



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 13, 2007

Florida Department of Environmental Protection  
Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Dear Sir/Madam:

**Subject: Permit No. ERP49-187636-001**  
***Report to the Florida Department of Environmental Protection, Central***  
***Florida Beltway Mitigation, Western Beltway/S.R. 429, Part C***

Enclosed is the Report to the Florida Department of Environmental Protection (DEP) for Western Beltway mitigation. The Report summarizes activities conducted by the South Florida Water Management District (SFWMD) resulting from mitigation funding provided through Section 338.250, Florida Statutes, Central Florida Beltway Mitigation from inception through September 30, 2007. The funding was generated from environmental impacts associated from the construction of the Western Beltway (Beltway), S.R. 429, Part C, for which SFWMD would receive approximately \$9.4 million from the Turnpike District and Orlando-Orange County Expressway Authority (OOCEA). To date, SFWMD has received approximately \$8.2 million in funding and land from the Turnpike District.

The mitigation activity principally includes land acquisition and mitigation banking in Shingle Creek, Reedy Creek, and Lake Marion Creek hydrologic basins, totaling over \$7.4 million since June 2003. SFWMD continues to pursue these options, and others, to address Beltway environmental impacts in accordance with the DEP-approved mitigation plan.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

Steve Coughlin, Director  
Land Stewardship Program

SC/mm  
Enclosure

c: Mike Green (Glatting Jackson) w/enc  
Scott Kamien (PBS & J) w/enc  
Marjorie Moore (SFWMD) w/enc  
Ayounga Riddick (SFWMD) w/enc



## **Report to the Florida Department of Environmental Protection Central Florida Beltway Mitigation Western Beltway, S.R. 429, Part C**

This Report is submitted in accordance with the Florida Department of Protection (DEP) Permit No. ERP49-0187636-001 for Central Florida Beltway Mitigation. The Report summarizes activities conducted by the South Florida Water Management District (SFWMD/District) resulting from mitigation funding provided through section 338.250, Florida Statutes, Central Florida Beltway Mitigation. The funding was generated from environmental impacts associated from the construction of the Western Beltway (Beltway), S.R. 429, Part C, for which SFWMD would receive approximately \$9.4 million from the Turnpike District and Orlando-Orange County Expressway Authority (OOCEA), also known by the SFWMD as Shingle Creek Phase III. To date, SFWMD has received approximately \$8.2 million in funding and land (detailed below, Section 1) from the Turnpike District. The balance of \$1.2 million has been allocated for the purchase of mitigation bank credits (also detailed below, Section 2) and a cash payment or land donation anticipated from OOCEA for 35 acres of skink habitat.

In consultation with the Environmental Advisory Group to the OOCEA and Turnpike District, SFWMD developed a Conceptual Mitigation Plan (Plan) which was approved by the SFWMD's Governing Board on October 11, 2001. The Plan, subsequently accepted by DEP on December 4, 2001, identified several mitigation options to address environmental impacts from the Beltway's construction. These options included 1) land acquisition, 2) mitigation banking, and 3) hydrological restoration/enhancement. SFWMD continues to pursue these options and has implemented significant elements of the Plan since 2001, which are summarized below. Other funding sources, including previous phases of beltway mitigation (Shingle Creek Phase II), are used to supplement beltway-funded projects, when appropriate.

