

Chapter 7: Mitigation Donation Annual Report

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INTRODUCTION

The information in this chapter of the *2015 South Florida Environmental Report (SFER) – Volume II* is specific to two mitigation projects: (1) Corkscrew Regional Ecosystem Watershed (CREW), located in Lee and Collier counties, and (2) Pennsuco Regional Mitigation Area, located in Miami-Dade County, for Fiscal Year 2014 (FY2014) (October 1, 2013–September 30, 2014). In accordance with Subsection 373.414(1)(b)(2), Florida Statutes (F.S.), this chapter provides a summary of these endorsed mitigation projects including the available mitigation fund balance, expenditures, and a description of the restoration and management activities during this time frame. The two mitigation sites no longer accept developer mitigation funds as a means of offsetting wetland impacts, but they continue as expenditure sites.

CORKSCREW REGIONAL ECOSYSTEM WATERSHED

The Corkscrew Regional Ecosystem Watershed is a vast project covering approximately 60,000 acres in Lee and Collier counties (**Figure 7-1**). The CREW lands contain some of the largest remaining pristine cypress wetlands in the United States, providing habitat to a number of rare, threatened, and endangered species. In June 1995, the South Florida Water Management District (SFWMD or District) began accepting cash payments for projects in CREW as a form of mitigation to offset impacts to wetlands. Mitigation monies have provided funding for land acquisition, chemical treatment of exotics, hydrologic enhancement, monitoring of restoration progress, security management, and prescribed burning.

ACQUISITION

Land acquisition in CREW provides improved wildlife habitat for threatened and endangered species, and protection of water resources that provide improved water quality and flood protection. The Summary of Wetlands Mitigation Balances by Project¹ (also referred to as the financial summary report), dated September 30, 2014, indicates a balance of \$23,459 available in the CREW land acquisition fund. During FY2014, no mitigation funds were utilized for CREW acquisition. SFWMD staff is currently evaluating opportunities to expend the remaining funds. **Table 7-1** summarizes the lands protected as mitigation in CREW.

¹ Schneider, L. 2014. Summary of Wetlands Mitigation Balances by Project. South Florida Water Management District, West Palm Beach, FL.

