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James G. Duncan

Miami-Dade County, James.Duncan@miamidade.gov

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Assessment of Miami-Dade County Environmentally Endangered Lands Located Within or Adjacent to Miami-Dade County Parks

Public interactions with urban forests can be a contentious issue and, in many cases, the protection of resources takes a backseat to stakeholders' desire to use areas in ways that diminish the capability to manage resources and causes unintended consequences or direct impacts to sensitive resources. The assessment of impacts to sensitive forested areas located in parks was part of a Miami-Dade County legislative directive to provide enhanced guidelines for the protection of natural habitats. The assessment detailed historical and current issues at 18 environmental preserves located in or adjacent to the County's park system and an implementation strategy for the County Mayor's recommended "do no harm" framework that sensitive habitat comes first.

Keywords

urban forested natural areas, practitioner notes, urban forests, assessment, endangered species, social impacts

CONTEXT

Since establishment of the program in the early 1990s, the Miami-Dade County DERM's Environmentally Endangered Lands (EEL) Program has worked to acquire and manage environmentally endangered lands for long-term preservation. Presently, the Program manages approximately 27,000 acres of land composed almost entirely of wetlands and forest habitat and the program continues to acquire additional lands. For decades, different entities have impacted sensitive resources on publicly owned land in Miami-Dade County ranging from infrastructure development to landscaping practices that include the elimination of endangered species. These impacts are especially complex in designated conservation areas, which are areas that are protected but open to the public and have specified "uses" that are assessed to not impact the resources within the conservation area. Between 2006 and 2009, 18 preserves managed by the County's Parks Department were transferred into the Environmentally Endangered Lands Program (housed in the County's environmental protection department) through a legislative process. Since the transfer, these preserves either have since been designated "critical habitat" through the Endangered Species Act (15) or are currently under consideration for designation (3).



Volunteers walking down a trail through an imperiled hardwood hammock.

One example that triggered the directive is Matheson Hammock Park, which has unrestricted dog uses, particularly in the past decade, despite never being identified or planned as a public space where dogs are allowed. Growing tensions led to calls for action largely against protecting and restoring the forest. Questioning politicians hearing of this issue asked what kind of activities were allowed on public land deemed environmentally sensitive, particularly in the context of limits on development. Additionally, public outcry led to records requests that revealed a long history of environmental violations occurring in areas protected by the EEL program. In 2021, the Board of County Commissioners (Board) adopted Resolution No. R-465-21, sponsored by Commissioner Raquel Regalado, directing the County Mayor or County Mayor's designee to prepare a written report on the targeted assessment of 18 Miami-Dade County Environmentally Endangered Lands (EEL) Program managed areas that are located within or adjacent to Miami-Dade County parks, related to uses of County EEL areas that are inconsistent with the EEL Program, and to make specific recommendations to this Board for possible future County actions on these 18 EEL areas. This expansive report captured many incidences of impacts, historical and current, where uses of environmental areas has led to their degradation.

GOAL

The short-term goal was to draft and file a legislative report acceptable to different county entities and shepherd it through the process of being accepted by the legislative body at a public hearing. The legislative report was intended to identify incompatible uses and halt them. The long-term goal is to obtain funding for implementation of the directives and to address confusing and conflicting information on county documents. Additional long-term goals are to update regulations, incorporate the directive into permitting

recreational infrastructure within environmental areas, and provide guidance for preserve management planning documents.



Removal of solid waste from an imperiled forest.

APPROACH

Once the directive was established, a large-scale research effort of impacts took place including interviewing current and former staff, reviewing documents and reports, “workshops” with staff, and site visits. The report, “Assessment of Uses or Activities Associated with Environmentally Endangered Lands Within or Adjacent to 18 County Parks” was prepared by staff in the Division of Environmental Resources Management (DERM). Development of the report was coordinated with the Parks, Recreation and Open Spaces Department (PROS). The report conveyed what EEL lands are, how they are protected, and why they should be protected; summarized the history of impacts; and documented current challenges with the EEL Program’s goals and objectives affecting EEL areas.

A key step was defining what these uses/activities were and narrowing them into action-oriented bulleted points. The result was multiple drafts that were reviewed by different departments and the county mayor’s office. A focus was on “balance,”

where access is encouraged and facilitated in sensitive environmental areas but not in a way that degrades them. The county code-directed evaluation process for these lands has significant utility for researching what uses have been identified, built on a body of work initiated in the late 1980’s.

PROCESS

The report was entirely written by staff. Some county contractors were informally interviewed because of incidents related to their work for creation of the report but the report did recommend funding for implementation.

KEY RESULTS

The key result is the acceptance of the report by the legislative body through the Mayor’s office. The 18-page report and the one page transmittal memo can be found [here](#).

The report includes the majority of recommendations by staff, decision-makers, and other county departments. Important results include:

- Immediate policy directives related to inter-departmental coordination and directives to include additional funding. These directives are found on pages 3 & 4 of the report.

- Identification of 15 incompatible uses in EEL preserves and identification of A) impact associated with each use, B) avoidance and minimization strategy and recommended future actions, and C) cost of implementation. This analysis is found on pages 6 through 18 of the report.

