

Regional Mitigation Plan Update

February 2021



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

Program Development Series 21-01

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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81 Water Management Drive
Havana, Florida 32333-4712
(850) 539-5999
www.nwfwater.com

DeFuniak Springs

700 U.S. Highway 331
DeFuniak Springs,
Florida 32435
(850) 951-4660

Econfina

6418 E. Highway 20
Youngstown, FL 32466
(850) 722-9919

Milton

5453 Davisson Road
Milton, FL 32583
(850) 626-3101

Contents

Contents.....	i
Introduction	1
Consideration of Private Mitigation Banks	1
2021 Project Update	2
Conclusion.....	3
Figure 1. Mitigation Service Areas in Northwest Florida	5
Figure 2. Map of FDOT Impact and Identified Mitigation Option.....	6
Table 1. Mitigation and Project Overview	7
Table 2. Mitigation Plan Overview.....	9
Table 3. Cost of Mitigation Plan.....	10

Introduction

Section 373.4137(4), Florida Statutes (F.S.), requires the Northwest Florida Water Management District (NFWFMD or District), in consultation with the Florida Department of Environmental Protection (FDEP); the United States Army Corps of Engineers (USACE); the Florida Department of Transportation (FDOT); other appropriate federal, state, and local governments; and other interested parties, to develop and approve an annual regional mitigation plan before March 1st of each year for FDOT mitigation needs submitted to the District. The NFWFMD mitigation program includes the Sand Hill Lakes Mitigation Bank (owned and operated by the District), the District's In-Lieu Fee Instrument authorized by the USACE, and other mitigation projects implemented by the District.

Although FDOT is 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 Regional Mitigation Plan Update satisfies the requirements of section 373.4137(4), F.S., to annually 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). 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 basins and additional estuarine credits districtwide may be particularly useful to support future transportation needs.

2021 Project Update

This Regional Mitigation Plan Update addresses the wetland mitigation needs of six FDOT road projects (Figure 2) that have been added to the FDOT District Three Inventory (five have been added since approval of the 2020 Regional Mitigation Plan Update; one was included in the 2019 Regional Mitigation Plan with updated mitigation options included in this plan). Total direct wetland impact associated with these projects, as estimated by FDOT, is to be determined (TBD).¹ Project impacts and possible mitigation are summarized below. Additional information on impacts and proposed mitigation is posted at www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program.

FDOT Transportation Projects

US 90A (from Foxtail Loop road to I-10); FDOT FPID 218519-2. This is a road-widening project in Escambia County in the Perdido River and Bay watershed. At this time, estimates of wetland impacts or functional loss have not been provided by FDOT. This impact is not currently within the service area of any private mitigation bank. Proposed mitigation, if required by federal and/or state permittees, is use of the Dutex In-Lieu Fee (ILF) Mitigation Area, a component of the NFWWMD ILF mitigation program. If a private mitigation bank option becomes available prior to permitting, this project will be withdrawn from the NFWWMD mitigation program and FDOT will be responsible for purchasing credits from a private bank. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Perdido-Watershed-Impacts/Mitigation-Pending-TBD/US-90A-from-Foxtail-Loop-to-I-10-218519-2>.

SR 292 (from SR 173 to SR 727); FDOT FPID 218493-3. This project is in Escambia County in the Pensacola Bay System watershed. Impacts to an estimated 0.528 acres of palustrine wetlands are expected to be mitigated through FDOT purchase of credits from a private mitigation bank. If type-for-type mitigation is required by permittees for impacts to an estimated 0.060 acres of estuarine wetlands, proposed mitigation would be use of estuarine credits from the Dutex ILF Mitigation Area. Six estuarine credits are presently available at the Dutex ILF site. The NFWWMD does not compete with private mitigation banks and will provide estuarine mitigation for this impact only if FDOT exhausts all efforts to mitigate through a private bank. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Pensacola-Watershed-Impacts/Mitigation-Excluded-from-NFWWMD-Program/SR-292-from-SR-173-to-SR-727-218493-3>.

