

8. CONSENT AGENDA

- c. Acceptance of a grant from Florida Department of Environmental Protection in the amount of \$110,000 for Exotic Plant Control of J. N. "Ding" Darling National Wildlife Refuge as part of the Island-wide Brazilian Pepper Eradication Program and authorize the City Manager to execute same**

**NATURAL RESOURCES DEPARTMENT
MEMORANDUM**

DATE: August 27, 2008

TO: City Manager Judie Zimomra

FROM: Natural Resources Director Robert K. Loflin Ph.D.

RE: DEP \$110k Grant for exotic plant control in the J. N. "Ding"
Darling National Wildlife Refuge

This grant provides 100% funding for maintenance exotic plant control in the Wildlife Refuge as part of the Island-wide Brazilian Pepper Eradication Program. There is no City matching requirement in the contract. It will pay for a contractor to send a 4-person crew into the trail-less sections of the Refuge for a full sweep for exotic plants. This funding is necessary because the U.S. Fish and Wildlife Service has no dedicated funding source for exotic plant control on the Refuge. Initial and maintenance exotic control has been done on the Refuge via grants obtained by the City's Natural Resources Department since 1998. The City's exotic control program is not viable without addressing control of seed sources on Refuge lands. This project will continue to maintain the Refuge's rare native plant communities and wildlife habitat in pristine condition.

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 on project sites safety. Every effort shall be made by the Contractor to avoid damage to native vegetation and wildlife, which includes non-target damage or 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 and size of plants killed, and type of treatment used. This data will be recorded on the "Daily Progress Report";
7. The Contractor will strictly adhere to all herbicide label application, precautionary, and safety statements, and shall be liable for damage due to a herbicide spill or contamination;
8. The Contractor shall submit an original invoice and fully completed and signed Daily Progress Reports 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.

<i>ISSUE</i>	<i>PENALTY</i>
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	1 ½
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."
4. The Site Manager shall review and approve all Daily Progress Reports (DPR's) submitted by the Contractor for work conducted on the site. The Site Manager should 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 Daily Progress Reports to the DEP.



J.N “Ding” Darling National Wildlife Refuge Exotic Plant Control

Application for State Funding

Southwest Florida BIPM Working Group

March 20, 2008

City of Sanibel

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Method of control - In-house with sub-contractor: Ferrier Enterprises, Inc.

Project Goals – Species to be controlled are:

Brazilian pepper (*Schinus terebinthifolius*)

Australian Pine (*Casuarina* spp.)

Melaleuca (*Melaleuca quinquenervia*)

Lead tree (*Luecaena Leucocephala*)

Java plum (*Syzygium cumini*)

Air potato (*Dioscorea bulbifera*)

Rosary pea (*Abrus precatorius*)

SCOPE OF WORK:

Project Location

This work will be conducted at the J.N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Florida

The project will be conducted by the City of Sanibel in partnership with the U.S. Fish and Wildlife Service refuge staff that have management authority.

Project Description

The City of Sanibel, in partnership with the US Fish and Wildlife Service, seeks funding to remove all seedlings and re-sprouts of Brazilian pepper and other FLEPPC listed exotic plants from the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island. \$110,000 is needed for continued maintenance of approximately 920 acres of upland and transitional wetlands generally located along the southern border of the 5400 acre Refuge. A four person field crew will treat exotics in this trail-less area of the Refuge for an estimated 24 week period using basal bark treatment with an as per label percent of Garlon 4 or equivalent mixed with the vegetable oil based JLB oil plus improved. This is an essential maintenance project that follows up on over 8 years of previous initial and maintenance exotic control. Rare West Indian tropical hardwood hammock barrier island freshwater wetlands and mangrove forest are among the wildlife habitat types to be improved with this project. No federal funds are available but the project is matched by the City of Sanibel's Island-wide Brazilian Pepper Eradication Program covering exotic control on adjacent conservation lands and residential areas including over \$110k in annual local funding.

