

DATE: April 9, 2024

TO: Arturo Perez, MSCE, P.E., Seminole County – Professional Engineer
Dino Lucarelli, P.E., Seminole County – Chief Design Engineer

FROM: Nicole Gough, PWS, CNRP Dewberry – Department Manager, Environmental Sciences

CC: Joseph Keezel, P.E., Dewberry – Associate, Senior Project Manager
Nicole Wright, Dewberry – Senior Environmental Scientist

SUBJECT: Slavia Road Capacity Improvements from Red Bug Lake Road to State Road 426 -
State-Only Mitigation Source Memo

Message

The Slavia Road Capacity Improvements from Red Bug Lake Road to State Road (SR) 426 project is currently under-going state Environmental Resource Permitting (ERP) via Application No. 202702-1 with the St Johns River Water Management District (SJRWMD). The project was also under-going permitting via Application No. ST404_0435317-001-SFI with the Florida Department of Environmental Protection (FDEP) State 404 Assumption Program for federally jurisdictional impacts. However, on February 15, 2024, the U.S District Court vacated the State 404 Assumption Program. Therefore, at this time, all FDEP State 404 Assumption Program permitting is on hold until further notice and federal permitting has been resumed by the U.S. Army Corps of Engineers (USACE). As a result of these recent federal regulatory changes, the project will be re-applied for federal impacts via the USACE. In the meantime, mitigation is still required for the project's state ERP, therefore, this memo includes updates following the bid opportunity provided to both state and federal suitable mitigation bankers, as outlined in the October 2023 *Mitigation Bid Memo*. This follow-up memo includes updated mitigation source information since the last memo as well as the recommended state ERP mitigation contract agreement for Seminole County review. Due to the federal regulatory changes requiring re-application via the USACE, although general information is included, no federal agreements are currently provided.

The project is located within Seminole County and is within the Lake Jesup Cumulative Impact Basin and Upper St. Johns Hydrologic Unit Code (HUC) 03080101 (please refer to the attached **Regional Location Map** and **Aerial Location Map** for a depiction of the general project location). As discussed in the previously provided *Mitigation Bid Memo*, dated October 9, 2024 associated jurisdictional wetland and/or surface water impacts for this project require mitigation for permit issuance (see attached **Wetlands, Surface Waters, and Other Surface Waters Map**). Although the previous bid memo included a mitigation estimate of 1.31 functional loss credits based on the July 12th, 2023 field-verified wetland and surface water limits and agreed-upon Uniform Mitigation Assessment Method (UMAM) scoring with the SJRWMD and FDEP representatives, the SJRWMD reviewer has since recently provided confirmation on the final amount. According to the SJRWMD and their requested rounding calculation methodology, the project requires 1.32 freshwater forested state functional loss UMAM credits (0.01 different than previously anticipated). Please refer to the attached **SJRWMD Mitigation UMAM Summary Table Email Correspondence dated March 20, 2024** as well as the updated **Final State SJRWMD UMAM Summary Table** based on the discussion with the reviewer. Some banks use Wetland Rapid Assessment Procedure (WRAP) to determine functional loss, therefore a corresponding example UMAM-equivalent **Wetland Rapid Assessment Procedure (WRAP) / Modified WRAP (M-WRAP) Summary Table** is attached for reference.

Based on the updated SJRWMD rounding, the project is anticipated to require mitigation as follows:

SJRWMD:

- 2.53 direct and 2.58 secondary acres of combined freshwater forested impact
- Requires a total of 1.32 state UMAM Forested credits of mitigation

Federal review is currently being re-applied via the USACE. Should the USACE or FDEP (if the State 404 Assumption Program be reinstated) request the same SJRWMD rounding, the federal mitigation needs will be the same as the SJRWMD credit needs. However, the project is currently being proposed with standard typical 25-foot secondary impacts, as follows:

- 2.53 direct and 1.07 secondary acres of combined freshwater forested impact
- Requires a total of 1.21 federal UMAM Forested credits of mitigation

By rule, federal mitigation must first be obtained by mitigation bank credit before other options can be explored (on-site mitigation, etc.). State rules require mitigation for project impacts must be, in part, within the Lake Jesup Cumulative Impact Basin for the SJRWMD. Out-of-basin mitigation must show there are no cumulative impacts to the basin before mitigation outside of Lake Jesup Cumulative Impact Basin can be approved. Lake Jesup is considered a nested basin by the SJRWMD and the SJRWMD does not accept out of basin mitigation credits; additionally, the SJRWMD has specific requirements for non-bank mitigation options which also depends on whether the land is a donation or Conservation Easement. There are limited mitigation providers that offer mitigation in the Lake Jesup Basin via offsite compensatory parcels that is deemed acceptable by the SJRWMD. To ensure required mitigation needs are obtained in a timely manner at a fair industry rate, bid opportunities were previous given to known mitigation banks serving the Lake Jesup Basin and outlined in the previous *Mitigation Bid Memo*, dated October 9, 2023. No mitigation banks were identified within the same Cumulative Impact Basin as the subject project. The following mitigation banks serve the basin and the mitigation bid results are included below. Two potential options from prospective banks were provided via Mitigation Marketing Group and Eco Credit Marketing (the associated **Mitigation Bid Forms** for each are attached); however, only one provides state mitigation credits totaling \$587,400 at 1.32 credits. Federal mitigation required under the now vacated FDEP State 404 Assumption Program for federal impacts totaled \$39,600 at 1.32 credits; however, the federal mitigation requirements will now be re-addressed in permitting via the USACE and therefore, no associated federal mitigation agreements are included.

State in-basin:

- Jesup Offsite Parcels - Mitigation Banking Group (\$445,000/State Credit)
- Jesup Mitigation Offsite Parcels – Mitigation Marketing – No response
Please see the associated **Mitigation Bid Form** attached and **State Mitigation Agreement**.

