

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Ernie Barnett, Director, Office of Everglades Policy and Coordination

**DATE:** August 24, 2011

**SUBJECT:** Cooperative Agreement between the District and Broward County regarding the operation, maintenance and management of public access for the recreational facilities identified in the Broward County Water Preserve Areas (BCWPAs) Project Implementation Report Plan – 3A/3B Seepage Management Area (Contract No. 4600002510)

### **Background:**

Section 373.1391 of Florida Statutes requires that lands acquired by the District be managed and maintained in an environmentally acceptable manner and to the extent practicable, in such a way as to “ensure a balance between public access, general public recreational purposes and restoration and protection of their natural state and condition”. The aforementioned statute also encourages the use of District’s lands for public outdoor recreational activities compatible with the primary goal of water management, water supply, and the conservation and protection of water resources. In addition, Section 140.22(h) of the District’s Policies and Procedures Code encourages the District to enter into cooperative land management agreements with state agencies or local governments to provide the coordinated and cost-effective management of lands which may provide opportunities for the local government to meet their recreation needs including comprehensive plan and greenway master plan requirements.

Broward County recognizes the recreational opportunities that exist in the Broward County Water Preserve Area (BCWPA) Project and is collaborating, partnering and cost sharing with the District to provide public access and recreation opportunities in the project area that will enhance their recreation programs. The BCWPA project is a part of the Comprehensive Everglades Restoration Plan (CERP) and is intended to be undertaken by partnership agreement with the United States Army Corps of Engineers (USACE) after Congressional authorization and appropriations.

Under the Cooperative Agreement by and between the District and Broward County, the County shall be responsible for all costs associated with the operations and maintenance of the proposed recreational facilities identified in the Broward County Water Preserve Areas Project Implementation Report Recreation Plan – 3A/3B Seepage Management Area.

### **How this helps meet the District’s 10-year Strategic Plan:**

Approval of this Cooperative Agreement will help ensure that public lands are protected and preserved for project purposes and will provide compatible public recreational opportunities for the use and enjoyment of existing and future generations.

**Funding Source:**

A funding source for this item is not required. Under this Cooperative Agreement Broward County shall be responsible for all costs associated with the operations and maintenance of the proposed recreational facilities identified in the Broward County Water Preserve Areas Project Implementation Report Recreation Plan – 3A/3B Seepage Management Area.

**This Board item impacts what areas of the District, both resource areas and geography:**

The Broward County Water Preserve Area Project is located in southwestern Broward County just east of the L-37 and L-33 Levees. The Operations and Maintenance Division will have the responsibility of implementing the Cooperative Agreement in lieu of providing funding and maintenance activities for the WCA 3A/3B Recreation Facilities.

**What concerns could this Board item raise?**

This item should not raise any concerns. Approval of the agreement merely sets forth a partnership agreement with the Broward County consistent with Section 373.1391(4), Florida Statutes, and Section 140-22(h) of the District's Policies and Procedures Code that encourage the District to enter into cooperative land management agreements with state agencies or local governments to provide the coordinated and cost-effective management of lands which may provide opportunities for the local government to meet their recreation needs including comprehensive plan and greenway master plan requirements.

**Why should the Governing Board approve this item?**

Section 373.1391(4), Florida Statutes, and Section 140-22(h) of the District's Policies and Procedures Code encourage the District to strive to obtain the expertise and assistance required for the management of specific tracts of land by entering into cooperative management agreements with other state and federal agencies, local governments and non-profit organizations. Broward County has the logistical capacity and the expertise needed to partner with the District in developing, operating and maintaining certain recreational opportunities on the District-owned land.