

MEMORANDUM

Agenda Item No. 11(A)(1)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: December 2, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution amending Resolution No. R-1051-21 to direct the County Mayor to evaluate the feasibility of utilizing Miami-Dade County parks as land for a County-owned mitigation bank and to include findings and recommendations related to such evaluation in the required final report; and amending Resolution No. R-1051-21 to direct the County Mayor to place the final report on an agenda of this Board within 60 days

Resolution No. R-1170-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: December 2, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

Please note any items checked.

- _____ **"3-Day Rule" for committees applicable if raised**
- _____ **6 weeks required between first reading and public hearing**
- _____ **4 weeks notification to municipal officials required prior to public hearing**
- _____ **Decreases revenues or increases expenditures without balancing budget**
- _____ **Budget required**
- _____ **Statement of fiscal impact required**
- _____ **Statement of social equity required**
- _____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**
- _____ **No committee review**
- _____ **Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____)** to approve
- _____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)
12-2-25

RESOLUTION NO. _____ R-1170-25

RESOLUTION AMENDING RESOLUTION NO. R-1051-21 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EVALUATE THE FEASIBILITY OF UTILIZING MIAMI-DADE COUNTY PARKS AS LAND FOR A COUNTY-OWNED MITIGATION BANK AND TO INCLUDE FINDINGS AND RECOMMENDATIONS RELATED TO SUCH EVALUATION IN THE REQUIRED FINAL REPORT; AND AMENDING RESOLUTION NO. R-1051-21 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PLACE THE FINAL REPORT ON AN AGENDA OF THIS BOARD WITHIN 60 DAYS

WHEREAS, section 373.403 of the Florida Statutes defines a wetlands mitigation bank as “a project permitted under [state law] undertaken to provide for the withdrawal of mitigation credits to offset adverse impacts authorized by a permit under [state law]”; and

WHEREAS, wetlands mitigation banks are highly regulated by the State of Florida, through the Department of Environmental Protection and the water management districts, and such wetlands mitigation banks require financial assurances to obtain state approval; and

WHEREAS, the State regulates how wetlands mitigation credits are awarded to a wetlands mitigation bank, and section 373.4136(4) of the Florida Statutes provides that “[t]he number of credits awarded shall be based on the degree of improvement in ecological value expected to result from the establishment and operation of the mitigation bank as determined using a functional assessment methodology”; and

WHEREAS, a wetlands mitigation bank may sell wetlands mitigation credits to property owners or developers who seek to satisfy certain regulatory requirements applicable to federal, state, or county permits for work in wetlands; and

WHEREAS, insufficient wetlands mitigation credits are currently available in Miami-Dade County; and

WHEREAS, projects that would greatly benefit the local community and local economy might not be able to move forward without the ability that mitigation banks provide to mitigate those projects' wetland impacts; and

WHEREAS, Miami-Dade County owns park properties that are managed by the Department of Parks, Recreation and Open Spaces and that contain wetlands, which may benefit from additional environmental maintenance and restoration; and

WHEREAS, Miami-Dade County does not operate a wetlands mitigation bank; and

WHEREAS, if the County were to establish its own wetlands mitigation bank, such a project may create a much-needed funding source to restore County-owned parks that contain wetlands; and

WHEREAS, the State's process to permit a new wetlands mitigation bank can be extensive, but rule 62-342.450 of the Florida Administrative Code provides that "[a] person or entity who wishes to obtain an estimation of the legal and financial requirements necessary for a Mitigation Bank, information necessary for evaluation of a Mitigation Bank Permit application, and potential Mitigation Credits to be awarded under a Mitigation Bank Permit, may apply for a Mitigation Bank Conceptual Approval Permit"; and

WHEREAS, on November 2, 2021, this Board adopted Resolution No. R-1051-21, which directed the administration to apply for a Mitigation Bank Conceptual Approval Permit as a first step to pursue the County's establishment of a County-owned wetlands mitigation bank; and

WHEREAS, Resolution No. R-1051-21 also directed the County Mayor or designee to prepare various written reports related to the County's submission of a Mitigation Bank Conceptual Approval Permit application; and

WHEREAS, the County Mayor or designee was further directed to prepare a final report with the final responses and findings provided by the permitting agency in response to the County's Mitigation Bank Conceptual Approval Permit application, including, but not limited to, financial requirements and other obligations, information necessary for a mitigation bank permit application, and potential mitigation credits to be awarded; and

WHEREAS, the final report was also required to include information about any other options that may be available to the County, and recommendations as to the establishment of a County-owned wetlands mitigation bank, which property could be included, and which restoration or maintenance projects the County could undertake, if applicable; and

WHEREAS, this Board desires for the administration to evaluate the feasibility of utilizing Miami-Dade County parks as land for a County-owned mitigation bank, and for the final report to include findings and recommendations related to such evaluation; and

WHEREAS, the County Mayor or designee was directed to place the final report on the an agenda of the Board within 180 days of the effective date of Resolution No. R-1051-21; and

WHEREAS, the effective date of Resolution No. R-1051-21 was November 12, 2021, and the final report was therefore required to be provided on or before May 11, 2022; and

WHEREAS, this Board wishes to direct the County Mayor or designee to the expedite the preparation of the final report so that it may be placed on an agenda of the Board within 60 days of the effective date of this resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Amends section 4 of Resolution No. R-1051-21, adopted by this Board on November 2, 2021, to direct the County Mayor or designee to evaluate the feasibility of utilizing Miami-Dade County parks as land for a County-owned mitigation bank and to include findings and recommendations related to such evaluation in the final written report required by section 4 of Resolution No. R-1051-21.

Section 2. Amends section 4 of Resolution No. R-1051-21 to direct the County Mayor or designee to place the required final written report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure within 60 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. It was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	absent	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Vicki L. Lopez	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of December, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CMR", is written over a horizontal line.

Cristina M. Rabionet