

FDOT DISTRICT-3 MITIGATION REVIEW TEAM MEETING MINUTES¹

WEDNESDAY, FEBRUARY 26, 2020

[FDOT District-3 Midway Operations Office – Midway, FL]

Attendees	
Erica Brookman – FDOT (Chipley)	David Clayton – NFWFMD (Midway)
Joy Pleas (Chipley)	Robert Lide – NFWFMD (Midway)
Paul Thorpe – NFWFMD (Midway)	Kristal Walsh – FWC (Milton)
Jerrick Saquibal – NFWFMD (Midway)	David Rydene – NMFS (St. Petersburg)

The FDOT District-3 mitigation Review Team meeting was held Wednesday, February 26, 2020 (10:00 AM – 12:00 PM EST) at the FDOT District-3 Midway Operations Office (17 Commerce Blvd., Midway, FL near the US 90 / I-10 interchange west of Tallahassee). These occasional meetings (generally held annually) facilitate development of proposed mitigation for FDOT impacts in compliance with section 373.4137, Florida Statutes (“Mitigation requirements for specified transportation projects”).²

FDOT / NFWFMD Mitigation Agreement Renewal

A 10-year mitigation agreement (2019 – 2029) between FDOT and the NFWFMD was renewed 10/28/2019. In accordance with section 373.4137, Florida Statutes, this agreement allows the NFWFMD to continue invoicing FDOT for funds and provide mitigation when use of a private mitigation bank is not feasible. The executed agreement is posted at <https://www.nfwfwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Regional-Mitigation-Plan>.

¹ Meeting minutes compiled by NFWFMD staff.

² Federal and/or state permittees decide, through issuance of permit conditions, if proposed mitigation discussed at Review Team meetings will appropriately offset a specified impact. These meetings facilitate early consultation with commenting agencies in the development of mitigation. In addition to obtaining required permits, all mitigation developed by the NFWFMD for FDOT impacts must also be approved by the NFWFMD Governing Board designee (i.e., the NFWFMD Executive Director) and FDEP prior to implementation.

2019 Regional Mitigation Plan Supplementals³

- Regional Mitigation Plan 2019 Supplemental No. 1 (NFWFMD approval 4/15/2019; FDEP approval 4/17/2019).
 - CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1; Apalachicola Watershed; 0.112-acre impact; mitigation to NFWFMD Tates Hell – Sumatra Unit In-Lieu Fee site; \$13,166 received from FDOT July 2019; 0.03 credits debited July 2019).
 - CR 67 Yellow Creek Bridge (FPID 439371-1; Ochlockonee Watershed; 0.13-acre impact; proposed mitigation to NFWFMD Shuler In-Lieu Fee site; Contract Letting 10/27/2021; mitigation to be implemented upon issuance of permits and receipt of funds from FDOT).
- Regional Mitigation Plan 2019 Supplemental No. 2 (NFWFMD approval 12/11/2019; FDEP approval 12/19/2019).
 - CR 268 (High Bridge Road from Joe Adams Road to East Brickyard Road; Ochlockonee Watershed; 0.341-acre impact; FPID 436615-1; proposed mitigation to NFWFMD Shuler In-Lieu Fee site; mitigation to be implemented upon issuance of permits and receipt of funds from FDOT).

I-10 at CR 99 (FPID 433113-1)

This will be a new interchange on I-10 in Escambia County in the Perdido River and Bay watershed. Impact acreage (palustrine wetlands) is TBD. Design Build contract letting is scheduled for 11/6/2025. There are no private mitigation bank options available to offset this impact.

The Review Team consensus is that this impact may be appropriately mitigated via debiting of credits from the NFWFMD Dutex In-Lieu Fee mitigation site (Perdido River and Bay watershed).

CR 30A Western Lake Bridge No. 600089 (FPID 443331-1)

This project consists of replacement of an existing bridge in Walton County in the Choctawhatchee Bay watershed. Impact acreage is TBD (estuarine impacts are anticipated). Design Build contract letting is not scheduled. No private mitigation bank options are available to offset this impact.

³ These projects were added to the FDOT Environmental Impact Inventory after the February 7, 2019 mitigation Review Team meeting and subsequent development and approval of the 2019 Regional Mitigation Plan. Because of permitting timeframes and to avoid potential FDOT project delays, the NFWFMD produced two supplementals to the 2019 Regional Mitigation Plan (Review Team members were given the opportunity to comment via email).

Review Team consensus is that use of credits from the planned NFWFMD Live Oak Point Living Shoreline In-Lieu Fee project will appropriately offset this impact (Choctawhatchee Bay watershed).

CR 273 Little Hard Labor Creek Bridge (FPID 439365-1)

This is a replacement of a minor bridge in Washington County in the Choctawhatchee River and Bay watershed. Impact to jurisdictional wetlands is estimated at 0.084 acres (palustrine wetlands). Design Build contract letting is not scheduled. This impact is not within the service area of any private mitigation bank, though it is within the service area of the NFWFMD-owned Sand Hill Lakes Mitigation Bank.

If federal and/or state permitters determine that mitigation is required to offset this impact, the consensus of the Review Team is that use of the Sand Hill Lakes Mitigation Bank will be appropriate (Choctawhatchee River and Bay watershed).

CR 259 SCL Railroad Bridge No. 540027 (FPID 439366-1)

This project will replace a minor bridge in Jefferson County in the Aucilla River watershed. Impact to jurisdictional wetlands is estimated at 0.147 acres (palustrine wetlands). Design Build contract letting is not scheduled. Although located within the Aucilla River watershed, this impact is within 1,100 FT of a private mitigation bank service area (St. Marks Mitigation Bank) in the St. Marks River watershed.

Because replacement of the CR 259 bridge is 1) anticipated to result in minor impacts to jurisdictional wetlands that are not unique or rare, 2) is a linear transportation project associated with an existing road footprint, 3) is essentially located on a watershed divide where basin boundaries are not well defined, and 4) is located within 1,100 FT of a private mitigation bank service area, the consensus of the Review Team is that allowing use of the St. Marks Mitigation Bank to offset this impact is appropriate and would avoid having to develop a small scale, isolated, “postage stamp” mitigation project.

I-10 at Antioch Road (FPID 407918-5)

This planned interchange on I-10 near Crestview is proximate to Antioch Road (CR 4) in Okaloosa County. Its primary purpose will be to relieve traffic congestion at the I-10 / SR 85 interchange. Located in the Yellow River watershed, impacts to jurisdictional wetlands are estimated at 3.65 acres (palustrine wetlands). Design Build contract letting is scheduled for 6/3/2021.

At this time, proposed mitigation has not been identified. No mitigation bank options are currently available, although a private mitigation bank is proposed for this area (it is not known if or when this proposed bank may become operational). While the NFWFMD Yellow River

Ranch In-Lieu Fee project service area covers this impact, insufficient state credits are available to offset this impact.⁴ Because of the fast-approaching contract letting date and lack of identified mitigation options, this project will be elevated to higher levels within FDOT and NFWFMD.

