

#### Department of Planning and Environmental Protection

Biological Resources Division 218 S.W. 1st Avenue Fort Lauderdale, FL 33301

(954) 519-1230 • FAX (954) 519-1412

### ENVIRONMENTAL RESOURCE LICENSE

LICENSEE: Sharon Gardens LTD Partnership 6800 West Oakland Park Boulevard Ft. Lauderdale, FL 33313

LICENSE NO.:DF00-1090 PROJECT: Menorah Gardens. Wetland Fill, Mitigation

This license is issued under the provision of Chapter 27 of the Broward County Code of Ordinances also cited as Broward County Natural Resource Protection Code hereinafter called the Code. The above-named applicant, hereinafter called licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications as submitted by applicant, and made a part hereof and specifically described as follows:

Description of Work: This license is the relicensing of DF93-1134 which was an afterthe-fact license for filling 4.4 acres of wetlands. In addition to the relicense, subsequently, an additional 1.25 acres of wetlands was filled without a license and subject to Notice of Violation numbers 99-30438 and 99-30456. This work was completed for the construction of a cemetery.

Compensation for the 5.65 acres of impacts shall be 4.05 acres of mixed marsh, flushing channels, and hydric islands as per plans.

Location of Work: This project is located south of Griffin Road and east of US Highway 27 in Section 34, Township 50S, Range 39E in unincorporated Broward County.

Conditions: Construction shall be in accordance with Application SFWMD Form 0971 and DPEP Addendum each dated 6/14/99, and associated information, all of which is designated as DPEP File No. 99-14563; with the attached plans stamped by the Department on 5/23/00; and with all General and Specific Conditions of this license.



### ENVIRONMENTAL RESOURCE LICENSE

#### **GENERAL CONDITIONS**

- The terms, conditions, requirements, limitations and restrictions set forth herein are accepted and must be completed by the licensee and enforceable by the Department of Planning and Environmental Protection (DPEP) pursuant to Chapter 27 of the Broward County Code of Ordinances. The DPEP will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.
- 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, suspension and/or enforcement action by the DPEP.
- 3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with the Code, the licensee shall notify the DPEP within eight (8) hours or as stated in the specific section of the Code. Within three (3) working days of the event, the licensee shall submit a written report to the DPEP 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, or 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 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 licensed facility or activity that are submitted to the County, may be used by the County as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statues.
- 7. The licensee agrees to comply and shall comply with all provisions of the most current version of the Code.
- 8. Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after the sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted a transfer of license. The transferee shall be liable for any violation of the Code that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.
- 9. The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the license source at reasonable times by DPEP personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27, Broward County Code of Ordinances.
- 10. This license does not constitute a waiver or approval of any other license, approval or regulatory requirement by this or any other governmental agency that may be required.
- 11. If the licensee wishes to renew the license or extend its term, the licensee shall make application sixty (60) days prior to its expiration including payment of all appropriate fees. Expired licenses are not renewable.

DF00-1090

LICENSEE: Sharon Gardens LTD Partnership

#### **SPECIFIC CONDITIONS:**

#### A. Standard

1. Notify the Department in writing a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion. Failure to comply with this condition will result in enforcement action.

- Any project caused environmental problem(s) shall be reported immediately to the DPEP Environmental Response Line at 954-519-1499.
- 3. All project generated solid waste must be disposed of in a suitable approved manner at an upland location.
- 4. Turbidity screens or equivalent shall be properly employed and maintained as necessary during construction activities so that turbidity levels do not exceed 29 NTU's above natural background 50 feet downstream of project. If turbidity levels exceed these limits, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within the standards set forth in Rule 62-302.530(70) of the FAC.
- 5. Any water bodies or wetlands to be filled pursuant to this license must be filled only with rock, soil, or muck, as appropriate and depicted on the attached drawings dated 5/23/00 by the Department. Fill material which includes clean debris as defined in Section 27-214 is not authorized by this license. Use as fill of any materials other than rock, soil, or muck shall constitute a violation of this license.

#### B. Compensatory Mitigation (Area)

- Construction and installation of the Area shall be in accordance with plans dated 5/23/00 by the
  Department (attached) and associated information. The Area shall be installed within 180 days
  from the issue date of this license.
- Upon completion of the Area, the following documentation shall be submitted to the
  Department: (a) certification of elevations in relation to design, (b) verification of actual
  acreage, and (c) the time-zero monitoring report. This documentation is required within 210
  days from the issue date of this license.
- 3. All exotic and nuisance vegetation shall be treated or removed from the Area. Less than 2% coverage will be allowed if dispersed throughout the Area and not concentrated in any particular location. Exotic and nuisance species include but are not limited to: melaleuca, Australian pine, Brazilian pepper, bischofia, torpedo grass, primrose willow, cattail, air potato, and syngonium.
- 4. In order to assure that the Area becomes self-sustaining, the following criteria shall be met:
  - a) A minimum of 80% coverage by desirable wetland species after a two (2) year period and demonstration of persistence for three (3) additional years.
  - b) Less than 2% coverage by invasive exotic and undesirable species is allowable if plants are dispersed and not concentrated in any particular area. Exotic and undesirable species include, but are not limited to, melaleuca, Australian pine, Brazilian pepper, bischofia, torpedo grass, primrose willow, cattail, air potato, and syngonium. Treatment efforts should be tailored to prevent these species from becoming reproductively mature.
  - c) A minimum of 80% survival of each planted species. This rate shall be maintained each quarter except where species composition, density of planted and recruitment species and overall wetland condition, growth rates and viability of the Area are of higher quality, as determined by the Department.