I-10 (from Santa Rosa / Okaloosa County Line to CR 189); FDOT FPID 413062-5. This project is in Okaloosa County in the Pensacola Bay System watershed. At this time, estimates of wetland impacts or functional loss have not been provided by FDOT. This impact is not currently within the service area of any private mitigation bank. Proposed mitigation, if required by federal and/or state permittees, is TBD. If a private mitigation bank option becomes available prior to permitting, this project will be withdrawn from the NFWWMD mitigation program and FDOT will be responsible for purchasing credits from a private bank. The NFWWMD will obtain FDEP approval before proceeding with any mitigation for this impact. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Okaloosa-Watershed-Impacts/Mitigation-Pending-TBD/I-10-from-Santa-Rosa-to-CR-189-413062-5>.

¹ Projects are often submitted by FDOT prior to estimates of wetland impact being completed. The NFWWMD relies upon FDOT for estimates of impact acreage and does not delineate or otherwise assess impacts associated with transportation projects.

[Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Pensacola-Watershed-Impacts/Mitigation-Pending-TBD/I-10-from-Santa-Rosa-Okaloosa-Co.-Line-to-CR-189-413062-5](https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Pensacola-Watershed-Impacts/Mitigation-Pending-TBD/I-10-from-Santa-Rosa-Okaloosa-Co.-Line-to-CR-189-413062-5).

I-10 (from CR 189 to near Wilkerson Bluff Road); FDOT FPID 441038-2. This project is in Okaloosa County in the Pensacola Bay System watershed. At this time, estimates of wetland impacts or functional loss have not been provided by FDOT. This impact is not currently within the service area of any private mitigation bank. Proposed mitigation, if required by federal and/or state permittees, is TBD. If a private mitigation bank option becomes available prior to permitting, this project will be withdrawn from the NFWWMD mitigation program and FDOT will be responsible for purchasing credits from a private bank. The NFWWMD will obtain FDEP approval before proceeding with any mitigation for this impact. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Pensacola-Watershed-Impacts/Mitigation-Pending-TBD/I-10-from-CR-189-to-two-miles-west-of-Wilkerson-Bluff-Road-441038-2>.

I-10 / Antioch Road Interchange; FDOT FPID 407918-5. This is a new interchange on I-10 in Okaloosa County in the Pensacola Bay watershed near Crestview. Impacts to jurisdictional palustrine wetlands are estimated by FDOT as 3.80 acres of direct impact and 1.29 acres of secondary impacts. UMAM loss is estimated at 2.47 functional units. This impact is not currently within the service area of any private mitigation bank. Proposed mitigation is use of the Yellow River Ranch ILF Mitigation Area, a component of the NFWWMD ILF mitigation program. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/Pensacola-Watershed-Impacts/Mitigation-Pending-TBD/I-10-at-SR-4-Antioch-Road-New-Interchange-407918-5>.

US 98 DuPont Bridge; FDOT FPID 442667-1. This is a bridge replacement in Bay County in the St. Andrew Bay watershed. FDOT estimates this project will have a direct, permanent impact on 1.33 acres of wetlands (0.05 acres of wetland fill; 1.28 acres of shading of wetlands and/or seagrass), have secondary impacts to 0.42 acres of wetlands, and temporary impacts to 0.41 acres of wetlands. Although several private mitigation bank service areas are adjacent to this impact, none have estuarine credits. Mitigation is TBD. The NFWWMD will develop mitigation for this impact only if federal and/or state permittees do not allow FDOT to make use of a private mitigation bank (i.e., if type-for-type mitigation is required). If the NFWWMD does develop mitigation for this impact, it will obtain FDEP approval before proceeding with implementation. Additional information as plans are developed will be posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan/FDOT-Impacts/St.-Andrew-Watershed-Impacts/Mitigation-Pending-TBD/US-98-DuPont-Bridge-442667-1>.