US 98 Brooks Bridge (FPID 415474-2)

Discussed at previous Review Team meetings, this FDOT project consists of replacement of the US 98 Brooks Bridge in Okaloosa County. Anticipated impacts are to 0.92 acres of estuarine and freshwater marsh; no private mitigation bank option is available. Design Build contract letting is scheduled for 7/2/2021. The Review Team continues to support the Live Oak Point Living Shoreline In-Lieu Fee project as offsetting mitigation for this impact.

Live Oak Point Project Status and Modification of the In-Lieu Fee Final Instrument

The NFWFMD has had multiple pre-application discussions with federal and state permittees regarding the Live Oak Point Living Shoreline In-Lieu Fee project and intends to apply for permits by early spring 2020. The USACE is requiring minor modifications to the NFWFMD In-Lieu Fee Final Instrument to better accommodate potential advance credits associated with the Live Oak Point project.

Other FDOT Projects Briefly Discussed

- SR 87 from CR 178 to SR 4 (FPID 416748-6) in Santa Rosa County. Estimated 2.71-acre impact. No letting date scheduled; no private mitigation option currently available; no NFWFMD ILF Program option available. Mitigation TBD. Included in 2016 Regional Mitigation Plan.
- SR 87 from end of 4-lane to Coldwater Creek (FPID 416748-2) in Santa Rosa County. Estimated 10.89-acre impact; partially within a private mitigation bank service area; no NFWFMD ILF Program option available. Mitigation TBD. Included in 2016 Regional Mitigation Plan.
- Gulf to Bay, Segment 2 (FPID 410911-2) in Gulf County. Project is currently not funded. Consultants for FDOT estimated in 2016 that this project would directly impact 118.04 acres of jurisdictional wetlands. Although not currently within a private mitigation bank service area, it is hoped that private banks under development will be operational when project proceeds. Mitigation TBD. Included in 2011 Regional Mitigation Plan.
- SR 173 / Blue Angel Pkwy from SR 292 to US 98 (FPID 421012-1) in Escambia County. Estimated 40.902-acre impact. No letting date scheduled; partially within a private mitigation bank service; partially within the Dutex ILF service area. Mitigation TBD. Included in 2018 Regional Mitigation Plan.

⁴ There are currently 0.19 state credits and 8.18 federal credits available at the Yellow River Ranch In-Lieu Fee site.

NFWWMD Mitigation Site Updates

Management status updates for NFWWMD mitigation sites were presented. Project details and all monitoring reports for NFWWMD mitigation sites are posted at <https://www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program/Umbrella-Plan/NFWWMD-Mitigation-Sites>.

Meeting Agenda and PowerPoint Presentation Attached

Additional Information Available at
www.nfwwater.com/Water-Resources/Regional-Wetland-Mitigation-Program

FDOT District-3 Mitigation Review Team Meeting

Wednesday, February 26th, 2020

10 AM EST / 9 AM CST

FDOT District-3 Midway Operations Office

Midway, FL

- 10-Year mitigation agreement (2019 – 2029) between FDOT and NFWFMD (renewed 10/28/2019).
- Review of mitigation decided since previous (February 2019) Review Team meeting.
 - Regional Mitigation Plan 2019 Supplemental No. 1 (NFWFMD approval 4/15/2019; FDEP approval 4/17/2019).
 - CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1; Apalachicola Watershed; 0.112-acre impact; Mitigation to Tates Hell – Sumatra Unit ILF; \$13,166 received from FDOT July 2019; 0.03 credits debited July 2019).
 - CR 67 Yellow Creek Bridge (FPID 439371-1; Ochlockonee Watershed; 0.13-acre impact; mitigation to Shuler ILF; Contract Letting 10/27/2021; mitigation to be implemented upon issuance of permits and receipt of funds).
 - Regional Mitigation Plan 2019 Supplemental No. 2 (NFWFMD approval 12/11/2019; FDEP approval 12/19/2019).
 - CR 268 (High Bridge Road from Joe Adams Road to East Brickyard Road; Ochlockonee Watershed; 0.341-acre impact; FPID 436615-1; mitigation to Shuler ILF; mitigation to be implemented upon issuance of permits and receipt of funds).
- Priority FDOT mitigation needs.
 - I-10 at CR 99 (New interchange; FPID 433113-1; Perdido Watershed; impact TBD; Design Build Letting 11/6/2025; proposed mitigation to Dutex ILF). [RMP 2020]
 - CR 30A Western Lake Bridge No. 600089 (FPID 443331-1; Choctawhatchee Bay Watershed; impact TBD—estuarine impacts likely; Design Build Letting not scheduled; Proposed mitigation to Live Oak Point ILF). [RMP 2020]
 - CR 273 Little Hard Labor Creek Bridge (FPID 439365-1; Choctawhatchee River Watershed; estimated 0.084-acre impact; proposed mitigation to Sand Hill Lakes Mitigation Bank). [RMP 2020]
 - CR 259 SCL Railroad Bridge No. 540027 (FPID 439366-1; Aucilla River Watershed; estimated 0.147-acre impact; Design Build Letting not scheduled; impact is within 1,100 FT of eastern boundary of a private mitigation bank—NFWFMD will develop mitigation only if permittees do not allow “out-of-service-area” mitigation via a private mitigation bank). [RMP 2020]

- I-10 at Antioch Road (New interchange; FPID 407918-5; Yellow River Watershed; estimated 3.65-acre impact; Design Build Letting 6/3/2021; no private mitigation bank or ILF option available; mitigation TBD—anticipated difficulty in identifying appropriate mitigation). [RMP 2019]
- US 98 Brooks Bridge (FPID 415474-2; Choctawhatchee Bay Watershed; estimated 0.92-acre impact (estuarine and freshwater marsh impacts); Design Build Letting 7/2/2021; proposed mitigation to Live Oak Point ILF). [RMP 2018]
- Status of Live Oak Point Living Shoreline ILF project and revision of ILF Final Instrument (necessary for Live Oak Point project and potential advance credits).
- Older (non-scheduled) projects lacking identified mitigation.
 - SR 87 (from CR 178 to SR 4; FPID 416748-6; Blackwater River Watershed; estimated 2.71-acre impact; no private mitigation bank or ILF option; Contract Letting not scheduled; mitigation TBD). [RMP 2016]
 - SR 87 (from end of 4-lane to Coldwater Creek; FPID 416748-2; Blackwater River Watershed; estimated 10.89-acre impact; Contract letting not scheduled; partial coverage by private mitigation bank; mitigation TBD). [RMP 2016]
 - Gulf to Bay, Segment 2 (FPID 410911-2; St. Andrew Watershed; estimated 118.04-acre impact; Contract Letting not scheduled; mitigation TBD). [RMP 2011]
 - SR 173 (Blue Angel Pkwy from SR 292 to US 98; FPID 421012-1; Perdido and Pensacola Bay watersheds; estimated 53-acre impact; impact split between private mitigation bank and Dutex ILF coverage; Contract Letting not scheduled; mitigation TBD). [RMP 2018]
- Management status of NFWFMD mitigation sites (time permitting).
- Open discussion / other business.

