

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BROWARD COUNTY,

Petitioner

DEP OGC # _____

v.

DEPARTMENT OF ENVIRONMENTAL PROTECTION and
FOSTER WHEELER ENVIRONMENTAL CORPORATION

Respondents.

STIPULATION AND SETTLEMENT AGREEMENT

Broward County and Foster Wheeler Environmental Corporation (Foster Wheeler), parties to this proceeding, hereby enter into this Stipulation and Settlement Agreement and agree as follows:

1. Foster Wheeler shall not request the withdrawal of credits from the Loxahatchee Mitigation Bank (authorized by Florida Department of Environmental Protection (DEP) permit number 0140969-001) to offset impacts in Broward County unless (i) the Broward County Department of Planning and Environmental Protection (or any successor agency) has processed an application to impact wetlands or other surface waters in Broward County and agreed that use of the Loxahatchee Mitigation Bank is appropriate as mitigation to offset those impacts; and (ii) the Broward County Board of County Commissioners has consented to the use of the Loxahatchee Mitigation Bank in such instances.

2. If the above requirements have been met, Foster Wheeler shall submit documentation to DEP demonstrating the same when requesting a withdrawal of credits for use in Broward County.

3. By executing this agreement, Broward County hereby voluntarily dismisses its petition challenging the issuance of permit 0140969-001, with prejudice and further agrees not to oppose the issuance of this permit.

Agreed to as of the last date of execution indicated below:

FOSTER WHEELER
ENVIRONMENTAL CORPORATION

By: *Jonathan Weiss*

Printed name: *Jonathan Weiss*


Its: *Project Manager*

Date: *2/1/00*

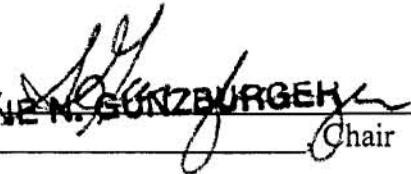
COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS




County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida



SUZANNE M. SUNZBURGER
Chair

15th day of February, 2000 (date)

Approved as to form by
Office of County Attorney
Broward County, Florida
EDWARD A. DION, County Attorney
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By 

Assistant County Attorney

MELISSA P. ANDERSON