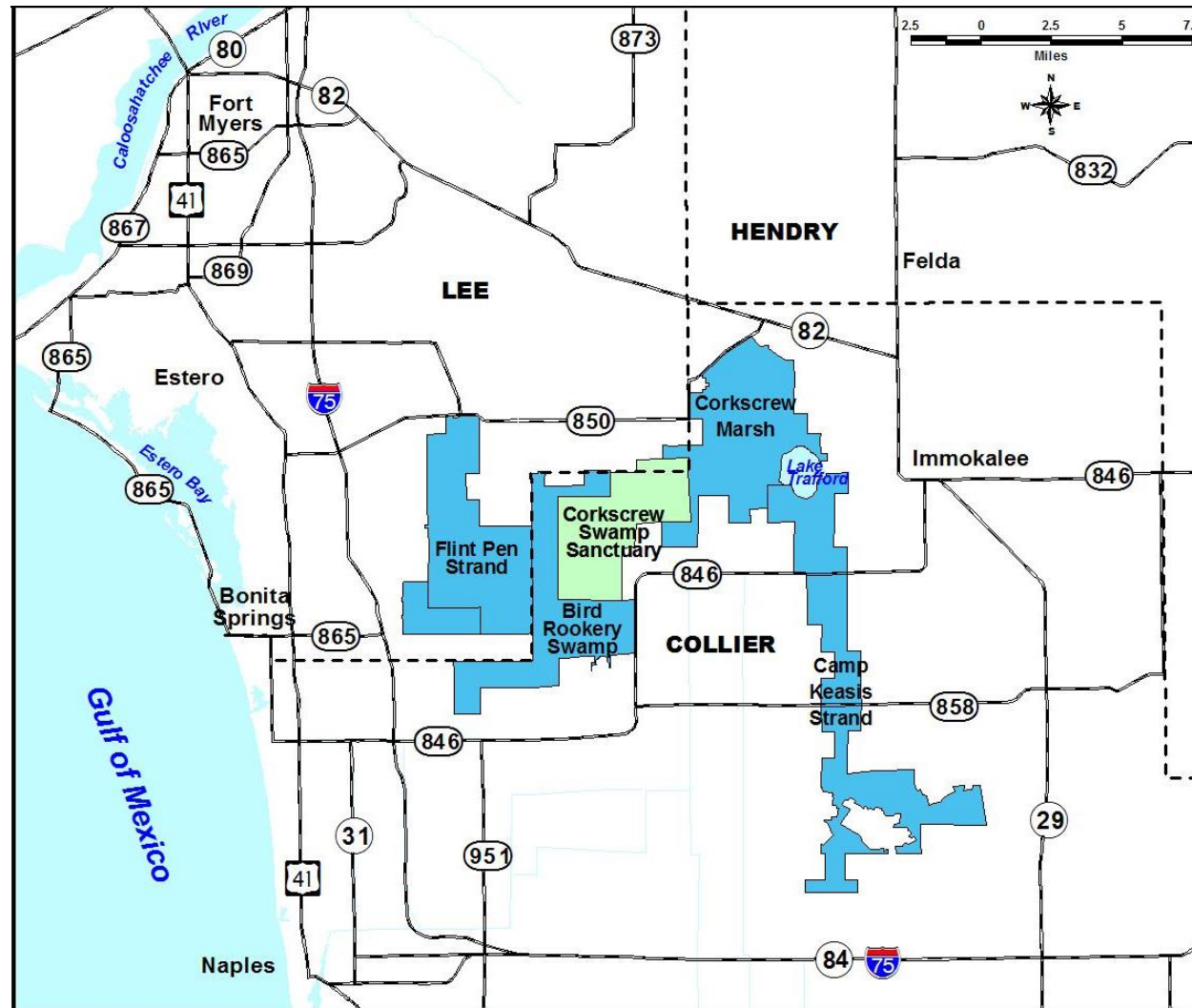


Figure 7-1. Location of the Corkscrew Regional Ecosystem Watershed (CREW).

Table 7-1. CREW lands protected as mitigation as of September 30, 2014.

Tract	Parcel Acreage	Net Acreage*
09001-002	237.4	237.4
09003-488	40.0	40.0
09003-765	5.0	4.6
09003-757	5.0	5.0
09003-776	5.0	4.3
09003-761	5.0	4.3
09003-766	5.0	4.6
09003-758	5.0	4.6
09003-772	5.0	4.4
09003-804	25.0	23.9
09003-805	2.5	2.3
09003-806	5.0	4.1
09003-807	2.5	2.5
09003-808	2.5	2.3
09003-809	2.5	2.3
09003-815	185	182.0
09003-816	10	10.0
09003-826	30	29.3
09003-828	5.0	4.6
09003-829	65.76	65.76
09003-833	2.5	2.5
09003-760	5.0	4.6
09003-755	10.0	8.8
09001-091	273.56	273.56
09001-090**	10.01**	10.01**
09003-234	5.0	5.0
09003-245	5.0	4.7
09003-256	5.0	4.6
09003-277	5.0	4.7
09003-278	5.0	4.7
09003-302	5.0	4.3
09003-304	5.0	4.6
09003-307	5.0	4.6
09003-308	5.0	4.3
09003-325	10.0	10.0
09003-358	10.0	10.0
09003-226	5.0	4.3
09003-896	5.0	4.5
09003-957	5.0	4.8
09005-017	5.0	4.8
09003-774	30.0	27.95
09003-777	30.0	27.95
09002-010	52.48	52.48
09003-936	41.53	40.0
09003-952	61.56	60.0
09003-674	6.67	6.5
09003-676	3.33	3.3
09003-756	5.0	5.0
09003-640	3.93	3.7
09003-751	3.35	3.2
09005-014	5.00	4.45
09005-270	2.50	2.14
09005-035***	6.0***	6.0***
Total	1285.58	1260.30****

*Excludes canal and road easements

**Tract No. 09001-090 was previously conveyed to the Trustees of the Internal Improvement Trust Fund of the State of Florida subject to a conservation easement and will not be included in the conservation easement to be conveyed to the Florida Department of Environmental Protection (FDEP) pursuant to this resolution.

***Tract No. 09005-035 was acquired with mitigation funds on June 26, 2009; however, because it was also acquired with U.S. Department of the Interior funds, a conservation easement will not be filed. The land will be protected by virtue of it showing as a mitigation acquisition in the database.

****Conservation easement conveyed to the FDEP on September 27, 2011, comprised approximately 1,244.29 acres, more or less [i.e., 1,260.20 acres less Tract Nos. 09001-90 (10.01 acres) and 09005-035 (6.0 acres)].