Conclusion

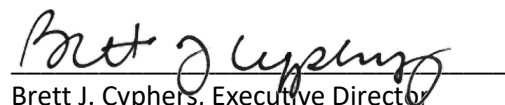
The District concludes that this Regional Mitigation Plan Update complies with the mitigation requirements of section 373.4137, F.S., and 33 USC Section 344, subject to approval by FDEP, for the six projects described above and included in the FDOT Inventory. Approval by the Governing Board of the District 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 modifications to the Regional Mitigation Plan for six FDOT impacts identified in the FDOT District Three Inventory. Modifications to the District-approved Regional Mitigation Plan may not be implemented prior to 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 17th day of February 2021


Brett J. Cyphers, Executive Director
Northwest Florida Water Management District
81 Water Management District Drive
Havana, Florida
32333-4712

For More Information

Website:

<https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program>

Staff Contact:

Robert Lide
Environmental Scientist III
Northwest Florida Water Management District
(850) 539-5999
Robert.Lide@nfwwater.com

Northwest Florida Water Management District

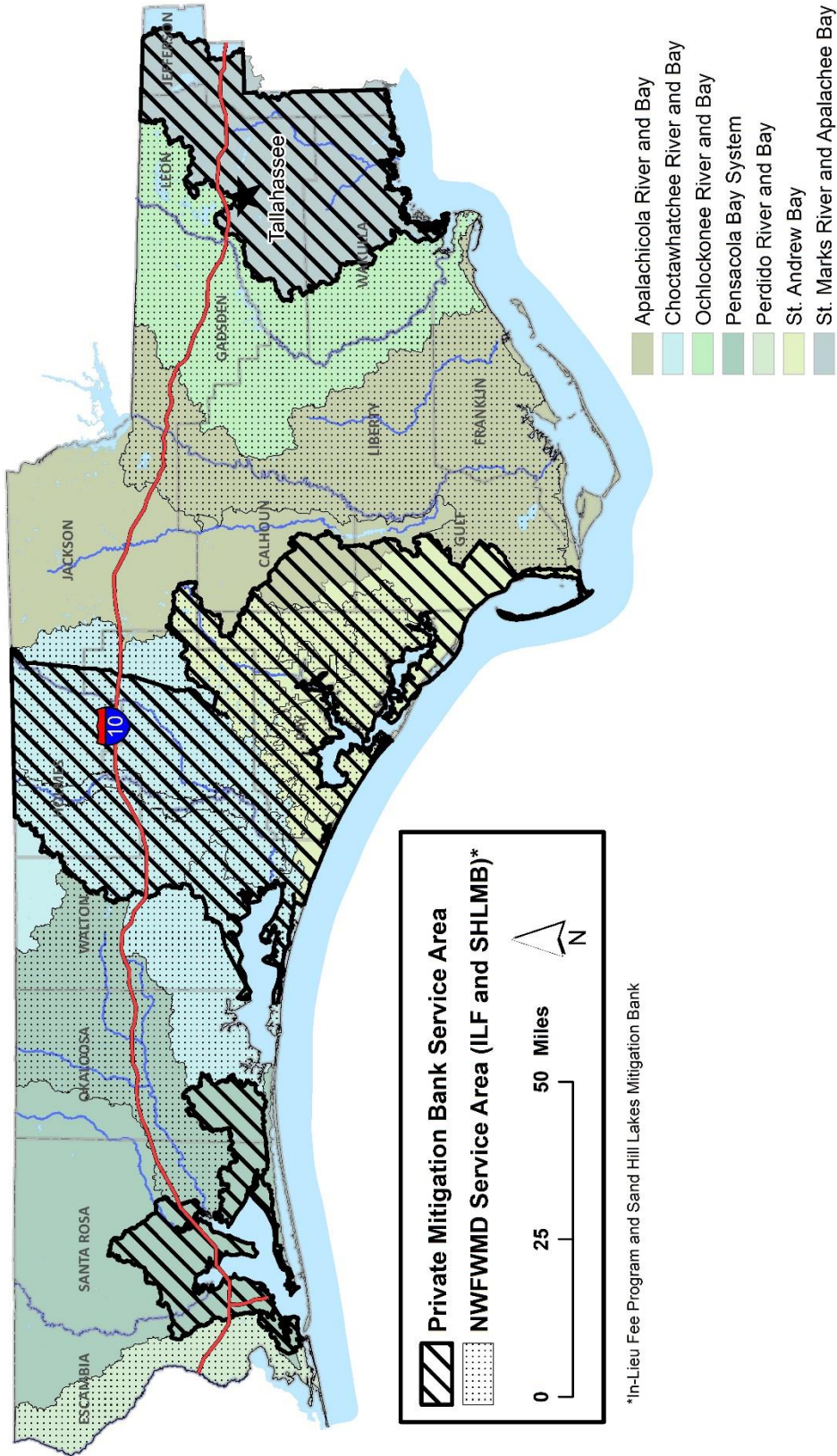


Figure 1. Mitigation Service Areas in Northwest Florida

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

Northwest Florida Water Management District 2021 Regional Mitigation Plan Update FDOT Projects and Proposed Mitigation

