

LAKE BELT MITIGATION COMMITTEE

ANNUAL REPORT FOR 2014

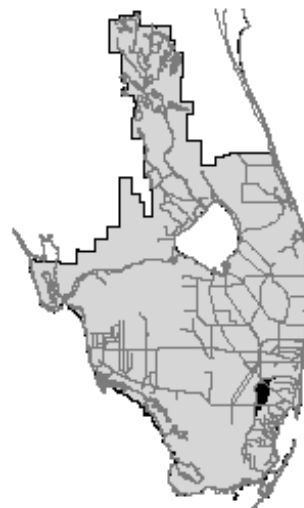
Submitted to the

GOVERNING BOARD

of the

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

In Accordance with Section 373.41492(9)(a), Florida Statutes



Lake Belt Mitigation Committee
2014 Annual Report

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I. Background

In 1999, the Florida Legislature established a mitigation fee on each ton of limerock and sand sold from the Miami-Dade County Lake Belt Area. The purpose of this fee is to provide for the mitigation of wetland resources lost to mining activities within this area.

The Legislature found that the impact of rock mining could best be offset by the implementation of a comprehensive mitigation plan, as recommended in the 1998 Progress Report to the Florida Legislature by the Miami-Dade County Lake Belt Plan Implementation Committee. Legislation was adopted in s. 373.4149(1), Florida Statutes (F.S.), authorizing the mitigation fee and governing its use.

The mitigation fee became effective on October 1, 1999 at the initial rate of 5.0 cents for each ton of limerock and sand sold. The fee applies to raw, processed, or manufactured limestone, cement, and concrete products. The mitigation fee is collected by the Florida Department of Revenue and deposited to a trust fund at the South Florida Water Management District (SFWMD). An interagency committee, referred to as the Lake Belt Mitigation Committee (Committee), must approve expenditures from the trust fund. The Lake Belt legislation provided for an annual fee adjustment. In addition, based on recommendations from the Committee, the Legislature revised the mitigation fee schedule in 2006 and 2011. The fee was 45 cents per ton in 2014.

Section 373.41492(9)(a), F.S., states: “the interagency committee established in this section shall annually prepare and submit to the governing board of the South Florida Water Management District a report evaluating the mitigation costs and revenues generated by the mitigation fee.”

Additional information on the Miami-Dade County Lake Belt Plan and the Mitigation Committee is available at the SFWMD web site <http://www.sfwmd.gov>. (The Miami-Dade County Lake Belt is one of the projects listed in the Locations / Miami-Dade section of the SFWMD website.)

II. Legislative Guidance

Pursuant to s. 373.41492(6)(a), F.S., mitigation fees may include the purchase, enhancement, restoration, and management of wetlands and uplands in the Everglades watershed, the purchase of mitigation credit from a permitted mitigation bank, and any structural modifications to the existing drainage system to enhance the hydrology of the Miami-Dade County Lake Belt Area or the Everglades watershed. Funds may also be used to reimburse other funding sources, including the Save Our Rivers Land Acquisition Program, the Internal Improvement Trust Fund, SFWMD, and Miami-Dade County. Section 373.41492, F.S. (Miami-Dade County Lake Belt Mitigation Plan; mitigation for mining activities within the Miami-Dade County Lake Belt) is attached in Appendix A.

III. Committee Representation

The Lake Belt Mitigation Committee is authorized under s. 373.4149, F.S. Meetings are held on an as needed basis at locations determined by the Committee. All meetings are open to the general public and are held under requirements of Chapter 286.011, F.S.

The Lake Belt Mitigation Committee consists of following members:

Voting Members:

Florida Department of Environmental Protection (DEP)

Danielle Irwin

Chris Klena, Alternate

South Florida Water Management District (SFWMD)

Terrie Bates (Committee Chair)

Miami-Dade County Department of [Regulatory and Economic Resources](#) (DRER)

Craig Grossenbacher

Florida Fish and Wildlife Conservation Commission (FWCC)

Jennifer Goff

Marissa Krueger, Alternate

U.S. Army Corps of Engineers (USCOE)

Krista Sabin

Samantha Rice, Alternate

U.S. Environmental Protection Agency (USEPA)

Eric Hughes

Ron Miedema, Alternate

U.S. Fish and Wildlife Service (USFWS)

Robert Progulske

Non-Voting Member:

Miami-Dade Limestone Products Association (MDLPA)

Jeff Rosenfeld

Bill Baker, Alternate

IV. Committee Administration

Accounting - The available balance in the Lake Belt Mitigation Trust Fund as of December 31, 2013 was \$19,585,700. During 2014, \$ 19,126,468 was transferred to the Trust Fund from the Florida Department of Revenue and \$ 608,471 was earned as investment income. During 2014, approved expenditures from the Trust Fund were \$ 8,302,656. Approved expenditures from the Trust Fund represent committed funds for projects approved by the Committee. On December 31, 2014, the available balance in the Trust Fund was \$ 31,017,983.

Table 1 summarizes the mitigation fee deposits and investment income earned by the Lake Belt Mitigation Trust Fund for the period between 2000 and 2014. Beginning July 1, 2012, the water treatment plant upgrade fee was deposited into the Lake Belt Mitigation Trust Fund subject to a maximum deposit of \$20 million and other criteria as specified in Section 373.41492(3)(b), F.S. The month-by-month financial statement for the Trust Fund is included in Appendix B. Appendix C shows the receipts/approved expenditures summary developed for the Committee. The Appendix includes expenditures / mitigation acres approved by the Committee during 2014, and summaries for the overall receipts / expenditures, the C-139 Annex restoration project, the water treatment plant fee deposits, and seepage project expenditures through the end of 2014.