### Sharon Gardons LTD Partnership

- d) Hydrologic conditions and soil characteristics are in general conformity to those specified in plans. Data from the permanent surveyed staff gauges must be collected every two weeks and submitted with the quarterly monitoring reports.
- Any preserved or planted species shall be maintained as to exhibit new growth and/or propagation, viability, and overall health.
- f) Existing desirable wetland plant species shall not be injured or killed. Any plants killed will be replaced on a plant-for-plant basis for shrubs and groundcovers and on an inch-for-inch basis for trees

The Area shall be monitored and reports submitted quarterly for five (5) years describing in detail the condition of the Area relative to the reference wetland and the criteria listed above (B. 4.a-f).

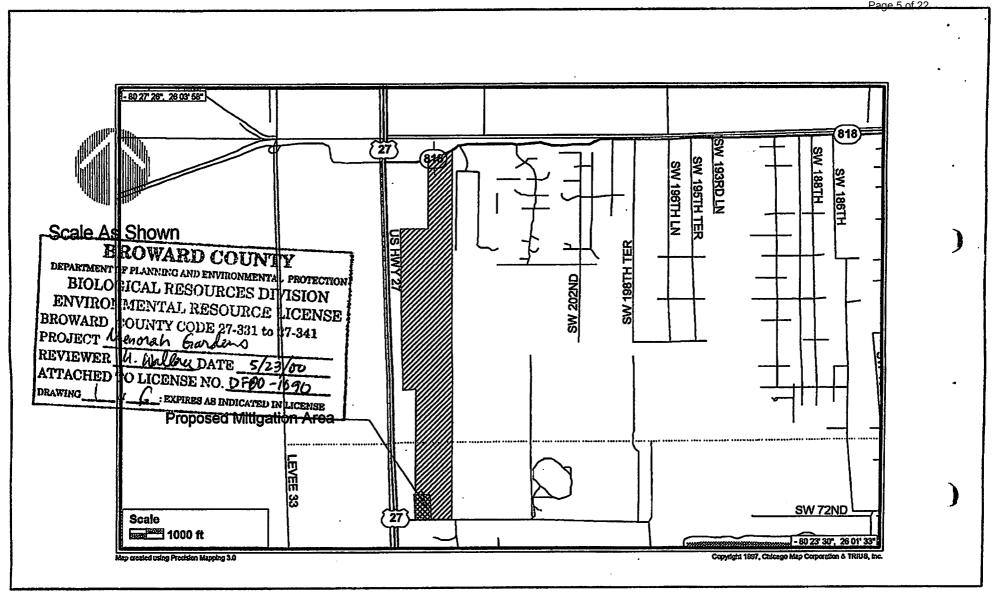
- 5. Should the Department determine that the Area is not achieving the listed criteria during some portion of the monitoring period, the licensee shall determine the reasons for failure and prepare plans that demonstrate clearly how the problem(s) will be corrected and submit such plans immediately to the Department for approval. Those plans shall be implemented within 30 days from the Departments written approval.
- 6. A Conservation Easement and a Surety Bond for \$120,200 have been submitted by the applicant. Should either of these documents be unacceptable to the County Attorney's Office or the County Commission, a replacement document shall be submitted in a form acceptable to the Department, the County Attorney's Office and the Commission within thirty (30) days of the Department's written notification that the document was unacceptable.
- 7. The Surety Bond includes construction, planting, monitoring and maintenance costs. Upon Department review and approval of all information required in Specific Condition B. 2, the licensee may request the release of the construction and planting portion of the Surety Bond, which totals \$45,200. After the five year maintenance and monitoring period has elapsed and upon demonstration that the licensee has met the intent and all information requested in Specific Conditions B.3 and 4 and if necessary B.5, the licensee may request the release of the monitoring and maintenance portion of the Surety Bond, which totals \$75,000. All requests shall be made in writing to the Wetlands Resources Section of the Department.
- C. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.

Recommended for approval by:	Reviewed by:
Mark Wallace	Kachrynlaster
License Processor	Licensing/Section Manager
I have read the towns conditions requirements	limitations and restrictions set fouth housin. I

I have read the terms, conditions, requirements, limitations and restrictions set forth herein. I accept and agree to abide by all such provisions.