Federal in-HUC:

- Colbert Cameron Mitigation Bank – Mitigation Banking Group (\$30,000/Federal Credit)
- East Central Florida Mitigation Bank - (listed as sold out)
- TM Econ Mitigation Bank Phases 1-3 – EcoCredit Marketing (\$15,000/Federal Credit)

Additional information on the list of potential bidders is attached for reference (**Potential Mitigation Banks Summary Table**).

Conclusion

The Slavia Road Capacity Improvements from Red Bug Lake Road to State Road 426 project is anticipated to start construction in 2024. Environmental impacts from this project requires federal and state mitigation to offset jurisdictional wetland and/or surface water impacts for permit issuance. Based on the bid responses received, Mitigation Banking Group can provide in-basin State credits from Jesup Station Mitigation Bank. Future mitigation for final confirmed federal impacts can be provided with Federal mitigation credits from Colbert Cameron Mitigation Bank (Mitigation Banking Group) or TM Econ Mitigation Bank Phases 1-3 (EcoCredit Marketing), pending future availability. These banks serve the Lake Jesup Cumulative Impact Basin and are within the same Federal HUC. EcoCredit Marketing does not currently manage a bank with State credits within the Lake Jesup Basin.

The associated invoice and agreement for the state ERP credits are attached:

Federal mitigation based on the now vacated FDEP State 404 Assumption Program review totaled up to \$39,200 at current prices. In the previous memo, it was respectfully recommended approval for up to \$700,000 to make the credit purchases.

Attachments

Regional Location Map

Aerial Location Map

Wetlands, Surface Waters, and Other Surface Waters Map

SJRWMD Mitigation UMAM Summary Table Email Correspondence dated March 20, 2024

Final State SJRWMD UMAM Summary Table

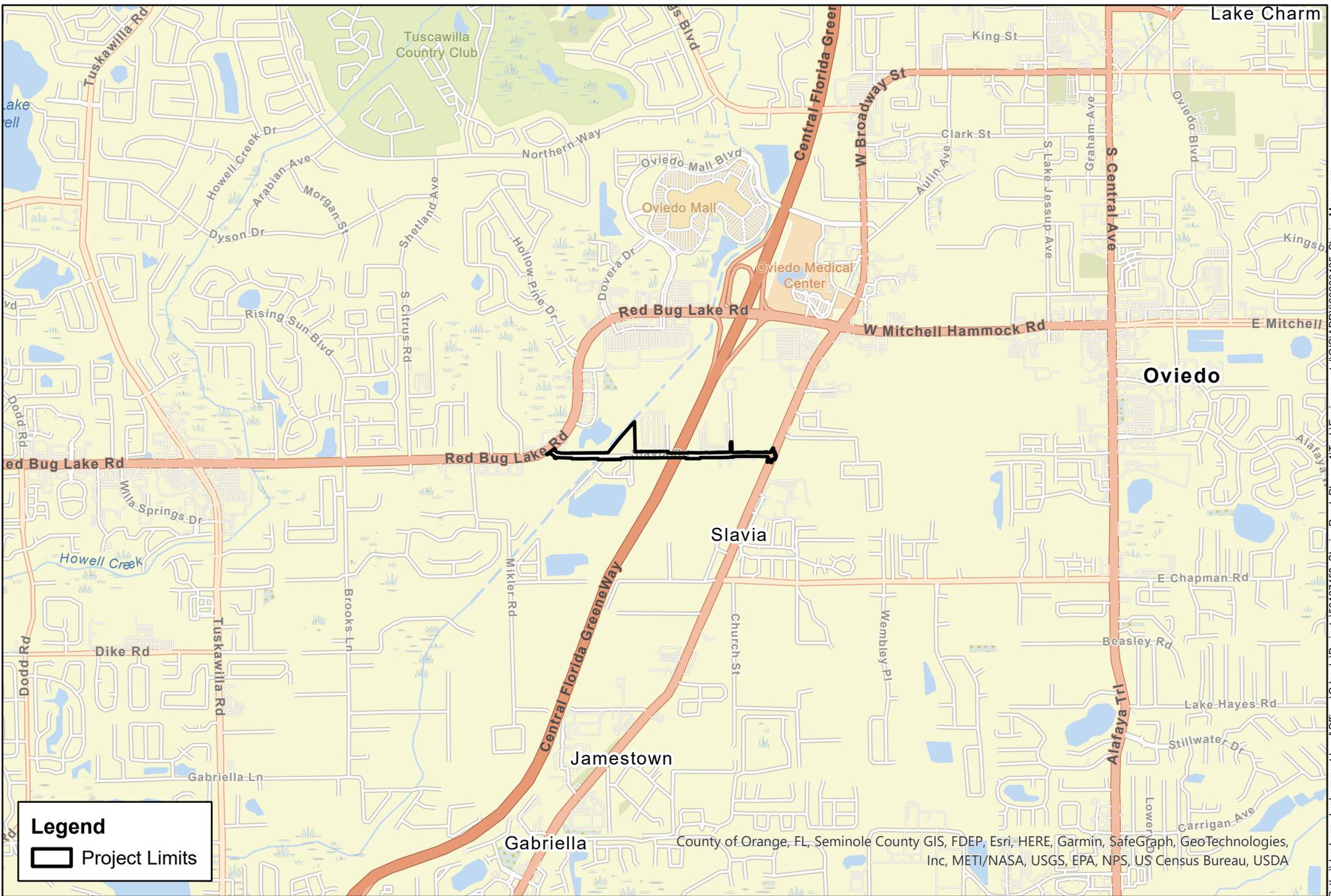
Wetland Rapid Assessment Procedure (WRAP) / Modified WRAP (M-WRAP) Summary Table

Mitigation Bid Form – Mitigation Marketing Group

Mitigation Bid Form – Eco Credit Marketing

Mitigation Marketing Agreement for Lake Jessup Woods.

