



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.1.

2/25/2020

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### Subject:

Public Interest Determination: Wetland Impacts for Wickham Corners

### 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 Evans Wickham, LLC, requests that the Board of County Commissioners (Board) grant a Public Interest Determination (PID) for wetland impacts proposed for a commercial project at Wickham Corners.

### Summary Explanation and Background:

AES, on behalf of Evans Wickham, LLC, submitted a Wetland Toolbox analysis (attached) for wetland impacts proposed for a commercial project at Wickham Corners, located immediately west of the existing Taco Bell at 7850 Wickham Road. The 1.73-acre undeveloped property (Tax No. 2601525) contains a wetland system that extends off-site to the north and south via a ditch. The on-site part of the wetland covers approximately 0.96 acres of the property. The applicant proposes to impact the on-site portion of the wetland in order to develop a 4,000 square-foot (sf) commercial building and associated parking lot and landscaping for a fast food restaurant. No-net-loss compensatory wetlands mitigation meeting the criteria of Section 62-3694(e) and Section 62-3696 will be provided through a mitigation bank within the same hydrologic basin 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.*

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The subject parcel has a Future Land Use designation of Community Commercial. Conservation Element Map 8 specifies this segment of Wickham Road as an MQR.

Section 62-3694(c)(3)b further states that wetlands proposed for impact shall be assessed using methodologies established in the Countywide 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 0.605, 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 falls within the Landscape Level Polygon AND is hydrologically connected to the St. Johns River. The wetland system is also larger than five (5) acres.

Thus, the wetland system 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:

*The commercial project will have a positive impact on the local economy as listed below:*

- *The development will provide for approximately 20 to 30 jobs during construction.*
- *When complete, the commercial business will create approximately 40 new jobs.*
- *The commercial development will provide an alternative dining option for Brevard County residents.*
- *The development will increase the amount of collected county sales tax and property tax.*

It is therefore requested that the Board consider the applicant's request for a PID for wetland impacts proposed for a commercial project at Wickham Corners. 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:**

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

February 26, 2020

**M E M O R A N D U M**

**TO:** Virginia Barker, Natural Resources Management Director

**RE:** Item H.1., Public Interest Determination (PID) for Wetland Impacts at Wickham Corners

The Board of County Commissioners, in regular session on February 25, 2020, approved and granted, in accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b, Atlantic Environmental Solutions of Florida, LLC, on behalf of Evans Wickham, LLC, for PID for wetland impacts proposed for a commercial project at Wickham Corners.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

cc: Finance

December 16, 2019

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

Re: Wetland Toolbox Submittal  
Wickham Corners Commercial Site  
N. Wickham Road, Brevard County, Florida  
Atlantic Environmental File No. 18172

Dear Ms. Arnal:

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 0.96-acre 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 development of a 4,000 square foot commercial building and associated parking lot to house a fast-food restaurant on the property immediately to the west of the existing Taco Bell located at 7850 N. Wickham Road. This commercial project will have a positive impact on the local economy as listed below.

- The development will provide for approximately 20 to 30 jobs during construction.
- When complete, the commercial business will create approximately 40 new jobs.
- The commercial development will provide an alternative dining option for Brevard County residents.
- The development will increase the amount of collected county sales tax and property tax.

#### **Proposed Wetland Impacts**

The project area is currently undeveloped. There is one wetland located on the property (Figure 1) that encompasses approximately 0.96-acres. This wetland extends off-site to the north and south via ditch. The wetland is considered moderate quality due to its impacted hydrology caused by the adjacent roadways and ditches. Vegetation within this wetland includes red maple, cabbage palm, wax myrtle, Virginia chain fern, giant leather fern, swamp fern, southern fox grape, primrose willow, and Brazilian pepper.

In order to develop the site (see attached plan), 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 within the same hydrologic basin that is deemed acceptable by both SJRWMD and USACE.

**Brevard County Wetland Assessment Method Results**

The subject site is adjacent to Wickham Road, a roadway that is listed as a Brevard County Mitigation Qualified Roadway (MQR). Additionally, 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 **0.605**. Thus, the wetland is not considered a high functioning wetland as defined by Brevard County.

In summary, the wetland proposed for impacts falls within a Landscape Level Polygon, is located along an MQR, and is not calculated to be 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 compensatory 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

