



Environmental Protection and Growth Management Department
ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION
Water and Environmental Licensing Section
1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

TREE REMOVAL LICENSE

LICENSEE:

City of Fort Lauderdale
c/o Miller Legg
5747 North Andrews Way
Fort Lauderdale, Florida 33309

LICENSE NO.: TP18-1056
Natural Resource Area #70
Fort Lauderdale Executive
Airport Parcel 21B

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: Remove thirty (30) trees and understory from a portion of a site designated as Natural Resource Area #70. Preserve and enhance a 2.271 acre Conservation Area. The enhancement shall include the removal of exotic nuisance vegetation, the relocation of twelve (12) trees and palms, and the installation of native trees, shrubs and groundcover.

Location of Work: This project is located on the west side of N.W. 21st Avenue, south of N.W. 53rd Street, in Section 17, Township 49 South, Range 42 East in the City of Fort Lauderdale.

The tree removal shall be in accordance with the submitted Plan Revisions dated 07/05/18, Department date stamped 08/15/18, submitted Resource Management Plan dated 08/06/18, Application received 05/31/18, associated information all of which is designated as Department File #TR1805-011, and all General and Specific Conditions of this license.

Commencement of construction or the removal or relocation of trees specified in this license shall be deemed acceptance of all conditions of this license. License conditions shall also be deemed to be accepted if they are not objected to in writing and received by this Department within fourteen (14) calendar days of receipt of the license by the applicant.

The Department recommends that the licensee contact *811 prior to any tree or palm removals, relocations or installations to verify the presence of any utilities.

GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the licensee and are enforceable by EPGMD pursuant to this chapter. EPGMD 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 EPGMD.
3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with this chapter, the licensee shall notify EPGMD within eight (8) hours or as stated in the specific section of this chapter. Within three (3) working days of the event, the licensee shall submit a written report to EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.
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 violation 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 licensed facility or activity, that are submitted to the county, may be used by the county as evidence in any enforcement proceeding arising under this chapter, except where such use is prohibited by section 403.111, Florida Statutes.
7. The licensee agrees to comply and shall comply with all provisions of the most current version of this chapter.
8. Any new owner or operator 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 a transfer of license. The transferee shall be liable for any violation of this chapter 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 licensed source, activity or facility at times to EPGMD personnel for the purposes of inspection and testing to determine compliance with this license and this chapter.
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. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD 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 EPGMD's rights hereunder.
12. In addition to the general conditions set forth above, each license issued by EPGMD shall contain general conditions, specific condition, and operating requirements to ensure compliance with this chapter. The licensee agrees that general conditions and specific conditions are enforceable by the county for any violation thereof.
13. General and specific license conditions and operating requirements must be complied with at all times the licensed activity occurs even though the license may have expired, been suspended, or been revoked.

SPECIFIC CONDITIONS:

1. A site meeting with Department staff, the clearing contractor and the tree relocation contractor shall be required prior to any clearing/tree removal/tree relocation activities onsite. The purpose of the meeting shall be to go over the placement of tree protection fencing around the Conservation Area and the relocation of trees onsite. All trees proposed for removal and or relocation must be flagged or clearly marked for verification purposes.
2. A draft executed Conservation Easement document for the Conservation Area must be approved "as to form" by the Office of the County Attorney within 90 days of license issuance. A fully executed Conservation Easement document must be recorded within six months of license issuance and prior to any certificates of occupancy being issued for the project.
3. The Conservation Area shall be surveyed and the boundaries of this area shall be delineated. The delineation shall occur prior to any construction activities onsite.
4. Replacement trees, shrubs and groundcover are required as mitigation for impacts to the Natural Resource Area. The Resource Management Plan dated 08/06/18 details the installation of 184 trees and 10,931 shrubs and groundcover plants. All plants shall be Florida Grade No. 1. All plant sizes shall be as specified in the plan.
5. The trees, shrubs and groundcover specified in the Resource Management Plan shall be installed within sixty (60) days of the removal of any trees in the Natural Resource Area. **The Department shall be notified upon installation.**
6. Tree relocations shall be done by a Broward County Licensed Tree Trimmer in accordance with sound arboricultural practices including root pruning, watering in, and post relocation irrigation and fertilization. Upper-story pruning will follow the American National Standard Institute (ANSI) A-300, 2008 guidelines. **Trees and palms will be relocated to their final designated location within 24 hours of initial digging.**
7. The licensee shall monitor the condition of each relocated tree and palm for a period of one year after installation. Should any relocated tree or palm die or be effectively destroyed within that one-year period, it shall be replaced according to the tree replacement requirements listed in Section 27-408(i), Broward County Code (BCC). This shall be done within sixty (60) days of tree mortality or effective destruction. **The Department shall be notified in this event.**
8. The licensee shall monitor the condition of all trees, shrubs and groundcover installed in accordance with the Resource Management Plan. Replacement trees, shrubs and groundcover shall be installed if it is determined that the minimum survival requirements of the Resource Management Plan are not being met.
9. All tree pruning done on site will be performed in accordance with BCC and (ANSI) A-300, 2008 guidelines. Palms will be pruned leaving all live fronds above the 9:00 to 3:00 o'clock positions.
10. **A continuous barrier shall be installed at the boundary of the Conservation Area to separate the area from the construction area. The barrier shall be made of sturdy materials, shall be easily seen and maintained for the duration of construction on the site. This Department shall be notified when the barriers are installed.**
11. No grade changes are to be made beneath the drip-lines of preserved trees or palms unless indicated on the plans referenced by the license.
12. Replacement or relocated trees and palms shall be planted at grade and surrounded by a four inch deep bed of mulch starting at the edge of the root ball and extending out to a three foot radius from the trunk. The top-most root originating from the trunk shall be visible at the soil surface.
13. Temporary supports shall be removed after trees and palms become established. This would normally be after 7 months for broad leaf trees and 12 months for palm trees.

LICENSE NO.: TP18-1056
LICENSEE: City of Fort Lauderdale

14. The licensee shall only remove those trees or palms so specified in the license. Any removal or damage to any other tree or palm on the site shall constitute a violation.
15. The issuance of this license is a final agency determination. 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, subject to the provisions of Section 27-14, Broward County Code of Ordinances.

Issued: August 22nd, 2018

Expiration Date: August 22nd, 2023

BROWARD COUNTY ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT



Peter Burke, Tree Preservation Manager
Environmental Engineering and Permitting Division