



# Broward County

## Legislation Text

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File #: 22-1014, Version: 1

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

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### **Information**

#### **Requested Action**

**MOTION TO ACCEPT** Joint Deed of Conservation Easement from Alexis M. Baker, Edward Baker, III, and Edward B. Baker, III, as Personal Representative of the Estate of Stephanie L. Baker, to Broward County and the Florida Department of Environmental Protection over an on-site wetland mitigation area comprised of 2.29 acres of real property located at Property Appraiser's Folio Numbers 513911010030 and 513911010040 in the City of Pembroke Pines. **(Commission District 1)**

#### **Why Action is Necessary**

Board approval is required for real estate transactions pursuant to Section 6.23, Broward County Administrative Code. Further, Board action is necessary to fulfill the requirements of the Grantors' applications for Broward County Environmental Resource License No. DF19-1247 and the Florida Department of Environmental Protection (FDEP) Permit 0402363-003-EI, which require the 2.29 acres of on-site wetland mitigation area to be encumbered by a Conservation Easement.

#### **What Action Accomplishes**

The action provides for the perpetual maintenance and conservation of the mitigation site by the Grantors, prohibited uses of the Property, and access and enforcement rights to Broward County and the FDEP.

#### **Is this Action Goal Related**

Yes

#### **Previous Action Taken**

#### **Summary Explanation/Background**

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

This item supports the Board's Value of "Encouraging investments in renewable energy, sustainable practices, and environmental protection" and Goal 1: "Seek funding for, implement policies and pursue projects promoting the use of alternative energies and sustainable practices."

RED will issue Environmental Resource License (ERL) DF19-1247 and FDEP will issue Permit No. 0402363-003-EI to Alexis M. Baker, Edward Baker, III, and Edward B. Baker, III, as Personal

Representative of the Estate of Stephanie L. Baker, authorizing impacts to 6.04 acres of wetlands and requiring the licensee/permittee to provide 2.29 acres of mixed habitat wetland mitigation area with buffers related to the redevelopment of the site (Exhibit 1), and to convey a Joint Deed of Conservation Easement (Exhibit 2) to Broward County and the FDEP over the on-site wetland mitigation area to ensure it will remain in perpetuity and be maintained by the Grantors. Additional mitigation will be provided by the purchase of 3.68 freshwater credits from the Hole in the Donut Mitigation Bank.

The Joint Deed of Conservation Easement has been reviewed and approved as to form by the Office of the County Attorney.

**Source of Additional Information**

Michael C. Owens, Senior Assistant County Attorney, 954-357-7600

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact. Ongoing maintenance requirements are the responsibility of the Grantors, their agents, heirs, successors, or assigns.