

MINUTES

Eagle Sanctuary Steering Committee
July 20, 2009, 4:00 – 5:30 p.m.
City of Pembroke Pines City Hall, 3rd Floor Conference Room
10100 Pines Boulevard
Pembroke Pines, FL 33026

Attendees: Doug Young, Chair, Diane Guidry, Grant Alexander, Victor Suarez, Brian Mealey, Kelly Smith, Barry Heimlich, Ken Schneider, Al Griffin, Trisha Norton (new member). City of Pembroke Pines Representatives: Sharon Williams, Elaine Kugelman.

1. Welcome: Doug Young introduced Trisha Norton, new member
2. Roll Call: School Board District 2 Representative: Beverly Gallagher (absent, excused).
3. Minutes of June 1, 2009 Meeting were **approved**
4. Presentations: No formal presentations
5. Old Business
 - a. **Statement of Mission/Goals and Objectives of Steering Committee** was **approved** (appended)
 - b. **Eagle Protection Ordinance Progress Report:** Sharon Williams provided copy of existing City Ordinance #852, enacted in 1987, which declares the entire City of Pembroke Pines to be a Bird Sanctuary, and prohibits hunting, wounding, molesting, injuring or killing, and capturing (“except for the preservation of the health and welfare of the public”)... “any birds or related wildlife” This ordinance authorizes a \$100 fine for any violation. Sharon Williams has plans to revise and update the Conservation Element of the City’s Comprehensive Plan. Policies would be consistent with the goals of the Steering Committee in specifically addressing protection of the Bald Eagle. She is seeking input from other entities in revising the list of representative species of flora and fauna that should also be referenced in the Comprehensive Plan. The Comprehensive Plan revision, targeted for completion in early January, 2010, provides a platform for the designation of the Bald Eagle Sanctuary after the eagles’ expected return and just after their eggs should hatch, in mid-January. **Sharon will inquire as to the status of development of the Eagle Protection Ordinance and report back to the Committee.** Ken provided her with a copy of a draft ordinance based upon a draft developed for consideration by the City of Tarpon Springs.
 - c. **Report of meeting at nest site with Florida Power & Light representative** by Trisha Norton. Trisha provided a detailed and illustrated briefing paper about her June 11 meeting with Doug Macke, Broward Area Coordinator, FPL Power Systems Environmental. She and Barry Heimlich of the Steering Committee were satisfied that FPL has been proactive in retrofitting the transmission lines in front of the nest with protective insulation and bright yellow “curly-cues” to deter collisions. Additional work is being planned for two poles that require special measures to insulate them. Habitual roost trees were identified, but they are presently not a problem. Maintenance trimming, on a 3-year cycle, is next planned for May, 2011. Members suggested this may be a few weeks too early, as the eaglets may still be feeding at the nest. While transmission lines are being protected, the distribution lines along US 27 are under a separate division within FPL. This issue may need to be addressed in the future. **Ken offered to place a copy of the report on the rosyfinch.com Web site.**
 - d. **Follow-up – FDOT – Placement of Observation Area** – Beverly Gallagher (deferred). Committee members expressed concern about the urgency of the need to bring to FDOT’s attention the need for a safe viewing area in front of the nest. Several ideas were mentioned, but one possibility would be for FDOT to place a series of concrete “Jersey Barriers” or plastic water-filled barriers in a row along Pines Boulevard, about 10 feet south of the edge of the pavement, to provide a safe viewing area and separate the group of viewers from the shoulder of the highway. Eagle watchers Trisha, Kelly, Al, and Ken related anecdotes about viewers standing too close to the roadway, and small children actually walking into the traffic lanes while adults were distracted. The Committee members believe that this danger cannot be understated and believe this issue must be raised “front and center” with appropriate FDOT officials who may be able to recommend corrective measures before crowds begin gathering by December or early January. “No Parking” signs are also inadequate, as they do not face oncoming traffic. **Doug Young will follow up directly with Beverly and FDOT as necessary, as soon as possible.**

- e. **Follow-up – School Board security camera bandwidth for eagle cam** – Beverly Gallagher (deferred) **Doug will personally follow up with Beverly.**
 - f. **Follow-up – Use of High School students as community service volunteers** – Beverly Gallagher (deferred) **Doug will personally follow up with Beverly.**
 - g. **Follow-up – SFWMD – Contact Carole Morris - Doug Young made contact and will keep SFWMD informed of sanctuary plans)**
 - h. **Follow-up – Detailed map of the property and associated easements** was provided in an e-mail by Dean Piper; Sharon also distributed copies at the meeting
 - i. **Grant Application – When to proceed / funding sources – Doug Young deferred** until more specific plans are formulated
6. Other Business:
- a. Al Griffin obtained advice from Brian Mealey and others, and decided not to conduct any clearing under the nest as originally planned.

