

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 19, 2012
Bulk Item: Yes No

Division: Growth Management
Department: Planning & Environmental Resource
Staff Contact Person: Michael Roberts
(305 289-2502)

AGENDA ITEM WORDING: Discussion and direction regarding the request by the South Florida Water Management District and the Florida Department of Environmental Protection for Monroe County to Sponsor a Regional Offsite Mitigation Area (ROMA) to provide compensatory mitigation for wetland impacts in the Keys.

ITEM BACKGROUND: In the Keys, mitigation for impacts to aquatic resources (including wetlands) associated with single family residential development, including boat docks, seawalls, etc., has most often been provided through an environmental mitigation Trust Fund that was established as a result of a Federal case involving wetland impacts. This Fund is known as the Keys Environmental Restoration Fund (KERF) and payment to KERF by permit applicants has been accepted by the ACOE and the Florida Department of Environmental Protection (DEP) as mitigation for wetland impacts associated with single family residential construction, including docks and seawalls. However, as detailed in the attached backup information, KERF does not currently meet Federal or State requirements for off-site mitigation. As a result, KERF cannot provide mitigation for wetland impacts for projects that require a permit from the South Florida Water Management District (SFWMD), such as commercial projects and those impacting more than 1 acre of wetlands.

Due to changes in State and Federal regulations related to offsite mitigation since KERF began operations, there is concern regarding KERF's future ability to provide a mitigation option to the residents of Monroe County. The ACOE has requested the County to pursue an In-Lieu Fee (ILF) program that meets Federal mitigation requirements, or to assist KERF in gaining compliance with the Federal Rule. In addition to this request, FDEP and the SFWMD have asked the County to evaluate the possibility of acting as a sponsor for a ROMA in accordance with State statutes governing off-site mitigation programs. A ROMA or a mitigation bank are the only mitigation options available under State regulations that allow a permittee to pay a fee rather than provide the mitigation directly through on-site wetland.

For Monroe County property owners to continue to have an option to provide off-site mitigation by paying a fee, Monroe County may need to take action. Potential actions are grouped into 5 basic alternatives: (1) Establish a federal ILF agreement to create and manage our own mitigation program to provide mitigation for only SFR projects that do not require State mitigation (2) Establish a federal ILF agreement and enter into a Memorandum of Agreement with the state to create and manage our own In-Lieu Fee and ROMA program to provide mitigation for all SFR projects; (3) Establish a federal ILF agreement and enter into a Memorandum of Agreement with the state to create and manage our own In-Lieu Fee and ROMA program to provide mitigation for all projects; (4) Enter into a Memorandum of Agreement with the state to create a ROMA and contract with KERF (or possibly another mitigation provider TBD) to accomplish the approved mitigation projects and provide support in the establishment of a Corps permitted In-Lieu Fee program; or (5) Do nothing.

PREVIOUS RELEVANT COMMISSION ACTION:

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATION: Direct staff to prepare RFP/SOQ for Consultant to prepare permit documents and provide mitigation services for wetland restoration and/or enhancement

TOTAL COST: \$170,000 **INDIRECT COST:** \$20,000 **BUDGETED:** Yes No N/A

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes No N/A

AMOUNT PER MONTH: N/A Year

APPROVED BY: County Attorney OMB / Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION: _____ **AGENDA ITEM #** _____

County of Monroe

Growth Management Division

Planning & Environmental Resources
Department

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Board of County Commissioners
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MEMO

December 21, 2011

TO: Board of County Commissioners
Roman Gastesi, County Administrator

THROUGH: Christine Hurley; Growth Management Division Director

FROM: Michael Roberts, Sr. Administrator/Environmental Resources

RE: SUMMARY OF MONROE COUNTY ALTERNATIVES FOR
COMPENSATORY MITIGATION OPTIONS IN THE FLORIDA KEYS

Development activities that result in impacts to wetlands and other surface waters require permits from State and Federal agencies as well as approval from Monroe County. In both the State and Federal permit review process, the applicant must first demonstrate that the proposed wetland impact is unavoidable, and that the impacts proposed have been reduced or minimized to the greatest extent practicable. Once the applicant has demonstrated that the proposed project meets these criteria, then they must compensate for any functional loss of wetland habitat value. This compensation is referred to as wetland mitigation. Wetland mitigation can be provided by the applicant through (1) the restoration or creation of wetlands on the same site as the impact (on-site mitigation), (2) the restoration or creation of wetlands at a location other than the impact site (off-site mitigation), or (3) through the purchase of credits through a permitted wetland mitigation bank, Regional Offsite Mitigation Area (ROMA) or In-Lieu Fee program.

