



Public Works and Environmental Services Department

**ENVIRONMENTAL PERMITTING DIVISION**

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

November 20, 2025

City of Fort Lauderdale

Attention: Mr. Mark Almy, Superintendent Parks & Recreation

3110 SW 8th Avenue

Fort Lauderdale, FL 33315

Email: malmy@fortlauderdale.gov

Dear Mr. Almy:

This is to notify you of the Public Works and Environmental Services Department's (PWESD) action concerning your applications received May 29, 2025 and September 23, 2025. The applications have been reviewed for a FDEP Mangrove Trim and Alteration Permit and Broward County Environmental Resource License.

**Florida Department of Environmental Protection (DEP) Mangrove Permit – Granted**

PWESD has the authority to review the project for compliance with Chapter 403.9321 – 403.9333 of the Florida Statutes pursuant to an agreement between PWESD and DEP. The agreement is outlined in a document entitled "Order of Delegation and Operating Agreement Between the Florida Department of Environmental Protection and Broward County Regarding the Regulation of Mangroves". Based on the information submitted, Mangrove Permit No. **06-0409292-003** is hereby issued.

**Broward County Environmental Resource License Review – Granted**

PWESD has reviewed the project for compliance with Aquatic and Wetland Resource Protection Ordinance Sec. 27-331 through 27-341 of the Broward County Code. Based on the information submitted, Environmental Resource License No. **DF25-1177** is hereby issued.

The above named permittee/licensee is hereby authorized to perform the work per the approved drawings(s), plans, documents and specifications as submitted by the licensee, and made a part hereof. The above referenced approvals will remain in effect subject to the attached FDEP General Conditions, Broward County General Conditions, combined FDEP and Broward County Specific Conditions, and attached exhibits.

Should you wish to object to the Agency action or file a petition, please provide written objections, petitions and/or waivers within ten (10) days from the rendition of the action (refer to the attached "Variance and Administrative Review Procedures", Chapter 27 -10 through 27-14) to Director, EPD, 1 North University Drive Plantation, FL 33324. The "Notice of Rights" addresses the procedures to be followed if you desire a public hearing or review of the Agency's action.

Sincerely,

*Linda Sunderland*

Linda Sunderland, PWS  
Environmental Program Supervisor  
Environmental Permitting Division

*November 20, 2025*

Date

Enclosures:

County Environmental Resource License/State Mangrove Permit  
One copy of stamped drawings (4 pages)  
Broward County PWESD Variance and Administrative Review Procedures  
Standard Manatee Conditions for In-Water Work, 2011, 2 pages  
Florida EPPC's 2015 Invasive Plant Species List, 6 pages, can be downloaded  
at <http://www.fleppc.org/list/2015FLEPPCLIST-LARGEFORMAT-FINAL.pdf>

CC: City of Fort Lauderdale (Nancy Gassman, Robert Dunckel, Laura Tooley)



Public Works and Environmental Services Department

**ENVIRONMENTAL PERMITTING DIVISION**

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

**Permittee/Authorized Entity:**

City of Fort Lauderdale  
Attention: Mr. Mark Almy, Superintendent Parks & Recreation  
3110 SW 8th Avenue  
Fort Lauderdale, FL 33315  
Email: [malmy@fortlauderdale.gov](mailto:malmy@fortlauderdale.gov)

## **Mangrove Alteration Permit**

**Authorized Agent:**

Not Applicable

**Compliance Project Manager:**

Linda Sunderland, Environmental Program Supervisor  
Phone: (954) 591-1454; Email: [LSunderland@Broward.org](mailto:LSunderland@Broward.org)

**Mangrove Permit - Granted**

**State-owned Submerged Lands Authorization – Not Required**  
**U.S. Army Corps of Engineers Authorization – Not Applicable**

**State of Florida ERP No.:** 06-0409292-003

**Broward County ERL No.:** DF25-1177

**Permit Issuance Date:** 11-20-2025

**Permit Construction Phase Expiration Date:** 11-20-2030

Broward County Board of County Commissioners

Mark D. Bogen • Alexandra P. Davis • Lamar P. Fisher • Beam Furr • Steve Geller • Robert McKinzie • Nan H. Rich • Hazelle P. Rogers • Michael Udine  
[www.broward.org](http://www.broward.org)