BROWARD COUNTY DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

ERIC T. MYERS, DIRECTOR BIOLOGICAL RESOURCES DIVISION

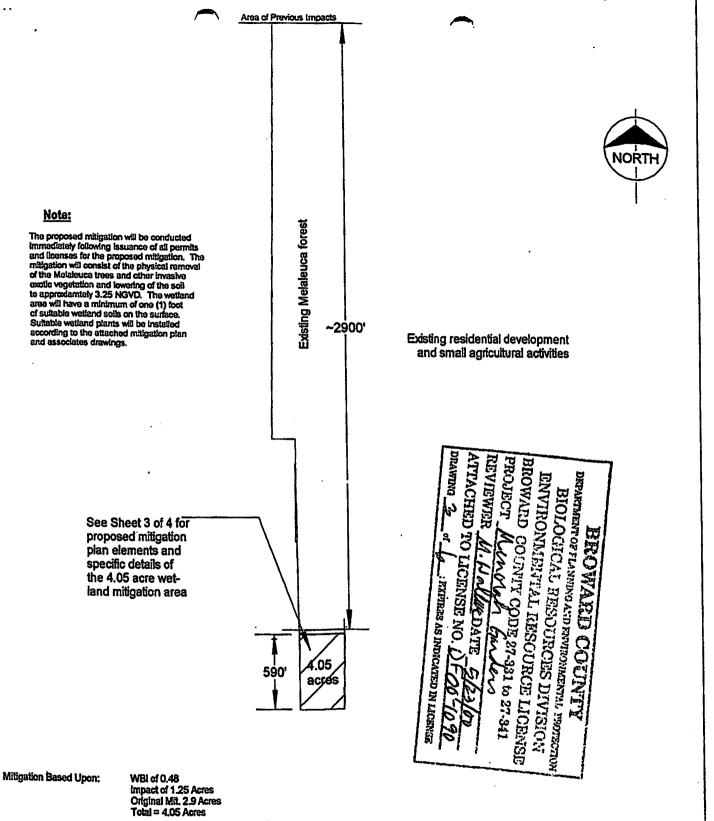




## **Sharon Gardens LTD (SCI)**

Menorah Gardens Location Map Griffin Road & US 27 Broward County, Florida

Date	Revision		Sh	eet
	Les IX 1500	Revise Mitigation Location	4	OF
Aprīl 29, 1999			1	1
	1 1			7





**Environmental Consultation & Permitting Professional Wetland Scientists** 

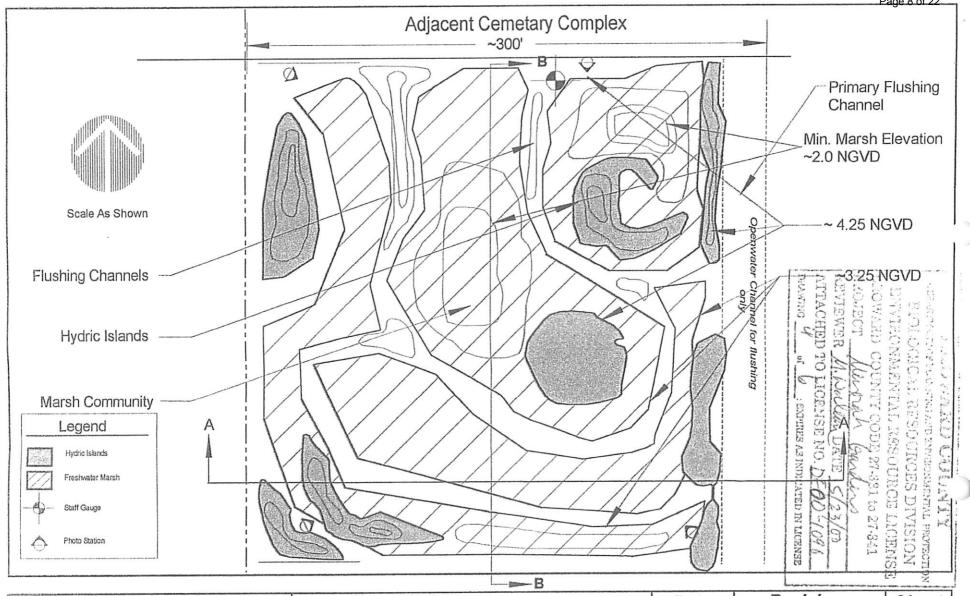
## **SCI NOV Mitigation**

Menorah Gardens Site Griffen Road and US 27 **Approximate Proposed Site Conditions** Broward County, Florida

