



Broward County

Legislation Details (With Text)

File #: 21-826 **Version:** 1

Status: Agenda Ready

In control: Resilient Environment - Environmental Permitting Division

On agenda: 6/1/2021 **Final action:** 6/1/2021

Title: A. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Dania Beach Developers, LLC over an on-site wetland mitigation area comprising 0.38 acres of real property located at 480 East Dania Beach Boulevard in the City of Dania Beach. (Commission District 7)

ACTION: (T-11:24 AM) Approved.

VOTE: 9-0.

B. MOTION TO APPROVE Cash Bond Agreement between Broward County and Dania Beach Developers, LLC in the amount of \$45,540, to be held as security for the performance of construction, monitoring and maintenance of a 0.38-acre wetland mitigation area in the City of Dania Beach, and authorize Mayor and Clerk to execute same. (Commission District 7)

ACTION: (T-11:24 AM) Approved.

VOTE: 9-0.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Location Map, 2. Exhibit 2 - Conservation Easement - 11 pages ADA, 3. Exhibit 3 - Environmental Resource License, 4. Exhibit 4 - Cash Bond Agreement Dania Beach

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

Director's Name: Leonard Vialpando

Department: Environmental Protection

Division: Environmental Engineering & Permitting

Information

Requested Action

A. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Dania Beach Developers, LLC over an on-site wetland mitigation area comprising 0.38 acres of real property located at 480 East Dania Beach Boulevard in the City of Dania Beach. **(Commission District 7)**

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ACTION: (T-11:24 AM) Approved.

VOTE: 9-0.

Why Action is Necessary

Motion A: 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 No. DF08-1097, issued pursuant to Chapter 27 of the Broward County Code of Ordinances, and the South Florida Water Management District (SFWMD) Environmental Resource Permit 06-06318-P issued pursuant to Chapter 373, Part IV, Florida Statutes. The referenced license and permit require the 0.38 acres of on-site wetland mitigation area to be encumbered by a Conservation Easement granted to Broward County and the SFWMD.

Motion B: Board approval is necessary to fulfill the requirements of Environmental Resource License No. DF08-1097. The referenced license requires financial assurance of \$45,540.

What Action Accomplishes

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

Motion B: The Cash Bond ensures that the license holder performs the construction, maintenance, and monitoring of the mitigation area, as required by the license.

Is this Action Goal Related

Yes

Previous Action Taken

None.

Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT (EPGMD) AND THE ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

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."

Motion A: The EPGMD issued Environmental Resource License (ERL) DF08-1097 and Environmental Resource Permit 06-06318-P (Exhibit 3) to Dania Beach Developers, LLC authorizing impacts to 0.43 acres of wetlands and requiring the licensee to provide 0.38 acres of on-site wetland mitigation area with buffers related to the development of the site (Exhibit 1), and convey a Joint

Deed of Conservation Easement (Exhibit 2) to Broward County and the SFWMD over the on-site wetland mitigation area to ensure it would remain in perpetuity and be maintained by the grantor.

Motion B: The EPGMD also recommends approval of the Cash Bond Agreement (Exhibit 4), which was provided as fulfillment of requirements to receive the Environmental Resource License. The cash bond is a financial assurance mechanism, to help ensure that the license holder performs the construction, maintenance, and monitoring of the mitigation area, as required by the license. If construction, maintenance, and monitoring of the mitigation are satisfactorily completed in accordance with the license, the bond will be released. If not, the County can draw on the bond, as needed, to complete the mitigation requirements. The Cash Bond in the amount of \$45,540, was deposited into account 001-023-WET1-2200.

The Joint Deed of Conservation Easement and Cash Bond Agreement have been reviewed and approved as to form by the Office of the County Attorney.

Source of Additional Information

David Vanlandingham, Director, Environmental Engineering and 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.