

HILLSBOROUGH COUNTY ADOPT-A-POND

APPLICATION/AGREEMENT

*You must complete and return this application/agreement to be considered for the Adopt-A-Pond Program.  
You may call Adopt-A-Pond at 744-5671 to verify receipt of your application/agreement.*

APPLICATION

Pond Representative Name: Last \_\_\_\_\_ First \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_  
Daytime Phone \_\_\_\_\_ Email \_\_\_\_\_  
Pond Group Name \_\_\_\_\_  
Nearest adjacent address to pond (if different from above address) \_\_\_\_\_  
Why does your Pond Group want to adopt your neighborhood pond? \_\_\_\_\_  
\_\_\_\_\_  
How did you hear about our program? \_\_\_\_\_

AGREEMENT

**Each Pond Group Member, by his or her signature below, hereby agrees to the terms and conditions set forth below and in the attached Adopt-A-Pond Acceptance Criteria and Policies and Procedures:**

**I. RESPONSIBILITIES.**

**POND GROUP MEMBERS SHALL:**

1. Consist of at least 50% of the homeowners around a pond or 4 people from 2 households, whichever is greater.
2. Choose a Pond Group Representative to help coordinate pond activities and represent the pond group in all matters pertinent to the Adopt-A-Pond Program.
3. Complete and submit the Pond Inspection Checklist and a Pollution Prevention Plan at the initial stage of the project.
4. Complete all actions proposed in the approved Pollution Prevention Plan.
5. Attend the Pond Group Kick-off Meeting.
6. Attend and participate in the Pond Group's neighborhood pond planting.
7. Attend at least four (4) pond maintenance days each year to remove nuisance plants and trash.
8. Submit at least one Pond Group report every 6 months for each adopted pond.
9. Mark all storm drains in the neighborhood with the program's colorful storm drain markers or ditch signs.
10. Work in a safe and responsible manner during pond work days, only during daylight hours and in good weather, avoiding heavy or hazardous items, and provide one adult supervisor for every five participating youths.
11. Avoid the use of herbicides in the pond except in coordination with Adopt-A-Pond staff.
12. Remove undesirable plants from the pond, as identified by Adopt-A-Pond staff.

**IN ADDITION TO THE RESPONSIBILITIES LISTED ABOVE, THE POND GROUP REPRESENTATIVE SHALL:**

13. Represent the Pond Group in all matters pertinent to the Adopt-A-Pond Program.
14. Send notification to all group members and pond property owner(s) prior to each pond event.

**HILLSBOROUGH COUNTY SHALL:**

1. Allow access to County property, County easements, or other areas over which the County has obtained right of access, as necessary to conduct Pond Group activities in accordance with this Agreement.
2. Provide educational materials, aquatic plants, pond management guidance and plant identification.
3. Provide a free one-time clean-up of the adopted pond, if feasible and necessary to meet program goals.
4. Provide an Adopt-A-Pond sign at the officially recognized Adopt-A-Ponds.
5. Provide storm drain markers.

**II. TERM PROVISIONS**

This agreement shall remain in effect for a three (3) year period beginning on the date the application is approved.

**III. INDEMNIFICATION**

Each Pond Group Member individually covenants and agrees that he or she is not acting as an officer, agent, representative, or employee of Hillsborough County for purposes of this Agreement and agrees to indemnify and hold harmless other property owners, Hillsborough County and the Southwest Florida Water Management District, and their officers, agents and employees, from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorneys' fees and costs and attorneys' fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by him or her during performance under this Agreement. This section does not constitute a waiver of sovereign immunity by Hillsborough County or the Southwest Florida Water Management District or extend the limits of liability beyond those established in Section 768.28, Florida Statutes.

**IV. TERMINATION**

Hillsborough County may terminate this agreement in its sole discretion at any time upon written notice to the Pond Group Representative. The Pond Group may terminate this agreement for any reason upon thirty (30) days written notice to the County.

**V. POND GROUP MEMBERS**

**By your signature below, you hereby agree to the terms and conditions set forth in this agreement and the attached Adopt-A-Pond Acceptance Criteria and Policies and Procedures. By your signature, you also designate the Pond Group Representative to represent you in all matters pertinent to the Adopt-A-Pond Program.**

**(PLEASE PRINT CLEARLY)**

	<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____
13.	_____	_____	_____	_____
14.	_____	_____	_____	_____
15.	_____	_____	_____	_____
16.	_____	_____	_____	_____
17.	_____	_____	_____	_____
18.	_____	_____	_____	_____

*Attach an additional sheet for additional signatures, if necessary*

(To be completed by the Hillsborough County Adopt-A-Pond Program)

This application and agreement is  approved  denied. Date: \_\_\_\_\_ Pond Group # \_\_\_\_\_

By: \_\_\_\_\_  
Environmental Manager, Hillsborough County Public Works, Environmental Services

## **Adopt-A-Pond Criteria for Acceptance into the Program**

1. The pond must be owned by the county or privately owned with one or more drainage easements dedicated to Hillsborough County.
2. No wetland or protected conservation areas are allowed in the program.
3. Adopt-A-Pond may not be used to satisfy permit conditions for the Southwest Florida Water Management District or any other agency.
4. The pond group must submit an Adopt-A-Pond application and demonstrate a commitment to fully participate in the program and maintain their pond.
5. Access to pond must be available for County crews and equipment for initial cleanup.

