

APPENDIX 16

Site Use Agreement Documents

Information and Guidelines
for
Research
on
Pinellas County
Environmental Lands



Introduction

The Pinellas County Department of Parks and Conservation Resources (PCR) is responsible for land management, ecological research, and environmental education on county parks, preserves, and management areas. Visiting researchers are subject to all rules and regulations of Pinellas County as well as all federal and state laws. The purpose of this document is to supplement these rules and regulations by describing policies that pertain to research conducted on Pinellas County's environmental lands

Site Use Applications and Agreements

Pinellas County's environmental lands offer a rich variety of research opportunities. Research scientists and students interested in conducting projects that utilize Pinellas County's environmental lands are required to obtain a Site Use Permit. Site Use Permits are required for all scientific research (biological surveys, species collection or trapping, use of restricted-trails for observations, and all ecological, hydrological, anthropological, geological, or chemical studies), access to restricted-trails, commercial photography and television broadcasting, group activities involving 50 or more persons, and exhibits, displays, signs, and/or distribution of printed materials.

The first step towards obtaining the required Site Use Permit is to submit a Site Use Application. The application describes the proposed research, budget, materials and methods, and schedule of activities. The application also outlines any assistance or support requested of the County. Applications are reviewed by the Site Use Committee, which meets as needed, and the decision to approve, reject, or request additional information for each proposed project rests solely with this committee. Factors considered by the committee include, but are not limited to; the length and scope of the project, potential effects on cultural and natural resources, and alignment of the proposed research with the mission of PCR. Researchers will be contacted concerning the committee's decision, typically within two weeks.

If the project is approved, a signed Release and Indemnification Agreement for each research participant must be on file with PCR prior to initiation of the project. All required federal and/or state permits must also be on file with PCR. A letter granting permission to access the relevant properties will be issued by Pinellas County and must be in possession of researchers while working on environmental lands. This permission letter serves as the Site Use Permit to conduct authorized research.

Forms:

Site Use Application: This document is completed by the applicant and describes the proposed research to be conducted on any of Pinellas County's environmental lands. It should be submitted well in advance of the desired project initiation date for review by the Site Use Committee.

Release and Indemnification Agreement: This form must be signed by each member of the research team and on file with PCR prior to initiating authorized research.

Site Use Permit: This permission letter from Pinellas County grants access to designated environmental lands to conduct authorized research. It should be carried by researchers at all times while on Pinellas County environmental lands.

Pinellas County Biological Field Station (PCBFS) Reservation Request: This form should be completed by visiting researchers requesting on-site lodging at the Brooker Creek Preserve, and should be submitted well in advance of the desired project initiation date.

General Rules for Visiting Researchers

Pinellas County's environmental lands include Brooker Creek Preserve, Weedon Island Preserve, Shell Key Preserve, and Mobbly Bayou Wilderness Preserve, as well as an additional 11 Management Areas. Comprising over 16,000 acres, or approximately 7.5% of Pinellas County, these lands are designated natural areas that are managed for the conservation, protection, and enhancement of natural and cultural resources while allowing for sustainable passive public recreational uses that are compatible with approved management plans and applicable ordinances and laws. The following rules and guidelines are applicable to all visiting researchers utilizing Pinellas County's environmental lands.

Accidents:

Pinellas County is not liable for injuries or losses incurred by visiting researchers on environmental lands. All accidents that occur on environmental lands, regardless of injury or severity, must be reported to PCR immediately so that an Accident Report can be completed. Vehicular accidents must be reported to the police, and then to PCR. When the police choose not to investigate, this will be noted on the Accident Report. At no time shall the driver leave the scene of an accident, regardless of whether the other party has left, until the police have arrived. Leaving the scene of an accident is against the law and can adversely affect claims and privileges. It is the responsibility of visiting researchers to know and understand their home institution's policies and procedures concerning accidents. Pinellas County is not responsible for conducting any investigation required under another agency's accident policy.

