

## **Wetland/Upland Preserve Areas (Why is this swamp in my back yard?)**





## **What are Preserve Areas?**

- A. Preserve Areas may consist of a combination of wetlands and uplands.**
- B. Preserve Areas may be set aside for preservation only or may be set aside as wetland mitigation.**
- C. Preserve areas are protected through:**
  - 1. Plat dedication**
  - 2. Dedication of a Conservation Easement**
  - 3. Dedication in the Association Documents**
- D. For discussion purposes, this presentation on Preserve Areas will include all forms of preserve areas.**

## Why are Wetlands Important?



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## **Why Are Wetlands Important?**

- **Wetlands provide storage of floodwaters.**
- **Wetlands provide water quality treatment by absorbing nutrients from urban runoff.**
- **Wetlands provide habitat for threatened and endangered wildlife.**



## What Do Wetlands Look Like?

- Wetlands are typically wet for **part** of the year.
- Types of wetlands include forested swamps, marshes, river floodplains and wet prairies.
- Typical wetland plants include pickerelweed, water lilies, grasses, sedges and rushes.
- Typical wetland trees include cypress, maple, willow, bay, elm, laurel and water oak.
- An abundant variety of birds, amphibians, reptiles and mammals can be found in wetlands.



# BUFFERS



## **Buffers**

**Wetland Preserve Areas typically have a dedicated upland buffer between the development and the wetland.**

- 1. District criteria requires average 25' (minimum 15') wide upland buffers.**
- 2. Buffers may consist of existing or planted native vegetation.**
- 3. Structural buffers may be substituted when no other option exists:**
  - a. Structural buffers may consist of a fence, guardrail, wall or densely planted hedge of native vegetation.**
  - b. Like the preserve areas, the structural buffer requires perpetual maintenance.**



## Wetland and Buffer = Preserve Area

### Wetland and Buffer Design

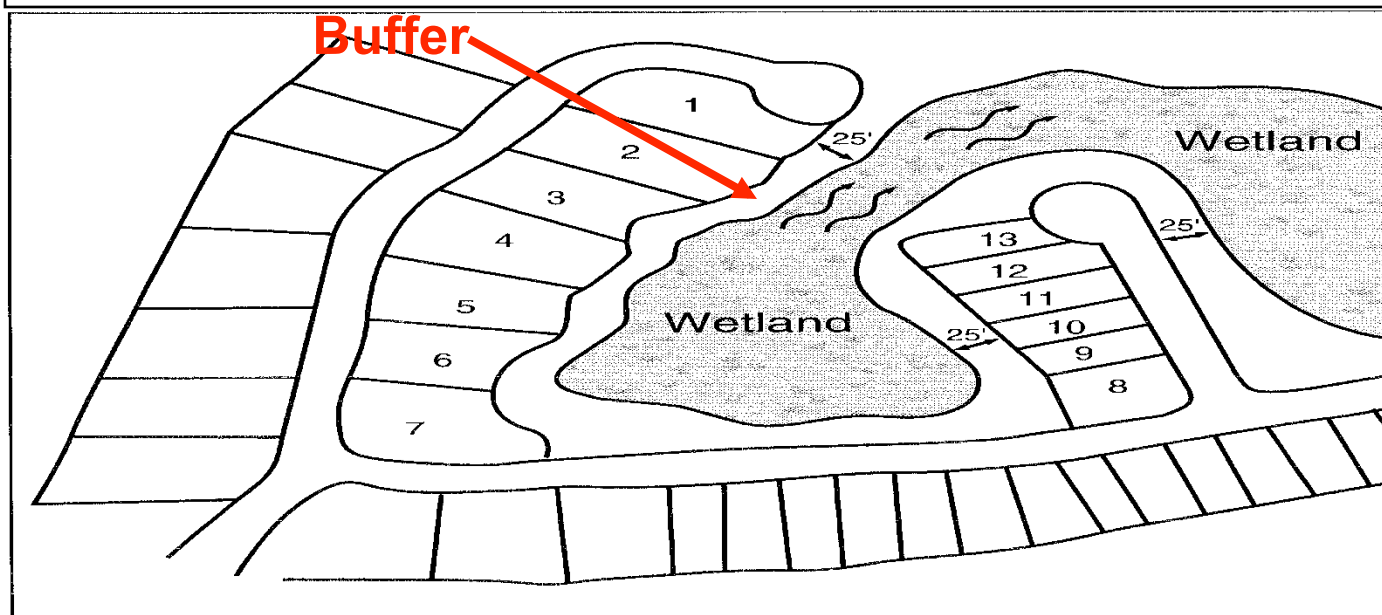


Figure L-2

#### Project Redesigned to Avoid All Wetland Impacts.

1. Cul-de-sacs used to avoid road crossing.
2. Lot 14 and associated fill in wetland eliminated.
3. Buffer provided on lot 6.
4. Surficial hydrology maintained in wetland.
5. Wetland habitat remains intact/contiguous.

L-3



## Structural Buffers

Fences around the perimeter of preserve areas are required to be maintained.



# MONITORING



## Monitoring of Preserve Areas

- A. Permits for most projects with preserve areas require that annual monitoring reports be submitted to the District.

Typical monitoring period is about 6 years and consists of a Baseline/Time Zero Report, followed by 5 Annual Reports.

- B. Annual reports provide the District with a seasonal snapshot of the condition of the project's preserve areas.