In the Keys, mitigation for impacts to aquatic resources (including wetlands) associated with single family residential development, including boat docks, seawalls, etc., has most often been provided through a slightly different approach than those listed above. In 1981 an environmental mitigation Trust Fund was established as a result of a Federal case involving wetland impacts. The Fund is administered by the Audubon Society and overseen by the U.S. Army Corps of Engineers (ACOE). This Fund eventually became known as the Keys Environmental Restoration Fund (KERF) and payment to KERF by permit applicants has been accepted by the ACOE and the Florida Department of Environmental Protection (DEP) as

mitigation for wetland impacts associated with single family residential construction, including docks and seawalls (like an In-Lieu Fee program). Due to a wide array of issues associated with on-site mitigation, most property owners in the Keys opt to pay into the Fund as mitigation for impacts to wetlands and other surface waters.

It is important to note that the South Florida Water Management District does NOT accept payment into the fund as mitigation. However, SFWMD regulates commercial and multi-family development – not single family homes. While commercial and other non-residential development projects may also use KERF to mitigate for Federally regulated impacts, if the project requires permitting through SFWMD the applicants must provide permittee responsible mitigation. Permittee responsible mitigation means mitigation that is provided directly by the permittee through wetland restoration, enhancement or creation.

Due to a lack of success in the small scale mitigation projects generally undertaken for on-site mitigation, the U.S. Army Corps of Engineers and the Environmental Protection Agency issued regulations governing compensatory mitigation in 2008 (Federal Mitigation Rule) that established a preference for mitigation banks and provided performance standards for all types of mitigation. The Federal rule required that mitigation banks and In-Lieu Fee programs meet a specific set of performance criteria in order to continue to sell credits. KERF was informed by the ACOE that they do not meet the minimum criteria contained in the Rule and they must meet the standards provided in the rule by June of 2013 in order to continue to provide mitigation for single family residential development and other development in conjunction with ACOE dredge and fill permits. FDEP and the SFWMD have also stated that KERF must come into compliance with State requirements regulating a ROMA in order to continue to provide mitigation.

At this time County staff does not have a clear picture of exactly how far along KERF is in being able to comply with the Federal ILF rule or the State of Florida ROMA regulations. Correspondence provided by the Florida Department of Environmental Protection states in part:

“The current agreement between Florida Audubon Society and the COE does not meet the requirements of 373.4135, F.S. The proposed “Responsibility for Mitigation Funded Restoration Projects” provides additional information, but is not sufficient to proceed with securing a sponsor. In particular, the proposal does not include an overall plan of proposed mitigation sites with ecological characterization, description, assessments of current and proposed conditions using Uniform Mitigation Assessment Method (UMAM), quantification of ecological improvement, success criteria and timeframe in which they would be met, along with management plans for each of those mitigation sites. Once this information is clear, then the issues of obtaining permits and other authorizations, full cost accounting, acquisition and preservation, monitoring, responsible entity, and other requirements will need to be addressed for each of the mitigation sites or the overall plan (if the mitigation projects are relatively homogeneous in nature)”.

Due to the uncertainty of KERF's future ability to provide a mitigation option to the residents of Monroe County, the U.S. Army Corps of Engineers has requested the County to pursue an In-Lieu Fee program of their own, or to assist KERF in gaining compliance with the Federal Rule.

In addition to this request, FDEP and the SFWMD have asked the County to evaluate the possibility of acting as a sponsor for a ROMA in accordance with State statutes governing off-site mitigation programs. A ROMA or a mitigation bank are the only mitigation options available under State regulations that allow a permittee to pay a fee rather than provide the mitigation independently.

Monroe County staff has met with the USACOE, FDEP and SFWMD to discuss the possibility of acting as sponsor for the State permit (ROMA) and assisting KERF in pursuit of Federal approval. In addition, the County has met with representatives of KERF to initiate conversation on how the County and KERF might work together to assure that our property owners have options available for wetland mitigation.