Potential Mitigation Banks Summary Table



Regional Location Map

Slavia Road Capacity Improvements

Red Bug Lake Road to State Road 426

Seminole County, FL

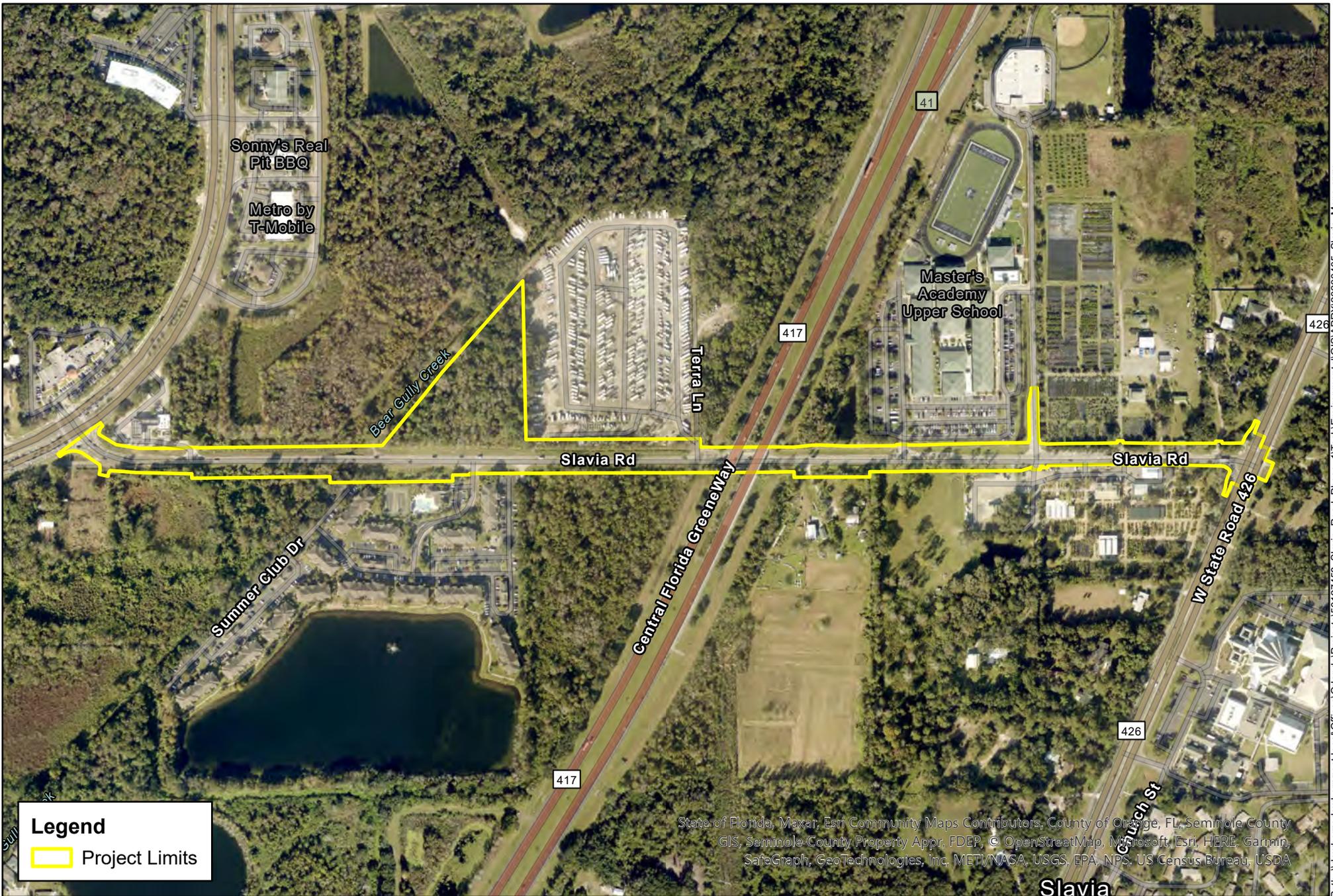
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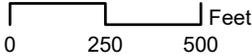
Project Limits

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Aerial Location Map

Slavia Road Capacity Improvements
Red Bug Lake Road to State Road 426
Seminole County, FL



Saved: 5/3/2023

Data Source: Dewberry
Image Source: ESRI

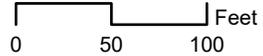
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Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
 Red Bug Lake Road to State Road 426

Seminole County, FL



Sheet: 1

Saved: 7/13/2023

Data Source: Dewberry, FDOT 1999, FPAI/FWC
 Image Source: ESRI



Legend

- Project Limits
- Alignment

Wetland, SW, and OSW

- 5100, 4000, Streams and Waterways
- 5300, 3250, Reservoirs
- 6170, 2233, Mixed Wetland Hardwoods

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Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
Red Bug Lake Road to State Road 426
Seminole County, FL

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 Image Source: ESRI
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Legend

- Project Limits
- Wetland, SW, and OSW**
- 6170, 2233, Mixed Wetland Hardwoods

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Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
Red Bug Lake Road to State Road 426
Seminole County, FL

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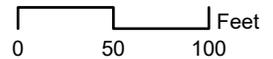
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Image Source: ESRI



Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
Red Bug Lake Road to State Road 426