Habitat Descriptions

West Indian tropical hardwood hammock is a sub-tropical forest type found at its northernmost range extension on Florida's west coast in Charlotte Harbor. It is dominated by a good diversity of mostly medium sized trees (probably due to hurricane influence) reaching generally no more that 50-60' in height. Common species include gumbo limbo, mastic, Jamaican dogwood, strangler fig, seagrape, white stopper, white indigo berry, buckthorn, wild lime, wild olive, cats claw, live oak, cabbage palm and Jamaican caper. It is particularly susceptible to invasion by Brazilian pepper and Australian pine. A portion of the project area is comprised of rare barrier island freshwater wetland savannah dominated by smooth cordgrass,

Exhibit 1

sawgrass, and leatherfern. Brazilian pepper and Melaleuca are the major exotic plant threat in this seasonal wetland. This portion of the project can only be completed during the dry season. In addition, the edges of the hammock and savannah that are adjacent to mangrove forest are a major location for Brazilian pepper establishment. These peppers gradually replace buttonwood and mangrove forest along these transitional areas without treatment.

Site History

The J.N. "Ding" Darling National Wildlife Refuge on Sanibel Island is approximately 5,400 acres with about 920 acres infested with exotic plants. (see attached map for project site).

The site can be reached by following these directions: From either north or southbound on I-75 in Fort Myers, take exit 131, Daniels Parkway, west to Summerlin Road. Make left (southwest) on to Summerlin and head west over the Sanibel Causeway to Sanibel Island. Make a right at first stop sign, and follow Periwinkle Way west to its end at Tarpon Bay Road. Take right and follow to first stop sign at Sanibel-Captiva Road. Make left and proceed to Refuge entrance on right.

Work Specifications

A four person field crew will treat exotics in this trail-less area of the Refuge for an estimated 24 week period using basal bark treatment with per label rates of Garlon 4 or equivalent mixed with the vegetable oil based JLB oil plus improved for all target plants. Crew members will line up about 15' apart and move on foot through the generally dense vegetation in a manner that allows the crew leader to efficiently cover the entire acreage. Crews will each carry an approximately 3 gallon sprayer with pre-mixed herbicide. Only the minimum necessary coverage on each stem will be used to reduce costs and avoid waste and unnecessary environmental impacts. All treated vegetation will be left in place to decay naturally.

Other Requirements and Provisions

The contractor will maintain records of all areas treated and the amount of herbicide used for reporting to the U.S. Fish and Wildlife Service. No

treatment of plants shall be conducted when the stem or trunk is inundated with standing water or during rainfall events.

Project Time Frame

The timeframe for the project is anticipated to be 24 weeks, depending upon weather conditions. The freshwater wetland savannah habitat should only be done during the dry season or during dry conditions.

Funding Information

See attached budget document.

Proposal Information

See attached Southwest Florida Invasive Species Working Group Member and Site Information Survey.

Conservation Land Qualification

The J.N. "Ding" Darling National Wildlife Refuge is a world class national preserve designated by presidential decree and included in FNAI.

Ability to Maintain Site After Initial Treatment

Although the USFWS does not have a budget in place for long term maintenance, the City of Sanibel does and will help secure funding into the future for long-term maintenance as an essential part of its Island-wide Brazilian Pepper Eradication Program. The City will utilize its own contractors as necessary to perform maintenance. The City is currently under contract with Ferrier Enterprises, Inc. to perform exotic plant control on City managed properties.

Restoration Plan for Native Plants

Land managers have found on Sanibel that a diverse seed source exists for over 200 species of native plants and that once aggressive exotic plants are removed, natural recruitment of natives to the resulting light gaps is very rapid. No supplemental plantings are planned for this project.

Threatened or Endangered Species or Habitats

Rare plant communities and wildlife habitats that will benefit from the project include West Indian tropical hardwood hammock, barrier island freshwater wetland savannah and mangrove forest. Listed wildlife species include wood stork, roseate spoonbill, white ibis and gopher tortoise.

Public Education Program

The City of Sanibel regulates 8 species of exotic plant and has a brochure titled "Alien Invasion" that is distributed extensively (copy attached). The City's Brazilian Pepper Eradication Program and our building codes involves educating literally thousands of residents, businesses and other property owners on the need (and mandatory requirement) of removing exotic vegetation.

Regional Criteria Issues

The J.N. "Ding" Darling National Wildlife Refuge is toured by over 600,000 visitors annually. It is the #2 tourist attraction in Lee County according to the local Tourist Development Council. Enabling visitors to view wildlife in its native habitat free of exotics is of regional significance.