### **1. Land Acquisition**

Shortly after the Plan was accepted by DEP, SFWMD received \$6,022,800 from the Turnpike District for impacts related to the Turnpike District's portion of Western Beltway construction. The Summary of Mitigation Balances by Project Report (financial summary report) dated September 30, 2007, prepared by the District's accounting office, indicates a balance of \$1,935,955.42 available in the Shingle Creek Phase III land acquisition fund. During the period of FY 2002- 2007, there was \$2,627,573.50 expended out of Shingle Creek Phase 3 on land acquisition and associated costs including the mitigation bank credit purchases. This is categorized as follows: FY 2003 - \$8435 for title policy and recording fees, and \$1,595,000 for the purchase of 45 mitigation bank credits; FY 2004 - \$23,500 for property appraisal and recording fees, \$21,400 for the purchase of 2.5 acres (Scheibner and Meany/Auston) and \$999.35 for the title policy and recording fees; FY 2005 - \$342,297 was utilized to purchase approximately 130.86 acres in Westbrook Hunter's Creek, \$900 for title policy and recording fees and \$131,910.50 for the 26.73 acre Steffee tract; FY 2006 - \$500,000 was expended towards the 16 acre Ruba tract and, FY2007 - \$1,252,71 for an environmental risk assessment and \$1,879.02 for SFWMD staff support. The Turnpike District also transferred 332 acres of scrub habitat (DOT scrub), valued at \$2.25 million. Located in the Lake Marion Creek Save Our Rivers (SOR) Project (**Figure 1**), the DOT scrub was targeted in the Plan as a potential acquisition for watershed protection due to its abundance of on-site federally and state-listed species, including Florida Scrub-Jay (*Aphelocoma coerulescens*), sand skink (*Neoseps reynoldsi*), and scrub mint (*Dicerandra frutescens*). The Turnpike District purchased and transferred the tract to satisfy permitting requirements for its portion of Western Beltway construction. Following the transfer, SFWMD spent \$255,200 of Beltway Phase II funding on the DOT scrub for fencing, substantial trash clean-up, and security.



A summary of the land purchases, including those acquired with Shingle Creek Phase II beltway funding are summarized in **Table 1** and in **Figure 2**. **The following summarizes the acquisitions.**

- *Babb* – Approximately 125 acres, the Babb site occurs in the Shingle Creek SOR project. The tract largely consists of historical mesic pine flatwoods that have been converted to pasture. Several mature longleaf pine trees (*Pinus palustris*) remain. Shingle Creek bisects the tract, and a large band of cypress-dominated floodplain swamp and freshwater marsh occur along both sides of Shingle Creek. The tract represents a key parcel along Shingle Creek in Osceola County. SFWMD partnered with Osceola County for this purchase, spending \$1,275,000 of Phase II beltway funding. The County received the balance of the \$5.1 million purchase through a partnership with Trust for Public Lands and a Florida Communities Trust (FCT) grant.
- *St. Clair* – Approximately 40 acres, the site is comprised of scrubby/mesic flatwoods and floodplain swamp along Shingle Creek. The site also occurs in the Shingle Creek SOR project. The tract affords protection of the Shingle Creek floodplain and is one of the last remaining examples of scrubby flatwoods in the Shingle Creek basin. The site will also provide increased recreational opportunities. SFWMD, City of Kissimmee and Osceola County partnered for this acquisition, with SFWMD contributing \$783,174 of Phase II beltway funding.
- *Westbrook Hunter's Creek* – Approximately 130.86 acres, the site is comprised of floodplain swamp dominated by cypress (*Taxodium spp.*) and black gum (*Nyssa sylvatica*, var. *biflora*). Also occurring in the Shingle Creek SOR project, the site will protect floodplain and will facilitate land management and access for the Shingle Creek project. The area is bisected by an east-west utility road. SFWMD spent \$340,370 of Phase III beltway funding for this acquisition.
- *Steffee* – Approximately 26.7 acres, the site also occurs in the Shingle Creek SOR project and is comprised of floodplain swamp, hardwood conifer mix, and stream waterway. The acquisition will protect a portion of the Shingle Creek floodplain. SFWMD reimbursed Osceola County for the entire purchase price of \$131,910.50.
- *Ruba* – Approximately 16 acres, the site occurs on the north side of U.S. Hwy 192 just opposite the Steffee tract to the south. Although the site is degraded ecologically, it represents a significant opportunity for ecological restoration, floodplain and corridor protection, and linkage with recreational trails. This site was also co-purchased by SFWMD, the City of Kissimmee and Osceola County through an FCT grant. SFWMD contributed \$500,000 of Phase III beltway funding for this purchase.
- Scheibner and Meaney/Auston – In May and July 2004, SFWMD acquired two tracts totaling approximately 2.5 acres in the abandoned Munger Subdivision project in southern Orange County. The Munger project site is located along the western boundary of the Shingle Creek SOR acquisition area. SFWMD spent \$21,400 of Phase III beltway funding for this acquisition.
- Black – Totalling 533.75 acres, the Ron Black acquisition is located east of the Munger project area. This large tract is comprised of floodplain swamp, wet prairie and mesic pine flatwoods. A north-south utility road bisects the area and serves as a pedestrian and bike trail. SFWMD purchased the Black property in December 1991 for \$1,344,400 with Phase II beltway funding.

