

Item#	Date Submitted	<p align="center"><b>Suggestions or recommended revisions for UMAM 62-345 F.A.C.</b>            [Note: Comments referring to training only will be provided at a later time]</p>
1	4/8/2013	More clarification of the PAF. More clarification of the Risk Factor.
2	4/8/2013	Having experience on the regulatory and consulting sides of UMAM, I've seen firsthand the level of effort required to evaluate wetlands for the UMAM and the consistency among consultants in implementing the UMAM. I have not experienced and am not aware of a functional assessment method requiring a smaller level of effort (termed "efficiency" above) than the UMAM. A majority of practitioners score wetlands by "feel" because of the flexibility allowed in the qualitative scoring. Although the rule gives criteria to rate each category (Location, Water, Community), the rule also specifically says each criteria may be weighted differently. I would like to see a greater emphasis on scientifically derived, qualitative measurements (i.e. vegetative transects/quadrats, wildlife surveying component (marsh bird, invertebrates, etc.), water quality and quantity data). I would also like to see a consistent, scientifically based method for assessing secondary wetland impacts, which is not specifically addressed in the UMAM. Lastly, I would like to see practitioners of the UMAM certified to perform the evaluation through an FDEP certification and/or through a professional designation (for example Certified Environmental Professional, Professional Wetland Scientist, Certified Wildlife Biologist).
3	4/8/2013	Further guidance and uniformity in scoring things like the Preservation Adjustment Factor and risk is needed as these can heavily influence the score and are often scored very differently. There should be more concrete criteria to base those scores on.
4	4/8/2013	Provide more specific instructions on completing the forms and calculating functional loss and functional gain so that scoring may be more consistent amongst scorers and there is less subjective scoring. This may require specific examples or ranges to be added to Location & Landscape Support, Water Environment, and Community Structure categories. Overall UMAM provides for an accurate range of scores amongst users but UMAM needs to be revised to narrow the range of scores amongst users, e.g. consultants and regulators.
5	4/8/2013	According to my interpretation of the original regulation, the UMAM evaluation is specifically stated to not be applicable to roadway projects. However, USACE Jacksonville district insists on a UMAM evaluation. Their interpretation is variable and becomes a burden on the FDOT for permitting purposes. WRAP is more applicable, but USACE no longer wants that. I would like to see something in the new regulation that either changes the way UMAM is done and becomes more applicable to transportation projects, or a more emphatic distinction in the regulation stating it should not be used on linear transportation projects.
6	4/8/2013	I applaud the state's goal of consistency throughout the state, where consistency makes sense. The different regulations among the different WMDs and DEP were cumbersome and sometimes added unnecessary costs. However, consistency for consistency's sake is not what I am advocating, and when I first became aware of the effort, I was sceptical. The fact that you are keeping supplemental guidance for different areas of the state is crucial. Overall, I liked UMAM once I got used to it, and am really appreciative of the effort at state and federal levels to get the USACE to use UMAM, too.
7	4/9/2013	Natural community classifications and scores should be based on what is present today, not what was present in 1940 or 1950. If a community has changed due to normal conditions over a period of several years, it should be classified as the community that it has become today as a result of natural succession, not what it was 62-72 years ago or what it is speculated to be in the next 10-50 years.
8	4/9/2013	The scale of location and landscape scoring and factors considered for the different needs of the life cycles of different wildlife species might be a good training focus as well as natural community classification.
9	4/9/2013	If the intent of new rule making is to more accurately account for "each region's diverse ecological communities" the Department might consider defining specific regions and identifying ecological functions that are representative of the regions diversity. In the absence of such parameters, it might become somewhat subjective and actually lead to more inconsistencies in the application of UMAM
10	4/9/2013	I would suggest that the preservation adjustment factor, time lag, and risk be reviewed. In the current rule, I believe they impose too large of an influence on the final score given for a particular site. It seems to me that the preservation adjustment factor could be incorporated into the Location and Landscape Buffer scoring criteria. Time lag can be incorporated into the "With" Community Structure scores and I'm not sure how to address risk. Also, I would suggest that there be some sort of official method developed to address "translating" UMAM scores to MWRAP/WRAP/WATER/etc scores.
