



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1.

12/17/2019

Subject:

Public Interest Determination: Wetland Impacts for Boniface-Hiers Chrysler Dodge Jeep Relocation

Fiscal Impact:

None.

Dept/Office:

Natural Resources Management Department

Requested Action:

In accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b, Atlantic Environmental Solutions of Florida LLC (AES), on behalf of Boniface Chrysler Dodge Inc., requests that the Board of County Commissioners (Board) grant a Public Interest Determination for wetland impacts proposed for their Boniface-Hiers Chrysler Dodge Jeep Relocation project.

Summary Explanation and Background:

AES, on behalf of Boniface Chrysler Dodge Inc., submitted a Wetland Toolbox analysis (attached) for wetland impacts proposed for the Boniface-Hiers Chrysler Dodge Jeep Relocation project, located at the southwest corner of W. King St. (Highway 520) and Range Rd (Tax No. 2443754). The 10.72-acre project contains one wetland that encompasses approximately 9.4 acres of the area. The wetland extends off-site to the west and south, and connects to a roadside ditch. The applicant proposes to impact all on-site wetlands for relocation of its facility from Merritt Island to the subject property. No-net-loss compensatory mitigation meeting the criteria of Section 62-3694(e) and Section 62-3696 will be provided through a mitigation bank approved by the St. Johns River Water Management District (SJRWMD).

Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b allows wetland impacts for commercial development along mitigation qualified roadways (MQRs):

On properties with frontage on mitigation qualified roadways, commercial or industrial land development activities may be permitted in wetlands if the property is designated for commercial or industrial land uses on the Future Land Use Map. Mitigation qualified roadways are depicted and identified in a table on Map 8 of the Comprehensive Plan Conservation Element. An amendment to the Comprehensive Plan shall be required to add a mitigation qualified roadway to Map 8 and the associated table.

The subject parcel has a Future Land Use designation of Community Commercial. Conservation Element Map 8 specifies both W. King St (State Road 520) and Range Road as MQR's. Section 62-3694(c)(3)b further states that wetlands proposed for impact shall be assessed using methodologies established in the Countywide

588

Wetlands Study, to determine if they meet the criteria of High Functioning Wetlands or Landscape Level Wetlands. Impacts to High Functioning and Landscape Level Wetlands shall be prohibited unless the proposed impacts are determined to be in the public interest.

A High Functioning Wetland is defined in Section 62-3691 as a wetland that scores 0.66 or above as determined by the Brevard County Wetlands Assessment Method (a.k.a., Wetlands Toolbox). AES assessed the wetland using the Wetlands Toolbox. **The wetland scored 0.528, thus is not a High Functioning Wetland as defined by Brevard County.**

A Landscape Level Wetland is defined in Section 62-3691 as a wetland that is EITHER 1) five (5) acres or larger; OR 2) located within the Landscape Level Polygon depicted on Map 9 of the Brevard County Comprehensive Plan Conservation Element, AND the U.S. Army Corps of Engineers determines the wetland is hydrologically connected to the St. Johns River or Indian River Lagoon System. The wetland is larger than five (5) acres. **Thus, the wetland is a Landscape Level Wetland as defined by Brevard County.** Impacts are prohibited unless the proposed impacts are determined by the Board to be in the public interest, or of overriding public benefit. Public Interest is defined as, "demonstrable environmental, social and economic benefits which would accrue to the public at large as a result of a proposed action, and which could clearly exceed all demonstrable environmental, social, and economic costs of the proposed action..."

The applicant provided the following information regarding the PID for the Board's consideration:

This relocation will have a positive impact on the local economy as listed below:

- *The new location will become accessible for commuters who live in Orlando but work in Brevard county as well as populations that simply reside in East Orlando.*
- *The new location will shift traffic onto higher capacity/less utilized roads such as I-95 and SR 520 West and will help alleviate traffic congestion in the Merritt Island area.*
- *Based on demographics, we expect sales volume to jump by 50% or greater. This increased volume is expected to generate 30+ jobs with most of these paying between \$50,000 to \$100,000 per year.*
- *Boniface-Hiers will collect and pay substantially more county sales tax and property tax.*
- *The current dealership facility will likely be redeveloped by the owners to serve the residential and tourist needs of Merritt Island and the expanding port in Cape Canaveral.*

It is therefore requested that the Board consider the applicant's request for a Public Interest Determination for wetland impacts proposed for the Boniface-Heirs Chrysler Dodge Jeep Relocation. This action only addresses the wetland components of the development and does not convey any approvals or assurances with regard to zoning, site plan approval, or building permits.