FDOT District-3 Mitigation Review Team Meeting

26 February 2020 (Wednesday)

(FDOT Midway Operations Center)



**US Army Corps
of Engineers®**



10-Year Mitigation Agreement (2019 – 2029) Between FDOT and NFWFMD Renewed October 28, 2019

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

<OLD BUSINESS>

Regional Mitigation Plan 2019 Supplemental No. 1 (April 2019)

- CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1; Apalachicola Watershed; 0.112-Acre Impact; Mitigation to Tates Hell – Sumatra Unit ILF; \$13,166 Received from FDOT July 2019; 0.03 Credits Debited July 2019).
- CR 67 Yellow Creek Bridge (FPID 439371-1; Ochlockonee Watershed; 0.13-Acre Impact; Mitigation to Shuler ILF; Contract Letting 10/27/2021; Mitigation to be implemented upon issuance of permits and receipt of funds).

<OLD BUSINESS>

Regional Mitigation Plan 2019 Supplemental No. 2 (December 2019)

- CR 268 (High Bridge Road from Joe Adams Road to East Brickyard Road; Ochlockonee Watershed; 0.341-Acre Impact; FPID 436615-1; Mitigation to Shuler ILF; Mitigation to be implemented upon issuance of permits and receipt of funds).

<Old Business – 2019 Supplemental Projects>



FDOT Impact:

- 1 - CR 280 (Shady Grove Road from SR 69 to CR 286; FPID 436620-1) [Mitigation to Tates Hell ILF]
- 2 - CR 67 Yellow Creek Bridge (FPID 439371-1) [Mitigation to Shuler ILF]
- 3 - CR 268 (High Bridge Road from Joe Adams Road to East Brickyard Road; FPID 436615-1) [Mitigation to Shuler ILF]

Proposed Mitigation:

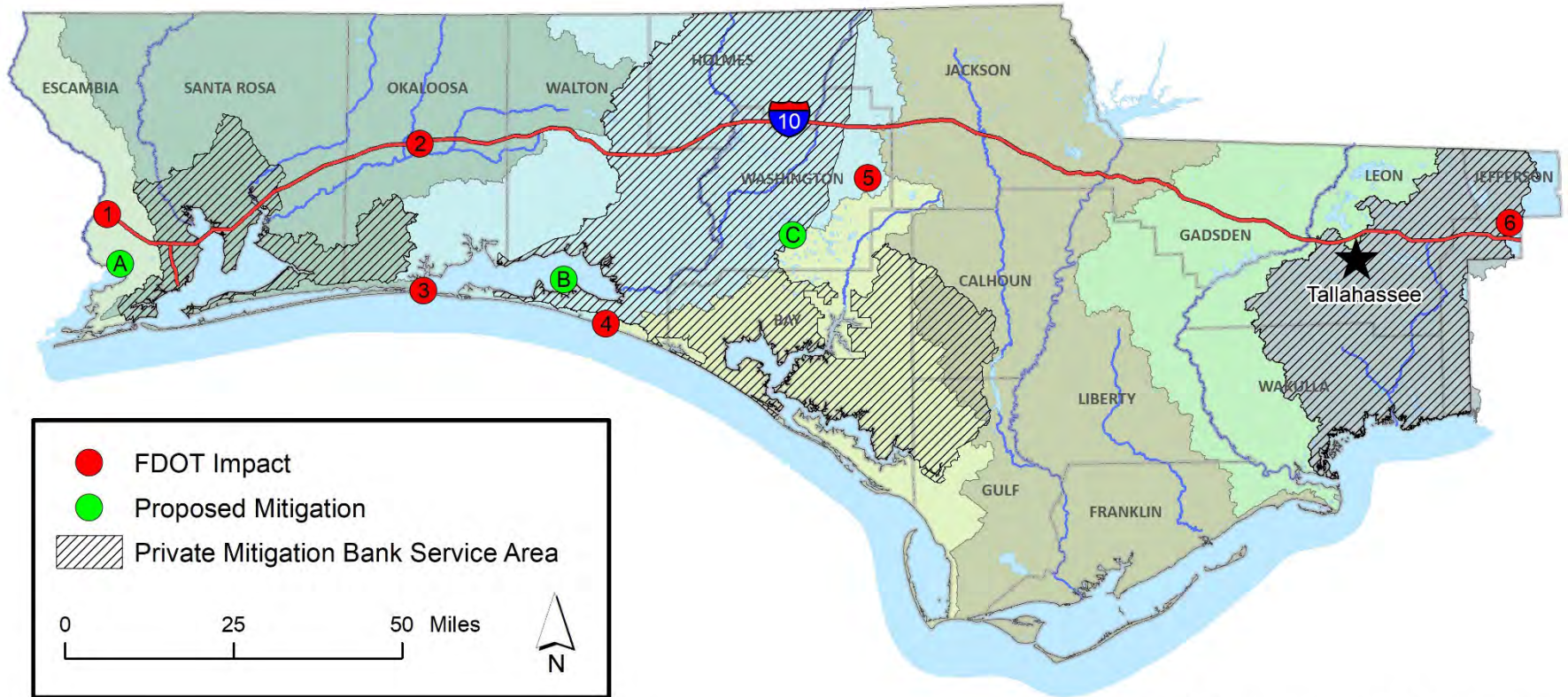
- A - Tates Hell (Sumatra) ILF
B - Shuler ILF

- Apalachicola River and Bay
- Choctawhatchee River and Bay
- Ochlockonee River and Bay
- Pensacola Bay System
- Perdido River and Bay
- St. Andrew Bay
- St. Marks River and Apalachee Bay

Priority FDOT Mitigation Needs

- I-10 at CR 99 (New Interchange; Perdido Watershed)
- CR 30A Western Lake Bridge Replacement (Choctawhatchee Watershed)
- CR 273 Little Hard Labor Creek Bridge Replacement (Choctawhatchee Watershed)
- CR 259 SCL Railroad Bridge No. 540027 Replacement (Aucilla Watershed)
- I-10 at Antioch Road (New Interchange; Yellow River Watershed)
- US 98 Brooks Bridge (Choctawhatchee Watershed)

Priority FDOT Mitigation Needs



FDOT Impact:

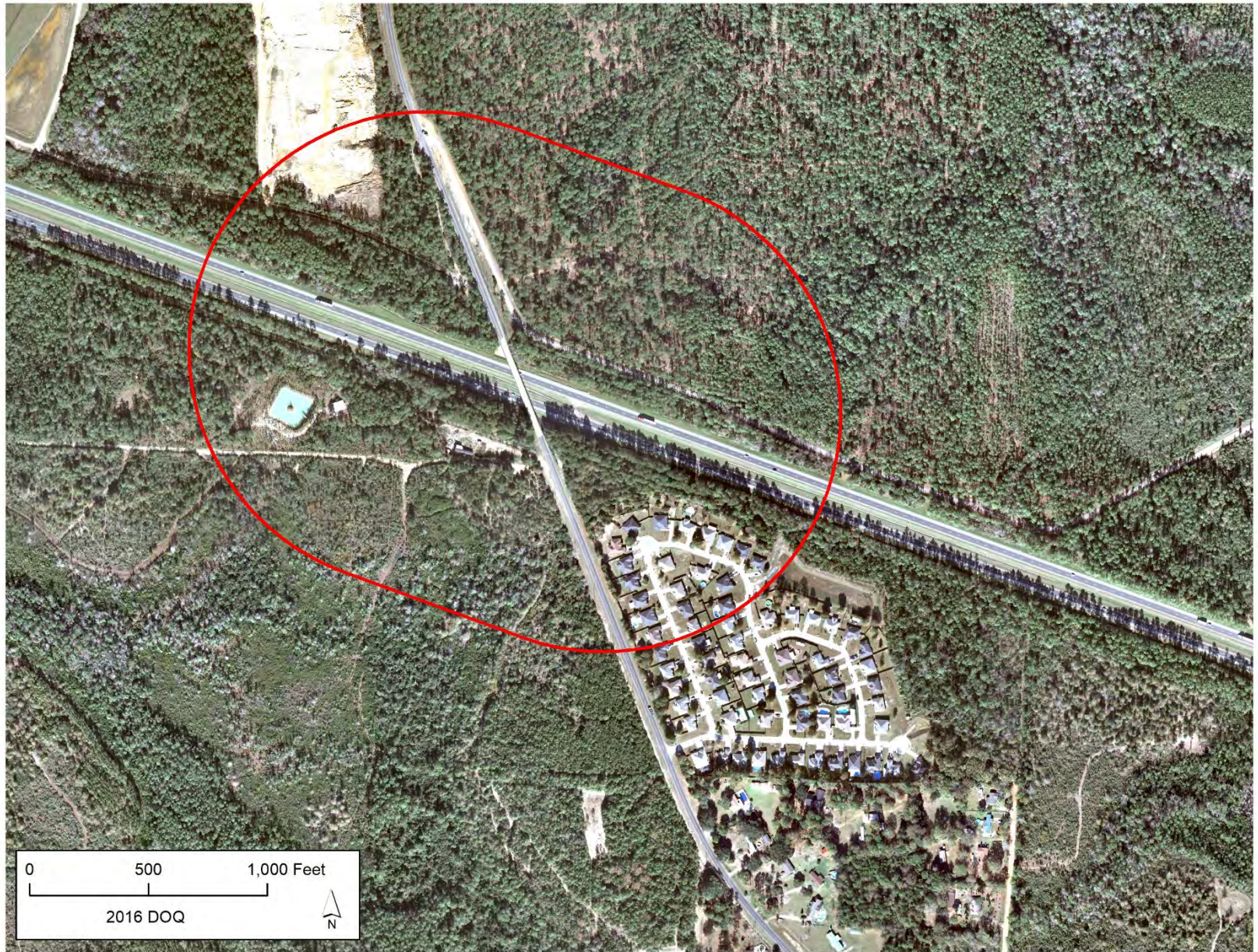
- 1 - I-10 at CR 99 (FPID 433113-1) [Mitigation to Dutex ILF]
- 2 - I-10 at Antioch Road (FPID 407918-5) [Mitigation TBD]
- 3 - US 98 Brooks Bridge (FPID 415474-2) [Mitigation to Live Oak Point ILF]
- 4 - CR 30A Western Lake Bridge No. 600089 (FPID 443331-1) [Mitigation to Live Oak Point ILF]
- 5 - CR 273 Little Hard Labor Creek Bridge (FPID 439365-1) [Mitigation to Sand Hill Lakes Mitigation Bank]
- 6 - CR 259 SCL Railroad Bridge No. 540027 (FPID 439366-1) [Mitigation TBD]

Proposed Mitigation:

- A - Dutex ILF
- B - Live Oak Point ILF
- C - Sand Hill Lakes Mitigation Bank

- Hatched Area: Private Mitigation Bank Service Area
- Apalachicola River and Bay
- Choctawhatchee River and Bay
- Ochlockonee River and Bay
- Pensacola Bay System
- Perdido River and Bay
- St. Andrew Bay
- St. Marks River and Apalachee Bay

I-10 at CR 99 (New Interchange; FPID 433113-1)



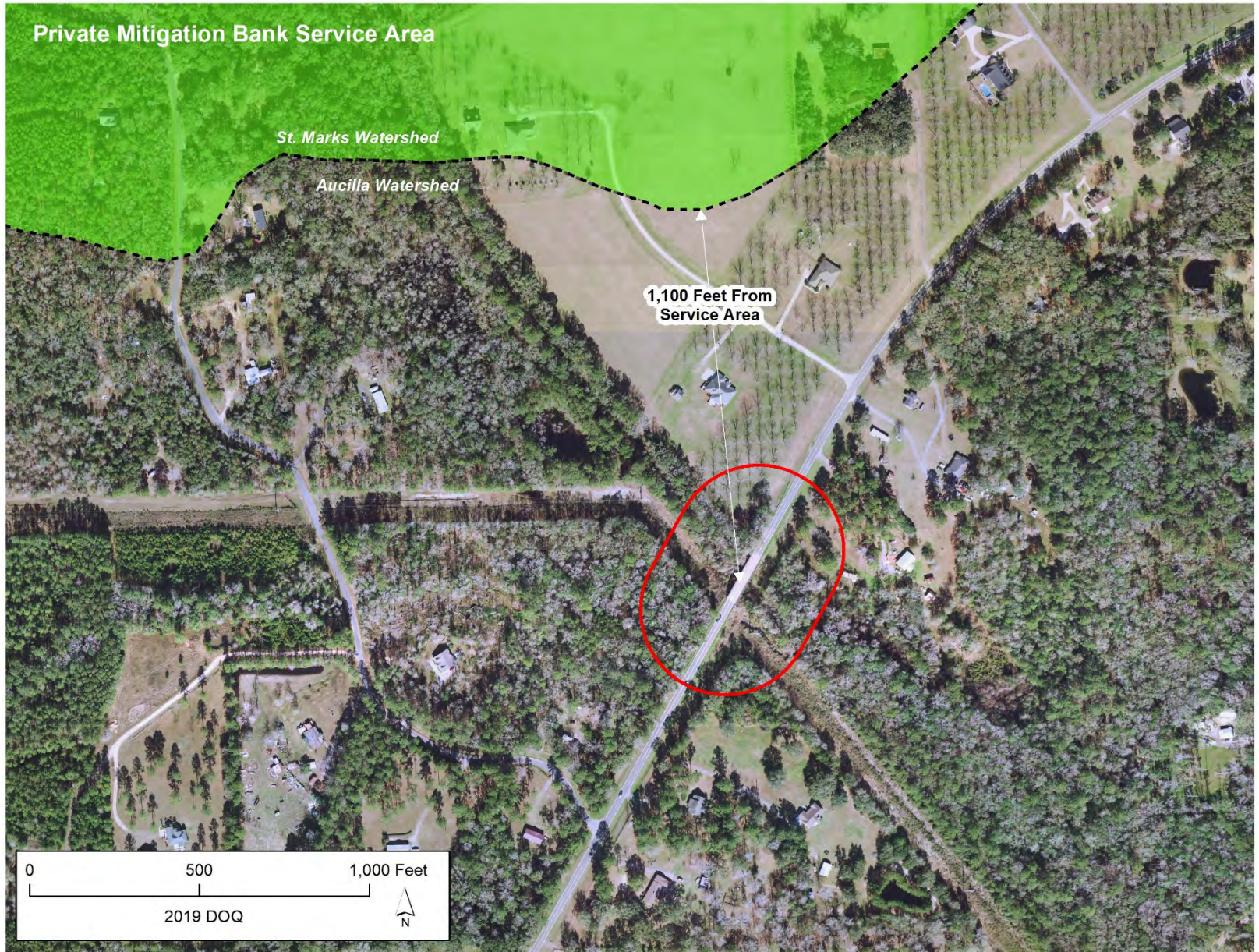
CR 30A Western Lake Bridge; FPID 433331-1