11	4/9/2013	It has been my experience that implementation has been uneven. Similar sites that were scored "X" several years ago are now being scored as "Y" for no discernible reason. I have even had the same site scored one way a couple of years ago and have it be significantly different the second time around now. This is very difficult to deal with while planning and budgeting development projects as most cases the score has been increased significantly.

12	4/10/2013	I think there needs to be clearer differentiation between temporary and permanent impacts to resources, with appropriate types/amounts of mitigation for each.
13	4/10/2013	I am most interested in seeking consistency and guidance in applying UMAM to the marine environment, specifically, to areas of hardbottom in the vicinity of beach projects which might experience impacts - many of which are temporary. The goal is to ensure that mitigation is appropriate for the magnitude and duration of project impacts.
14	4/10/2013	I'm not sure that the rule is the problem as much as continued training for proper application of the scoring system state-wide to try to reduce the regional and individual differences in assessments of wetland values. For example, I have seen individuals from northern Florida used to seeing unimpacted cypress systems travel to southern Florida for training and scoring wetlands in south Florida very low. At the same time, biologists in south Florida viewed the same system as some of the best habitat remaining and scored the wetland quality quite high.
15	4/10/2013	It seems that the biggest challenge facing the use of UMAM is the ambiguity in applying scores from individual to individual. Even though the goal of the rule is to make the assessment methodology uniform, there is a personal bias involved in the interpretation of the scoring system. I have found that there is a tremendous difference in how individuals view wetland qualities based on their specific history and wetlands that they deal with most often compared to going out of their region and viewing other types of wetlands. Although not intentional, this perception tends to "cloud" the scientific application of the system. Ideally, there needs to be a method devised to reduce this individual perception of wetland quality.
16	4/10/2013	My issues with UMAM are not related to wetland impacts. Uses for beach nourishment projects and navigation channel dredging do not fit the rule or guidance very well, making scores extremely subjective. New or additional criteria need to be developed for situations outside of wetlands.
17	4/10/2013	For me the UMAM scores seem to differ the most (between regulators and regulators and regulators and consultants) with the FG score due to different applied time lag, risk & PAF. I would like to see a more precise scoring method when considering these scores.
18	4/10/2013	The revisions that are needed for UMAM are based mainly in the Mitigation scoring and interpretation. Lift needs to be formalized in relation to placing the mitigation area in CE and how much lift you receive for different enhancement/restoration activities. This varies widely between agencies and individuals. The PAF needs to be reworked, as the mitigation lift is being decreased, or dinged, no matter what by the application of the PAF. Risk needs to be eliminated as the permit success criteria and/or bonding requirements make the success of a mitigation activity inevitable. If the mitigation activity is unsuccessful, alternate mitigation is required by the permit. Time Lag is unscientific as the function of a mitigation area will return either on a sloped scale or before the canopy is mature.
19	4/11/2013	Perhaps a simple check box ranking system could be used to streamline some of the scoring or at least that would help define each section. This couldn't replace scientific judgment but would aid the scorer in narrowing to an appropriate range and serve as a reminder of all of the parameters to consider. The UMAM scoring is NOT a bargaining point between the applicant and reviewer. Do not assume that the applicant will always under score and the reviewer will always over score to get to the real numbers. Yes I have seen this occur.
20	4/16/2013	The rule needs to be less subjective. There is still too much room for individual interpretation and/or bias. Also the time lag should be based on real science.