For Monroe County property owners to continue to have an option to provide off-site mitigation by paying a fee, Monroe County may need to take action. Potential actions are grouped into 5 basic alternatives: (1) Establish a federal ILF agreement to create and manage our own mitigation program to provide mitigation for only SFR projects that do not require State mitigation (2) Establish a federal ILF agreement **and** enter into a Memorandum of Agreement with the state to create and manage our own In-Lieu Fee and ROMA program to provide mitigation for all **SFR** projects; (3) Establish a federal ILF agreement and enter into a Memorandum of Agreement with the state to create and manage our own In-Lieu Fee and ROMA program to provide mitigation for all projects; (4) Enter into a Memorandum of Agreement with the state to create a ROMA and contract with KERF (or possibly another mitigation provider TBD) to accomplish the approved mitigation projects and provide support in the establishment of a Corps permitted In-Lieu Fee program; or (5) Do nothing.

Alternative 1 – County as Mitigation Provider for Single Family Residential projects for which the ACOE requires mitigation, but that are exempt from State mitigation requirements

- File prospectus with U.S. Army Corps of Engineers and the Interagency Review Team (IRT) to create and operate an In-Lieu Fee (ILF) program in accordance with the Federal mitigation rule.

Requirements for Mitigation Bank and In-Lieu Fee Program Instruments

Mitigation bank and in-lieu fee program instruments must include the following information:

1. Description of the proposed service area(s) in this case the Florida Keys
2. Accounting procedures
3. Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor
4. Default and closure provisions

5. Reporting protocols
6. Any other information deemed necessary by the district engineer

For an in-lieu fee program, a complete instrument must also include the following information:

1. Compensation planning framework (33 CFR 332.8(c)/40 CFR 230.98(c));
2. Specification of the amount of advance credits (33 CFR 332.8(n)/40 CFR 230.98(n)) and the fee schedule for these credits;
3. Methodology for determining future project-specific credits and fees;
4. Description of the in-lieu fee program account (33 CFR 332.8(i)/40 CFR 230.98(i)).

Costs for Alternative 1 are estimated at \$35,150

A brief summary of the advantages and disadvantages of this alternative is provided below:

Advantages

- Allows Monroe County to control the mitigation program and not rely on the performance (either technical or financial) of a 3rd party provider (such as KERF or other mitigation contractor)
- Eliminates the potential for having to advertise for a mitigation provider
- Monroe County *could* contract with a qualified 3rd party provider as mitigation contractor to implement some or all of the approved mitigation activities and monitoring requirements at any time during the life of the ILF program.
- Eliminates the need to Sponsor a ROMA but still provides a mitigation option for those property owners that only require ACOE permits (typically docks/seawalls on canals and IS lots that contain wetlands that are regulated by the ACOE but not by the State).

Disadvantages

- Will require significant Monroe County staff resources to complete the Prospectus and In-Lieu Fee Instrument
- Requires the County to be responsible for the implementation and long term (in perpetuity) success of the mitigation areas
- Requires staff resources to locate, design and permit the appropriate mitigation areas

Alternative 2 – County as Mitigation Provider for Single Family Residential projects that require mitigation from ACOE and FDEP¹

- File application with the State to create & operate a Regional Off-site Mitigation Area (ROMA) and prepare a MOA in accordance with State statutes (373.4135, F.S.). At a minimum, the memorandum of agreement must address the following for each project authorized:
 1. A description of the work that will be conducted on the site and a timeline for completion of such work.
 2. A timeline for obtaining any required environmental resource permit.
 3. The environmental success criteria that the project must achieve.
 4. The monitoring and long-term management requirements that must be undertaken for the project.
 5. An assessment of the project in accordance with s. 373.4136(4)(a)-(i), until the adoption of the uniform wetland mitigation assessment method pursuant to s. 373.414(18).
 6. A designation of the entity responsible for the successful completion of the mitigation work.
 7. A definition of the geographic area where the project may be used as mitigation established using the criteria of s. 373.4136(6).
 8. Provision and a timetable for the acquisition of any lands necessary for the project.
 9. Provision for preservation of the site.
 10. Provision for application of all moneys received solely to the project for which they were collected.
 11. Provision for termination of the agreement and cessation of use of the project as mitigation if any material contingency of the agreement has failed to occur.
 12. Provision in the agreement for additional projects to be added and evaluated as they are identified.
- File prospectus with U.S. Army Corps of Engineers and the Interagency Review Team (IRT) to create and operate an In-Lieu Fee (ILF) program in accordance with the Federal mitigation rule.

Requirements for Mitigation Bank and In-Lieu Fee Program Instruments

Mitigation bank and in-lieu fee program instruments must include the following information:

1. Description of the proposed service area(s) in this case the Florida Keys
2. Accounting procedures
3. Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor
4. Default and closure provisions

¹ ROMA instruments must ensure that mitigation costs provide for the full cost accounting of the project, including the project activities, land costs, and administration. **However, ROMAs designated for mitigation use by private, single-family residential construction (not incorporated residential development) only, the full cost accounting provision is not required.** In either case, moneys received for a ROMA project may only be used for that project, and no other purpose.