## **Adopt-A-Pond Policies and Procedures**

### **Intent**

It is the intent of Hillsborough County that the Adopt-A-Pond program be promoted and conducted as an entirely voluntary cooperative program between Hillsborough County residents and the Hillsborough County Public Works Department, Environmental Services/Specialized Services Section.

### **Pond Management Plan**

At the beginning of the project, the pond group must: (1) Complete and submit the Pond Inspection Checklist identifying sources of stormwater pollution in the neighborhood. (2) Create a Pollution Prevention Plan with deadlines outlining at least five ways the group will reduce stormwater pollution. (3) Mark all storm drains in the pond drainage area with the program's storm drain markers.

### **Planting**

A planting of native vegetation will be conducted following the Pond Management Plan.

Adopt-A-Pond will provide pond groups with up to \$600.00 worth of native plants at the initial planting stage of the project. The quantity of plants, determined by the County, will depend on pond shape, size, need, condition, number of participants who will be planting, and the species of plant being planted. In any event, every pond will receive enough plants to provide effective vegetative cover in their restoration.

Adopt-A-Pond also offers an additional quantity of plants, not to exceed \$300.00 worth, at the 6-month review date. A group may elect not to receive these plants. Eligibility, quantity, and species will be determined by the County.

Pond groups may be eligible for additional quantities of plants not to exceed \$200.00, per year, and beyond the 6-month review date. In order to qualify, they must submit at least one workday report twice a year and remain in good standing with the Adopt-A-Pond program. Good standing shall be defined as having met all program eligibility criteria, as defined herein, and fulfilled all responsibilities of the Adopt-A-Pond Agreement for at least 6 continuous months prior to any given date on which a determination is being made.

## **Cleanup**

At the County's discretion, each pond group may receive one cleanup from Adopt-A-Pond if the work is necessary to meet program goals and the work can be performed in a safe and cost-effective manner. Please note that this is only one aspect of the program and may not be necessary in all cases.

A cleanup may consist of one or more of the following services:

Vegetation removal with heavy equipment - Not to exceed \$15,200

Herbicide application - Not to exceed \$3480

Mowing/ Brushcutting - Not to exceed \$870

In no event will a cleanup exceed \$15,200.

## **Provision of Other Miscellaneous Items**

The Adopt-A-Pond program is intended to be fun and interesting to all involved. To this end, the program occasionally offers various educational and promotional items that may be of interest to our participants. These items are subject to availability and are not a responsibility of the County or a right of program participants.

Please note that Adopt-A-Pond does not provide hand tools, waders, boots, boats, herbicides, pesticides, fish, or any other items not specifically mentioned in this document.

## **Official Recognition**

A pond group will be officially recognized as an Adopt-A-Pond after Program Coordinator inspections demonstrate an increase in overall pond inspection checklist score and after implementing all activities in their Pollution Prevention Plan.

Groups that successfully implement all aspects of the program will be eligible for a commemorative prize at the end of their three year term, provided the group completes the term in good standing.

## **Deactivation/ Reactivation**

The Adopt-A-Pond Agreement states that a pond group shall remain in effect for a period of 3 years. After the initial 3 years, the pond group will be deactivated from the Adopt-A-Pond program. If a pond group would like to receive program benefits after the initial 3 years, they will be required to reapply for the program as described below under Reapplication.

A pond group may decide not to participate in the program at any time as long as a 30 day written notice is provided to the County. The Adopt-A-Pond Program may remove a pond group from the program upon written notice to the pond group representative. These procedures are detailed in the Adopt-A-Pond Agreement.

A pond group may be deactivated at any time if they fail to comply with any program requirements. An inactive group is ineligible to receive further benefits from Adopt-A-Pond. A group may be reactivated at any time within their 3-year agreement term so long as the pond group resumes responsibilities as detailed in the agreement and submits the required reports. Once the pond group has been reactivated and is in good standing as defined above, the pond group may become eligible for program benefits as detailed herein.

**Reapplication**

A Pond Group may reapply for the program or a new group may adopt a previously adopted pond, however if the pond has been cleaned within the past 10 years, the pond may not receive a cleanup from Adopt-A-Pond, but the group may otherwise proceed through the program subject to all policies and procedures provided herein and in the Agreement. A reapplication is not possible within the initial 3-year term of the agreement.

The County may require a pond group to provide additional assurance that they will fulfill their responsibilities under the program. The format and details of this assurance will be determined by the County on a case by case basis. The County shall determine if a pond group that has been removed from the program shall be allowed to reapply.

**Effective Date of New Policies**

These new policies shall become effective November 1, 2011.

**Submit Completed Applications to:**

Adopt-A-Pond  
2420 N Falkenburg Rd.  
Tampa, FL 33619