Governing Board Meeting

Agenda and Meeting Information

October 28, 2008
9:00 a.m.

Sarasota Service Office
6750 Fruitville Road • Sarasota, Florida
(941) 377-3722 • 1-800-320-3503

Myakka River
AGENDA

GOVERNING BOARD MEETING

OCTOBER 28, 2008

9:00 a.m.

SARASOTA SERVICE OFFICE

6750 FRUITVILLE ROAD

SARASOTA, FLORIDA 34240-9711

941-377-3722 OR 1-800-320-3503

All meetings are open to the public.

Meeting Notice

- Viewing of the Board meeting is available at each of the District offices.
- Public input will be taken only at the Sarasota office.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Unless specifically stated, scheduled items will not be heard at a time certain.

At the discretion of the Board, items may be taken out of order to accommodate the needs of the Board and the public.

The meeting will recess for lunch at a time to be announced.

The current Governing Board agenda and the minutes of previous meetings are on the District’s web site: www.WaterMatters.org

9:00 A.M. ★ ★ ★ CONVENE MEETING OF THE GOVERNING BOARD ★ ★ ★

AND PUBLIC HEARING

(TAB A)

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. District Recognition – Nature’s Classroom Environmental Education Program Award
5. Employee Recognition
6. Public Input for Issues Not Listed on the Published Agenda
CONSENT AGENDA (TAB B)

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

Regulation Committee -- Environmental Resource Permits
7. ERP No. 43004276.016 - Crystal River Airport - Taxiway Relocation and Widening – Citrus County
8. ERP No. 44026519.002 - Keystone Meadows - Phase I and II (DENIAL) – Hillsborough County
9. ERP No. 46033717.000 - Rearing Horse Estates (DENIAL) – Marion County
10. ERP No. 49024788.010 - Ashley Glen Boulevard – Pasco County
11. ERP No. 43003052.001 - Pasco County - SR 54, from E of I-75 to E of CR 577 (includes a partial release of a portion of a conservation easement) – Pasco County
12. ERP No. 43015032.004 - Canterbury School Athletic Fields – Pinellas County
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17. WUP No. 20000450.009 - City of Temple Terrace/City of Temple Terrace – Department of Public Works – Hillsborough County
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23. Approve Changes to Amendments to Rule 40D-2.041, Florida Administrative Code (F.A.C.), to Revise the Small General Water Use Permit Category

Resource Management Committee
24. Five-Year Water Resource Development Work Program
25. Minimum Flows and Levels Priority List and Schedule Update
26. Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel No. 15-228-358
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33. Sulphur Springs Pool Upper Weir & Gates and Sulphur Springs Pumping Station Project
34. Chassahowitzka Spring Restoration – First Amendment
35. Facilitating Agricultural Resource Management Systems (FARMS) Program
   a. Citrus Creek Grove, LLC, Phase II – Charlotte County
   b. TJ Chastain – Charlotte County
   c. Calvin Houghland – DeSoto County
   d. Blue Fields USA, L.L.C. – Hardee County; and Additional FARMS Program Funding for Fiscal Year 2009
   e. Old Florida Investments, Inc. – Manatee County
   f. Sandy Branch Ranch, L.L.C – Manatee County
Finance & Administration Committee
36. Board Travel
37. Budget Transfer Report

General Counsel’s Report
38. Consent Order – ERP No. 46029136.000 - Columbia Apartments II, LLC (Columbia Pines) – Hillsborough County

Executive Director’s Report
39. Approval of Minutes – September 16, 2008 Tentative Public Budget Hearing; September 30, 2008 Governing Board Meeting; and September 30, 2008 Final Public Budget Hearing

RESOURCE MANAGEMENT COMMITTEE (TAB C)

Discussion Items
40. Consent Item(s) Moved for Discussion
41. Hydrologic Conditions Status Report
42. District’s Long-Range Water Supply and Resource Development Funding Plan
43. Lake Panasoffkee Restoration Council – Eleventh Annual Report to the Legislature
44. Southern Water Use Caution Area Recovery Strategy Status Report
45. District’s Watershed Management Program and Federal Emergency Management Agency Map Modernization Update

