



Broward County

Legislation Details (With Text)

File #: 22-1625 **Version:** 1

Status: Agenda Ready

In control: Public Works and Environmental Services - Environmental Permitting Division

On agenda: 6/13/2023 **Final action:** 6/13/2023

Title: MOTION TO ACCEPT Amendment to Joint Deed of Conservation Easement and Agreement from D. R. Horton, Inc., for a wetland mitigation area comprising 1.73 acres of real property located at 201 SW 172nd Avenue, in the City of Pembroke Pines. (Commission District 1)

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Location Map, 2. Exhibit 2 - Joint Deed of Conservation Easement, 3. Exhibit 3 - Amended Conservation Easement, 4. Exhibit 4 - Environmental Resource License DF20-1062, 5. Exhibit 5 - SFWMD Permit

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

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

Information

Requested Action

MOTION TO ACCEPT Amendment to Joint Deed of Conservation Easement and Agreement from D. R. Horton, Inc., for a wetland mitigation area comprising 1.73 acres of real property located at 201 SW 172nd Avenue, in the City of Pembroke Pines. **(Commission District 1)**

Why Action is Necessary

Board action to accept a conservation easement is authorized by Sections 125.01(3) and 704.06(3), Florida Statutes, and necessary to fulfill the requirements of Broward County Environmental Resource License (ERL) No. DF20-1062 and South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 06-103172-P.

What Action Accomplishes

The action provides for the perpetual maintenance and conservation of the mitigation site by the grantor.

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 (RED) issued ERL No. DF02-1112 and No. DF07-1091 to prior owners of this site for development. A wetland mitigation area was required for proposed impacts to 5 acres of wetlands, and a Joint Deed of Conservation Easement was recorded on January 28, 2009, in Official Record Book 45944, at Page 847 in the Public Records of Broward County (Exhibit 2). The wetlands were filled but upland development did not proceed, and the mitigation area was not constructed. The site was later sold to D. R. Horton, Inc.

RED issued ERL No. DF20-1062 (Exhibit 4) and the SFWMD issued ERP No. 06-103172-P (Exhibit 5) to D. R. Horton Inc., reauthorizing impacts to five acres of wetlands. To compensate for the delay in the mitigation construction, additional wetland mitigation was required. In total, the licensee is required to provide 1.73 acres of on-site (Folio No. 514017112160) mixed habitat wetland mitigation with buffers (Exhibit 1) and convey an Amended Joint Deed of Conservation Easement (Exhibit 3) to the County and SFWMD over area to ensure it will remain in perpetuity.

The Amended Joint Deed of Conservation Easement 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.