RESTORATION AND MANAGEMENT

During FY2014, the District provided contractual services for the initial and follow-up treatment of 1,074 acres of exotic and invasive species, including 447 acres of melaleuca (*Melaleuca quinquenervia*), 170 acres of Brazilian pepper (*Schinus terebinthifolius*), 42 acres of cogon grass (*Imperata cylindrica*), 55 acres of Old World climbing fern (*Lygodium microphyllum*), 168 acres of torpedo grass (*Panicum repens*), 21 acres of Downy rose-myrtle (*Rhodomyrtus tomentosa*), 125 acres willow (*Salix caroliniana*), and 46 acres of exotic grasses and sedges. Even though fewer acres were treated this past fiscal year, the effects were more noticeable because they treated some very dense concentrations. Restoration and long-term management fund expenditures totaled \$15,426 with \$266 for land management staff support, \$1,041 for chemicals to treat exotics, \$10,338 for equipment rental in support of restoration activities, \$255 for maintenance and repair of equipment, and \$3,526 for construction materials in support of restoration activities. For FY2015, \$5,000 is budgeted for equipment rental, \$5,000 for construction materials associated with maintenance activities, and \$1,040 for chemicals. The CREW restoration funding in FY2015 will total \$11,040.

The financial summary report indicates that as of September 30, 2014, there is no available balance in the restoration fund. The available interest balance through the third quarter on the land acquisition account is \$337 and \$86,320 on the \$1,373,452 long-term management corpus amount, which are available for use toward land management activities.

PENNSUCO REGIONAL MITIGATION AREA

The Pennsuco Regional Mitigation Area, also known as Pennsuco, is part of the Pennsuco Wetlands, or Cell 26 (**Figure 7-2**), of the East Coast Buffer in Miami-Dade County. Pennsuco Wetlands/Cell 26 covers an area of approximately 13,000 acres. Pennsuco is located between the Dade-Broward Levee, Krome Avenue (State Road 997), and Tamiami Trail (U.S. 41).

In 1995, the SFWMD began using Pennsuco as a regional off-site mitigation area, allowing permit applicants to make mitigation contributions for the acquisition, enhancement, and long-term management of Pennsuco lands as compensation for permitted wetland impacts. Although the developers' mitigation obligation was met in July 2002 and Pennsuco is no longer available as a mitigation option for developers with impacts to wetlands, Pennsuco acquisition, restoration, and long-term management continues as a mitigation option for Lake Belt miners under legislation adopted in Section 373.4149(1), F.S. The environmental benefit provides protection, enhancement, and management of the Pennsuco floral, faunal, and hydrologic resources. Pennsuco emphasizes the enhancement of a degraded ecosystem that would otherwise continue to decline and impact nearby natural areas without efforts to reduce the spread of exotics. The enhancement of Pennsuco has the potential to yield regional ecological benefits and contribute to the goals of Everglades restoration.

ACQUISITION

The financial summary report indicates that for the period ending September 30, 2014, there is no balance available in the Pennsuco land acquisition fund. During FY2014, no mitigation funds were utilized for Pennsuco acquisition. **Table 7-2** summarizes the lands protected as mitigation in Pennsuco.

RESTORATION

The restoration involves a multiyear herbicidal and manual exotic vegetation removal program that aims to maintain the melaleuca at one percent or less total coverage. When the

project is at a maintenance level and the restoration fund is fully expended, the interest on the long-term management fund will be used for management of the property. Land managers conduct semiannual aerial and on-ground monitoring to evaluate exotic treatments and provide timely, adaptive follow-up treatment.

The financial summary report indicates an available balance of \$3,655,664 as of September 30, 2014. The total restoration expenditures in FY2014 were \$725,239. Of this amount, the District spent \$704,568 for contractual services on the initial and follow-up treatment of 1,939 acres of exotics in Pennsuco and the adjacent Dade-Broward levee, including 1,824 acres of melaleuca (*Melaleuca quinquenervia*). In addition to melaleuca treatments, Brazilian pepper, torpedo grass, and Old World climbing fern were also treated. Other restoration expenditures included \$15,717 for Florida Fish and Wildlife Conservation Commission law enforcement patrol and \$4,954 for staff support. **Figure 7-3** summarizes the tracts where exotic treatments have been conducted to date as well as the plans for FY2015. **Figure 7-4** shows a visual depiction of the response of vegetation over time from these exotic treatments.