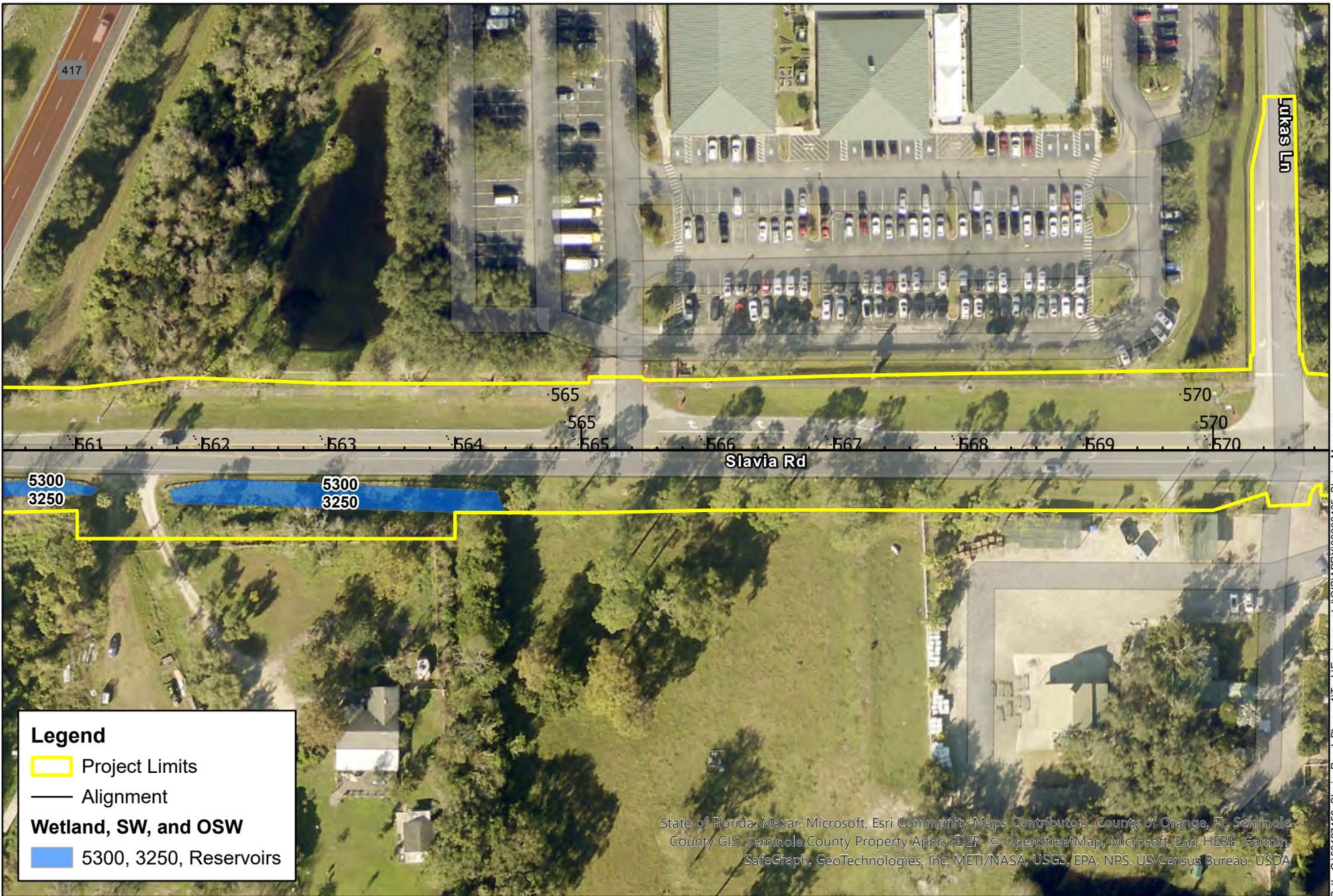
Seminole County, FL



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Data Source: Dewberry,
FDOT 1999, FPAI/FWC
Image Source: ESRI



Legend

- Project Limits
- Alignment

Wetland, SW, and OSW

- 5300, 3250, Reservoirs

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Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
Red Bug Lake Road to State Road 426
Seminole County, FL

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Sheet: 5

Feet
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Saved: 7/13/2023
Data Source: Dewberry, FDOT 1999, FPA/IFWC, Image Source: ESRI

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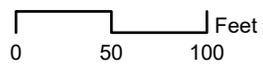


Wetlands, Surface Waters, and Other Surface Waters Map

Slavia Road Capacity Improvements
 Red Bug Lake Road to State Road 426

Seminole County, FL

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 Sheet: 6



Saved: 7/13/2023
 Data Source: Dewberry,
 FDOT 1999, FPA/IFWC
 Image Source: ESRI

Wright, Nicole

From: Wright, Nicole
Sent: Wednesday, March 20, 2024 3:50 PM
To: Grace A. Clements
Cc: MCook@sjrwmd.com; KEisele@sjrwmd.com; Koehler, Kevin; Gough, Nicole; Keezel, Joseph
Subject: RE: Partial RAI Response: Slavia Road Capacity Improvements from Red Bug Lake Road to State Road 426 (202702-1)
Attachments: 20240320_UMAM Summary Table_SJRWMD_SlaviaRd.pdf

Thanks Grace for forwarding me the email correspondence and for touching base with me on the mitigation finalized number. I appreciate you double checking since I know it has been a minute. I have attached the latest revised UMAM Summary table based on our discussion. It now includes the requested rounding setup discussed today to match your number by the 0.01.

We are still working on mitigation in the meantime!

Thanks,

Nicole "Niki" Wright

Senior Environmental Scientist
Environmental Services
800 North Magnolia Avenue, Suite 1000
Orlando, FL 32803-3251
D [321.354.9708](tel:321.354.9708) C [407.399.2975](tel:407.399.2975)



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www.dewberry.com

From: Grace A. Clements <GAClemen@sjrwmd.com>
Sent: Wednesday, March 20, 2024 3:09 PM
To: Wright, Nicole <nwright@Dewberry.com>
Subject: FW: Partial RAI Response: Slavia Road Capacity Improvements from Red Bug Lake Road to State Road 426 (202702-1)

[CAUTION] External Email. DO NOT click links or open attachments unless expected. Please use the "Phish Alert" button to report all suspicious emails.

