

MIAMI DADE COUNTY ENVIRONMENTALLY ENDANGERED LANDS



INSTRUCTIONS FOR APPLICATIONS TO NOMINATE ACQUISITION PROPOSALS

**SPRING 2008
FILING PERIOD**



**Department of Environmental Resources Management
Environmentally Endangered Lands Program**

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ADDITIONAL INFORMATION

If you have questions regarding any aspect of the application for nomination process or need help in the preparation of an application please call for an appointment with Ms. Cynthia Guerra, Department of Environmental Resources Management, Environmentally Endangered Lands Program, 701 NW 1 Court 6th Floor, Miami, FL 33136; telephone (305) 372-6687.

APPLICATION INSTRUCTIONS

Where to file: Ms. Cynthia Guerra
Department of Environmental Resources Management
Miami-Dade County EEL Program
701 NW 1 Court 6th Floor, Miami, FL 33136

Application Deadline: Applications must be received no later than 5:00 PM, April 30, 2008. No applications will be accepted after this date.

Who may file: Any individual, government agency, organization, group or firm may apply to Miami-Dade County's Environmentally Endangered Lands Program (EEL) for the nomination of properties to be considered for acquisition.

Eligibility of land for Acquisition by EEL: Under the EEL Program, applications may be filed to nominate Environmental Land and Buffer Land for consideration. Environmental Land parcels should be at least 5 acres in size. For a complete definition of these terms, see Item 4, "Type of Eligible Land," in the Application Instructions on the next page.

Prior to filing an application, applicants are urged to review their requests to determine whether the proposed property is eligible for the EEL Program. A copy of "Criteria for Evaluating EEL Acquisition Proposals" is available from the EEL Program for your consideration. All proposed land will be evaluated by County staff according to the criteria, which have been established by the EEL Ordinance.

Application Format and Contents: Two signed originals of each application are required. All parts of the application must be typed or printed legibly on 8-1/2 X 11 inch paper, with the exception of the aerial photograph. A separate application must be submitted for each non-contiguous property.

The following information must appear in each application in the order listed below. Please use the headings shown in capital letters for each item.

APPLICANT(S)

Name

Address

Telephone

2. DESCRIPTION OF PROPERTY

The following information must be submitted:

- (a) A clear and concise written description of the application area boundaries.
- (b) The total number of acres in the application area and, if different, the number of acres owned by the applicant(s).
- (c) The application area must be identified on a Dade County aerial photograph at a scale of 1 inch = 300 feet. Each aerial photograph should have major roadways identified. Dade County aerial photographs at a scale of 1" = 300' are available from the Public Works Department, Stephen P. Clark Center, 111 NW 1 Street, Suite 1600, Miami, Florida 33128.

3. TYPE OF ELIGIBLE LAND

Indicate which one of the following categories the site which you are nominating as an acquisition proposal falls under.

Environmental Land - land which contains natural forest or wetland communities, native plant communities, rare and endangered flora and fauna, endemic species, endangered species habitat, a diversity of species, or outstanding geologic or other natural features, or land which functions as an integral and sustaining component of an existing ecosystem.

Buffer Land - land that is adjacent to publicly-owned environmental land or to an environmental land acquisition proposal or project, or land which is an inholding within publicly-owned environmental land or within an environmental land acquisition proposal or project, and which, if not acquired, would threaten the environmental integrity of the existing resource, or if acquired, would enhance the environmental integrity of the resource.

4. PLANT COMMUNITY TYPE

Which of the following native plant community types presently exist on the land which you are proposing?

Pinelands: Pine rockland communities with marked acid sand deposits and exposed oolitic limestone bedrock. Such communities contain many temperate plant species as well as tropical woody and herbaceous species.

Hammocks: These are communities dominated by broadleaf hardwood trees with generally dense understory. These communities may contain tropical tree species, but many contain temperate components, especially live oak.

Freshwater Wetlands: Prairie/tree island mosaics dominated by wetland marshes with typical hydroperiods of one to six months.

Mangroves: Mangrove associations including coastal band, mixed mangrove forest, dense and sparse scrub mangrove forest, and short hydroperiod white mangrove forest are included in this group.

Other: (Please describe).

5. REASON FOR APPLICATION

Why should the site be considered for acquisition by the EEL Program?
(Before answering, please read EEL Program Information on Page 5.)

6. ADDITIONAL INFORMATION

A. DISTURBANCES

If you are aware of any disturbances which may have occurred on the property you are nominating for acquisition please explain them in this section. Disturbances may include building, clearing, ditching, plowing or other alteration of the land surface.

B. VULNERABILITY

If you are aware of any development actions such as a change in zoning, platting of a subdivision, a permit application or other action for the property you are nominating as an acquisition proposal, please explain them in this section. In addition, if you are aware of any building or other development actions which are or have been occurring in the immediate area, please note them in this section.