Table 1. Summary - Lake Belt Mitigation Trust Fund Cash Receipts

Calendar Year	Mitigation Fee (\$/ton)	Rock Mining Mitigation Fee	Water Treatment Plant Upgrade Fee ¹	Investment Income	Total Fees & Income
2000	0.050	\$2,386,463		\$ 78,162	\$2,464,625
2001	0.053	\$2,227,895		\$167,611	\$2,395,506
2002	0.056	\$2,436,950		\$174,384	\$2,611,334
2003	0.058	\$2,761,957		\$205,836	\$2,967,793
2004	0.062	\$3,109,122		\$132,434	\$3,241,556
2005	0.066	\$3,344,232		\$200,189	\$3,544,421
2006	0.071	\$3,808,079		\$521,348	\$4,329,427
2007	0.120	\$4,989,649		\$934,092	\$5,923,741
2008	0.180	\$4,899,784		\$380,229	\$5,280,013
2009	0.240	\$4,349,570		\$234,641	\$4,584,211
2010	0.240	\$4,481,029		\$ 83,335	\$4,564,364
2011	0.252	\$4,740,963		\$122,561	\$4,863,524
2012	0.450	\$10,288,460	\$2,115,408	\$ 85,431	\$12,489,299
2013	0.450	\$14,439,993	\$4,813,331	\$(6,568)	\$19,246,756
2014	0.450	\$14,344,851	\$4,781,617	\$608,471	\$19,734,939
TOTAL		\$82,608,997	\$11,710,356	\$3,922,156	\$98,241,509

¹ The water treatment plant upgrade fee is 15 cents per ton.

Mitigation Fee – The initial mitigation fee calculation was based on many factors (values and functions of wetlands in the Pennsuco and mining areas, mitigation ratios, estimated mining rates, and acquisition, restoration, and long-term management costs of land in the Pennsuco). During 1999, an interagency team of economists calculated the rate of the fee and determined the most appropriate method for annually adjusting the fee. This approach was codified in statute. Based on recommendations from the Committee, the Legislature revised the mitigation fee schedule in 2006 and 2011. The fee increased to 45 cents per ton starting January 1, 2012. The updated statute is included in Appendix A.

Approved Expenditures – Total expenditures approved in 2014 from the Lake Belt Mitigation Trust Fund were \$ 8,302,656. The different projects are discussed below and more detailed information on the expenditures and associated mitigation acres are included in Appendix C. The 2014 expenditures include \$ 1,853 in administrative costs associated with the operation of the Lake Belt Mitigation Committee.

V. Committee Mitigation Activities

Committee Activities – In 2014, Committee activities included:

1. Consistent with the Committee’s December 2012 approval of the use of the C-139 Annex Restoration Project as a mitigation project for wetland impacts associated with the limestone mining activities in Lake Belt Region and the associated 25-year cash flow analysis, the Committee approved the planned 2014 payment of \$8 million of funding for the C-139 Annex Restoration project (June 2014). At an estimated cost of \$15,248 per WRAP credit, this expenditure authorized the award of 524.7 WRAP credits (2,098.8 Pennsuco-equivalent mitigation acres) for 2014, subject to the final credit determination for the project. A summary of C-139 Annex funding, acres, and mitigation credits is included in Appendix C.
2. Approval of the acquisition, enhancement, and long-term management of 30 acres in the Pennsuco wetlands (SFWMD Governing Board approval - August 2014). Approximately 1,550 acres of non-treated privately-owned land remain in the Pennsuco out of a total of about 12,600 acres. Therefore, approximately 88% of the Pennsuco has been or is currently being treated to remove exotic vegetation.
3. The Committee continued to monitor the performance of Phase 1 of the L-31N Seepage Management project, which was completed in 2012. Two miles of a 36-foot deep seepage barrier were constructed on the berm between the SFWMD L-31N Canal and the adjacent levee, which borders Everglades National Park. Monitoring well and flowmeter data indicate that the barrier is influencing water levels and seepage from the Park into the L-31N Canal.
4. An escrow account has been established to facilitate payment of contractors on Miami-Dade Limestone Products Association - sponsored projects. During 2014, the \$817 of accrued interest earned in the escrow account was deposited in the Trust Fund. The memo for the accrued interest is included in Appendix D.

Mitigation Summary – A summary of annual expenditures / mitigation acres approved by the Committee are included in Appendix C. The Committee has approved a total of 11,043.4 mitigation acres, which will result in the: 1) public acquisition, enhancement, and long-term management of 1,273.3 acres in Pennsuco; 2) enhancement and long-term management of an additional 5,083.4 acres in Pennsuco; 3) enhancement and long-term management of 1,549 acres adjacent to the Dade-Broward Levee; 5) acquisition, enhancement, and long-term management of 100 acres in the Southern Glades project area; 6) construction of a 2-mile seepage barrier to enhance the hydrology in Everglades National Park and 7) acquisition, enhancement, and long-term management of 1,831 acres in the C-139 Annex Restoration project.

Table 2. Lake Belt Mitigation Activities

Calendar Year	Pennsuco Acquisition, Enhancement, & Long-Term Management (Acres)	Pennsuco Enhancement, & Long-Term Management ¹ (Acres / Mitigation Acres)		Other Projects (Pennsuco-equivalent Mitigation Acres)	C-139 Annex Project (Pennsuco-equivalent Mitigation Acres)	Committee Approved Mitigation Acres
2002	455.6	1,240.6	620.3			1,075.9
2003	0	2,134.8	1,067.4			1,067.4
2004 ²	160.0			-0.5		159.5
2005	320.9					320.9
2006	142.4					142.4
2007	124.4					124.4
2008 ³	10.0					10.0
2009 ³		1,708.0	854.0	100.0		954.0
2010 ⁴	10.0			1,544.3		1,554.3
2011 ⁵	20.0			600.0		620.0
2012					787.0	787.0
2013					2,098.8	2,098.8
2014	30.0				2,098.8	2,128.8
TOTAL	1,273.3	5,083.4	2,541.7	2,243.8	4,984.6	11,043.4

¹ The number of mitigation acres credited for Pennsuco enhancement / long-term management is equal to one-half the number credited for land acquisition, enhancement, and long-term management (per Committee decision).

² Mitigation for wetland impacts from monitoring well access construction required under the Lake Belt permits.