Grace Clements
Regulatory Scientist II
Bureau of Environmental Resource Regulation
St. Johns River Water Management District
2501 S. Binion Rd.

Apopka, FL 32703
Email: gaclemen@sjrwmd.com
Office: (407) 215-1479
Cell: (386) 353-6195



www.sjrwmd.com/ePermit

From: Grace A. Clements
Sent: Wednesday, January 10, 2024 4:56 PM
To: ngough@Dewberry.com
Cc: aperez07@seminolecountyfl.gov; Imirio.Perez@FloridaDEP.gov; dlucairelli@seminolecountyfl.gov; kkoehler@Dewberry.com; Marjorie Cook <MCook@sjrwmd.com>; Kimberly Eisele <KEisele@sjrwmd.com>
Subject: Partial RAI Response: Slavia Road Capacity Improvements from Red Bug Lake Road to State Road 426 (202702-1)

Good afternoon :

Thank you for your December 14th and 27th submittals for the above referenced project. As acknowledged in the response letter, the mitigation plan, revised drainage maps, and updated calculations are on-going and will be provided at a later date. As such, the December 14th and 27th submittals are considered a partial response to the outstanding items. Timeframes will commence with the receipt of a complete response. Please note that the application fee was submitted on December 27th. This completes the response to Comment 1 of the District's June 13, 2023, RAI letter.

To summarize the outstanding items from the District's September 21, 2023, email:

1. Item 10 response referenced "Revised Contract Plans (Roadway Plan Set)". These plans were not attached or submitted with the response. As stated in Item 10 of the RAI, the approved wetland line and any associated wetland and surface water impacts must be surveyed and include on the plans, the total acreage of wetlands and surface waters and the total acreage of wetland and surface water impacts. In addition, please amend the plans to include the proposed impact areas. All construction plans and supporting calculations submitted to the District must be signed, sealed and dated by the appropriate registered professional (i.e. engineer). Please submit the signed and sealed epermitting signature document for the plans and calculations. [62-330.060(2), F.A.C., 62-330.301(1)(d)(f), F.A.C.; 10.0 – 10.3, A.H. Vol I; 2.3, A.H. Vol II]

The District is in receipt of the revised plans and associated signed, sealed and dated signature document, uploaded on December 14th. The plans will be reviewed concurrent with the updated calculations that are forthcoming.

2. To date, the full mitigation plan mentioned as forthcoming in the response to Item(s) 11 and 12 has not been provided, and only mentions bank credits. There are not currently any permitted mitigation banks within in the Lake Jesup Cumulative Impact Basin with available credits. Please submit a proposed mitigation plan which meets the requirements of Section 10.3, A.H. Vol I and that adequately address cumulative impacts. If the applicant would like to discuss potential mitigation plans, please contact Grace to schedule a meeting. Also, please consider the UMAM as approved. The total FLU for direct and secondary impacts is 1.32 (please contact Grace if you would like to discuss rounding).

Outstanding: The response to this item indicates that the mitigation plan is on-going.

3. There is insufficient information provided in response to Comment 3 to demonstrate that the project will not adversely affect offsite drainage patterns or increase flood elevations on offsite properties. Thank you for submitting the drainage maps and calculations requested. Please label the contour elevations and provide sufficient information to verify the existing offsite contributing drainage patterns and contributing drainage areas. Include sufficient information to verify the input parameters and flows assumed in the design and the bypass system on the plans. [62-330.301(1)(a)(b)(c), F.A.C.]

Outstanding: The response to this item indicates that revised drainage maps and updated calculations are on-going and will be provided with the next submittal.

We are also in receipt of your request for additional time to respond to the outstanding items. A letter granting your request will be sent under separate cover.

If you have any questions or if we can be of further assistance, please do not hesitate to contact us.

Thank you kindly,

Grace Clements
Regulatory Scientist II
Bureau of Environmental Resource Regulation
St. Johns River Water Management District
2501 S. Binion Rd.
Apopka, FL 32703
Email: gaclemen@sjrwmd.com
Office: (407) 215-1479
Cell: (386) 353-6195



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We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

Wetland Rapid Assessment Procedure (WRAP) / Modified WRAP (M-WRAP) Summary Table

Project: Seminole County Project: Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

Seminole County, FL

Date: 10/3/2023

Direct Impacts	Habitat Type	Wildlife Utilization		Wetland Overstory Shrub Canopy		Wetland Vegetative Groundcover		Wetland Hydrology		Water Quality & Input Treatment		Delta	Impact Acres	Functional Units Lost
		pre	post	pre	post	pre	post	pre	post	pre	post			
Wetland 1	617	1.50	0.00	1.50	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.43	0.50	-0.22
Wetland 2	617	1.50	0.00	1.50	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.43	0.33	-0.14
Wetland 3	617	1.50	0.00	2.00	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.47	1.39	-0.65
Wetland 4	617	1.50	0.00	1.50	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.43	0.21	-0.09
Surface Water 1	510	1.50	0.00	1.00	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.40	0.05	-0.02
Surface Water 2	510	1.50	0.00	1.00	0.00	1.50	0.00	1.00	0.00	1.00	0.00	-0.40	0.05	-0.02
TOTALS													2.53	-1.14

