



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

January 17, 2017

Brett J. Cyphers, Executive Director  
Northwest Florida Water Management District  
c/o David Clayton  
81 Water Management Drive  
Havana, FL 32333-4712  
[David.clayton@nwfwater.com](mailto:David.clayton@nwfwater.com)

## **Sandhill Lakes Mitigation Bank, Washington County Permit No. 0227351-001 (modification-018)**

Dear Mr. Cyphers:

On December 22, 2016, the Department received a request to modify the permit, including associated figures and attachments, to reflect a correction in the mapping of target native communities. Additional information was submitted December 23, 2016 and January 11, 2017.

The community mapping errors were originally noted during early stages of site restoration activities and the correct community designations have become more defined during the restoration process. The proposed mapping changes were confirmed during the interagency team site inspection on November 15, 2016.

These revised acreages (increases and decreases) of 4 of the target communities/UMAM assessment areas in the permit are reflected in minor changes in the potential credits associated with those assessment areas. The net result is a total increase of 1 potential credit, which will be reflected in the flatwoods credit in the final success credit release. The total bank acreage and relative functional gain for each assessment area are unchanged.

Since the proposed modifications are not expected to result in any adverse environmental impacts or water quality degradation, and will not be contrary to the public interest or the intent of the permit, the permit is hereby modified as requested, with portions of Project Description and Specific Conditions 10, 17, and 19 revised as follows.

### **PROJECT DESCRIPTION**

.... The mitigation was assessed by the Uniform Mitigation Assessment Method (UMAM) (Chapter 62-345, F.A.C.) as having a potential of ~~298.4~~ 299.4 credits.

10. Community restoration.

- a. Pine removal: Within the mitigation bank site, there are approximately ~~383~~ 382 acres of upland pine plantation and 11.5 acres of wetland pine plantation, shown as Management Units 11 and 3, respectively, in Figure 7.

17. Potential Credits. The total number of potential of credits was determined by the UMAM methodology, with calculations detailed in Attachments F. The ~~298.4~~ 299.4 total potential credits for the bank are allocated as 29.2 “herbaceous” (wet prairie, marsh and pond), ~~123.1~~ 124.1 “flatwoods” (wet flatwoods, longleaf/wiregrass) and 146.1 “mixed hardwood” (cypress, mixed wetland hardwood, oak sandhills). These credits will be released and withdrawn in accordance with Specific Conditions 19.

19. Credit Release Schedule. Mitigation credits will be released for use according to the following Credit Release Schedule table based on the timeframes anticipated in Specific Condition 14. The actual credit release will be determined by when the specified activity is completed or criteria achieved, which may be before or after the estimated date in Specific Condition 14.

All credit releases shall be allocated as “herbaceous”, “flatwoods” and “mixed hardwoods” in the same ratio as the bank’s total potential credits, according to the following table.

Upon completion of a credit release activity, the permittee may submit a minor modification request (with fee), along with supporting documentation, for the release of the appropriate number of credits. This request shall be made in writing to the Office of Submerged Lands and Environmental Resources. The Department shall review the documentation, conduct a site visit to determine if the documentation is representative of on-site conditions, and perform a compliance review of the permit, prior to the issuance or denial of the minor modification to release credits. An updated ledger indicating the additional available credits shall be attached to the minor modification.

<b>CREDIT RELEASE SCHEDULE*</b>						
Task	Specific Conditions	% Credit Release	Flatwoods Credits	Mixed Hardwoods Credits	Herbaceous Credits	Total Credits
CE, QMS, financial, fencing	7, 8, 9	25	30.8	36.5	7.3	74.6
-Hydrologic enhancements	12	10	12.3	14.6	2.9	29.8
-Erosion stabilization	12					
-Removal of upland pine plantation, oak, roller chop / hydro-axe	10	10	12.3	14.6	2.9	29.8
-Planting longleaf pine	10					

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- successful completion of initial growing-season burns (80%)	11	10	12.3	14.6	2.9	29.8
1 <sup>st</sup> year attainment of interim success criteria	23	5	6.2	7.3	1.4	14.9
2 <sup>nd</sup> year attainment of interim success criteria	23	5	6.1	7.3	1.5	14.9
3 <sup>rd</sup> year attainment of interim success criteria	23	10	12.3	14.6	2.9	29.8
4 <sup>th</sup> year attainment of interim success criteria	23	10	12.3	14.6	2.9	29.8
Attainment of success criteria – Final release	22	15	19.5	22.0	4.5	46.0
Total		100%	124.1	146.10	29.17	299.4

\* Reflects slight adjustments for rounding

In addition, the following revised figures that reflect these corrections replace those in the current permit:

- Figure 4 – Existing FLUCCS
- Figure 6 – Mitigation Activities
- Figure 7 – Management Units
- Figure 8 – Post-restoration FLUCCS
- Attachment E - Figure 2 (anticipated burn cycles)
- Attachment F – UMAM Summary and UMAM Analysis-Polygons
- Attachment H - Figure 1 (monitoring)

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. 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 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;

- 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 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.

