



Agenda Item Summary

File ID: 21-0598

CNST-13

Meeting Date: 4/13/2021

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A 15 FOOT SOVEREIGNTY SUBMERGED LANDS EASEMENT (EASEMENT) FROM THE STATE FOR CONSTRUCTION OF SHORELINE PROTECTION FOR BIRD ISLAND-SPOIL ISLAND MC2

EXECUTIVE SUMMARY:

This is a request for the adoption of a resolution accepting and approving a 15 foot easement from the Board of Trustees of the Internal Improvement Trust Fund ("State") for an artificial reef structure, shore stabilization and mangrove restoration for the construction of a living shoreline along the southern and eastern shorelines of Spoil Island MC2 ("Bird Island").

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura, FRP
Title: Real Property Manager

REQUESTED BY: John Maehl, Ecosystems and Restoration Management Manager

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- | | | |
|----|----------------------------|--|
| 1. | Easement drafted by: | State |
| 2. | Parties to the Easement: | State, Grantor
Martin County, Grantee |
| 3. | Purpose of the Easement: | Construction of shoreline protection for Bird Island |
| 4. | New/Renewal/Modification: | New |
| 5. | Duration: | Perpetual |
| 6. | Benefits to Martin County: | Protect the shoreline of Bird Island |
| 7. | Cost to Martin County: | Minimal recording costs |

Bird Island is considered to be one of the most important bird nesting islands in southeast Florida. Over the last 40 years the island has been threatened by wave energy from boat wakes and storms. Bird Island is located within a waterway of the state. The state has authority to grant permits and easements to the County for maintenance and protection of the island. In 2011, the County successfully constructed a large breakwater north of the island. This project was very successful at slowing erosion and even allowing the northern portions of the island to expand. Unfortunately, the project did not address all the erosion forces impacting the island and the southern and eastern sides of the island remain vulnerable to erosive forces.

Staff contacted the State and requested the easement to allow Martin County to construct a living shoreline along the southern and eastern shorelines of Bird Island to help protect the remaining portions of the island.

Sec. 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of an interest in land to Martin County for any public purpose shall be accepted and approved by resolution by the Board of County Commissioners of Martin County.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt a Resolution accepting and approving the Sovereignty Submerged Lands Easement from the Board of Trustees of the Internal Improvement Trust Fund and authorize the Chair to execute any and all documents necessary to complete this transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff with alternative direction.

FISCAL IMPACT:

RECOMMENDATION

Minimal recording fees.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

<input type="checkbox"/> Budget Transfer / Amendment	<input type="checkbox"/> Chair Letter	<input checked="" type="checkbox"/> Contract / Agreement
<input type="checkbox"/> Grant / Application	<input type="checkbox"/> Notice	<input checked="" type="checkbox"/> Resolution

☐ Other:

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback <<http://www.martin.fl.us/accessibility-feedback>>.