Wickham Corners Commercial Site  
Brevard County Wetland Assessment Matrix



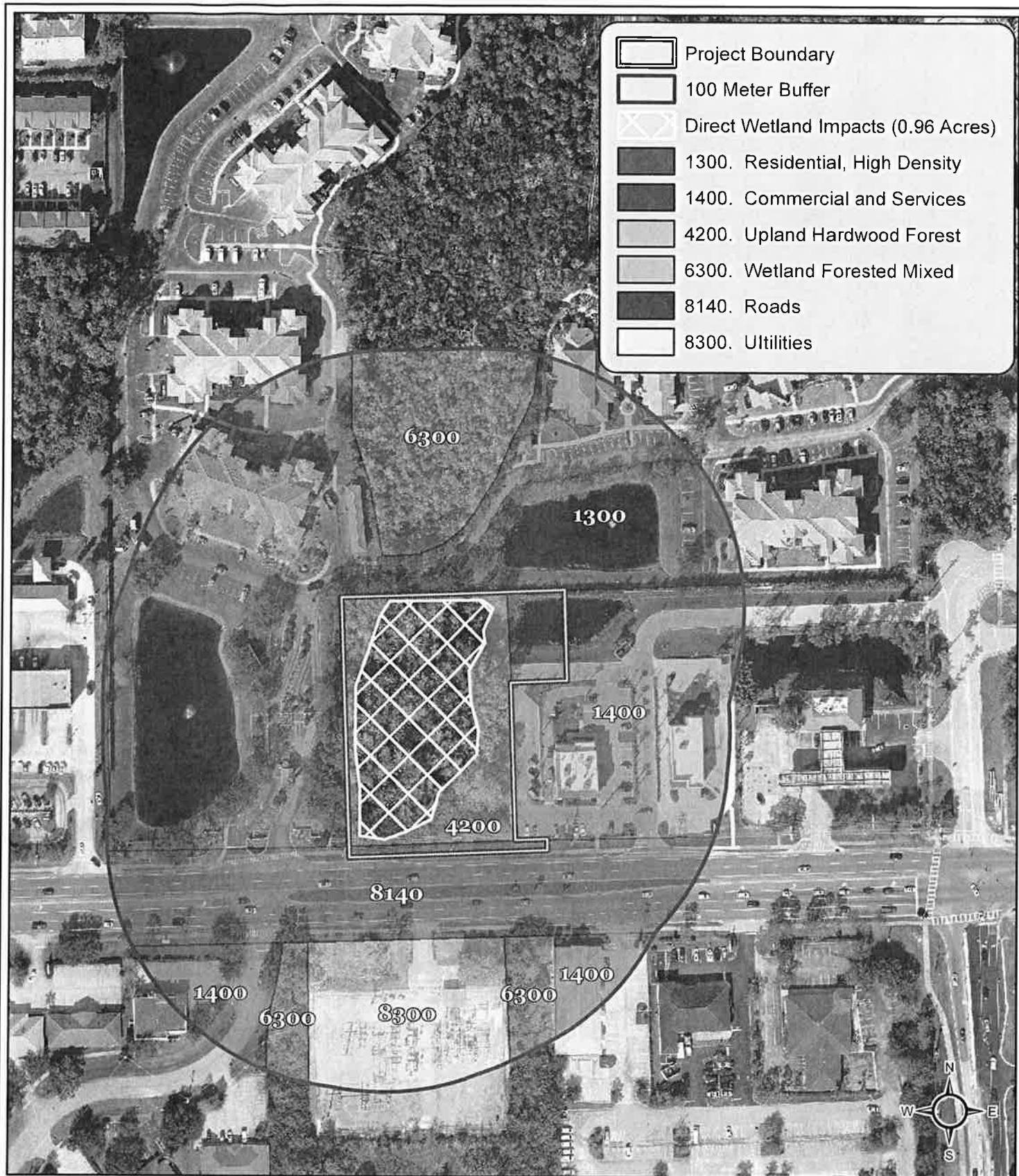
## Project: Wickham Corners

**Figure 1: Aerial Map**

0 100 200 400 Feet

2019 Aerial, Brevard County, Florida





**Project: Wickham Corners**

**Figure 2: Wetland Assessment Map**

0 100 200 400 Feet

2019 Aerial, Brevard County, Florida



Wickham Corners Commercial Site  
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	5.9	2.72	0.418	1.136
1400-Commercial and Services	2.83	0.91	0.200	0.182
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		3.42	0.000	0.000
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		10	0.000	0.000
4110-Pine Flatwoods		10	0.000	0.000
4120-Longleaf Pine - Xeric Oak		10	0.000	0.000
4200-Upland Hardwood Forest	0.66	10	0.047	0.467
4280-Cabbage Palm		10	0.000	0.000
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	1.51	10	0.107	1.069
6310-Wetland Shrub		10	0.000	0.000
6410-Freshwater Marshes		10	0.000	0.000
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		9.08	0.000	0.000
8120-Rails		2.43	0.000	0.000
8140-Roads	2.11	1.91	0.149	0.285
8300-Utilities	1.12	2.43	0.079	0.193
TOTAL	14.13	0.91	1.000	3.332

**Water Quality Treatment**

<b>Enter Percentage of surrounding landcover that contributes to the Water Quality Treatment</b>	<b>Category</b>	<b>Coefficient</b>	<b>Water Quality Treatment Score</b>
25	Natural	5	1.25
	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
75	Grass swales only / vegetative buffer strip	1.7	1.275
	Dry Detention only	1.7	0
	No treatment	0	0
100	Correct		2.525

