsoever arising from or with respect to Disallowable Activities on the Project Site. Nothing herein shall be deemed a waiver of the FCT Recipient's sovereign immunity. In addition to all other rights and remedies at law or in equity, FCT shall have the right to temporary and permanent injunctions against FCT Recipient for any Disallowable Activity on the Project Site.

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.

## **VIII. CONDITIONS PARTICULAR TO THE PROJECT SITE THAT MUST BE ADDRESSED IN THE MANAGEMENT PLAN**

The management plan for the Project Site is mentioned throughout this Agreement, and is particularly described in Paragraph 1.b. of Section III above. In addition to the various conditions already described in this Agreement, which apply to all sites acquired with FCT funds, the management plan shall address the following conditions that are particular to the Project Site and result from either representations made in the application that received scoring points or observations made by the FCT staff during the site visit described in Rule 9K-4.010(2)(f), F.A.C.:

1. Outdoor recreational facilities including nature trails, parking area, and scenic overlooks shall be provided. The facilities shall be developed in a manner that allows the general public reasonable access for observation and appreciation of the natural resources on the Project Site without causing harm to those resources.
2. A permanent recognition sign shall be maintained in the entrance area of the Project Site. The sign shall acknowledge that the Project Site is open to the public and was purchased with funds from the Florida Communities Trust Preservation 2000 Program and the Recipient. Such recognition shall also be included in all printed literature and advertising associated with the Project Site.
3. A survey of the vegetative communities and plant species on the Project Site shall be conducted. The survey shall be used during development of the site to ensure the protection, restoration, and preservation of the natural resources on the Project Site.
4. The vegetative communities that occur on the Project Site shall be preserved and appropriately managed to ensure the long-term viability of these communities.
5. The Project Site shall be managed in a manner that protects and enhances habitat for listed wildlife species that utilize or could potentially utilize the Project Site. The development of the management plan shall be coordinate with the Game and Fresh Water Fish Commission to ensure the protection of listed species and listed species habitat. Periodic surveys shall be conducted of listed species using the Project Site. Informational signs relating to the protection of listed animal species and their habitat shall be installed on the Project Site.
6. Adjacent development activities shall be monitored through the development review and approval process to ensure that such activities do not negatively effect the resources on the Project Site. Measures such as vegetated buffers, site design, height limitations, etc., shall be implemented as necessary to ensure that resources and planned outdoor recreation activities on the project site are sufficiently protected from the adverse impacts of adjacent land uses.

7. A prescribed burn plan shall be implemented for the scrub community. A vegetation analysis of the remainder of the Project Site shall be performed to determine which areas of the Project Site need a prescribed burning regime implemented to maintain natural fire-dependent vegetative communities. The development of a prescribed burn plan shall be coordinate with Division of Forestry and Game and Fresh Water Fish Commission. A fire line shall be developed between the adjacent residential development and the Project Site.

8. An ongoing monitoring and control program for invasive vegetation including exotic (non-native) and nuisance native plant species shall be implemented at the Project Site. The objective of the control program shall be the elimination of invasive exotic plant species and the maintenance of a diverse association of native vegetation. The FCT Recipient shall reference the Exotic Pest Plant Council's List of Florida's Most Invasive Species to assist in identifying invasive exotics on the Project Site.

9. A feral animal removal program shall be developed and implemented for dogs, cats, ducks, hogs, and other non-native wildlife that may be found on the Project Site.

10. The preparation of the management plan shall coordinate with the Department of Environmental Protection and the Game and Fresh Water Fish Commission.

11. 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 Historical Resources in order to prevent the disturbance of significant sites.

12. The parking facilities shall be located and designed to have minimal impacts on natural resources on the Project Site. The parking area shall incorporate pervious material wherever feasible.

13. Bicycle access to the Project Site shall be promoted as an alternative to automobile transportation by providing bicycle parking stands.

14. The Project Site shall be incorporated into the overall management program for the Hillsborough County Greenway network and shall be protected and managed as part of linked conservation and recreational lands.

15. 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 Exhibit "A" embodies the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

HILLSBOROUGH COUNTY

FLORIDA COMMUNITIES TRUST

By: *Jan K. Platt*  
Print Name: Jan Platt

By: *Sten Pfeiffer*  
~~James F. Murley, Chair~~ G. Steven Pfeiffer, Ch.  
Interim Secretary

Its: Chairman - BOCC

Date: January 7, 1999

Date: December 2, 1998

Approved as to Form and Legality:

Approved as to Form and Legality:

By: *Susan J. Fernandez*  
Print Name: Susan J. Fernandez

By: *Ann J. Wild*  
Ann J. Wild, Trust Counsel

ATTEST:  
RICHARD AKE  
CLERK OF CIRCUIT COURT



BY: *Samuel*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY FLORIDA  
DOCUMENT No. 98-2127

**APPENDIX C.**  
**State Substantive Laws (Crimes) and County Ordinances/**  
**Comprehensive Plan Sections.**  
**Related to Preserve Management**

**810.06 Possession of burglary tools. —** Whoever has in his possession any tool, machine, or implement with intent to use the same, or allow the same to be used, to commit any burglary or trespass shall be guilty of a felony of the third degree, punishable as provided in §775.082, §775.083, or §775.084.

**810.07 Prima facie evidence of intent. —**

(1) In a trial on the charge of burglary, proof of the entering of such structure or conveyance at any time stealthily and without consent of the owner or occupant thereof is prima facie evidence of entering with intent to commit an offense.

(2) In a trial on the charge of attempted burglary, proof of the attempt to enter such structure or conveyance at any time stealthily and without the consent of the owner or occupant thereof is prima facie evidence of attempting to enter with intent to commit an offense.

**810.08 Trespass in structure or conveyance. —**

(1) Whoever, without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance or, having been authorized, licensed, or invited is warned by the owner or lessee of the premises, or by a person authorized by the owner or lessee, to depart and refuses to do so, commits the offense of trespass in a structure or conveyance.

(2)(a) Except as otherwise provided in this subsection, trespass in a structure or conveyance is a misdemeanor of the second degree, punishable as provided in §775.082, §775.083, or §775.084.

(b) If there is a human being in the structure or conveyance at the time the offender trespassed, attempted to trespass, or was in the structure or conveyance, the trespass in a structure or conveyance is a misdemeanor of the first degree, punishable as provided in §775.082, §775.083, or §775.084.

(c) If the offender is armed with a firearm or other dangerous weapon, or arms himself with such while in the structure or conveyance, the trespass in a structure or conveyance is a felony of the third degree, punishable as provided in §775.082, §775.083, or §775.084. Any

owner or person authorized by the owner may, for prosecution purposes, take into custody and detain, in a reasonable manner, for a reasonable length of time, any person when he reasonably believes that a violation of this paragraph has been or is being committed, and he reasonably believes that the person to be taken into custody and detained has committed or is committing such violation. In the event a person is taken into custody, a law enforcement officer shall be called as soon as is practicable after the person has been taken into custody. The taking into custody and detention by such person, if done in compliance with the requirements of this paragraph, shall not render such person criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

**810.09 Trespass on property other than structure or conveyance. —**

(1) Whoever, without being authorized, licensed, or invited, willfully enters upon or remains in any property other than a structure or conveyance as to which notice against entering or remaining is given, either by actual communication to the offender or by posting, fencing, or cultivation as described in §810.011 commits the offense of trespass on property other than a structure or conveyance.

(2)(a) Except as provided in this subsection, trespass on property other than a structure or conveyance is a misdemeanor of the first degree, punishable as provided in §775.082 or §775.083.

(b) If the offender defies an order to leave, personally communicated to him by the owner of the premises or by an authorized person, or if the offender willfully opens any door, fence, or gate or does any act which exposes animals, crops, or other property to waste, destruction, or freedom, or trespasses on property other than a structure or conveyance, he is guilty of a misdemeanor of the first degree, punishable as provided in §775.082, §775.083, or §775.084.

(c) If the offender is armed with a firearm or other dangerous weapon during the commission of the offense of trespass on property other than a structure or conveyance, he is guilty of a felony of the third degree, punishable as provided in



§775.082, §775.083, or §775.084. Any owner or person authorized by the owner may, for prosecution purposes, take into custody and detain, in a reasonable manner, for a reasonable length of time, any person when he reasonably believes that a violation of this paragraph has been or is being committed, and he reasonably believes that the person to be taken into custody and detained has committed or is committing such violation. In the event a person is taken into custody, a law enforcement officer shall be called as soon as is practicable after the person has been taken into custody. The taking into custody and detention by such person, if done in compliance with the requirements of this paragraph, shall not render such person criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

(d) The offender shall be guilty of a felony of the third degree punishable as provided in §775.082, §775.083 or §775.084, if the property trespassed is a construction site that is legally posted and identified in substantially the following manner: This area is a designated construction site and anyone trespassing on this property upon conviction shall be guilty of a felony.

**810.10 Posted land; removing notices unlawful; penalty. —**

(1) It is unlawful for any person to wilfully remove, destroy, mutilate or commit any act designed to remove, mutilate or reduce the legibility or effectiveness of any posted notice placed by the owner, tenant, lessee, or occupant of legally enclosed or legally posted land pursuant to any law of this state for the purpose of legally enclosing the same.

(2) Any person violating the provisions of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

**810.11 Placing signs adjacent to highways; penalty. —**

(1) All persons are prohibited from placing, posting, or erecting signs upon land or upon trees upon land adjacent to or adjoining all public highways of the state, without the written consent of the owner of such land, or the written consent of the attorney or agent of such owner.

(2) Every person convicted of a violation of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

**810.115 Breaking or injuring fences. —**

Whoever willfully and maliciously breaks down, mars, injures, defaces, cuts, or otherwise creates or causes to be created an opening, gap, interruption, or break in any fence, or any part thereof, belonging to or enclosing land not his own, or whoever causes to be broken down, matted, injured, defaced, or cut any fence belonging to or enclosing land not his own, shall be guilty of misdemeanor of the first degree, punishable as provided in §775.082, §775.083, or §775.084, and the court may require full compensation to the owner of such fence for any and all damages or losses resulting directly or indirectly from such act or commission pursuant to §775.089.

**810.12 Unauthorized entry on land; prima facie evidence of trespass. —**

(1) The unauthorized entry by any person into or upon any enclosed and posted land shall be prima facie evidence of the intention of such person to commit an act of trespass.

(2) The act of entry upon enclosed and posted land without permission of the owner of said land by any workman, servant, employee or agent while actually engaged in the performance of his work or his duties incident to such employment and while under the supervision, direction or through the procurement of any other person acting as supervisor, foreman, employer, principal, or in any other capacity, shall be prima facie evidence of the causing, and of the procurement of such act by the supervisor, foreman, employer, principal or other person.

