



Reflections on Public Mitigation Banking: St. Petersburg's Experience with the North Shore Seagrass Mitigation Bank

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The viewpoints expressed herein are solely the presenter's opinions and are not those of the City of St. Petersburg.

Photo Credit: The Nature Conservancy

Presentation Outline

- Seagrass Overview
- Trends in Seagrass Coverage in Tampa Bay
- St. Petersburg's North Shore Seagrass Mitigation Bank (SGMB)
 - Where is it?
 - How was the site selected?
- Permitting Update
- What makes a “public” bank different?
- Case Study: Charlotte – Mecklenburg Co.

Seagrass Overview

Seagrasses are a vital marine resource, functioning in:

- Nursery and habitat for fish and benthic organisms
- Structural support for algae
- Food web
- Sediment stabilization
- Nutrient cycling
- Water quality integration



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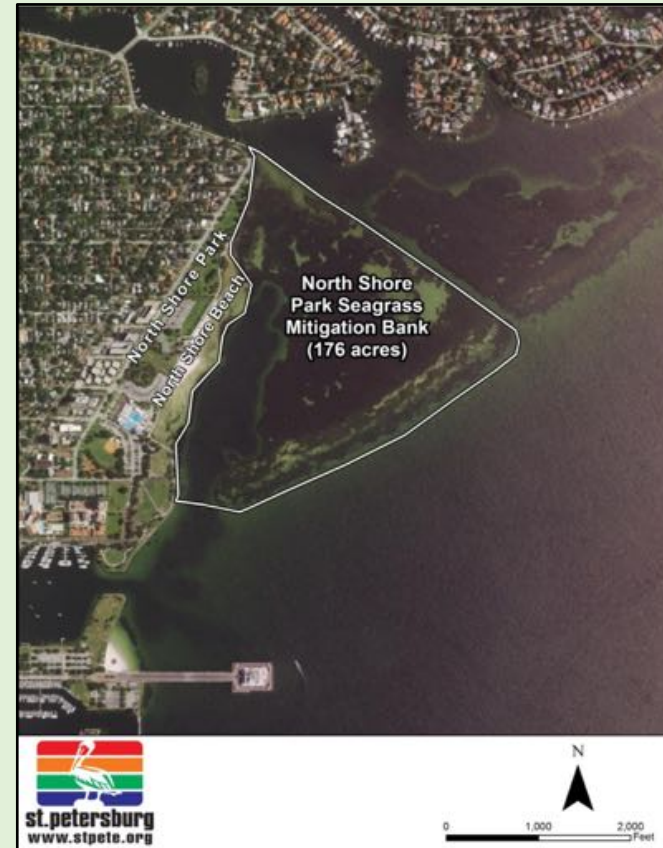
Trends in Seagrass Coverage in Tampa Bay

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North Shore SGM B Location



Permitting Update

- SWFWMD
 - Legal/real property issues:
 - Agreeing on a sketch and legal
 - Obtaining title insurance
 - Needing a Property ID from the PCPAO
 - Funding/financial issues:
 - Release of credits
 - 10-year proposed term vs 30-year term for perpetual costs
 - Trust fund amount
 - Ecological issues:
 - Donor site
- USACE: Application has been deemed complete

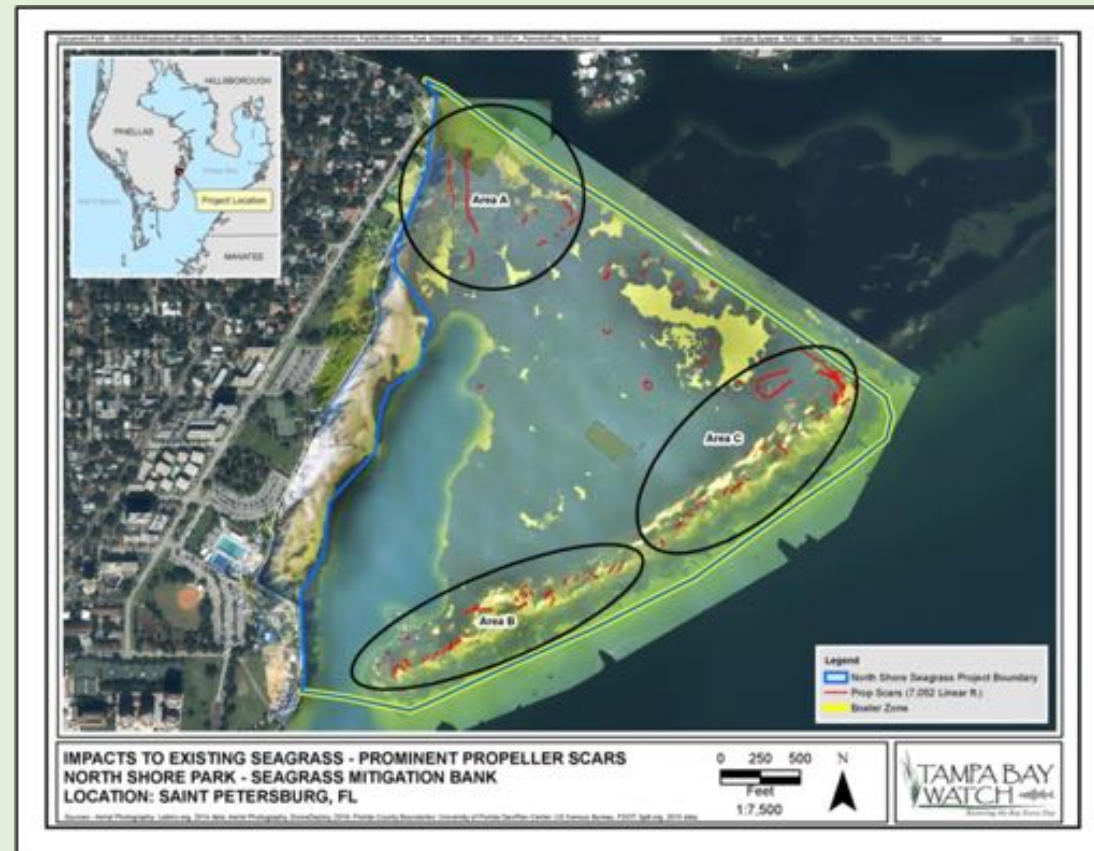
What makes a “public” bank different?