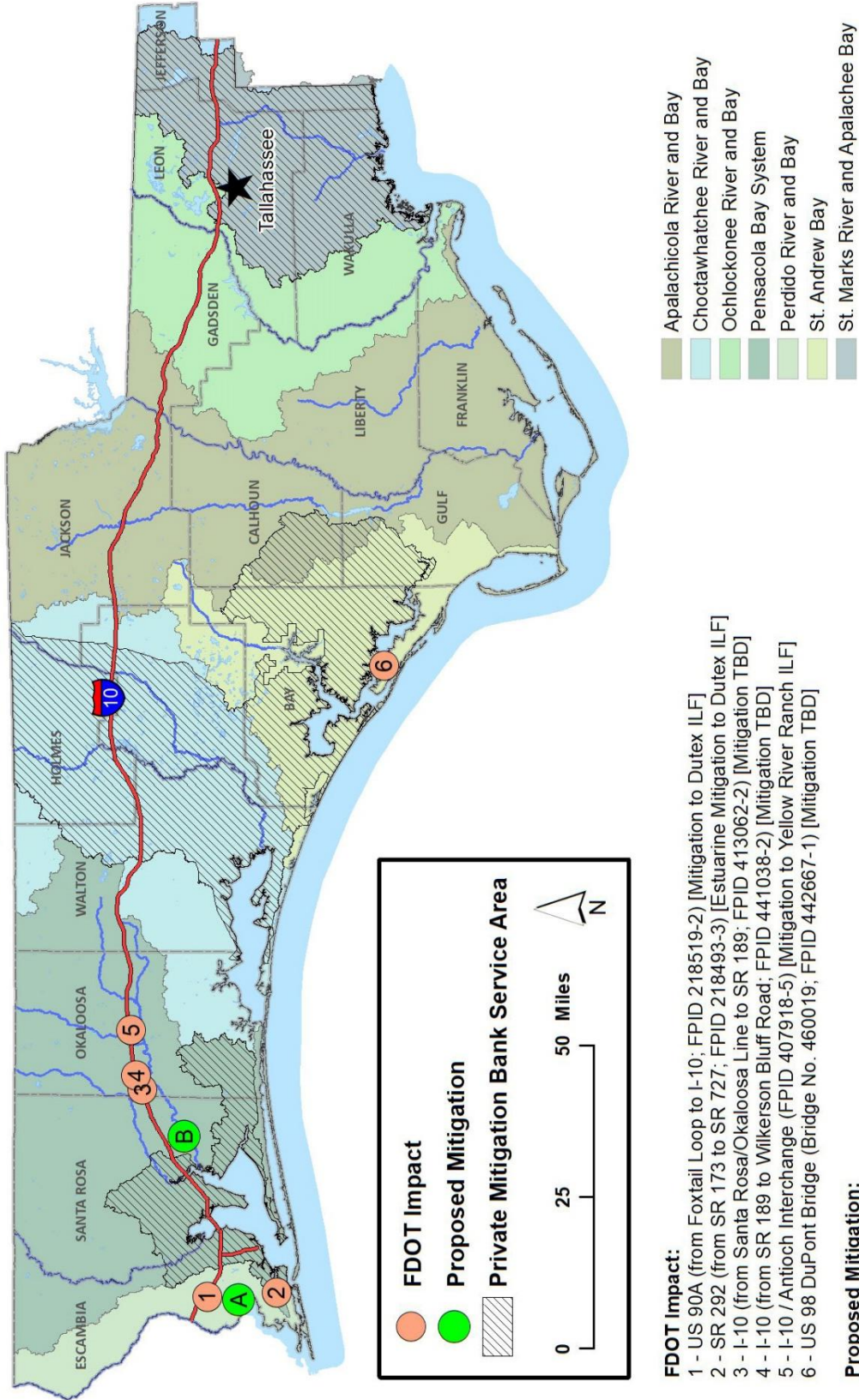


Figure 2. Map of FDOT Impact and Identified Mitigation Option

Table 1. Mitigation and Project Overview

Mitigation and Impact Project Overview - February 2021 ¹							
Mitigation Name	Impact Project	Impact Location		Habitat / Community Type Impact	Type Acres Impact	Total Impact Acres ²	T/E Species
		County	Drainage Basin				
Dutex In-Lieu Fee Mitigation Area	US 90A (from Foxtail Loop Road to I-10; FPID 218519-2) ³	Escambia	Perdido River and Bay Watershed	Palustrine	TBD	TBD	TBD
TBD	SR 292 (Sorrento Road from SR 173 to SR 727; FPID 218493-3) ⁴	Escambia	Pensacola Bay System Watershed (Bayou Grande)	Palustrine (Emergent)	0.003	0.59	TBD
				Palustrine (Forested)	0.525		TBD
				Estuarine	0.060		TBD
TBD	I-10 (from Santa Rosa / Okaloosa County Line to SR 189 Log Lake Road; FPID 413062-5) ⁵	Okaloosa	Pensacola Bay System Watershed (Yellow River)	Palustrine	TBD	TBD	TBD
TBD	I-10 (from SR 189 Log Lake Road to west of Wilkerson Bluff Road; 441038-2) ⁶	Okaloosa	Pensacola Bay System Watershed (Yellow River)	Palustrine	TBD	TBD	TBD
Yellow River Ranch In-Lieu Fee Mitigation Area	I-10 / Antioch Road (New Interchange; FPID 407918-5) ⁷	Okaloosa	Pensacola Bay System Watershed (Yellow River)	Palustrine	3.800	3.80	None
TBD	US 98 Bridge No. 460019 (DuPont Bridge; FPID 442667-1) ⁸	Bay	St. Andrew Bay Watershed	Estuarine	1.330	1.33	TBD
Estimated Total Direct Wetland Impact Acres:						5.13	

Notes to Table 1 - Mitigation and Impact Project Overview:

¹FDOT impacts listed on this table have been submitted to the NFWFMD since the last NFWFMD/FDEP-approved 2020 Regional Mitigation Plan (except for the I-10 / Antioch Road Interchange, FPID 407918-5, which was submitted in 2018; no mitigation was identified at that time). 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.

²Direct 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. In addition to direct impacts, secondary impacts may also be present and require offsetting mitigation. Mitigation funding, per section 373.4137, FS, is determined by direct impact acreage.

³No private mitigation bank option available for FPID 218519-2 (US 90A from Foxtail Loop Road to I-10).

⁴Mitigation to offset palustrine impacts associated with FPID 218493-3 (SR 292 from SR 173 to SR 727) is anticipated to consist of FDOT purchase of credits from a private mitigation bank. If permittees require type-for-type mitigation to offset impacts to 0.06 acres of estuarine wetlands, the NFWFMD will propose use of estuarine credits from Dutex ILF Mitigation Area.

⁵No private mitigation bank currently available for FPID 413062-5 (I-10 from Santa Rosa / Okaloosa County Line to SR 189); FDOT has not scheduled implementation. If no private mitigation bank is available when this project moves forward, possible options may include Advance Credits from Yellow River Ranch ILF Mitigation Area or acquisitions in the Yellow River watershed. NFWFMD will obtain approvals from FDEP before moving forward with any mitigation.