Acknowledgement:

Proper credit should be given to the Pinellas County Department of Parks and Conservation Resources in all publications resulting from research completed wholly or in part on environmental lands. The investigator is requested to provide two original reprints of such publications to PCR.

Camping:

Primitive camping is allowed only in designated areas of Shell Key Preserve and by prior approval at Brooker Creek Preserve and Weedon Island Preserve. No camping facilities are available on other environmental lands.

Checklists:

Checklists of plants, birds, mammals, reptiles, and amphibians are available upon request for each preserve.

Chemicals:

No chemicals, including gasoline storage containers, are allowed on any environmental land without prior authorization.

Damage:

Pinellas County assumes no responsibility for any damage, loss, or theft of personal property or equipment brought onto environmental lands. We recommend valuable property be insured.

Equipment:

Deployment of field equipment must be coordinated in advance. Use of county-owned equipment is by permission only. Use of certain instruments may require training and demonstration by county staff. Repair of damage resulting from improper use is the financial responsibility of the investigator.

Field Markers:

Permission must be obtained to deploy flagging and field markers. All non-permanent field markers must be removed once a project is completed. Use of permanent or semi-permanent field markers must be authorized in advance.

Fire:

During wildfires or prescribed burns, no one except fire-trained Pinellas County staff has access to the vicinity of the burn without permission. Wildfires should be reported immediately to the PCR office at (727) 582-2100. If no answer, call the State of Florida Division of Forestry at (863) 648-3163.

Fishing:

Fishing is allowed in designated areas of Shell Key Preserve and Weedon Island Preserve. State and local fishing licensing and laws apply.

Gasoline:

Gasoline, or any other chemical, is not allowed on any environmental land without proper authorization.

Gates:

Gates used to access any environmental land must be left as found, either open or closed. Motor vehicles should be driven only over existing roads and trails, never over fences or off-trail. Locks typically are configured as a "daisy chain" to allow each lock to provide access; when locking a gate, be sure you do not bypass one of the locks.

Habitat Alterations:

Any activity that results in a modification of habitats on environmental lands is not permitted without prior approval. Such activities include clearing vegetation, burning, establishing trails, cutting trees and shrubs, mowing, and planting.

Hazards:

Venomous snakes and arthropods, poisonous plants, biting and stinging insects and other potentially hazardous organisms occur on environmental lands. Visitors are expected to be knowledgeable of such hazards and to take proper precautions.

Historical Artifacts:

Historical artifacts found on any environmental land are protected and must be left alone, unless advance permission has been granted. Use of metal detectors is prohibited on environmental lands except by special permission.

Horses and Riders:

When approaching a horseback rider head-on, pull over your vehicle and stop (or step to the side if on foot) approximately 50 ft before you reach the horse; allow the rider to pass and go at least 25 ft before you resume travel. When approaching a horseback rider from behind, stay back at least 50 ft or pull off to the side and wait until the rider is far enough ahead so you can resume travel. If the rider waves you on, drive slowly and as far as possible over on the opposite side of the trail from the rider. Resume normal speed when you are at least 50 ft past the rider.

Hunting:

Hunting is not allowed on any environmental land in Pinellas County.

Land Ownership:

Researchers working on environmental lands within Pinellas County should be aware of the ownership of adjacent properties. Private landowners are more likely to grant permission for a researcher to access their property if they are approached in advance.

Liability:

Visitors and researchers enter environmental lands at their own risk. Pinellas County is not responsible for any injury or loss incurred by visitors while on a preserve or management area. Hazardous conditions are common in natural areas. Please use caution and carry a mobile phone or other means of communication at all times.

Ordinance:

Under Pinellas County Ordinance 10-44, the following apply to lands managed by PCR.

- No pets are allowed.
- Alcohol is prohibited.
- Fireworks are not allowed.
- All plants and animals are protected.

