



# FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

January 22, 2020

**Via Email**

Mr. Brett J. Cyphers  
Authorized Agent  
NFWFMD  
81 Water Management Drive  
Havana, FL 32333-4712

Dear Mr. Cyphers:

**RE: Sand Hill Lake Mitigation Bank  
Permit No. 227351-023, Washington County**

Your request to debit the above referenced permit's ledger has been received, reviewed and approved by Department staff. By copy of this letter and the attached ledger we are notifying all necessary parties of the modification.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the permittee and the parties listed below must be filed within 21 days of receipt of this letter. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner's received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action; or proposed action;

**Sand Hill Lake Mitigation Bank**

**File No. 0227351-023**

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- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this letter. Persons whose substantial interests will be affected by any decision of the Department with regard to the permit have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This Notice constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition. Upon timely filing of a petition or a request for an extension of time this Notice will not be effective until further Order of the Department.

Any party to this letter has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Permit Modification is filed with the Clerk of the Department.

Sincerely,



Kayla McNeilly

Mitigation Banking Section

Submerged Lands and Environmental Resource Coordination

**Sand Hill Lake Mitigation Bank**

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Attachment: ledger

**Copies furnished to the following via email:**

David Clayton, David.Clayton@nwfwater.com  
Robert Lide, Robert.Lide@nwfwater.com

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk herby certifies that this ENVIRONMENTAL RESOURCE PERMIT MODIFICATION and all copies, were transmitted before the close of business on 1/22/2020 to the above listed persons.

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, under subsection 120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged



**Clerk**

**1/22/2020**

**Date**

## Sand Hill Lakes

### Permit Ledger No: 227351

#### Freshwater Flatwoods: Total Potential Credits = 123.1

Impact Permit Number	Permit Date	Issuing Agency	Ledger Modification	Credit Added	Credit Used	Balance	Impact Permittee name
initial release	n/a	DEP	05/23/2006	30.8		30.80	QMS, preservation, financial
burn release	n/a	DEP	05/23/2006	12.3		43.10	initial burn
03-0268000-001	03/16/07	DEP	03/04/2008		16.1	27.00	DOT_Dist #3
03-0198390-002	09/23/02	DEP	03/04/2008		4.33	22.67	DOT_Dist #3
03-0202923-001	12/20/02	DEP	03/04/2008		3.42	19.25	DOT_Dist #3
03-0195655-001	08/02/02	DEP	03/04/2008		9.19	10.06	DOT_Dist #3
03-0192214-002	04/26/02	DEP	03/04/2008		1.38	8.68	DOT_Dist #3
SC10 release	n/a	DEP	03/06/2008	12.3		20.98	community restoration
SC12 release	n/a	DEP	03/06/2008	12.3		33.28	hydrology restoration
1st interim release	n/a	DEP	10/07/2010	6.2		39.48	1st Interim
2nd interim release	n/a	DEP	05/20/2013	6.1		45.58	2nd Interim
Credit Release	n/a	FDEP	05/23/2018	12.3	0	57.88	Third Interim Credit Release
IND-133-286206-1	04/24/2019	NWFWMD	01/22/2020		0.49	57.39	217909-3 SR 77 from Washington County Line to North of CR 279 (MOD_023)

#### Freshwater Herbaceous Wetlands: Total Potential Credits = 29.2

Impact Permit Number	Permit Date	Issuing Agency	Ledger Modification	Credit Added	Credit Used	Balance	Impact Permittee name
initial release	n/a	DEP	05/23/2006	7.3		7.30	QMS, preservation, financial
burn release	n/a	DEP	05/23/2006	2.9		10.20	initial burn
03-0198390-002	09/23/02	DEP	03/04/2008		1.68	8.52	DOT_Dist #3

03-0202923-001	12/20/02	DEP	03/04/2008	1.33	7.19	DOT_Dist #3	
03-0195655-001	08/02/02	DEP	03/04/2008	3.44	3.75	DOT_Dist #3	
03-0192214-002	04/26/02	DEP	03/04/2008	0.52	3.23	DOT_Dist #3	
SC10 release	n/a	DEP	03/06/2008	2.9	6.13	community restoration	
SC12 release	n/a	DEP	03/06/2008	2.9	9.03	hydrology restoration	
30-0294647-001	04/22/09	DEP	09/30/2010	0.09	8.94	Adler	
1st interim release	n/a	DEP	10/07/2010	1.4	10.34	1st Interim	
2nd interim release	n/a	DEP	05/20/2013	1.5	11.84	2nd Interim	
67-0320228-001-EI	09/05/13	DEP	09/13/2013	0.8	11.04	Fl Gas Transmission	
1585	05/30/14	NWFWMD	08/20/2015	4.23	6.81	FDOT- SR79B S PhaseC	
133-16988-1	11/23/15	NWFWMD	02/16/2016	1.14	5.67	FDOT- SR79 PhaseD	
67-0345639-001	11/22/16	FDEP	07/11/2017	2.28	3.39	FDOT	
Credit Release	n/a	FDEP	05/23/2018	2.9	0	6.29	Third Interim Credit Release

### Freshwater Mixed Hardwoods: Total Potential Credits = 146.1

Impact Permit Number	Permit Date	Issuing Agency	Ledger Modification	Credit Added	Credit Used	Balance	Impact Permittee name
initial release	n/a	DEP	05/23/2006	36.5		36.50	QMS, preservation, financial
burn release	n/a	DEP	05/23/2006	14.6		51.10	initial burn
03-0268000-001	03/16/07	DEP	03/04/2008		2.25	48.85	DOT_Dist #3
03-0198390-002	09/23/02	DEP	03/04/2008		8.08	40.77	DOT_Dist #3
03-0202923-001	12/20/02	DEP	03/04/2008		6.38	34.39	DOT_Dist #3
03-0195655-001	08/02/02	DEP	03/04/2008		16.37	18.02	DOT_Dist #3
03-0192214-002	04/26/02	DEP	03/04/2008		2.46	15.56	DOT_Dist #3

SC10 release	n/a	DEP	03/06/2008	14.6	30.16	community restoration	
SC12 release	n/a	DEP	03/06/2008	14.6	44.76	hydrology restoration	
30-168551-009	10/14/09	DEP	01/22/2010	1.65	43.11	Tri-county airport	
67-0286499-001	08/11/08	DEP	09/30/2010	1.09	42.02	State Rd 79	
67-0278545-001	03/13/09	DEP	09/30/2010	7.6	34.42	State Rd 79	
1st interim release	n/a	DEP	10/07/2010	7.3	41.72	1st Interim	
03-0308145-001	12/01/11	DEP	12/05/2011	0.18	41.54	TECO Gas Pressure Reducing	
1284	03/05/12	NWFWMD	08/14/2012	1.07	40.47	DOT Ponce de Leon Access Rd	
1238.01	06/06/13	NWFWMD	10/01/2012	0.94	39.53	SR 79 Multi-Lane Mod to P#1238	
1420	11/02/12	NWFWMD	03/08/2013	2	37.53	DOT-SR79 at CypressCk	
2nd interim release	n/a	DEP	05/20/2013	7.3	44.83	2nd Interim	
1480	04/26/13	NWFWMD	07/18/2013	0.15	44.68	Teramore-Dollar General	
1270.01	11/08/12	NWFWMD	02/03/2014	0.31	44.37	FDOT River Rd-GumCk	
1559	03/27/14	NWFWMD	05/14/2014	0.09	44.28	Concept Develmt -retail	
1601.02	11/20/14	NWFWMD	01/06/2015	2.14	42.14	FDOT- hwy 77ClaytonRd to I-10	
1585	05/30/14	NWFWMD	08/20/2015	10.45	31.69	FDOT- SR79B S PhaseC	
133-16988-1	11/23/15	NWFWMD	02/16/2016	2.01	29.68	FDOT- SR79 PhaseD	
Credit Release	n/a	FDEP	05/23/2018	14.6	0	44.28	Third Interim Credit Release
ERP 1514/ 0227351-001	10/9/2013	NWFWMD	02/01/2019	0.61	43.67	SR 79 Multi-Laning South Part of Phase B_(MOD 021)	



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) 539-2693

January 21, 2020

Lawrence Olney  
DEP-SLERC  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

SUBJECT: Sand Hill Lakes Mitigation Bank (FDEP Permit 0227351-001) Request for  
Withdrawal of Mitigation Credits

Dear Mr. Olney:

The Sand Hill Lakes Mitigation Bank (FDEP Permit 0227351-001) has a current state Credit Ledger balance of 107.84 UMAM Credits (6.29 Freshwater Herbaceous, 57.88 Freshwater Forested Flatwoods, and 43.67 Freshwater Mixed Hardwoods).

This letter is a request for withdrawal of 0.49 Freshwater Forested Flatwoods UMAM credits from the state Credit Ledger to satisfy mitigation requirements for impacts to freshwater wetlands associated with NWFWM D ERP Permit No. IND-133-286206-1 (Dana Palermo, permit reviewer), issued 4/24/2019 to the Florida Department of Transportation.

This request is made under the provision of Specific Condition No. 20 of our approved Mitigation Bank Permit. A draft Credit Ledger Update reflecting the requested withdrawal transaction and the pertinent sections of the ERP permit are attached.

We appreciate your consideration of this credit withdrawal request. If you have any questions about this request, please contact Paul Thorpe at (850) 539-5999.

Respectfully,

A handwritten signature in black ink, appearing to read "Brett J. Cyphers", is written over the printed name and title.

Brett J. Cyphers  
Executive Director

Enclosures

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JON COSTELLO  
Tallahassee

TED EVERETT  
Chipley

BO SPRING  
Port St. Joe

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT**

**PERMIT NO:** IND-133-286206-1      **DATE ISSUED:** April 24, 2019  
**PROJECT NAME:** 217909-3 SR 77 from Washington County Line to North of CR 279  
**CONSTRUCTION PHASE EXPIRATION DATE:** April 24, 2024

**A PERMIT AUTHORIZING:**

The construction of a surface water management system to serve the widening of approximately 5.6 miles of rural State Road 77 from the Bay County line to County Road 279, in Washington County. State Road 77 is currently a two-lane undivided rural roadway which will be widened to a four-lane divided rural roadway equipped with curb and gutter collection system, roadside conveyance swales, and multiple stormwater management ponds designed to provide treatment and attenuation for the approximately 695-acre overall drainage area. The project consists of seven, hydraulically separate, drainage basins which have been further broken down to multiple sub-basins. There is a 6.09-acre drainage basin (Basin SOUTH) that has been previously accounted for in the adjacent roadway segment and is directed to Pond #7 that is an existing pond that was authorized under an FDEP permit prior to ERP, and there is an 8.99-acre drainage basin (Basin NORTH) that has been previously accounted for in the adjacent roadway segment and is directed to SWF 2 under IND-133-17232-1. A description of the drainage basins and the systems that serve each are as follows: Basin 1 is served by Pond 1D and Pond 1 which have been designed as dry retention ponds; Basin 2 is served by Pond 2 which has been designed as a dry retention pond; Basin 3 is served by Pond 3 which has been designed as a dry retention pond; Basin 4 is served by Pond 4A, Pond 4B, Pond 4C, and Pond 4D where Pond 4A, Pond 4C, and Pond 4D have been designed as dry retention ponds and Pond 4B has been designed as a wet detention pond; and, Basin 5 is served by Pond 5 which has been designed as a dry retention pond. Each of the ponds have been designed to either retain up to the 100-year / 24-hour storm event or discharge offsite where the area historically drains. Direct wetland impacts totaling 0.903 acres in wetlands and 0.178 acres in other surface water ditches, and 0.393 acres of secondary impacts are authorized. Mitigation for wetland impacts will be through purchase of 0.485 freshwater forested mitigation credits at Sand Hill Lakes Mitigation Bank. The surface water management system is in accordance with the approved plans and supporting drainage report prepared by HDR Engineering, Inc.

**LOCATION:**

Section(s):	36	Township(s):	1N	Range(s):	15W
	17, 5, 19, 30,		1N		14W
	8, 20, 31, 4, 29				

Washington County

**ISSUED TO:**

FDOT  
1074 Us-90  
Chipley, FL 32428

Permittee agrees to hold and save the Northwest Florida Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.



**Sand Hill Lakes Mitigation Bank Ledger (State)**  
**FDEP Permit No. 0227351-001**  
**January 17, 2020**

Freshwater Herbaceous Wetlands: Total Potential UMAM Credits = 29.2

Release Mod./ <u>Impact Permit</u>	Permit <u>Date</u>	Issuing <u>Agency</u>	Ledger <u>Modification</u>	Credits <u>Added</u>	Credits <u>Used</u>	<u>Balance</u>
initial release	n/a	DEP	05/23/06	7.30	-	7.30
burn release	n/a	DEP	05/23/06	2.90	-	10.20
03-0198390-002	9/23/2002	DEP	03/04/08	-	1.68	8.52
03-0202923-001	12/20/2002	DEP	03/04/08	-	1.33	7.19
03-0195655-001	8/2/2002	DEP	03/04/08	-	3.44	3.75
03-0192214-002	4/26/2002	DEP	03/04/08	-	0.52	3.23
SC10 release	n/a	DEP	03/06/08	2.90	-	6.13
SC12 release	n/a	DEP	03/06/08	2.90	-	9.03
03-0294647-001-DF	4/22/2009	DEP	09/30/10	-	0.09	8.94
1st Interim Release	n/a	DEP	10/07/10	1.40	-	10.34
2nd Interim Release	n/a	DEP	05/20/13	1.50	-	11.84
67-0320228-001-EI	9/5/2013	DEP	09/13/13	-	0.80	11.04
NWFWMD-ERP-1585	5/30/2014	NWFWMD	08/20/15	-	4.23	6.81
IND-133-16988-1	11/23/2015	NWFWMD	02/16/16	-	1.14	5.67
67-0345639-001-EI	11/22/2016	DEP	07/20/17	-	2.28	3.39
3rd Interim Release	n/a	DEP	05/23/18	2.90	-	6.29