Executed in Tallahassee, Florida.

STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION



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Timothy Rach  
Program Administrator  
Submerged Lands & Environmental Resources Coordination

Attached:

Figure 4 – Existing FLUCCS  
Figure 6 – Mitigation Activities  
Figure 7 – Management Units  
Figure 8 – Post-restoration FLUCCS  
Attachment E - Figure 2 (anticipated burn cycles)  
Attachment F - UMAM Assessment  
Attachment H - Figure 1 (monitoring)

Copies (via email):

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**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this  
**ENVIRONMENTAL RESOURCE PERMIT MODIFICATION** and all copies, were  
transmitted before the close of business on January 17, 2017 to the above listed persons.

**FILING AND ACKNOWLEDGMENT**

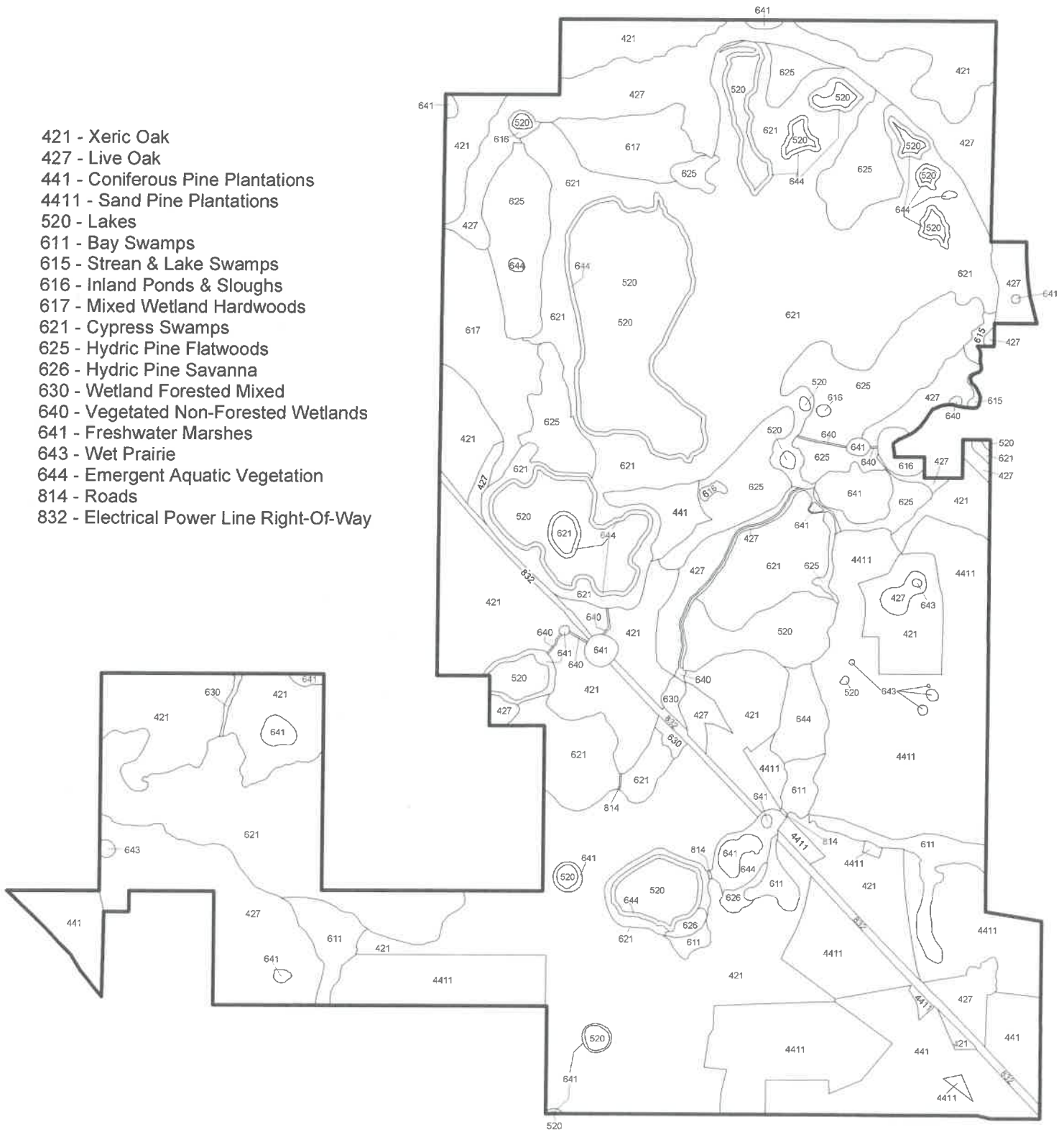
FILED, on this date, under subsection 120.52(9), Florida Statutes, with the designated  
Department Clerk, receipt of which is hereby acknowledged.