Date	Revision	1a of
		1 50 7

of

April 27, 1999

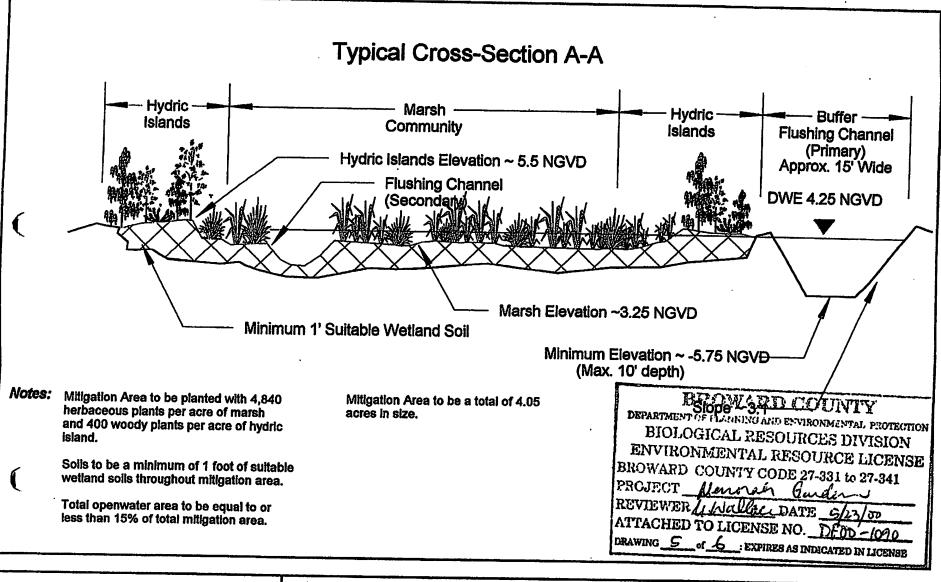




## **Sharon Gardens LTD (SCI)**

Menorah GardensTypical Plan-View Wetland Mitigation Area Griffin Road & US 27 Broward County, Florida

Date		Revision	She	eet
	June 30, 1999	Modify mitigation location	0	OF
April 29, 1999	May 19,2000	Add Section B-B per DPEP	.3	1





### SCI Funeral Services of Fla., Inc. Menorah Gardens

Mitigation Cross-Section Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	Sheet
May 2000		4 OF

### Typical Cross-Section B-B

Marsh Natural Grade Stirling Road Community Flushing Channel (Secondary) Marsh Elevation ~3.25 NGVD BROWARD COUNTY

Mitigation Area to be planted with 4,840 herbaceous plants per acre of marsh and 400 woody plants per acre of hydric island.

Minimum 1' Suitable Wetland Soil

Soils to be a minimum of 1 foot of suitable wetland soils throughout mitigation area.

Total openwater area to be equal to or less than 15% of total mitigation area.

Mitigation Area to be a total of 4.05 acres in size.

Mitigation area size based upon a WBI of 0.48 and an impact area of 1.25 acres.

Therefore:

0.48 \* 1.25 = X(0.52)0.60 / 0.52 = 1.15

1.15 + 2.9 = 4.05

2.9 is previous mitigation requiement

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION BIOLOGICAL RESOURCES DIVISION ENVIRONMENTAL RESOURCE LICENSE BROWARD COUNTY CODE 27-331 to 27-341 PROJECT Newboach REVIEWER U. WALLA DATE 5/23/00 ATTACHED TO LICENSE NO. DF00-1096 DRAWING 6 : EXPIRES AS INDICATED IN LICENSE



**Professional Wetland Scientists Environmental Consultation & Permitting** 

## **Sharon Gardens LTD (SCI)**

Menorah Gardens Typical Cross-Section Wetland Mitigation Area Griffin Road & US 27 Broward County, Florida

Date	Revision		Sh	eet
April 29, 1999	May 19,2000	Per DPEP	- 4	OF
MAII 20, 1000		the state of the s		4



#### Department of Planning and Environmental Protection

Biological Resources Division 218 S.W. 1st Avenue Fort Lauderdale, FL 33301 (954) 519-1230 • Fox (954) 519-1412

January 8, 2002

Mr. Noel Merwarth SCI Funeral Services of Florida, Inc. 1929 Allen Parkway Houston, Texas 77019

Re: Modification of DPEP License No. DF00-1090

License transfer and expansion of mitigation acreage

Dear Mr. Merwarth:

Your request to modify the license by creating an additional 4.36 acres of mitigation thus creating a total of 8.41 acres of mitigation and is subsequent reconfiguration is hereby approved. The attached drawings stamped by the Department replace drawings 2 of 6 through 6 of 6 of the original license drawings.

The license is also hereby transferred from:

Sharon Gardens Ltd. Partnership 6800 West Oakland Park Boulevard Fort Lauderdale, Florida 33313

to:

SCI Funeral Services of Florida, Inc. 1929 Allen Parkway Houston, Texas 77019

The scope and all other conditions of the license remain the same. Attach this letter to the original license as it becomes a part thereof.

I have read the terms, conditions, requirements, limitations, and restrictions set forth herein. I accept and agree to abide by all such provisions.