5. Reporting protocols
6. Any other information deemed necessary by the district engineer

For an in-lieu fee program, a complete instrument must also include the following information:

1. Compensation planning framework (33 CFR 332.8(c)/40 CFR 230.98(c));
2. Specification of the amount of advance credits (33 CFR 332.8(n)/40 CFR 230.98(n)) and the fee schedule for these credits;
3. Methodology for determining future project-specific credits and fees;
4. Description of the in-lieu fee program account (33 CFR 332.8(i)/40 CFR 230.98(i)).

Costs for Alternative 2 are estimated at \$45,527

A brief summary of the advantages and disadvantages of this alternative is provided below:

Advantages

- Allows Monroe County to control the mitigation program and not rely on the performance (either technical or financial) of a 3rd party provider (such as KERF or other mitigation contractor)
- Eliminates the potential for having to advertise for a mitigation provider
- Monroe County *could* contract with a qualified 3rd party provider as mitigation contractor to implement some or all of the approved mitigation activities and monitoring requirements at any time during the life of the MOA
- Monroe County could exercise the option in 373.4135(7) and limit the mitigation to single family residences. This would limit the potential for the mitigation program to be perceived by the public as a service to the development community rather than a needed alternative for our community

Disadvantages

- Will require substantial Monroe County staff resources to complete the MOA, Prospectus and applicable Environmental Resource Permits, may require additional staffing
- Requires the County to be responsible for the implementation and long term (in perpetuity) success of the mitigation areas
- Requires staff resources to locate, design and permit the appropriate mitigation areas

Alternative 3 – County as Mitigation Provider for SFR & Commercial projects that require mitigation from ACOE, FDEP and/or SFWMD

- File application with the State to create & operate a Regional Off-site Mitigation Area (ROMA) and prepare a MOA in accordance with State statutes (373.4135, F.S.). At a minimum, the memorandum of agreement must address the following for each project authorized:

1. A description of the work that will be conducted on the site and a timeline for completion of such work.
 2. A timeline for obtaining any required environmental resource permit.
 3. The environmental success criteria that the project must achieve.
 4. The monitoring and long-term management requirements that must be undertaken for the project.
 5. An assessment of the project in accordance with s. 373.4136(4)(a)-(i), until the adoption of the uniform wetland mitigation assessment method pursuant to s. 373.414(18).
 6. A designation of the entity responsible for the successful completion of the mitigation work.
 7. A definition of the geographic area where the project may be used as mitigation established using the criteria of s. 373.4136(6).
 8. Full cost accounting of the project, including annual review and adjustment.
 9. Provision and a timetable for the acquisition of any lands necessary for the project.
 10. Provision for preservation of the site.
 11. Provision for application of all moneys received solely to the project for which they were collected.
 12. Provision for termination of the agreement and cessation of use of the project as mitigation if any material contingency of the agreement has failed to occur.
 13. Provision in the agreement for additional projects to be added and evaluated as they are identified.
- File prospectus with U.S. Army Corps of Engineers and the Interagency Review Team (IRT) to create and operate an In-Lieu Fee (ILF) program in accordance with the Federal mitigation rule.

Requirements for Mitigation Bank and In-Lieu Fee Program Instruments

Mitigation bank and in-lieu fee program instruments must include the following information:

1. Description of the proposed service area(s) in this case the Florida Keys
2. Accounting procedures
3. Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor
4. Default and closure provisions
5. Reporting protocols
6. Any other information deemed necessary by the district engineer

For an in-lieu fee program, a complete instrument must also include the following information:

1. Compensation planning framework (33 CFR 332.8(c)/40 CFR 230.98(c));
2. Specification of the amount of advance credits (33 CFR 332.8(n)/40 CFR 230.98(n)) and the fee schedule for these credits;
3. Methodology for determining future project-specific credits and fees;
4. Description of the in-lieu fee program account (33 CFR 332.8(i)/40 CFR 230.98(i)).