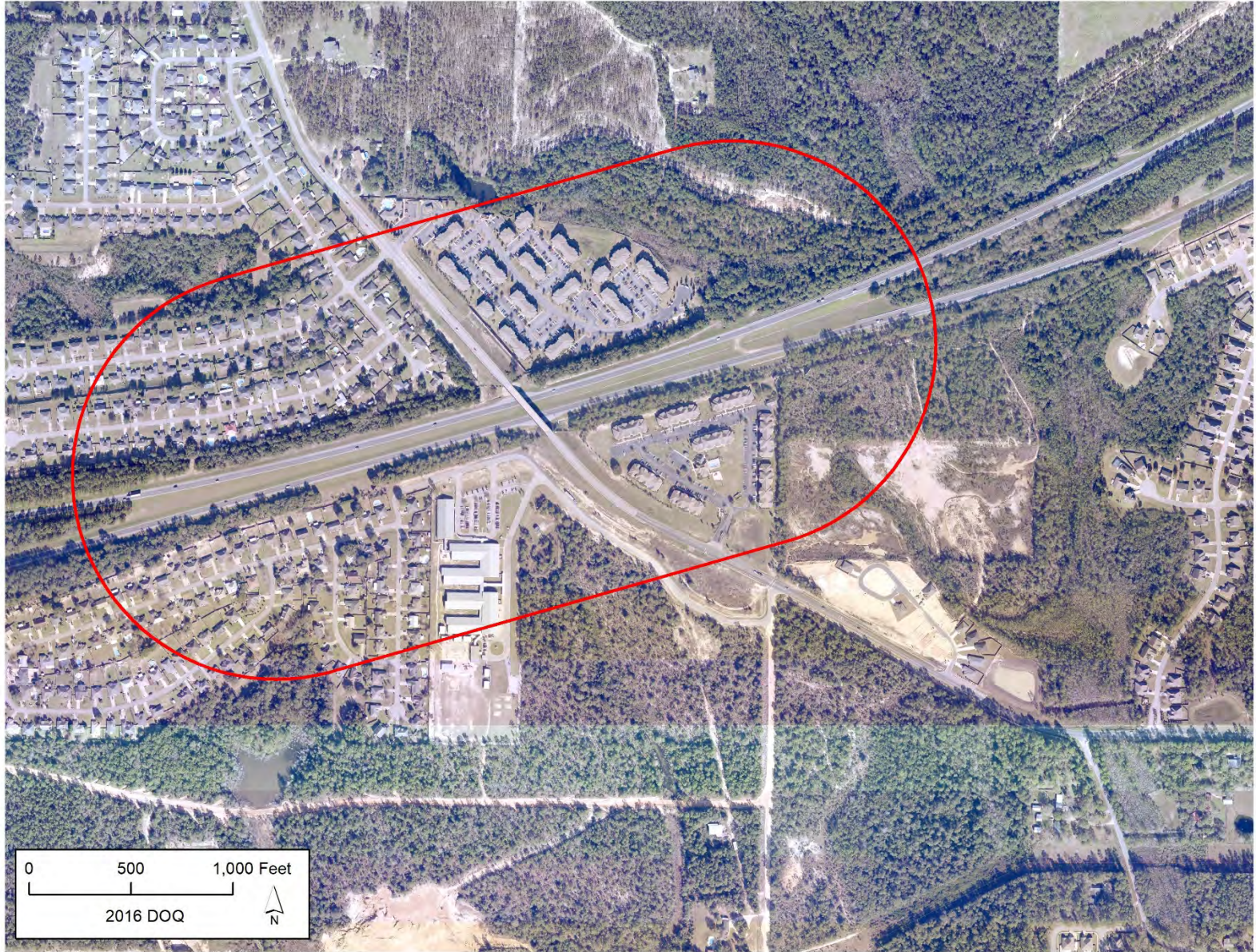
CR 273 Little Hard Labor Creek; FPID 439365-1



CR 259 SCL Railroad Bridge; FPID 439366-1



I-10 at Antioch Road (New Interchange; FPID 407918-5)