Signature (Licensee or authorized agent)

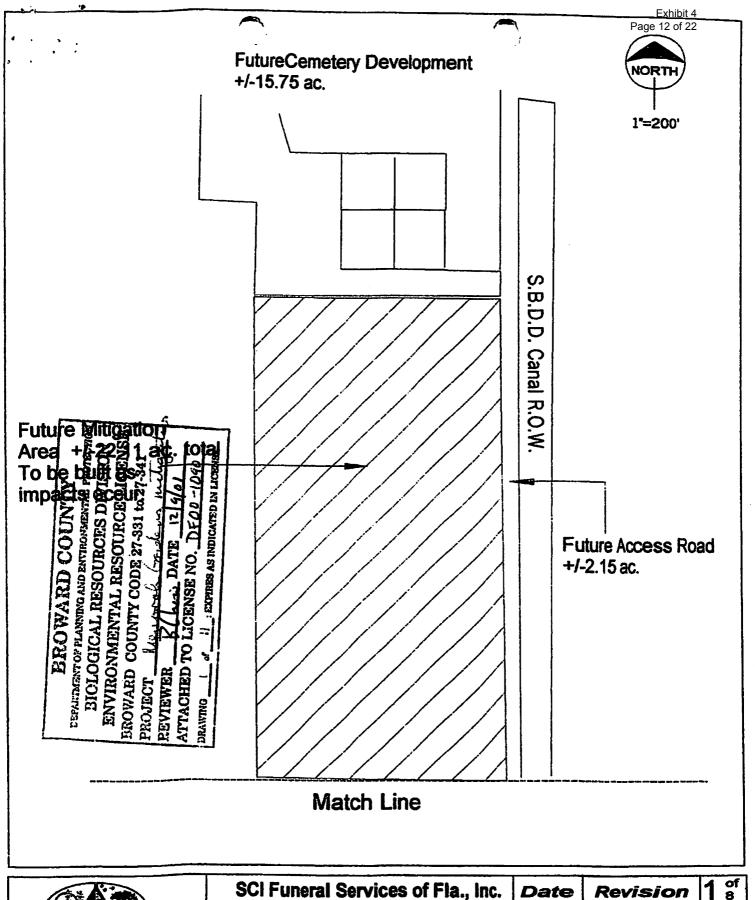
Date

Sincerely

Eric My

Director, Biological Resources Division

Attached

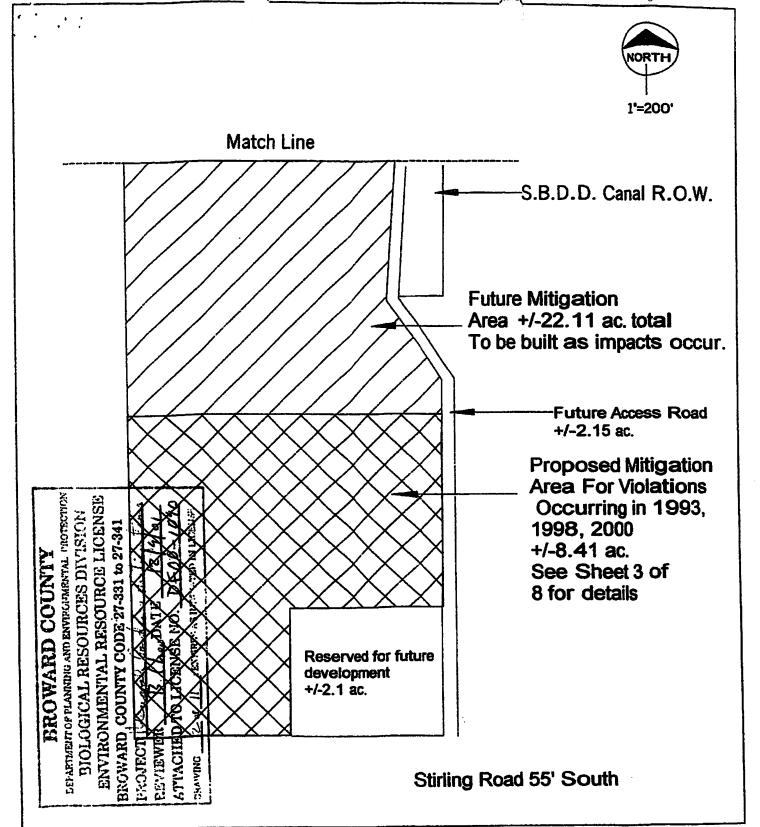




## **Menorah Gardens**

Property Plan View Section 34; Township 50, Range 39 **Broward County, Florida** 

Date	Revision	1	of 8
June 2001			





# SCI Funeral Services of Fla., Inc. Menorah Gardens

Property Plan View Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	2 of 8
June 2001		

## Cemetery Property/Future Mitigation Area Temporary Silt Fence Flushina Chahnel (Secondary) Future Access Road ~415' Adjacent Property ~689 Reserved to Development LTACHED Mitigation Acreages: Hydric Island, ~1.26ac. 1993&1998 violations: 4.05 ac. 2000 violation: 4.36 ac. Marsh, ~7.15ac. TOTAL AREA: 8.41 ac. Staff Gauge T# = Monitoring Transect No. Photo Station No. & Direction Location of silt fencing to be P#(1 of Photo installed during construction