Costs for Alternative 3 are estimated at \$51,155

A brief summary of the advantages and disadvantages of this alternative is provided below:

Advantages

- Allows Monroe County to control the mitigation program and not rely on the performance (either technical or financial) of a 3rd party provider (such as KERF or other mitigation contractor)
- Eliminates the potential for having to advertise for a mitigation provider
- Monroe County *could* contract with a qualified 3rd party provider as mitigation contractor to implement some or all of the approved mitigation activities and monitoring requirements at any time during the life of the MOA
- Monroe County could exercise the option in 373.4135(7) and limit the mitigation to single family residences. This would limit the potential for the ROMA to be perceived by the public as a service to the development community rather than a needed alternative for our community

Disadvantages

- Will require substantial Monroe County staff resources to complete the MOA, Prospectus and applicable Environmental Resource Permits, possibly requiring additional staffing
- Requires the County to be responsible for the implementation and long term (in perpetuity) success of the mitigation areas
- Requires staff resources to locate, design and permit the appropriate mitigation areas

Alternative 4 – County’s MOA and ILF includes a 3rd Party Mitigation Provider (KERF or other TBD)

The county would file an application with the State to create & operate a Regional Off-site Mitigation Area (**ROMA**) and prepare a MOA in accordance with State statutes (373.4135, F.S.), specifying in that application that Keys Environmental Restoration Fund (KERF) would be establishing, implementing, and monitoring the mitigation areas, and would be responsible for meeting both the state and federal requirements of full cost accounting and other technical documentation requirements

This alternative will require the development of a detailed memorandum of understanding (or contract) between Monroe County and the ultimate 3rd party provider (with KERF as the mitigation contractor) that stipulates the performance criteria that we will require of the provider as well as the criteria spelled out in the rules referred to above.

Costs for Alternative 4 are estimated at \$170,198

Advantages

- If we are able to Sponsor KERF and reach agreement on performance criteria, this alternative has the best chance meeting the Federal deadline of June 2013 and not leaving a window of time when off site mitigation is not available in Monroe County
- KERF has a proven track record in providing the required services as well as the relationships with land managers throughout the Keys to identify potential mitigation projects
- Limits the amount of Monroe County staff resources required to oversight and management rather than the technical involvement required in other alternatives.

Disadvantages

- Leaves Monroe County vulnerable to lack of performance by the selected Contractor and the subsequent liability of the permit conditions
- Potential liability for long term maintenance of mitigation areas which may not have adequate maintenance funding
- If we do not advertise, potential repercussions from other mitigation providers

NOTE: Purchasing procedures need to be evaluated to determine whether an RFP/RFQ is required for 3rd party contractor or if the County can sole-source with KERF as the mitigation provider.

Alternative 5 – Take no County Action

This alternative is simply the County not getting involved in the provision of wetland mitigation. KERF would need to meet the Federal requirements for an ILF by June 2013 or cease to provide mitigation for Federally regulated impacts.

In addition, KERF would need to find another governmental entity to serve as Sponsor and would need meet State's requirements for a ROMA without the assistance or input of Monroe County.

Advantages

- No requirement for staff resources
- Monroe County assumes no liability for any mitigation project or oversight

Disadvantages

- If KERF does not find a sponsor and is not able to achieve compliance with Federal regulations, residents of Monroe County will not have an off-site mitigation alternative available after June 2013
- Without off-site mitigation, most homeowners will not be able to meet mitigation requirements for docks or single family residences that impact wetlands

County of Monroe

Growth Management Division

Department of Environmental Resources

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Board of County Commissioners

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 Mayor Pro Tem Kim Wigington, Dist. 1
 Heather Carruthers, Dist. 3
 George Neugent, Dist. 2
 Sylvia J. Murphy, Dist. 5

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Table 2. Comparison of Mitigation Alternatives Services & Costs

Alternative	<i>Provides SFR Mitigation (ACOE only)</i>	<i>Provides SFR Mitigation (ACOE/FDEP)</i>	<i>Provides SFR & Commercial Mitigation (ACOE/FDEP/SFWMD)</i>	<i>Approximate Start-Up Costs</i>	<i>Approximate 1st Year Operating Costs</i>	<i>1st Year Total Costs</i>	<i>Annual Costs (administration)**</i>	<i>BOCC Direction (1/19/2012)</i>
1 County Operation of In lieu Fee (ILF) Program Only	Yes	No	No	\$ 35,150.00	\$ 98,600.00	\$ 133,750.00	\$ 98,600.00	
2 County Operation of a ROMA & ILF for SFR Only	Yes	Yes	No	\$ 45,527.00	\$ 98,600.00	\$ 144,127.00	\$ 98,600.00	
3 County Operation of full scale ROMA/ILF	Yes	Yes	Yes	\$ 51,155.00	\$ 98,600.00	\$ 149,755.00	\$ 98,600.00	
4 County Contract w 3rd Party for ROMA/ILF *	Yes	Yes	Yes	\$ 170,198.00	\$ 10,000.00	\$ 180,198.00	\$ 10,000.00	
5 No Action **	No	No	No	\$ -	\$ -	\$ -	\$ -	

