

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Rich Virgil, P.E., Field Operations Division

**DATE:** June 11, 2026

**SUBJECT:** Request for Right of Way Occupancy Permit

### **Agenda Item Background:**

Broward County Parks and Recreation Division (Applicant) requests a modification of Standard Right of Way Occupancy Permit Number 6659 (ROW Permit) and associated waivers from District criteria to allow for improvements within the L-38W Canal right of way for the West Broward Boat Ramp facility, a regional recreational use located on the west side of U.S. 27 approximately 2 miles north of Interstate 75 in Broward County. The proposed improvements to be authorized by the ROW Permit include a concrete pad and sidewalk with a kiosk, bench, and trash receptacle and an entry sign. Waivers are required from District criteria to allow the kiosk, bench, and trash receptacle, all of which are non-allowable uses within the right of way and proposed within 40 feet of top of bank. No waiver is required for the concrete pad, sidewalk, or entry sign.

The West Broward Boat Ramp was originally authorized by ROW Permit 6659 issued to Florida Department of Transportation (FDOT) in April 1977. By the mid-2010s, the boat ramp had fallen into disrepair. The District did not wish to assume responsibility for the ramp and FDOT indicated that it was no longer maintaining boat ramp facilities it had constructed in the past. Given the condition of the boat ramp and parking at the time, FDOT made the decision to close the boat ramp while it sought monies for removal of the improvements within the right of way.

In 2022, Broward County expressed interest in assuming responsibility for the boat ramp. This interest was welcomed by the District, Florida Fish and Wildlife Conservation Commission (FWC) and FDOT. The agencies collaborated to identify a process for the ramp and parking to be rehabilitated for public use. Broward County agreed to assume responsibility for the boat ramp if FDOT, the permittee at the time, would make some improvements to the existing parking areas. FDOT completed the necessary parking improvements in 2023. Thereafter, ROW Permit 6659 was transferred to Broward County. Now known as the "West Broward Boat Ramp," the facility reopened for public use and is being operated and maintained by Broward County.

Applicant's request for waivers is supported by its demonstration of substantial hardship and the application of principles of fairness. Approval of the requested waivers is consistent with previous Governing Board action for similar recreational facilities both within and outside of Broward County. The U.S. Army Corps of Engineers has granted Section 408 authorization for the proposed work. If the waivers are approved, construction of the proposed improvements will not adversely impact the District's ability to perform routine or emergency operations, maintenance, or future construction activities.

**Staff Contact and/or Presenter:**

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**ATTACHMENTS:**

[Backup Presentation](#)