## **2. Mitigation Banking**

In fiscal year 2003, SFWMD purchased twenty-five (25) mitigation bank credits from Reedy Creek Mitigation Bank and twenty (20) credits from Florida Mitigation Bank, totaling \$1,595,000 for both.



SFWMD identified these banks because of their service areas, hydrologic basins, and the type and amount of credits available from each bank. As directed by F.S.S. 373.4135, SFWMD supported mitigation banks within watersheds identified in beltway legislation. The purchase of these credits technically offsets the environmental impacts resulting from the Western Beltway's construction.

Likewise, OOCFA purchased nine (9) mitigation bank credits on behalf of SFWMD for \$252,000, as required by its permit. This purchase will be deducted from the \$1.2 million in mitigation funding or land acquisition, owed to SFWMD.

### **3. Restoration and Management**

SFWMD continues ecological restoration through prescribed fire and exotic plant control on Beltway acquired lands in the Shingle Creek and Lake Marion Creek projects. Currently, the financial summary report indicates an available balance in the restoration sub-fund of \$1,226,511.60 on September 30, 2007. Based on the initial available amount of \$6,022,800 received by the SFWMD, with \$4,563,529 allocated to land acquisition and mitigation banking, there was \$1,459,271 provided to restoration. Of this \$22,759.47 has been expended on restoration associated expenses. These include: FY2002 - \$20,544.60 staff expenditures in support of the Shingle Creek project; FY2003 - \$16,513.63 staff expenditures; FY2005 - \$2,600 the Everglades kiosk installation, \$3,016.93 prescribed burn assistance, \$1,680.42 scrub jay survey, \$11,234.10 exotic plant control follow-up, \$1,500 mechanical vegetation control/mowing, \$5,643.29 for consultant fees related to environmental education; FY2006 - \$6,200 law enforcement patrols, \$14,000 vegetation management of the trails and creek shoreline, \$60,000 towards biological surveys (see detail below) and environmental cleanup with \$40,828.36 staff support thereof and, FY2007 - \$2,779.78 for contracted land management support, \$23,775 for exotic control, \$22,222.29 for SFWMD staff costs and \$221.07 for District travel expenses associated with Shingle Creek. The financial summary report indicates that as of September 30, 2007, \$656,527.58 is available as interest on the acquisition and restoration accounts. During FY2004, \$9,900 of this interest was expended on a sand skink survey and \$1,613 on employee training.

Using funds from the Shingle Creek Phases II and III, SFWMD funds a full-time land management position to oversee the daily management responsibilities of the SFWMD's beltway mitigation lands, primarily focusing on the Shingle Creek Management Area (SCMA), but also Lake Marion Creek Management Area (LMCA). SFWMD has also funded biological surveys to assist with land management decisions affecting listed species or ecological restoration.