21	4/16/2013	I have been a consultant in Florida for 21 years, so pre and post UMAM. For the most part UMAM is better than the subjective application of mitigation ratios applied before. The biggest issue for the use of UMAM is not the tool itself but the continued subjectivity of reviewers and consultant. Not sure what can be done about this given we are human and human nature affects how we evaluate things, but maybe additional guidance/examples would help. I have had multiple sites where we "settle" on a score.
22	4/17/2013	Wetland regulations should not be watered down
23	4/19/2013	Need consistency on time lag for mitigation and risk values. Need more guidance on preservation scoring. Should "appropriateness" be mixed into the assessment process?

24	4/19/2013	When applying the scoring criteria of 62-345.500(6)(a), FAC, there should be more guidance on the extent or range of habitats to be reviewed outside the assessment area. How far out/away from the assessment area do you go? 50 feet? 500 feet? 1 mile? Should each potential wildlife habitat requirement be considered so that perhaps panther might cause you to evaluate within a 10 mile radius but perhaps gopher tortoise only a 500 foot radius? This section is just too vague on the extent of habitat outside the assessment area to be reviewed. Also something that was noticed in my time as an environmental consultant in the private sector was that preservation as a component of mitigation actually decreased the mitigation value. Because of the way the formula is structured, having enhancement + preservation was actually less of a functional lift than simply enhancement. The preservation delta in the formula needs to be adjusted so that as a standalone mitigation tool it provides the minimal lift as currently reflected, but if preservation is coupled with enhancement then the preservation formula needs to be slightly different so that the functional lift is slightly increased over enhancement alone.
25	4/19/2013	Since the mitigation bankers are the ones who pushed for the UMAM rule, there needs to be something put in place to make these banks be evaluated under UMAM. As it stands, they're afraid to recalculate because they might get less credits. So then they retain whatever mitigation credit methodology they were originally permitted under. Which means instead of there truly being a unified methodology for calculating credits, you instead have to utilize one of a handful of different mitigation methodologies. This strikes me as highly inefficient.
26	4/19/2013	I have a very high degree of concern for the application of UMAM by regulatory staff. As a seasoned consultant I am increasingly finding by recommendations to be overlooked or undermined by regulatory staff in lieu of their recommendations/scores, etc. This is especially in the case of scoring the Community Structure of mitigation sites post development (With). Increasingly, it appears that the highest level of scoring allowed is 7. I find this inappropriate, to the point where doing mitigation of any degree is no longer cost effective, leaving off site mitigation into a mitigation bank as the only resort. As one who is a consultant, a restoration biologist, and a student of natural systems, the expectations and conditions placed upon the applicant/permittee to attain a score of 8 (and above) is not practical.
27	4/22/2013	Still somewhat of a "grey" science in the sense of how the overall system is viewed by an individual. Some of the criteria on the UMAM forms are extremely redundant (PART 2 Criteria Comments). This gives almost a weighted system for the 3 categories and intermingles them to some extent. Location and Landscape Support - while an important component of function and value, this criteria carries little value in the overall scoring as currently used, (Before or After scenarios). Scoring scale is too large - problems with the ranges of quality and lowest and highest scores are rarely (if ever) used. In addition, there is little need for 3 scores to represent one quality of wetland - removing .2 points leaves for much negotiation between that 3 point scale - frankly, few reviewers seem to use it - they just "know" a wetland is a 7 for instance. Can't remember the last time a consultant and reviewer went into that kind of detail in determining a value unless there was a large discrepancy in score. I am not sure a total revamp is required, however updating the scoring system based on comments and suggestions is warranted to determine what is working and what is not. Being in use for almost 10 years now, it warrants revisiting.
28	4/22/2013	Changing the system now would further complicate mitigation banking given that it would require a 3rd scoring mechanism or a recalculation of credits. Given the overall changes in the last 20 years - WRAP, RATIOS, UMAM and the long term nature of banking, I would hate to see another layer of credit scoring that would complicate the competitive private sector.
29	4/22/2013	The time lag and risk categories do not seem to be consistently applied by regulatory agencies. These factors have the greatest room for reasonable scientific judgment, and therefore, vary from regulatory office and departments.