 January 17, 2017  
\_\_\_\_\_  
Clerk Date

Figure 4 - Existing FLUCCS (Revision)

(Revision)

- 421 - Xeric Oak
- 427 - Live Oak
- 441 - Coniferous Pine Plantations
- 4411 - Sand Pine Plantations
- 520 - Lakes
- 611 - Bay Swamps
- 615 - Stream & Lake Swamps
- 616 - Inland Ponds & Sloughs
- 617 - Mixed Wetland Hardwoods
- 621 - Cypress Swamps
- 625 - Hydric Pine Flatwoods
- 626 - Hydric Pine Savanna
- 630 - Wetland Forested Mixed
- 640 - Vegetated Non-Forested Wetlands
- 641 - Freshwater Marshes
- 643 - Wet Prairie
- 644 - Emergent Aquatic Vegetation
- 814 - Roads
- 832 - Electrical Power Line Right-Of-Way

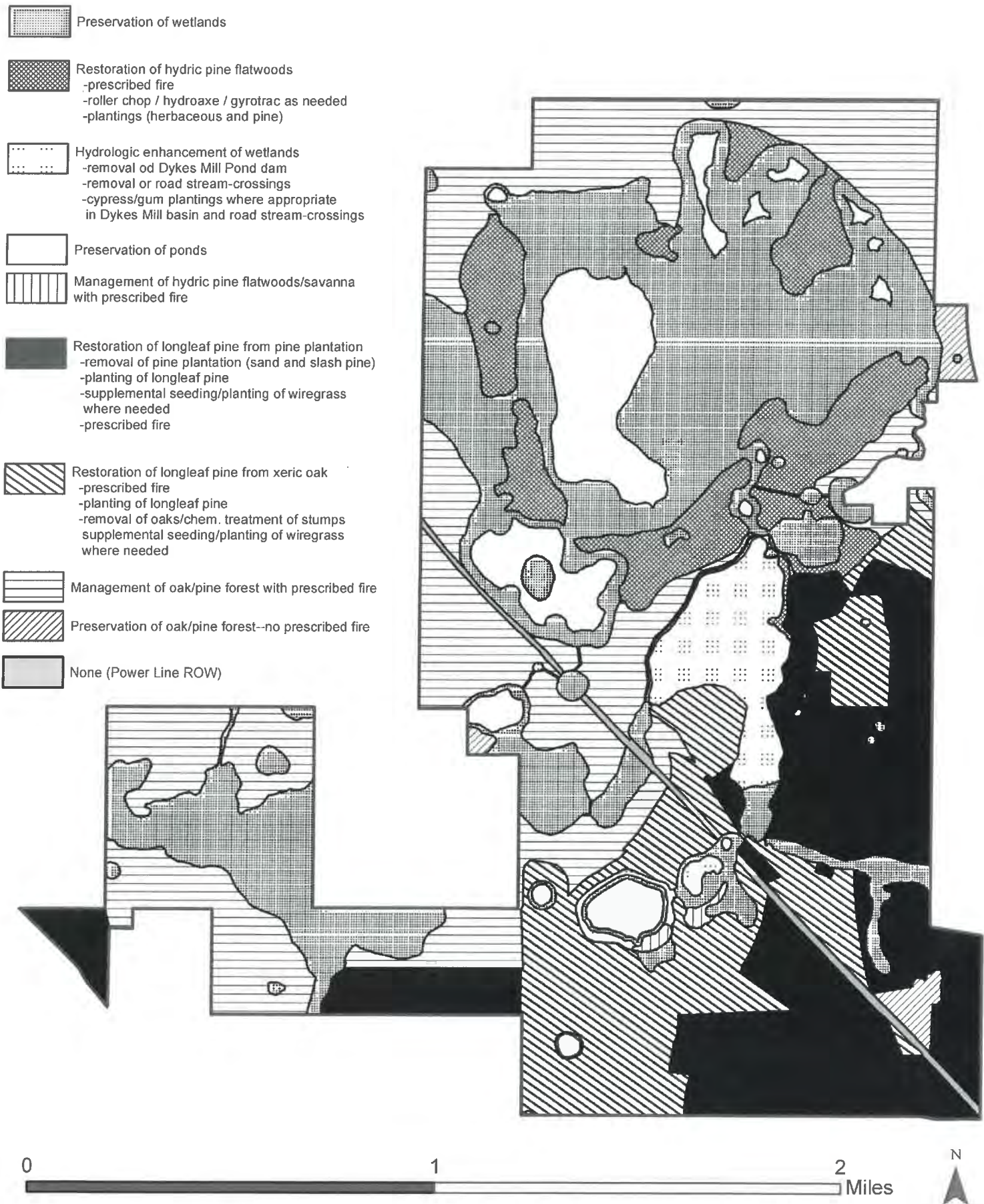


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Figure 6 - Mitigation Activities (Revision)

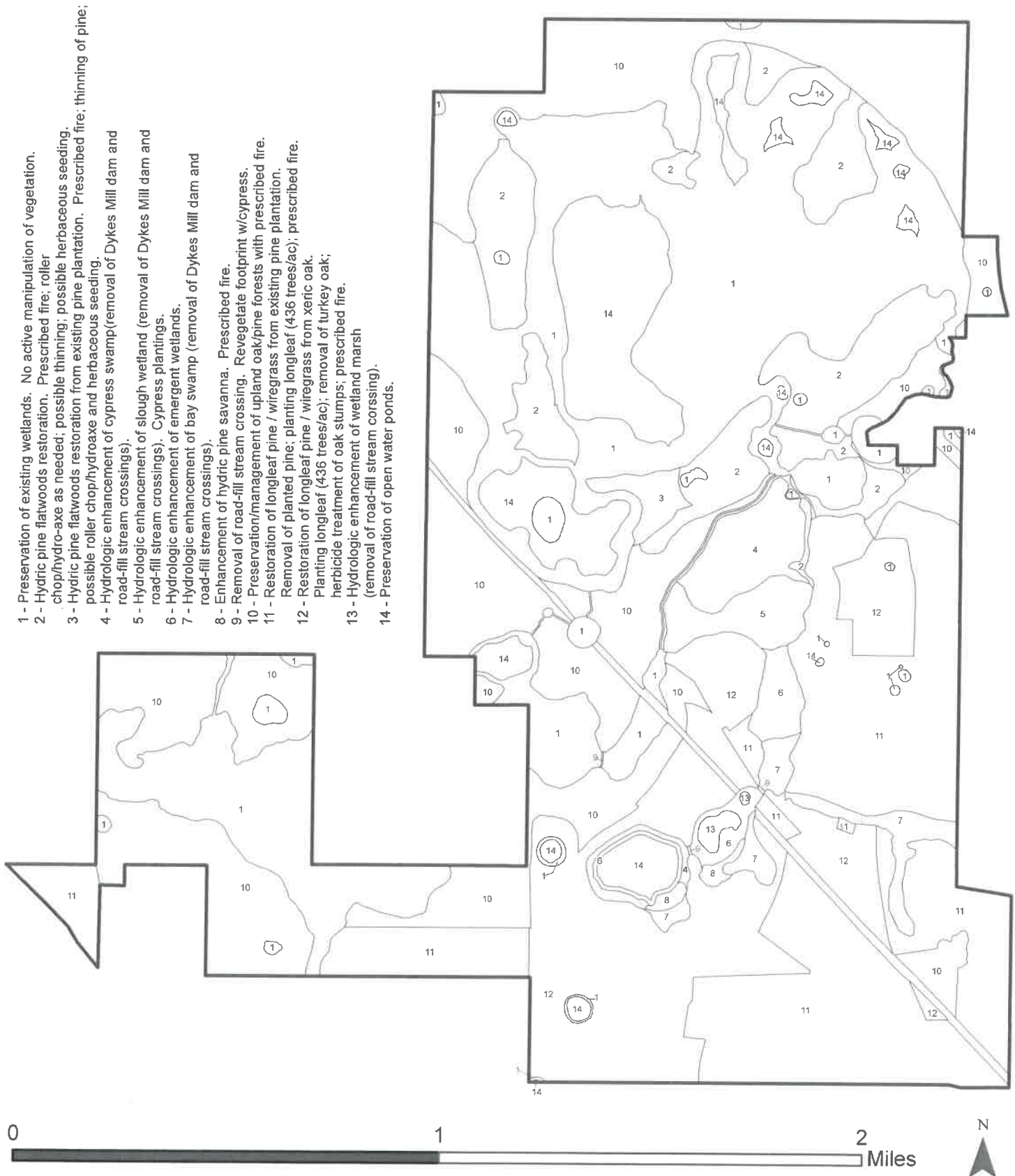
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Figure 7 - Management Units (Revision)

