

Facilities Operations, Maintenance and Planning
Ana Rijo-Conde, Interim Assistant Superintendent

SUBJECT: AUTHORIZATION TO ENTER INTO AN ALTERNATE WETLAND MITIGATION PLAN TO COMPENSATE FOR THE LOSS OF WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF ERNEST R GRAHAM ELEMENTARY SCHOOL, LOCATED AT 7330 W. 32ND AVENUE, BY PURCHASING MITIGATION CREDITS FROM THE FLORIDA POWER AND LIGHT COMPANY EVERGLADES MITIGATION BANK AND THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE HOLE-IN-THE-DONUT WETLAND RESTORATION AND MITIGATION PROGRAM AT EVERGLADES NATIONAL PARK

COMMITTEE: FACILITIES MANAGEMENT

The School Board, at its meeting of June 23, 1999, authorized the execution of a Deed of Conservation Easement for a portion of the Ernest R Graham Elementary School site in favor of the South Florida Water Management District (SFWMD), as compensation for the loss of approximately 1.86 acres of wetlands associated with the construction of Ernest R Graham Elementary School (School). The District was to maintain the area in perpetuity, at its sole cost, and was restricted from future site expansion into the area.

As a result of a recent inspection of the mitigation area by representatives of MACTEC (the District's environmental consultants), the Miami-Dade County Department of Environmental Resource Management (DERM) and SFWMD, it has been determined that the on-site mitigation area has failed due to poor hydrology, the presence of exotics and infestation by insect pests. MACTEC has concluded, and both DERM and SFWMD agree, that any attempt to restore the area would be cost prohibitive, maintenance intensive and lead to further delay in the District meeting its permit conditions (which could trigger issuance of a Notice of Violation by DERM).

In lieu of attempting to revitalize the on-site conservation easement area, and in order to provide land for future expansion of the School, District staff has tentatively negotiated an alternative wetland mitigation proposal with DERM, subject to Board approval, to purchase off-site mitigation credits from the Florida Power and Light Company (FPL) Everglades Mitigation Bank and the United States Department of the Interior for the Hole-In-The-Donut Wetland Restoration and Mitigation Program at Everglades National Park. Based on an established formula, the SFWMD calculated the requisite mitigation credit to be 3.72 acres from the Hole-In-The-Donut Mitigation Bank and 1.02 acres from the FPL Mitigation Bank.

FPL has agreed to allocate approximately 1.02 Freshwater Forested Mitigation credits to the District for a total of \$45,900. The United States Department of the Interior has issued a letter of intent to sell the District 3.72 wetland mitigation credits at a cost of \$19,804 per credit, amounting to \$73,656. The total cost to purchase wetland mitigation credits would, therefore, equal \$119,556. Funding is available from the capital outlay budget.

At such time as the District purchases the aforementioned wetland mitigation credits, all other obligations or commitments in this regard shall be terminated, including the release of record of the Deed of Conservation Easement dated July 7, 1999, in favor of SFWMD.

The FPL Mitigation Credit Purchase and Sale Agreement will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management prior to its execution.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida authorize the Superintendent or his designee to enter into an alternate wetland mitigation plan for Ernest R Graham Elementary School by:

1. executing a Mitigation Credit Purchase and Sale Agreement with Florida Power and Light Company in the amount of \$45,900 for 1.02 mitigation credits; and
2. purchasing 3.72 wetland mitigation credits from the United States Department of the Interior for the Hole-In-The-Donut Wetland Restoration and Mitigation Program at Everglades National Park in the amount of \$73,656, for a total wetland mitigation cost of \$119,556.

VGv:scj