

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20070760**

**1. ACTION REQUESTED/PURPOSE:** Authorize Lee County Parks and Recreation to accept \$150,000 from the Florida Department of Environmental Protection (DEP) for upland exotic plant control at Caloosahatchee Creeks Preserve on Task Assignment #SW-084 on Contract SL-893. Approve Budget Amendment in the amount of \$150,000 and amend the FY 06/07 Conservation 20/20 budget accordingly.

**2. FUNDING SOURCE:** Fund - Capital Improvement-Environmentally Sensitive Land; Program - Parks and Recreation Operations; Project - Conservation 20/20 - Caloosahatchee Creeks Preserve

**3. WHAT ACTION ACCOMPLISHES:** Allows exotic control work to be performed at Caloosahatchee Creeks Preserve.

**4. MANAGEMENT RECOMMENDATION:** Approve

**5. Departmental Category:** 11

*C11C*

**6. Meeting Date:** 5/29/2007

**7. Agenda:**

**8. Requirement/Purpose: (specify)**

**9. Request Initiated:**

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute	Commissioner
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	Department: Parks & Recreation
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	Division
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other	By: John Yarbrough, Director of Parks and Recreation
<input type="checkbox"/> Walk-On		<i>John Yarbrough</i>

**10. Background:** The DEP Bureau of Invasive Management provides funding for exotic plant control to government agencies. Lee County Parks and Recreation has been approved for \$150,000 in funding from DEP for exotic plant control at Caloosahatchee Creeks Preserve. Habitat Restoration Resources, Inc. will be performing the work. Including Caloosahatchee Creeks Preserve, Lee County has received funds from DEP for projects at Popash Creek Preserve, Caloosahatchee Regional Park, Six Mile Cypress Slough Preserve, Conservation 20/20 - Yucca Pens, Charlotte Harbor Flatwoods, and San Carlos Bay/Bunche Beach Preserve totalling \$678,170.

Funding will be made available in account #KH5723030105.503190.216

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/ P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>dy 5-15-07</i>				<i>W. Hight</i>	<i>DEA 5/16/07</i>	<i>11/5/16/07</i>	<i>11/3/16/07</i>	<i>11/15/07</i>	<i>[Signature]</i>

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *DT*  
 5/15 11:48  
 COUNTY ADMIN FORWARDED TO: *PL*  
*5/17/07*  
*3:00 PM*

Rec. by CoAtty  
 Date: 5/15/07  
 Time: 11:10 AM  
 Forwarded to: *11:38 am CAD*

# RESOLUTION #

Amending the Budget of Capital Improvement Environmentally Sensitive Land Mgmt Fund 30105 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2006-2007.

**WHEREAS**, in compliance with the Florida Statutes 129.06(2), it is the desire of the Board of County Commissioners of Lee County, Florida, to amend the Capital Improvement Environmentally Sensitive Land Mgmt Fund 30105 budget for \$150,000 of the unanticipated revenue from the Florida Department of Environmental Protection and an appropriation of a like amount for exotics removal at Caloosahatchee Creeks Preserve and;

**WHEREAS**, the Capital Improvement Environmentally Sensitive Land Mgmt Fund 30105 budget shall be amended to include the following amounts which were previously not included.

## ESTIMATED REVENUES

Prior Total:		\$27,527,915
Additions		
KH5723030105.334720.9003	Contributions - FDEP	150,000
Amended Total Estimated Revenues		\$27,677,915

## APPROPRIATIONS

Prior Total:		\$27,527,915
Additions		
KH5723030105.503190.216	Other Professional Services-Caloosahatchee	150,000
Amended Total Appropriations		\$27,677,915

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lee County, Florida, that the Capital Improvement Environmentally Sensitive Land Mgmt Fund 30105 budget is hereby amended to show the above additions to its Estimated Revenue and Appropriation accounts.

