

Preserve FAQ

People who live near preserves have a variety of questions and concerns. Here are some of the most common. The answers are based on Sarasota County and water management district (SWFWMD) regulations. If you live elsewhere the rules may be somewhat different. In addition, your community association may impose other rules.

Most of the preserves in southwest Florida are wetlands. Most wetland preserves consist of two parts; the wetland itself and a 20-30 foot upland buffer around the wetland. Both of these areas are protected as preserves and both serve as valuable environmental resources.

The wetland itself functions as a wildlife “island”. It is a sanctuary for thousands of critters large and small. Your home and yard were once the home and food source for local wildlife. Now all that’s left are the wetlands.

Wetland buffers are equally important. The buffer functions as a visual, sound and light barrier for the animals. Most animals are stressed with the can be seen. Movement and noises also stress wildlife. Wetland buffers are also a deterrent to predators. House cats and dogs may not kill birds and all the other animals in the wetland, but their presence is a significant stressor to wildlife.

How do I know if this “wild area” is actually a preserve?

Ask your community manager to check the official plats or construction plans. In Sarasota County you can check this yourself at <http://www.clerk.co.sarasota.fl.us/subcondo/> or the county records department, 1301 Cattlemen Rd. Sarasota (941) 861-6154

Some natural looking areas within your community may be common property that is not a legally protected preserve. Your association would have the rules for that area.

Can I walk in a preserve?

Yes, at your own risk. You cannot remove live or dead vegetation or harass wildlife. You cannot cut trails without written permission from the county.

Can I spray herbicides on my property next to a preserve?

On your own property you may use herbicides. It is best if you use water-soluble herbicides. Many herbicides are oil based. These products easily wash into wetlands and cause damage to the plants and wildlife.

One example of herbicide use is RoundUp®. While this is an excellent herbicide in most locations, it is not approved for use near water. The RoundUp manufacturer, Monsanto also sells a herbicide (Rodeo) with the same active ingredient, but with a slightly different formula for use in and near water. Slight changes in formulation can make a significant difference to the environmental impact.

Can I spray herbicides in the wetland?

No; this is best done by a licensed Natural Areas pesticide applicator. This type of work is usually contracted through the community association.

In some cases, prior written permission is required by one or more government agency.

Can I plant in the preserve?

Not unless you follow the official environmental management plan for that specific preserve. These plans are written by environmental professionals at the time the land was converted to residential use. The plan is usually on file with at least one of the government agencies.

Most counties as well as the water management district (state government) require native plant growth in preserves. Check with your community association or the local government to locate the plan for your preserve

Are there any restrictions concerning the plants in my yard?

No, however some plants available at retail nurseries pose a serious environment threat to natural areas. Some non-native plants out-compete native species. This disrupts the ecosystem and hurts our native plants and animals.

The cost of controlling (killing) exotic or invasive plants in our natural areas cost tax payers and communities millions of dollars each year. The best rule is to keep invasive plants out of your landscape. There are many native and non-native plants that are not invasive. Check the Exotic Pest Plant Council for more information about the “bad” plants.

The edge of the preserve is full of dead plant material. Can we clean these out to reduce fire hazard? Usually no, but you need to consult your official environmental management plan to be sure. Most plants that look like a fire hazard to lay people are not usually a fire hazard to your home (and the government inspectors know this). Many people do “clean up” work in the preserve without permission asserting that the work is necessary for fire control. You are not going to convince the agency inspectors with this line of arguing.

When I moved in the preserve was open and beautiful, now it looks overgrown and ugly. Can we clean out the dead plants, vines and other mess?

Not unless the work is part of your environmental management plan. Here are a few ideas about this topic.

- Some of the messy looking vines and plants are actually native species that grow quickly or bloom at certain times of year. These species often die back without human intervention.
- Sometimes the developer “cleared out” a preserve area with fire during construction. Now that your preserve is surrounded by your community prescribed burns are prohibited.
- “Messy” is usually Mother Nature’s favorite look. All those dead branches and vines area actually homes for millions of tiny creatures that are essential parts to the whole ecosystem.
- Consult your environmental manager for ideas.

Can I cut tree or shrub limbs that hang over my property from plants growing in the preserve?

Yes, but only up to the exact property line. As with all the issues above, the preserve environmental management plan holds the answers.

What are the consequences for cutting or doing other unauthorized work in a preserve?

Regulations and legal consequences vary from county to county. Here is a typical consequence in Sarasota County.

Lets say a homeowner had “cleaned up” an area behind his home by cutting back the messy shrubs about 10 feet back into the preserve. This opens up the area nicely, so he mows the area during regular lawn mowing.

This would be called a preserve intrusion. The county or SWFWMD would deal only with the legal owner of the preserve, usually the community association.

- The county would probably require that the preserve boundary be clearly defined. This may require a survey (~\$300).

- Now the county requires a preserve restoration plan prepared by an environmental professional (~\$300).
- Once this plan is approved it must be implemented. Let's say the plan only requires native grasses and a few shrubs (~\$500). The county will inspect the area following restoration planting.
- Now the county will require that the intrusion area be monitored by a professional twice a year for two years (four reports ~\$1200).

If all of the native plant have survived and the intrusion area planting has reached "success criteria" the case is closed. The county will require further planting and monitoring if the plants are not doing well.

- So a simple case of cutting shrubs and establishing lawn could easily cost \$2,500.

Trees

Now let's say that the homeowner cut a couple crooked, ugly six inch diameter trees. These trees were only 18 feet tall and were crowded together.

These trees need to be replaced at the rate of two for one (of the same size). Included in the cost of the trees will be some form of temporary irrigation.

The government agencies are serious about preserving the preserves. Even the most well intentioned work can result in undesirable consequences.

Where do I find more information about my preserve?

Our office is always interested in helping individuals and community associations develop plans to manage their lakes and preserves in environmentally responsible and aesthetically pleasing ways. (941) 488-1942