



Brett J. Cyphers  
Executive Director

## Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2777

June 14, 2018

Teresa Frame  
Regulatory Division – Jacksonville District  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

RE: Sale of 0.40 Federal Mitigation Credits (Palustrine Forested) from NFWFMD ILF Program,  
Tates Hell (Whiskey George Unit) Mitigation Area, (SAJ-2011-00287-TMF)

Dear Teresa:

This letter shall serve to fulfill the Sponsor's (NFWFMD) obligations, described in sections 5.0 and 7.2 of the NFWFMD In-Lieu Fee Program Final Instrument and in accordance with 33 CFR 332.3(l)(3), to notify the U.S. Army Corps of Engineers of the sale of 0.40 federal mitigation credits (palustrine forested) from the NFWFMD In-Lieu Fee Program, Tates Hell (Whiskey George Unit) Mitigation Area credit ledger to the Florida Department of Transportation (FDOT). In support of this notification, a copy of Special Condition #8 of the Department of the Army (DOA) permit requiring the credit purchase is attached, a credit sales letter signed and dated by the Sponsor and permittee is attached, and the following information is provided:

- DOA Permit #: SAJ-2010-02204 (NW-RPR)
- Condition Requiring Credit Purchase: #8
- Number of ILF Credits Debited: 0.40
- Type of Functional Credit Assessment: UMAM
- Ecological Classification of Credits: Palustrine Forested
- Specific ILF Project: Tates Hell (Whiskey George Unit) Mitigation Area
- Date Fee Received from Permittee: June 2018
- Impact (per DOA permit)
  - Acreage: 1.34 acres (permanent) / 0.52 acres (temporary)
  - Functional Loss: 0.40 UMAM Credits (Palustrine Forested) Required by Permit
  - Ecological Classification: Wetland

The mitigation credits noted above have been paid in full by the Florida Department of Transportation and we have deducted them from the NFWFMD In-Lieu Fee credit ledger. By action of this sale, the Sponsor accepts responsibility for providing the compensatory mitigation required by Special Condition #8 of the DOA permit noted above. If you have any questions regarding this request, please me at 850-539-5999.

Sincerely,

A handwritten signature in cursive script that reads "Robert F. Lide".

Robert F. Lide  
Enclosures

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN W. ALTER  
Secretary-Treasurer  
Malone

GUS ANDREWS  
DeFuniak Springs

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

MARC DUNBAR  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port St. Joe

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7. Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013 (attached).

8. Within 30 days from the date of initiating the work authorized by this permit, the Permittee shall provide verification to the Corps that 0.40 palustrine forested federal credit has been purchased from the Northwest Florida Water Management District (SAJ-2011-00287) Tates Hell In-Lieu Fee Whiskey George program as compensatory mitigation. The required verification shall reference this project's permit number (SAJ-2010-02204).

9. Within 60 days of completion or cessation of a period of 1 year or more of authorized work within each phase, the Permittee shall submit as-built drawings of the authorized work within that phase and complete "As-Built Certification By Professional Engineer" form (attached) to the Corps. Upon expiration of the construction window identified in General Condition 1, the Permittee shall submit a final as-built drawing and certification. The as-built drawings and the final submittal shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.

b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification By Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification By Professional Engineer" form does not constitute approval of any deviations by the Corps.

c. Include the Department of the Army permit number on all sheets submitted.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Nationwide permit must qualify for an exemption under section 403.813(1), Florida Statutes or 373.406, Florida Statutes, or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, Florida Statutes, by the Department of Environmental Protection, a water management district





Northwest Florida Water Management District  
In-Lieu Fee Wetland Mitigation Program

**CREDIT RESERVATION, PURCHASE AGREEMENT AND CERTIFICATE**

The Northwest Florida Water Management District (NFWFMD), a Florida governmental agency and sponsor of the NFWFMD In-Lieu Fee Mitigation Program, (hereinafter referred to as "Seller"), does hereby reserve and set aside for future assignment for the sole benefit of the Florida Department of Transportation (hereinafter referred to as "Buyer"), a total of 0.40 federal and state Palustrine Forested Wetland Mitigation UMAM Credits from the Tates Hell (Whiskey George Unit) In-Lieu Fee Mitigation Area credit ledgers, issued to Seller's In-Lieu Fee Mitigation Program pursuant to United States Army Corps of Engineers Permit Number SAJ-2011-00287-TMF and provisions contained in 33 CFR, Parts 325 and 332, as revised effective June 9, 2008 (Federal Mitigation Rule).

This reservation is for use of credit in connection with mitigating adverse wetland impacts which may arise as a result of construction or other projects undertaken or to be undertaken by the Buyer for FDOT Financial Project ID (FPID) 218764-2 (SR 65 Graham Creek Bridge) in Franklin County (USACE Permit #SAJ-2010-02204 NW-RPR; FDEP Permit #0360977-001-EI). Seller warrants that it will take no action inconsistent with the reservation and future assignment described herein. However, this agreement does not constitute a permit or permission to proceed with any proposed action. The Buyer is responsible for obtaining all necessary permits for a proposed action.

Upon receipt of the full purchase price, Seller is committed to transfer to Buyer 0.40 federal and state palustrine forested mitigation credits from the Tates Hell (Whiskey George Unit) In-Lieu Fee Mitigation Area credit ledgers for use in offsetting wetland impacts. The Purchase Price for 0.40 federal and state mitigation credits associated with FDOT Project 218764-2, in accordance with the NFWFMD In-Lieu Fee Program Final Instrument and section 373.4137, Florida Statutes, is one hundred fifty-four thousand two hundred seventy-six dollars (\$154,276.00). Seller will assume full legal responsibility for success of purchased mitigation credits as required by permits noted above, and will at the appropriate time request withdrawal of the specified credits from the federal Tates Hell (Whiskey George Unit) In-Lieu Fee Program credit ledger, and will withdraw the specified credits from the state Tates Hell (Whiskey George Unit) Umbrella Plan credit ledger.

	BUYER	SELLER
Name:	<u>Florida Department of Transportation</u>	<u>Northwest Florida Water Management District</u>
By:		
Name and Title:	Erica Collins, <u>Environmental Supervisor II</u>	Brett J. Cyphers, <u>Executive Director</u>
Executed:	<u>5/11/2018</u>	<u>5/7/18</u>