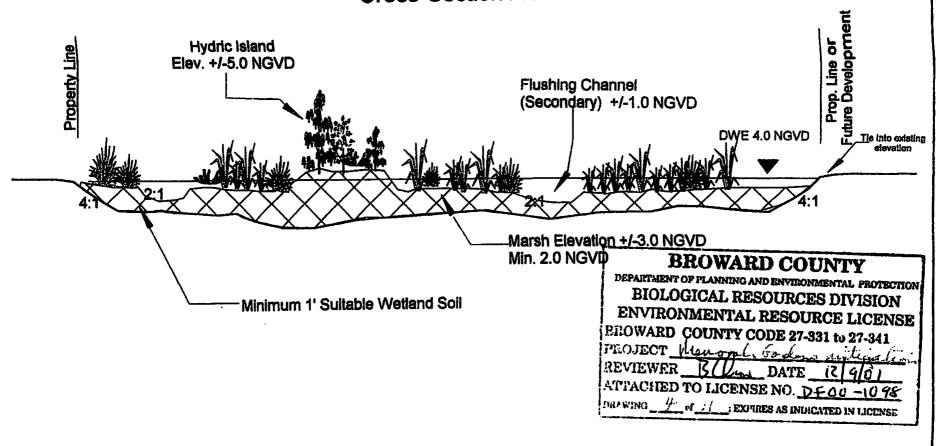
Environmental Consultation & Permitting Professional Wetland Scientists

## SCI Funeral Services of Fla., Inc. Menorah Gardens

Mitigation Plan View Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	3 of 8
	Feb. 2001 Removed Books of	or SPWMD
December 2000		

### **Cross-Section A-A**





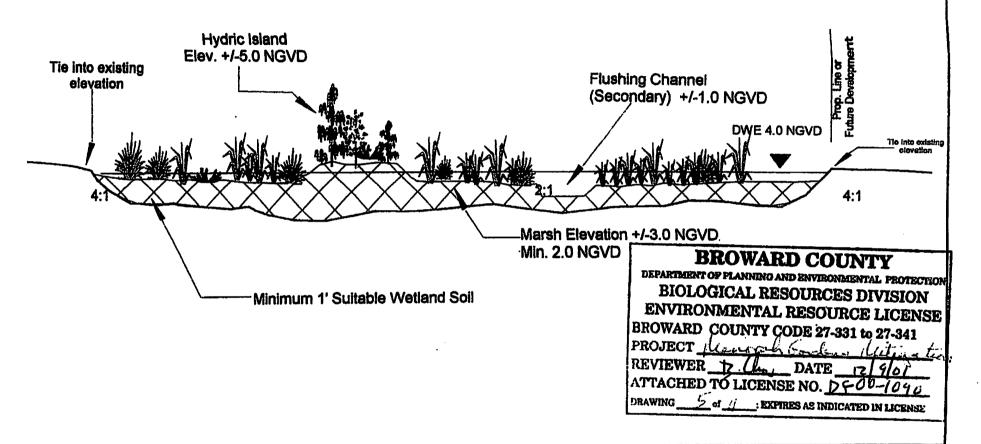
Professional Wetland Scientists
Environmental Consultation & Permitting

# SCI Funeral Services of Fla., Inc. Menorah Gardens

Mitigation Cross-Section A-A
Section 34, Township 50, Range 39
Broward County, Florida

Date	Revision	Sheet
December 2000	Feb. 200 Removed berm per SFWMD	4 8 OF

### **Cross-Section B-B**



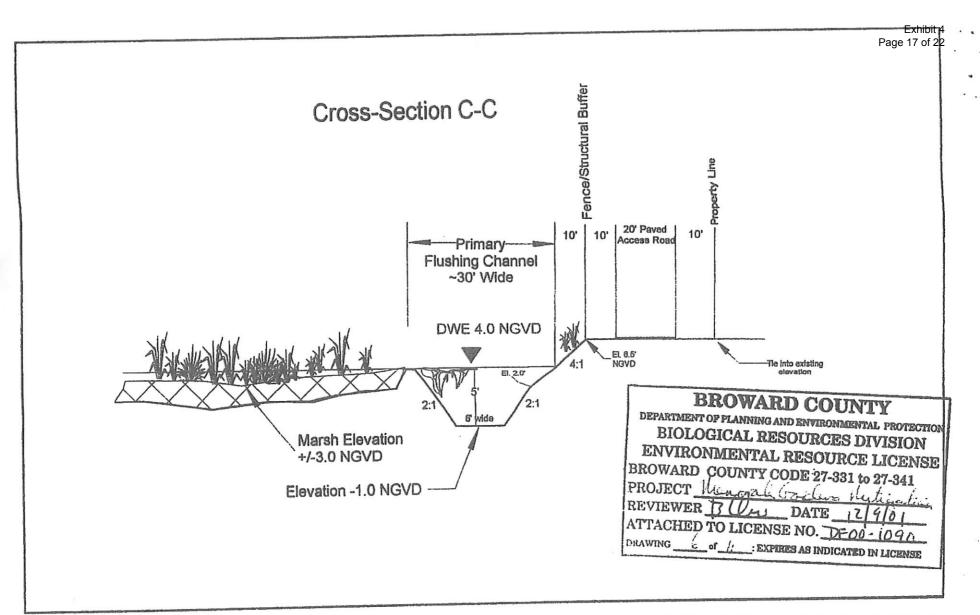


Professional Wetland Scientists
Environmental Consultation & Permitting

# SCI Funeral Services of Fla., Inc. Menorah Gardens

Mitigation Cross-Section B-B Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	Sheet
December 2000	Feb. 2001 Removed berm per SFWMD	5 OF
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# SCI Funeral Services of Fla., Inc. Menorah Gardens

