

MEMORANDUM

TO: Governing Board Members

FROM: Chip Merriam, Deputy Executive Director, Water Resources

DATE: February 21, 2007

SUBJECT: Approve the release of Dedication of Lands as Wetlands for a project known as Sunset Falls (Lee County)

Staff Recommendation

Approve the release of Dedication of Lands as Wetlands for a project known as Sunset Falls (Lee County).

Background

The District issued Permit No. 36-00419-S on December 15, 1983 for a project known as Lee Plantation – Phase 1. As part of that project, the then-owner of the land recorded a “Dedication of Lands as Wetlands” over four wetland areas totaling 16.99 acres, more or less. The permitted project was not constructed, and the permit expired. However, the Dedication remains on the record books of Lee County as an encumbrance on this property.

The current owner has applied for an Environmental Resource Permit to construct a surface water management system to serve a residential development known as Sunset Falls. The proposed project includes impacts to a portion of the wetlands encumbered by the Dedication and on-site mitigation in the form of preservation and enhancement of a consolidated preserve area, including dedication of a conservation easement to the District. In order to reflect the new site plan, which meets all current regulatory criteria, the owner has requested a release of the Lands Dedicated as Wetlands, to be replaced with an updated conservation easement.

**Staff Contact: Anita Bain, Director, Natural Resource Management Division
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