30	4/23/2013	UMAM is far to subjective in the scoring. I have 26 mitigation banks all in other Sates and all use ratios. I have been working on the Brandy Branch Mitigation Bank for 5 years and we are still in disagreement over the credit yield. I have never experienced any arguments on credit yields in permitting a bank before. I suggest rather than continually trying to fix UMAM, that you go back to ratios like most of the rest of the United Sates does.
31	4/24/2013	Is the Part 1 form really necessary? Does anyone at the State read it? We have never been asked to revise an entry on Part 1. Only on the Part 2 scores. Any chance of getting the State and the Corps of Engineers to agree on Time Lag values? There really needs to be a study of reproducibility on the scoring like was done with WRAP.
32	4/25/2013	Consistency in scoring is critical when only three criteria are available. Training in moderate to low quality wetlands would be helpful, especially in developed areas/counties. On site mitigation in developed areas typically does not fair well with the mitigation location and landscape score. Greater flexibility is needed in determining the location and landscape score for mitigation areas surrounded by development. In some cases, mitigation banks and large undeveloped tracts are not available. Local politics can also influence use of banks, etc.

33	4/28/2013	it would be neat to see this adapted specifically for marine based mitigations
34	5/1/2013	UMAM was the unfortunate result of politicizing the wetland regulation process. My comment is just in general and not something that can likely be acted upon. UMAM was the result of a call for consistency in the assessment of wetland quality. Unfortunately, non-science staff took "consistency" to mean "state-wide uniformity" through ONE method applied to the entire state - a state with vastly different (even to the point of tropical to temperate) ecosystems. Science staff was so directed to create this system and I think they did the best they could under the circumstances. But the result of writing one method for vastly different ecosystems is a very watered down and generic (albeit "scientifically valid" procedurally) system that often does not reflect a "scientifically valid" quality ranking. UMAM should have been regionalized based on ecosystems, similar to the way mitigation banking was originally set up. You could have had 3 to 5 different scoring regimes - all with the same factors and just as simple to conduct as UMAM is now, but tailored to the quality thresholds of their particular regions (e.g., the Florida Keys, tropical/everglades, etc., etc.). This would have introduced the consistency into the process that was desired without compromising the ranking of quality since you'd be comparing apples with apples instead of...well, you know. As I said, can't do anything about that now - hence all of your questions above are tailored to the technical implementation aspects of the current UMAM rather than whether UMAM itself is valid. Good luck and we very much appreciate your work on this!
35	5/3/2013	SCRAPE IT AND START OVER WITH MORE CATEGORIES THAT DO NOT OVERLAP AND USE 1 TO 3 INSTEAD OF 1 TO 10.
36	5/6/2013	As outlined in the paper attached above (Cited Below). We recommend that additional criteria be added to UMAM to deal more specifically with seagrass ecosystems as well as other nearshore marine communities. Citation: Hotaling AS, Lingle RB, Ankersen TT. 2011. Comprehensive Seagrass Restoration Planning in Southwest Florida: Science, Law and Management. Sea Grant Law and Policy Journal, Vol. 4, No. 1 (Summer 2011).