CAM #26-0137

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**STATE MANGROVE ALTERATION PERMIT and  
COUNTY ENVIRONMENTAL RESOURCE LICENSE**

**REGULATORY AUTHORITY**

This combined permit/license is issued under the authority of Part IV or Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C). The activity is not exempt to operating agreements executed among the Department of Environmental Protection, Broward County, and the South Florida Water Management District, as outlined in a document entitled "Delegation Agreement Among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County," the Public Works and Environmental Services Department is responsible for reviewing and taking final agency action on this activity.

This project has also been reviewed in accordance with the provisions of Chapter 27, Article XI Sec. 27-331 through 27-341 of the Broward County Code.

**DESCRIPTION OF WORK**

The permittee is authorized to remove multiple saplings and three large trunks of existing white mangroves (cutting no lower than base or main trunk of the tree) from approximately 16 feet of shoreline adjacent to a townhouse within the Himmarshee Canal. Authorized alteration activities are depicted on the attached exhibits. Mangrove trimming along the waterway is proposed to accommodate a dock / walkway from an adjacent homeowner.

To offset unavoidable impacts that will occur from these authorized activities and to satisfy public interest requirements, the permittee has planted 50 red mangroves at Coontie Hatchee Park (planted September 13, 2025). The mitigation required for this project was determined to be four mangroves, therefore, this mitigation more than offsets what is required.

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

**LOCATION OF WORK**

This project is located along the City Property adjacent to 823 SE 2ND ST, in the City of Fort Lauderdale, Florida. Folio Number: 504211470060. Mitigation is located at Coontie Hatchee Park, located at 1116 SE 15<sup>th</sup> Ave, in the City of Fort Lauderdale, Florida. Folio Number: 504209010177.

Construction shall be in accordance with the ERL application received on May 29, 2025, the ERP application received on September 23, 2025, all additional information submitted, plans stamped by the Department on (attached) and with all General and Specific Conditions of this license.

**AUTHORIZATIONS**

State-owned Submerged Lands Authorization

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined the activity is exempt from the requirements of Chapter 253, Florida Statutes (F.S.).

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

**Permittee/Licensee: City of Fort Lauderdale**

**Permit No.: 06-0409292-003**

**ERL No.: DF25-1177**

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Other Authorizations

You are advised that authorizations or permits for this project may be required by other federal, state or local entities including but not limited to local governments and homeowner’s associations. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

In addition, you are advised that your project may require additional authorizations or permits from the municipality/county in which the project is located. Please be sure to contact the local county building and environmental department to obtain these required authorizations.

**PERMIT**

**The activities described herein must be conducted in accordance with:**

- **The Specific Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as specifically described above.

**STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SPECIFIC  
CONDITIONS**

**PRIOR TO CONSTRUCTION**

- (1) If the attached permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
- (2) The work authorized by this permit shall not be conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.
- (3) In the event the permittee files for bankruptcy prior to completion of work permitted and required by this permit, the permittee must notify the Department within 30 days of filing. The notification shall identify the bankruptcy court and case number and shall include a copy of the bankruptcy petition.
- (4) The permittee shall notify the Department in writing within 14 days of change in agents designated in the approved permit application. Mangroves will be cut no lower than the base or main trunk of the tree.
- (5) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the County; Please contact the aquatic and wetland group at [AWRLicense@Broward.org](mailto:AWRLicense@Broward.org) or at (954)519-1454.

**SPECIFIC CONDITIONS - PRE-ALTERATION**

- (6) There shall be no storage or stockpiling of tools, materials (i.e., lumber, pilings, debris.) within wetlands, along the shoreline or elsewhere within waters of the state unless specifically approved in the permit. All material and

vegetative debris shall be removed to a self-contained upland disposal area with no stockpiling or debris within wetland areas.

**BROWARD COUNTY PWESD GENERAL CONDITIONS:**

(1) The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by PWESD pursuant to this chapter. PWESD will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.