(3) The act committed by any person or persons of taking, transporting, operating or driving, or the act of permitting or consenting to the taking or transporting of any machine, tool, motor vehicle or draft animal into or upon any enclosed and posted land without the permission of the owner of said land by any person who is not

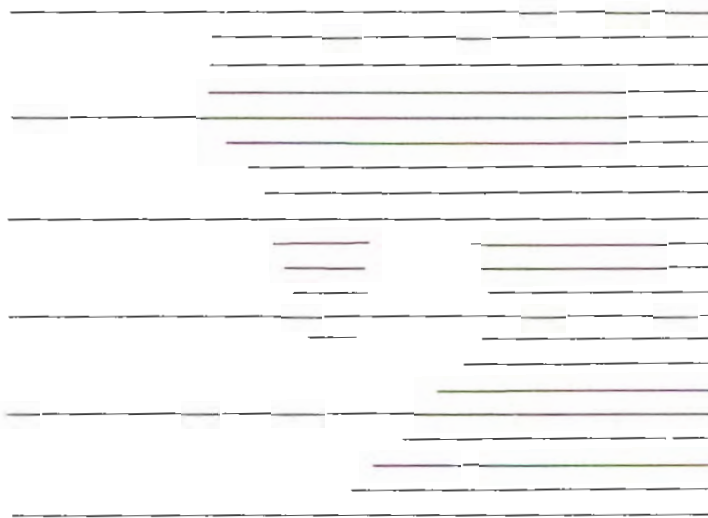
## **EXHIBIT “A”**

### **RELEVANT SECTIONS OF THE LOCAL COMPREHENSIVE PLAN**

- ◆ Conservation and Aquifer Recharge Element (CARE)
- ◆ Future Land Use Element (FLUE)
- ◆ Recreation and Open Space Element (ROSE)
- ◆ Capital Improvements Element (CIE)

# **FUTURE OF HILLSBOROUGH Comprehensive Plan for Unincorporated Hillsborough County Florida**

## **Conservation and Aquifer Recharge**



October, 1994

## IV. Goal, Objectives, and Policies

**Goal:** Preserve, conserve, restore, and appropriately manage the natural resources of Hillsborough County and to maintain or enhance environmental quality for present and future generations.

### Air Quality

**Issue:** Air quality in the Tampa Bay region, including Pinellas and Hillsborough Counties in particular, is degraded and in need of improvement relative to certain air pollutants. Hillsborough County is currently designated as a non-attainment area for ozone, meaning that national and state ambient air quality standards for that pollutant have not been attained. Automobile emissions constitute the most substantial and problematic source of air pollution in the county. However, point source emissions, primarily power plants, also contribute significantly to air pollution. Future growth in the county will add automobile traffic, as well as increase the demand for electric generating facilities. Both more stringent regulations and better compliance with existing regulations are needed to improve and safeguard our air quality.

The Environmental Protection Commission of Hillsborough County (EPC) is the local environmental regulatory agency charged with enforcing air quality regulations throughout Hillsborough County. Through interlocal agreement with the Florida Department of Environmental Protection (FDEP), to which the Environmental Protection Agency has delegated enforcement of the Federal Clean Air Act, the EPC processes and enforces Florida Department of Environmental Protection's air quality permits. The EPC also implements its own programs, such as regulation of open burning to ensure that burning does not add to air quality problems during periods of air stagnation or temperature inversions.

The EPC was created by Florida Statute, and is not administered by, nor directly responsible to, the Board of County Commissioners or the County Administrator. For that reason, language in this Plan does not mandate the EPC to implement the Plan's provisions, but rather seeks a cooperative association between the County and the EPC to ensure that the Plan is implemented and enforced.

**Objective 1:** Hillsborough County shall take the appropriate steps to reach and maintain compliance with all national and state ambient air quality standards. Such steps may include coordinating with the state and adjacent communities, promoting clean fuels and

**Objective 5:** The County shall continue to prevent net loss of 100-year floodplain storage volume in Hillsborough County. By 1995, the County shall also protect and conserve natural wildlife habitat attributes where they exist within the 100-year floodplains of major rivers and streams.

**Policy 5.1:**

The County shall protect the functions and values of all riverine wildlife corridors along rivers in the county as well as along creeks, such as those that may be associated with Rocky Creek, Bullfrog Creek, Cypress Creek, Blackwater Creek, Trout Creek, Double Branch Creek, and other creeks of similar size. Protected functions and values shall include floodwater conveyance, water storage, water quality enhancement, wildlife habitat, wildlife corridors, groundwater recharge, and minimum stream-flows. The degree of protection may vary depending on the location. Protection methods may include, but are not limited to, density and intensity restrictions of "non-water dependent" land uses.

**Policy 5.2:**

The County, through the land planning and development review processes, shall continue to prohibit unmitigated encroachment into the 100-year floodplain of riverine systems.

## Lake Resources

**Issue:** The County's lakes are important natural and community resources that serve as scenic and recreational amenities while performing a number of beneficial environmental functions. Lakes serve as important fisheries and as parts of wildlife habitat mosaics, providing sources of food for a variety of wildlife, including listed species, as well as to filter and attenuate (reduce, slow down) stormwater and provide reliable recharge to the surficial and, in some cases, the Floridan aquifers. They also serve as sources of scenic beauty and provide various forms of recreation. Degraded lakes are those whose natural functions or recreational values are reduced or lost. Because Florida lakes tend to be relatively shallow and nutrient-rich, and our climate is warm and temperate, eutrophication, the natural aging process of lakes and ponds, is relatively rapid here naturally. Mankind's activities tend to hasten the process, which leads to an increase in total bio-mass but a reduction in over-all biological diversity and a general reduction in perceived benefits to mankind.

Lakes are an important part of Hillsborough County's natural heritage, and the maintenance of their integrity is crucial. Natural and man-made lakes (as opposed to stormwater retention ponds) are protected as Waters of Hillsborough County in accordance with Environmental Protection Commission rules. Lake Keystone and Lake Thonotosassa are 'managed' as sovereign submerged lands by the Tampa Port Authority. There are currently no land use or management guidelines specific to lakes in effect county-wide.



species have declined dramatically. Advancing urbanization has so increased property values in outlying areas that it is becoming increasingly difficult to publicly purchase lands necessary to protect wildlife habitat. The Comprehensive Plan identifies the following types of environmentally sensitive areas and calls for their protection: Conservation Areas, which include freshwater marshes, wet prairies, hardwood swamps, cypress swamps, natural shorelines (other than beaches and dunes), Class III Waters, and significant wildlife habitat; and Preservation Areas, which include coastal marshes, mangrove swamps, marine grassbeds, natural beaches and dunes (coastal strand), Class I and II Waters, aquatic preserves, essential wildlife habitat for threatened and endangered species and species of special concern (listed species), and State wilderness areas.

The most recent additions to the Environmentally Sensitive Areas definition are significant wildlife habitat and essential wildlife habitat. These areas were added when the Plan was updated in 1989. Significant wildlife habitat is defined in this Plan as contiguous stands of natural plant communities which have the potential to support healthy and diverse wildlife populations. Essential wildlife habitat is land that supports listed species, whether or not the land is significant wildlife habitat or is part of a natural plant community or other natural system. Listed species are plant or animal species in Hillsborough County that are listed as Endangered, Threatened, or a Species of Special Concern by a state or federal wildlife agency. (See definition of listed species)

The County's program to protect significant and essential includes development regulation, land acquisition, habitat management, and education. The County also cooperates with and seeks assistance from state and federal wildlife agencies to protect wildlife resources.

**Objective 13:** The County shall protect significant wildlife habitat, and shall prevent any further net loss of essential wildlife habitat in Hillsborough County.

**Policy 13.1:**

The County shall continue to implement a local wildlife and wildlife habitat protection and management program to protect significant and essential wildlife habitat, and shall coordinate with state and federal wildlife programs.

**Policy 13.2:**

The County shall maintain and update its map of natural plant communities that potentially provide significant wildlife habitat and wildlife corridors in Hillsborough County. The Florida Game and Fresh Water Fish Commission's natural systems and land use cover inventory shall serve as the basis for this map. Areas of significant wildlife habitat shall be indicated as environmentally sensitive areas on the Future Land Use Plan Map.

**Policy 13.10:**

Off-site preservation as mitigation for on-site development shall not be permitted for field-verified Significant Wildlife Habitat that is capable of being managed or restored on-site as a high quality natural plant community or communities, except in the case of a public project, such as a road or stormwater facility, for which there is no prudent and feasible alternative. In such case, the project must incorporate appropriate design features, as recommended by the Florida Game and Freshwater Fish Commission or other appropriate entity, that provide for the safe passage of wildlife or provide other significant environmental benefits.

**Policy 13.11:**

By 1994, the County shall identify and adopt a wildlife corridor greenway, generally north of the City of Tampa's northern boundary to the Pasco County line, connecting Cypress Creek and the Hillsborough River.

**Policy 13.12:**

During the development review process, the County shall require the development and implementation of management plans for those areas of significant or essential wildlife habitat determined during site review to provide particularly valuable and manageable habitat qualities. In such cases, the County shall provide technical assistance in preparing a management plan, if requested.

**Objective 14:** Populations of listed species occurring in Hillsborough County shall be maintained. Where feasible and appropriate, the abundance and distribution of populations of such species shall be increased.

**Policy 14.1:**

The County shall consult with and consider the recommendations of the Florida Game and Fresh Water Fish Commission in determining the issuance of, and conditions to be placed on, land development approvals that would impact upon listed species. Conditions of approval shall ensure the maintenance and, where feasible and appropriate, increase the abundance and distribution of populations of such species.

**Policy 14.2:**

The County shall recommend specific management and recovery strategies for key listed species, as they are developed by the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service, and shall assist in their implementation. These management techniques shall also be incorporated into the management plans of natural preserve lands owned or managed by the County.

**Policy 14.3:**

The County shall assist the U. S. Fish and Wildlife Service, the Florida Game and Freshwater Fish Commission and the Florida Department of Environmental



Protection in the implementation of recovery programs for listed species-occurring in Hillsborough County.

**Policy 14.4:**

The County shall request the technical assistance of the Florida Game and Fresh Water Fish Commission in conducting inventories of listed in Hillsborough County.

**Policy 14.5:**

The County shall cooperate with appropriate federal, state and local agencies and governments in protecting the West Indian manatee, and restoring its habitat, and shall not permit development or activities inconsistent with established laws and procedures to protect and restore manatee habitat.

**Objective 15:** The County shall minimize the spread of exotic nuisance species and shall incorporate programs to control such species into the management plans for County-owned lands, with the objective of a 90 percent reduction of exotic nuisance plants from previously uncontrolled levels. The County shall conserve and use, and shall continue to require the conservation and use of native plant species in the developed landscape. The County shall also continue to protect lands designated Conservation and Preservation Areas within pending and approved development projects.

**Policy 15.1:**

The County shall assist the Florida Department of Agriculture and Consumer Services, the Southwest Florida Water Management District and the Florida Department of Environmental Protection in eliminating exotic nuisance plant species (e.g. punk tree, Brazilian pepper).

**Policy 15.2:**

The County shall continue to require the conservation of trees and existing native vegetation and the use of xeriscape principles and native plants in the landscaping of new development projects.

**Policy 15.3:**

The County shall continue to maintain and distribute information about recommended xeriscape principles and native plants and other educational materials to increase public awareness of the need to reduce the use of potable water for irrigation and to provide habitat for wildlife in the developed landscape.

**Policy 15.4:**

The County shall continue to require the conservation of trees and existing native vegetation in new development projects.

**Policy 15.5:**

During the land use planning and development review processes, the County, in conjunction with the Environmental Protection Commission, shall continue to protect lands designated Conservation Areas within approved development projects from activities that would significantly damage the natural integrity, character, or ecological balance of said areas.

**Policy 15.6:**

During the land use planning and development review processes, the County, in conjunction with the Environmental Protection Commission, shall continue to protect lands designated Preservation Areas within approved development projects from activities that would damage the natural integrity, character, or ecological balance of said areas.

**Policy 15.7:**

The County shall develop a program to utilize xeriscape principles in conjunction with native plants and trees in public rights-of-way and other public lands, whenever practical, thereby conserving water, improving habitat for urban wildlife, conserving Central Florida flora, and improving the county's aesthetic appeal and environmental quality.

**Policy 15.8:**

The County shall improve programs on County-owned lands to control, and eliminate where feasible, exotic nuisance species, and shall incorporate these programs into the management plans of natural preserve lands.

**Natural Preserves**

**Issue:** A significant amount of environmentally sensitive or ecologically important land in Hillsborough County is currently held in private ownership. The management objectives of many private landowners are generally oriented towards maximizing agricultural or silvicultural production, rather than the maintenance of abundant fish and wildlife resources. The County is working with various agencies and landowners to promote better land management and preservation practices and has developed and implemented a wildlife habitat protection program.