- Herpetological surveys, SCMA, 2002/04. SFWMD contracted to conduct herpetological surveys within SCMA to establish baseline data prior to a proposed hydrological restoration project, and to gain greater insight into herpetofaunal diversity relative to significant hydrological alterations.
- Vegetation surveys, SCMA, 2003/04. SFWMD contracted to conduct qualitative and quantitative surveys within SCMA to establish baseline vegetative data prior to a hydrological restoration project, and to monitor short- and long-term responses to prescribed fire.
- Florida Scrub-Jay survey, LMCA, 2004 - present. SFWMD hired an environmental consultant to determine the number of Scrub-Jay families in the DOT scrub, along with the approximate size and location of their territories. The study also recommended several burn regimes/scenarios to manage for the long-term success of the on-site Scrub-Jay population.
- Sand skink survey, LMCA, 2004. SFWMD hired an environmental consultant to determine relative densities and extent of sand skink populations within the DOT scrub unit of LMCA and make management recommendations.



#### **4. Environmental Education**

SFWMD continues to maximize opportunities for environmental education on its lands, most recently in SCMA. SFWMD has formed a special relationship with Orange County Public Schools at the Hunter's Creek Middle School (HCMS). Students from HCMS and other nearby schools can use SCMA for appropriate curricula (biology, ecology, chemistry, history) and over time assist SFWMD with long-term management of SCMA (trail development, research, scientific studies, etc.).

#### **5. Public Partnerships**

As demonstrated in its beltway acquisitions, SFWMD frequently avails itself of public partnerships to maximize beltway funding and create more opportunities to acquire land for public benefit. SFWMD will continue to seek and establish public partnerships to acquire, restore, and manage environmental lands identified in the beltway legislation.

#### **6. Future Projects**

SFWMD continues to seek opportunities to acquire and restore land that is consistent with its mission of water resource protection, flood control, and the protection of environmentally sensitive lands. The Shingle Creek, Reedy Creek, and Lake Marion Creek SOR projects are within hydrological basins identified in beltway legislation and remain the best opportunities to address beltway mitigation. SFWMD is currently working with the City of Kissimmee and Osceola County on purchasing the 5.8-acre Yates tract within the Shingle Creek SOR project.