(2) This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by PWESD.

(3) In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify PWESD within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to PWESD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.

(4) The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.

(5) This license must be available for inspection on the licensee's premises during the entire life of the license.

(6) By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to PWESD, may be used by PWESD as evidence in any enforcement proceeding arising under Chapter 27, except where such use is prohibited by § 403.111, F.S.

(7) The licensee agrees to comply with Chapter 27, as amended.

(8) Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.

(9) The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by PWESD personnel for the purposes of inspection and testing to determine compliance with this license and this Chapter 27.

(10) This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.

(11) If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.

(12) In addition to the general conditions set forth above, each license issued by PWESD shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of PWESD. The licensee agrees that specific conditions are enforceable by PWESD for any violation thereof.

(13) Enforcement of the terms and provisions of this license shall be at the reasonable discretion of PWESD, and

any forbearance on behalf of PWESD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of PWESD's rights hereunder.

## **BROWARD COUNTY PWESD SPECIFIC CONDITIONS:**

### **A. STANDARD CONDITIONS**

(1) **Notify the Development and Environmental Regulation Division in writing (Fax: 954/519-1412, or email) a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion.** The notification shall include the name of the contractor authorized to perform the licensed activities. Failure to comply with this condition will result in enforcement action.

(2) Any project caused environmental problem(s) shall be reported immediately to the Resilient Environment Department Environmental Response Line at 954-519-1499.

(3) All project generated solid waste and/or spoil material must be disposed of in a suitable approved in accordance with current regulations at an upland location (not including surface waters and wetlands).

(4) All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.

### **B. CONSTRUCTION CONDITIONS**

(1) No dredging is authorized by this license.

(2) If the approved license drawings and/or license attachments/plans conflict with the specific conditions, then the specific conditions shall prevail.

(3) Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the waterway.

(4) This license does not eliminate the necessity to obtain any required federal, state, local or special district authorizations prior to the start of any activity approved by this license.

### **C. MANGROVE CONDITIONS**

(1) Mangrove alteration is limited to activities detailed in the first exhibit.

(2) Mangrove trimming along the waterway is necessary to accommodate a dock from the adjacent condominium owner. All mangrove activities shall be accomplished by a certified professional mangrove trimmer and in accordance with the Mangrove Trimming and Preservation Act (Sections 403.9321 – 403.9333 Florida Statutes).

(3) Initial mangrove alteration may be performed after issuance of this permit (and subject to all conditions and requirements of this permit). Mangroves may subsequently be maintained at the permitted configurations on an annual basis until the expiration date of this permit.

(4) Mangroves shall be cut using handheld equipment in a manner that will minimize impacts to the existing wetland vegetation and will not cause rutting of the soils. Heavy equipment and vehicles shall not operate within Department

jurisdictional wetlands or surface waters.

**D. STANDARD MANATEE CONDITIONS FOR IN-WATER WORK**

(1) All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

(2) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(3) Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

(4) All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

(5) Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)

(6) Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the licensee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution: Boaters must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [MyFWC.com/manatee](http://MyFWC.com/manatee). Questions concerning these signs can be sent to the email address listed above.

**E. STANDARD SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS**

(1) The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.

(2) The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.

(3) Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

(4) All vessels associated with the construction project shall operate at “no wake/idle” speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.

(5) If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.

(6) Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service’s Protected Resources Division (727-824- 5312) and the local authorized sea turtle stranding/rescue organization.

(7) Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

**F. COMPENSATORY MITIGATION CONDITIONS (ON-SITE)**

(1) Restoration and mitigation must result in at least 80 percent survival of the planted mangroves 1 year after planting. If the survival requirement is not met, additional mangroves must be planted and maintained until 80 percent survival is achieved 1 year after the last mangrove planting.

(2) The mangrove mitigation area shall be monitored annually for a period of five years. Annual reports shall be sent to [awrlicense@broward.org](mailto:awrlicense@broward.org) detailing the health of the mangrove area, required maintenance, and photos of the area.