³ Per Committee decision in 2012, previously approved mitigation acres for the 8.5 Square Mile Area project in 2008 (221.1 acres) and 2009 (256.7 acres) were removed from Table 2, until the future direction of the project is determined. The Southern Glades restoration project (100 acres) was approved in 2009.

⁴ Dade-Broward Levee restoration project (1,549 acres) less 4.7 acres for APAC Section 23/24 DERM time-lag mitigation

⁵ L-31N Seepage Management project – Phase 1

The Mining Industry submits an Annual Lake Belt Report to the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, and Miami-Dade County Department of Regulatory and Economic Resources. This report documents the changes in mining and wetland acreages, and summarizes the ecological balance between the wetland impacts and wetland mitigation funded through the Lake Belt Mitigation Committee. This information is summarized below in Table 3.

Table 3. Lake Belt Mitigation/Mining Summary

Calendar Year	Committee Approved Mitigation Acres	Lake Belt Wetland Impacts In New Permit Areas (Acres)	Mitigation Needed to Offset Wetland Impacts (Acres) ¹	Annual Balance (Acres)	Cumulative Balance (Acres)
2002	1,075.9	34	85.0	990.9	990.9
2003	1,067.4	135	337.5	729.9	1,720.8
2004	159.5	87	217.5	-58.0	1,662.8
2005	320.9	87	217.5	103.4	1,766.2
2006	142.4	567	1,417.5	-1,275.1	491.1
2007	124.4	9	22.5	101.9	593.0
2008	10.0	5	12.5	-2.5	590.5
2009	954.0	1	2.5	951.5	1,542.0
2010	1,554.3	108	270.0	1,284.3	2,826.3
2011	620.0	134	335.0	285.0	3,111.3
2012	787.0	30	75.0	712.0	3,823.3
2013	2,098.8	129	322.5	1,776.3	5,599.6
2014	2,128.8	Not yet available ²		2,128.8	7,728.4
TOTAL	11,043.4	1,326	3,315.0	7,728.4	

¹ Assumes 2.5 ratio utilized in calculation of Lake Belt mitigation fee

² Pursuant to the permit conditions, impacts are reported in the following year's Lake Belt Annual Report due to the timing and availability of aerial photographs.

Pursuant to s. 373.41492(7), F.S., the mitigation fee established by the Legislature “satisfies the mitigation requirements imposed under ss. 373.403-373.439 and any applicable county ordinance for loss of the value and functions from mining of the wetlands identified as rock mining supported and allowable areas of the Miami-Dade County Lake Plan adopted by s. 373.4149(1).” The mitigation fee calculation was based on many factors (values and functions of wetlands in the mining area and Pennsuco, estimated mining rates, land acquisition, restoration, and long-term management costs), and included the assumption that an estimated ratio of 2.5 mitigation acres: impact acres was needed to offset the loss of the values and functions of wetlands impacted in mining areas that were not permitted prior to the issuance of the Lake Belt permits in 2002. The wetland impact and offsetting mitigation information for the State and County permits are summarized in Table 3 and show a large positive mitigation acreage balance (5,600 acres through December 2013) due to the expedited mitigation being

implemented by the Mitigation Committee. Through expedited mitigation, the Committee has been attempting to spend the mitigation fee on mitigation projects in the same year that the fee is collected, rather than at the slower rate anticipated in the original permit tables. As documented in the 2014 Lake Belt Annual Report, comparisons of the 2002 permit tables with the actual mitigation fee collections and mitigation funded during the first twelve years of the permits indicate that the amount of actual mitigation fees and approved mitigation are much greater than were anticipated when the permits were issued in 2002.

The U.S. Army Corps of Engineers Lake Belt permits issued in 2010 included a different methodology for calculating mitigation requirements. The balance between the wetland mitigation and wetland impacts is calculated using the ecological value of the mitigation projects and the impacted wetland land use categories. The cumulative mitigation balance at the end of the 2014 Lake Belt Annual Report reporting period (through December 2013) was a positive 1,160 wetland units. In addition, the Mitigation Committee authorized an additional 2,128.8 acres of Pennsuco-equivalent mitigation (532.2 wetland units) in 2014. Therefore, the cumulative mitigation balance currently exceeds the positive 100 unit balance identified in Special Condition #7 of the Corps permits.

VI. Appendices

APPENDIX A – Florida Statutes

373.41492. Miami-Dade County Lake Belt Mitigation Plan; mitigation for mining activities within the Miami-Dade County Lake Belt.

(1) The Legislature finds that the impact of mining within the rock mining supported and allowable areas of the Miami-Dade County Lake Belt Plan adopted by s. 373.4149(1) can best be offset by the implementation of a comprehensive mitigation plan. The Lake Belt Mitigation Plan consists of those provisions contained in subsections (2)-(9). The per-ton mitigation fee assessed on limestone sold from the Miami-Dade County Lake Belt Area and sections 10, 11, 13, 14, Township 52 South, Range 39 East, and sections 24, 25, 35, and 36, Township 53 South, Range 39 East, shall be used for acquiring environmentally sensitive lands and for restoration, maintenance, and other environmental purposes. It is the intent of the Legislature that the per-ton mitigation fee not be a revenue source for purposes other than enumerated in this section. Further, the Legislature finds that the public benefit of a sustainable supply of limestone construction materials for public and private projects requires a coordinated approach to permitting activities on wetlands within Miami-Dade County in order to provide the certainty necessary to encourage substantial and continued investment in the limestone processing plant and equipment required to efficiently extract the limestone resource. It is the intent of the Legislature that the Lake Belt Mitigation Plan satisfy all local, state, and federal requirements for mining activity within the rock mining supported and allowable areas.