During this reporting period, the invasive species, primarily melaleuca, continue to decline within the treatment area. Muhly grass appears to be expanding in the northern portion. For FY2015, \$795,629 is budgeted in Pennsuco for exotic species control and \$29,000 for law enforcement patrol by the FWC. The Pennsuco restoration funding in FY2015 will total \$824,629.

MANAGEMENT

According to the financial summary report, a balance of \$1,599,625 of interest earned through the third quarter on the \$6,993,384 corpus amount is available as of September 30, 2014. Utilization of monies from the interest on the corpus fund will commence when initial and follow-up exotic treatments are completed, the entire project achieves maintenance level for treatment, and the restoration account and its interest earnings have been depleted. Presently, there is \$628,516 in the land and restoration interest account available for acquisition, restoration, or management. Due to efficiencies in conducting exotic treatments in the Pennsuco mitigation project, interest accruals on the restoration account were greater than anticipated such that a surplus of funds was available. The SFWMD Governing Board authorized the transfer of \$3,000,000 in excess funds out of the land and restoration interest account for use in two projects located within Miami-Dade County including the Biscayne Bay Coastal Wetlands Restoration Phase I project (\$2,000,000 at the July 2013 Governing Board) and the C-111 South project (\$1,000,000 at the August 2013 Governing Board). In addition during this reporting period, in accordance with the Audit of the Lake Belt Mitigation Fund (11-20), the SFWMD Budget Bureau included an operating transfer of \$820,349 from the land and restoration interest account to the corpus amount to provide the long-term management funding that should have been provided with a previous transfer associated with Lake Belt mitigation impacts.

Table 7-2. Pennsuco acquisitions using developers' mitigation funding (fund 211) as of September 30, 2014.

Tract Number	Acreage Acquired	Mitigation Funded	% of Tract
300-932	482.5	\$868,500	100
300-912	160.0	\$400,000	50
300-913	320.0	\$800,000	100
301-916	160.0	\$400,000	50
301-917	120.0	\$300,000	50
300-962	160.0	\$400,000	50
304-973	320.0	\$800,000	100
304-940	5.0	\$15,000	100
304-941	10.0	\$30,000	100
304-952	10.0	\$30,000	100
305-967	5.0	\$15,000	100
306-920	10.0	\$30,000	100
305-951	1.4	\$4,800	100
306-926	2.5	\$8,750	100
305-968	5.0	\$15,000	100
305-915	1.4	\$5,100	100
305-912	5.0	\$15,000	100
305-956	.7	\$2,400	50*
305-957	.7	\$2,400	50*
305-927	2.0	\$7,150	50*
300-919	40.0	\$100,000	50*
303-965	5.0	\$15,000	50*
**	407.2	\$2,011,750	**
300-964	120.0	\$1,800,000	100
304-934	60.0	\$900,000	100
B7100093***	2.5	\$60,315	100
B7100073***	2.1	\$51,804	100
B7100094***	2.5	\$60,315	100
B7100095***	2.5	\$88,807	100
W9306-901	10.0	\$80,000	100
Total	2,433.0	\$9,317,091	

* Lands acquired with 50 percent miners' mitigation funds and 50 percent developers' mitigation; acreage represented is amount acquired with developers' mitigation funds only.

** 56 parcels total, with federal share contributing 50 percent of the acquisition price for 40 of these parcels, which are indicated in bold italics. The balance of the tracts and other 50 percent of federally acquired tracts were acquired with P2000. Mitigation funds were used to swap out the P2000 acquired land with 50 percent coming from developers' (fund 211) and 50 percent from the Lake Belt miners. The 56 parcels included 300-914, 300-917, 300-920, 300-921, 300-925, 300-928, 300-929, 300-931, **300-959**, 300-961, 300-963, **300-987**, **300-988**, **300-989**, **300-990**, **300-991**, **300-992**, **300-993**, **300-994**, **300-995**, **300-996**, 301-900, **301-903**, **301-904**, **301-906**, **301-907**, 301-908, 301-910, **301-913**, **301-914**, **301-915**, **304-932**, **304-971**, **305-903**, **305-921**, **305-928**, **306-929**, **306-935**, **306-943**, **306-948**, **306-966**, **306-976**, **306-977**, **307-923**, **307-924**, **307-925**, **307-926**, **307-928**, **307-929**, **307-930**, **307-934**, **307-936**, **307-938**, 304-966, 304-968, and 304-974.