Submit & File Report
46. Staff Response to the Peer Review of "Scientific Peer Review of the Proposed Minimum Flows and Levels for the Weeki Wachee River System"

Routine Reports
47. Florida Forever Funding Status Report
49. Structure Operations Status Report
51. Significant Water Supply and Resource Development Projects

OUTREACH & PLANNING COMMITTEE (TAB D)

Discussion Items
52. Fiscal Year 2010-2014 Strategic Plan Approval
53. Sarasota Bay Estuary Program Update

Submit & File Reports – None

Routine Reports
54. Comprehensive Plan Amendment and Related Reviews Report
55. Development of Regional Impact Activity Report
56. Speakers Bureau
57. Significant Activities Report

REGULATION COMMITTEE (TAB E)

Discussion Items
58. Consent Item(s) Moved for Discussion
59. Approve for Adoption the Final Amendments to 40D-22, F.A.C., Year-Round Water Conservation Measures, in Accordance With Statewide Consistency Initiative
60. Governing Board Concurrence with Executive Director’s Issuance of Executive Director Order No. SWF 08-043, Regarding Increased Use of the Tampa Bypass Canal
61. Phase III Water Shortage Declaration Request from Tampa Bay Water

Submit & File Report
62. Phase II - Flow Meter Accuracy Verification Project
Routine Reports
63. Southern Water Use Caution Area Quantities
64. Water Production Summary
65. Public Supply Benchmarks
66. Overpumpage Report
67. Resource Regulation Significant Initiatives Report

 FINANCE & ADMINISTRATION COMMITTEE (TAB F)

Discussion Items
68. Consent Item(s) Moved for Discussion

Submit & File Report
70. Office of Inspector General Annual Report for Fiscal Year 2008
71. District Environmental Stewardship Initiative Status Report

Routine Report
72. Treasurer's Report, Payment Register, and Contingency Reserves Report
73. Management Services Status Report

GENERAL COUNSEL’S REPORT (TAB G)

Discussion Items
74. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports
75. Litigation Report
76. Rulemaking Update

REPORTS (TAB H)

77. Industrial Advisory Committee Liaison Report
78. Public Supply Advisory Committee Liaison Report
79. Well Drillers Advisory Committee Liaison Report
80. Executive Director’s Report
81. Chair’s Report

** ** RECESS PUBLIC HEARING ** **

ANNOUNCEMENTS

- Polk County’s Nature Discovery Center Grand Opening .......................... October 31, 2008
- Basin Board Education Committee Meeting – Tampa ............................ November 4, 2008
- Public Land Acquisition & Management Partnership Conference and Basin Board Land Resources Committee Meeting – Jacksonville ........ December 3-5, 2008
- Governing Board Meeting and Workshop Schedule:
  Meeting – Tampa ....................................................................................... November 18, 2008
  Meeting – Brooksville ............................................................................... December 16, 2008
  Joint Workshop of the Governing Board and
    Tampa Bay Water – Tarpon Springs .......................................................... January 26, 2009
  Meeting – Tarpon Springs ....................................................................... January 26-27, 2009
• Basin Board Meeting Schedule:
  Hillsborough River – Tampa ................................................................. December 2, 2008
  Alafia River – Tampa ............................................................................. December 9, 2008
  Northwest Hillsborough – Tampa ........................................................... December 9, 2008
  Manasota – Sarasota ............................................................................. December 10, 2008
  Pinellas-Anclote River – Gulfport ............................................................. December 10, 2008
  Coastal Rivers – Brooksville ................................................................. December 11, 2008
  Withlacoochee River – Brooksville ......................................................... December 11, 2008
  Peace River – Bartow ............................................................................. December 12, 2008

• Advisory Committee Meeting Schedule:
  Green Industry – Tampa ........................................................................ November 20, 2008
  Agricultural – Tampa ............................................................................. November 20, 2008
  Environmental – Tampa ......................................................................... December 8, 2008
  Industrial – Tampa ................................................................................ January 6, 2009
  Public Supply – Tampa ........................................................................... January 6, 2009
  Well Drillers – Tampa ............................................................................. January 14, 2009

ADJOURNMENT

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or an issue that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at:

Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.
GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective June 2008

<table>
<thead>
<tr>
<th>OFFICERS</th>
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<tbody>
<tr>
<td>Chair</td>
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<tr>
<td>Vice Chair</td>
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<tr>
<td>Secretary</td>
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<tr>
<td>Treasurer</td>
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The full Board serves as the members for each committee.