(3) Should the Department determine that the Areas are not achieving the listed criteria during some portion of the monitoring period, the licensee shall determine the reasons for failure and prepare plans that demonstrate clearly how the problem(s) will be corrected and submit such plans immediately to the Department for approval. Those plans shall be implemented within 30 days from the Departments written approval.

**G. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.**

**NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency’s file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address

- for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure,

**Permittee/Licensee:** City of Fort Lauderdale

**Permit No.:** 06-0409292-003

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with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Plantation, Florida.

BROWARD COUNTY PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENT as delegated by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Linda Sunderland*  
Linda Sunderland  
Environmental Program Supervisor  
Environmental Engineering and Permitting Division

*November 20, 2025*  
Date

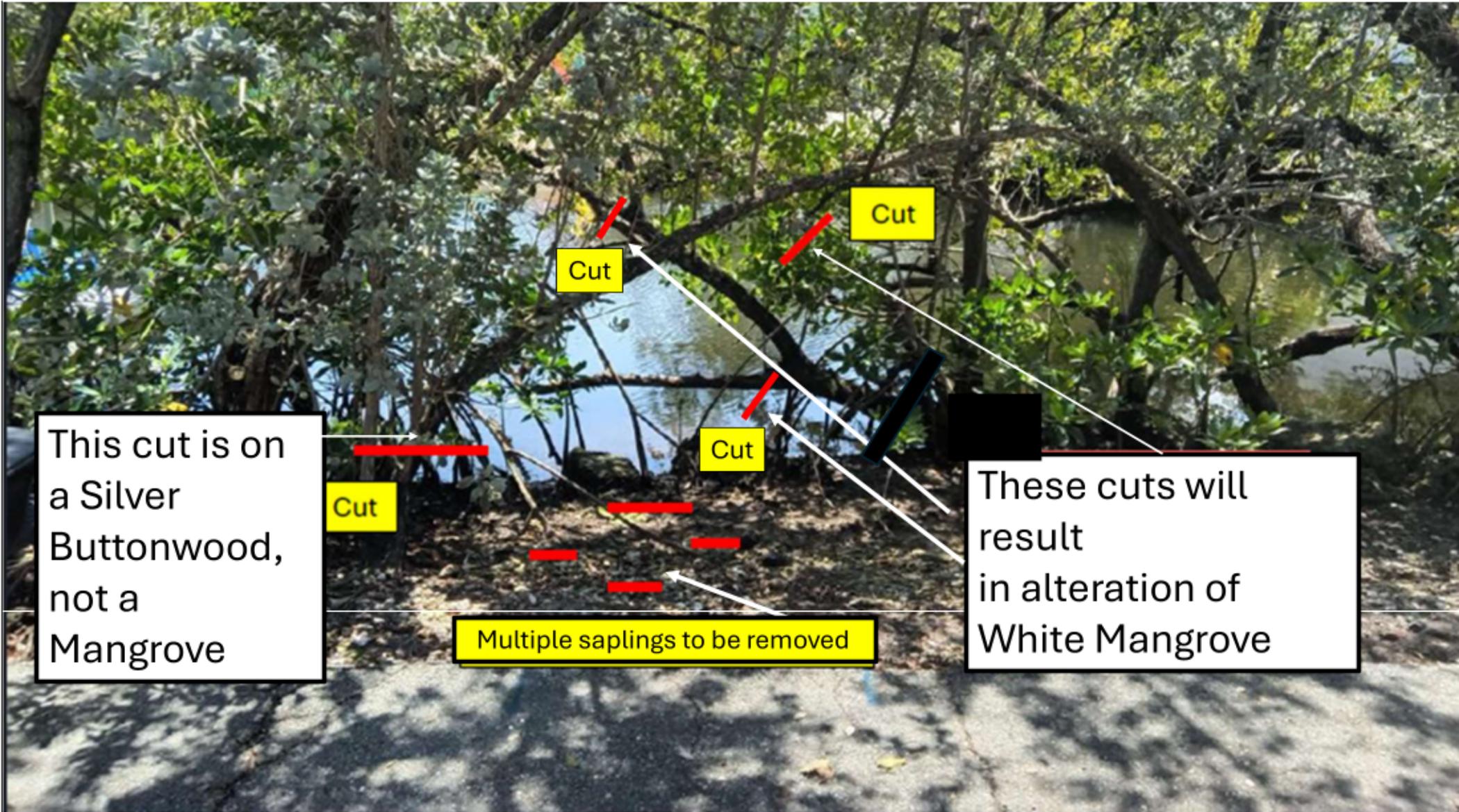
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this determination, including all copies were sent on the filing date below to the above listed persons.