Duly voted upon and adopted in Chambers at a regular Public Hearing by the Board of County Commissioners on this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:  
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

DOC TYPE YA  
LEDGER TYPE BA

**TASK ASSIGNMENT NOTIFICATION FORM  
DEP CONTRACT NO. SL-893**

**Date:** April 27, 2007

**Task Assignment Number:** SW-084

**Project Title:** Caloosahatchee Creek Preserve

**Contractor Name:** Lee County Parks and Recreation

**MA#:**

**Contractor Contract Manager:** Roger Clark

**Phone #:** (941) 338-3343

**Contractor Ground Crew Supervisor:** Jeff Anderson

**Cellular #:** (239) 707-8257

**DEP Contract Manager:** Greg Jubinsky

**Phone #:** (850) 245-4821

**DEP Site Manager:** Jeff Anderson

**Phone #:** (239) 461-7455

**Task Description and Payment Schedule.** Exhibit 1 describes the scope of work for this project. The Contractor is not authorized to perform work on any additional sites or plant species until such time as the DEP and the Contractor have fully executed a Change Order for said additional work. The Site Manager will provide all chemical with the exception of adjuvant. Any work performed by the Contractor contrary to this Task Assignment shall be at the Contractor's expense. Recognizing the current drought conditions and lateness in the fiscal year, the department recognizes that this project may not be completed. The department will make every effort to provide funding for project completion next fiscal year. **Contractor is authorized to subcontract.**

**Deliverables:**

- 100% of target vegetation identified in the attached scope of work shall be treated to prevent re-sprouting. If 95% control is not achieved for any area of the project after two months following project completion, one additional thorough treatment of the area will be the responsibility of the Contractor at no cost to the contracting entities.
- Control is defined as treatment effective in preventing re-sprout of treated target vegetation.
- Upon Site Manager approval, the Contractor is authorized to control incidental occurrences of any current EPPC category one or category two invasive exotic plant species encountered within the Project Site(s). Costs for these control operations shall in no case will exceed the total Task Assignment value and must not jeopardize the Contractor's ability to achieve the required level of control for the primary target species within the designated area(s) and time frame. It is the responsibility of the Contractor to determine that all control operations do not exceed the established Task Assignment amount.

**Task Assignment Term:** Execution of Task Assignment through **June 15, 2007**

**Task Assignment Type:** Fee Schedule

**Amount Not To Exceed:**


**TOTAL TASK ASSIGNMENT VALUE:**

**\$150,000.00**

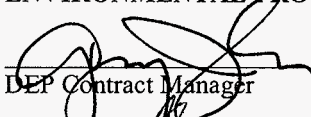
**FUNDING INFORMATION:**

ORG CODE	EO	OBJECT CODE	MODULE	SPEC. CAT.	PROJECT #	YEAR	AMOUNT
3710-2800-000	Q7	139904		102334	SW-084	06-07	<b>\$150,000.00</b>

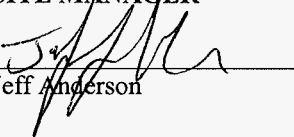
**CONTRACTOR**


 5/4/07  
Contract Manager Date

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

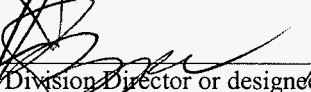
 4/27/07  
DEP Contract Manager Date

**SITE MANAGER**

 5/4/07  
Jeff Anderson Date

 4/27/07  
BIPM Cost Center Admin. Date

 4/27/2007  
BIPM Bureau Chief Date

 4/27/07  
Division Director or designee Date

## TASK ASSIGNMENT RESPONSIBILITIES

### RESPONSIBILITIES OF THE CONTRACTOR:

Unless otherwise established in the Task Assignment, the Contractor shall complete all work as set forth in the attached Scope of Work in full compliance with the terms of the Contract. The responsibilities of the Contractor include but are not limited to:

1. The Contractor shall notify the designated site manager no less than seven (7) days prior to initiating work and, after initiating work, shall maintain communication with the site manager on progress and/or problems and work completion;
2. The certified ground crew supervisor, employed by the contractor and designated on page one of the Task Assignment must be present at all times when work on the site is underway;
3. Ground crew supervisors shall be responsible for all plant control activities and crew safety on project sites. Every effort shall be made by the Contractor to avoid damage to native vegetation and wildlife, which includes site disturbance;
4. Ground crew supervisors shall be pesticide applicators possessing current certification by the Florida Department of Agriculture and Consumer Services (FDACS) in the Natural Areas, Forestry, Aquatics, or Right-of-Way categories. A copy of each supervisor's FDACS certification will be provided to the site manager prior to initiation of on-site supervisory duties;
5. Ground crew supervisors may supervise a maximum of eight (8) field employees at any given time, unless otherwise noted in the Task Assignment;
6. Ground crew supervisors shall be responsible for the collection, recording, and timely submission of all data and reports required. At weekly intervals and at the completion of initial treatments and site reassessment, a complete report will be submitted to the site manager detailing sites treated, number of plants or size of area treated, and type of treatment used. These data will be recorded on the "Daily Progress Report" (DPR); it is the responsibility of the Contractor to submit complete and correct DPR(s) to the DEP;
7. The Contractor will strictly adhere to all herbicide label application, precautionary, and safety statements, and shall be liable for damage due to an herbicide spill or contamination;
8. The Contractor shall submit an original invoice and fully completed and signed DPR to the Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, MS 705, Tallahassee, Florida 32399-3000.
9. To ensure that the selected Contractor provides the best service to public conservation land managers, the DEP has instituted a "Three Points Rule." Failure to fulfill the above responsibilities shall subject the Contractor to an assessment of "points" as set forth in the Contract. An accrual of three points will make the selected Contractor ineligible to participate in any new pre-quote meetings for one year.