US 98 Brooks Bridge; FPID 415474-2



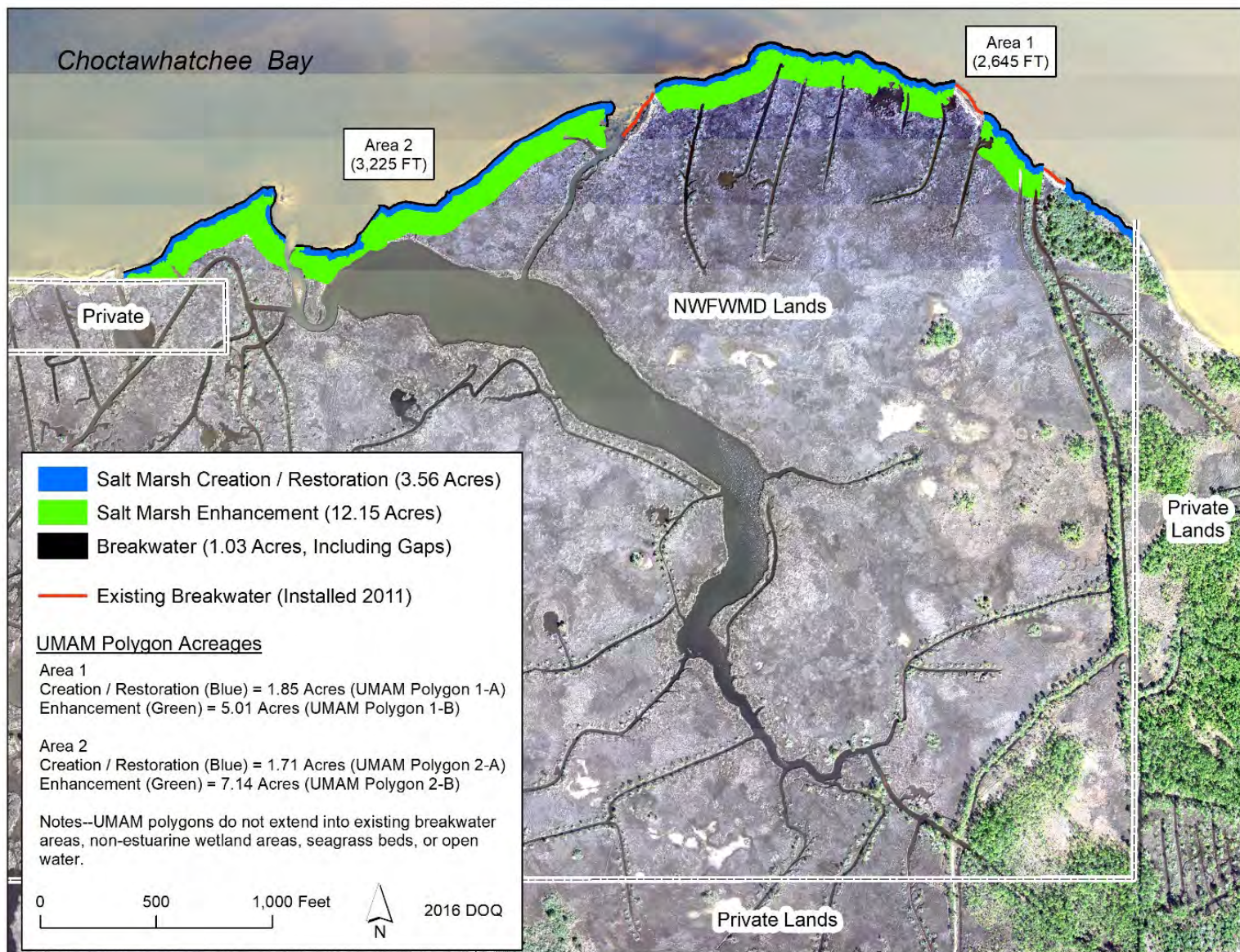
Live Oak Point Living Shorelines / ILF Program



Live Oak Point



Live Oak Point Living Shorelines ILF



Live Oak Point Living Shorelines

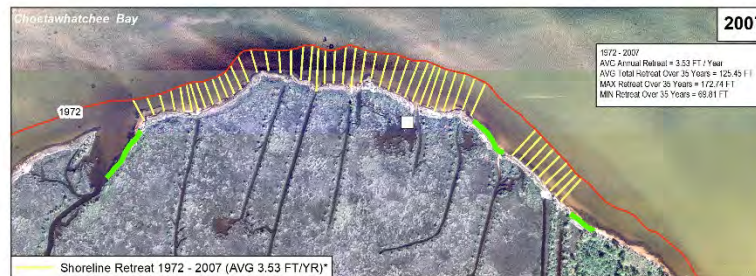
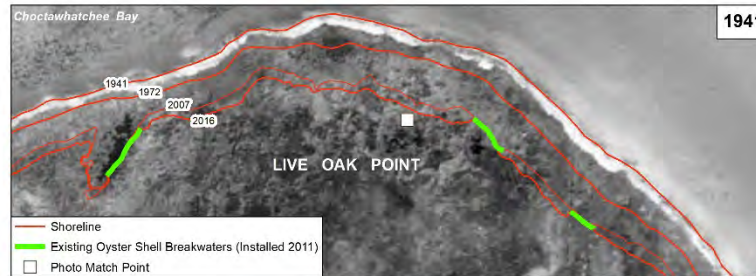


June 2019



January 2020

Live Oak Point Living Shorelines ILF



*Calculated using DSAS 4.0 (Digital Shoreline Analysis System, USGS-developed ArcGIS Tool)

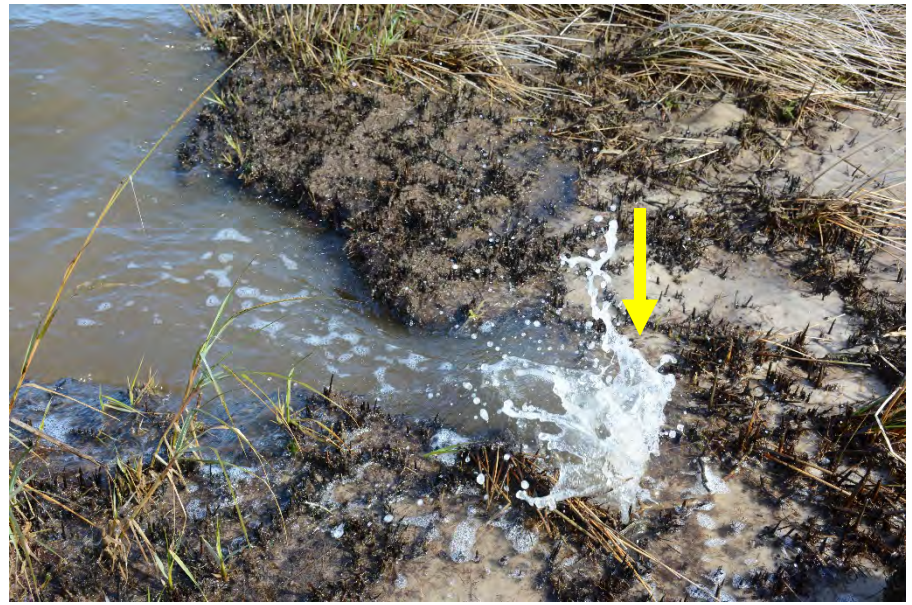
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Live Oak Point Living Shorelines ILF



Live Oak Point – Salt Marsh Blowhole (January 30, 2020)



Older FDOT Mitigation Needs



FDOT Impact:

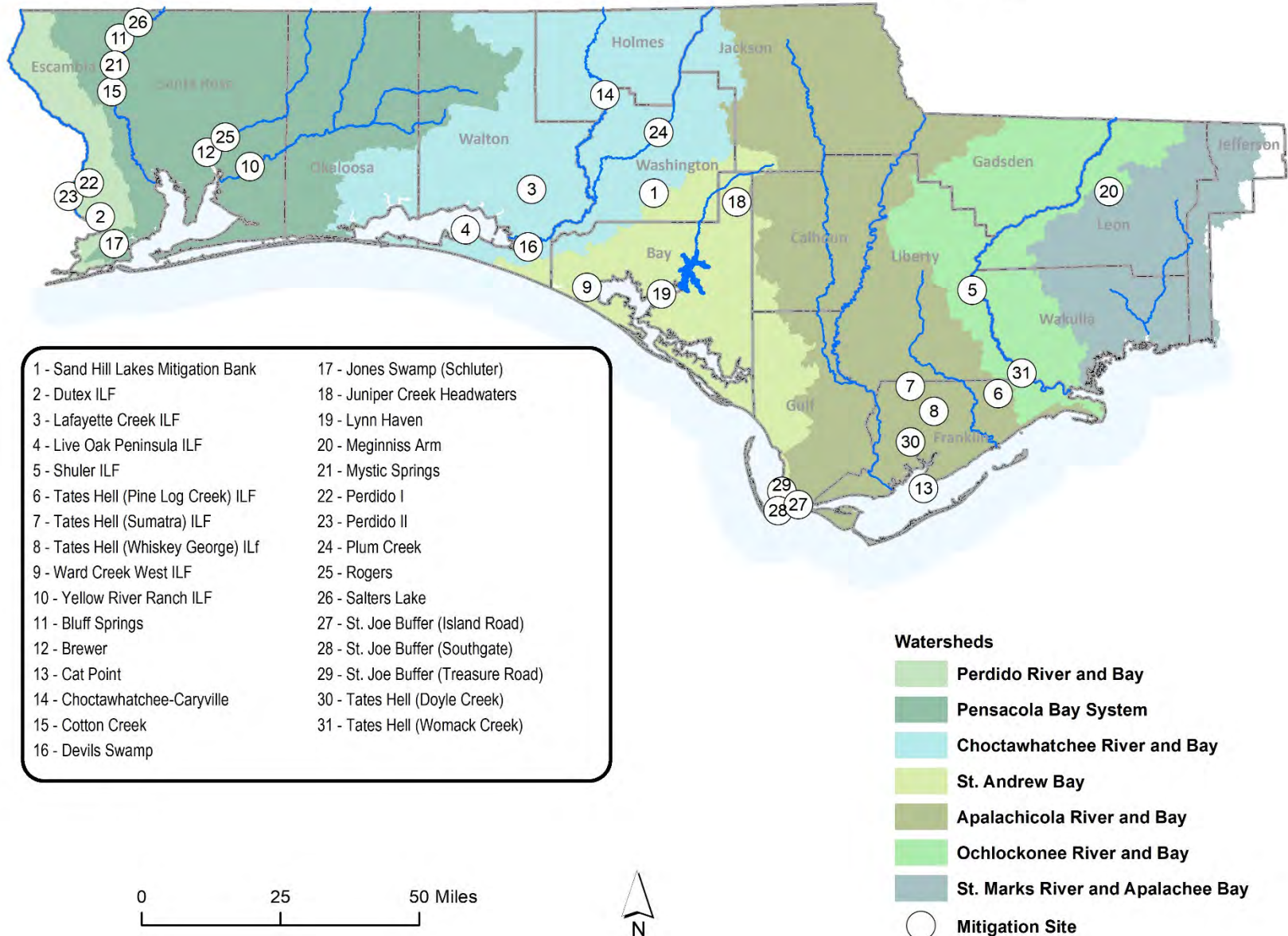
- 1 - SR 173 (Blue Angel Pkwy. from SR 292 to US 98; FPID 421012-1; 50+ Acre Impact) [Mitigation TBD]
- 2 - SR 87 (from 4-Lane to Coldwater Creek; FPID 416748-2; 10+ Acre Impact) [Mitigation TBD]
- 3 - SR 87 (from CR 178 to SR 4; FPID 416748-6) [Mitigation TBD]
- 4 - Gulf to Bay, Segment 2; FPID 410911-2; 100+ Acre Impact) [Mitigation TBD]

- Apalachicola River and Bay
- Choctawhatchee River and Bay
- Ochlockonee River and Bay
- Pensacola Bay System
- Perdido River and Bay
- St. Andrew Bay
- St. Marks River and Apalachee Bay

Management Status of NWFWMD Mitigation Sites

(Time Permitting)

NFWFMD Mitigation Program for FDOT Impacts (1997 - 2020)



Open Discussion / Other Business



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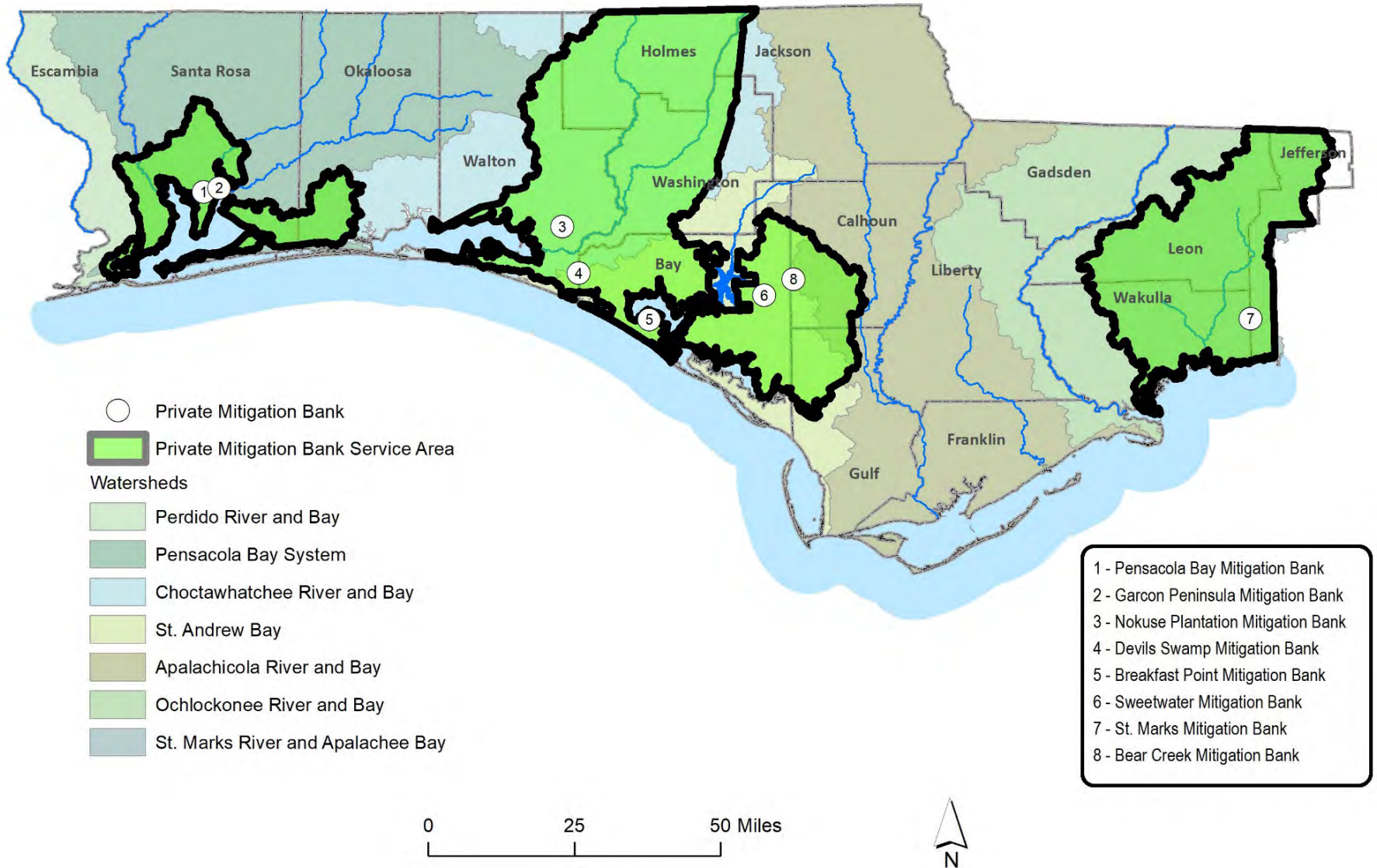


