

# Regional Mitigation Plan Update

Supplemental - April 2019



Northwest Florida Water Management District  
81 Water Management Drive  
Havana, FL 32333-4712

**Program Development Series 19-01 (Supplemental)**

# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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## Introduction

This supplemental to the 2019 Regional Mitigation Plan Update adds two additional Florida Department of Transportation (FDOT) projects which may require mitigation through the Northwest Florida Water Management District (NFWFMD or District) mitigation program.<sup>1</sup> The total direct wetland impact associated with these two projects is estimated by FDOT at 0.306 acres; assessments of functional loss have not been provided at this time.

Section 373.4137(4), Florida Statutes (F.S.), requires the District, in consultation with the Florida Department of Environmental Protection (FDEP); the United States Army Corps of Engineers (USACE); FDOT; other appropriate federal, state, and local governments; and other interested parties, to develop and approve an annual regional mitigation plan before March 1<sup>st</sup> of each year for FDOT mitigation needs submitted to the District.

Although not required to participate in the District mitigation program (section 373.4137(2)(a), F.S.), FDOT District Three opts to mitigate through the District when use of a private mitigation bank is not feasible. This supplemental to the 2019 Regional Mitigation Plan Update satisfies the requirements of section 373.4137(4), F.S., to develop a mitigation plan for submittal to, and approval by, FDEP. To facilitate a policy-level review, FDEP guidance requests that regional mitigation plan submittals be in the form of a summary and only address new projects; detailed information and permit-level project plans are posted at the District website ([www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program](http://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program)). Approval from FDEP is obtained prior to implementation of mitigation.

## Consideration of Private Mitigation Banks

Per section 373.4137(2)(c), F.S., FDOT must investigate use of a mitigation bank before including a project on the environmental impact inventory (Inventory) submitted to the District. If the District identifies use of a mitigation bank to offset an FDOT impact included on the Inventory, the District shall exclude that project from the mitigation plan and FDOT shall be responsible for purchase of bank credits (section 373.4137(3)(d), F.S.).

Private mitigation bank service areas cover approximately one-third of northwest Florida (Figure 1). The District strongly encourages the development of private mitigation banks, especially in areas not currently served by private banks. The District does not compete with private mitigation banks and will develop or provide mitigation to FDOT only when use of a private mitigation bank is not feasible. Use of a mitigation bank as offsetting mitigation for an FDOT impact is dependent upon approval by state and federal permitting authorities.

Consideration of current service area coverages, as indicated in Figure 1, suggests that development of additional credits within several regions of northwest Florida may be needed to support future transportation improvements. Additional palustrine credits within the Blackwater River and Yellow River

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<sup>1</sup> The 2019 Regional Mitigation Plan Update (February 2019) was approved by the NFWFMD Executive Director (acting as the NFWFMD Governing Board designee) on February 25, 2019 and submitted for FDEP approval on February 26, 2019.

basins and additional estuarine credits districtwide may be particularly useful to support future transportation needs.

## 2019 Project Update Supplemental

As noted in the introduction, this supplemental to the 2019 Regional Mitigation Plan Update addresses the wetland mitigation needs of two road projects that FDOT District Three added to the Inventory after NFWFMD approval of the 2019 Regional Mitigation Plan Update (Figure 2).

**CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1).** This project is located in the Apalachicola River and Bay watershed in Jackson County. Direct impacts to jurisdictional wetlands are estimated by FDOT as 0.123 acres. Estimates of UMAM functional loss have not been provided. This impact is not within the service area of any private mitigation bank. Proposed mitigation is use of mitigation credits from the Tates Hell Mitigation Area of the NFWFMD In-Lieu Fee mitigation program (26.69 Palustrine Forested and 8.12 Palustrine Emergent UMAM credits currently available). Additional information, as this project proceeds, will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Umbrella-Plan/FDOT-Impacts/Apalachicola-Watershed-Impacts/CR-280-Shady-Grove-Road-from-SR-69-to-CR-286-436620-1>.

**CR 67 Yellow Creek Bridge (FPID 439371-1).** This project is located in the Ochlockonee River and Bay watershed in Liberty County. Direct impacts to jurisdictional wetlands are estimated by FDOT as 0.183 acres. Estimates of UMAM functional loss have not been provided. This impact is not within the service area of any private mitigation bank. Proposed mitigation is use of mitigation credits from the Shuler Mitigation Area of the NFWFMD In-Lieu Fee mitigation program (26.70 Palustrine Forested UMAM credits currently available). Additional information, as this project proceeds, will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Umbrella-Plan/FDOT-Impacts/Ochlockonee-Watershed-Impacts/CR-67-Yellow-Creek-Bridge-439371-1>.