As urbanization advances into outlying areas, increasing property values encourage the sale and subdivision of large tracts of land for development. In the past, County park lands have been purchased fee simple or have been donated for recreational management. Public education and awareness of the problem, along with the development of more creative mechanisms for preservation, protection, and management of natural preserve lands, and economic incentives for maintaining private lands for wildlife benefits, will allow for the continuation and expansion of the County's Environmental Lands Acquisition and Protection (ELAP) Program. Areas of significant

and essential wildlife habitat have been identified for preservation and improved public and private management. The County's ELAP Program needs to be continued and other protection and management options utilized.

**Objective 16:** By 1995, the acreage of publicly-owned or otherwise protected (through private ownership) natural preserve lands in the County shall be increased by at least 15,000 acres (which is approximately 50% more than 1988 acreage). The County shall seek to continue increasing the acreage of natural preserve lands and to ensure their protection and proper use.

**Policy 16.1:**

The County shall continue to implement the Environmental Lands Acquisition and Protection Program, at funding levels equal to or greater than the current funding level of one-quarter mill.

**Policy 16.2:**

The County shall use the natural systems and land use cover inventory to help identify lands suitable for protection through public acquisition under the Environmental Lands Acquisition and Protection Program or through alternative means, including private management.

**Policy 16.3:**

The County shall use and promote, through public awareness efforts, the use of protection alternatives for acquiring and protecting environmental lands, including public purchase, conservation easements, transfer or purchase of development rights, and long-term leases. These alternatives shall be used to protect lands qualifying for acquisition under the Environmental Lands Acquisition and Protection Program.

**Policy 16.4:**

The County shall continue to request assistance in public acquisition of natural preserves under federal, State and regional programs including, but not limited to, the Preservation 2000, Florida Communities Trust, Conservation and Recreation Lands (CARL), and Save-Our-Rivers (SOR) programs.

**Policy 16.5:**

The County shall continue to manage natural resources on publicly owned County lands in cooperation with the U.S. Fish and Wildlife Service, Florida Game and Fresh Water Fish Commission, the Florida Department of Environmental Protection, the Southwest Florida Water Management District, the West Coast Regional Water Supply Authority, and the Florida Department of Agriculture and Consumer Services, as appropriate.

**Policy 16.6:**

The County shall provide multiple use opportunities on County-owned natural preserve lands consistent with natural resource protection and conservation, to provide for passive recreation, wildlife habitat, watershed protection, erosion control, maintenance or enhancement of water quality, aquifer recharge protection, or other such functions.

**Policy 16.7:**

The County shall discuss with landowners the alternatives for protecting ecologically valuable lands which have qualified for acquisition by federal, state, regional, or local land management agencies, in an effort to discourage more intense land uses.

**Policy 16.8:**

Through the land use planning and development review processes, the County shall restrict incompatible development activities adjacent to publicly owned or managed natural preserves.

**Policy 16.9:**

The County shall acquire, and support the acquisition of, a diversity of natural habitat types to ensure maximal diversity of wildlife species.

**Objective 17:** To enhance the County's ability to qualify for matching funds from state and regional land acquisition programs, such as Florida Communities Trust, Preservation 2000, Conservation and Recreational Lands, and Save Our Rivers, the County shall implement the following policies:

**Policy 17.1:**

The County shall protect natural resources, coastal resources, and outdoor recreational areas from adverse impacts attributable to adjacent land uses.

**Policy 17.2:**

The County shall preserve rare and threatened vegetative communities and protect listed species from development.

**Policy 17.3:**

The County shall continue to seek available funding to assist the County's efforts to protect and enhance beach and shoreline ecosystems.

**Policy 17.4:**

The County shall seek to restore and enhance degraded natural areas on lands acquired for preservation, including removal of noxious exotics, reforestation, and restoration of shorelines and natural hydrology, as needed

**Policy 17.5:**

The County shall protect and enhance surface and ground water resources through acquisition, protection, and management of lands with important water resources.

**Policy 17.6:**

The County shall seek to protect and restore aquatic vegetation in areas acquired for preservation, including exotic weed control, and aquatic grass-bed restoration.

**Policy 17.7:**

Where appropriate, the County shall enhance public access to publicly-owned natural areas, including water bodies.

**Policy 17.8:**

The County shall provide appropriate outdoor recreational facilities for activities on lands acquired for preservation, including hiking trails, boardwalks, interpretive picture displays, educational programs and wildlife observation areas.

**Objective 18:** The County shall seek to measurably improve the management of all natural preserves within County boundaries by implementing the following policies.

**Policy 18.1:**

The County shall provide public education on the benefits of natural preserves to eliminate the problems of human intrusion into preserves designated for limited public access.

**Policy 18.2:**

The County shall develop site specific management plans for all lands owned or leased by the County and purchased under the Environmental Lands Acquisition and Protection Program within three years of acquisition and shall review these plans periodically to ensure compliance with the program's objectives.

**Policy 18.3:**

During the acquisition of ecologically important lands, the County shall give priority to acquiring the optimal acreage needed to maintain the integrity of the natural plant communities or ecological units involved, and to establishing a system of interconnected or contiguous wildlife corridors.

**Policy 18.4:**

The County shall encourage private land owners to utilize multiple-use management techniques to provide both economic (e.g., cattle grazing, silviculture) and ecological (e.g., provision of wildlife habitat) benefits and shall develop a technical assistance manual addressing such techniques.

for developments that undergo planned unit development review and preserve significant environmental features or natural resources in excess of existing regulations, provide on-site day care, provide or actively support mass transit or ride sharing, provide for affordable housing, and/or provide other improvements that benefit the public. The HQD process should be implemented through the inclusion of additional policies and provisions in both the Comprehensive Plan and Land Development Code.

**Policy 19.5:**

The County shall review, and amend if necessary, those land development regulations that protect the natural environment from the adverse impacts of development, in order to better address the cumulative impact on the environment and shall incorporate provisions that mitigate any potentially cumulative adverse impacts. Consideration shall include a review of all past, present and foreseeable cumulative impacts. Past impacts shall include those that have occurred since the County began regulating environmental impacts.

**Policy 19.6:**

The County shall continue to encourage infilling and growth within identified and environmentally acceptable 'activity centers', and shall discourage urban sprawl, through the application of the Urban Services Area concept and other means.

**Policy 19.7:**

The County shall continue to discourage and minimize the removal of natural upland vegetation caused by site filling and shall maintain natural drainage patterns and water table levels, where feasible.

**Policy 19.8:**

The County shall identify Resource Protection Areas, as defined in the Conservation and Aquifer Recharge Element, on the Future Land Use Map series, to the extent practicable. Protection of these areas is addressed in the Conservation and Aquifer Recharge, Coastal Management, and Future Land Use Elements.

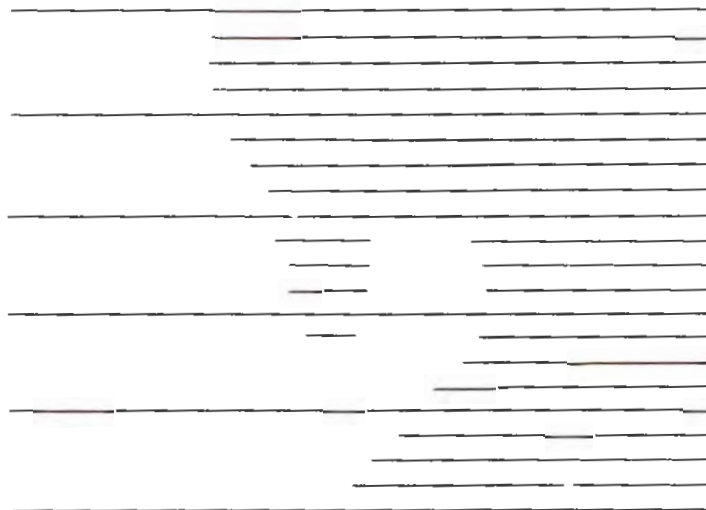
**Policy 19.9:**

The County shall consider the best available information when evaluating new land uses and development proposals in areas prone to sinkhole formation, including maps, inventories of existing sinkholes and computer-based data, and shall make this information available to the public.

# **FUTURE OF HILLSBOROUGH**

## **Comprehensive Plan for Unincorporated Hillsborough County Florida**

### **Recreation and Open Space**



October, 1994



## IV. Goals, Objectives and Policies

The Goals, Objectives and Policies presented in this chapter are the focus of the Recreation and Open Space Element. They guide the County in correcting deficiencies and addressing projected recreational demands. Additionally, the Objectives and Policies prescribe eventual implementation mechanisms by providing ways in which the programs and activities shall be conducted to achieve the identified Goal.

This chapter is divided into three sections. The first section addresses the correction of existing deficiencies by proposing land use incentives and regulations for the appropriate designation, conservation, improvement, and development of existing open space and recreation areas. The second section proposes specific work programs that will contribute to the elimination of existing deficiencies and will also address future needs. The third section addresses levels of service and recognizes the need to use alternative financial techniques.

**GOAL:** Ensure that appropriate public parks, recreational facilities and open spaces are available and reasonably accessible to the public, including the elderly and handicapped, by correcting existing deficiencies, meeting future needs and maintaining a feasible and adequate level of service within the Unincorporated County.

### **Correcting Existing Deficiencies and Preventing Future Inadequacies**

*ISSUE: The efficient delivery of park and recreational facilities to meet the local population's recreation needs is important to maintaining the quality of life in Hillsborough County. For this reason, the elimination of existing deficiencies and the prevention of future inadequacies must be addressed.*

**OBJECTIVE 1:** The County shall continue to correct existing deficiencies and prevent future inadequacies to an efficient system of open space, park and recreational facilities proportionately distributed to meet the needs of the population.

#### **Policy 1.1:**

Methods such as but not limited to tax incentives, density transfers, impact fees, park dedication and rational allocation of funds, shall be used to assist in acquiring and developing recreational facilities.

**Policy 1.2:**

The designation and acquisition of recreation and park sites, as well as open space and natural reservations, shall proceed in accordance with long-range comprehensive plans.

**Policy 1.3:**

Park and recreation lands shall be planned for multiple usages and located in areas most suitable to adequately satisfy the needs of the public.

**Policy 1.4:**

Planning of park and recreational facilities shall include protection of environmental and natural resources, energy efficiency and the orderly extension and expansion of other public facilities and services

**Policy 1.5:**

The County shall continue to avoid duplication or unnecessary competition of park and recreational services within county-sponsored programs, or between the County and other public or private organizations.

**Policy 1.6:**

The County shall continue to adequately supervise and maintain existing parks and recreational facilities in a safe and aesthetically pleasing condition.

**Policy 1.7:**

New developments shall continue to provide sufficient recreational facilities through payment of established impact fees or the dedication of usable open space to satisfy the active and passive recreational needs of future residents.

**Policy 1.8:**

Recreation and park sites shall be held inviolate against diversion to other uses except in instances of overriding public interest, in which case they will be effectively replaced.

**Policy 1.9:**

Recreation and open space provision shall be programmed according to development build out densities, to provide needed recreational facilities and open spaces concurrent with demand.

**Policy 1.10:**

Cluster developments shall be encouraged to preserve areas that can be used for open space, park and recreation areas. (Note: Cross reference the Future Land Use Element for Clustering Provisions.)

**Policy 1.11:**

Appropriate incentives shall be used to encourage developers to provide public recreation facilities that follow County standards in their projects.

**Policy 1.12:**

The design of parks shall continue to be dictated by the topography of the site and shall consider demographics and character of the neighborhood, compatibility with adjacent land uses, and issues such as safety and future maintenance of the facilities.

**Policy 1.13:**

The County shall continue to jointly develop parks and recreation facilities with the cities of Tampa, Temple Terrace, Plant City, and other government agencies and private organizations.