* Either with Keys Environmental Restoration Fund (KERF) or through RFQ

** Presumes that KERF is unable to achieve compliance with Federal Mitigation Rule & there is no Sponsor for a ROMA

*** Administration Costs are recoverable through mitigation fees

Alternative 1 – County as Mitigation Provider for Single Family Residential projects for which the ACOE requires mitigation, but that are exempt from State mitigation requirements

	Christine Hurley	Mike Roberts	Bryan Davison	NEW Sr. Bio	NEW Admin
Description of the proposed service area(s) in this case the Florida Keys		20	80	40	8
Accounting procedures		12			4
Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor	4				2
Default and closure provisions		8		8	2
Reporting protocols		2		8	
Any other information deemed necessary by the district engineer		80		120	16
Compensation planning framework		20		40	
Specification of the amount of advance credits and the fee schedule for these credits;		16		40	
Methodology for determining future project-specific credits and fees;		20		20	
Description of the in-lieu fee program account		8			
IRT/ACOE Coordination & Revisions		80		200	
Administrative Review, QA/QC	10	40			20
	14	306	80	476	52
	\$ 1,108.97	\$ 13,745.21	\$ 2,810.64	\$ 16,043.58	\$ 1,450.72
					\$ 35,159.12
					928

Alternative 2 – County as Mitigation Provider for Single Family Residential projects that require mitigation from ACOE and FDEP mitigation requirements

	Christine Hurley	Mike Roberts	Bryan Davisson	NEW Sr. Bio	NEW Admin
Description of the proposed service area(s) in this case the Florida Keys		20	80	40	8
Accounting procedures		12			4
Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor	2				2
Default and closure provisions		8		8	2
Reporting protocols		2		8	
Any other information deemed necessary by the district engineer		20		40	16
Compensation planning framework		4		12	
Specification of the amount of advance credits and the fee schedule for these credits;		4		12	
Methodology for determining future project-specific credits and fees;		8		40	
Description of the in-lieu fee program account		8			
A description of the work that will be conducted on the site and a timeline for completion of such work.		40		40	
A timeline for obtaining any required environmental resource permit.	10				20
The environmental success criteria that the project must achieve.		8		20	

Alternative 3 – County as Mitigation Provider for SFR & Commercial projects that require mitigation from ACOE, FDEP and/or SFWMD

	Christine Hurley	Mike Roberts	Bryan Davison	NEW Sr. Bio	NEW Admin
Description of the proposed service area(s) in this case the Florida Keys		30	80	40	8
Accounting procedures		16			4
Provision stating that legal responsibility for providing mitigation lies with the sponsor once a permittee secures credits from the sponsor	2		8		2
Default and closure provisions		8		8	2
Reporting protocols		2		8	
Any other information deemed necessary by the district engineer		40		60	16
Compensation planning framework		4		12	
Specification of the amount of advance credits and the fee schedule for these credits;		4		12	
Methodology for determining future project-specific credits and fees;		8		40	
Description of the in-lieu fee program account		8			
A description of the work that will be conducted on the site and a timeline for completion of such work.		40		40	
A timeline for obtaining any required environmental resource permit.	10				20

The environmental success criteria that the project must achieve.			8			20	
The monitoring and long-term management requirements that must be undertaken for the project.			8			20	
UMAM assessment			60			160	
A designation of the entity responsible for the successful completion of the mitigation work.	2		8			8	
Provision and a timetable for the acquisition of any lands necessary for the project.			12			40	
Provision for preservation of the site.							
Provision for application of all moneys received solely to the project for which they were collected.							
Provision for termination of the agreement and cessation of use of the project as mitigation if any material contingency of the agreement has failed to occur.	2		8			12	16
Provision in the agreement for additional projects to be added and evaluated as they are identified.							
SFWMD/IRT Coordination & Revisions	20		120			200	
Administrative Review, QA/QC	10		40				20
	46	424	88	680	88	1326	
	\$ 3,643.75	\$ 19,045.66	\$ 3,091.70	\$ 22,919.40	\$ 2,455.07	\$ 51,155.58	