37	5/6/2013	1. Clearer scoring guidelines in each category (LL, WE, CS) with less redundancy between categories. The language describing individual considerations should be more quantitative with better guidance with respect to weighting and applicability. In addition, there needs to be a clear empirical link between the considerations and the final score for each category. 2. Clearer scoring guidelines in LL and CS for supporting uplands (location, size, type, etc.) (also see comment under 1). 3. Specific considerations in scoring categories, including risk and TL for large, perpetually managed and funded projects, such as mitigation banks. 4. Clear direction in how preservation value is scored for enhancement/restoration sites. The way the rule is currently written and applied, preservation without enhancement tends to receive more functional lift than preservation with enhancement (even if the scenarios were applied to the same mitigation area). When the enhancement area is scored under the current vs. with mitigation scenarios, any preservation value derived from preventing a development threat to the area (as would be scored under without preservation vs. with preservation) is lost. This is not reasonable, since the preservation with enhancement eliminates the threat from development in addition to the enhancement (not enhancement instead of preservation as the rule is currently written and applied). The DEP guideline document released in 2011 did not sufficiently resolve this issue. 5. Risk factor needs to be recalibrated and re-written. The 0.25 increment scoring (1.00 to 3.00) does not provide the precision needed to fairly score risk. Risk factor currently reduces mitigation value in 25% increments. A slight to moderate risk can require up to 200% mitigation, just based on risk. Furthermore, a risk higher than 2.00 should suggest that the mitigation is not appropriate (i.e.: risk too high). I suggest a mitigation risk range from 1.00 to 2.00 in 0.1 point increments. In addition, guidance how to score risk and considerations for factors that reduce risk (such as funded perpetual management plans, large contiguous mitigation sited with supporting landscape, etc.) should be addressed in clearer fashion. 6. Time lag for projects where mitigation credit is deferred (such as mitigation banks) should be addressed. In addition, better guidance for determining time lag in various types of forested conditions should be provided.
38	5/8/2013	Scoring is rarely done by strictly applying to the criteria in 62-345.500 (6).
39	6/10/2013	Better understanding mitigation credits and what they are.
40	6/26/2013	<b>SEE ATTACHMENT "COMMENT 40" LOCATED BELOW</b>
41	6/26/2013	It has been my experience that having a variation in assessment scoring of a few points between the regulator and the consultant does not affect the overall amount of mitigation required as does the Lag Time and Risk score. Most of the UMAM sheets that are submitted to me for permit review have a time lag of 2 years and a risk of 1.25. Additional clarification of this section of the rule would aid in its application.
42	6/27/2013	Regulators need to have consistent training. My professional experience with UMAM is that much subjectivity and inconsistent scoring occurs within groups, especially the SJRWMD staff differ widely in their scoring, compared with my SFWMD experience. I have no experience with UMAMs and the other WMDs. FDEP is more consistent, but needs SJRWMD to become consistent. FDEP and WMD staff training in botany needs improvement.

43	12/5/2013	Preservation mitigation (without any enhancement activities) is very difficult to apply UMAM to as you have to assume there is some lift or a delta of zero results in zero RFG. This scenario needs further clarification.
44	1/3/2014	<p>I think the 2004 UMAM functions well for what it is: a regulatory device. I worry that the present effort to modify the technique does not consider the regulator's perspective (and certainly not his work load or time constraints!) sufficiently. Regulators/consultants appear to be underrepresented among the brain trust driving the revision. Like it or not, UMAM offers much flexibility (and economy of effort) in making decisions. The present method allows for minor tweaking and horse-trading among parties to realize a mitigation plan that accommodates mutual interest. I would hate to lose that flexibility. Contrary to popular prejudice, rigorous scientific analyses have a place in UMAM proportional to the importance of the disagreement at hand. If the dispute among the parties is serious, then the best scientific analysis will likely prevail. But the thing is, such stark disputes almost never occur (or, in my personal ten-year history with the rule, have never occurred). And extensive data collection/analysis is unwarranted for most of the crappy wetlands that are subject to UMAM review. I think any UMAM modification ought to be limited to creating a "long-form UMAM" that could be applied to the toughest cases bound for administrative hearings or, better, for a sort of "Formal UMAM Determination" that applicants could obtain to better refine their impact/mitigation costs. The present "short-form UMAM" works well for all my cases ... and others as well, I'd bet. I'd hate to give it up. And why the heck are we giving up the present UMAM? What is driving the makeover effort? If there was a demonstrable problem then it might be possible to devise an effective solution. What data are there to demonstrate the failure of the present method in offsetting wetland loss?</p>