*ISSUE: The provision of adequate and appropriate access to open spaces, parks and recreation facilities is vital to the improvement of the quality of life. Currently, mass transit is available to some parks in the unincorporated County. However, a study has not yet been undertaken to determine existing access deficiencies to natural bodies of water. Use increases as the population increases, and new development diminishes both physical access and the amount of open waterfront lands available for public use.*

**OBJECTIVE 2:** The County shall continue providing improvements for public access to parks and recreational facilities and waterfront lands, including beaches and shores, by implementing the policies listed below. (Note: Policies in the Coastal Management Element also address public access to beaches and shores.)

**Policy 2.1:**

The County shall use incentives, such as park impact fee credits, to encourage new development projects containing waterfront sites suitable for County parks, to provide public access to the water.

**Policy 2.2:**

The County shall continue to provide public access to beaches, lakes and rivers. Such access shall be designed in a manner which protects natural system integrity.

**Policy 2.3:**

The County shall not vacate deadend roads on waterfronts and shall use these areas for passive open space, wherever feasible.

**Policy 2.4:**

When considering public acquisition of waterfront lands for recreational purposes, the amount of public access shall be balanced between the adjacent

owners' rights to use the resources, the County's desire to provide additional recreational opportunities for the residents of the County, and the environmental appropriateness of public access.

**Policy 2.5:**

The County shall include or require the inclusion of access for recreational uses of waterfront lands during right-of-way acquisition for public facilities.

**Policy 2.6:**

The County shall continue to make park and recreation facilities and services accessible to the elderly and handicapped through barrier-free design or modifications to existing facilities.

**Policy 2.7:**

The coordination of present and future recreation sites and existing and planned transportation systems shall be continued in order to provide public accessibility to all recreational sites.

**Policy 2.8:**

New development shall be compatible with the uses of adjacent public recreational lands and, where appropriate, provide for non-vehicular access in a manner that is safe and protects public property.

**Policy 2.9:**

The County shall request private land owners to allow public recreational access to properties with resources that are considered valuable for recreation and open space use.

**Policy 2.10:**

Cooperative use agreements by which to negotiate public access with non-profit, quasi-public, or private entities shall continue to be utilized.

*ISSUE: Well managed open spaces can improve the aesthetics of the living environment and the quality of life of the residents of Hillsborough County. Although there are efforts, such as the Environmental Lands Acquisition and Protection Program, by which the County is acquiring more open spaces, the protection and management of open spaces should be given more attention.*

**OBJECTIVE 3:** The County shall provide protection and enhancement of open spaces by public agencies and private enterprises by implementing the following policies:

**Policy 3.1:**

The County, through such programs as the Environmental Lands Acquisition and Protection Program, shall continue to identify, secure, and manage open

space for the purpose of conservation, preservation, and provision of open space corridors and park and recreational needs.

**Policy 3.2:**

Acquisition of new park and recreational lands shall be made only after the new land is determined to be clearly superior to other existing public lands for park and recreation uses in the same area.

**Policy 3.3:**

Land development regulations shall provide specific open space definitions and standards addressing open space landscaping , and signage which includes protection of open spaces, and their natural vegetation and water quality.

**Policy 3.4**

Incentives, such as density credits, shall be used to encourage the provision of open space within future developed areas.

**Policy 3.5:**

Criteria shall be developed and used to review all proposals for development in existing and proposed open space areas for compatibility with the natural setting.

**Policy 3.6:**

Suitable open spaces not developed as parks shall be equipped (e.g., with benches, picnic tables, shaded areas, etc.) to allow public use and enjoyment.

**Policy 3.7:**

Open spaces with unique natural features, scenic vistas, or cultural, historic and archaeological resources shall be publicly accessible, where such access- does not detract from or diminish the resource.

**Policy 3.8:**

Development of leisure facilities in environmentally sensitive open spaces shall be allowed only if environmental quality is maintained or enhanced.

**Policy 3.9:**

Public/private beautification efforts on public property shall continue, but only when resources are available to maintain the additional inventory.

**Policy 3.10:**

The County shall provide information to private landowners about methods to preserve and maintain open space, such as creation of homeowner associations, recreation districts and community development districts.

**Policy 3.11:**

A map designating recreational trails in Hillsborough County shall be developed, maintained and updated as trails are identified and approved by State, regional and local entities.

**Policy 3.12:**

The County, in cooperation with State, regional and local entities, shall ensure that no actions will be taken which will impair the use of designated recreational trails.

*ISSUE: The needs analysis in this Element has shown that the unincorporated County lacks sufficient neighborhood and district park land, and that the demand for recreational facilities will increase as population grows. The Hillsborough Greenways Master Plan provides the vision and framework for developing a county-wide system of greenways for recreation and resource protection. The development of a greenway system connecting these existing public lands where feasible, would increase access and availability for public use. (Appendix G contains the conceptual basis for both the greenways plan and system.)*

*Although recreational needs are currently being measured exclusively based on the adopted standards for neighborhood, district and regional parks, standards could also be developed in the future for open spaces as another way to address recreational demands. For example, these standards may measure distance to a proximate section of the network, which, in turn, would connect with an entire recreation system.*

**OBJECTIVE 4:** The County shall develop a greenway system by implementing the Hillsborough Greenways Master Plan which identifies ways to interconnect recreation and conservation land.

**Policy 4.1:**

Where necessary to connect publicly owned recreation and conservation lands to develop the greenway system, the County shall encourage voluntary public acquisition of land (by fee and less-than-fee techniques) and other voluntary landowner participation.

**Policy 4.2:**

Public lands shall be efficiently used by combining public service activities, such as recreation, stormwater management and aquifer recharge areas and linking them into the greenway system, wherever possible.

**Policy 4.3:**

Connect wherever possible, recreation and conservation lands by using existing rights-of-way, trails, and other open space corridors.



**Policy 7.1:**

The County shall update the parks inventory, especially concerning acreage, by using its computerized mapping equipment for the development of a Geographic Information System map.

**Policy 7.2:**

An up-to-date inventory of recreational facilities provided within the parks will be maintained through a computerized system in order to identify capital improvement program needs.

**Policy 7.3:**

The inventory of recreational facilities shall include determination of the facilities available to the public.

**OBJECTIVE 8:** Public/private cooperative agreements shall continue to be used to complement the County's system of park and recreational facilities, and to alleviate neighborhood and district park deficiencies.

**Policy 8.1:**

The use of cooperative agreements with other government bodies, public and private schools, non-profit agencies, churches and the private sector shall be continued to assure facilities for indoor and outdoor recreational opportunities.

**Policy 8.2:**

A process that coordinates public and private resources shall be continued to provide residents with a balanced program of athletic, aquatic, community recreational and resource oriented park activities.

**OBJECTIVE 9:** The County shall annually review County-owned lands to determine their suitability for open space, park or recreation facilities and prioritize them for such uses.

**Policy 9.1:**

The County shall explore multiple use opportunities on County-owned lands and opportunities for connections with the greenway system.

**Policy 9.2:**

Incompatible uses surrounding existing recreational sites and facilities shall be identified, and such uses shall be eliminated or mitigated through methods such as buffering.

**OBJECTIVE 10:** The County shall provide resources that will implement its aquatic plan to utilize water resources for active and passive recreational activities.



**Policy 10.1:**

The plan for aquatic recreation provides for activities with emphasis on both swimming and non-swimming activities (boating, sailing, skiing, fishing, etc.).

**Policy 10.2:**

Adequate personnel shall be provided to enforce rules and regulations on water bodies (Also see the River Resources section in the Future Land Use Element).

**Policy 10.3:**

Locations for public swimming pools shall be identified and facilities built where feasible.

**OBJECTIVE 11:** The County shall continue a program to allow for appropriate utilization and protection of natural resources.

**Policy 11.1:**

The County's park and greenway system shall encompass and encourage preservation and restoration of natural features and scenic areas.

**Policy 11.2:**

Nature study areas shall continue to be developed in appropriate natural resource-oriented parks. These areas may include boardwalks, nature trails and informational signage with provisions for protecting the natural resources.

## **Levels of Service / Financing**

*ISSUE: The existing levels of service standards for parks and recreation services have been adopted through the Park Site Improvement Program Ordinance in 1985. For this reason, the following objective and policies are based on current best available data. Although changes in the adopted standards have not been proposed, decisions made for the Capital Improvements Element may require revisions to the standards.*

**OBJECTIVE 12:** Adopted standards for parks and recreational facilities will continue as adopted through the Park Site Improvement Program Ordinance.

**Policy 12.1:**

Level of service standards in neighborhood parks shall be 1.6 acres per 1000 persons with a minimum size of 5 acres per neighborhood park.

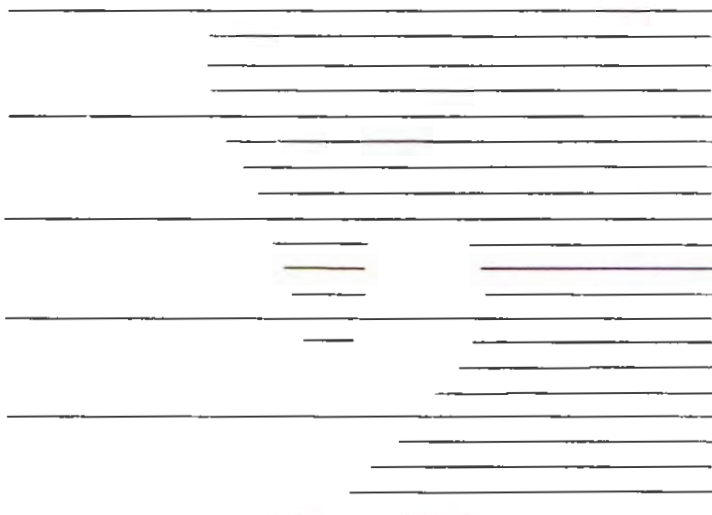
**Policy 12.2:**

Level of service standards in district parks shall be 1.8 acres per 1000 persons with a minimum size of 20 acres per district park.

# **FUTURE OF HILLSBOROUGH**

## **Comprehensive Plan for Unincorporated Hillsborough County Florida**

### **Coastal Management and Port**



October, 1994

expected to be excessively depleted, or where conflicts with recreational fishing interests warrant such action.

**Policy 3.3:**

The County shall cooperate with and assist the Florida Department of Environmental Protection and the U.S. Fish and Wildlife Service in the implementation of protective and recovery programs for the West Indian manatee, and other listed marine species.

**Objective 4:** The County shall cooperate with the appropriate regulatory and management agencies to implement comprehensive and coordinated management plans for Tampa Bay.

**Policy 4.1:**

The County shall cooperate with and assist the Southwest Florida Water Management District and the Agency on Bay Management in the implementation of the Surface Water Improvement and Management (SWIM) Plan for Tampa Bay; and shall cooperate with the Tampa Bay National Estuary Program (TBNEP) in order to improve the biological health of Tampa Bay.

## **Beaches and Dunes**

**Issue:** With the exception of Egmont Key, which is under federal ownership and management, no barrier island beaches or natural dune systems occur in Hillsborough County. In its natural state, the low energy shoreline of the Tampa Bay estuary is generally characterized by coastal marshes and mangrove swamps. Only in a few locations do natural sandy beaches occur along Tampa Bay, and these typically do not support major dune systems. To provide public recreational access to the Bay, man-made beaches have been created in various locations. Due to the relatively low wave energy occurring in Tampa Bay, erosion of sandy beaches has generally not been a problem. However, where improperly located or designed, some man-made beaches have exhibited erosional losses. Improved design and natural stabilization of man-made estuarine beaches is needed.

**Objective 5:** The County shall stabilize those man-made beaches prone to erosional problems and shall only support development of man-made estuarine beaches in environmentally-acceptable locations.

