



# Broward County

## Legislation Text

File #: 23-297, Version: 1

### **Broward County Commission Regular Meeting**

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment      **Division:** Environmental Permitting Division

### Information

#### Requested Action

MOTION TO ACCEPT Amended Deed of Conservation Easement from the City of Coconut Creek over an on-site wetland mitigation area comprising 6.42 acres of real property located south of Winston Park Boulevard in the City of Coconut Creek; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

#### Why Action is Necessary

Board approval is required for real estate transactions pursuant to Broward County Administrative Code, Section 6.23. Further, Board action is necessary to fulfill the requirements of Environmental Resource License (ERL) No. DF96-1011, issued pursuant to Chapter 27 of the Broward County Code of Ordinances. This ERL required the 6.42 acres of on-site wetland mitigation area to be encumbered by a Conservation Easement granted to Broward County.

#### What Action Accomplishes

The action allows the construction of an ADA compliant walkway within the Conservation Easement, and it will allow future maintenance, repairs, or upgrades of said walkway as necessary.

#### Is this Action Goal Related

Yes

#### Previous Action Taken

None taken.

#### Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE ENVIRONMENTAL PERMITTING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board's goal of ensuring accessible, seamlessly integrated investments in renewable energy, sustainable practices, manufacturing, resilient infrastructure, and environmental protection.

The Resilient Environment Department issued ERL No. DF96-1011 (Exhibit 2) to the City of Coconut Creek (City) authorizing impacts to 1.62 acres of cypress wetlands and requiring the licensee to provide 6.42 acres of cypress wetland enhancement south of Winston Park Boulevard (Exhibit 1) as mitigation and convey a Conservation Easement (Exhibit 3) to Broward County over the area to ensure it would remain wetlands in perpetuity and be maintained by the grantor. The Deed of

Conservation Easement was recorded in 1997 (Book 26026, Page 945).

When the Deed of Conservation Easement was recorded in 1997, there was a wooden boardwalk crossing Mitigation Area "F." The boardwalk became unsafe for public use and was recently removed. The City wishes to install a new ADA compliant walkway, at ground level, through the Conservation Easement to connect two existing concrete trails. The City has provided an acceptable plan which includes additional planting of native vegetation to offset impacts for the project footprint. The original Deed of Conservation Easement prohibits the construction of new structures within its boundaries. The Amended Deed of Conservation Easement will specifically allow the construction of an ADA compliant walkway within the Conservation Easement, and it will allow future maintenance, repairs, or upgrades of said walkway as necessary.

The Amended Deed of Conservation Easement (Exhibit 4) has been reviewed and approved as to form by the Office of the County Attorney.

**Source of Additional Information**

David Vanlandingham, Director, Environmental Permitting Division, (954) 519-1478.

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact. On-going maintenance requirements are the responsibility of the grantor, its agents, heirs, successors, or assigns.