(Revision)

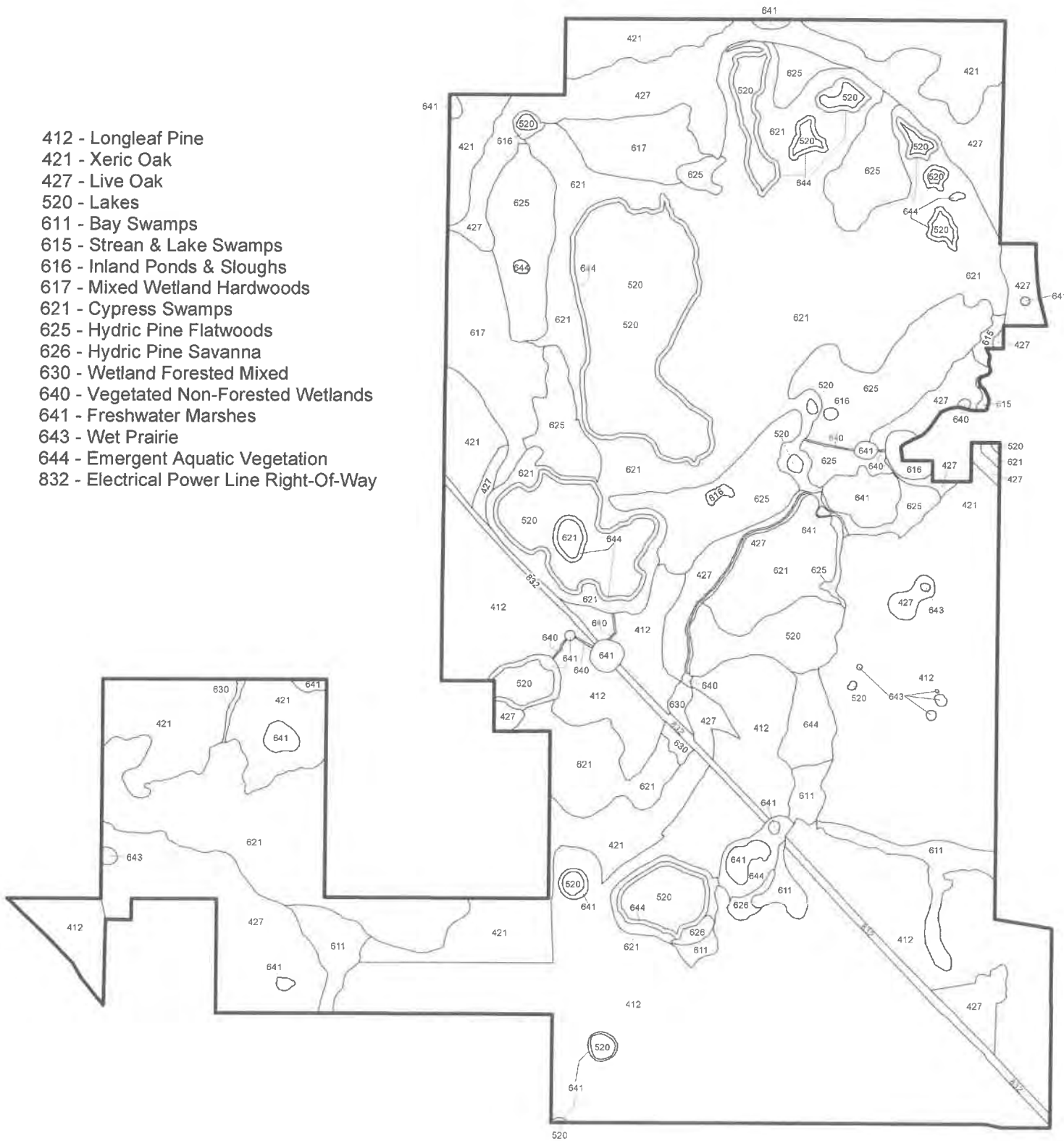


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Figure 8 - Post-restoration FLUCCS (Revision)