**Policy 5.1:**

The County shall use only those beach stabilization techniques recommended by the Florida Department of Environmental Protection.

## Future Land Use

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approach to accommodating the economic benefits of growth by directing growth to areas where the supporting services exist or can be best provided.

**Policy D-6.1:**

The County will require new development to construct facilities that are "oversized", if analyses of the future needs in the area of the development show a need for oversizing to provide additional capacity in support of urban development consistent with the future land uses in the area of the development. A repayment mechanism shall be developed to allow for the reimbursement of additional cost incurred by the developer as a result of oversizing improvements. Such repayment shall be only to the extent of the incremental difference in cost and shall be derived from other future developments in that service area.

**Policy D-6.2:**

Developers shall be allowed to connect to the County's systems only after the developer has made provisions for all on-site and off-site facilities, not currently in the Capital Improvements Element, necessary to meet the development's needs.

**Policy D-6.3:**

The provision and programming of needed public facilities shall consider the needs of the existing developed urban and suburban areas and newly developing urban areas.

**Policy D-6.4:**

**CIP Supports Infill:** The Capital Improvements Program will be prioritized to first provide enhanced service for new and existing development within the County's CIP service areas to encourage infilling prior to extending the service area further.

**Policy D-6.5:**

**Urban Service Area:** The County Capital Improvements Program shall be prioritized to ensure that funding is committed and financially supports planned and programmed infrastructure within the Urban Service Area.

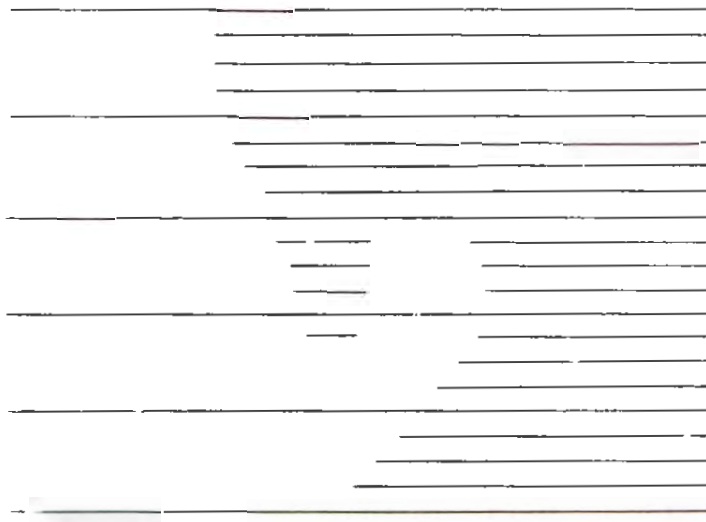
**Policy D-6.6:**

**Expansion Area:** The County Capital Improvements Program shall ensure that funding is committed and financially supports planned and programmed infrastructure in the Expansion Area to stage new development and to retrofit existing development between 1996 and 2015.

# **FUTURE OF HILLSBOROUGH**

## **Comprehensive Plan for Unincorporated Hillsborough County Florida**

### **Capital Improvements**



October, 1994

**1.C.1.c:**

**County Water Systems:** 124 gallons per capita per day based on the Southwest Florida Water Management District (SWFWMD) adjusted gross per capita calculation, in the service area with minimum fire flow appropriate to the land use measured in gallons per minute.

**1.C.1.d:**

**County Sewer Systems:** 90 gallons per day per capita in the service area plus 23.8% for non-residential sewage.

**1.C.1.e:**

**County Solid Waste Facilities:**

**1.C.1.e.(1):**

Two years of permitted landfill disposal capacity at current fill rates to be determined annually by the Department of Solid Waste.

**1.C.1.e.(2):**

Ten years of available raw land for landfill disposal capacity under the control of the County for landfill at current fill rates to be determined annually by the Department of Solid Waste.

**1.C.1.f:**

**County Parks and Recreation Facilities:**

**1.C.1.f.(1):**

Regional park land = 20 acres per 1,000 population countywide.

**1.C.1.f.(2):**

District park land in the unincorporated area: = 1.8 acres per 1,000 population.

**1.C.1.f.(3):**

Neighborhood park land = 1.6 acres per 1,000 population.

**1.C.1.f.(4):**

Recreation facilities (i.e., buildings and improvements) are included in the cost of park land.

**1.C.1.f.(5):**

The standards for district parks will be applied in increments of 20 acre parks. The standards for neighborhood parks will be applied in increments of 5 acres.



# HILLSBOROUGH COUNTY

Florida

Office of the County Administrator  
Frederick B. Karl



## BOARD OF COUNTY COMMISSIONERS

Phyllis Busansky  
Joe Chillura  
Sylvia Kumbell  
Lidia Miller  
Jim Norman  
Jan Platt  
Ed Turanchuk

## EXHIBIT "R" UPLAND WILDLIFE HABITAT ORDINANCE

Senior County Administrator  
Patricia Bean

Assistant County Administrators  
Edwin Hunziker  
Cecilia Johnson (Interim Appointment)  
Jimmie Keel  
Robert Taylor (Interim Appointment)

## Protection of Upland Wildlife Habitat through Land Development Regulation

March 1992

### BACKGROUND

#### Upland Wildlife Resources

The Florida Game and Freshwater Fish Commission's Natural Systems and Land Use Cover Inventory (Fig. 20 of the Future of Hillsborough Comprehensive Plan, Conservation Element) illustrates that most of the natural areas in Hillsborough County have been replaced with urban, suburban or agricultural development. Other land altering activities, such as mineral extraction, have also changed the natural landscape.

Today approximately 70 percent of Hillsborough County is altered because of human activities. Natural upland systems comprise approximately 15 percent of the remaining natural areas. While 15 percent (or approximately 100,000 acres of natural upland systems) remains, much of this natural area is remnant or fragmented, and several types of natural habitats have become scarce.

Some native species of plants and animals are able to adapt to changes to the environment, but a great many are dependent on specific natural habitat types or large undisturbed natural systems containing diverse habitats. These plants and animals which cannot withstand changes to their environment comprise the vast majority of the State's endangered and threatened species.

Natural upland systems consist of mesic (moderately moist) and xeric (dry) plant communities. Mesic communities include prairies, pine flatwoods and mesic hammocks. Xeric communities are sandhills, sand pine scrub, xeric oak scrub, scrubby flatwoods and xeric hammocks. Where these plant communities are not fragmented, isolated or degraded by development, they can support healthy and diverse populations of wildlife and may function as wildlife corridors.

Historically, mesic communities comprised about 50 percent of the land area in Hillsborough County, and xeric communities comprised about 25 percent. Though the

acreage of both habitat types has declined from historical levels, the relative decline in xeric habitat has been greater than the decline in mesic habitat. Today, xeric plant communities comprise approximately 2 percent of the land area in Hillsborough County, representing a loss of over 90 percent of the original habitat. Mesic plant communities comprise approximately 13 percent, which represents a loss of almost 75 percent of the habitat.

While both xeric and mesic communities provide habitat for wildlife, the xeric communities contain the highest percentage of species listed by federal and State agencies as endangered, threatened or species of special concern (also referred to as listed species).

**Endangered species** are those which are in imminent danger of becoming extinct. Almost a dozen species of plants occurring in Hillsborough County are listed as endangered, including the Florida golden aster. The wood stork, which occurs in Hillsborough County, is also an endangered species.

**Threatened species** are those which are in such rapid decline in numbers or habitat that they will become endangered if protective measures are not taken. Among the threatened species occurring in Hillsborough County are the bald eagle, Florida scrub jay, eastern indigo snake, sandhill crane, and several plant species.

**Species of special concern** are animals which warrant special protection because either they are vulnerable to exploitation or habitat modification which could result in their becoming a threatened species or because they occupy a vital ecological niche such that their decline would adversely affect other species. Species of special concern include the gopher tortoise, Sherman's fox squirrel and burrowing owl, among others.

The preservation of native plants and wildlife in Hillsborough County depends upon preservation of the specific habitat types needed by these species as well as natural areas large enough to support healthy populations.

#### Comprehensive Plan and Growth Management Act Requirements

Section 163.3202 of the Local Government Comprehensive Planning and Land Development Act (commonly referred to as the State Growth Management Act) requires local governments to amend land development regulations to include specific and detailed provisions necessary or desirable to protect environmentally sensitive areas identified in the local government's comprehensive plan.

The Future of Hillsborough Comprehensive Plan identifies two categories of environmentally sensitive areas: Conservation Areas and Preservation Areas. "Significant wildlife habitat" is identified as a Conservation Area, and "essential wildlife habitat" is identified as a Preservation Area.

**Significant wildlife habitat** is defined in the Comprehensive Plan as contiguous stands of natural plant communities which have the potential to support healthy and diverse populations of wildlife and which have been identified on the Florida Game and Freshwater Fish Commission's natural systems and land use cover inventory map.

**Essential wildlife habitat** is defined in the Comprehensive Plan as land or water bodies which, through the provision of habitat, are necessary to maintain populations of endangered or threatened species or species of special concern.

A number of Comprehensive Plan policies provided guidance for the development of a regulation to protect wildlife habitat (see Appendix 1). These policies call for conserving and protecting significant wildlife habitat from development activities and restricting development in essential wildlife habitat.

## **LAND DEVELOPMENT REGULATION**

### **Summary of Regulation**

Local standards for the protection of wetland habitat in Hillsborough County have been in place for a number of years (i.e., EPC Rules, Chapter 1-11). The EPC Wetland Rule is cited in the County's existing land development regulations. In March 1992, the Hillsborough County amended its land development regulations to include standards for the protection of significant and essential upland wildlife habitat, as required by the Future of Hillsborough Comprehensive Plan and the State Growth Management Act.

Unlike the wetland regulation, which prohibits development in wetland areas, the upland habitat regulation does not prohibit development within areas of significant or essential upland wildlife habitat. Instead, a portion of the habitat would be protected depending on the scarcity of the resource and the habitat needs of any populations of listed species which may be present on the property.

Xeric plant communities identified as significant wildlife habitat are protected, up to and including 50 percent of the upland area onsite. Mesic plant communities are protected, up to and including 25 percent of the uplands onsite. In determining which portion of the habitat to preserve, an important consideration is the prevention of habitat fragmentation and the protection of adequate wildlife corridors within a development project.

The area to be preserved onsite would be designated a Conservation Area (significant wildlife habitat) or Preservation Area (essential wildlife habitat) on approved site plans. In addition, the developer/owner has the option of seeking protection of the area through a conservation easement or fee simple transfer of title (by sale or donation) to a governmental agency or qualified, non-profit conservation organization.



If, upon applying the preservation percentages, the acreage to be protected can not be adequately managed to maintain the habitat as a high quality system, the developer has the option of either scaling back the development project to accommodate management of the site, or complying with the requirements for "offsite preservation." This determination is based on habitat management guidelines provided in a technical appendix to the regulation.

Offsite preservation involves identifying suitable land offsite that contains, or can be restored to, the same type of habitat, acquiring it for preservation and transferring ownership or a conservation easement to a land conservation agency; or contributing funds to a land bank to be managed by the Hillsborough County Environmental Lands Acquisition and Protection Program.

Where a landowner opts to comply with the offsite preservation requirements for significant wildlife habitat, none of the habitat onsite would receive protection. The acreage preserved offsite would be equivalent to the amount of habitat that would have been preserved onsite.

Development activities are restricted in essential wildlife habitat. The amount of habitat to be protected through the regulation depends upon the listed species' habitat needs, based on guidelines for listed species provided in a technical appendix. However, onsite preservation would only be required if the species could be managed onsite in a manner that would sustain a viable population and at the same time would not preclude reasonable use of the property consistent with the requirements of the Zoning Regulations. Otherwise, in-kind, acre-for-acre offsite preservation of adversely impacted essential wildlife habitat would be required.