Clerk to the Board Instructions:

589

H.1.

12/17/2019

None.



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

December 18, 2019

M E M O R A N D U M

TO: Virginia Barker, Natural Resources Management Director

RE: Item H.1., Public Interest Determination for Wetland Impacts for Boniface-Hiers Chrysler Dodge Jeep Relocation

The Board of County Commissioners, in regular session on December 17, 2019, granted a Public Interest Determination for the wetland impacts proposed for Boniface-Hiers Chrysler Dodge Jeep Relocation Project.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

October 29, 2019

Ms. Darcie McGee
Brevard County Natural Resources Management Department
2725 Judge Fran Jamieson Way, Building A
Viera, Florida 32940

Re: Wetland Toolbox Submittal
Boniface-Hiers Chrysler Dodge Jeep Relocation
State Road 520 & Range Road, Cocoa, Florida
Atlantic Environmental File No. 1858

Dear Ms. McGee:

Atlantic Environmental of Florida, LLC (Atlantic Environmental) has completed a Brevard County Wetland Assessment Method on the above-referenced project which is seeking to impact the on-site wetland. Below you will find information regarding the wetland proposed for impact, assessment matrix calculations, and a discussion on the project's benefits to the public.

Public Interest

This project includes the relocation of the Boniface-Hiers Chrysler Dodge Jeep Ram store from its current location on Merritt Island to the southwest corner of State Road 520 and Range Road in Cocoa, Florida. This relocation project will have a positive impact on the local economy as listed below.

- The new location will become accessible for commuters who live in Orlando but work in Brevard County as well as populations that simply reside in East Orlando.
- The new location will shift traffic onto higher capacity/less utilized roads such as I-95 and SR 520 West and will help alleviate traffic congestion in the Merritt Island area.
- Based on demographics, we expect sales volume to jump by 50% or greater. This increased volume is expected to generate 30+ jobs with most of these paying between \$50,000 to \$100,000 per year.
- Boniface-Hiers will collect and pay substantially more county sales tax and property tax.
- The current dealership facility will likely be redeveloped by the owners to serve the residential and tourist needs of Merritt Island and the expanding port in Cape Canaveral.

Proposed Wetland Impacts

The site is currently vacant. There is one wetland located on the property (Figure 1) that encompasses approximately 9.40-acres. This wetland extends off-site to the west and south, as well as connects to a roadside ditch. The wetland is considered low quality due to its impacted hydrology caused by the adjacent roadways and ditches. Past on and off-site disturbances have allowed the wetland on this parcel to be overrun with exotic species (i.e. Brazilian pepper). The pepper was removed several years ago but has been re-growing since, continuing the degradation of the habitat quality. Other vegetation within this wetland includes cabbage palm, laurel oak, American elm, cinnamon fern, primrose willow, roadgrass, and beakrush.

In order to develop the site (see attached plans), this wetland will need to be impacted. All required permits will be obtained from the St. Johns River Water Management District (SJRWMD) and the US Army Corps of Engineers (USACE). Compensatory mitigation allowing for the impact of the on-site wetland will be acquired from a mitigation bank that is accepted by SJRWMD and USACE.

Brevard County Wetland Assessment Method Results

The subject site is abutted by State Road 520 on its north and by Range Road on its east. Both of these roadways are listed as Brevard County Mitigation Qualified Roadways (MQR). The southern portion of the on-site wetland is within a Brevard County Landscape Level Wetland (Figure 1). The Brevard County Wetland Assessment Method calculated the assessment score of this wetland at a **0.528**. Thus, the wetland is not considered a high functioning wetland as defined by Brevard County.

In summary, although a small portion of the proposed wetland impact falls within a Landscape Level Polygon, the on-site wetland proposed for impact is along two MQR's and is nowhere near high functioning. The public benefit resulting from this project is sound justification for allowing the impact of the on-site wetland which will be authorized through permitting and the provision of adequate mitigation. Proposed mitigation includes the purchase of mitigation credits to be approved by SJRWMD and USACE.

Should you require additional information or have any questions, please do not hesitate to contact our office.