Freshwater Forested Flatwoods: Total Potential UMAM Credits = 124.1

Release Mod./ <u>Impact Permit</u>	Permit <u>Date</u>	Issuing <u>Agency</u>	Ledger <u>Modification</u>	Credits <u>Added</u>	Credits <u>Used</u>	<u>Balance</u>
initial release	n/a	DEP	05/23/06	30.80	-	30.80
burn release	n/a	DEP	05/23/06	12.30	-	43.10
03-0268000-001	3/16/2007	DEP	03/04/08	-	16.10	27.00
03-0198390-002	9/23/2002	DEP	03/04/08	-	4.33	22.67
03-0202923-001	12/20/2002	DEP	03/04/08	-	3.42	19.25
03-0195655-001	8/2/2002	DEP	03/04/08	-	9.19	10.06
03-0192214-002	4/26/2002	DEP	03/04/08	-	1.38	8.68
SC10 release	n/a	DEP	03/06/08	12.30	-	20.98
SC12 release	n/a	DEP	03/06/08	12.30	-	33.28
1st Interim Release	n/a	DEP	10/07/10	6.20	-	39.48
2nd Interim Release	n/a	DEP	05/20/13	6.10	-	45.58
3rd Interim Release	n/a	DEP	05/23/18	12.30	-	57.88
<b>IND-133-286206-1</b>	<b>4/24/2019</b>	<b>NWFWMD</b>	<b>Pending</b>	<b>-</b>	<b>0.49</b>	<b>57.39</b>

**Sand Hill Lakes Mitigation Bank Ledger (State)**  
**FDEP Permit No. 0227351-001**  
**January 17, 2020**

Freshwater Mixed Hardwoods: Total Potential UMAM Credits = 146.1

<u>Release Mod./</u> <u>Impact Permit</u>	<u>Permit</u> <u>Date</u>	<u>Issuing</u> <u>Agency</u>	<u>Ledger</u> <u>Modification</u>	<u>Credits</u> <u>Added</u>	<u>Credits</u> <u>Used</u>	<u>Balance</u>
initial release	n/a	DEP	05/23/06	36.50	-	36.50
burn release	n/a	DEP	05/23/06	14.60	-	51.10
03-0268000-001	3/16/2007	DEP	03/04/08	-	2.25	48.85
03-0198390-002	9/23/2002	DEP	03/04/08	-	8.08	40.77
03-0202923-001	12/20/2002	DEP	03/04/08	-	6.38	34.39
03-0195655-001	8/2/2002	DEP	03/04/08	-	16.37	18.02
03-0192214-002	4/26/2002	DEP	03/04/08	-	2.46	15.56
SC10 release	n/a	DEP	03/06/08	14.60	-	30.16
SC12 release	n/a	DEP	03/06/08	14.60	-	44.76
30-168551-009-DF	10/14/2009	DEP	01/22/10	-	1.65	43.11
67-0286499-001-DF	8/11/2008	DEP	09/30/10	-	1.09	42.02
67-0278545-001-DF	3/13/2009	DEP	09/30/10	-	7.60	34.42
1st Interim Release	n/a	DEP	10/07/10	7.30	-	41.72
03-0308145 EI	12/1/2011	DEP	11/30/11	-	0.18	41.54
NWFWMD-ERP-1482	3/5/2012	NWFWMD	08/14/12	-	1.07	40.47
NWFWMD-ERP-1238.01	6/6/2012	NWFWMD	10/01/12	-	0.94	39.53
NWFWMD-ERP-1420	10/26/2012	NWFWMD	01/02/00	-	2.00	37.53
2nd Interim Release	n/a	DEP	05/20/13	7.30	-	44.83
NWFWMD-ERP-1480	4/26/2013	NWFWMD	07/18/13	-	0.15	44.68
NWFWMD-ERP-1270.01	11/8/2012	NWFWMD	02/03/14	-	0.31	44.37
NWFWMD-ERP-1559	3/27/2014	NWFWMD	05/14/14	-	0.09	44.28
NWFWMD-ERP-1601.02	11/20/2014	NWFWMD	01/06/15	-	2.14	42.14
NWFWMD-ERP-1601.02	5/30/2014	NWFWMD	08/20/15	-	10.45	31.69
IND-133-16988-1	11/23/2015	NWFWMD	02/16/16	-	2.01	29.68
3rd Interm Release	n/a	DEP	05/23/18	14.60	-	44.28
NWFWMD-ERP-1514	10/9/2013	NWFWMD	02/01/19	-	0.61	43.67