Permits:

Collecting, banding, or holding live animals requires appropriate permits from state and federal agencies. It is the responsibility of the visiting researcher to obtain these permits and provide a copy to PCR prior to initiating research. Permission by the home institution's Institutional Animal Care and Use Committee (IACUC), where relevant, must be provided to PCR. Any researcher proposing a project that involves cultural resources must obtain required permits from the State of Florida Bureau of Archeological Research, Division of Historical Resources.

Protected Resources:

- All plant, terrestrial, aquatic, and epiphytic life within any environmental land is protected. Any disturbance that would impair the natural condition of any area is not allowed, except by special permit.
- A special permit is required to transplant, possess, or remove any plant or plant part.
- A special permit is required to introduce, possess, or remove any animal from an environmental land. Wildlife cannot be artificially fed or petted.
- All cultural resources are protected on all properties. Any removal of cultural artifacts is not allowed except by special permit

Parking:

Staff, law enforcement officers, and visiting researchers use roads and trails on a regular basis. Please pull vehicles off the road or trail far enough to allow another vehicle to pass.

Research Reports:

A report detailing work conducted on Pinellas County's environmental lands is required of all visiting researchers. Reports should be submitted to PCR in digital or hardcopy format, and must include the title of the project, name of the researcher(s), dates work was performed, and presentation and discussion of major findings.

Safety:

Visiting researchers need to take care to avoid heat stress by drinking plenty of water, wearing protective clothing, and using sunscreen. Drivers should check behind their vehicles for hazards before backing. Further, please abide by safety operational procedures established by Pinellas County including, but not limited to, the use of the following personal protective equipment:

- Head protection for protection from impact or penetrations from falling or flying objects.
- Eye and face protection when there is a probability of injury preventable by protective equipment.
- Hearing protection when sound exceed permissible noise exposure levels outlined in OSHA 1910.95.
- Foot protection to protect feet from dropped articles that might cause injury.
- Life jackets when working near or over water; one life jacket is required for each person on board the vessel.
- Reflective vests when working near traffic.
- Hand and body protection including gloves and leggings (e.g., snake chaps or gaiters) to protect against abrasions.

Security:

While working on environmental lands, visiting researchers are requested to carry a mobile phone and to provide that number to PCR before entering the field. In case of emergency, call 911. The LIMA Unit of the Pinellas County Sheriff's Office regularly

patrols our environmental lands. Researchers should have the Site Use Permit that grants permission to be on the property with them at all times.

Site Use Permit:

For researchers working independently on Pinellas County environmental lands, a letter granting access to specific properties must be obtained. This letter should be carried by researchers at all times while visiting environmental lands.

Snags:

Please be aware of the location of snags (standing dead trees) or recently treated exotic plants while you are working. Strong winds can blow down snags as well as live trees.

Smoking:

Smoking is prohibited while on environmental lands except in designated areas. Smoking poses a fire hazard.

Speed Limits:

The speed limit on all roads within preserves and management areas is 15 MPH. Please observe the posted speed limits on public roads adjacent to environmental lands.

Structures:

Please do not disturb any marker or structure you may encounter on environmental lands. Such structures may be part of long-term monitoring programs.

Swimming:

Swimming is "at your own risk". No safety approved swim areas or lifeguards are available on any environmental land.

Vehicle Use:

Special permission is required to use personal vehicles on staff-only roads and trails. Visiting researchers must drive only on designated roads and trails; any off road activity will result in forfeiture of the Site Use Permit. Most environmental lands are accessible by 4-wheel drive vehicles only. The color, make, model, year and license tag of all non-county vehicles to be used on environmental lands must be on file with PCR. We recommend all vehicles be equipped with an electronic winch system. Pinellas County employees cannot use county equipment to assist when non-county vehicles become stuck unless permission is granted by the PCR Bureau Director and a waiver releasing Pinellas County of responsibility of incurred damage has been signed by the visitor whose vehicle is stuck.

