



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

November 19, 2009

Florida Department of Environmental Protection
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 October 1, 2007 through September 30, 2008. 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.

During this reporting period, the mitigation supported \$176,387.23 in restoration expenditures including exotic control, staff costs, security patrol services, maintenance repair services, monitoring and storage rental. SFWMD will continue to pursue options in accordance with the DEP-approved mitigation plan.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Coughlin".

Steve Coughlin, Director
Land Stewardship Program

SC/mrm
Enclosure

c: Marjorie Moore, SFWMD, w/attachments
Ayounga Riddick, SFWMD, w/attachments
Scott Kamien, PBS & J, w/attachments by e-mail

November 19, 2009

**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 for period October 1, 2008 – September 30, 2009 (FY 2009). 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 was allocated for the purchase of mitigation bank credits 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, 2009, prepared by the District's accounting office, indicates a balance of \$1,936,622.46 available in the Shingle Creek Phase III land acquisition fund. During the period of October 1, 2008 – September 30, 2009, there were no expenditures out of the Shingle Creek Phase III land acquisition account. On May 14, 2009, the SFWMD executed an interlocal agreement with Osceola County and the City of Kissimmee that will provide \$2 million in land acquisition funds within the Shingle Creek project. The agreement extends to May 2011 an existing inter-local agreement that urges Osceola County, the City of Kissimmee and SFWMD to work together on land purchases along the creek.

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.**

2. 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 \$901,937.74 on September 30, 2009. Based on the initial available amount of \$6,022,300 received by the SFWMD, with \$4,563,529 allocated to land acquisition and mitigation banking, there was \$1,459,271 provided to restoration. During FY2009, \$2,873.55 provided miscellaneous supplies in support of the project, \$14,606.47 provided security patrol services, \$10,569 supported storage rental, \$86,237.42 towards exotic control for 600 acres treated, \$11,710 supported maintenance repair services, and \$3,798.72 provided miscellaneous monitoring services. In addition, staff provided vegetation management activities including mowing, trail maintenance, fenceline and fireline preparation, and removal of heavy fuel loads in areas adjacent to residential properties.

Using funds from the Shingle Creek Phase 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). During FY2009, \$46,592.07 supported staff in the Shingle Creek project. The total restoration expenditures were \$176,387.23 and the available balance for future restoration expenditures is \$901,937.74. Interest on the land acquisition and restoration sub-funds can be used towards either land acquisition, restoration or management expenses; as of September 30, 2009 this amount is \$926,081.04.

3. 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.).

4. 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.

5. 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.

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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
Total	875.25				\$4,397,700

* Expended with Beltway Phase II funds

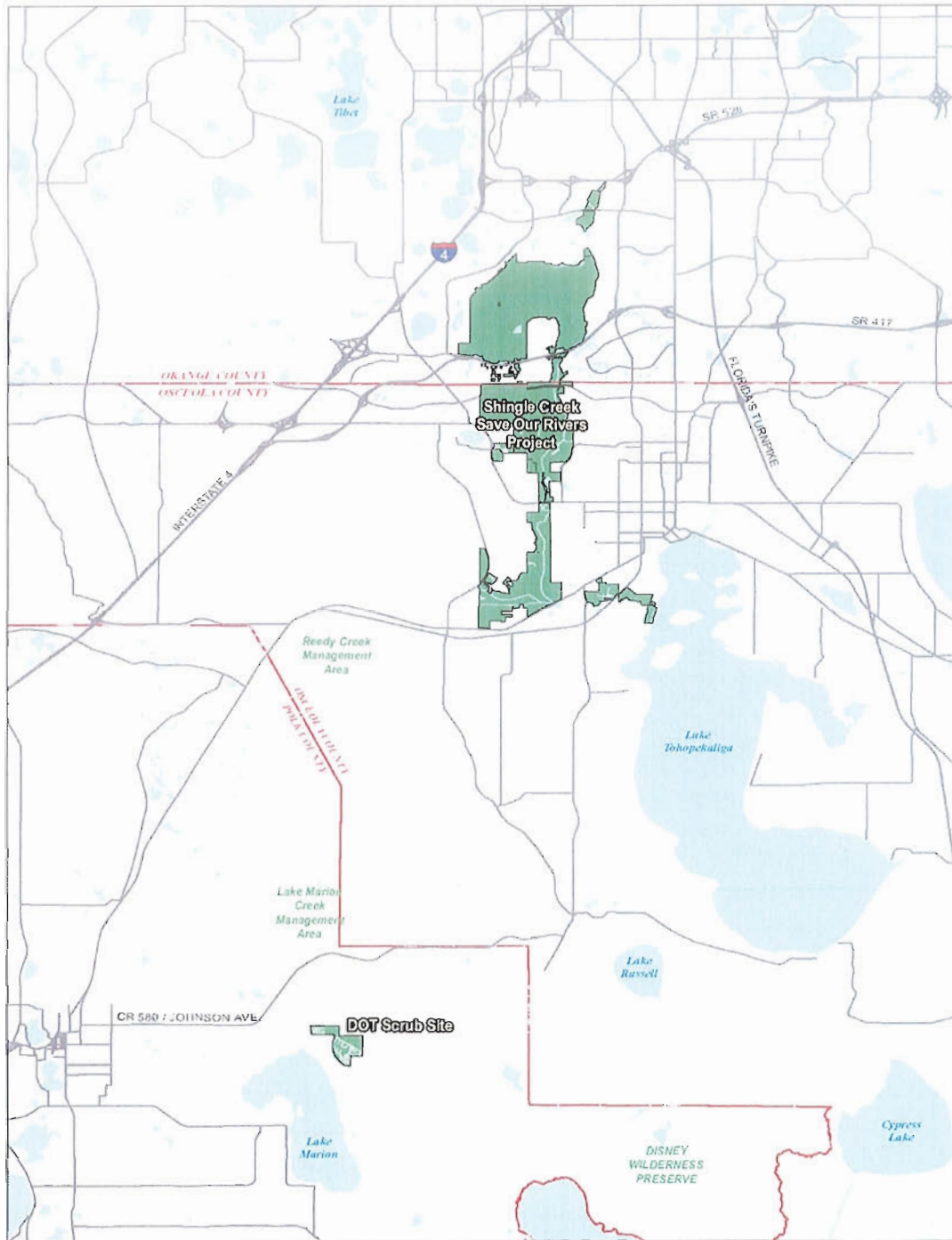


Figure 1
Location Map