Some observations over the past couple of years ...

- Goals:
 - A little different calculus for the City
 - Profit important, but ...
 - Largest seagrass restoration project in the Gulf right now
 - Conservation (prior use) vs. preservation (protection from use)
 - Consider prior use
- Institutional:
 - Long-term steward: The “We’re not going anywhere” Doctrine
 - Traditional steward of the “public trust”



Propeller Scars

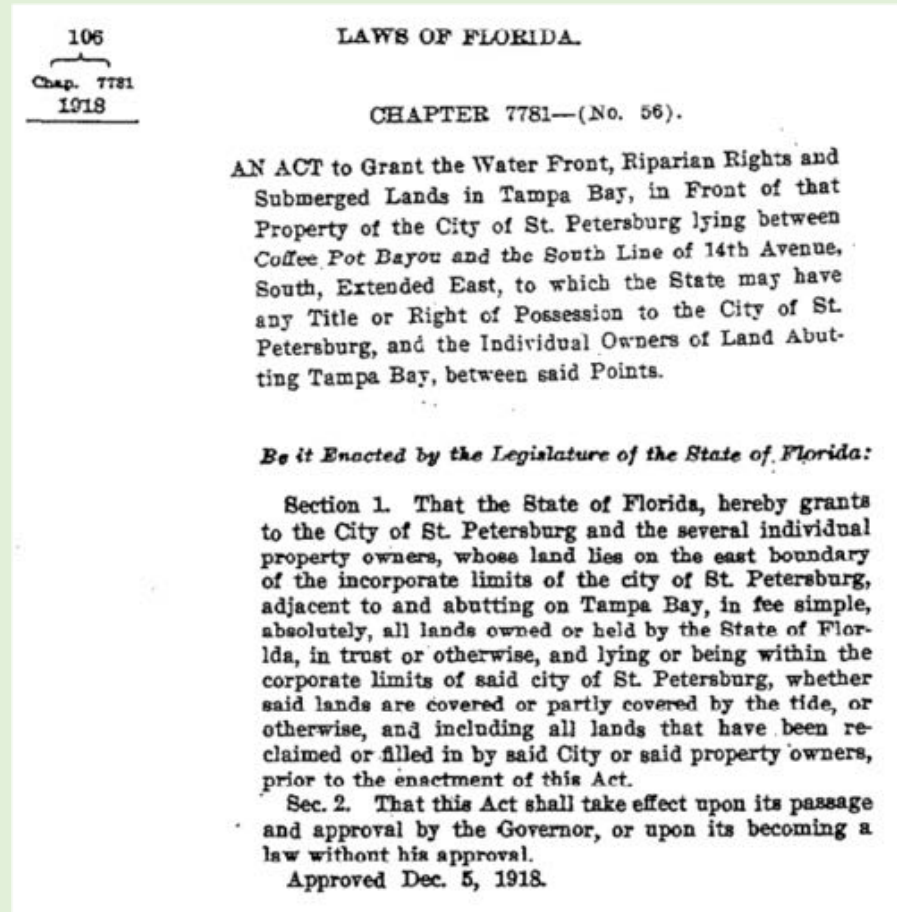


What makes a “public” bank different?

- Institutional (cont.):
 - Ownership of submerged lands and adjacent uplands
 - Interagency cooperation (e.g., FDOT and the City)
 - In-house need for credits
 - Bridges, port expansion, etc.
 - In-house use of proceeds on WQ capital improvements
 - Stormwater
- Disadvantages:
 - Bureaucracy
 - Setting it up
 - Selling the credits
 - Spending the proceeds

City's Ownership of Submerged Lands

- City was granted fee simple ownership of submerged lands in Tampa Bay by Florida in 1918
- Relatively rare instance of State giving up title to otherwise sovereign submerged lands
- Large grant of land needed to facilitate the SGMB



Case Study: Charlotte - Mecklenburg Co., NC



Mecklenburg County, North Carolina

Case Study: Charlotte - Mecklenburg Co., NC

- Stream and wetlands mitigation
 - “Umbrella” bank encompasses impacts by County, City, or School Board
 - Can only be sold (at cost) to Mecklenburg Co., City of Charlotte, or Charlotte-Mecklenburg Schools
 - Highly localized service areas for stream mitigation based on 8-digit USGS HUC codes
 - Stream credits are sold by the linear foot
 - Range: \$397-\$502/linear foot (2016 USD)
 - Wetlands credits are sold by the acre
 - \$71,201/acre (2016 USD)
 - Disposal of surplus property process requires 60-day notice under NC law

Thank you!

- Tampa Bay Watch and all of the City of St. Petersburg's partners
- Stetson University College of Law
- Environmental Law Institute