When preserving either significant or essential wildlife habitat onsite, the developer of a mixed-use or residential project would be allowed to transfer density from the preserved habitat area to the portion of the property to be developed. Alternatively, the transfer of development rights provisions of Article 2 of the Land Development Code allows development rights to be transferred from an onsite environmentally sensitive area to an offsite parcel.

The regulation requires management plans for onsite preservation areas to ensure the long term viability of the protected resources. The County would manage the habitat if the landowner opts not to do so.

The regulation also requires a compatibility review of development projects proposed adjacent to existing public or private, non-profit natural preserves. This review ensures that the development project will not adversely affect the adjacent natural preserve or interfere with habitat management or conservation uses on the adjacent land.

The regulation requires that new road rights-of-way be routed to avoid traversing significant and essential wildlife habitat, unless there is no feasible and prudent alternative and the roadway is designed to incorporate features for the safe passage of wildlife.

In October 1991, the Board of County Commissioners approved a fast-track review procedure for determining whether parcels proposed for development qualify for the Hillsborough County Environmental Lands Acquisition and Protection (ELAP) Program. Landowners wishing to take advantage of this review can obtain an evaluation in one-quarter of the time of a regular ELAP Program site assessment.

Bona fide agricultural activities continue to be exempt from the requirement to obtain a Land Alteration Permit when these activities do not adversely impact an environmentally sensitive area. Because upland significant and essential wildlife habitat are environmentally sensitive, the regulation requires a Land Alteration Permit if a land alteration activity necessary to undertake agricultural operations would adversely affect these upland areas.

In addition to the agricultural exemption described above, development project applications submitted prior to the effective date of the regulation and projects which can show vested rights are exempt. Also exempt are development activities necessary to construct single-family or two-family homes and minor commercial and subdivision projects, as defined in the Land Development Code.

The upland habitat protection provisions are contained in the following articles of the Land Development Code:

- . Article 1 (enforcement provisions)
- . Article 2 (clustering, transfer of development rights provisions)
- . Article 3 (Land Alteration Regulations: applicability and exemptions, submission requirements, review procedures, standards and guidelines including technical appendices: Land Excavation Regulations; Phosphate Mining Regulations)
- . Article 6 (Land Alteration and Landscaping Variance Review Board: variance review criteria and procedures)
- . Article 7 (definitions)

### **Lead Departments**

The Planning and Development Management Department (Review and Inspections Section, Natural Resources Team) is responsible for administering land development regulations providing for the protection of trees and natural plant community vegetation within the portion of a project to be developed, as well as significant and essential upland wildlife habitat. The Natural Resources Team provides site plan counseling and site evaluations, prior to site plan submission. Members of this team review site plans



submitted for development approval and work with permit applicants to ensure the plans meet the requirements for protecting wildlife habitat. Department foresters, and environmental scientists and specialists perform field reviews. In addition, the Florida Game and Freshwater Fish Commission provides technical assistance in recognizing wildlife species utilization.

Two other County departments which are involved with the protection of wildlife habitat and listed species are the Parks and Recreation Department and the Engineering Services Department. The Parks and Recreation Department is the lead department responsible for inventorying wildlife habitat in Hillsborough County and for managing natural areas for which the County has management responsibility. The Parks and Recreation Department and the Engineering Services Department are responsible for mapping significant wildlife habitat and digitizing this information into the County's Geographical Information System. Reproductions of significant wildlife habitat maps, both county-wide and section maps (at a scale of 1"=200') are available from the Engineering Services Department.

#### Code Amendments

Since adoption of the upland habitat provisions of the Land Development Code in March 1992, the following amendments have been adopted:

1. Expanded "Offsite Preservation" Opportunity - The offsite preservation options provided in the upland habitat regulations has been expanded to allow offsite preservation when the habitat can be adequately managed onsite if the developer provides a contribution in the form of land or money that will protect twice the habitat that would have been protected onsite. The developer would be allowed to choose this option if both of the following conditions are met: 1) no upland essential wildlife habitat (i.e., listed species habitat) exists within the area that would have received protection under the significant wildlife habitat requirements, and 2) the upland significant wildlife habitat that would have received protection onsite does not function as a wildlife corridor.
2. Target Acreages and Regulatory Sunsetting - Once 8,500 acres of upland significant wildlife habitat are protected in rural areas, land alteration activities necessary to undertake bona fide agricultural operations in these areas shall be exempt from the upland significant wildlife habitat provisions. In addition, once 22,000 acres of upland significant wildlife habitat are protected county-wide, most land alteration activities in upland significant wildlife habitat shall be exempt from the upland significant wildlife habitat provisions. The exceptions are specified in the code amendment.

## APPENDIX

### HILLSBOROUGH COUNTY LAND DEVELOPMENT CODE

#### Section 3.5.3.4.2.4 Natural Preserves

##### Land Alteration Regulations

##### Division 3.5

onsite preservation of the plants, based on the listed plant species' habitat needs set forth in Appendix C, and shall meet the onsite preservation provisions of Section 3.5.3.4.2.5.

- d. Onsite preservation shall be required when sufficient management capabilities exist to maintain the plants onsite. The County's determination of the existence, extent and viability of the listed plant species' essential habitat and the feasibility of onsite management shall be refutable upon a showing of clear and convincing evidence to the contrary.
- e. When the amount of essential wildlife habitat to be preserved onsite cannot be sufficiently managed, protection shall consist of preservation offsite, and shall meet the offsite preservation provisions of Section 3.5.3.4.2.6.
- f. The listed plant species covered by these provisions are listed in Appendix C, Table C-2.

#### 4. Natural Preserves.

1. Land owned by the public or by a private, non-profit conservation organization and held for natural preservation purposes shall be protected from any adjacent development that would adversely impact the lands or interfere with the stated habitat management and conservation use objectives of that property, including prescribed burning.
2. For development proposed adjacent to a publicly owned natural preserve, compatibility shall be ensured through a project compatibility plan, reviewed and approved by the agency managing the publicly owned lands and required as a condition of granting a Land Alteration Permit. The project compatibility plan shall be proposed by the developer and approved by the managing agency during the development review process. The preparation of a project compatibility plan should be a cooperative effort between the agency managing the publicly owned land and the developer of the adjacent property.
3. For development proposed adjacent to a private, nonprofit natural preserve, compatibility shall be ensured through a project compatibility plan, reviewed and approved by the County and required as a condition of granting the Land Alteration Permit. In its review of the project compatibility plan, the County shall consider the recommendations of the private, non-profit conservation organization holding title to the land. The project compatibility plan shall be proposed by the developer and approved during the development review process. The preparation of a project compatibility plan should be a cooperative effort between the nonprofit conservation organization holding title to the natural preserve and the developer of the adjacent property.



## APPENDIX 1. COMPREHENSIVE PLAN POLICIES

### POLICIES

#### FUTURE LAND USE ELEMENT:

1. **FLUE Policy A-8.12:** The County shall protect significant wildlife habitat, and shall prevent any further net loss of essential wildlife habitat in Hillsborough County, in accordance with the policies of the Conservation and Aquifer Recharge Element.

#### CONSERVATION AND AQUIFER RECHARGE ELEMENT:

2. **CARE Policy 14.1:** Upon plan adoption, the County shall initiate development and implementation of a local wildlife and wildlife habitat protection and management program, and shall coordinate with state and federal wildlife programs.
3. **CARE Policy 14.5:** By 1991, the County shall develop and implement a comprehensive program to conserve and protect significant wildlife habitat from development activities. The program may include, but not be limited to, the following:
  - . Transfer of development rights;
  - . Clustering and setback requirements;
  - . Conservation easements;
  - . Post-acquisition disposition mechanisms (lease back options);
  - . Fee simple purchase;
  - . Land or mitigation banking; and
  - . Tax incentives.
4. **CARE Policy 14.7:** During the land use planning and development review processes, the County shall consider the effects of development on significant wildlife habitat, to protect wildlife corridors from fragmentation. Where necessary to prevent fragmentation of wildlife corridors, the County shall require the preservation of wildlife corridors within developments.
5. **CARE Policy 14.6:** By 1992, the County shall restrict development activities which would adversely affect areas identified and mapped as essential wildlife habitat. Where development activities are proposed in such areas, the County may require site-specific wildlife surveys and other field documentation, as needed, to assess potential impacts.

6. **CARE Policy 15.1:** By 1990, the County shall consult with and consider the recommendations of the Florida Game and Freshwater Fish Commission in determining the issuance of and conditions to be placed on land development approvals which would impact upon threatened and endangered species or species of special concern. Conditions of approval shall ensure the maintenance and, where environmentally and economically feasible, increase the abundance and distribution of populations of such species.
7. **CARE Policy 8.2:** The County shall restrict mining in areas which are ecologically unsuitable for the extraction of minerals, as identified in the natural systems and land use cover inventory, unless it can be demonstrated that such areas can be effectively restored utilizing the best available technology.
8. **CARE Policy 8.4:** By 1992, the County shall prohibit mineral extraction in essential wildlife habitats which are documented, in accordance with the terms of Objective 14 and related policies thereunder, to support threatened or endangered species or species of special concern, and from which such species cannot be effectively relocated.
9. **CARE Policy 10.7:** By 1992, the County shall prohibit land excavation in essential wildlife habitats which are documented, in accordance with the terms of Objective 14 and related policies thereunder, to support threatened or endangered species or species of special concern, and from which such species cannot be effectively relocated.
10. **CARE Policy 16.5:** During the land use planning and development review processes, the County shall continue to protect Conservation Areas from activities which would significantly damage the natural integrity, character or ecological balance of said areas, except in cases of overriding public interest.
11. **CARE Policy 16.6:** During the land use planning and development review processes, the County shall continue to protect Preservation Areas from development activities which would damage the natural integrity, character, or ecological balance of said areas, except in cases of overriding public interest.
12. **CARE Policy 17.8:** Through the land use planning and development review processes, the County shall restrict incompatible development activities adjacent to publicly owned or managed natural preserves.

#### TRANSPORTATION ELEMENT:

13. **TE Policy 1.7.1:** New roads shall be routed so as to avoid traversing publicly owned natural preserves, parks and recreation areas and areas identified as significant or essential wildlife habitat, except in cases of overriding public interest.

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## PROTECTED (LISTED) SPECIES\*

### ANIMALS

#### ENDANGERED -

Wood Stork (Mycteria americana)

#### THREATENED -

Eastern Indigo Snake (Drymarchon corais couperi)

Short-tailed Snake (Stilosoma extenuatum)

Least Tern (Sterna antillarum)

Florida Sandhill Crane (Grus canadensis pratensis)

Southeastern American Kestrel (Falco sparverius paulus)

Bald Eagle (Haliaeetus leucocephalus)

Florida Scrub Jay (Aphelocoma coerulescens coerulescens)

#### SPECIES OF SPECIAL CONCERN -

Florida Mouse (Peromyscus floridanus)

Sherman's Fox Squirrel (Sciurus niger shermani)

Gopher Frog (Rana areolata)

Gopher Tortoise (Gopherus polyphemus)

Florida Pine Snake (Pituophis melanoleucus mugitus)

Burrowing Owl (Athene cunicularia)

Little Blue Heron (Egretta caerulea)

Reddish Egret (Egretta rufescens)

Roseate Spoonbill (Ajaja ajaja)

Snowy Egret (Egretta thula)

Tricolored Heron (Egretta tricolor)

### PLANTS

#### ENDANGERED -

Florida Golden Aster (Chrysopsis floridana)

Tampa Vervain (Glandularia tampense)

Curtiss Milkweed (Asclepias curtissii)

Pygmy Fringe Tree (Chionanthus pygmaeus)

Spreading Pinweed (Lechea divaricata)

Chaff-seed (Schwalbea americana)

Scrub Milkwort (Polygala lewtonii)

Auricled Spleenwort (Asplenium auritum)

Nodding Pinweed (Lechea cernua)

Rain Lily (Zephyranthes simpsonii)

#### THREATENED -

Scrub Buckwheat (Eriogonum floridanum)

Wild Coco (Pteroglossaspis cristata)

Southern Red Lily (Lilium catesbaei)

Hooded Pitcher Plant (Sarracenia minor)

\* Protected Species are species of plants and animals occurring in Hillsborough County which are listed as Endangered, Threatened, or Species of Special Concern in Chapter 39, F.A.C., or Chapter 581, F.S., and for which suitable upland habitat or upland buffers may be needed to maintain viable populations. Section 3.5.3.4.2.3 and Section 3.5.5 (Appendix C) of the Hillsborough County Land Development Code contain standards and guidelines regarding the protection of these species.