(2) To provide for the mitigation of wetland resources lost to mining activities within the Miami-Dade County Lake Belt Plan, effective October 1, 1999, a mitigation fee is imposed on each ton of limerock and sand extracted by any person who engages in the business of extracting limerock or sand from within the Miami-Dade County Lake Belt Area and the east one-half of sections 24 and 25 and all of sections 35 and 36, Township 53 South, Range 39 East. The mitigation fee is imposed for each ton of limerock and sand sold from within the properties where the fee applies in raw, processed, or manufactured form, including, but not limited to, sized aggregate, asphalt, cement, concrete, and other limerock and concrete products. The mitigation fee imposed by this subsection for each ton of limerock and sand sold shall be 45 cents per ton. To pay for seepage mitigation projects, including groundwater and surface water management structures designed to improve wetland habitat and approved by the Lake Belt Mitigation Committee, and to upgrade a water treatment plant that treats water coming from the Northwest Wellfield in Miami-Dade County, a water treatment plant upgrade fee is imposed within the same Lake Belt Area subject to the mitigation fee and upon the same kind of mined limerock and sand subject to the mitigation fee. The water treatment plant upgrade fee imposed by this subsection for each ton of limerock and sand sold shall be 15 cents per ton, and the collection of this fee shall cease once the total amount of proceeds collected for this fee reaches the amount of the actual moneys necessary to design and construct the water treatment plant upgrade, as determined in an open, public solicitation process. Any limerock or sand that is used within the mine from which the limerock or sand is extracted is exempt from the fees. The amount of the mitigation fee and the water treatment plant upgrade fee imposed under this section must be stated separately on the invoice provided to the purchaser of the limerock or sand

product from the limerock or sand miner, or its subsidiary or affiliate, for which the fee or fees apply. The limerock or sand miner, or its subsidiary or affiliate, who sells the limerock or sand product shall collect the mitigation fee and the water treatment plant upgrade fee and forward the proceeds of the fees to the Department of Revenue on or before the 20th day of the month following the calendar month in which the sale occurs. The proceeds of a fee imposed by this section include all funds collected and received by the Department of Revenue relating to the fee, including interest and penalties on a delinquent fee. The amount deducted for administrative costs may not exceed 3 percent of the total revenues collected under this section and may equal only those administrative costs reasonably attributable to the fee.

(3) The mitigation fee and the water treatment plant upgrade fee imposed by this section must be reported to the Department of Revenue. Payment of the mitigation and the water treatment plant upgrade fees must be accompanied by a form prescribed by the Department of Revenue.

(a) The proceeds of the mitigation fee, less administrative costs, must be transferred by the Department of Revenue to the South Florida Water Management District and deposited into the Lake Belt Mitigation Trust Fund.

(b) Beginning July 1, 2012, the proceeds of the water treatment plant upgrade fee, less administrative costs, must be transferred by the Department of Revenue to the South Florida Water Management District and deposited into the Lake Belt Mitigation Trust Fund until:

1. A total of \$20 million from the proceeds of the water treatment plant upgrade fee, less administrative costs, is deposited into the Lake Belt Mitigation Trust Fund; or
2. The quarterly pathogen sampling conducted as a condition of the permits issued by the department for rock mining activities in the Miami-Dade County Lake Belt Area demonstrates that the water in any quarry lake in the vicinity of the Northwest Wellfield would be classified as being in Bin 2 or higher as defined in the Environmental Protection Agency's Long Term 2 Enhanced Surface Water Treatment Rule.

(c) Upon the earliest occurrence of the criterion under subparagraph (b)1. or subparagraph (b)2., the proceeds of the water treatment plant upgrade fee, less administrative costs, must be transferred by the Department of Revenue to a trust fund established by Miami-Dade County, for the sole purpose authorized by paragraph (6)(a).

(4)(a) The Department of Revenue shall administer, collect, and enforce the mitigation and treatment plant upgrade fees authorized under this section in accordance with the procedures used to administer, collect, and enforce the general sales tax imposed under chapter 212. The provisions of chapter 212 with respect to the authority of the Department of Revenue to audit and make assessments, the keeping of books and records, and the interest and penalties imposed on delinquent fees apply to this section. The fees may not be included in computing estimated taxes under s. 212.11, and the dealer's credit for collecting taxes or fees provided for in s. 212.12 does not apply to the fees imposed by this section.

(b) In administering this section, the Department of Revenue may employ persons and incur expenses for which funds are appropriated by the Legislature. The Department of Revenue shall

adopt rules and prescribe and publish forms necessary to administer this section. The Department of Revenue shall establish audit procedures and may assess delinquent fees.

(5) Each January 1, beginning January 1, 2010, through December 31, 2011, the per-ton mitigation fee shall be increased by 2.1 percentage points, plus a cost growth index. The cost growth index shall be the percentage change in the weighted average of the Employment Cost Index for All Civilian Workers (ecu 10001I), issued by the United States Department of Labor for the most recent 12-month period ending on September 30, and the percentage change in the Producer Price Index for All Commodities (WPU 00000000), issued by the United States Department of Labor for the most recent 12-month period ending on September 30, compared to the weighted average of these indices for the previous year. The weighted average shall be calculated as 0.6 times the percentage change in the Employment Cost Index for All Civilian Workers (ecu 10001I), plus 0.4 times the percentage change in the Producer Price Index for All Commodities (WPU 00000000). If either index is discontinued, it shall be replaced by its successor index, as identified by the United States Department of Labor.

(6)(a) The proceeds of the mitigation fee must be used to conduct mitigation activities that are appropriate to offset the loss of the value and functions of wetlands as a result of mining activities and be approved by the Miami-Dade County Lake Belt Mitigation Committee. Such mitigation may include the purchase, enhancement, restoration, and management of wetlands and uplands in the Everglades watershed, the purchase of mitigation credit from a permitted mitigation bank, and any structural modifications to the existing drainage system to enhance the hydrology of the Miami-Dade County Lake Belt Area or the Everglades watershed. Funds may also be used to reimburse other funding sources, including the Save Our Rivers Land Acquisition Program, the Internal Improvement Trust Fund, the South Florida Water Management District, and Miami-Dade County, for the purchase of lands that were acquired in areas appropriate for mitigation due to rock mining and to reimburse governmental agencies that exchanged land under s. 373.4149 for mitigation due to rock mining. The proceeds of the water treatment plant upgrade fee deposited into the Lake Belt Mitigation Trust Fund shall be used solely to pay for seepage mitigation projects, including groundwater or surface water management structures designed to improve wetland habitat and approved by the Lake Belt Mitigation Committee. The proceeds of the water treatment plant upgrade fee which are transmitted to a trust fund established by Miami-Dade County shall be used to upgrade a water treatment plant that treats water coming from the Northwest Wellfield in Miami-Dade County. As used in this section, the terms “upgrade a water treatment plant” or “treatment plant upgrade” mean those works necessary to treat or filter a surface water source or supply or both.