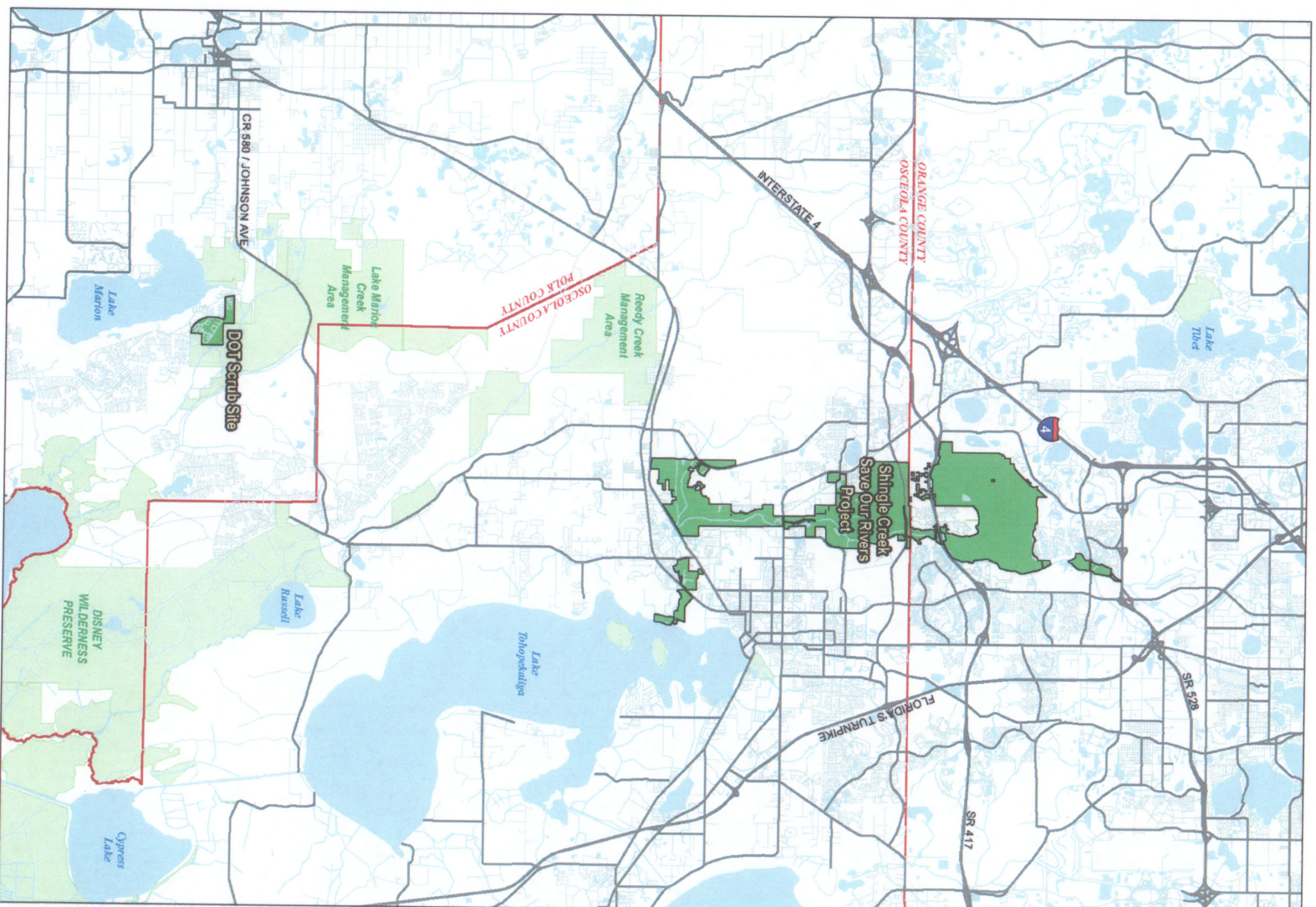


Table 1. Acquisition Summary

Parcel	Approximate Acreage	Habitat Type(s)	Partnership	Restoration Opportunities	Beltway funding/Date
Babb*	125	Mesic flatwoods, pasture, freshwater marsh, floodplain swamp	Osceola Co.	Upland restoration, exotic plant control	\$1,275,000 January 2004
St. Clair*	40	Scrubby/mesic flatwoods, floodplain swamp	Osceola Co.	Prescribed fire, exotic plant control	\$783,000 October 2004
Westbrook Hunter's Creek	131	Floodplain swamp, disturbed land/powerline right-of-way	NA	Hydrologic restoration, exotic plant control	\$342,000 December 2004
Steffee	27	Floodplain swamp, hardwood /conifer mix, river/stream	Osceola Co.	Exotic plant control	\$131,900 October 2004
Ruba	16	Hardwood and conifer mix forest, disturbed land, oak hammock	Osceola Co., City of Kissimmee	Upland restoration, exotic plant control	\$500,000 March 2007
Scheibner and Meany/Auston	2.5	Mesic pine flatwoods, disturbed land	NA	Exotic plant control, prescribed fire	\$21,400 May-July 2004
Black*	533.75	Floodplain swamp, mesic pine flatwoods, disturbed land/powerline right-of-way	NA	Exotic plant control, prescribed fire, supplemental tree plantings	\$1,344,400 Dec '91
<b>Total</b>	<b>875.25</b>				<b>\$4,397,700</b>