⁶No private mitigation bank currently available for FPID 441038-2 (I-10 from SR 189 to near Wilkerson Bluff Road); FDOT has not scheduled implementation. If no private mitigation bank is available when this project moves forward, possible options may include Advance Credits from Yellow River Ranch ILF Mitigation Area or acquisitions in the Yellow River watershed. NFWFMD will obtain approvals from FDEP before moving forward with any mitigation.

⁵No private mitigation bank option is currently available for the I-10 / Antioch Road Interchange (FPID 407918-5; construction-start scheduled for June 2021). Mitigation anticipated to consist of use of Advance Credits from Yellow River Ranch ILF Mitigation Area.

⁸Although several private mitigation bank service areas cover or are immediately adjacent to FPID 442667-1 (US 98 DuPont Bridge), none have estuarine credits. If type-for-type mitigation is required, the NFWFMD will develop options in coordination with federal / state permittees and commenting entities.

Table 2. Mitigation Plan Overview

Mitigation Plan Overview - February 2021							
Mitigation Name	Location		Habitat / Community Type	Mitigation Type	Acres/Type or # Credits ¹	Total Acres or # Credits	Land Acquisition
	County	SWIM Drainage Basin					
Dutex In-Lieu Fee Mitigation Area ²	Escambia	Perdido River and Bay Watershed	Palustrine and Estuarine Wetlands	In-Lieu Fee Program	TBD	TBD	No
Yellow River Ranch In-Lieu Fee Mitigation Area ³	Santa Rosa	Pensacola Bay System Watershed	Palustrine Wetlands	In-Lieu Fee Program	2.47 Palustrine Credits	2.47 Palustrine Credits	No

Note to Table 2 - Mitigation Plan Overview:

¹Number and type of credits to be finalized when federal and state permits are issued.

²Mitigation for US 90A (FPID 218519-2; impact acres TBD); potential mitigation for 0.060 acres of estuarine wetlands for SR 292 (FPID 218493-3).

³Mitigation for I-10 / Antioch Road Interchange (FPID 407918-5; 3.80 acres of direct impact; 2.47 UMAM credits required); possible future mitigation for I-10 (FPID 413062-5; impact acres TBD) and I-10 (FPID 441038-2; impact acres TBD).

Table 3. Cost of Mitigation Plan

Cost of Mitigation Plan - February 2021						
Mitigation Name	Planning / Design Cost	Construction Cost	Acquisition or Credit Purchase Cost	Management Cost	Total Cost ¹	Mitigation Cost per Acre of Impact ²
Dutex In-Lieu Fee Mitigation Area ³	\$0	\$0	TBD	\$0	TBD	\$123,439
Yellow River Ranch In-Lieu Fee Mitigation Area ⁴	\$0	\$0	\$469,068	\$0	\$469,068	\$123,439
Totals:	\$0	\$0	\$469,068	\$0	\$469,068	

Notes to Table 3:

¹Estimated total mitigation cost based on acreage of direct wetland impact as reported in the most recent FDOT District 3 Environmental Mitigation Escrow Report; impact-acreage estimates subject to modification by state and/or federal permittees.

²The current FDOT per-acre funding for wetland impacts associated with transportation projects, in accordance with section 373.4137, FS, is \$123,439 (valid through 6/30/2021; value is adjusted annually based on the federal Consumer Price Index).

³Cost estimates for mitigation of US 90A (FPID 218519-2) will be calculated when estimates of impact acreage are received from FDOT. Mitigation at Dutex ILF for estuarine impacts associated with SR 292 (FPID 218493-3), if required and approved by federal or state permittees, is estimated at \$7,406 (0.060 acres x \$123,439 = \$7,406).

⁴Mitigation for impacts associated with I-10 / Antioch Road Interchange is estimated at \$469,068 (3.80 acres x \$123,439 = \$469,068). Cost estimates for I-10 (FPID 413062-5) and I-10 (FPID 441038-2) will be calculated when estimates of impact acreage are received from FDOT.