<table>
<thead>
<tr>
<th>REGULATION COMMITTEE</th>
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<tbody>
<tr>
<td>Sallie Parks, Chair</td>
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<tr>
<td>Bryan K. Beswick, Vice Chair</td>
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<td>Jennifer E. Closshey, Second Vice Chair</td>
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<tr>
<th>RESOURCE MANAGEMENT COMMITTEE</th>
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<tr>
<td>Hugh M. Gramling, Chair</td>
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<tr>
<td>Albert G. Joerger, Vice Chair</td>
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<td>Douglas B. Tharp, Second Vice Chair</td>
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<tr>
<th>FINANCE AND ADMINISTRATION COMMITTEE</th>
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<tr>
<td>Ronald E. Oakley, Chair*</td>
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<tr>
<td>H. Paul Senft, Jr., Vice Chair</td>
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<tr>
<td>Todd Pressman, Second Vice Chair</td>
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<tr>
<th>OUTREACH AND PLANNING COMMITTEE</th>
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<tr>
<td>Maritza Rovira-Forino, Chair</td>
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<tr>
<td>Judith C. Whitehead, Vice Chair</td>
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<tr>
<td>Patricia M. Glass, Second Vice Chair</td>
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*Board policy requires the Governing Board treasurer to chair the Finance and Administration Committee.

<table>
<thead>
<tr>
<th>STANDING COMMITTEE LIAISONS</th>
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<tbody>
<tr>
<td>Agricultural Advisory Committee</td>
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<tr>
<td>Environmental Advisory Committee</td>
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<tr>
<td>Green Industry Advisory Committee</td>
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<tr>
<td>Industrial Supply Advisory Committee</td>
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<tr>
<td>Public Supply Advisory Committee</td>
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<td>Well Drillers Advisory Committee</td>
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<table>
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<tr>
<th>OTHER LIAISONS</th>
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<tbody>
<tr>
<td>Basin Board Education Committee</td>
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<td>Basin Board Land Resources Committee</td>
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<tr>
<td>Governing Board Diversity Coordinator</td>
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<tr>
<td>Environmental Stewardship</td>
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<tr>
<td>Strategic Planning Initiative</td>
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<tr>
<td>Charlotte Harbor National Estuary Program Policy Board</td>
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<tr>
<td>Sarasota Bay Estuary Program Policy Board</td>
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<tr>
<td>Tampa Bay Estuary Program Policy Board</td>
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<tr>
<td>Tampa Bay Regional Planning Council</td>
</tr>
<tr>
<td>Museum of Science &amp; Industry (MOSI) Board</td>
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Revised 10/10/2008
A. Public Hearing & Meeting
CONVENE MEETING OF THE GOVERNING BOARD AND PUBLIC HEARING

1. Call to Order ................................................................. 2
2. Pledge of Allegiance and Invocation ......................................... 2
3. Additions/Deletions to Agenda .................................................. 2
4. District Recognition – Nature’s Classroom Environmental Education Program Award ...... 3
5. Employee Recognition ............................................................. 4
6. Public Input for Issues Not Listed on the Published Agenda ...................... 5
Governing Board Meeting
October 28, 2008

1. **Call to Order**

   The Board Chair calls the meeting to order. The Board Secretary confirms that a quorum is present. The Board Chair then opens the public hearing.

   Anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker’s card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. Several individuals wishing to speak on the same issue/topic should designate a spokesperson.

2. **Pledge of Allegiance and Invocation**

   The Board Chair leads the Pledge of Allegiance to the Flag of the United States of America. Mr. Bilenky offers the invocation.