\* Expended with Beltway Phase II funds





GLATTING  
JACKSON  
RENCISER  
ANGELIN  
GJM 20208  
July 2007  
Data Sources: FDOT, SPWMD, USGS, USGS

Figure 1  
Location Map



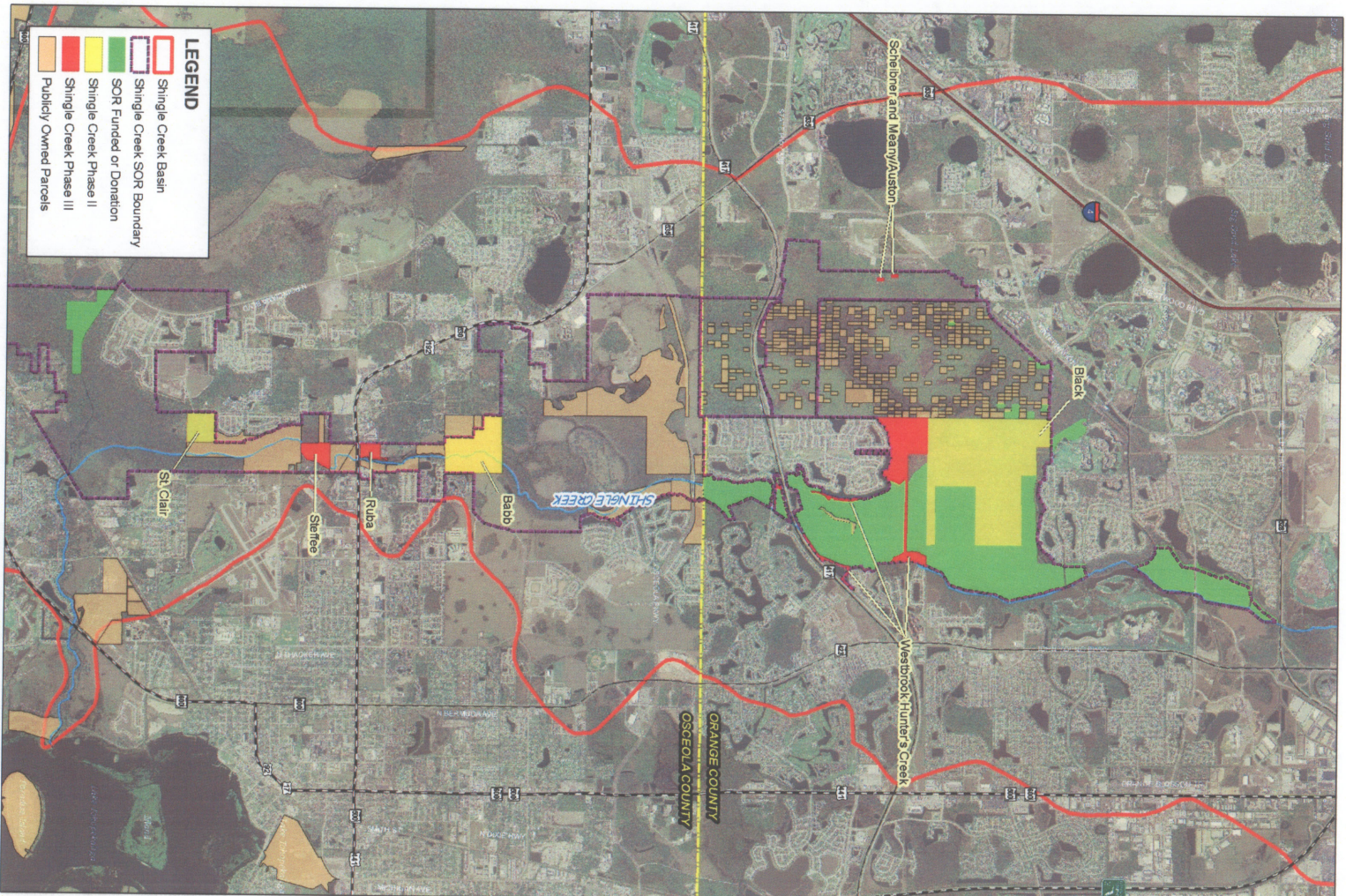


Figure 2  
Shingle Creek Save Our Rivers Project