Secondary Impacts	Habitat Type	Wildlife Utilization		Wetland Overstory Shrub Canopy		Wetland Vegetative Groundcover		Wetland Hydrology		Water Quality & Input Treatment		Delta	Impact Acres	Functional Units Lost
		pre	post	pre	post	pre	post	pre	post	pre	post			
Wetland 1	617	1.50	1.50	1.50	1.00	1.50	1.00	1.00	1.00	1.00	1.00	-0.07	0.84	-0.06
Wetland 2	617	1.50	1.50	1.50	1.00	1.50	1.00	1.00	1.00	1.00	1.00	-0.07	0.48	-0.03
Wetland 4	617	1.50	1.50	1.50	1.00	1.50	1.00	1.00	1.00	1.00	1.00	-0.07	1.10	-0.07
Surface Water 1	510	1.50	1.50	1.00	0.50	1.50	1.00	1.00	1.00	1.00	1.00	-0.07	0.10	-0.01
Surface Water 2	510	1.50	1.50	1.00	0.50	1.50	1.00	1.00	1.00	1.00	1.00	-0.07	0.06	0.00
TOTALS													2.58	-0.17

Note: Summary table template provided by USACE in May of 2023.
 Scores adjusted based on comparable Uniform Mitigation Assessment Method (UMAM) adjustments from the St. Johns River Water Management District (SJRWMD) and Florida Department of Environmental Protection (FDEP) on July 12, 2023.

Final State SJRWMD

UNIFORM MITIGATION ASSESSMENT METHOD SUMMARY TABLE- Direct Impacts

ASSESSMENT AREA ID	WL & SW TYPE	IMPACT TYPE	LOCATION & LANDSCAPE SUPPORT		WATER ENVIRONMENT		COMMUNITY STRUCTURE		DELTA	ACRES	FUNCTIONAL LOSS
			CURRENT	POST	CURRENT	POST	CURRENT	POST			
Wetland 1	617	D/F	5	0	4	0	4	0	0.43	0.50	0.217
Wetland 2	617	D/F	5	0	4	0	4	0	0.43	0.33	0.143
Wetland 3	617	D/F	5	0	4	0	5	0	0.47	1.39	0.649
Wetland 4	617	D/F	5	0	4	0	4	0	0.43	0.21	0.091
Surface Water 1	510	D/F	5	0	4	0	3	0	0.40	0.05	0.020
Surface Water 2	510	D/F	5	0	4	0	3	0	0.40	0.05	0.020
									Total	2.53	1.140
									Total (Rounded Up)		1.14

UNIFORM MITIGATION ASSESSMENT METHOD SUMMARY TABLE- Secondary Impacts

ASSESSMENT AREA ID	WL & SW TYPE	IMPACT TYPE	LOCATION & LANDSCAPE SUPPORT		WATER ENVIRONMENT		COMMUNITY STRUCTURE		CURRENT DELTA	POST DELTA	DELTA (CURRENT - POST)	ACRES	FUNCTIONAL LOSS
			CURRENT	POST	CURRENT	POST	CURRENT	POST					
Wetland 1	617	D/F Secondary	5	4	4	4	4	3	0.43	0.37	0.07	0.84	0.056
Wetland 2	617	D/F Secondary	5	4	4	4	4	3	0.43	0.37	0.07	0.48	0.032
Wetland 4	617	D/F Secondary	5	4	4	4	4	3	0.43	0.37	0.07	1.10	0.073
Surface Water 1	510	D/F Secondary	5	4	4	4	3	2	0.40	0.33	0.07	0.10	0.007
Surface Water 2	510	D/F Secondary	5	4	4	4	3	2	0.40	0.33	0.07	0.06	0.004
									Total		2.58		0.172
									Total (Rounded Up)				0.180

Total Project Mitigation: 1.32

Note: This revised table includes updates discussed during the project's joint Agency site visit with the St. Johns River Water Management District (SJRWMD) and Florida Department of Environmental Protection (FDEP) on July 12, 2023 with a Certified Wetland Evaluator (CWE). This table also includes the latest calculations verified by the SJRWMD for totals provided via email on January 10, 2024 and discussed on March 20, 2024.

Mitigation Bid Request

Seminole County has submitted State Environmental Resource Permit (ERP) and Florida Department of Environmental Protection (FDEP) State 404 Assumption permit for a project anticipated for construction commencement in 2024. The project described below will require the purchase of mitigation bank credits to offset jurisdictional wetland and/or surface water environmental impacts. The bank you represent has been identified as a potential source to provide a portion of (or all of) these credits depending on your approved service area.

It is your responsibility to thoroughly review the permit applications and assess whether your bank can meet the permit requirements. All credits must satisfy state and federal requirements. Credit requirements are expressed in the Uniform Mitigation Assessment Method (UMAM); a Wetland Rapid Assessment Procedure (WRAP) / Modified WRAP (M-WRAP) Summary Table is also provided for reference.

Project: Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

St. Johns River Water Management District (SJRWMD) Application No. 202702-1 is currently under review. The permit application and documentation are available on the SJRWMD website. The FDEP State 404 Assumption permit (Application No. ST404_0435317-001-SFI), is also currently under review with FDEP. Preliminary functional loss calculations indicate the permit will likely require 1.31 Freshwater Forested UMAM/WRAP State and Federal credits. The project is located within the Lake Jesup Cumulative Impact Basin and the Upper St. Johns Hydrologic Unit Code (HUC) 03080101. The final total (1.31 dual credits) may differ slightly.

Bid Form

Project: Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

Banks within the service area are requested to make electronic bids for the anticipated 1.31 UMAM credits. Prices should be valid for up to 1.40 credits should changes be made during the final permit processing. Please fill out your appropriate category.

