



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 2, 2013

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 October 1, 2007 through September 30, 2013. The funding was generated from environmental impacts associated with the construction of the Western Beltway (Beltway), S.R. 429, Part C, for which SFWMD would receive from the Orlando-Orange County Expressway Authority (OOCEA) approximately \$9.4 million and \$614 thousand for the State Road 417 and FL Turnpike interchange of the Southern Connector project. To date, SFWMD has received approximately \$8.8 million in funding and land from the Turnpike District.

During this reporting period, the mitigation provided over \$163,000 in restoration expenses for exotic control, staff costs, security patrol services, miscellaneous office, tool and equipment supplies, mechanical vegetation control, fence-line and fire-line preparation in support of the Osceola County cooperative agreement in support of land management activities within the project. 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, Section Administrator  
Land Resources Bureau

SC/mm  
Enclosure

c: Marjorie Moore (SFWMD) w/enclosure  
Ayounga Riddick (SFWMD) w/enclosure  
Scott Kamien (Atkins Global) w/enclosure by e-mail

## **Annual Report to the Florida Department of Environmental Protection**

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) resulting from mitigation funding provided through Section 338.250, Florida Statutes, Central Florida Beltway Mitigation for period October 1, 2012 – September 30, 2013 (FY13). The funding was generated from environmental impacts associated with the construction of the Western Beltway (Beltway), S.R. 429, Part C, for which SFWMD was identified to 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 (detailed below, Section 1) from the Turnpike District for impacts associated with this section of the Western Beltway. 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. During FY13, the OOCEA provided \$614,000 to SFWMD for mitigation associated with construction of the State Road 417 and FL Turnpike interchange on the Southern Connector project. The difference between the amount of funding provided by the OOCEA (6.51 acres of impacts X \$136,000 per acre = \$885,360) and the purchase of 4.1 state mitigation bank credits (\$271,360) and .9 functional units of loss for the Corps of Engineers, was provided to the SFWMD (\$614,000) for the restoration of lands in the Shingle Creek, Reedy Creek and Lake Marion Creek Save Our Rivers project areas (**Figure 1**) in accordance with the Governing Board approved conceptual mitigation plan. Funding provided from these projects has been deposited in a SFWMD mitigation account referred to Shingle Creek Phase III.

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 where 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, 2013, prepared by the District's accounting office, indicates a balance of \$1,785,155.28 available in the Shingle Creek Phase III land acquisition fund. During FY13, the SFWMD did not make any land acquisition purchases. The inter-local agreement executed between SFWMD, Osceola County and the City of Kissimmee that facilitates the acquisition of lands in Shingle Creek, expired May 1, 2012. Osceola County is working on a plan to acquire land adjacent to District/County managed conservation properties along Shingle Creek. If and when it appears that acquisition opportunities are available and SFWMD deems these lands a priority for the remaining acquisition funds, the agreement will be amended to allow the contribution of SFWMD mitigation funds in partnership with Osceola County and the City of Kissimmee.

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 provides ecological restoration through a variety of land management activities such as prescribed fire, exotic plant control, and mechanical vegetation control. These activities take place on publicly owned conservation lands within the Shingle Creek, Reedy Creek, and Lake Marion Creek Save Our Rivers project areas. 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 available to fund restoration activities. Currently, the financial summary report indicates an available balance in the restoration sub-fund of 865,520.75 as of September 30, 2013, which reflects the influx of \$614,000 from the OOCEA during FY2013. Interest on the land acquisition and restoration sub-funds can be used towards land acquisition, restoration or management expenses; as of September 30, 2013, the interest amount totaled \$1,134,436.98. During FY13, \$3,602.99 was expended for tools and equipment in support of the project, \$20,915.90 was used to fund contracted environmental law enforcement support by the Florida Fish and Wildlife Conservation Commission, \$100,000 was allocated towards exotic plant control activities, \$14,881.50 was used for vegetation management activities including fenceline and fireline preparation and maintenance, five mowing cycles for trails/roads, and maintenance of seven public use sites in Lake Marion Creek, Reedy Creek and Shingle Creek management areas. The SFWMD provided \$15,967.50 toward the Osceola County cooperative agreement in support of land management activities, and \$8,432.82 was expended for salaries associated with land management activities. In FY13, 600 acres within Shingle Creek and 50 acres with Reedy and Lake Marion Creek management areas were surveyed and spot-treated with ground herbicide application to exotic vegetation, including Old World climbing fern (*Lygodium microphyllum*), Para grass (*Urochloa mutica*), Caesar weed (*Urena lobata*), torpedo grass (*Panicum repens*), Chinese tallow (*Sapium sebifera*), cogon grass (*Imperata cylindrica*), natal grass (*Melinis repens*) and primrose willow (*Ludwigia peruviana*). The total restoration expenditures in FY13 were \$163,800.71.

In FY14, it is anticipated that 800 acres of exotics will be treated, 150 acres of overgrown shrub vegetation in Lake Marion and Reedy Creek management areas will be mechanically treated, two miles of firebreaks will be improved, and 200 acres of fire dependent plant communities will have a prescribed burn.

## **3. Environmental Education**

SFWMD continues to maximize opportunities for environmental education on its lands in the Shingle Creek Management Area. 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 assist SFWMD with management of SCMA (trail development, research, scientific studies, etc.).