ISSUE	PENALTY
1 Incomplete invoice package	½
2 Unacceptable non-target damage	2
3 Herbicide contamination/spill	1
4 Inability to complete the task specifications within completion date	½
5 Unacceptable site disturbance	1
6 Absence of certified ground crew supervisor	1
7 Failure to notify Site Manager no less than seven (7) Days prior to initiating work (unless authorized by DEP)	½
8 Failure to maintain communication with site manager on progress/problems and work initiation or completion	½
9 Failure to obtain 95% control within a given project area	1½
10 Failure to obtain approval to subcontract	½

### RESPONSIBILITIES OF THE SITE MANAGER:

1. The Site Manager shall be responsible for instructing the Contractor on the areas and plants to be controlled and provide necessary maps and other pertinent information to locate work sites;
2. The Site Manager reserves the right to inspect, at any time, the Contractor's procedure, spray system(s), spray solution(s), and other ancillary equipment, and to approve operating personnel. Inspection, however, will not relieve the Contractor of any obligations or responsibilities nor will it transfer any liability to the lands listed under "Project Location."
3. Before signing the DPR(s) the Site Manager shall verify that the content of the DPR(s) reflect control operations observed in the field and outlined in the approved scope of work. It is the responsibility of the Contractor to submit complete and correct DPR(s) to the DEP.

**Caloosahatchee Creeks Preserve  
Conservation 20/20 Program  
Invasive Exotic Plant Removal/Control**

**Working Group:**

Southwest Florida Invasive Exotic Plant Working Group

**Site Manager:**

Cathy Olson, Conservation 20/20 Senior Supervisor

Lee County Parks and Recreation  
Conservation 20/20 Program  
3410 Palm Beach Boulevard  
Fort Myers, Florida 33916  
Phone: (239) 461-7455  
FAX: (239) 461-7460  
E-mail: colson@leegov.com

**Method of Control:**

Contractual Work

**Project Goals:**

This project will remove and provide initial control of exotic invasive species including Brazilian pepper, Australian pines, climbing cassia, lead tree, earleaf acacia, rosary pea, and napier grass from a portion of a Conservation 20/20 Preserve located on the shoreline of the Caloosahatchee River in north central Lee County.

**Project size:**

7,400 feet of shoreline  
and  
~ 100 acres

## SCOPE OF WORK

### Project Location

Caloosahatchee Creeks Preserve, located on the northern shoreline of the Caloosahatchee River, is 1290 acres, but the project area is limited to two management areas east of I-75. Management units 108-1 and 108-2 consist of 200 acres and are located in Sections 26 and 27 of Township 43S and Range 25E in Lee County (Figure 1). The site is located approximately 400 feet from the Caloosahatchee National Wildlife Refuge. Additional conservation lands owned by the Florida Department of Environmental Protection, South Florida Water Management District, and Audubon of Florida occur along the shoreline of the river and on islands in the river within 1 mile of the refuge and preserve (Figure 2).

### Project Description

Caloosahatchee Creeks Preserve is a 1290 acre Lee County Conservation 20/20 preserve that was acquired in several transactions beginning in 2000. The Caloosahatchee Creeks Preserve Land Restoration Plan, completed in 2005, describes the plant communities and the restoration needs for the preserve. The project area covered by this funding request is limited to Management Units 108-1 and 108-2 which encompass 200 acres (Figure 3). Approximately 50% of Management Units 108-1 and 2 consists of upland spoil that was covered with Brazilian pepper (*Schinus terebinthifolius*) and Australian pines (*Casuarina equisetifolia*), category I invasive exotic species. The remaining 50% consists of wetlands that were also heavily impacted by Brazilian pepper. A total of \$298,185 has been spent on Brazilian pepper and Australian pine removal from the two management units.