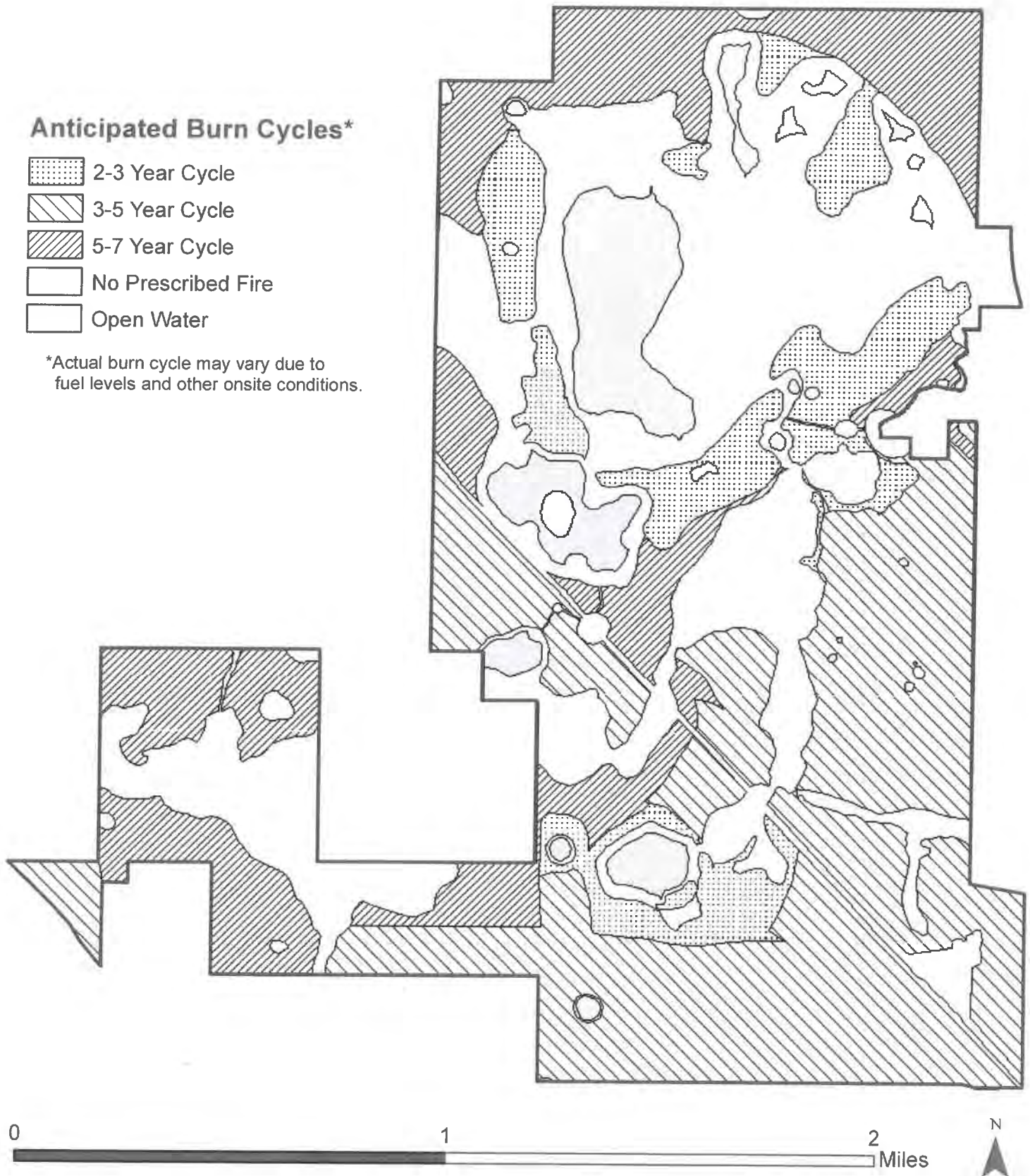
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Figure 2 - Anticipated Burn Cycles (Revision)

(Revision)



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## ATTACHMENT F - UMAM Assessment

Credit Assessment - DEP UMAM 2004; Acreage revised January 2017

Sand Hill Lakes Mitigation Bank - UMAM Assessment																
ASSESSMT AREA	MITIGATION CATEGORY	AREA (acres)	SCORE						UMAM W/OUT MIT.	UMAM WITH MIT.	DELTA	TIME LAG	P FACTOR	RISK	RFG	CREDIT
			AND LANDSCAPE		WATER ENVIRONMENT		COMMUNITY STRUCTURE									
			W/OUT or CUR.*	WITH MIT.	W/OUT or CUR.*	WITH MIT.	W/OUT or CUR.*	WITH MIT.								
I	Cutover sandhills to Longleaf/Wiregrass	263.52	8	10			7	9	0.75	0.95	0.20	1.14		1.00	0.18	46.2
II	Pine plantation to Longleaf/Wiregrass	382.16	7	9			7	9	0.70	0.90	0.20	1.25		1.25	0.13	48.9
III	Oak Sandhill Preservation	492.58	6	8			6	8	0.60	0.80	0.20	1.00	0.70	1.00	0.14	69.0
IV	High Quality Wetland Preservation	816.48	8	10	9	10	7	10	0.80	1.00	0.20	1.00	0.60	1.00	0.12	98.0
V	Hydric Pine Flatwood Enhancement	163.88	8	10	9	10	6	9	0.77	0.97	0.20	1.14		1.00	0.18	28.8
VI	Cypress-Gum Restoration	25.13	6	10	6	9	5	9	0.57	0.93	0.37	1.46		1.00	0.25	6.3
VII	Pine plantation to Hydric flatwoods	11.53	6	9	7	9	5	9	0.60	0.90	0.30	1.25		1.25	0.19	2.2
TOTALS		2155.28														299.4