## **4. Public Partnerships**

As demonstrated in its beltway acquisitions and the funds provided to Osceola County for management expenses, SFWMD participates in public partnerships to maximize beltway funding opportunities to acquire and manage land for the public benefit. SFWMD will continue to 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.

**Table 1. Acquisition Summary September 30, 2013**

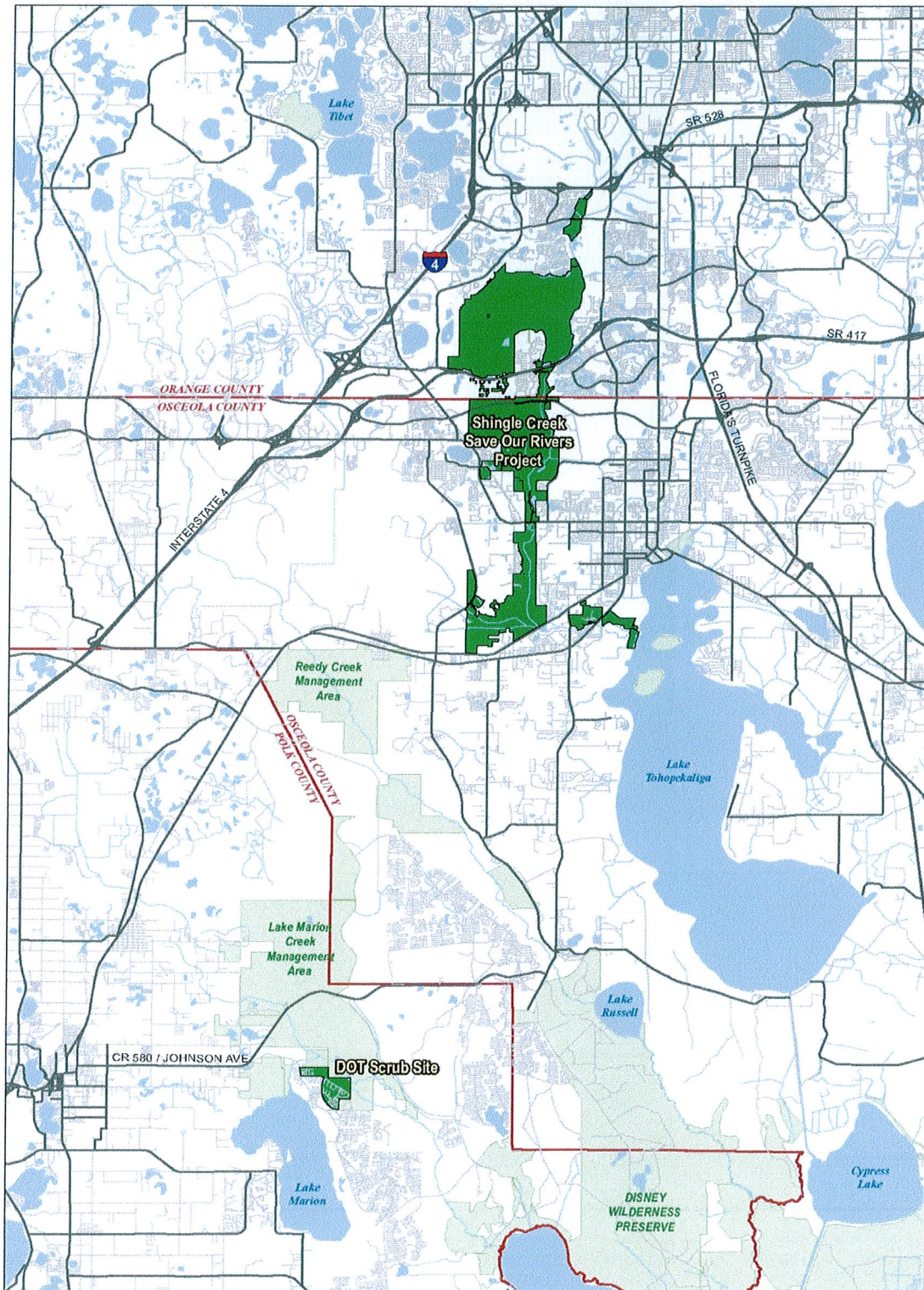
<b>Parcel</b>	<b>Approximate Acreage</b>	<b>Habitat Type(s)</b>	<b>Partnership</b>	<b>Restoration Opportunities</b>	<b>Beltway funding/Date</b>
Babb*	125	Mesic flatwoods, pasture, freshwater marsh, floodplain swamp	Osceola Co.	Upland restoration, exotic plant control	\$1,275,000 January 2004
St. Clair*	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
DOT Avatar scrub site	332	Scrub and basin swamp	NA	Exotic plant control, mechanical vegetation reduction and prescribed fire	Donation by FDOT**
Harbor Oaks	1.6	Floodplain, marina site	Osceola Co., City of Kissimmee	Public use access to Shingle Creek	\$150,000 Dec '11
<b>Total</b>	<b>876.85</b>				<b>\$4,547,700</b>

\* Expended with Beltway Phase II funds

\*\* The SFWMD accepted ownership of the tract valued at \$2,250,000 in 2003, as part of the Western Beltway SR 429, Part C for sand skink and gopher tortoise habitat mitigation.



**Figure 1: Location Map**





**Figure 2: Shingle Creek Project Area and Land Acquisition Map**