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to 120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Michelle Decker                      November 20, 2025  
Clerk    Date



This cut is on a Silver Buttonwood, not a Mangrove

Cut

Cut

Cut

Cut

These cuts will result in alteration of White Mangrove

Multiple saplings to be removed

## Mitigation Mangroves

50 red mangroves were planted at Coontie Hatchee Park (1116 SW 15 Ave) on September 13, 2025. The red mangroves will be monitored and an annual report will be provided on the overall condition of the mangrove's health as well as account for any maintenance.



**Photo 1 – Aerial View of Red Mangrove Planting Area at Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale). The circled area behind the breakwater is the location of the mitigation mangroves for the remove of saplings and trimming of a white mangrove at 823 SE 2nd Street, Fort Lauderdale.**



**Photo 2 –Red Mangrove Planting Area Behind the Breakwater at Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale). The photo is taken from the shoreline looking SSE toward Davie Blvd. The circled area show the location of the planted mangroves.**



**Photo 3 –Red Mangrove Planting Area on the Southern Shore of Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale).**



**Photo 4 –Red Mangrove Planting Area on the Northern Shore of Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale).**



**Photo 5 –Red Mangrove Protection Signage at Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale).**



**Photo 6 –Red Mangrove being planted at at Coontie Hatchee Park (1116 SW 15<sup>th</sup> Ave, Fort Lauderdale) on September 13, 2025.**

Sec. 27-14. Administrative review of PWESD determinations.

- (a) A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination made pursuant to this chapter concerning:
- (1) The requirement that a facility or activity obtain a license or environmental review approval.
  - (2) Interpretations of license or environmental review approval conditions.
  - (3) Interpretations of variance conditions.
  - (4) The decision to suspend or revoke a license or environmental review approval.
  - (5) The requirement of certain license conditions.
  - (6) The issuance of a license or environmental review approval.
  - (7) The denial of a license or environmental review approval.
  - (8) The scope of a license or environmental review approval, geographic or otherwise.
  - (9) The scope of a variance, geographic or otherwise.
  - (10) The issuance of a stop work order.
  - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
- (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
  - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
- (1) The nature of the determination sought to be reviewed.
  - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
  - (3) The specific determination for which the review is sought.
  - (4) The specific legal grounds upon which the parties seek review of the determination.
  - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
  - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
  - (7) A copy of the director's or the designee's written final determination.
  - (8) A statement of the relief requested stating precisely the action that the petitioner wants PWESD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by PWESD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section 27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.
- (i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

(j) Notice and Scheduling Requirements:

(1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through PWESD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.

(2) The petitioner shall give notice of the hearing by:

- a. Giving personal notice to all proper parties; and
- b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
- c. Posting notice at a location determined by the Broward County Administrator's Office.

(3) The petitioner shall bear the cost of giving notice.

(4) The notice shall contain, at a minimum:

- a. A description and location of the facility or the activity to be conducted by the petitioner; and
- b. The time and place of the hearing.

(k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.

(l) The hearing shall be a quasi-judicial hearing.

(1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and PWESD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.

(2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.

(m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:

(1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of PWESD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon PWESD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the provisions of Section 27-37 of this chapter.
- (n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05)  
Secs. 27-15--27-19. Reserved.

## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see [MyFWC.com/manatee](http://MyFWC.com/manatee)). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

# CAUTION: MANATEE HABITAT

All project vessels

**IDLE SPEED / NO WAKE**

When a manatee is within 50 feet of work  
all in-water activities must

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC