



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 23, 2015

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

RE: Sale of 0.07 Credits from NFWFMD ILF Program, Live Oak Peninsula—Woolley Unit
(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 0.07 mitigation credits from the NFWFMD In-Lieu Fee Program, Live Oak Peninsula Mitigation Area, Woolley Unit credit ledger. In support of this notification, a copy of Special Condition #13 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-2013-02362 (SP-JML)
- Condition Requiring Credit Purchase: #13
- Number of ILF Credits Debited: 0.07
- Type of Functional Credit Assessment: UMAM
- Ecological Classification of Credits: Estuarine Emergent
- Specific ILF Project: Live Oak Peninsula Mitigation Area, Woolley Unit
- Date Fees Received from Permittee: May 20, 2014
- Impact (per DOA permit)
 - Acreage: 3.86
 - Functional Loss: Not Stated
 - Ecological Classification: Estuarine

The mitigation credits noted above have been paid in full by Skanska USA Civil Southeast, Inc. (Florida Department of Transportation contractor) 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 #13 of the DOA permit noted above. If you have any questions regarding this request, please contact me at 850-539-5999.

Sincerely,

A handwritten signature in purple ink that reads "Robert F. Lide".

Robert F. Lide
Enclosures

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

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MARC DUNBAR
Tallahassee

NICK PATRONIS
Panama City Beach

BO SPRING
Port St. Joe

13. In-Lieu Credit Purchase: Within 30 days from the date of initiating the work authorized by this permit, the Permittee shall provide verification to the Corps that 0.07 estuarine emergent credits have been purchased from the Northwest Florida Water Management District - In-lieu Fee Program - Live Oak Point mitigation site. The required verification shall reference this project's permit number (SAJ-2013-02362 (SP-JML)).

14. Compensatory Mitigation: Within 12 months from the date of initiating the work authorized by this permit, the Permittee shall complete all construction and implementation mitigation activities in accordance with the approved final compensatory mitigation plan included as Attachment 7 of this permit. In addition, the Permittee shall complete all additional required mitigation plan components as detailed in Attachment 7.

15. Monitoring and Reporting Timeframes: To document achievement of the performance standards identified in the approved mitigation plan (Attachment 7) the Permittee shall complete the following:

a. Perform a time-zero monitoring event of the wetland mitigation area(s) within 60 days of completion of the compensatory mitigation construction and implementation activities identified in the the approved mitigation plan (Attachment 7)

b. Submit the time-zero report to the Corps within 60 days of completion of the monitoring event. The report will include at least one paragraph depicting baseline conditions of the mitigation site(s) prior to initiation of the compensatory mitigation objectives and a detailed plan view drawing of all created, enhanced and/or restored mitigation areas.

c. Subsequent to completion of the compensatory mitigation objectives, perform semi-annual monitoring of the wetland mitigation areas for the first 2 years and annual monitoring thereafter for a total of no less than 5 years of monitoring.

d. Submit annual monitoring reports to the Corps within 60 days of completion of the monitoring event. Semi-annual monitoring will be combined into one annual monitoring report.

e. Monitor the mitigation area(s) and submit annual monitoring reports to the Corps until released in accordance with the **Mitigation Release** Special Condition of this permit.

Northwest Florida Water Management District
Umbrella, Watershed-based, Regional Mitigation Plan (UWRMP) Wetland Mitigation Program

CREDIT RESERVATION AND PURCHASE AGREEMENT

The Northwest Florida Water Management District (NFWWMD), a Florida governmental agency and sponsor of the NFWWMD Umbrella, Watershed-based, Regional Mitigation Plan (UWRMP) program, (hereinafter referred to as "Seller"), does hereby reserve and set aside for future assignment for the sole benefit of Skanska USA Civil Southeast, Inc. (hereinafter referred to as "Buyer"), a total of 0.07 Estuarine UMAM Mitigation Credits from the Live Oak Peninsula UWRMP mitigation credit ledger, issued to Seller's UWRMP Mitigation Program pursuant to a July, 2006 mitigation agreement between the U.S. Army Corps of Engineers, Jacksonville District and the NFWWMD.

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 (USACE Permit #SAJ-2013-02362; State Permit #66-0274274-010-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 0.07 estuarine mitigation credits from the Live Oak Peninsula Mitigation Site mitigation credit ledger for use in offsetting wetland impacts. The Purchase Price for 0.07 Wetland Mitigation Credits is four thousand nine hundred dollars and no cents (\$4,900.00). Upon receipt of full Purchase Price, Seller will assume full legal responsibility for success of purchased mitigation credits as required by permits noted above, and will request withdrawal of the specified credits from the Live Oak Peninsula UWRMP credit ledger.

The credit Purchase Price shall be due prior to transfer of credits to the Buyer. Failure by the Buyer to close the purchase within ninety (90) days of the execution of this Agreement shall be a default of this Agreement, permitting termination of this Agreement by Seller unless an extension is granted in writing by mutual consent of both parties.

Payment shall be made to the Northwest Florida Water Management District, 81 Water Management Drive, Havana, FL 32333-4712.

BUYER

SELLER

Name: Skanska USA Civil Southeast Inc. Northwest Florida Water Management District

By: Tracy Kelly [Signature]

Name & Title: Tracy Kelly, VPD Contracts Director
Jonathan P. Steverson, Executive Director

Executed: 5-11-14 5/6/14