## Conclusion

The District concludes that this supplemental to the 2019 Regional Mitigation Plan Update complies with the mitigation requirements of section 373.4137, F.S., and 33 USC Section 344, subject to approval by FDEP, for the project described above. Approval by the Governing Board of the District or its designee and FDEP shall authorize the activities proposed in the mitigation plan, and no other state, regional or local permit or approval shall be necessary. Per section 373.4137(5), F.S., the District, upon notice and coordination with FDOT, may deviate from the approved mitigation plan to comply with federal permitting requirements.

All Regional Mitigation Plan documents may be accessed online at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program>. Copies may be obtained from the Resource Management Division, Northwest Florida Water Management District, 81 Water Management Drive, Havana, FL 32333-4712.

Pursuant to sections 373.4137(4) and (6), F.S., the District hereby approves this supplemental to the 2019 Regional Mitigation Plan Update.

Modifications to the District-approved Regional Mitigation Plan may not be implemented before approval by FDEP. Through consultation with the aforementioned entities, the District's Regional Mitigation Plan has been designed and evaluated to meet state and federal mitigation requirements (section 373.4137, F.S., and 33 United State Code section 1344); however, it is the responsibility of FDOT to propose offsetting mitigation to state and federal permittees.

**APPROVED** this 15 day of April 2019



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## For More Information

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# Northwest Florida Water Management District

