

Memorandum



Date: May 19, 2022

Agenda Item No. 2(B)(11)

July 7, 2022

To: Honorable Chairman Jose, "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Status Report Related to the Establishment of a Wetlands Mitigation Bank by Miami-Dade County - Directive No. 220286

On November 2, 2021, the Board of County Commissioners (Board) approved Resolution No. R-1051-21, sponsored by Chairman Diaz, directing the County Mayor or County Mayor's designee to take action related to the establishment of a wetlands mitigation bank by Miami-Dade County, requiring the County Mayor or County Mayor's designee to apply for a Mitigation Bank Conceptual Permit and explore other options to make mitigation credits available within Miami-Dade County. A preliminary report on the establishment of a mitigation bank and detailing the available mitigation alternatives was submitted and accepted by the Board on the March 1, 2022 Board meeting agenda as File No. 220246.

This report was prepared by staff of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM) and responds to Section 3 of Resolution No. R-1051-21, requiring regular written status reports to the Board as to the progress.

In accordance with this directive, DERM has submitted the attached Equitable Distribution Program (EDP) Request Form to the Miami-Dade County Internal Services Department for Biological and Engineering Services. Through this process, Miami-Dade County can select a consulting firm experienced with filing mitigation bank permit applications, able to assist with preparation of a mitigation bank permit application in a form that is acceptable to the state and federal governments, and would be able to anticipate and respond to any questions or requests for additional information from Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers (USACE) or the Interagency Review Team during the permitting process. The selected consultant will assist with multiple tasks to obtain a banking permit and explore mitigation bank operation and management options once the state and federal banking permits are obtained.

As summarized in the preliminary report, it is anticipated that significant funding will be required for the establishment of a wetlands mitigation bank. DERM has estimated the cost to be approximately \$500,000.00 for the selection of a consultant to secure the state and federal mitigation banking permits as outlined in the EDP Request Form. There are currently no funds allocated for this directive. DERM is seeking the required monies of \$500,000.00 during the County's next budget cycle (FY 22-23) to hire a consultant after the funding is approved and available, no earlier than October 1, 2022, unless an alternative funding source is identified.

Since Resolution No. R-1051-21 was approved, DERM has spoken to representatives of the USACE, FDEP and Everglades National Park regarding the mitigation banking application process. In addition, DERM has met with consulting firms and representatives of existing mitigation banks to discuss their experience in applying for and obtaining mitigation banking permits. These conversations have been very helpful in understanding the process and time needed to establish a mitigation bank.

In accordance with Ordinance No. 14-65, this report will be placed on the next available Board meeting agenda. If additional information is needed, please contact Rashid Z. Istambouli, P.E., Interim Assistant Director, Division of Environmental Resources Management in the Department of Regulatory and Economic Resources, at Rashid.Istambouli@miamidade.gov.

Attachment

c: Geri Bonzon-Keenan, County Attorney
 Gerald Sanchez, First Assistant County Attorney
 Jess McCarty, Executive Assistant County Attorney
 Office of the Mayor Senior Staff
 Lourdes M. Gomez, Director, Department of Regulatory and Economic Resources
 Lee N. Hefty, Environmental Policy Advisor, Department of Regulatory and Economic Resources
 Rashid Z. Istambouli, P.E., Interim Assistant Director, Department of Regulatory and Economic Resources
 Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
 Yinka Majekodunmi, Commission Auditor
 Basia Pruna, Director, Clerk of the Board
 Eugene Love, Agenda Coordinator