Weather:

Visitors should be aware of dangerous weather and take sensible precautions against threatening conditions such as strong winds, lightning, tornadoes, and hurricanes.



Site Use Application

Please identify the property to which you are requesting access.

park(s): _____

preserve(s): _____

management area(s): _____

1. APPLICANT INFORMATION

APPLICANT: _____

APPLICANT'S TITLE OR ACADEMIC STATUS: _____

INSTITUTION (Do not abbreviate): _____

DEPARTMENT (Do not abbreviate): _____

OFFICE ADDRESS: _____

CITY/STATE/ZIP: _____ OFFICE PHONE: _____

FAX: _____ EMAIL: _____

EMERGENCY CONTACT (Name and Phone): _____

2. PROJECT DURATION DATES (Month/Year to Month/Year): _____

3. PROJECT TITLE (Do not omit):

4. PROPOSED RESEARCH PROJECT DESCRIPTION. This description should include all experimental manipulations and allow a reviewer who is familiar with the general area of research to evaluate the significance of the research. The application will be evaluated based upon *Pinellas County Ordinance 10-44*, including but not limited to: scientific merit, potential environmental impacts, impairment of Environmental Lands for other research activities, and availability of alternative sites. Please type or print clearly. (In many case, detailed proposal abstracts will suffice and can be appended.)

If known, list sampling parameters to be estimated during this project.

5. PROJECT PERSONNEL. Please list the names of project collaborators and personnel who may require access to county property as part of this project:

NAME: _____ POSITION/TITLE: _____ INSTITUTION: _____

NAME: _____ POSITION/TITLE: _____ INSTITUTION: _____

NAME: _____ POSITION/TITLE: _____ INSTITUTION: _____

6. SPECIAL NEEDS. Please describe any special needs not detailed above.

7. ASSOCIATED PERMITS. Please read and answer the following items carefully. Researchers are responsible for obtaining the appropriate permit(s) and must provide copies of all permits for the proposed work with expiration date(s) to PCR before gaining access to any property. PLEASE NOTE THAT STATE AND FEDERAL PERMITS MAY TAKE AT LEAST 30 DAYS TO BE APPROVED.

A) Does your project involve vertebrate animals? Yes No

If "YES," provide the following information from your home institution's **Animal Care Committee** agreement (This is often the same committee that oversees the care of laboratory animals):

Indicate all that apply: Reptile Amphibian Fish Bird Mammal
Protocol (APF)#: _____ Expiration Date: _____

B) Does your project involve collecting (including banding and/or marking) vertebrate wild animals? Yes No

If "YES," provide the following information from your **Florida Fish and Wildlife Conservation Commission** scientific collecting permit:

Permit #: _____ Expiration Date: _____

C) Does your project involve collecting, banding, and/or marking birds? Yes No

If "YES," provide the following information from your **U.S. Fish and Wildlife Service** permit:

Permit #: _____ Expiration Date: _____

D) Does your project involve working with plants or animals that are federally listed as threatened or endangered?

Yes No

If "YES," provide the following information from your **U.S. Fish and Wildlife Service** permit:

Permit #: _____ Expiration Date: _____

E) Does your project involve surveying or collecting for cultural resources?

Yes No

If "YES," provide the following information from your **State of Florida** permit:

Permit #: _____ Expiration Date: _____

8. POTENTIAL EFFECTS ON ENVIRONMENTAL LANDS. Does your project involve:

A) The removal of organisms or objects from environmental lands?

Yes No

B) The transfer of animals, plants, and/or microorganisms from outside the environmental lands to within the environmental lands, or between different parts of the environmental lands?

Yes No

C) The use of radioactive isotopes or chemicals (e.g., pesticides, herbicides, insecticides, fertilizers)?

Yes No

D) Soil or habitat disturbance?

Yes No

E) Prescribed fire or other mechanical treatments?