## Monitoring Reports (Continued)

- B. Monitoring requirements can be passed on to the **Association** when the permit is converted.

However, prior to conversion, District staff will inspect the preserve areas for compliance. If the preserve areas are in compliance, the permit is converted.

- D. Prior to terminating the monitoring requirements, District staff will conduct an inspection of the preserve areas for compliance with the permit.

If the preserve areas are not in compliance, additional monitoring or other remediation will be required.

or

If the preserve areas are in compliance, the monitoring will be terminated. Should subsequent inspections indicate that the preserve areas are not being maintained, monitoring may be reinstated.



# MAINTENANCE

## Preserve Area Maintenance

- A. Failure to maintain the preserve areas is the most frequently encountered non-compliance problem.
- B. Failure to maintain may include:
  - 1. sustaining the coverage of desirable vegetation
  - 2. failure to maintain the preserve areas free of exotic and nuisance vegetation
  - 3. failure to maintain preserve area signage.
- C. Maintenance is required in perpetuity!!!!



## Maintenance (Continued)

- D. Maintenance of preserve areas should be conducted by a licensed, insured and experienced company.

It is highly recommended that prior to hiring a maintenance company:

- a. References be requested and verified.
- b. Licenses and insurance be requested and verified.
- c. The company has a herbicide applicators license
- d. The company has a mangrove trimming license (if applicable)

It is recommended that a registered or certified environmental professional be present whenever environmental maintenance work is being done within your project.

## Maintenance (Continued)

- E. individual company property      Maintenance should not be performed by property owners, but should be done by a hired by the operation entity. Individual owners are typically not covered or do not have:
- a.      Appropriate insurance
  - b.      Licensing for herbicide application
  - c.      Licensing for mangrove trimming
  - d.      Knowledge of native and exotic vegetation
  - e.      Protective clothing
  - f.      Knowledge of the use of chippers, chain saws or other dangerous equipment.



## Reason Qualified Professionals are Needed





## Preserve Maintenance



Preserve area  
w/some exotics



Preserve invaded by  
Brazilian pepper seedlings and  
Dog Fennel



## Know Your Responsibilities

A Preserve area overgrown with exotic Brazilian pepper and melaleuca



- ◆ Preserve areas are required to be maintained in perpetuity
- ◆ Failure to continue routine annual treatment can greatly increase maintenance costs which are passed on to the homeowners





## Healthy Preserves



Regular exotic maintenance  
helps to keep the preserves  
healthy.



This helps provide a  
place for native species  
to thrive.



# Encroachments

## Encroachments into Preserve Areas

- The most commonly encountered encroachment is back yard extensions.

Clearing of native vegetation to create areas for BBQ's, swing sets, benches and entertainment areas.

- Another common encroachment is the dumping of trash and debris into the preserve areas. Yard waste is commonly found in the preserve areas.
- The encroachment of nuisance and exotic vegetation growing from yards into preserve areas is also a problem. Typically species such as St. Augustine grass, wedelia, exotic ferns and other creeping vegetation is found encroaching into preserve areas.



## Encroachments (Continued)

- It is the responsibility of the operation entity to regularly inspect the perimeter of the preserve areas for encroachments.
  1. The maintenance company is a good source for reporting encroachments into preserve areas.
  2. Letters can be sent to the property owners that are adjacent to the preserve areas informing them that the preserve areas can only be maintained by the operation entity and trespass or dumping of trash and debris in these areas is prohibited.

## Protect your Preserve!



Successfully planted preserve area

Off-road recreational vehicles, including bicycles, are not permitted in preserves.

Planted preserve torn up by ATV use



Think outside the box:  
Permittee's are not required to put up property fences, but the District will require restoration each time this situation occurs.



## Encroachments into Preserve Areas – Man-made activities



Mexican Petunia –  
Invasive Exotic

- Tiki torches

- Hammock and exotic landscape plantings in the preserve
- Recreational artifacts and landscaping are not permitted in preserves.





Encroachment of the preserve for playgrounds; enlarging or “beautifying” your yards into preserves is not allowed; preserve areas should be clearly marked.

Check out your homeowner documents and permit; these activities may subject the HOA/POA to possible fines and penalties.







Routinely check your preserve, the only approved inhabitants are native plants and animals







Preserves are not for dumping or storage





## Encroachment – Exotic/ Nuisance plants



Bad...non-native grasses and sod  
are encroaching into preserve  
areas

Good...dense native vegetation hedge



Suggestions for your HOA  
maintenance contractor:  
Use of a 1' to 2' wide  
separation zone by:

- Herbicide treatment
- Hand clearing

## **Encroachments (Continued)**

- The District should be notified upon finding any encroachments involving:
  1. Unauthorized removal or trimming within preserve areas.
  2. Unauthorized planting of nuisance or exotic vegetation in preserve areas.
  3. The extension of yards into preserve areas.
  4. The construction of structures in preserve areas.
- The operation entity will be responsible for removal of the encroachment and the restoration of the areas involved.



## **Enforcement**

**The District will work with operation entities to resolve non-compliance issues found in a project's preserve areas.**

**However, the District may, as a last resort, enforce on the operation entity if encroachments are not resolved or if the preserve areas are not being maintained in accordance with Permit conditions.**

## Preserve Area Signage

- Visible and Permanent Signage for Preserve Areas is required to notify residents of the conservation status of the preserved wetlands and uplands.







Preserves don't just protect plants they protect animals as well, and you can help.