(b) Expenditures of the mitigation fee must be approved by an interagency committee consisting of representatives from each of the following: the Miami-Dade County Department of Environmental Resource Management, the Department of Environmental Protection, the South Florida Water Management District, and the Fish and Wildlife Conservation Commission. In addition, the limerock mining industry shall select a representative to serve as a nonvoting member of the interagency committee. At the discretion of the committee, additional members may be added to represent federal regulatory, environmental, and fish and wildlife agencies.

(7) Payment of the mitigation fee imposed by this section satisfies the mitigation requirements imposed under ss. 373.403-373.439 and any applicable county ordinance for loss of the value and functions from mining of the wetlands identified as rock mining supported and allowable areas of the Miami-Dade County Lake Plan adopted by s. 373.4149(1). In addition, it is the intent of the Legislature that the payment of the mitigation fee imposed by this section satisfy all federal mitigation requirements for the wetlands mined.

(8) If a general permit by the United States Army Corps of Engineers, or an appropriate long-term permit for mining, consistent with the Miami-Dade County Lake Belt Plan, this section, and ss. 373.4149, 373.4415, and 378.4115 is not issued on or before September 30, 2000, the fee imposed by this section is suspended until revived by the Legislature.

(9)(a) The interagency committee established in this section shall annually prepare and submit to the governing board of the South Florida Water Management District a report evaluating the mitigation costs and revenues generated by the mitigation fee.

(b) No sooner than January 31, 2010, and no more frequently than every 2 years thereafter, the interagency committee shall submit to the Legislature a report recommending any needed adjustments to the mitigation fee, including the annual escalator provided for in subsection (5), to ensure that the revenue generated reflects the actual costs of the mitigation.

History.—s. 2, ch. 99-298; s. 23, ch. 2000-197; s. 2, ch. 2006-13; s. 32, ch. 2010-205; s. 36, ch. 2010-225; s. 1, ch. 2012-107.

APPENDIX B - Financial Statement
(See Attachment)

APPENDIX C – Receipts / Approved Expenditures Summary
(See Attachment)

APPENDIX D – LBMC Escrow Account Accrued Interest Memo
(See Attachment)

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2000						
January	\$ 276,674		\$ 181	\$ 276,855		\$ 276,855
February	247,990		1,474	249,464		526,319
March	167,699		3,037	170,736		697,055
April	159,867		3,813	163,680		860,735
May	195,853		4,898	200,751		1,061,486
June	168,562		5,929	174,491		1,235,977
July	263,244		7,373	270,617		1,506,594
August	*		8,598	8,598		1,515,192
September	302,087		9,359	311,446		1,826,638
October	257,732		9,484	267,216		2,093,854
November	173,573		10,297	183,870		2,277,724
December	173,182		13,719	186,901		2,464,625
	2,386,463		78,162	2,464,625		
Year 2001						
January	108,739		12,855	121,594		2,586,219
February	92,523		11,240	103,763		2,689,982
March	214,087		13,438	227,525		2,917,507
April	212,656		12,335	224,991		3,142,498
May	170,744		13,272	184,016		3,326,514
June	224,087		9,705	233,792		3,560,306
July	*		12,920	12,920		3,573,226
August (A)	389,503		42,457	431,960		4,005,186
September	205,108		11,438	216,546		4,221,732
October	220,698		9,935	230,633		4,452,365
November	168,616		8,946	177,562		4,629,927
December	221,134		9,070	230,204		4,860,131
	2,227,895		167,611	2,395,506		
Year 2002						
January	181,259		10,337	191,596		5,051,727
February	182,742		8,154	190,896		5,242,623
March	219,362		9,560	228,922		5,471,545
April	144,300		9,603	153,903		5,625,448
May	230,099		10,586	240,685		5,866,133
June	271,439		10,659	282,098		6,148,231
July	253,744		11,018	264,762		6,412,993
August	194,939		16,488	211,427		6,624,420
September (B)	200,472		34,012	234,484		6,858,904
October	212,938		18,444	231,382		7,090,286
November	210,808		17,529	228,337		7,318,623
December	134,848		17,994	152,842		7,471,465
	2,436,950		174,384	2,611,334		

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2003						
January	208,027		15,230	223,257		7,694,722
February	197,666		19,394	217,060		7,911,782
March	215,031		19,672	234,703		8,146,485
April	228,112		21,209	249,321		8,395,806
May	300,353		22,857	323,210		8,719,016
June	226,880		26,658	253,538	(129,464)	8,843,090
July	163,946		16,893	180,839		9,023,929
August	321,454		24,782	346,236		9,370,165
September (C)	184,487		(10,863)	173,624		9,543,789
October	296,066		24,144	320,210		9,863,999
November	182,957		16,452	199,409	(6,478,513)	3,584,895
December	236,978		9,408	246,386		3,831,281
	2,761,957		205,836	2,967,793	(6,607,977)	
Year 2004						
January	292,639		10,508	303,147		4,134,428
February	78,564		9,696	88,260		4,222,687
March	265,877		11,437	277,314		4,500,001
April	306,964		11,853	318,817		4,818,818
May	382,166		13,252	395,418	(807)	5,213,428
June	266,424		13,512	279,936		5,493,364
July	246,484		14,625	261,109		5,754,473
August	271,917		15,355	287,272		6,041,745
September	262,439		15,545	277,984		6,319,729
Adjustment (D)	-		(53,146)	(53,146)		6,266,583
October	277,685		29,552	307,237	(864,000)	5,709,820
November	200,441		17,291	217,732	(1,317)	5,926,235
December	257,522		22,956	280,478		6,206,713
	3,109,122		132,434	3,241,556	(866,124)	
Year 2005						
January	259,847		18,250	278,097		6,484,810
February	263,054		17,196	280,250	(3,995)	6,761,065
March	273,444		25,625	299,069		7,060,134
April	291,662		15,572	307,234		7,367,368
May	289,723		27,072	316,795		7,684,163
June	337,017		25,231	362,248		8,046,411
Adjustment (D)			(67,661)	(67,661)		7,978,750
July	287,218		24,592	311,810		8,290,560
August	284,984		27,975	312,959		8,603,519
September	279,133		32,050	311,183	(893)	8,913,809
Adjustment (D)			(52,881)	(52,881)		8,860,928
October	291,581		31,045	322,626		9,183,554
November	258,339		32,936	291,275	(1,296)	9,473,533
December	228,230		43,187	271,417		9,744,950
	3,344,232		200,189	3,544,421	(6,184)	