Next Scheduled Eagle Sanctuary Committee Meeting:

Date and Time: Monday, August 31 at 4:00 PM

Location: City of Pembroke Pines City Hall, Third Floor Conference Room

Submitted by Ken Schneider

Attachments:

1. Pembroke Pines Bald Eagle Sanctuary Steering Committee Goals, Objectives and Planning Horizon.

GOALS (Adopted July 20, 2009)

The City of Pembroke Pines Bald Eagle Sanctuary Steering Committee will recommend measures to:

- Protect and preserve Bald Eagle nesting sites in the City of Pembroke Pines.
- Promote public knowledge and appreciation of local Bald Eagles
- Provide opportunities for the public to safely observe the Bald Eagle nest

OBJECTIVES

The Bald Eagle Steering Committee will:

- Work with City administration to develop appropriate legal instruments establishing a Pembroke Pines Bald Eagle Sanctuary
- Assist City of Pembroke Pines in enacting an ordinance to protect Bald Eagle nesting sites within the City
- Identify, prioritize and recommend actions to control public access and provide safe parking for observers
- Explore alternatives and develop specifications for a viewing area during nesting season
- Develop plans and seek funding from other governmental and private sources for sanctuary-related construction, public education and research

PLANNING HORIZON

Short-term:

- Evaluate adequacy of present fencing and complete improvements before eagles return and begin nesting activities in late October/early November
- Improve visibility of “No Parking” signs along the shoulder of Pines Boulevard
- Designate safe parking areas, and, if possible, acquire a parking area near the sanctuary
- Enlist volunteer interpreters, determine sponsorship and provide orientation
- Specify location for safe viewing area(s) and provide durable educational/interpretive signage
- Hold formal dedication of the Sanctuary after eggs hatch, in mid-January

Longer term:

- Consider alternatives for shaded viewing platform or other temporary enclosure
- Obtain funding for improvements and public education
- As appropriate, maintain and improve the natural habitat within the sanctuary

URGENT NEED FOR FLORIDA DEPARTMENT OF TRANSPORTATION ACTION

Pembroke Pines Mayor Frank Ortis has appointed a Bald Eagle Sanctuary Steering Committee to assist the City in developing a sanctuary on City land that surrounds a recently-discovered Bald Eagle nest. This nest is the first active eagle nest known to have been established in Broward County since DDT was abolished in the 1970s. The existence of this nest was publicized by local media, and has attracted much attention from the general public. Since the nest is located only about 150 feet from the edge of Pines Boulevard (State Highway 820), it may be readily viewed from the grassy swale that borders the south shoulder of the 20800 block of the highway.

Earlier this year, local officials as well as FDOT became aware of certain hazards posed by the large number of observers who congregated along the side of the roadway, especially during the months of January through May, when young eagles were present in the nest. At various times, especially on weekends, over 50 vehicles and more than 100 spectators gathered there at one time. Since most observers spent only a limited time at the site, there was much turnover. Traffic and crowd control measures were implemented. FDOT placed "No Parking" signs along that stretch of roadway, in an attempt to eliminate the collision hazard posed by vehicles stopping to park and re-enter the highway. The City erected a fence around the property with "No Trespassing" signs, and placed pylons along the entire block about 30 feet from the roadway, to further discourage vehicular traffic and keep pedestrians from approaching too close to the nest.

In an effort to educate the public and also to help maintain order during times of peak visitor traffic, a cadre of local citizens assembled as an ad hoc eagle watching group. Several of these lay citizens now serve on the Mayor's Steering Committee. At the July 20 meeting, they related some experiences that raise very serious public safety and liability concerns.

Unauthorized parking continued even after the FDOT erected signs. This was frequently innocent, as the signs faced the roadway rather than oncoming traffic. Drivers often failed to see the signs until they were pointed out by the volunteers or other observers. Several "near misses" due to vehicles slowing down (whether to park or inquire about the reason for the crowds), but no collisions were observed. Speeders and other drivers distracted by the presence of the observers, or possibly cell phones, sometimes veered out of lanes and caused near-collisions. The lack of parking spaces near the nest caused some motorists to park in traffic lanes, such as the westbound right and left turn lanes at 209th Avenue.

Most seriously, pedestrians stood too close to the paved roadway. Looking at the nest through binoculars and cameras, they sometimes backed up onto the pavement. Small children were seen to actually venture into the traffic lane while their parents were inattentive or distracted. Thankfully, there have been no reports of pedestrian accidents, but this situation creates an urgent and abiding concern to the Steering Committee. **We believe that the modest cost of providing safety measures pales in comparison to the liability that may be associated with a single serious injury or fatality.**

Since the eagles instinctively return to the same territory each winter to begin the breeding cycle, and normally re-use the same nest, this scenario, with its associated hazards, is expected to be repeated in future years. We believe that Florida Department of Transportation has an interest in, and responsibility to assure the safety of, pedestrians who view the eagle nest from DOT property along the south side of the 20800 block of Pines Boulevard. We request that FDOT implement additional measures to reduce public liability for any injuries or deaths that may result from failure to act before the return of crowds of eagle observers in January, 2010.

We therefore recommend, in priority order:

1. Placement of a temporary hard barrier along the south (eastbound) side of the highway, far enough from the pavement to create a soft breakdown lane on the right shoulder, and also to separate pedestrians from vehicular traffic. Since there are several nest vantage points along the roadway, the barrier should be at least 100 feet long. FDOT engineers could determine construction, whether plastic water-filled, or concrete "Jersey Barriers."
2. Improve "No Parking" signage so that signs face oncoming traffic.
3. Add temporary warning signs recommending motorists to exercise caution and reduce speed along that stretch of roadway during the months of January through May.

4. Develop, in cooperation with the City of Pembroke Pines, durable temporary signs that instruct pedestrian observers to utilize crosswalks at signal lights (at corners of 209th and 208th Avenues) and provide additional information to increase observer safety, such as not entering the shoulder or roadway, controlling children and pets, not littering, (etc).
5. Consider construction of a pedestrian sidewalk on the south side of the block, in view of the increased pedestrian traffic at all times of the year (due not only to the eagle nest, but also the new High School and the recently-installed traffic signals at 209th Avenue that provide additional protected access to the bus stop at the SE corner of 208th Avenue).
6. While parking concerns are mainly within the purview of local authorities, FDOT may be offer some advice and assistance to the City.