

MAINTENANCE AND MONITORING LANGUAGE

Maintenance and monitoring. The following maintenance and monitoring program is required for all planted littoral zones and reclaimed planted upland areas.

1. **Excavation activity.** The applicant shall submit an annual report to DRO indicating the status of the excavation activity. The report shall include, but not be limited to, the status of:
 - a. the current phase(s) of excavation;
 - b. all phases of excavation and reclamation activities (including date(s) of completion and anticipated dates of completion);
 - c. amount of material extracted and amount of material removed from the site;
 - d. Condition of perimeter buffers and landscaping, and
 - e. Status of compliance with conditions of approval and applicable requirements in this Section.

2. **Initial maintenance and monitoring of reclaimed upland areas and littoral and upland planting areas.** The planted littoral zones and planted upland areas shall be inspected and monitored for at least one year after planting. Equipment storage, maintenance and service areas shall be monitored until completion of the excavation activity for contamination by regulated substances. The maintenance and monitoring program shall comply with the following requirements:
 - a. **Maintenance.** Inspections, monitoring, exotic plant species removal and replanting during each monitoring period shall be required to maintain the minimum:
 - 1) 80% coverage criterion for the planted littoral zone from the 180 day monitoring period; and,
 - 2) 80% survivorship for the planted upland area from the 180 day monitoring period;
 - b. **Exotic plant species.** Complete removal of the following plant species from the planted littoral zone and upland areas, as applicable:
 - 1) prohibited and invasive non-native plant species as defined by Art 14.C.; and
 - 2) invasive species, such as cattails, primrose willows and water hyacinth.
 - c. **Regulated substances.** Inspections and monitoring of all equipment storage, maintenance and service areas shall be required to ensure the site has not been contaminated by regulated substances. Construction areas shall be maintained in accordance with the "Regulated Substance Best Management Practices for the Construction Industry."
 - d. **Submittals for monitoring programs.** Submittal of monitoring reports for each monitoring period shall be required. The planted littoral zone reports shall be submitted to ERM and the reclaimed upland planting reports shall be submitted to the Zoning Division. These monitoring reports shall represent the monitoring periods commencing with a time zero report, 90 day, 180 day and 360 day reports.

The time zero monitoring report shall include an as-built drawing signed and sealed by a professional recognized and approved by the Florida Department of Professional Regulation for this type of project and shall be submitted within 30 days of the initial planting. Each subsequent report shall be submitted within 30 days of the completion of the monitoring period. If following the first year of the maintenance and monitoring period, the County finds the planted littoral or reclaimed planted upland areas to be in non-compliance with the provisions herein, the land owner or entity having maintenance responsibility may be required by the County to extend their maintenance and monitoring period, until compliance with the maintenance and monitoring requirements is met.

- e. **Content of monitoring reports.** Each monitoring report, including the time zero report, shall assess the species, numbers, and locations of planted littoral zones and reclaimed upland planting areas. The report shall also depict the equipment maintenance, storage and service areas and assess the condition of the ground as a result of possible leakage or spillage of regulated substances. The report shall include multiple photographs (panoramas are preferred) of the site clearly showing these areas. Photographs must be taken at approximately the same location(s) each time.
In addition, the report shall detail the species, numbers and locations of additional plantings that were made to attain the eight percent (80%) survivorship/coverage criteria, if such plantings were necessary.

3. **Long-Term Maintenance and Monitoring of reclaimed upland areas and littoral and upland planting areas.** After the first year, the land owner or entity having maintenance responsibility for the planted littoral zone and planted upland reclamation area, shall maintain these areas in the following manner:
 - a. The reclaimed upland areas shall maintain a minimum survivorship of 80 percent, and the planted littoral zone shall maintain a minimum coverage of 80 percent.
 - b. Exotic and invasive non-native plant species as defined by Art. 14.C. and invasive species, such as cattails, primrose willows and water hyacinth, shall be restricted to a coverage of less than ten percent of the required planted littoral zone. No exotic or invasive non-native plant species shall be permitted in the upland areas.
4. **Repair, reconstruction modification.** DRO approval shall be obtained prior to any reconfiguration of the approved lake or reclaimed upland area. Written approval from the Director of the Palm Beach County Department of Environmental Resources Management shall be obtained prior to modification of the planted littoral zones.