DISCLOSURE OF INTEREST

- (a) Do you own the candidate property or have an ownership interest in the property? If YES, be aware that Section 33.304(a) of the Miami-Dade County Code of Ordinances requires that applicants and all other parties having an ownership interest in any real property covered by an application area fully disclose their interest in the subject property. If you have an ownership interest in the proposed property you must complete a disclosure report and attach it to each of the two original applications. For a blank disclosure form call the EEL Program office at (305) 372-6687.
- (b) Do you represent the owner? If YES, in what capacity?
- (c) If you do not have an ownership interest in the real property covered by an application, the name and address of the owner(s), as listed in the property appraiser's records, must be provided with the application.

II. EEL PROGRAM INFORMATION

Purposes of the EEL Program are:

- (1) to acquire environmentally-endangered lands which contain irreplaceable natural forest and wetland communities, native plant communities, rare and endangered flora and fauna, endemic species, endangered species habitat, a diversity of species, or outstanding geologic or other natural features.
- (2) to acquire environmentally-endangered lands which function as an integral and sustaining component of an existing natural system.
- (3) to protect environmentally-endangered lands which are publicly owned by acquiring inholdings or adjacent properties which, if not acquired, would threaten the environmental integrity of the existing resource.
- (4) to implement the objectives and policies of the Comprehensive Development Master Plan for Metropolitan Dade County which have been promulgated to preserve and protect environmental protection areas designated in the plan and other natural forest resources, wetlands and endangered species habitat.
- (5) to identify Dade County's best and most endangered environmental lands for acquisition and management by evaluating the biological characteristics and viability of each proposed resource, the vulnerability of each proposed resource to denigration or destruction, and the feasibility of managing each proposed resource to maintain its natural attributes.
- (6) to manage environmentally-endangered lands with the primary objective of maintaining and preserving their natural resource values by employing management techniques that are most appropriate for each native community so that our natural heritage may be preserved for future generations.
- (7) to use the acquired sites, where feasible within financial constraints and without risk to the environmental integrity of the site, to educate Dade County's school age population and the general public about the uniqueness and importance of Dade County's subtropical ecosystems and natural communities.
- (8) to cooperate actively with other acquisition, conservation, and resource management programs, including, but not limited to, such programs as the State of Florida Conservation and Recreation Lands program, the Land Acquisition Trust Fund, and Save Our Rivers program, where the purposes of such programs are consistent with the purposes of the EEL Program as stated herein above.

SCHEDULING DEADLINES

April 2008 Application Cycle

- Application Filing Period..... April 1, 2008 -
April 30, 2008

- Staff Evaluations Completed..... No Later than
June 27, 2008

- County Manager's Recommendations to
Land Acquisition Selection Committee..... No Later than
August 26, 2008

- Public Hearing on Site Nominations..... No Later than
October 24, 2008

- Land Acquisition Selection Committee
(LASC) Recommendation on Site Nominations..... No Later than
November 21, 2008

- Board of County Commissioners Action on
LASC's recommended Acquisition. List.....Next Available
Commission Hearing Date

SEQUENCE OF ACTIVITIES

Annually, the EEL Program provides the general public the opportunity to nominate sites for acquisition.

Applications will undergo an initial staff review to determine if the proposed site is eligible for the EEL Program. Applicants will be notified of the outcome of this initial review.

Eligible proposals will then undergo a detailed evaluation for biological value, vulnerability to damage or destruction, and the feasibility of managing the natural resource. This evaluation is conducted in accordance with the evaluation criteria adopted in the EEL Ordinance.

The Land Acquisition Selection Committee (LASC), a committee of seven citizens appointed by the Board of County Commissioners, will review all the information developed by staff in evaluating each site. The LASC members will also visit each site where it is feasible to do so.

After all proposed sites have been reviewed, the LASC will hold a public hearing to accept comments on all the acquisition proposals. Finally, the LASC will recommend an Acquisition List to the Board of County Commissioners.

The Acquisition List approved by the County Commission consists of a Priority "A" for immediate acquisition and a Priority "B" list. Priority B properties meet the evaluation criteria but are eligible for acquisition with EEL funds only if 50% match money is available. Priority "B" proposals are eligible to be moved up to the Priority "A" list in subsequent semi-annual reviews.

The County will have each approved "Priority A" site professionally appraised and will then open negotiations with the owners. The EEL Program intends to work with willing sellers only. If an owner is unwilling to negotiate a sale, the property may be moved to the Priority "B" list in the next semi-annual review cycle. If an owner is willing to sell, a purchase agreement will be prepared.

All purchase contracts must be submitted to the Board of County Commissioners for approval.

