



# Northwest Florida Water Management District

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

Brett J. Cyphers  
Executive Director

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

June 5, 2015

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

RE: Sale of 0.14 Mitigation Credits from NFWFMD ILF Program, Lafayette Creek  
(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 0.14 mitigation credits from the NFWFMD In-Lieu Fee Program, Lafayette Creek Mitigation Area credit ledger. In support of this, a copy of Special Condition #6 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-2013-00985 (NW-AWP)
- Condition Requiring Credit Purchase: #6
- Number of ILF Credits Debited: 0.14
- Type of Functional Credit Assessment: UMAM
- Ecological Classification of Credits: Palustrine Forested
- Specific ILF Project: Lafayette Creek Mitigation Area
- Date Fees Received from Permittee: June 2013
- Impact (per DOA permit)
  - Acreage: 0.67 (0.18 ac. Permanent / 0.49 ac. Temp.)
  - Functional Loss: Not Stated in DOA Permit
  - Ecological Classification: Not Stated in DOA Permit

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 #6 of the DOA permit noted above. If you have any questions, please contact me at 850-539-5999.

Sincerely,

Robert F. Lide  
Enclosures

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN W. ALTER  
Secretary-Treasurer  
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NICK PATRONIS  
Panama City Beach

BO SPRING  
Port St. Joe



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

March 3, 2014

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
Cocoa Permits Section  
SAJ-2013-00985(NW-AWP)

Florida Department of Transportation, District 3  
Attn: Joy Swanson  
PO Box 607  
Chipley, Florida 32428

Dear Ms. Swanson:

Reference is made to your electronic mail dated March 3, 2014, in which you identified a clerical error in Special Condition number 6 of Nationwide Verification SAJ-2013-00985. Specifically, Special Condition number 6 referenced mitigation which will be completed as part of Department of the Army Permit (DA) number SAJ-2013-01012(IP-AWP) not SAJ-2019-00985(NW-AWP). DA permit SAJ-2013-01012 is the adjoining segment of roadway to this project. Per your point of clarification Special Condition number 6 has been corrected to reference the compensatory mitigation needed to fully offset the wetland functional loss associated with SAJ-2013-00985, State Road (SR) 123 from State Road (SR) 85 South to north of Tom's Creek Bridge, in Sections 4, 9, and 14, Township 01 South, Range 23 West, Niceville, Okaloosa County, Florida.

The corrected special condition now reads:

**6. Mitigation Credit Deduction:** Within 30 days from the date of initiating the authorized work the Permittee shall provide verification to the Corps that 0.14 palustrine forested federal mitigation credits have been deducted from the Corps/NWFWMD Umbrella Plan. The required verification shall reference this project's permit number (SAJ-2013-00985).

Please find attached a copy of the corrected verification. Please replace your September 26, 2013 verification with the March 3, 2014 verification and the copy of this letter. If you have any questions please contact Andrew Phillips by telephone at 321-504-3771 ex 14.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We



Northwest Florida Water Management District  
In-Lieu Fee 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 0.14 federal/state Palustrine Forested Wetland Mitigation UMAM Credits from the Lafayette Creek In-Lieu Fee Mitigation Area credit ledger, 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) 411102-2—SR 123 from North of SR 85 to North of Tom's Creek in Okaloosa County (USACE Permit #SAJ-2013-00985 NW-AWP; FDEP Permit #46-0314567-003-SI). 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.

Seller received full Purchase Price from Buyer in June 2013. Seller is committed to transfer to Buyer 0.14 federal/state mitigation credits from the Lafayette Creek In-Lieu Fee Mitigation Area federal and state credit ledgers for use in offsetting wetland impacts. The Purchase Price for 0.14 federal/state Wetland Mitigation Credits is seventy-three thousand seventy-one dollars and no cents (\$73,071.00). 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 Lafayette Creek In-Lieu Fee Mitigation Area credit ledger, and will withdraw the specified credits from the state Lafayette Creek 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>Permitting Specialist</u>	Brett J. Cyphers, <u>Executive Director</u>
Executed:	<u>5/29/2015</u>	<u>5/20/15</u>