Banks within the service area:

State UMAM Credits:

Price per credit for Freshwater Forested Credits \$ 445,000.00 X 1.31 credits = \$ 582,950.00
Price per credit for Freshwater Forested Credits \$ 445,000.00 X 1.40 credits = \$ \$623,000.00

FDEP State 404 Assumption UMAM

Price per credit for Freshwater Forested Credits \$ 30,000.00 X 1.31 credits = \$ 39,300.00
Price per credit for Freshwater Forested Credits \$ 30,000.00 X 1.40 credits = \$ \$42,000.00

Dual State and FDEP 404 Assumption Credits

Price per credit for Freshwater Forested Credits \$ NA X 1.31 credits = \$ NA
Price per credit for Freshwater Forested Credits \$ NA X 1.40 credits = \$ NA

The bid above is for the purchase of up to 1.40 credits. It is understood the number of credits is undetermined but will range from 1.31 to 1.40 total credits. The cost per credit will remain the same for this range.

By submitting this bid, I agree to sell Seminole County the required number of credits.

<u>Victoria Bruce</u>	<u>Authorized Representative</u>	<u>Jesup Station Mitigation Area (State) & Colbert Cameron Mitigation Bank (Federal)</u>
Name:	Position:	Bank Represented:
<u><i>Victoria Bruce</i></u>		<u>12/29/23</u>
Signature		Date

Please provide your private bids utilizing this form, to Nicole Gough (ngough@dewberry.com) on behalf of Seminole County no later than **January 7, 2023 at noon.**

Mitigation Bid Request

Seminole County has submitted State Environmental Resource Permit (ERP) and Florida Department of Environmental Protection (FDEP) State 404 Assumption permit for a project anticipated for construction commencement in 2024. The project described below will require the purchase of mitigation bank credits to offset jurisdictional wetland and/or surface water environmental impacts. The bank you represent has been identified as a potential source to provide a portion of (or all of) these credits depending on your approved service area.

It is your responsibility to thoroughly review the permit applications and assess whether your bank can meet the permit requirements. All credits must satisfy state and federal requirements. Credit requirements are expressed in the Uniform Mitigation Assessment Method (UMAM); a Wetland Rapid Assessment Procedure (WRAP) / Modified WRAP (M-WRAP) Summary Table is also provided for reference.

Project: Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

St. Johns River Water Management District (SJRWMD) Application No. 202702-1 is currently under review. The permit application and documentation are available on the SJRWMD website. The FDEP State 404 Assumption permit (Application No. ST404_0435317-001-SFI), is also currently under review with FDEP. Preliminary functional loss calculations indicate the permit will likely require 1.31 Freshwater Forested UMAM/WRAP State and Federal credits. The project is located within the Lake Jesup Cumulative Impact Basin and the Upper St. Johns Hydrologic Unit Code (HUC) 03080101. The final total (1.31 dual credits) may differ slightly.

Bid Form

Project: Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

Banks within the service area are requested to make electronic bids for the anticipated 1.31 UMAM credits. Prices should be valid for up to 1.40 credits should changes be made during the final permit processing. Please fill out your appropriate category.

Banks within the service area: TM Econ Mitigation Bank Phase 1-3

State UMAM Credits:

Price per credit for Freshwater Forested Credits \$ N/A X 1.31 credits = \$ N/A
Price per credit for Freshwater Forested Credits \$ N/A X 1.40 credits = \$ N/A

FDEP State 404 Assumption UMAM

**Price per credit for Freshwater Forested Credits \$ 15,000 X 1.31 credits = \$ 19,650.00
**Price per credit for Freshwater Forested Credits \$ 15,000 X 1.40 credits = \$ 21,000.00

Dual State and FDEP 404 Assumption Credits

Price per credit for Freshwater Forested Credits \$ N/A X 1.31 credits = \$ N/A
Price per credit for Freshwater Forested Credits \$ N/A X 1.40 credits = \$ N/A

**WRAP credits

The bid above is for the purchase of up to 1.40 credits. It is understood the number of credits is undetermined but will range from 1.31 to 1.40 total credits. The cost per credit will remain the same for this range.

By submitting this bid, I agree to sell Seminole County the required number of credits.

Kae Hovater

Authorized Agent

TM Econ MB Phase 1-3

Name:

Position:

Bank Represented:



Signature

January 6, 2024

Date

Please provide your private bids utilizing this form, to Nicole Gough (ngough@dewberry.com) on behalf of Seminole County no later than **January 7, 2023 at noon.**

WETLANDS MITIGATION CREDIT PURCHASE AGREEMENT

THIS WETLANDS MITIGATION CREDIT PURCHASE AGREEMENT (hereinafter “Agreement”) is entered into by and between **The Mitigation Banking Group, Inc.** (hereinafter “Seller”), whose mailing address is P.O Box 195813 Winter Springs, Florida 32708 and **Board of County Commissioners Seminole County** (hereinafter the “Buyer”) whose mailing address is 1101 East First Street Sanford, Florida 32771; effective as of the date set forth below. The Seller and the Buyer may hereinafter be referred to individually as “Party” and collectively as the “Parties.”

WITNESSETH:

WHEREAS, Buyer has submitted an environmental permit application in connection with the development project known as **SLAVIA ROAD CAPACITY IMPROVEMENTS FROM RED BUG LAKE ROAD TO SR 426** (the “Project”) and as part of the environmental permitting process involving the SJRWMD it is anticipated that the Buyer’s permit; application number: 202702-1 will be conditioned upon purchase of Mitigation Credits (as described below) as compensatory mitigation; and

WHEREAS, the Project requires mitigation in the form of Uniform Mitigation Assessment Methodology (“UMAM”) credits as determined by the agencies and the Buyer wishes to purchase 1.32 UMAM credits (the “Mitigation”) from Seller to compensate for wetlands impacts associated with the Project; and

WHEREAS, the Seller provides mitigation credits from a ecological restoration project located in Seminole County, Florida known as **Lake Jessup Woods** (hereinafter referred to as the “Mitigation Property”); and

WHEREAS, there are mitigation credits (hereinafter “Credits”) available for transfer and sale;

WHEREAS, Seller agrees to sell and the Buyer agrees to purchase Credits available from the Mitigation Property on the terms and conditions below to be used to offset wetland impacts associated with the proposed development of the Project; and

WHEREAS, Seller has agreed to enter into this Agreement to provide the Mitigation as required from SJRWMD in exchange for the Buyer providing funds to Seller so that the aforesaid respective Credits can be transferred to the Buyer.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto, each intending to be legally bound, do hereby warrant and agree as follows:

1. **Recitals.** The above stated recitals (whereas clauses) to this Agreement are hereby adopted and form a material part of this Agreement and the consideration hereof upon which the Parties have relied.