*** Parcels acquired in L-31 North Project using Pennsuco restoration funds.

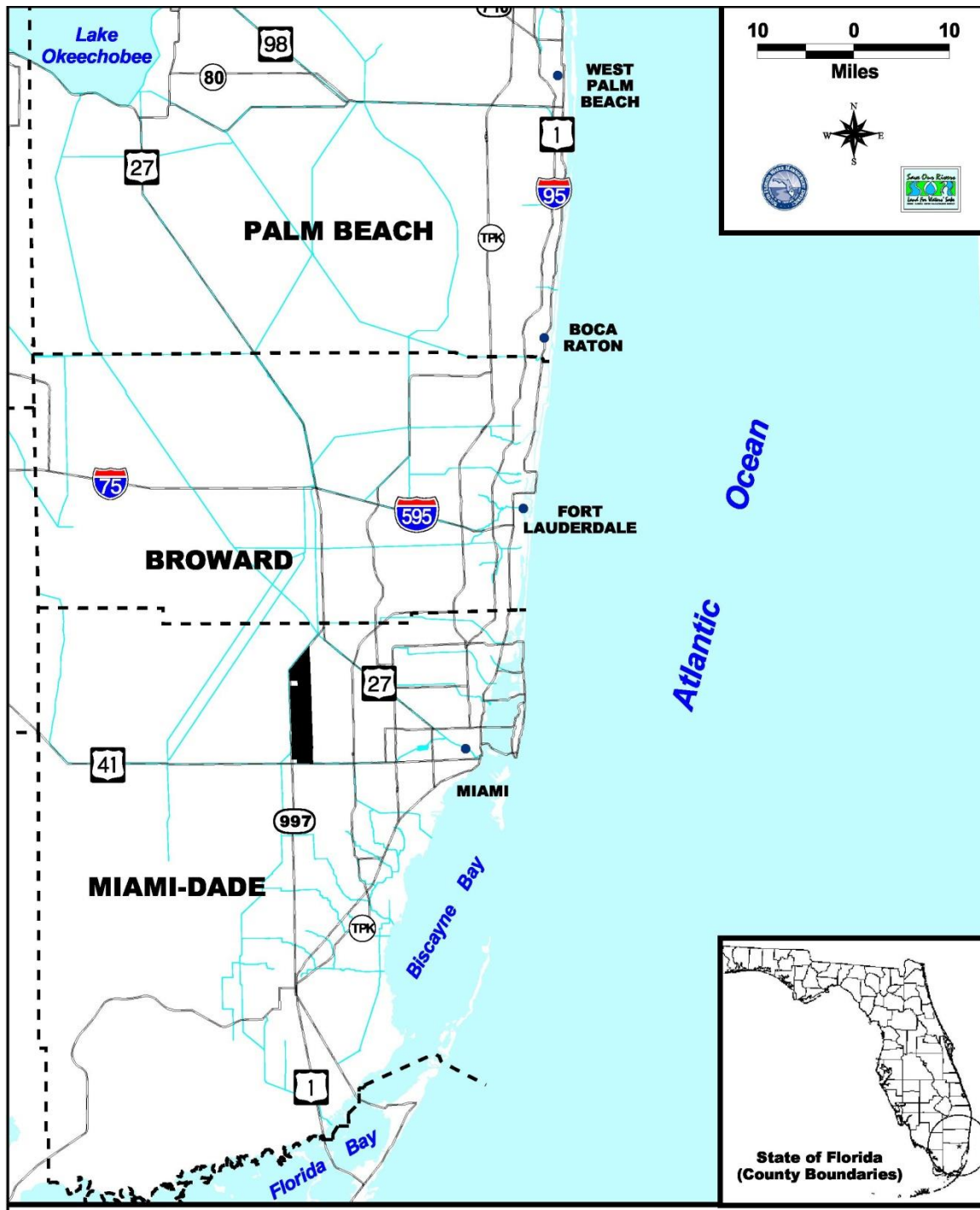


Figure 7-2. Location of the Pennsuco Regional Mitigation Area.