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2006						
Adjustment (D)			(44,413)	(44,413)		9,700,537
January	253,031		60,768	313,799		10,014,336
February	297,359		15,098	312,457		10,326,793
March	314,301		35,521	349,822		10,676,615
Adjustment (D)			(34,333)	(34,333)		10,642,282
April	310,279		41,802	352,081	(1,105)	10,993,258
May	344,944			344,944		11,338,202
June	341,412		110,696	452,108	(3,785,199)	8,005,111
Adjustment (D)			(25,449)	(25,449)		7,979,662
July	342,536		43,130	385,666		8,365,328
August	336,125		42,040	378,165		8,743,493
September	290,928		54,157	345,085		9,088,578
Adjustment (D)			40,976	40,976		9,129,554
October	333,653		58,000	391,653	(978)	9,520,230
November	311,616		63,032	374,648		9,894,878
December	331,895		60,322	392,217	(2,363,982)	7,923,113
	3,808,079		521,348	4,329,427	(6,151,264)	
Year 2007						
Adjustment (D)			66,080	66,080		7,989,194
January	281,203		(565)	280,638	(978)	8,268,853
February			62,215	62,215		8,331,069
March	362,224		71,510	433,733		8,764,802
Adjustment (D)	478,805		1,795	480,600		9,245,402
April			68,127	68,127		9,313,529
May	404,802		112,389	517,191	(27,620)	9,803,100
June	435,942		74,016	509,958	(8,496,899)	1,816,159
Adjustment (D)	430,485		(50,524)	379,961	(1,211)	2,194,909
July			78,255	78,255	(19,452)	2,253,712
August	489,031		81,943	570,974	(237,036)	2,587,650
September	442,271		89,764	532,035		3,119,685
Adjustment (D)	444,092		72,014	516,106		3,635,791
October			67,596	67,596		3,703,387
November	473,511		54,356	527,867		4,231,254
December	359,414		59,750	419,164	(1,275)	4,649,143
Adjustment (D)	387,870		25,370	413,240		5,062,383
	4,989,649		934,092	5,923,741	(8,784,471)	
Year 2008						
January	383,715		54,702	438,416		5,500,800
February	331,462		47,753	379,215	(1,743)	5,878,273
March	454,863		49,368	504,231		6,382,504
Adjustment (D)			22,587	22,587		6,405,091
April	467,788		46,783	514,571	(1,211)	6,918,451
May	443,635		69,437	513,072	(105,270)	7,326,253
June	431,890		28,062	459,952	(15,000)	7,771,204
Adjustment (D)			(38,341)	(38,341)		7,732,863
July	417,579		26,245	443,825	(1,065)	8,175,622
August	411,110		29,025	440,135		8,615,757
September	399,271		10,847	410,118	(17,345)	9,008,530
Adjustment (D)			(44,832)	(44,832)		8,963,698
October	345,680		32,587	378,268		9,341,966
November	420,913		36,485	457,398		9,799,364
December	391,877		26,802	418,679	(3,584,412)	6,633,631
Adjustment (D)			(17,280)	(17,280)	(1,401)	6,614,949
	4,899,784		380,229	5,280,013	(3,727,447)	

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2009						
January	317,141		22,359	339,500	(1,425)	6,953,024
February	298,385		15,770	314,155	(2,023,300)	5,243,879
March	387,449		22,560	410,009		5,653,889
Adjustment (D)			(10,540)	(10,540)		5,643,348
April	373,967		14,399	388,366	(200,000)	5,831,714
May	514,178		7,676	521,854	(1,211)	6,352,358
June	291,423		7,829	299,252		6,651,610
Adjustment (D)			3,151	3,151		6,654,761
July	375,170		14,058	389,228		7,043,989
August	410,553		15,175	425,728		7,469,717
September	343,028		70,241	413,269	(56,000)	7,826,986
October	361,952		31,352	393,304	(784)	8,219,506
November	358,216		18,764	376,980		8,596,486
December	318,110		12,718	330,828	(7,576,193)	1,351,121
Adjustment (D)			(10,874)	(10,874)		1,340,247
	4,349,570		234,641	4,584,211	(9,858,913)	
Year 2010						
January	337,976		10,634	348,609		1,688,857
February	319,785		8,935	328,720		2,017,577
March	332,366		5,556	337,923	(1,639)	2,353,861
Adjustment (D)			6,717	6,717		2,360,578
April	307,022		12,380	319,402		2,679,980
May	437,123		1,945	439,068		3,119,048
June	385,173		3,639	388,812		3,507,860
Adjustment (D)			11,228	11,228		3,519,088
July	376,073		3,460	379,533	(240,367)	3,658,254
August	385,990		3,360	389,350	(1,853)	4,045,752
September	399,365		15,001	414,366	(523)	4,459,596
Adjustment (D)			(5,759)	(5,759)		4,453,837
October	377,570		15,879	393,449		4,847,286
November	393,090		5,510	398,599	(2,666,070)	2,579,816
December	429,496		4,348	433,844	(100,270)	2,913,389
Adjustment (D)			(19,499)	(19,499)		2,893,890
	4,481,029		83,335	4,564,364	(3,010,721)	
Year 2011						
January	383,368		(7,021)	376,347		3,270,237
February	320,453		2,591	323,044	(713)	3,592,568
March	340,098		2,699	342,798		3,935,366
Adjustment (D)			69	69		3,935,435
April	357,546		3,881	361,427	(760)	4,296,102
May	443,707		5,395	449,102		4,745,204
June	397,558		7,372	404,930		5,150,133
Adjustment (D)			32,622	32,622		5,182,755
July	441,404		6,819	448,223		5,630,979
August	395,006		4,743	399,749	(641)	6,030,086
September	399,882		2,664	402,546		6,432,633
Adjustment (D)			45,862	45,862		6,478,495
October	454,116		12,791	466,906	(475)	6,944,926
November	439,158		9,242	448,400	(7,838,000)	(444,674)
December	367,447		3,824	371,271	(200,540)	(273,943)
Adjustment (D)			(11,134)	(11,134)		(285,077)
Escrow Account						
Reconciliations (E)	1,220		142	1,362	2,132	(281,583)
	4,740,963		122,561	4,863,524	(8,038,997)	