Thus far, the majority of the Brazilian pepper and Australian pines has been removed from the project area. What remains on the southern 100 acres of the management units includes scattered, mature Australian pines, a 7400 foot long Brazilian pepper fringe along the shoreline, and exotic species impacted spoil areas (Figure 4). Category I species in this southern 100 acre portion of the two management units include climbing cassia (*Senna pendula*), earleaf acacia (*Acacia auriculiformis*), napier grass (*Pennisetum purpureum*) and rosary pea (*Abrus precatorius*). Lead tree (*Leucaena leucocephala*), a category II species, occurs in codominance with the climbing cassia. Restoration plans for the upland spoil include removal of the Category I and II exotic plants and replanting the spoil as a maritime hammock.

The site hosts listed species including gopher tortoise (*Gopherus polyphemus*), limpkin (*Aramus guarauna*), little blue heron (*Egretta caerulea*), snowy egret (*E. thula*), tricolored heron (*E. tricolor*), white ibis (*Eudocimus albus*), bald eagle (*Haliaeetus leucocephalus*), wood stork (*Mycteria americana*), and along the shoreline, manatee (*Trichechus manatus latirostris*). All of these listed species will likely benefit by the removal of the category I and II invasive exotic plants.

### Work Specifications

Lee County Parks and Recreation staff will select a contractor(s), from the County's list of approved contractors, or a DEP approved contractor, to conduct the initial work, with assistance and supervision from staff. Follow-up work will be conducted with contractor(s) and Lee County Parks and Recreation staff.

The exotic plants will be treated with a combination of mechanical and chemical means. The Australian pines will be felled and then mulched on site. The Australian pine stumps will be treated with an appropriate herbicide. The Brazilian pepper will be cut by hand and piled on the spoil to be later burned or mulched. The stumps will be left in place as a shoreline stabilizer and will be treated with an appropriate herbicide. The climbing cassia, earleaf acacia, napier grass, rosary pea and lead tree will be treated with the appropriate herbicides. Small specimens (less than one foot) will be treated foliarly and larger specimens will be treated with the cut stump methodology.

**Other Requirements and Provisions**

Prior to commencement of this invasive exotic plant removal project, Lee County Parks and Recreation staff will meet on site with the contractor to identify specific logistical issues such as working around native plants and wetlands, access routes for each area of the site and location of listed species. Mechanical control will be limited to the dry season since heavy equipment access to the site is difficult in all but the dry season.

**Project Time Frame**

The heavy equipment work should begin in the dry season once grant funding has been allocated and follow-up chemical treatment will occur 6 months after completion. The initial hand work will be started as soon as grant funding can be obtained.



**Harris, David**

---

**From:** Mitar, Cynthia C.  
**Sent:** Wednesday, May 16, 2007 3:46 PM  
**To:** Harris, David  
**Subject:** RE: Blue Sheets coming your way....ccm

Hi Dave,

How are you doing? Learning a bunch I'm sure.

Well to answer your question~it could go either way. The KH5723030105 is the FCT funded grants. That is where CCP has funding and we use the sub #216 to track. Not sure it really matters since it will be in and out this year. The KH5722030105 is for the rest of the Conservation 20/20 projects. Does this help? Thanks. CINDY

---

**From:** Harris, David  
**Sent:** Wed 5/16/2007 3:31 PM  
**To:** Mitar, Cynthia C.  
**Subject:** RE: Blue Sheets coming your way....ccm

Thanks Cindy. On the DEP – CCP item, box 10 on the Bluesheet says funding is in KH5723030105. Shouldn't it be KH5722030105?

Dave Harris

Sr. Management Analyst

Phone 239.533.2301

Fax 239.485.2007

[deharris@leegov.com](mailto:deharris@leegov.com)

---

**From:** Mitar, Cynthia C.  
**Sent:** Tuesday, May 15, 2007 9:31 AM  
**To:** BlueSheetHolding  
**Cc:** Harner, David W.; Bowers, Melody A.; Harris, David  
**Subject:** Blue Sheets coming your way....ccm

<< File: DEP - CCP - FY 07 \$150,000.doc >> << File: Estero Historica lBluesheet (2).doc >> << File: Cons 2020 Daniels Pres - SFWMD FY 07.doc >>

*Cindy Mitar*

Fiscal Manager

Lee County Parks & Recreation

5/16/2007