

Pembroke Pines Bald Eagle Sanctuary Steering Committee Position Paper
(ADOPTED August 31, 2009)

Resolved: "Florida Department of Transportation (FDOT) should consider measures to improve safety of observers at Pines Boulevard Bald Eagle nest site."

BACKGROUND INFORMATION

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 has historical significance, as the first active eagle nest known to have been established in urban 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, where the speed limit is 45 MPH.

Earlier in 2009, 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 once. 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 Committee's July 20, 2009 meeting, they related some experiences that raise very serious public safety and liability concerns.

PROBLEMS

Unauthorized parking continued even after the FDOT erected signs. This was often innocent, as the signs faced the roadway rather than oncoming traffic. Many motorists failed to see the signs until they were pointed out by the volunteers or other observers. There were several "near misses" due to vehicles slowing down (whether to park or inquire about the reason for the presence of the crowds), but no collisions were observed. Speeders and other drivers distracted by the presence of the observers, or possibly not anticipating slower traffic, sometimes veered out of lanes and caused near-collisions. The lack of parking spaces near the nest led 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 members of 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.

RECOMMENDATIONS

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 FDOT property along the south side of the 20800 block of Pines Boulevard. We request that FDOT consider implementing additional measures to reduce public liability for any injuries or deaths that may result from any failure to take appropriate corrective action before the return of crowds of eagle observers in January, 2010.

We therefore urge FDOT traffic engineers and risk managers to evaluate and consider the following actions, in priority order, and any other such measures that would promote public safety while allowing citizens to more safely access viewing areas near the Pembroke Pines Bald Eagle nest:

1. Place a temporary hard barrier along the south (eastbound) side of the highway, to allow space for 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 to 150 feet long. FDOT engineers could determine construction, whether plastic water-filled, or concrete "Jersey Barriers." Observers would be limited to the south side of the barrier, away from vehicular traffic.
2. Improve "No Parking" signage so that the signs on the south side of the 20800 block of Pines Boulevard face oncoming traffic.
3. Add temporary warning traffic signs recommending that motorists 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 advising pedestrians to stay off the shoulder or roadway, control children and pets, avoid 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 should consider offering advice and assistance to the City as to alternative parking areas other than the south side of the 20800 block of Pines Boulevard, such as use of side streets and soft road shoulders located on the FDOT right-of-way.