

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Sharon M. Trost, P.G., AICP, Director, Regulation Division

**DATE:** September 15, 2011

**SUBJECT: Modification of an Interlocal Agreement between Palm Beach County and the South Florida Water Management District**

### RECOMMENDATION

Staff recommends approval of a Resolution of the Governing Board of the South Florida Water Management District authorizing a modification of an Interlocal Agreement between the District and Palm Beach County to remove the sketch and legal description of Preserve Area #1 from Exhibit C of this agreement.

### BACKGROUND

In 1992 the District and Palm Beach County entered into an Interlocal Agreement as part of the issuance of District permits for the development of the Northern Palm Beach County General Aviation Airport ("NCO"). The Interlocal Agreement dealt with the preservation of several wetland areas on the NCO property, the legal descriptions of which were attached as Exhibit C to this agreement.

Subsequent to the execution and recording of the Interlocal Agreement and the development of the NCO, the Federal Aviation Administration promulgated FAA Advisory Circular No. 150/5200-33B "Hazardous Wildlife Attractants on or Near Airports" (August 28, 2007). The Advisory Circular provides guidance on the location and elimination of hazardous wildlife attractants on or near airports.

In response to the Advisory Circular, the County has proposed a program of elimination of hazardous wildlife attractants in the close proximity to the Airfield Operation Area ("AOA"). One of the hazardous attractants in the AOA proposed for elimination is identified as a preserve under the 1992 Interlocal Agreement. Specifically, Preserve Area #1 is a 5.00 acre wetland located in the southwest portion of the airport property.

The County has applied to the District for an environmental resource permit in order to implement its hazardous wildlife attractant minimization proposal. In addition, the County has provided a mitigation plan to offset all wetland impacts associated with this hazardous wildlife attractant minimization program.

Therefore, the County now wishes to amend the Interlocal Agreement to remove Preserve Area #1 in order to implement its hazardous wildlife attractant minimization plan.

**Staff Contacts: Anita Bain, Bureau Chief, Environmental Resource Permitting  
Regulation Division; (561-682-6866)**

**Susan Martin, Sr. Specialist Attorney, Office of Counsel  
(561-682-6251)**