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2012						
January	412,446		3,104	415,550		133,968
February	391,515		3,391	394,906		528,873
March	817,841		4,018	821,860	(1,045)	1,349,688
Adjustment (D)			6,126	6,126		1,355,814
April	705,909		2,679	708,589		2,064,403
May	834,441		2,034	836,474		2,900,877
June	780,085		2,883	782,967		3,683,845
Adjustment (D)			4,898	4,898		3,688,742
July	932,791	310,930	3,368	1,247,089		4,935,831
August	817,158	272,386	4,444	1,093,988		6,029,820
September	955,062	318,354	2,236	1,275,652		7,305,472
Adjustment (D)			14,237	14,237		7,319,709
October	1,164,569	388,190	11,706	1,564,464	(1,093)	8,883,081
November	1,165,352	388,451	10,102	1,563,904		10,446,985
December	1,311,292	437,097	6,872	1,755,261	(3,000,000)	9,202,246
Adjustment (D)			583	583		9,202,829
Escrow Account Reconciliations (E)			2,750	2,750		9,205,578
	10,288,460	2,115,408	85,431	12,489,299	(3,002,138)	
Year 2013						
January	1,232,089	410,696	7,685	1,650,470	(974)	10,855,075
February	1,198,103	399,368	6,852	1,604,323	(414,000)	12,045,397
March	1,375,724	458,575	8,926	1,843,225	(1,235)	13,887,387
Adjustment (D)			(4,240)	(4,240)		13,883,147
April	1,215,549	405,183	8,904	1,629,635		15,512,783
May	1,271,804	423,935	8,607	1,704,346		17,217,128
June	1,291,000	430,333	11,632	1,732,966		18,950,094
Adjustment (D)			(162,435)	(162,435)		18,787,659
July	1,086,400	362,133	17,061	1,465,594	(784)	20,252,469
August	1,009,156	336,385	20,268	1,365,809	(449,000)	21,169,278
September	1,055,556	351,852	18,299	1,425,706		22,594,985
Adjustment (D)			40,156	40,156		22,635,141
October	1,174,797	391,599	32,518	1,598,913		24,234,054
November	1,066,682	355,561	32,523	1,454,765	(8,000,000)	17,688,819
December	1,463,134	487,711	26,944	1,977,788	(641)	19,665,966
Adjustment (D)			(80,902)	(80,902)		19,585,064
Escrow Account Reconciliations (E)			637	637		19,585,700
	14,439,993	4,813,331	(6,568)	19,246,756	(8,866,634)	

APPENDIX B

Lake Belt Mitigation Trust Fund Financial Statement Year Ending December 31, 2014

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2014						
January	1,124,250	374,750	27,528	1,526,528		21,112,228
February	1,062,361	354,120	28,268	1,444,749		22,556,977
March	1,152,454	384,151	26,766	1,563,371	(831)	24,119,517
Adjustment (D)			48,702	48,702		24,168,219
April	1,213,821	404,607	29,052	1,647,479		25,815,699
May	1,281,658	427,219	32,586	1,741,464	(1,022)	27,556,140
June	1,345,564	448,521	32,178	1,826,264	(8,000,000)	21,382,404
Adjustment (D)			117,592	117,592		21,499,997
July	1,288,249	429,416	33,327	1,750,992		23,250,989
August	1,251,053	417,018	35,767	1,703,838	(300,803)	24,654,023
September	1,185,733	395,244	37,884	1,618,862		26,272,885
Adjustment (D)			(80,345)	(80,345)		26,192,540
October	1,159,406	386,469	44,552	1,590,426		27,782,967
November	1,078,456	359,485	46,073	1,484,014		29,266,981
December	1,201,845	400,615	36,918	1,639,378		30,906,359
Adjustment (D)			110,807	110,807		31,017,166
Escrow Account Reconciliations (E)			817	817		31,017,983
	14,344,851	4,781,617	608,471	19,734,939	(8,302,656)	
	\$ 82,608,997	\$ 11,710,356	\$ 3,922,156	\$ 98,241,509	\$ (67,223,526)	

* Payment for two months received in the next month.

- (A) Includes monthly interest allocation of \$12,421 plus fair value adjustment (gain) of \$30,036
 (B) Includes monthly interest allocation of \$13,463 plus fair value adjustment (gain) of \$20,549
 (C) Includes monthly interest allocation of \$22,218 less fair value adjustment (loss) of \$33,081
 (D) Represents Market Value Adjustments (unrealized gain (loss)).
 (E) See Annual Report Appendices C and D for more detail