The high-level incompatible uses within EEL managed areas are as follows:

- 1) Construction or Installation of Structures, Infrastructure, or Park Recreational Amenities: This includes constructing new structures, installing infrastructure, or constructing new park recreational amenities within EEL managed areas including but not limited to roads, buildings, utilities, trail improvements, boardwalks, picnic areas, play areas, or other uses that directly or indirectly adversely impact natural resources within EEL managed areas.
- 2) Incompatible Park Maintenance and Operational Activities: This includes but is not limited to park maintenance activities involving the use of heavy equipment, vehicles, and certain landscaping activities such as mowing and weed whacking or storing of vegetative debris within sensitive EEL managed areas. This can also include litter and trash from park patrons deposited or accumulating in EEL-managed areas.
- 3) Non-passive Recreational Uses: This includes but is not limited to non-passive recreational activities such as paintball, obstacle courses, races, and off-trail uses that have adverse impacts to environmentally sensitive resources.
- 4) Unauthorized Construction of Trails/Paths/Access: This includes unauthorized clearing of vegetation or impacts to substrate to create new access paths or uses within EEL-managed areas beyond what was existing when the County Commission approved these respective areas for management under the EEL Program, unless approved by the EEL Program.
- 5) Spread of Invasive/Non-native Species: This includes uses or activities that facilitate or cause the release or spread of non-native and nuisance plant species within or adjacent to EEL-managed areas.
- 6) Potential Impacts to Habitats That Could Support Listed Plants and Animals: This includes any uses that may destroy and/or degrade habitat that may support listed species within EEL-managed areas including all state-, federal-, and county-listed species. This also includes impacts to listed plants resulting from indiscriminate landscape activities such as mowing or weed-whacking protected areas or plant species.
- 7) Unauthorized Vehicle Access: This includes unauthorized access and parking on EEL-managed areas by vehicles cars, trucks, heavy equipment, off-road vehicles (ORVs), motorized bikes, and All-Terrain Vehicles (ATVs).
- 8) Domesticated Animals: This includes allowing domesticated pets such as dogs regardless of whether they are on-leash or off-leash, horses, or livestock within or immediately adjacent to EEL-managed areas.
- 9) Release and/or Feeding of Animals: This includes but is not limited to release and or feeding of abandoned pets, strays, and feral animals.
- 10) Poaching or Unauthorized Collection of Plant Material: This includes but is not limited to taking plants, animals, seeds, spores, and cuttings, as well as unauthorized removal/theft of fungi, animals, etc. within EEL-managed areas.

- 11) Post-disaster Debris Staging: This includes staging and placing of materials, equipment, and vegetative and mulched debris within or adjacent to EEL-managed areas associated with post-disaster recovery at County Parks.
- 12) Pesticide Use: This includes aerial adulticide spraying for mosquitoes and other pest insects within EEL-managed areas.
- 13) Light Pollution: This includes nighttime lighting in or adjacent to EEL-managed areas, which may disrupt wildlife behavior and natural systems.
- 14) Staging of Equipment and Materials: Staging, placing materials, and use of heavy equipment within EEL-managed areas (exceptions provided) and staging/installation of hazards adjacent to or within managed areas when their presence creates a fire hazard and constrains the ability to perform prescribed burns.
- 15) Other Uses Involving Access to Restricted Areas in EEL-Managed Areas Impacting Sensitive Environmental Resources: This includes uses that access remote, off-trail, or otherwise restricted sensitive natural resource areas within EEL-managed areas that have the potential to significantly alter and/or impact the environmentally sensitive resources. This includes but is not limited to research projects, non-EEL volunteer activities, art projects, or other activities that may access remote or restricted areas within EEL managed areas.



Education about hydrology in a wetland restoration site

OPEN QUESTIONS

While the report has been leveraged in some instances such as the permitting of infrastructure and has led to increased coordination between departments and improvements to internal policies, many of the directives have not yet been put in place. Most impactful to the EEL program has been insufficient county websites/information, lack of staffing, and failure to implement the funding recommendations. This has led to a situation where already overworked staff are asked to do more to reach additional goals. A large question for Miami-Dade County is whether targeted impacts will result in protective, actionable, and/or higher-performing regulations. The process to impact resolution between departments is being improved.

There have been incidences where some uses may have been missed or had been proposed but edited out during the coordination/collaboration process. Overall, the product was a strong policy document and, given the resources and coordination requirements, no major improvement to the incompatible uses report has been identified.

CONTACT AND ADDITIONAL RESOURCES

Contact: James Duncan, Miami-Dade County duncaj@miamidade.gov

Assessment of Miami-Dade County Environmentally Endangered Lands Located Within or Adjacent to Miami-Dade County Parks, Related to Uses That are Inconsistent with the Environmentally Endangered Lands Program:

<https://www.miamidade.gov/govaction/legistarfiles/Matters/Y2022/220519.pdf>

Resolution Directing the County Mayor or County Mayor's Designee to Assess Miami-Dade County Environmentally Endangered Lands Regarding Uses that are Inconsistent with the County's Environmentally Endangered Lands Program; Directing the County Mayor or County Mayor's Designee to Prepare a Report:

<https://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2021/212441min.pdf>