Cross Section C-C Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	Sheet
December 2000	Feb. 2001 Removed berm per SFWMD	6 8 OF

### **Cross-Section D-D**

Fence/Structural Buffer



Min. 2.0 Minimum 1' Suitable Wetland Soil

### **BROWARD COUNTY**

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION
BIOLOGICAL RESOURCE DIVISION

Marsh Elevation of Planning and Environmental Protection

Min. 2.0 NGWARD COUNTY CODE 27-331 to 27-341

PROJECT Manager Control of Project ATTACHED TO LICENSE NO. DE 00-70-970

DRAWING \_\_\_\_\_ of \_\_\_\_ : EXPIRES AS INDICATED IN LICENS



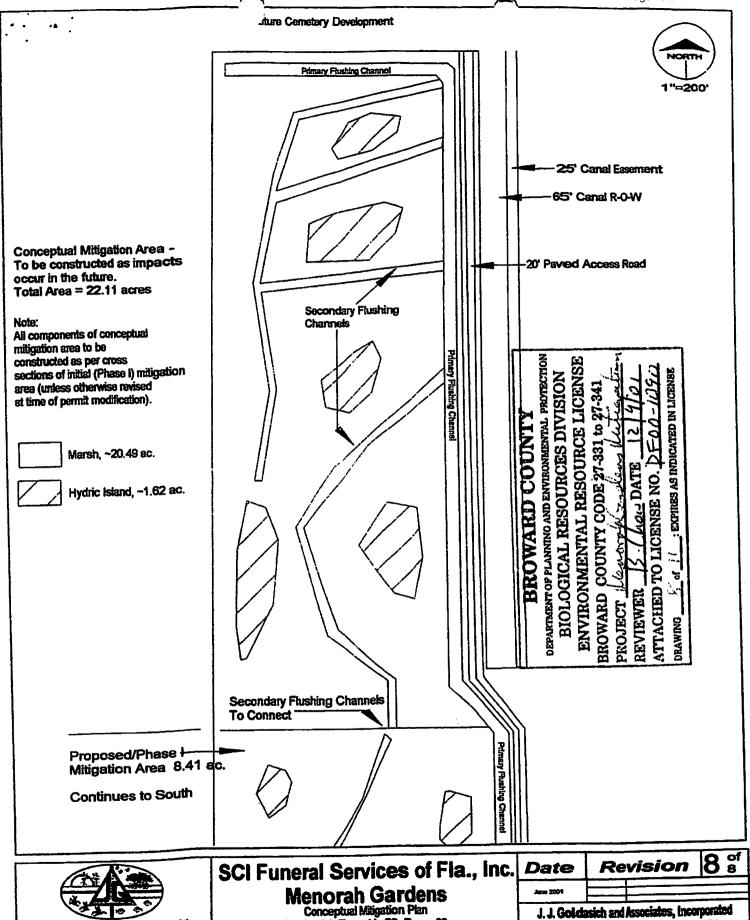
Professional Wetland Scientists
Environmental Consultation & Permitting

SCI Funeral Services of Fla., Inc. Menorah Gardens

Mitigation Cross-Section D-D Section 34, Township 50, Range 39 Broward County, Florida

Date	Revision	Sheet
February 2001		7 of

(561) 883-9555 FAX (561) 883-0054



Section 34, Township 50, Range 39

Broward County, Florida

**Environmental Consultation & Permitting** 

**Professional Wetland Scientists** 

# SGI Funeral Services of Fig., Inc. — Menorali Gardans Westend Midgation Plan

The 8.41 acre wetland mitigation plan for after-the-fact wetland impacts includes the restoration and creation of a total of 7.15 acres marsh/wet prairie and 1.26 acres of hydric islands. This includes lowering of the ground elevations by scraping the surface organic soils, removal of the underlying limestone and rock as necessary to attain a finished wetland marsh elevation of 3.0 NGVD at top of suitable wetland soils (minimum of 1 foot thick), removal of the melaleuca (Melaleuca quinquanervia) trees, roots and tree trunks and the replacement of suitable wetland soils at appropriate wetland elevations. This effort will include the removal of invasive exotic vegetation including Melaleuca and Brazilian pepper (Schimus terebinthifolius) from the scraped organic soils. The wetland mitigation areas will be constructed at elevations ranging from 1.0 feet NGVD at the secondary flushing channels to 5.0 feet NGVD at the hydric islands. These areas will provide valuable habitat diversity and wildlife nesting areas not otherwise available in the wetland mitigation area.