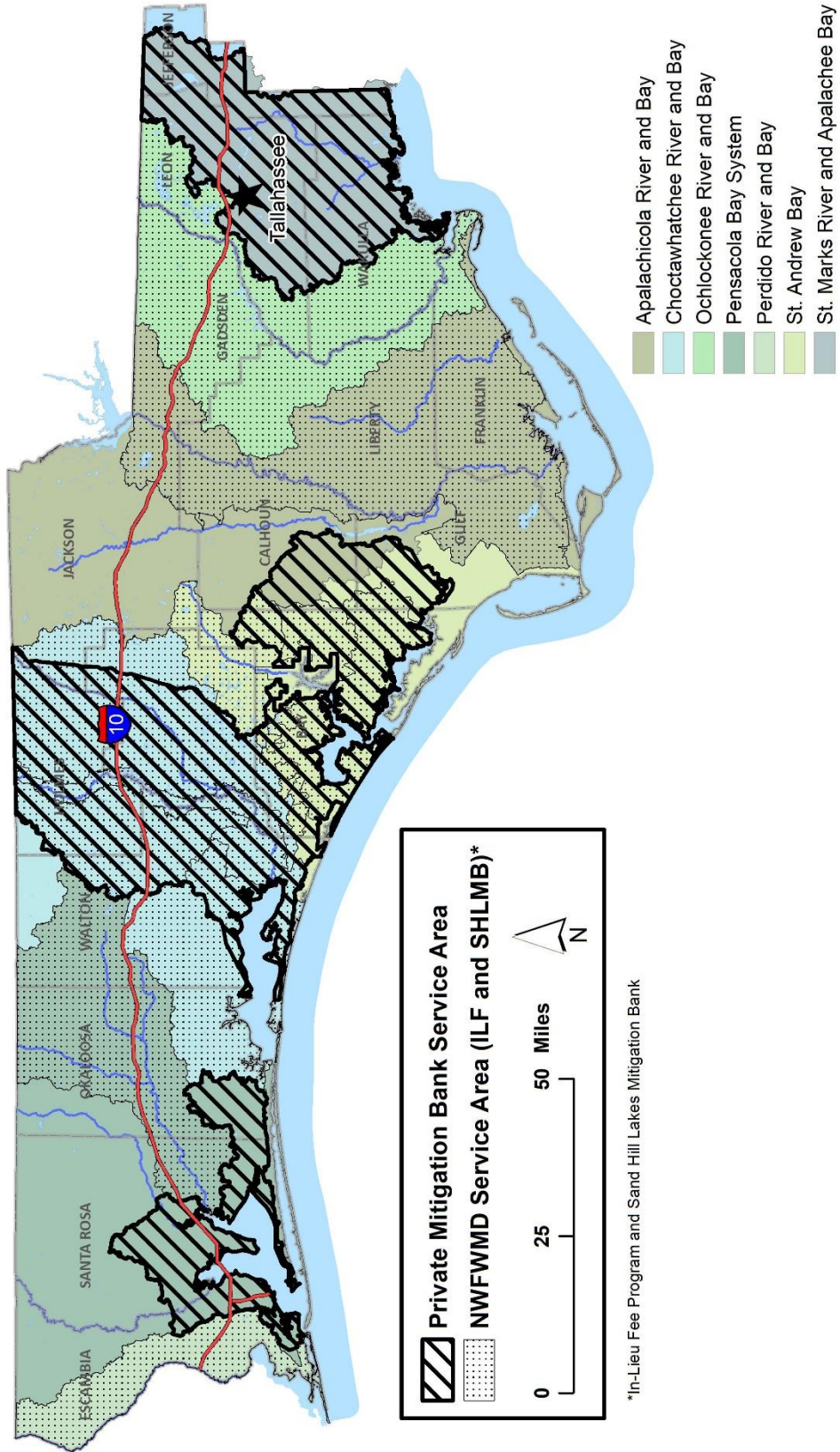


Figure 1. Mitigation Service Areas in Northwest Florida

\*In-Lieu Fee Program and Sand Hill Lakes Mitigation Bank

# Northwest Florida Water Management District 2019 Regional Mitigation Plan Update - Supplemental FDOT Project

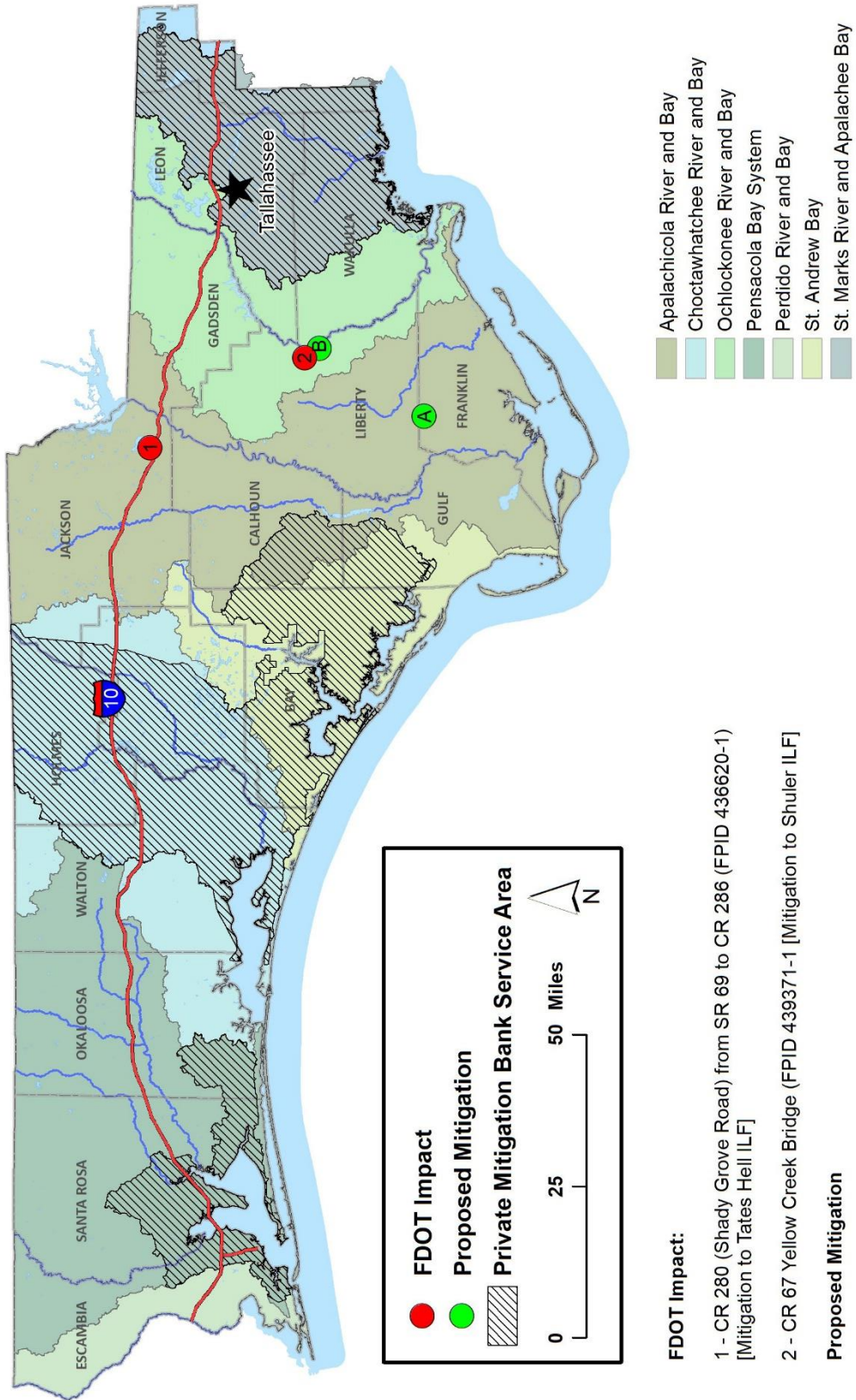


Figure 2. Map of FDOT Impacts and Identified Mitigation Options



Table 1. Mitigation and Impact Project Overview

Mitigation and Impact Project Overview - April 2019 <sup>1</sup>							
Mitigation Name	Impact Project	Impact Location		Habitat / Community Type Impact	Type Acres Impact	Total Impact Acres <sup>2</sup>	T/E Species
		County	Drainage Basin				
Tates Hell In-Lieu Fee Mitigation Area	CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1) <sup>3</sup>	Jackson	Apalachicola River and Bay Watershed	Palustrine	0.123	0.123	TBD
Shuler In-Lieu Fee Mitigation Area	CR 67 Yellow Creek Bridge (FPID 439371-1) <sup>4</sup>	Liberty	Ochlockonee River and Bay Watershed	Palustrine	0.183	0.183	TBD

**Notes to Table 1 - Mitigation and Impact Project Overview:**

<sup>1</sup>The impacts listed in this table were submitted from FDOT to NFWFMD via the Environmental Mitigation Escrow Report after NFWFMD-approval of the 2019 Regional Mitigation Plan Update. Per section 373.4137, FS, NFWFMD may provide mitigation for FDOT impacts only when FDOT is unable to purchase credits from a mitigation bank to meet federal and/or state permit conditions. The NFWFMD mitigation program, established under section 373.4137, FS, does not compete with private mitigation banks.

<sup>2</sup>Direct wetland impact acres as listed on the most recent FDOT District 3 Environmental Mitigation Escrow Report. The NFWFMD mitigation program relies upon FDOT to provide all information associated with their wetland impacts; it does not quantify or otherwise assess wetland impacts for FDOT. Impact acreage frequently changes during the project planning and permitting process.

<sup>3</sup>The CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1) impact does not occur within any private mitigation bank service area. This impact does occur within the Tates Hell In-Lieu Fee Mitigation Area service area. The NFWFMD encourages the development of private mitigation banks in areas not currently served by private banks.