ORDINANCE NO. 97-14

AN ORDINANCE RELATED TO HILLSBOROUGH COUNTY PARKS; PROVIDING DEFINITIONS; REPEALING HILLSBOROUGH COUNTY ORDINANCE 78-8; PROVIDING FOR REGULATION OF VEHICLES WITHIN PARKS; PROVIDING FOR PRESERVATION OF PARK PROPERTY; PROVIDING FOR PROTECTION AND PRESERVATION OF PLANT AND WILDLIFE; PROVIDING FOR REGULATION OF RECREATIONAL ACTIVITIES; PROVIDING FOR REGULATION OF BOATING, FISHING, FIREARMS, PICNIC AREAS, HORSEBACK RIDING, AND ANIMALS; PROHIBITING TOY FIREARMS, FIREWORKS, AND EXPLOSIVES, AND POLLUTION OF WATERS; PROVIDING REGULATION OF REFUSE AND TRASH; PROVIDING OPERATING HOURS AND EXCEPTIONS; PROVIDING REGULATIONS OF MERCHANDISING, VENDING, PEDDLING, ADVERTISING, PUBLIC DEMONSTRATIONS, PUBLIC PERFORMANCES, CAMPING, AND SHOOTING AND ARCHERY RANGES; PROVIDING AUTHORITY OF SHERIFF DEPUTIES AND PARK OFFICIALS; PROVIDING PENALTIES; PROVIDING FOR LIBERAL CONSTRUCTION, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners, pursuant to Section 125.01, Florida Statutes, is authorized to provide parks, preserves, playgrounds and recreation areas and other recreational facilities for the welfare of its citizens; and

WHEREAS, the Board of County Commissioners adopted Ordinance 78-8 which governs the operation of Hillsborough County parks; and

WHEREAS, it is necessary to repeal Ordinance 78-8 to conform with federal and state law and to provide for more efficient and effective operations of Hillsborough County parks and recreation areas.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

SECTION 1.           DEFINITIONS.

The following terms when used in this Ordinance shall have the meanings ascribed to them in this section.

(a) "Park" shall include "parkways", "recreational areas", "preserves", "natural areas", "marinas", and "other areas operated and maintained by the Hillsborough County Parks and Recreation Department" and shall mean parks, wayside parks, parkways, playgrounds, recreation fields, open green spaces, community centers, museums, auditoriums, ranges and buildings, lakes, streams, canals, lagoons, waterways, pools, water areas and beaches therein, and all public service facilities conducted on the grounds, water areas, buildings and structures in Hillsborough County which are under the control of or assigned for upkeep, maintenance or operation by the Parks and Recreation Department of Hillsborough County.

(b) "Park property" shall mean all areas, grounds, buildings, locations and facilities described in paragraph (a), above.

(c) "County" shall mean Hillsborough County, a political subdivision of the State of Florida.

(d) "Department" shall mean the Hillsborough County Parks and Recreation Department.

(e) "Director" shall mean the Director of the Hillsborough County Parks and Recreation Department.

(f) "Park official" shall mean the Department managers, their assistants, and any and all individuals employed by the Department.

(g) "Parking area" shall mean any part of any park road, drive, or area that is designated for the standing or stationing of any vehicles.

(h) "Permit" shall mean a document or certificate provided by the Department granting permission for use of reserved park/facility areas and/or to conduct and/or take part in a specific activity at a specific location and which sets forth terms and conditions applicable thereto.

(i) "Person" shall mean any natural person, firm, association, joint venture, partnership, estate, trust, business trust, fiduciary, corporation, and all other groups and combinations.

(j) "Vehicle" shall mean any wheeled conveyance (except a baby carriage or wheelchair) for transportation of persons or materials whether: (1) powered or drawn by motor such as an automobile, truck, motorcycle, scooter, minibike, or recreational vehicle; (2) animal-drawn such as carriage, wagon, or cart; (3) any self-propelled vehicle such as a bicycle, tricycle, or skateboard; or (4) any trailer in tow of any size, kind or description. The term "vehicle" does not include any recreational or park transportation service operated or authorized by the Department.

(k) "Vessel" is synonymous with boat as referenced in s.1(b), Art VII of the State Constitution and includes every description of watercraft, barge, and air boat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

## SECTION 2. REPEAL.

Hillsborough County Ordinance 78-8 is hereby repealed in its entirety.

## SECTION 3. REGULATION OF VEHICLES WITHIN PARKS.

All persons in or on parks or park property shall follow all applicable vehicle laws. All



applicable vehicle laws are enforceable within park property. The following additional regulations shall also apply:

- (a) The speed limit in parks and park property is 15 m.p.h. or as otherwise posted.
- (b) All law enforcement officers and such park personnel as are authorized and designated by the Director shall direct traffic whenever needed within park property in accordance with rules and regulations as may be set forth by the Department.
- (c) The Director shall determine and all persons shall carefully observe and obey all traffic signs indicating speed, direction, caution, stopping or parking and all other signs posted for proper control and the safeguarding of life and property.
- (d) Any person driving, operating, controlling or propelling any vehicle shall operate such vehicle only on designated paved or improved park roads or driveways, except when otherwise directed by any law enforcement officer or park official.
- (e) No driver or operator of any vehicle shall obstruct traffic or park or stop on any road or driveway except at places designated for parking or stopping or in the event of any emergency beyond the control of the driver or operator. At designated places a vehicle may be stopped for no more than 15 minutes in order for the occupants to view scenic features.
- (f) No person shall operate any truck, commercial vehicle or bus of any type on any restricted park road or property without prior authorization from the Department for the purpose of performing park maintenance or engaging in other authorized activities. Trucks and buses used solely to transport persons to any park or park property for recreational purposes shall be allowed to use park roads and parking areas for ingress and egress in the same manner as provided for conventional passenger vehicles.
- (g) Any person who rides, drives, or propels any bicycle, tricycle, motorcycle, scooter or similar vehicle, whether motor propelled or self-propelled, shall do so only on roads designated



for vehicular traffic and/or other areas designated for the specific class of vehicle.

(h) Any person who parks a vehicle shall do so only in areas or facilities designated for that particular type of vehicle unless otherwise directed by any law enforcement officer, or park official, to park in other areas designated for parking. Any vehicle parked in an unauthorized area may be towed away at the owner's expense.

(i) The designated bicycle trails shall be used only by pedestrians and bicycles and other vehicles propelled by human power unless otherwise authorized by the Director. No person shall deviate from compliance with all applicable vehicle laws and regulations governing the operations of the above vehicles while on park property.

(j) No person shall tow another vehicle or wheeled device on park roads except when the towed vehicle is used in transporting authorized recreational vehicles, horse trailers, or small boats into designated areas, or when necessary to remove a disabled vehicle.

(k) No person shall operate any vehicles for hire in any parks, except those authorized by the Department and those legally authorized to carry passengers for hire or for fare.

(l) No person shall change any parts, repair, or grease any vehicle on any park roadway, parkway, driveway, parking lot or other park property unless authorized to do so by a park official.

(m) No driver of a vehicle using gasoline or any other explosive mixture as a source of power shall at any time fail to use a muffler or other sound deadening device.

#### SECTION 4. PRESERVATION OF PARK PROPERTY.

(a) No person shall willfully mark, deface, injure in any way, displace, remove or tamper with, any park buildings, bridges, tables, benches, fireplaces, railings, paving, water lines,

or other public utilities or parts or appurtenances thereof, park signs, notices, or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, whether real or personal.

(b) No person shall damage or remove plants or plant materials, trees or parts thereof or any flowers or nuts or seeds whatsoever from any park property. Park officials may make such removals and the Director may issue specimen collecting permits to scientists, students of botany and other similarly situated individuals authorizing such removals.

(c) No person shall make any excavation by tool, equipment, blasting or other means.

(d) No person shall construct or erect any building or structure of whatever kind, whether permanent or temporary or run or string any public utility into, upon, across or over any park or recreation lands or affix any materials to any park property except with the prior written approval of the Director.

(e) No person shall build or attempt to build any fire or fires against or adjacent to any park building, structure, tree or plant, or any park property whatsoever, or against or on any property of others or in any area of any park except in areas specifically designated for fire building and in accordance with such regulations as are or may be specifically set forth by the Director. No person shall drop, throw, or otherwise deposit by any means, lighted matches, burning tobacco products or any other flammable material within any park area or any highway, road or street abutting or contiguous thereto.

(f) No person shall damage or remove any cultural, historical or archaeological artifacts from any park property.

## SECTION 5. PROTECTION AND PRESERVATION OF PLANT AND WILDLIFE.

(a) Within any park, no person shall cut, carve, or injure the bark or break off limbs or branches, or pick the flowers or seeds of any tree, plant, or shrub, nor shall any person dig in or otherwise disturb grass areas or install any vegetation or in any other way injure or impair the natural beauty or usefulness of any area, nor shall any person pile debris or material of any kind on or about any tree or plant, or attach any rope, wire, or other contrivance thereto, whether temporary or permanent in character or use, without prior approval of the Director. No person shall tie or hitch any animal to any tree or plant within any park property.

(b) No person shall molest, harm, frighten, kill, net, trap, snare, hunt, chase, shoot, throw or propel any missiles by any means at any wildlife creature be it mammal, bird, amphibian, or reptile roaming free about a park or in captivity in any zoo cage. No person shall remove or possess the young of any wild animal or the nest or eggs of any reptile or bird.

(c) No person shall feed any zoo animals, birds or reptiles which are on restricted diets when posted signs or other notice prohibits such feeding.

(d) No person shall place, dump, abandon or leave any mammal, reptile, amphibian, fish or bird, either wild or domestic on the grounds of any zoo or park.

#### SECTION 6. RECREATIONAL ACTIVITIES IN PARK AREAS.

(a) No person, regardless of age, sex, or manner of dress, shall swim, or wade in any beach, water area or pool within any park except at places designated for such activities. Any person engaging in such activities shall comply with the rules established for these areas, including, but not limited to, hours of use and safety limitations for such uses.

(b) No person shall engage in recreational or other activities other than in areas designated for those activities. Swimming is prohibited in all park areas designated for boating. Boating is prohibited in all park areas designated for swimming.

(c) In areas designated for swimming and wading, all persons shall be so covered with clothing or a bathing suit so as to prevent any indecent exposure of the person. No person shall dress or undress on any park property except in bathing houses, or other structures as may be provided and maintained by the Department for that purpose. No person shall dress or undress in any vehicle, toilet, rest room, beach, or other park area, except as provided above.

(d) No person shall erect or cause to be erected any tent, shelter or structure on or in any beach, or water area in such a manner that requires guy wire, rope, extension, brace or support connected or fastened from any such tent, shelter or structure to any other structure, stake, rock or other object.

(e) No person shall enter or be in the water at any bathing or swimming area wearing, carrying, pushing, or towing any inflated inner tube, raft, rubber boat, or other similar device. Use of such devices shall be limited to certain areas which may, from time to time, be specifically designated for use of such devices by posted signs.

