Challenges in Permitting Saltmarsh Mitigation Banks in Florida

July 20, 2016
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Role of Mitigation Banks in Environmental Permitting

• Authorized by §§ 373.4135 and 373.436, Fla. Stat.
• Permitting criteria at Chapter 62-342, Fla. Admin. Code
• Preferred mitigation alternative for § 404 program
• Most convenient/reliable mitigation alternative for permittees
Challenges Unique to Saltmarsh Mitigation

- Land Values
- Mitigation Service Area Designation
- Sovereign Submerged Land Issues
NORTH FLORIDA SALTMARSH MITIGATION BANK

• Permitted by SJRWMD and Corps (2013)
• 93.2 acre site
• 47.76 UMAM credits – Salt Marsh
• Initial credit release (7.16 credits) January, 2014
(2) A Mitigation Service Area may be larger than the regional watershed if the Mitigation Bank provides exceptional ecological value such that adverse impacts to wetlands outside the regional watershed could reasonably be expected to be adequately offset by the Mitigation Bank because of local ecological or hydrological conditions. A Mitigation Service Area may be smaller than a regional watershed, if adverse impacts throughout the regional watershed cannot reasonably be expected to be offset by the Mitigation Bank because of local ecological or hydrological conditions.
FLORIDA GULF COAST MITIGATION BANK

• Permitted by FDEP (2015) and Corps (2016)
• 1,588 acre site
• 76.70 total UMAM credits
  • 34.81 tidal marsh
  • 2.59 freshwater depression marsh
  • 39.30 freshwater forested wetland
• No credits released yet
Determining Bank Size for Permitting

Sovereign Submerged Lands Issues

• Boundaries of Property – 3,700 acres
• 1998 FDEP Map/Survey – 1,709 acres
• 2014 Negotiated Acreage for Permitting – 1,588 acres
Thank You
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