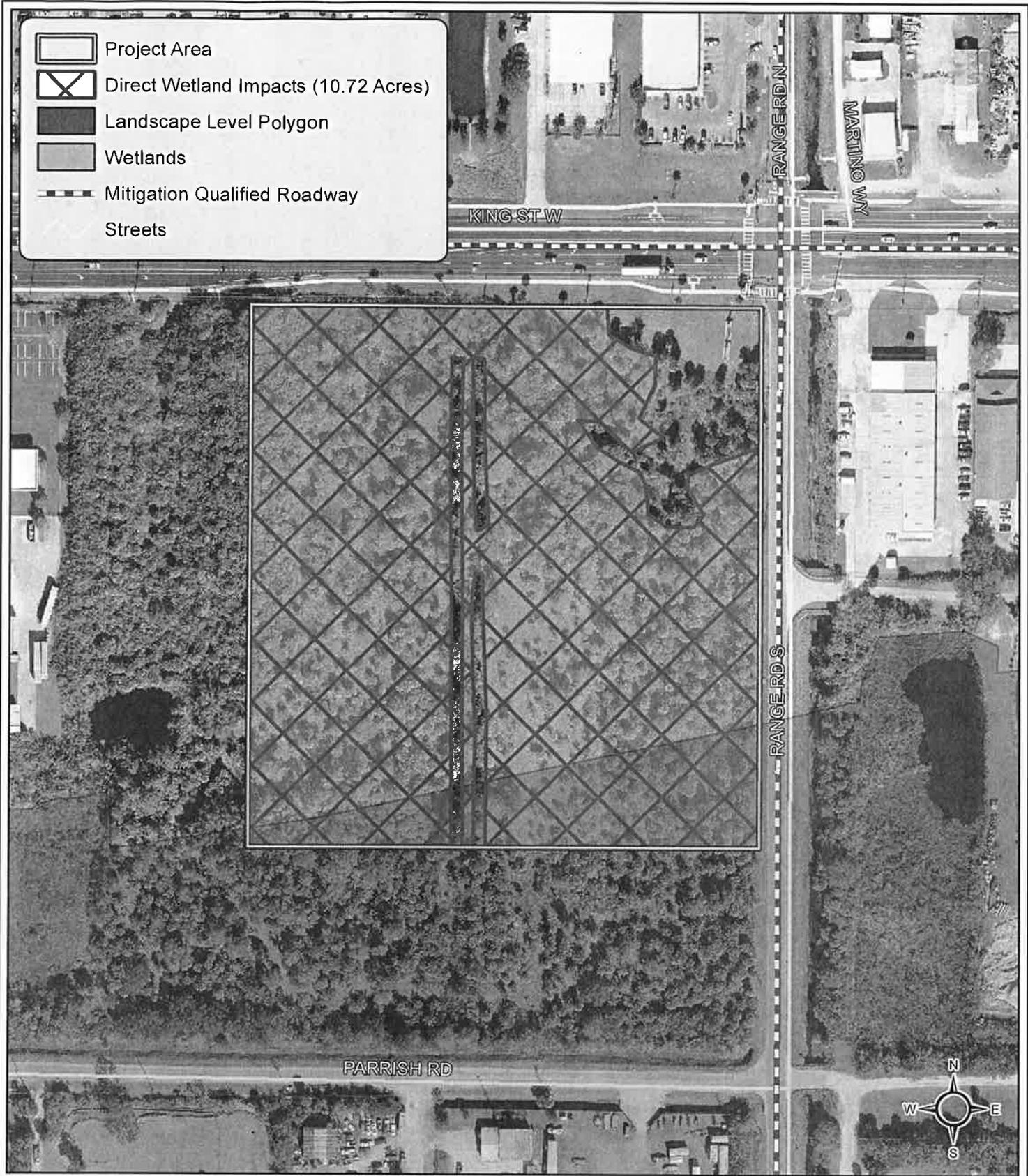
Sincerely,



David G. Purkerson, MS, PWS
Senior Ecologist



Jon H. Shepherd, MS, PWS
President/Ecologist

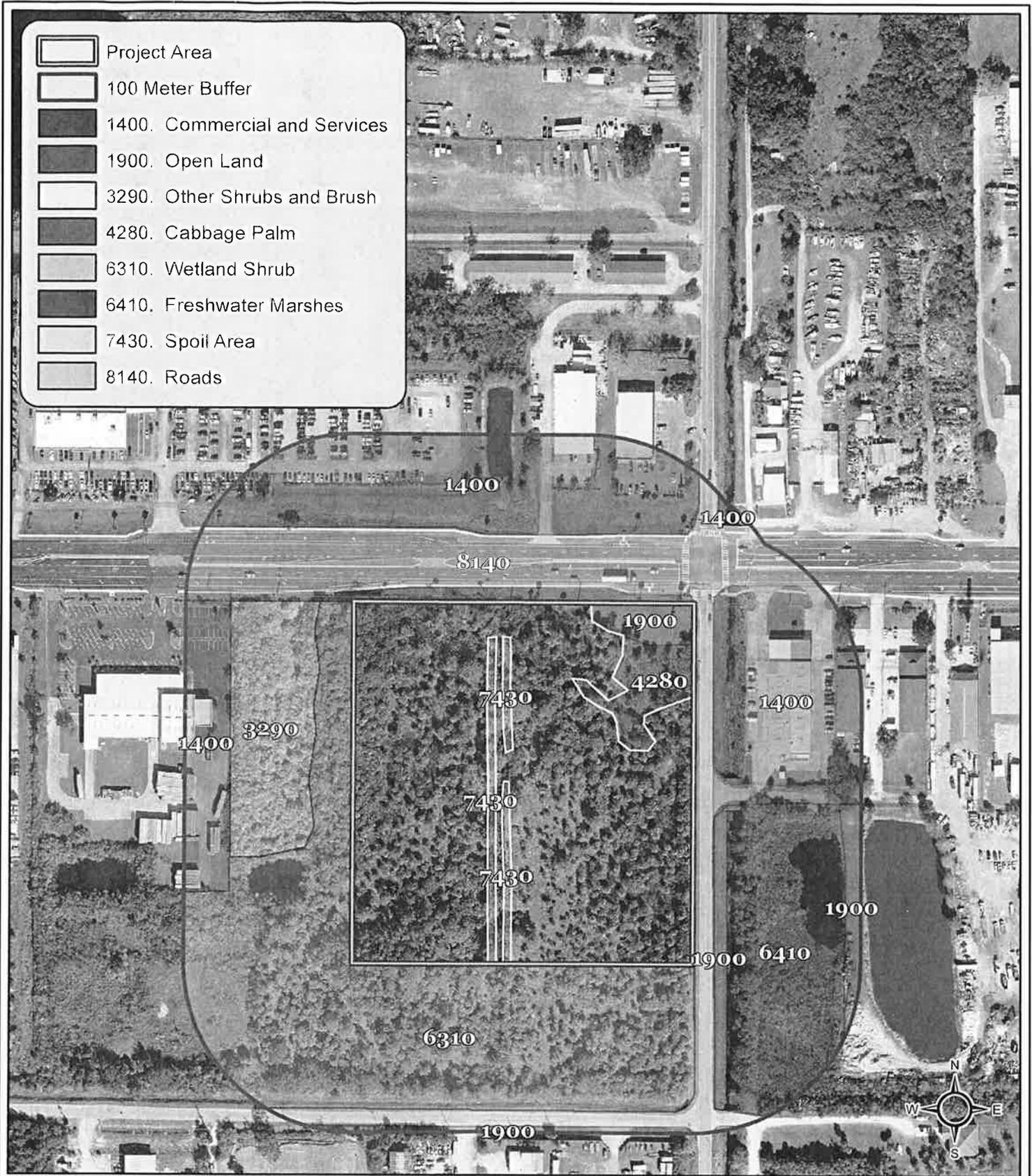


Project: Boniface CDR+J

Figure 1: Aerial Map

0 100 200 400 Feet

2019 Aerial, Brevard County, Florida



Project: Boniface CDR+J

Figure 2: Wetland Assessment Map

0 100 200 400
 Feet

2019 Aerial, Brevard County, Florida



AES Proj #: 1858

Boniface-Hiers Chrysler Dodge Jeep Relocation
Brevard County Wetland Assessment Matrix