Wrap Up

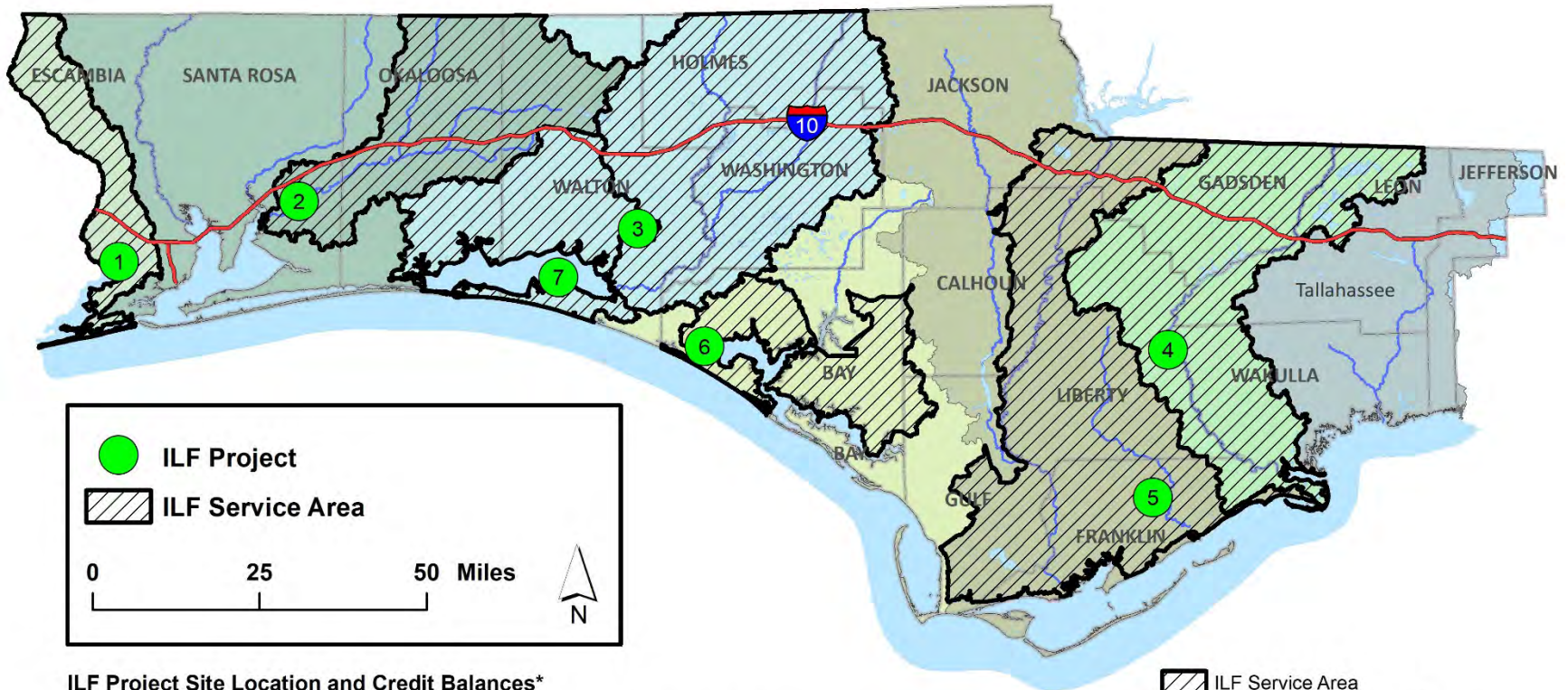


Appendix Maps

Private Mitigation Bank Service Areas



ILF Service Area and Current Credit Balances



ILF Project Site Location and Credit Balances*

- 1 - Dutex: 107.16 Pot.; 63.30 Rel.; 24.17 Deb.; 39.13 Bal. (No Credit Activity in 2019)
- 2 - Yellow River Ranch: 33.88 Pot.; 22.70 Rel.; 14.52 Deb.; 8.18 Bal. (1.09 Credits Debited in 2019)
- 3 - Lafayette Creek: 50.30 Pot.; 29.47 Rel.; 15.67 Deb.; 13.80 Bal. (No Credit Activity in 2018)
- 4 - Shuler: 33.95 Pot.; 33.95 Rel.; 7.25 Deb.; 26.70 Bal. (No Credit Activity in 2019)
- 5 - Tates Hell: 38.52 Pot.; 36.16 Rel.; 1.38 Deb.; 34.78 Bal. (0.03 Credits Debited in 2019)
- 6 - Ward Creek West: 173.76 Pot.; 102.77 Rel.; 67.06 Deb.; 35.71 Bal. (No Credit Activity in 2019)
- 7 - Live Oak Peninsula: 3.98 Pot.; 3.98 Rel.; 3.98 Deb.; 0.00 Bal. (No Credit Activity in 2019)

Totals: 441.55 Potential; 292.33 Released; 134.03 Debited; 158.30 Balance.

*Credit balances as of 12/31/2019; No advance credits at any ILF site



FDOT Mitigation Properties Update 2/25/20

Fall – Monitoring – Completed November 2019

Herbicide 74 acres Dutex – Completed October 2019

Lafayette Creek – plant 79,000 toothache grass and 4,000 wiregrass – Completed Feb 22, 2020

Perdido Phase II, burn 47 acres – Completed November 2019

SHLMB – Burn 450 acres - Completed October 2019

Ward Creek – Burn 235 acres – Completed October 2019

Future Activities to be completed by June 30th

Dutex – burn 809 acres by April 2020

Gyro-trac 60 acres

Ward Creek – burn 435 acres by April 2020

Plum Creek – Burn 65 acres by June 30th

SHLMB – Burn 750 acres by June 30th