Yes No

9. REGULATIONS.

All users must sign a Pinellas County PCR RELEASE AND INDEMNIFICATION AGREEMENT before they will be allowed to enter a non-public area of any environmental land. It is the responsibility of the applicant to see that each member of the group has signed this agreement before visiting the environmental land. For visitors under 18 years of age, the minor's parent or legal guardian must sign this agreement. This agreement cannot be altered.

Project applicants are solely responsible for following all rules and regulations applicable to environmental lands, including PCR Site Use policies. Exceptions to rules and regulations require prior written permission from PCR. Please help ensure that environmental lands remain accessible for research by reporting any violations. A complete list of regulations can be found in the *Information and Guidelines for Research on Pinellas County Environmental Lands* and *Pinellas County Ordinance 10-44*.

All publications resulting from the use of environmental lands, facilities, or databases must acknowledge Pinellas County's Department of Parks and Conservation Resources. Please submit photocopies or reprints of all resultant publications to: Parks and Conservation Resources, 12520 Ulmerton Road, Largo, FL 33774.

PCR may request a copy of field data and metadata derived from work on Pinellas County's environmental lands. Minimum required metadata in support of each dataset shall include the title of the project, the investigator's name and contact information, and an abstract describing the results of the study.

I acknowledge that I have read and agree to abide by the regulations in the *Information and Guidelines for Research on Pinellas County Environmental Lands* and *Pinellas County Ordinance 10-44*. I also agree that it is my responsibility to disseminate this information to all members of my party.

Applicant Signature

Date

^a Receipt of application via email is comparable to applicant's signature.



Site Use Release and Indemnification Agreement

Waiver: In consideration of being permitted to visit or participate in any way in any activity at the *following environmental lands* under the management of Pinellas County, Department of Parks & Conservation Resources (list properties): _____

I, for myself, my heirs, personal representatives or assigns, do hereby release, waive, discharge, and covenant not to sue Pinellas County, its officers, employees, and agents from liability from any and all claims including the negligence of Pinellas County, its officers, employees, and agents, resulting in personal injury, accidents or illness (including death), and property loss arising from, but not limited to visitation or participation in any way in any activity at the above location.

Signature of Minor's Parent/Guardian Date Signature of Participant Date

Assumptions of Risks: Visitation or participation carries with it certain inherent risks that cannot be eliminated regardless of the care taken to avoid injuries. The specific risks vary from one activity to another, but the risks range from 1) minor injuries such as scratches, bruises, and sprains to 2) major injuries such as eye injury or loss of sight, joint or back injuries, heart attacks, and concussions 3) catastrophic injuries including paralysis and death 4) injuries from encountering wildlife including poisonous snakes, carnivores, and stinging insects.

I have read the previous paragraph and I know, understand, and appreciate these and other risks that are inherent in visitation or participation. I hereby assert that my visitation or participation is voluntary and I knowingly assume all such risks.

Indemnification and Hold Harmless: I also agree to INDEMNIFY AND HOLD Pinellas County harmless from any and all claims, actions, suits, procedures, costs, expenses, damages, and liabilities, including attorney's fees brought as a result of my involvement in visitation or participation and to reimburse them for any such expenses incurred.

Severability: The undersigned further expressly agrees that the foregoing waiver and assumption of risks agreement is intended to be as broad and inclusive as is permitted by the law of the State of Florida and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

Acknowledgement of Understanding: I have read this waiver of liability, assumption of risk, and indemnity agreement, fully understand its terms, and understand that I am giving up substantial rights, including my right to sue. I acknowledge that I am signing the agreement freely and voluntarily, and intend by my signature to be a complete and unconditional release of all liability to the greatest extent allowed by law. I acknowledge that I have received, read, and agree to abide by all applicable regulations and also agree that it is my responsibility to disseminate this information to all members of my party.

Participant's Name (Print) _____

Signature of Minor's Parent/Guardian Date Signature of Participant Date
Participant's Age (If Minor) _____