The wetland mitigation will be initiated within 90 days of issuance of all of the necessary permits and licenses and be complete by 12/31/01. The specific mitigation sequence will begin with the removal of the suitable soils and screening of the future wetland soil. All unsuitable debris and exotic vegetation will be removed and disposed of in an approved manner. The mitigation area subsurface soils will be lowered to suitable wetland elevations. The suitable wetland soils will then be replaced and graded to achieve a diverse habitat of flushing channels, hydric islands, buffers, and marsh community. Suitable wetland vegetation will be installed following permitting agency review of the graded wetland area.

The Baseline Mitigation Area Monitoring Report will be conducted following removal of the invasive exotic vegetation but before beginning mitigation area work and will be provided to the permitting agencies. Site visits will be initiated with permitting agency staff during the Baseline phase of the project so that the final design and wetland planting parameters may be discussed in the field.

It is anticipated that the wetland mitigation restoration, creation and enhancement offorts will begin during October 2001 with the removal of the invasive exotic vegetation debris and surface soils.

Wetland mitigation area earthwork will continue for approximately two (2) months wherein the ground elevations will be lowered as necessary to the proposed wetland mitigation elevations of 1.0 NGVD to 5.0 NGVD, not including the primary flushing channel that will be at elevation (-)1 foot NGVD.

Following completion of the wetland mitigation area earthwork and as-built survey of the area will be generated and reviewed for consistency with the mitigation plan by 1/31/02. Field evaluations will be requested from the permitting agency compliance staff. Following the field evaluations and confirmation that the wetland mitigation area is at projected elevations the mitigation area will be planted according to the Wetland Mitigation Area Planting Plan, see attached plan.

Maintenance and monitoring of the wetland mitigation area will begin at the Time Zero Mitigation Monitoring Report and continue for a period of five years. An 80% survival rate of planted species will be monitored and maintained throughout the 5-year monitoring period. Following the acceptance of the mitigation area and the Time Zero Monitoring Report, the five-year mitigation area maintenance and monitoring phase will begin. Monitoring reports will be submitted to Broward Co. DPEP on a quarterly basis and to the South Florida Water Management District annually.

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	RAH GARDENS res Proposed Time Schadule
Expected Completion Date	Activity
August 31, 2001	Baseline Munitoring Report
November 30, 2001	Remove exeries from Phase I mitigation area
December 31, 2001	Grade mitigation area as per plans, install wetland vegetation
January 31, 2002	Preliminary As-Built Survey of mitigation area and Time Zero Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP
February 28, 2002	First Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
February 28, 2003	Second Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
February 28, 2004	Third Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
February 28, 2005	Fourth Annual Mitigation Monitoring Report filed with SFWMD, At CE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.
March 31, 2005	Onsite meetings with Broward Co. DPEP, SFWMD, and ACOE.
February 28, 2006	Fifth Annual Mitigation Monitoring Report filed with SFWMD, ACOE, and Broward Co. DPEP. The report will include data from quarterly monitoring events as outlined in the Monitoring and Maintenance Plan. Note that quarterly monitoring reports will be filed with DPEP as required.

## BROWARD COUNTY

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION
BIOLOGICAL RESOURCES DIVISION
ENVIRONMENTAL RESOURCE LICENSE
BROWARD COUNTY CODE 27-331 to 27-341
PROJECT
REVIEWER DIVISION
ATTACHED TO LICENSE NO. DE DO - 1090
GRAWING GE EXPIRES AS INDICATED IN LICENSE

10/2/01

Common Name	Botanical Name	~ Spacing / Number of Plants	~ Elevation Range NGVD	Plant Type
		HYDRIC ISLANDS		
cypress	Taxodium spp.	Clumps ~15 ft. On Center 240	4.0 – 5.0	3 – 7 gallon mix
dahoon holly	llex cassine	Clumps ~15ft. On Center 240	4.0– 5.0	3 gallon
Red bay	Persea palustris	Clumps ~15ft. On Center 240	4.0-5.0	3 gallon
akahatchee grass	Tripsacum dactyloides	5 ft. On Center in Clumps 300	4.0–6.5	1 gallon
cocoplum	Chrysobalamus icaco	5 ft. On Center in Clumps 245	4.0 – 5.0	l gailon
		MARSH AREA		
beak rush	Rhynchospora microcarpa	3 ft. On Center 6,720	3.0 – 4.0	ECTIONS ON SI
spike rush	Eleocharis interstincta	3 ft. On Center 5,950	2.5 – 3.0	VIV NTAL PER DIVISION 1 to 27-8
duck potato	Sagittaria lancifolia	3 ft. On Center 6,720	2.5 – 3.0	COUNTROLLES OF ST. SST.
pickerel weed	Pontederia cordata	3 ft. On Center 6,720	2.5 – 3.0	VARD INGAR TRESE
waterlily	Nymphaea odorata	3 ft. On Center In Primary Flushing Channel 870	3.0-(-)1.0	BROW ENTRY LOGICAL RONMEN
fireflag	Thalia geniculata	3 ft. On Center 7,550	2.5-3.0	DEPARENTED BEEN PER BROWA