III. EXAMPLE OF A HYPOTHETICAL APPLICATION NOMINATING AN ACQUISITION PROPOSAL TO THE EEL PROGRAM

The following hypothetical application is provided to illustrate the format of the application and the kind of information that should be provided under each heading. Statements and maps regarding the location and characteristics of the hypothetical property are fictional. Any similarity to actual conditions is purely coincidental.

Note: The required aerial at a scale of 1" : 300' is not included in this example.

1. APPLICANTS

John Brown 28811 SW 194 Ave. Miami, FL 33021 (305) 223-1234	William Clay 55 East 5 Ave. New York, N.Y. 10011 (121) 377-8805	J. B. Gee (Trustee) 10125 NE 16 Street N. Miami, FL 33177 (305) 321-6066
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2. APPLICANTS' REPRESENTATIVE

John Brown
Henry and Brown
2515 Biscayne Boulevard, Suite 900
Miami, Florida 33143
(305) 438-1921

By: _____
John Brown Date

3. DESCRIPTION OF PROPERTY

(A) Description of Subject Area

Subject property consists of 30 acres located in Section 16, Township 87, Range 37. The property is more accurately described as parcels 0234, 0235, 0236 in Section 16, Township 87, Range 37. Also included are lots 1-15 of Block 1 and lots 10-20 of the Lawrence Subdivision (300-12). Located on the west side of SW 227 Ave. in between SW 328-329 St. The applicant owns parcels 0234, 0235, and 0236.

(B) Gross Acreage

Application area: 40 acres
Acreage owned by applicant: 30 acres

(C) SEE ATTACHMENTS

4. PROPERTY IS BEING NOMINATED AS:

- Environmental Land
- Buffer Land

5. PLANT COMMUNITY TYPE: Pineland
 Hammock
 Freshwater Wetland
 Mangrove
 Other - Describe

6. NON-NATURAL DISTURBANCE

I have owned the northern half of the application area for twelve years. The northeastern corner of the lot has been cleared for over three years. Also, an area approximately one acre in size was severely burned, killing some Gumbo-Limbo trees. However, much of the naturally occurring understory has grown back on this area since the fire occurred.

Mr. Clay owns a 5-acre portion of the southern half and Ms. Gee is a Trustee of another 5 acres. Mr. Clay's and Ms. Gee's property form lots 1-10 of Block 1 in the Lawrence Subdivision (300-12). The owner of the other 10 acres involved in the application area being nominated is not an applicant.

7. VULNERABILITY

Zoning was changed on 10 acres of my property in 1982 from AU to EU-1. The southern half of application area being nominated has been subdivided into 1.25 acre lots.

8. REASONS FOR APPLICATION

At one time, I intended to develop my property with estate homes, but have since grown to appreciate its natural beauty and would like to see the area preserved. The property north of the application area has been developed extensively in recent years with residential estates and some businesses as well, and I feel it is important to keep some natural areas alive in our community for future generations. The site contains some endangered plants and the habitat diversity is extensive.

9. ADDITIONAL MATERIAL SUBMITTED

"Traffic Analysis of SW 227 Ave." Unpublished report prepared by Jones and Thomas Engineers, Inc., 1990.

10. COMPLETED DISCLOSURE FORMS (Sample not included)

ATTACHMENTS: Two Maps
One Aerial Photo

LOCATION MAP FOR APPLICATION AREA
NOMINATING AN ACQUISITION PROPOSAL
TO THE
ENVIRONMENTALLY ENDANGERED LANDS PROGRAM

APPLICANT/REPRESENTATIVE

Leathers, Clay, Gee/John Brown

DESCRIPTION OF SUBJECT AREA

Subject property consists of 30 acres located in Section 16, Township 87, Range 37. The property is more accurately described as parcels 0234, 0235, 0236 in Section 16, Township 87, Range 37. Also included are lots 1-10 of Block 1 and lots 10-20 of Block 2 of the Lawrence Subdivision (300-12). Located on the west side of SW 227 Ave. in between SW 328-329 St. The applicant owns parcels 0234, 0235, and 0236 and lots 1-10 on Block 1. The owner of lots 10-20 is not part of this application.

IV. DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to nominate an acquisition proposal. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT(S) NAME AND ADDRESS:

APPLICANT A: _____

 APPLICANT B: _____

 APPLICANT C: _____

Use the above alphabetical designation for applicants in completing sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	IN ACRES	SIZE
A				

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (attached explanation)
A				

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE NAME _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
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- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
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Date of Contract

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
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- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME _____

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
_____	_____
_____	_____
_____	_____

- c. If the owner is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
_____	_____
_____	_____
_____	_____

PARTNERSHIP NAME _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
_____	_____
_____	_____
_____	_____

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
_____	_____
_____	_____
_____	_____

Date of Contract

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

Sworn to and subscribed before me

this _____ day of _____, 19_____

Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interest of which are held in a limited partnership consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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revised: 3/31/2008