3. **Additions/Deletions to Agenda**

   According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff's analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting.

   Therefore, it is the District staff's recommendation that good cause has been demonstrated and should be considered during the Governing Board's meeting.

   **Staff Recommendation:**

   Approval of the recommended additions and deletions to the published agenda.

   **Presenter:** David L. Moore, Executive Director
District Recognition

Nature's Classroom Environmental Education Program Award

In the past few years, the Governing Board has supported renovation efforts at Nature's Classroom being conducted by the Hillsborough County School Board and the Hillsborough Education Foundation. The renovation plan included the construction of an environmental education center, interpretive building, administrative center and replacement of other amenities that are used to provide an outstanding environmental education experience to Hillsborough County students. In addition to environmental education, the renovations have created a venue that has fostered other beneficial relationships such as a place to connect art and ecosystems.

In connection with the renovation work at Nature's Classroom, the District was nominated for the Brandon News and Tribune Brush Strokes 2007/2008 Awards for Excellence in the Arts. This year, there were 11 award categories, three of them having connection to Nature's Classroom. The Greatest Corporate Contribution Award was presented to the Southwest Florida Water Management District and Hillsborough County Water Resource Service (HCWRS) for contributions to Nature's Classroom. This award was given to the District for its continued support of Nature's Classroom and the HCWRS for promoting a poster of a painting "River Rapids" by artist Taylor Ikin who has completed a series of paintings of public conservation lands. Additionally, Nature's Classroom Site Administrator, Karen Johnson, received the Development of Arts Award from the Tribune. District staff received the award on September 14, 2008.

Staff Recommendation:

This item is presented for the Board's information, and no action is required.

Presenter: Eric Sutton, Assistant Director, Land Resources Department
Employee Recognition

The District's employees are its most valuable resource. We are pleased and proud that the average tenure of all employees at the District is 12 years and that we are able to retain such remarkable talent. Each year, many District employees reach significant longevity milestones in their service to the District and many reach momentous milestones, which make them eligible for retirement. The District as a whole, as well as each employee’s department, acknowledges and celebrates these milestones/retirements and the tremendous individual contributions they represent to the achievement of the District’s mission.

This item provides the Board with the opportunity to personally recognize and thank our dedicated employees who have reached five-year increments in service to the District and those employees who have completed at least 30 years of employment in the Florida Retirement System and are retiring from the District. We have seven employees that have achieved longevity milestones for the period of November 1, 2008 to November 30, 2008.

Employee Recognition – Service/Retirement

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Employee Name</th>
<th>Title</th>
<th>Department</th>
<th>Office Location</th>
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<tbody>
<tr>
<td>Retirement</td>
<td>None for this meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Years</td>
<td>None for this meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Years</td>
<td>None for this meeting</td>
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</tr>
<tr>
<td>20 Years</td>
<td>Mary French</td>
<td>Sr. Reg. Processing Specialist</td>
<td>Sarasota Regulation</td>
<td>Sarasota</td>
</tr>
<tr>
<td></td>
<td>Vince Pelham</td>
<td>Staff Field Technician</td>
<td>Res. Data &amp; Restoration</td>
<td>Sarasota</td>
</tr>
<tr>
<td>15 Years</td>
<td>Art Snyder</td>
<td>CMMS Coordinator</td>
<td>General Services</td>
<td>Brooksville</td>
</tr>
<tr>
<td>10 Years</td>
<td>Todd Butler</td>
<td>Production Support Analyst</td>
<td>Information Resources</td>
<td>Tampa</td>
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<tr>
<td></td>
<td>Linda Williams</td>
<td>Sr. Administrative Assistant</td>
<td>Resource Projects</td>
<td>Brooksville</td>
</tr>
<tr>
<td>5 Years</td>
<td>Ron Lubosco</td>
<td>Chemist</td>
<td>Res. Data &amp; Restoration</td>
<td>Brooksville</td>
</tr>
<tr>
<td></td>
<td>Alison Ramoy</td>
<td>Sr. Water Conservation Analyst</td>
<td>Resource Projects</td>
<td>Brooksville</td>
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Staff Recommendation:

This item is presented for the Board’s information, and no action is required.