Landscape Location Score

<i>Enter FLUCFCS_legend</i>	<i>Enter Sum of Acres</i>	<i>LSI_Value</i>	<i>Landcover Percent</i>	<i>Landscape Location Score (=LSI_Value* Landcover Percent)</i>
1100-Low Density Urban		2.22	0.000	0.000
1100-Residential, Low Density		3.57	0.000	0.000
1200-Residential, Medium Density		2.81	0.000	0.000
1300-High Density Urban		0.91	0.000	0.000
1300-Residential, High Density		2.72	0.000	0.000
1400-Commercial and Services	7.61	0.91	0.269	0.245
1500-Industrial		1.87	0.000	0.000
1660-Holding Ponds		9.08	0.000	0.000
1700-Institutional		2.14	0.000	0.000
1820-Golf courses		3.42	0.000	0.000
1850-Parks and Zoos		3.42	0.000	0.000
1900-Open Land	1.65	3.42	0.058	0.199
2110-Improved Pasture		6.96	0.000	0.000
2120-Unimproved/Woodland Pasture		8.03	0.000	0.000
2130-Woodland Pastures		8.87	0.000	0.000
2210-Citrus		7.02	0.000	0.000
2240-Abandoned Groves & Orchards		8.87	0.000	0.000
2500-Specialty Farms		3.33	0.000	0.000
3290-Other Shrubs and Brush	1.85	10	0.065	0.654
4110-Pine Flatwoods		10	0.000	0.000
4120-Longleaf Pine - Xeric Oak		10	0.000	0.000
4200-Upland Hardwood Forest		10	0.000	0.000
4280-Cabbage Palm	0.58	10	0.020	0.205
4320-Sand Live Oak		10	0.000	0.000
4340-Hardwood - Coniferous Mixed		10	0.000	0.000
4360-Upland Scrub, Pine and Hardwoods		10	0.000	0.000
4370-Australian Pine		8.87	0.000	0.000
4410-Coniferous Plantations		9.36	0.000	0.000
5100-Streams and Waterways		10	0.000	0.000
5200-Natural Lakes & Ponds		10	0.000	0.000
5300-Reservoirs		10	0.000	0.000
5420-Estuarine		10	0.000	0.000
5700-Major Bodies of Water		10	0.000	0.000
6110-Bay Swamps		10	0.000	0.000
6120-Mangrove Swamp		10	0.000	0.000
6150-Streams and Lake Swamps (Bottomland)		10	0.000	0.000
6170-Mixed Wetland Hardwoods		10	0.000	0.000
6210-Cypress		10	0.000	0.000
6240-Cypress - Pine - Cabbage Palm		10	0.000	0.000
6250-Hydric Pine Flatwoods		10	0.000	0.000
6270-Slash Pine Swamp Forest		10	0.000	0.000
6280-Wet Coniferous Plantations		10	0.000	0.000
6300-Wetland Forested Mixed		10	0.000	0.000
6310-Wetland Shrub	8.48	10	0.300	2.996
6410-Freshwater Marshes	2.98	10	0.105	1.053
6420-Saltwater Marsh		10	0.000	0.000
6430-Wet Prairie		10	0.000	0.000
6440-Freshwater Marshes		10	0.000	0.000
6500-Non-Vegetated		10	0.000	0.000
6510-Tidal Flats		10	0.000	0.000
6520-Shorelines		10	0.000	0.000

7400-Disturbed Land		9.08	0.000	0.000
7430-Spoil Area	0.41	9.08	0.014	0.132
8120-Rails		2.43	0.000	0.000
8140-Roads	4.74	1.91	0.167	0.320
8300-Utilities		2.43	0.000	0.000
TOTAL	28.3	0.91	1.000	5.804

Water Quality Treatment

Enter Percentage of surrounding landcover that contributes to the Water Quality Treatment	Category	Coefficient	Water Quality Treatment Score
50	Natural	5	2.5
	Only rainfall - no contributing basin	4.6	0
	Wet detention with swales	4.2	0
	Wet detention with dry detention	4.2	0
	Combination grass swales with dry detention	3.3	0
50	Grass swales only / vegetative buffer strip	1.7	0.85
	Dry Detention only	1.7	0
	No treatment	0	0
100	Correct		3.35

Enter Hydrologic Indicator Score
1.7

<i>Water Environment</i>	<i>Score</i>		<i>Thresholds</i>
Water Quality Treatment	3.35		a perfect water environment would have a maximum score of 10
Hydrologic Indicator	1.7		
Sum	5.05	<i>Water Environment Score</i>	

Vegetative Score	Percentages (from other tabs)	Score		Thresholds
Wetland Vegetation	50	6		a perfect wetland would have a maximum score of 10
Exotic Vegetation	35	4		
Total Percentage	85	5.0	Vegetative Community Score	The Vegetative Community Score is calculated as the average of the wetland vegetation score and the exotic vegetation score unless; 1) the wetland vegetation is < 30% or 2) if the percent of exotic vegetation is > the percent of wetland vegetation. If either of these two conditions exist the Community Vegetative Score will = 0.

5.0 Average

Wetland Criteria	Score		Thresholds
Landscape	5.80		a perfect landscape would have a maximum score of 10
Water Environment	5.05		a perfect water environment would have a maximum score of 10
Vegetative Community	5		a perfect vegetative community would have a maximum score of 10
Assessment Score	0.528		a perfect wetland would have a score of 1.0