

ATTACHMENT G

ATTACHMENT B-2

REG: 607321309

APPROVAL AND MITIGATION AGREEMENT

This agreement is made and entered into by the Executive Director of the Environmental Protection Commission of Hillsborough County pursuant to Chapter 84-446, Laws of Florida, and _____, owner of the following described property (location of mitigation area(s) and/or Conservation Easement; include description, address, folio, section, township, range):

And in consideration of the Executive Director's authorization to develop or impact the wetland(s) located on (location of area(s) to be developed or impacted; include description, address, folio, section, township, range):

as described in _____, owner agrees:
(project name)

- (a) to perform or construct the mitigation on property identified first above according to the specifications of the approved plan (Plan), identified as _____ (plan name) and kept on file with the Commission;
- (b) to perform the monitoring as required and any corrections or modifications to the mitigation in order to achieve the success specifications agreed upon in the Plan;
- (c) to notify in writing the Director of the Ecosystems Management Department of the exact start and completion dates for approved disturbances and for the construction of mitigation areas;
- (d) to give actual notice of this Mitigation Agreement and any Conservation Easement to any purchaser of the mitigation area and/or area of the Conservation Easement;
- (e) to specifically retain the right to complete the terms of this Mitigation Agreement in the event of sale of the mitigation area, or to otherwise provide for the satisfactory completion of the terms of the Plan pursuant to this Mitigation Agreement, by written agreement acceptable to the Executive Director;
- (f) to provide public notice of the Commission's interest in the mitigation area at its own expense, by (i) executing and recording a Conservation Easement over the mitigation area to the Commission, (ii) recording this Mitigation Agreement, or by (iii) appropriate notation on the plat; and (please indicate which methods of public notice will be used by crossing out those not applicable)
- (g) owner agrees to provide prior to commencing the proposed impact of this project, a Irrevocable Standby Letter of Credit or equivalent financial security for the implementation term of the Plan, in the amount of \$ _____, to ensure compliance with this agreement and the Plan.

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property, and in consideration of the agreement to complete the mitigation according to the specifications of the Plan and as agreed above, the Executive Director has determined that the proposed Plan would provide adequate protection of the environmental benefits and hereby gives authorization to the owner to impact the wetland as proposed, conditioned upon the specifications of that proposal and this agreement.

It is agreed that THIS AUTHORIZATION WILL EXPIRE ON _____; however, if any impact to the wetland identified above has occurred prior to that time pursuant to this authorization, the Plan shall be implemented in its entirety. Failure to comply with the terms of this agreement or to implement the Plan according to its specifications shall be a violation of Chapter 84-446, Laws of Florida and enforceable accordingly, as well as by action on the contract.

OFF. REC. 6973PC1310

Date _____

Owner/Agent Signature & Title
(If by agent, Power of Attorney required)

Mailing Address _____

(Corporate Seal)

State of _____
County of _____

The signature on the foregoing instrument was acknowledged before me this _____ (date) by _____ (name of officer or agent, title of officer or agent), of _____ (name of corporation), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or produced _____ (type of ID) as identification, and who did _____ take an oath.

(Notary's Signature)

(Notary's Name - typed, printed or stamped)

(Title or rank)

(Serial number, if any)

(Date Commission Expires)

(Notary Seal)

Date _____

Roger P. Stewart, Executive Director
Environmental Protection Commission
of Hillsborough County
1900 Ninth Avenue
Tampa, Florida 33605

Prepared by: Sara M. Fotopoulos, Chief Counsel
Return to: Environmental Protection Commission
1900 9th Avenue
Tampa, Florida 33605

(corporation)