\* For preservation assessment areas, use 'without' preservation, otherwise use 'current' condition/ Preservation areas shaded

NOTE: For the purpose of the ledger, credits derived from Assessment Areas I, II, V, and VII were defined as "flatwoods" credits. Credits derived from Assessment Areas III and VI were defined as "mixed hardwood" credits. Credits derived from Assessment Area IV were defined as "mixed hardwood" credits or "herbaceous" credits in proportion to the acreage of forested (cypress, gum) (587.2 ac./70.4 credits) or non-forested (herbaceous, emergent or pond) areas (243.1 ac./29.2 credits)

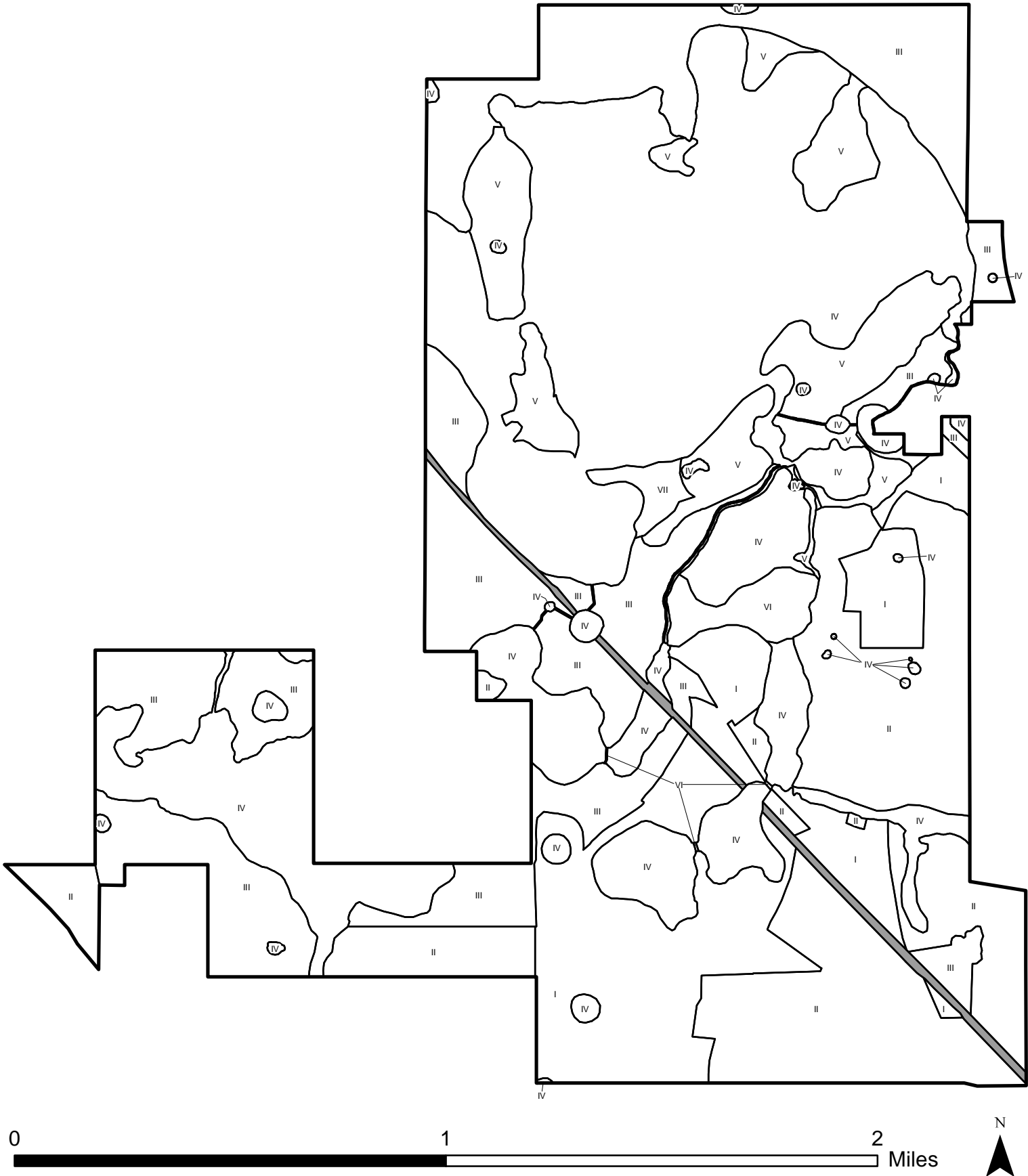
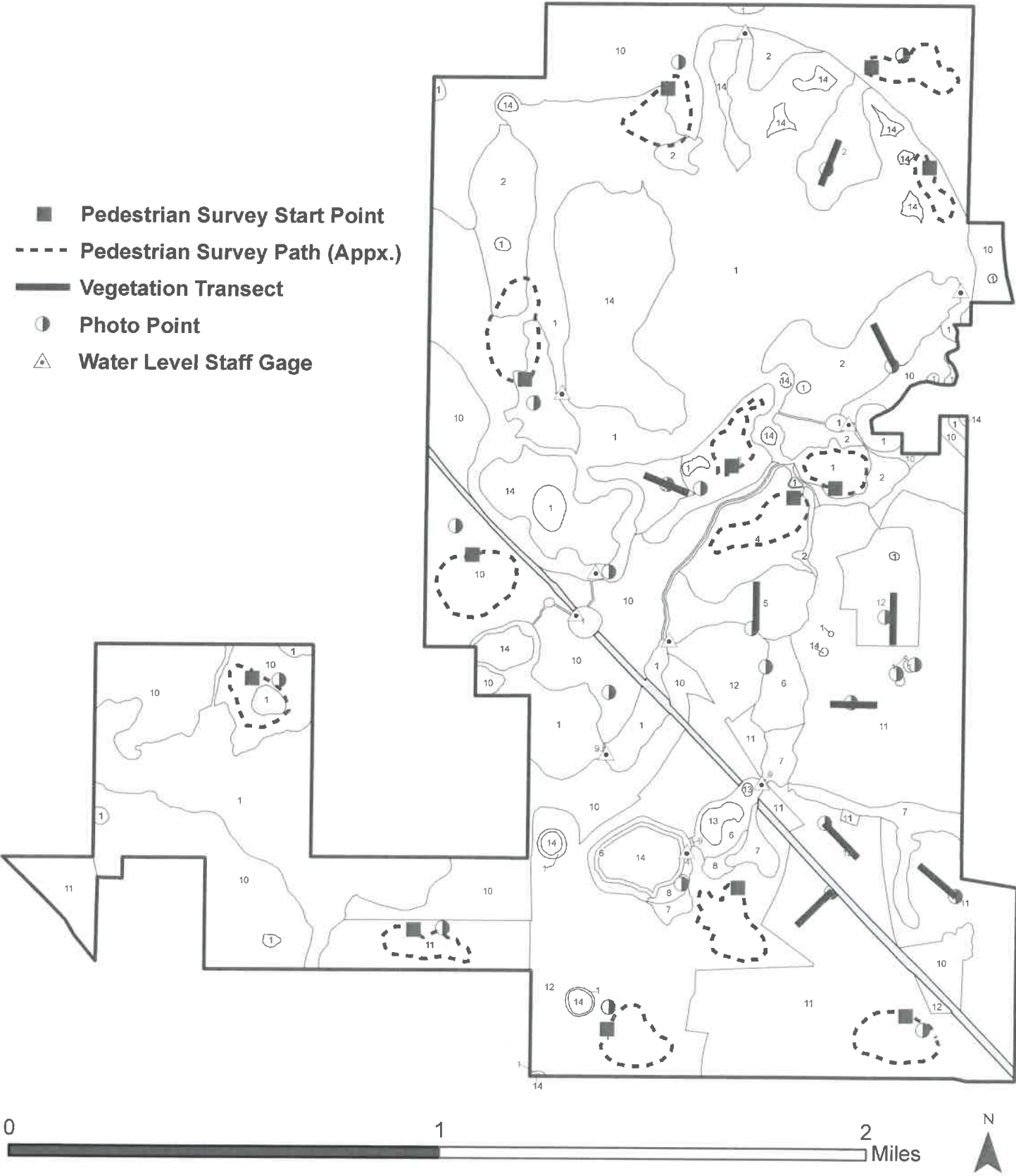




Figure 1 - Monitoring (Revision)

(Revision - Attachment H)



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