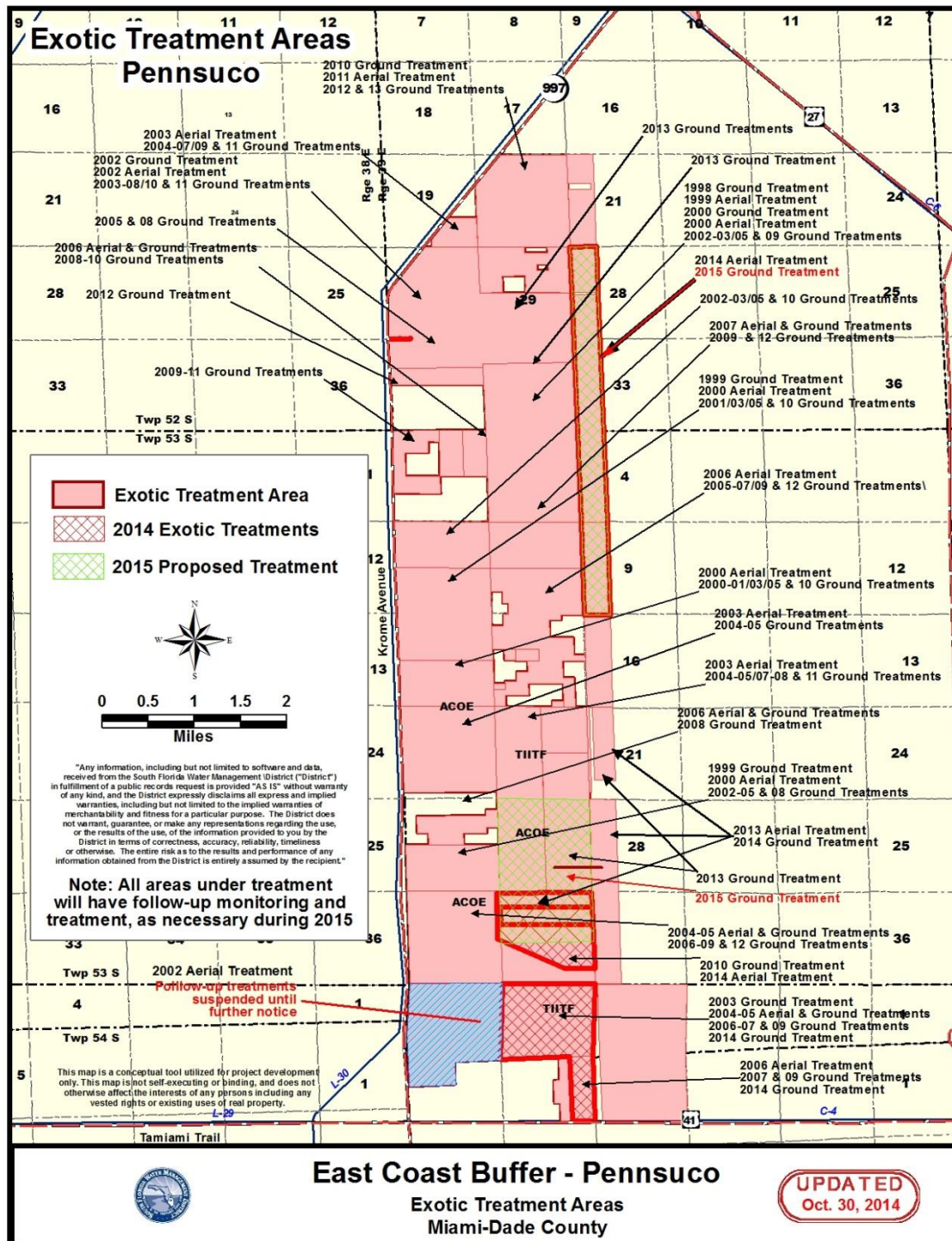


Figure 7-3. Pennsuco exotic treatment areas.

Maintenance Control of Melaleuca in the Pennsuco Wetland Mitigation Area 1998 - 2014