<b>Enter Hydrologic Indicator Score</b>
3.3

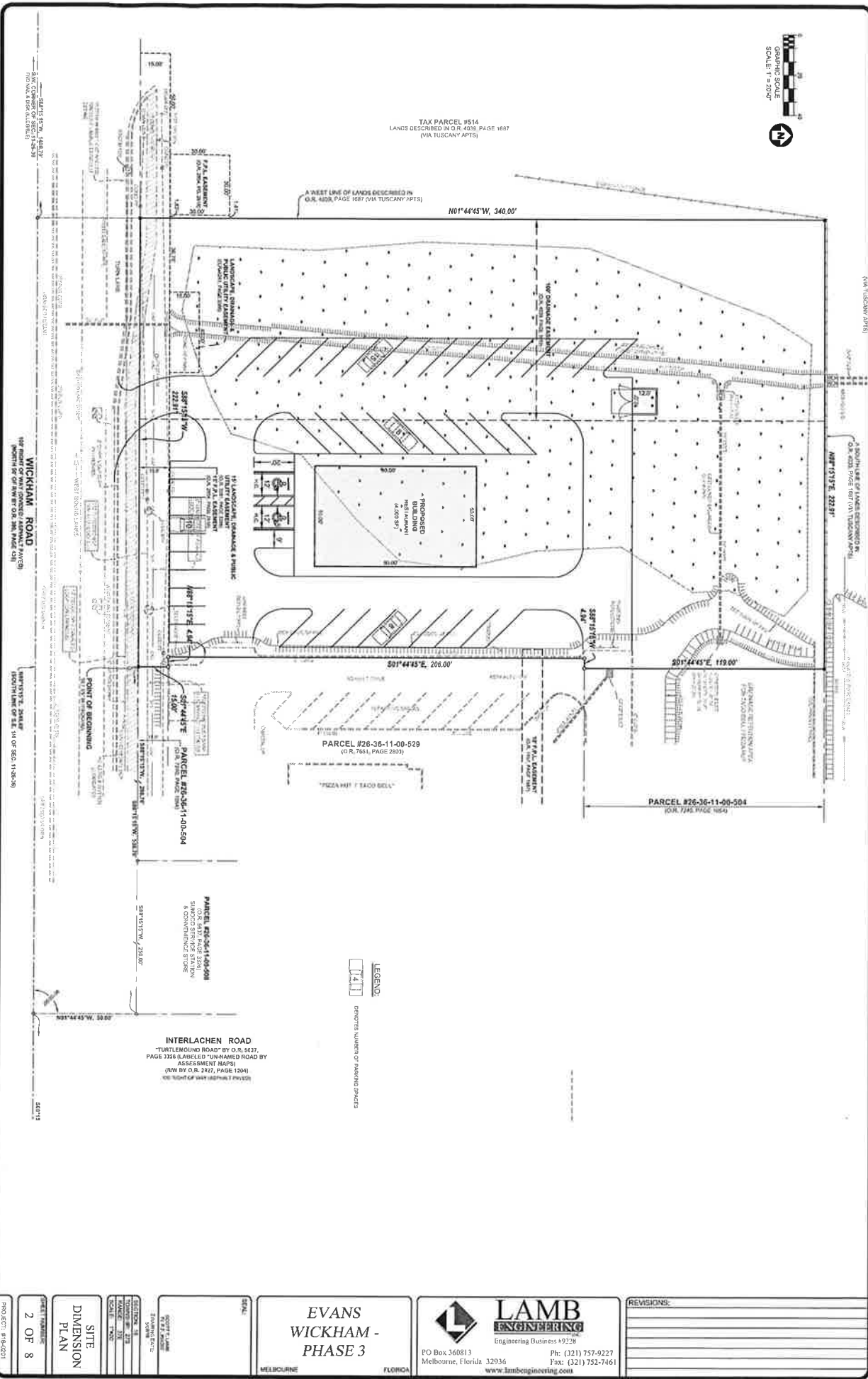
<b><i>Water Environment</i></b>	<b><i>Score</i></b>		<b><i>Thresholds</i></b>
Water Quality Treatment	2.525		a perfect water environment would have a maximum score of 10
Hydrologic Indicator	3.3		
Sum	5.825	<b><i>Water Environment Score</i></b>	

<b>Vegetative Score</b>	<b>Percentages (from other tabs)</b>	<b>Score</b>		<b>Thresholds</b>
Wetland Vegetation	80	10		a perfect wetland would have a maximum score of 10
Exotic Vegetation	10	8		
Total Percentage	90	9.0	<b>Vegetative Community Score</b>	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.

9.0      Average

<b><i>Wetland Criteria</i></b>	<b><i>Score</i></b>		<b><i>Thresholds</i></b>
Landscape	3.33		a perfect landscape would have a maximum score of 10
Water Environment	5.825		a perfect water environment would have a maximum score of 10
Vegetative Community	9		a perfect vegetative community would have a maximum score of 10
<b>Assessment Score</b>	<b>0.605</b>		a perfect wetland would have a score of 1.0





EVANS  
WICKHAM -  
PHASE 3



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PROJECT #140201  
2 OF 8

SITE  
DIMENSION  
PLAN

DATE: 11/11/2011  
PAGE: 3/3  
SCALE: 1"=200'

DESIGNED BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/11/2011

SCALE: 1"=200'

MELBOURNE

FLORIDA