APPENDIX C

Receipts / Approved Expenditures Summary

Receipts / Approved Expenditures Through 2014

Year	Permit Table Estimated Mitigation Fee Collections	Estimated Mitigation Fee Running Total	Department of Revenue Mitigation Fee Deposits	Actual Mitigation Fee Running Total	Investment Income	Cash Receipts Running Total	Approved Expenditures	End of Year Balance	Payment Summary	Mitigation Acres
1999	487,813	487,813	*	0	*	0	0	0		
2000	1,950,000	2,437,813	2,386,463	2,386,463	78,162	2,464,625	0	2,464,625		
2001	2,181,684	4,619,497	2,227,895	4,614,358	167,611	4,860,131	0	4,860,131		
2002	2,297,314	6,916,811	2,436,950	7,051,308	174,384	7,471,465	6,607,977	863,488		1,075.9
2003	2,419,071	9,335,882	2,761,957	9,813,265	205,836	10,439,258	0	3,831,281	6,555,971	1,067.4
2004	2,547,282	11,883,164	3,109,122	12,922,387	132,434	13,680,814	866,124	6,206,713	491,360	159.5
2005	2,682,288	14,565,452	3,344,232	16,266,619	200,189	17,225,235	6,184	9,744,950	3,732,067	320.9
2006	2,824,449	17,389,901	3,808,079	20,074,698	521,348	21,554,662	6,151,264	7,923,113	-3,785,199	142.4
2007	2,974,145	20,364,046	4,989,649	25,064,347	934,092	27,478,403	8,784,471	5,062,383	-6,994,199	124.4
2008	3,131,775	23,495,821	4,899,784	29,964,131	380,229	32,758,416	3,727,447	6,614,949		10.0
2009	3,297,759	26,793,580	4,349,570	34,313,701	234,641	37,342,627	9,858,913	1,340,247		954.0
2010	3,472,540	30,266,120	4,481,029	38,794,730	83,335	41,906,991	3,010,721	2,893,890		1,554.3
2011	3,656,585	33,922,705	4,740,963	43,535,693	122,561	46,770,515	8,038,997	(281,583)		620.0
2012	3,838,769	37,761,474	12,403,868	55,939,561	85,431	59,259,814	3,002,138	9,205,578		787.0
2013	4,042,223	41,803,697	19,253,324	75,192,885	(6,568)	78,506,570	8,866,634	19,585,700		2,098.8
2014	4,256,461	46,060,158	19,126,468	94,319,353	608,471	98,241,509	8,302,656	31,017,983		2,128.8

TOTAL	\$94,319,353		\$3,922,156		\$67,223,526		\$0	11,043.4
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* 1999 & 2000 combined

C-139 Annex Project Mitigation Credits

December 2012 Motion

14,302 acres
\$10,377 cost/acre

9,733 WRAP units
\$15,248 cost/WRAP unit

LBMC Meeting	Contribution	C-139 acres	WRAP units	Pennsuco-equivalent acres
12/2012	\$ 3,000,000	289.1	196.75	787.0
11/2013	\$ 8,000,000	770.9	524.7	2,098.8
6/2014	\$ 8,000,000	770.9	524.7	2,098.8
Total	\$ 19,000,000	1,831.0	1,246.2	4,984.6

Estimated WRAP units/acre subject to the permitted credit determination for the project.

Estimated cost/acre subject to change to meet full cost accounting requirements.

Pennsuco restoration - WRAP score = 0.25 units / acre

**Summary of Water Treatment Plant Upgrade Fee Deposits and
Seepage Management Project Expenditures Approved by the Committee**

Deposits

Year	Department of Revenue Treatment Plant Fee Deposits	Treatment Plant Fee Running Total
2012	\$ 2,115,408	\$ 2,115,408
2013	\$ 4,813,331	\$ 6,928,739
2014	\$ 4,781,617	\$ 11,710,356

Expenditures

Year Approved by Committee	Project	Approved Expenditure	Funding Returned to Trust Fund	Expenditure
2009	L-31N pilot project construction costs	\$ 256,000	\$ 2,132	\$ 253,868
2010	L-31N pilot project tracer test	\$ 185,800	\$ 1,220	\$ 184,580
2010	Dade-Broward Levee drilling	\$ 119,000	\$ -	\$ 119,000
2011	Dade-Broward Levee drilling contingency	\$ 5,005	\$ -	\$ 5,005
2011	L-31N Phase 1 construction costs	\$ 7,838,000		\$ 7,838,000
2013	Dade-Broward Levee Phase 1	\$ 414,000		\$ 414,000
2013	Dade-Broward Levee mulching	\$ 449,000		\$ 449,000

TOTAL \$ 9,263,453

Summary of 2014 Expenditures / Mitigation Acres Approved by Committee

	<u>Acres</u>	<u>Amount</u>
1. SFWMD - C-139 Annex land acquisition, restoration and long-term management		\$ 8,000,000
Mitigation Committee - June 2014		
Cost/WRAP Unit	\$15,248	
WRAP units	524.7 units	
Pennsuco WRAP score	0.25 units/acre	
Pennsuco equivalent mitigation acres = $524.7 / 0.25 =$	2,098.8	
2. SFWMD - Pennsuco land acquisition, enhancement and long-term management		
Governing Board - August 2014		
30 acres (Bello Campo parcels)	Acquisition cost plus \$2,027 / acre	30 \$ 300,803
3. Mitigation Committee Administrative Expenses		\$ 1,853
Total Pennsuco equivalent mitigation acres / Expenditures	<u>2,128.8</u>	<u>\$ 8,302,656</u>

Escrow account reconciliation deposits (see Appendix D)

1. Escrow account accrued interest through 9/30/2014	\$ 817
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APPENDIX D

MacVicar Consulting, Inc.

4524 West Gun Club Road, Suite 201, West Palm Beach FL 33415 (561) 689-1708

To: Marjorie Moore
From: Jeff Rosenfeld
on behalf of the Miami-Dade Limestone Products Association
Date: November 19, 2014
Subject: Lake Belt Mitigation Trust Fund – Accrued Interest

Per the SFWMD-MDLPA agreement, accrued interest in the Greenberg Traurig escrow account is to be returned to SFWMD for deposit into the Lake Belt Mitigation Trust Fund. Greenberg Traurig reports that a total of \$817.11 of interest was earned in the escrow account during the period from October 1, 2013 through September 30, 2014. We plan on submitting an accrued interest check to SFWMD annually.

Attached for deposit to the Lake Belt Mitigation Trust Fund is a check for the 2014 accrued interest earned in the Greenberg Traurig escrow account.