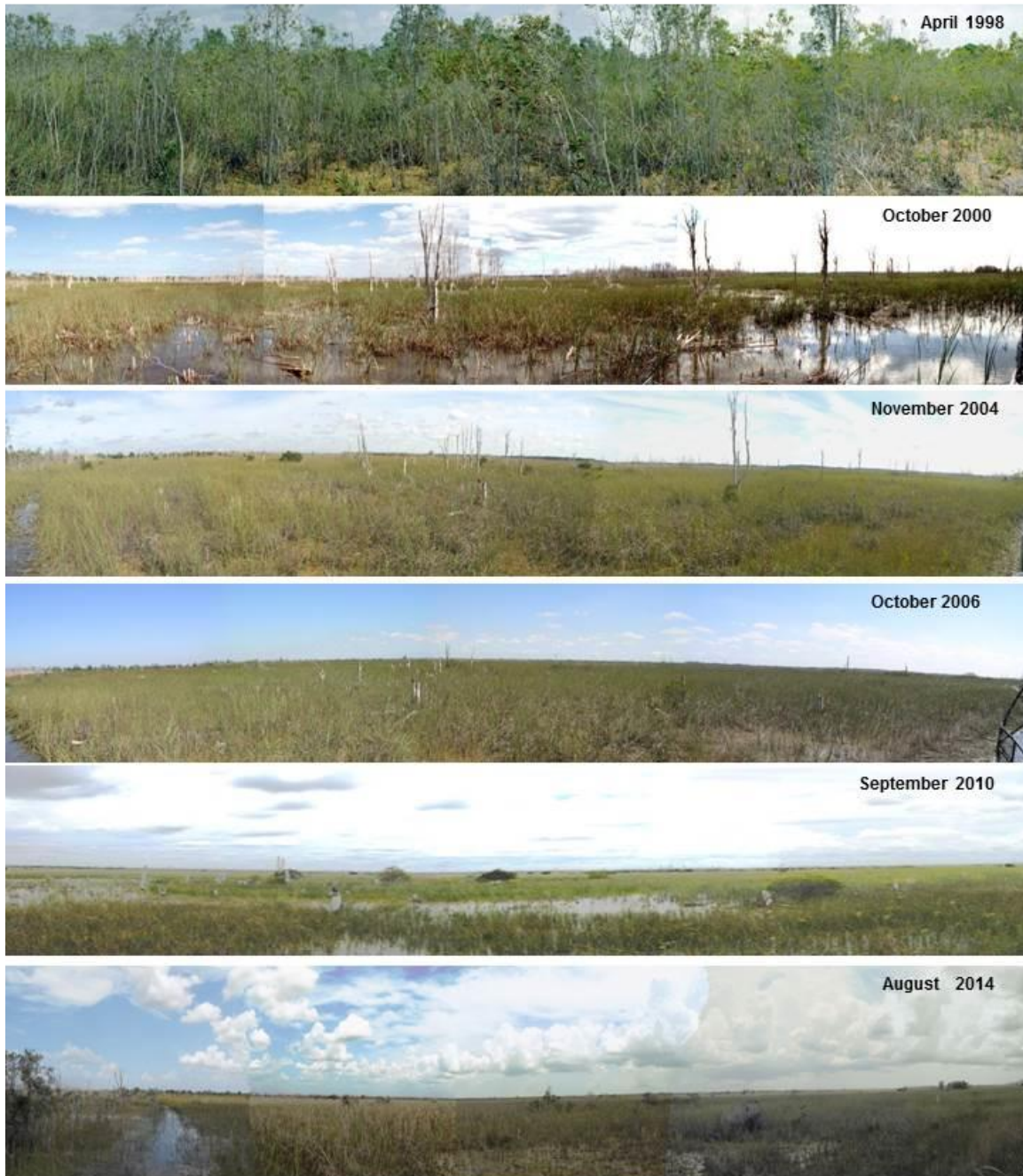


Figure 7-4. Maintenance control of melaleuca in the Pennsuco Regional Mitigation Area.

FINANCIAL SUMMARY

Table 7-3 shows the balances available in the acquisition, restoration, and management categories in the financial summary, as of September 30, 2014.

Table 7-3. Financial summary as of September 30, 2014 (unaudited).*

Project	Land Acquisition	Restoration	Long-Term Maintenance**	Total
CREW	\$23,459	\$0	\$86,656	\$110,115
Pennsuco	\$0	\$3,655,664	\$2,228,137	\$5,883,801

* Excluding 4th quarter fiscal year interest earnings.

** Includes interest on long-term management fund corpus and interest on land and restoration funds.

Table 7-4 shows the expenditure summary, which categorizes mitigation fund spending into components of acquisition, restoration, and management for the period October 1, 2013–September 30, 2014.

Table 7-4. Expenditure summary for October 1, 2013–September 30, 2014 (unaudited).

Project	Land Acquisition	Restoration	Long-Term Maintenance	Total
CREW	\$0	\$0	\$15,426	\$15,426
Pennsuco	\$0	\$725,239	\$0	\$725,239
Total	\$0	\$725,239	\$15,426	\$740,665