2. **Terms of Purchase.** The purchase price (hereinafter “Purchase Price”) of the Credits is Five Hundred Eighty-Seven Thousand Four Hundred Dollars U.S. (\$587,400.00). Seller agrees to reserve and sell to the Buyer the aforementioned Credits under this Agreement as may be required by SJRWMD. The full balance shall accompany this signed Mitigation Credit Agreement. Once the payment and signed agreement is received, we will provide documentation for the compensatory mitigation to fulfill the projects mitigation requirements.

3. **Reservation Period.** This reservation shall commence when the payment is received and upon the final signature of this Agreement. The final balance of Five Hundred Eighty-Seven Thousand Four Hundred Dollars U.S. (\$587,400.00) will be due at this time.

Notices to Seller shall be sent to:

The Mitigation Banking Group, Inc.
Attn: Victoria Bruce
P.O. Box 195813
Winter Springs, Florida 32708
Email: victoria@mitigationbankinginc.com

Notice to Buyer shall be sent to:

Board of County Commissioners Seminole County
1101 East First Street
Sanford, Florida 32771

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the date set forth below each Party's signature.

SELLER:

**THE MITIGATION BANKING GROUP,
INC.**



By: _____
Victoria K. Bruce, CEO

Date: 4/2/24

ATTEST:

GRANT MALOY
Clerk to the Board of County
Commissioners of Seminole County, Florida.

BUYER:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

By: JAY ZEMBOWER, CHAIRMAN

Date: _____

As authorized for execution by the Board of
County Commissioners at its _____, 2025 regular
meeting.

For the use and reliance of
Seminole County only.

Approve as to form and
legal sufficiency.

County Attorney

POTENTIAL MITIGATION BANKS SUMMARY TABLE

Slavia Road Capacity Improvements Red Bug Lake Road to State Road 426

No state Mitigation Banks are currently available within the same impacted Lake Jesup watershed. Mitigation bankers provide offsite compensatory parcels in basin acceptable to SJRWMD for state requirements. Each of these banks service a portion of the project.

BIDDER	Water Management District	Permit number	State Cumulative Impact basin	HUC (8 Code)	Managing Company	Contact Name	Contact number	Email	Website	Address	Federal/State	Credit Assessment Type
Colbert Cameron Mitigation Bank	SJRWMD	USACE No. SAJ-1996-02586 / SJRWMD No. 23136	St. John's River (Canaveral Marshes to Wekiva)	3080101	The Mitigation Banking Group	Victoria Colangelo	813-765-6846	victoria@mitigationbankinginc.com	https://mitigationbankinginc.com/colbert-cameron-mitigation-bank/	PO Box 195813 Winter Springs, FL 32708	Federal / State - Out of Basin	Ratio / M-WRAP
East Central Florida Mitigation Bank	SJRWMD	USACE No. SAJ-1995-06135 / SJRWMD No. 142224	Upper St. Johns	3080101	Mitigation Marketing	Alex Preisser	407-481-0677	alex@mitigationmarketing.com	mitigationmarketing.com	P.O. Box 540285, Orlando, FL 32854	SOLD OUT Federal / State - Out of Basin	UMAM / M-WRAP
Farmton Mitigation Bank	SJRWMD	USACE No. SAJ-1998-01836 / SJRWMD No. 142689	Upper St. Johns	3080101	The Mitigation Banking Group	Victoria Colangelo	813-765-6846	victoria@mitigationbankinginc.com	https://mitigationbankinginc.com/colbert-cameron-mitigation-bank/	PO Box 195813 Winter Springs, FL 32708	Federal Out of Basin	WRAP
TM Econ Mitigation Bank	SJRWMD	USACE No. SAJ-2001-07089 / SJRWMD No. 137814	Upper St. Johns	3080101	EcoCredit Marketing	Kae Hovater	(352) 874-7370	kae@ecocreditmarketing.com	http://www.tmeconmitigation.com	614 East Highway 50 , Suite 254 Clermont, FL 34711	Federal Out of Basin	WRAP
TM Econ Orange County Phase IV Mitigation Bank	SJRWMD	USACE No. SAJ-2007-00401 / SJRWMD No. 137814	Upper St. Johns	3080101	EcoCredit Marketing	Kae Hovater	(352) 874-7370	kae@ecocreditmarketing.com	http://www.tmeconmitigation.com	614 East Highway 50 , Suite 254 Clermont, FL 34711	Federal - Out of Basin	WRAP
Offsite Compensatory Mitigation Parcels - The Mitigation Banking Group	SJRWMD		Lake Jesup	3080101	The Mitigation Banking Group	Victoria Colangelo	813-765-6846	victoria@mitigationbankinginc.com	https://mitigationbankinginc.com/colbert-cameron-mitigation-bank/	PO Box 195813 Winter Springs, FL 32708	State in Basin	UMAM
Offsite Compensatory Mitigation Parcels - Mitigation Marketing	SJRWMD		Lake Jesup	3080101	Mitigation Marketing	Alex Preisser	407-481-0677	alex@mitigationmarketing.com	mitigationmarketing.com	P.O. Box 540285, Orlando, FL 32854	State in Basin	UMAM