(f) Park officials shall regulate activities in picnic areas to prevent congestion and to secure the maximum use of park facilities for all. If any such facilities are crowded, persons holding picnics in such areas shall not occupy such facilities to the exclusion of others for an unreasonable time. The determination of unreasonable time shall be in the sole discretion of a park official. Use of individual fireplaces or other cooking areas together with adjacent tables and benches shall be on a first come, first served basis.

(g) No person shall conduct raffles, bingo games, card games for money, or hold drawings for prizes, or participate in any other forms of gambling on any park property. However, upon approval by the Director, charitable organizations may conduct raffles provided that participants are members and/or guests of the charitable organization and the raffle is otherwise conducted in compliance with all federal, state and local laws.

(h) No person shall conduct any activity or utilize any park or park area in a manner which will result in financial gain without prior approval of the Director.

(i) No person shall engage in any activity in any park or park area which is or may be dangerous to the health, safety and welfare of himself and/or others. No person shall engage in any activity in any park or park area which interferes with the use and enjoyment of the parks by others.

#### SECTION 7. BOATING.

In addition to the provisions set forth in Chapter 327, Florida Statutes, the following regulations shall apply to recreational water areas within parks:

(a) No person shall bring in to, launch or operate any vessel on any park property, watercourses, bays, lagoons, lakes, canals, rivers, ponds, or sloughs except at such places as are or may be designated by the Department for such use or purpose. Any person operating such vessels shall comply with Department boating regulations and all other federal, state and local laws related to boating.

#### SECTION 8. FISHING.

No person shall fish in park waters, either fresh or salt, by use of hook and line, seine, net, trap, spear, gig, or other device except at such places and in such areas as have been designated by the Department for such use.

#### SECTION 9. FIREARMS.

(a) No person, except law enforcement officers, shall carry, possess, or use firearms of any type, air rifles, pistols, spring guns, or any other form of weapon or trapping device which

is or may be on or in any park property except in areas designated for such uses or for events approved by the Department. Bows and arrows may be used at designated areas provided that such use is in compliance with rules and regulations established by the department and all applicable federal, state and local laws.

(b) No person shall hunt, trap or pursue any wildlife by any means or method except with prior written approval of the Director and in areas designated for such activities. Any such activities shall be in compliance with rules and regulations established by the Department and all applicable federal, state and local laws.

#### SECTION 10. PICNIC AREAS.

(a) No person shall picnic or cook in any park area not specifically designated for and regulated by the Department for such activities.

(b) No person shall build, light or cause to be lighted any fire upon the ground or other object in any park area except in an approved grill, stove, fireplace or other similar container. Any person who builds lights or causes to be lighted any fire as provided above, shall extinguish the fire before leaving the immediate area.

(c) No person shall use a grill, stove, fireplace or other similar device in such a manner as to burn, char, mar, blemish or otherwise damage any bench, table or other object of park property.

#### SECTION 11. HORSEBACK RIDING.

No person shall engage in horseback riding within any park property except in areas designated for such activities by clearly marked bridle paths, trails, and other necessary features. In areas designated for horseback riding, horses must be thoroughly broken, properly restrained

and prevented from grazing and straying unattended. All riders must carry proof of their horse's negative Coggins test.

#### SECTION 12. ANIMALS.

(a) Except in specified areas, domesticated animals are permitted within park property. All such animals must be restrained at all times at a distance not greater than six (6) feet in length from their handler. No such animals, except seeing eye dogs, shall be allowed on boardwalks or narrow passageways. All such animals shall wear up-to-date tags indicating that they have had rabies vaccinations.

(b) No person shall bring into any park property any non-domesticated animals including but not limited to, cattle, mulcs, swine, sheep, goats, fowl, or reptiles, except where in conjunction with projects sponsored by County Departments or upon permit from the Director.

(c) Dangerous dogs as defined in Chapter 767, Florida Statutes are prohibited from park property.

(d) In conjunction with projects sponsored by County Departments or upon permit from Director, animals may be allowed in designated areas of the parks at specified times without restraint.

#### SECTION 13. TOY FIREARMS, FIREWORKS, AND EXPLOSIVES.

(a) No person shall bring into, or have in his possession, or set off or otherwise cause to explode or discharge or burn, in any park area any firecrackers, torpedoes, rockcts, toy firearms, cannons, or other fireworks or explosives of or containing flammable material or any substance, compound, mixture, or article which in conjunction with any other substance or compound, may explode, discharge or burn, unless he first obtains a written permit from the



director.

(b) Parents and/or guardians shall be held responsible and accountable for the actions of minors in regards to the prohibitions in the foregoing paragraph as provided by law.

#### SECTION 14. POLLUTION OF WATERS.

No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or any other body of water within park property, any substance, matter, or thing, liquid or solid, which would or may result in the pollution of said waters.

#### SECTION 15. REFUSE AND TRASH.

No person shall take into, dump, deposit, drop, or place any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, tobacco products, containers or foil, refuse or other trash upon any park property except in the receptacles provided for trash disposal; where receptacles are not provided, same shall be carried away from park property by the person or persons responsible for its presence and properly disposed of elsewhere. Park refuse and trash receptacles shall only be used by those persons using the park area for recreational and park activity.

#### SECTION 16. OPERATING HOURS, EXCEPTIONS, ACTIVITY.

(a) No person shall be or remain in any part of any park which is fenced in or provided with gates between the closing of the gates at night and their re-opening on the following day. No person shall be or remain in any park not fenced in or provided with gates, between sunset and sunrise of the following day, except in areas designated as twenty-four (24)

hour launching areas, or unless lighting is provided for a specific activity after sunset whereby such persons and vehicles may pass through such parks, without stopping, on the most direct walk or driveway leading from their point of entrance to the exit nearest to their point of destination. The provisions of this Section shall not apply to law enforcement officers or employees of the Department while in the discharge of their duties nor to persons having a written permit issued by the Department allowing them to be or remain in any part of any park between such times. The Director may establish exceptions to the operating hours as set forth above for certain uses and when it is otherwise in the interest of the public health, safety or welfare. Any such exceptions shall be posted at the park entrance and obeyed accordingly.

(b) No person shall park or permit to remain parked any vehicle on any driveway, parkway, parking area or other park property between sunset and sunrise on the following day or as otherwise posted, except for areas designated as twenty-four (24) hour launching areas.

#### SECTION 17. UNFINISHED OR WITHHELD PARKS.

No person, except as authorized by the Department, shall enter upon any part of any park which is in an unfinished condition or under construction or withheld from general public usage in the interest of public safety, health and/or welfare.

#### SECTION 18. MERCHANDISING, VENDING, PEDDLING, ETC.

No person, other than the Department or regularly licensed concessionaires acting by and under the authority of the County, 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 article or merchandise within the limits of any park or recreation area.

SECTION 19. ADVERTISING, PUBLICITY AND SIGNS.

(a) No person shall advertise or obtain publicity through any means whatsoever within or upon any park property.

(b) No person shall park or station on any park property any vehicle displaying a sign or notice with the intent of offering said vehicle for sale or exchange.

(c) No person shall distribute, display, or affix any printed materials or advertisements to or within any park property. Exceptions to this provision are printed materials or advertisements permanently affixed on vehicles or on clothing; distribution of printed handbills or leaflets, the purpose of which is not solely commercial; announcements of park sponsored or sanctioned events; authorized signs located entirely within concession structures, and signs and distribution of printed materials in conjunction with a permitted use of reserved park/facility area.

SECTION 20. PUBLIC DEMONSTRATIONS, GATHERINGS, PERFORMANCES, SPEECHES, ETC.

(a) Any band, procession, military company, or any company or group with flags, banners, or transparencies, may be allowed upon any park or parkway or within any park, subject to reasonable regulations of time, place and manner of such activities as established by the Director.

(b) No entertainment or exhibition shall be given in any park or recreation area except entertainment given under the direction and authority of the Department.

(c) Any public meeting of any kind or any public speeches by any person, representatives of any political party, social club or society, political aspirant, religious sect, theatrical or circus group, act, rite or ceremony, or other public exhibition may be held in any

park, parkway, playground or other recreational area, subject to reasonable regulations of time, place and manner of such gatherings as established by the Director.

#### SECTION 21. ALCOHOLIC BEVERAGES

(a) The sale, consumption, and possession of alcoholic beverages as defined in Section 561.01(4), Florida Statutes, is hereby prohibited.

#### SECTION 22. PROPER USE OF FACILITIES.

No person shall loiter in or around any park department rest room, dressing room, or bath house nor shall any person engage in any lewd and lascivious behavior as defined in Chapters 798 and 800, Florida Statutes (1995) or any amended or successor Statute.

#### SECTION 23. AUTHORITY OF SHERIFF DEPUTIES AND PARK OFFICIALS.

(a) It shall be the duty and responsibility of Sheriff Officers, Special Deputies, and Park Officials to enforce all provisions of permits issued by the Department.

(b) It shall be unlawful for any person to do any act forbidden or fail to perform any act required by any permit issued by the Department in furtherance of the mandates and provisions of this Ordinance.

(c) Besides the rules and regulations as set out in this Ordinance, park officials shall have the authority to establish further rules and regulations for regulation of park use pursuant to the preservation of health, safety, and/or welfare of the public in furtherance of the mandates and provisions of this Ordinance.

(d) Any violation of the provisions of this Ordinance, or any violation of any rules and regulations set forth by the Department pursuant to this Ordinance, shall authorize any park

official to remove the violator from the park area; said removal shall be effectuated by the park official requesting the violator to remove himself from the park area. Failure of any person violating the provisions of this Ordinance and/or the rules of the Department, to remove himself from the park area after direction and request has been made by a park official, shall constitute a trespass.

#### SECTION 24. CAMPING.

No person shall camp within any park property except in areas designated by the Department for such purpose. The Department may establish rules and regulations for designated camping areas within park property.

Camping in permanent cabins constructed by the Department or in privately owned trailer units or tents erected under Department permit and use by groups of persons under adequate supervision are the only types of overnight camping that shall be allowed in the parks; the bringing into a park and using for overnight occupancy any house trailer, camp trailer, camp wagon, or any other form of movable structure or special vehicle, except in areas designated for that purpose by the Department, is prohibited.

#### SECTION 25. SHOOTING AND ARCHERY RANGES.

All persons using any park range facilities including shooting and archery ranges shall abide by the Department's regulations governing range activities; copies of which regulations shall be furnished at each such range.

#### SECTION 26. PENALTIES.

Any person who violates this Ordinance shall be prosecuted in the name of the State in

the same manner as misdemeanors are prosecuted and, upon conviction, shall be subject to a fine not to exceed \$500 or by imprisonment in the County Jail not to exceed 60 days or by both such fine and imprisonment.

**SECTION 27. LIBERAL CONSTRUCTION.**

This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of Hillsborough County, Florida. The provisions of this Ordinance shall supersede any existing provisions of the Code of Laws and Ordinances of Hillsborough County, Florida, which conflict with any provisions as set forth herein.

**SECTION 28. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by any Court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 29. EFFECTIVE DATE.

This Ordinance shall take effect upon filing of this Ordinance with the Secretary of State,  
State of Florida.

STATE OF FLORIDA                     )  
  )  
COUNTY OF HILLSBOROUGH        )

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of  
County Commissioners of Hillsborough County, Florida, do hereby certify that the above and  
foregoing is a true and correct copy of an Ordinance adopted by the Board at its meeting of  
November 5, 1997, as the same appears of record in Minute Book  
258, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 12th day of November, 1997.

RICHARD AKE, CLERK OF CIRCUIT COURT

BY: 

Deputy Clerk/ Gary J. Klunk



APPROVED BY COUNTY ATTORNEY

By: 

Approved as to form and  
legal sufficiency



**APPENDIX D.**  
**ELAPP Site Management Policies.**