<sup>4</sup>The CR 67 Yellow Creek Bridge (FPID 439371-1) impact does not occur within any private mitigation bank service area. This impact does occur within the Shuler In-Lieu Fee Mitigation Area service area. The NFWFMD encourages the development of private mitigation banks in areas not currently served by private banks.

Table 2. Mitigation Plan Overview

Mitigation Plan Overview - April 2019							
Mitigation Name	Location		Habitat / Community Type	Mitigation Type	Acres/Type or # Credits <sup>1</sup>	Total Acres or # Credits	Land Acquisition
	County	SWIM Drainage Basin					
Tates Hell ILF <sup>2</sup>	Franklin	Apalachicola	Palustrine Wetlands	ILF	TBD	TBD	No
Shuler ILF <sup>3</sup>	Liberty	Ochlockonee	Palustrine Wetlands	ILF	TBD	TBD	No

**Notes to Table 2 - Mitigation Plan Overview:**

<sup>1</sup>Number and type of credits to be finalized when federal and state permits are issued. Total estimated impact is 0.306 acres of jurisdictional wetlands. UMAM functional loss estimates have not been provided.

<sup>2</sup>Proposed mitigation for CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1).

<sup>3</sup>Proposed mitigation for CR 67 Yellow Creek Bridge (FPID 439371-1).

Table 3. Cost Estimates of Mitigation Plan Supplemental

Cost of Mitigation Plan - April 2019						
Mitigation Name	Planning / Design Cost	Construction Cost	Acquisition or Credit Purchase Cost	Management Cost	Total Cost	Mitigation Cost per Acre of Impact <sup>1</sup>
Dutex In-Lieu Fee Mitigation Area <sup>2</sup>	\$0	\$0	\$14,459	\$0	\$14,459	\$117,551
Shuler In-Lieu Fee Mitigation Area <sup>3</sup>	\$0	\$0	\$21,512	\$0	\$21,512	\$177,551

**Notes to Table 3 – Cost Estimates of Mitigation Plan Supplemental:**

<sup>1</sup>The current FDOT per-acre funding for wetland impacts associated with transportation projects, in accordance with section 373.4137, FS, is \$117,551 (valid through 6/30/2019; value is adjusted annually based on the federal Consumer Price Index).

<sup>2</sup>Mitigation for CR 280 (Shady Grove Road) from SR 69 to CR 286 (FPID 436620-1); an estimated 0.123-acre impact (0.123 Acres x \$117,551/Acre = \$14,459).

<sup>3</sup>Mitigation for CR 67 Yellow Creek Bridge (FPID 439371-1); an estimated 0.183-acre impact (0.183 Acres x \$117,551/Acre = \$21,512).