Presenter: David L. Moore, Executive Director
Public Input for Issues Not Listed on the Published Agenda

At this time, the Board will hear public input for issues not listed on the published agenda.
B. Consent

Agenda
Governing Board Meeting
October 28, 2008

Consent Agenda

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Executive Director’s Report
39. Approval of Minutes – September 16, 2008 Tentative Public Budget Hearing; September 30, 2008 Governing Board Meeting; and September 30, 2008 Final Public Budget Hearing ......................................................... 277
This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Crystal River Airport - Taxiway Relocation and Widening

GRANTED TO: Citrus County Department of Public Works
3600 West Sovereign Path, Suite 241
Lecanto, FL 34461

ABSTRACT: This Individual permit authorization is for the relocation and widening of an existing taxiway at the Crystal River Airport. The proposed project is located in Sections 34 and 35, Township 18 South, Range 17 East of Citrus County. The project area is approximately 39.73 acres. The proposed project consists of removing the existing 30-foot wide taxiway parallel to the existing Runway 9-27 and relocating and constructing a 35-foot wide taxiway approximately 76 feet north of the existing taxiway, where the centerline of the relocated taxiway is 240 feet north of the centerline of the existing Runway 9-27. The existing taxiway to be removed encompasses approximately 3.17 acres of impervious pavement and the new relocated taxiway encompasses approximately 3.77 acres of impervious pavement. Thus, the project will result in a net increase of approximately 0.60-acre of impervious pavement.

The existing and proposed conditions models of the entire 243.80-acre watershed area (188.0 acres within airport property, 55.8 acres onsite) were developed using the Interconnected Pond Routing (ICPR) computer program. The site is located within a closed drainage basin. The Project Area Drainage Basin is approximately 94.92 acres and is the portion that contains subbasins that are partially or fully within the 39.73 project area. Runoff from the basin ultimately drains to Wetland 6, Wetland 13, Wetland 14 and Wetland 15 where water is stored and discharges by infiltration or evaporation. The design proposes three new ponds identified as West Pond, Central Pond, and East Pond located in the infield areas between the runway and the relocated taxiway. Two existing interconnected ponds that were previously permitted under ERP No. 44004276.015 and are referred to as Box-1 Pond and Box-2 Pond will be slightly reconfigured to accommodate the proposed taxiway relocation and widening. The ponds will provide water quality treatment and attenuation. The water quality treatment method will be on-line retention. The ponds were designed to treat the runoff from one inch of rainfall from the contributing area. Portions of Wetland 6 and Wetland 13 are located offsite of airport property. The proposed conditions total inflow runoff volumes and peak stages for Wetland 6 and Wetland 13 are equal to or less than the volumes and stages in existing conditions. Therefore, it was demonstrated that the project will not have any adverse quantity impacts. The amount of cut and fill volumes in the 100-year flood plain was calculated. The results show a net increase in cut volume resulting in no net loss in flood plain storage.
Permit No.: 43004276.016
Project Name: Crystal River Airport - Taxiway Relocation and Widening

The southernmost portions of three wetlands will be filled for the construction of the new relocated taxiway. All of the wetlands are currently mowed for safety purposes, as part of the airport clear zone. One wetland will be reduced in size to less than one-half acre but will remain and be used as a stormwater treatment pond. Mitigation for all of the 1.98 acres of wetland impacts will be provided at the Upper Coastal Mitigation Bank, ERP No. 43031543.001. The 1.0 unit of credit required for the impacts will be deducted from the mitigation bank. The available mitigation area will adequately offset the habitat values and functions of the impacted wetlands. Mitigation was determined by utilizing the Florida Uniform Mitigation Assessment Method, Chapter 62-345 F.A.C. The 1.0 unit of functional loss will be offset by the purchase of 1 credit of FLUCCS 640 wetland from the mitigation bank.

OP. & MAINT. ENTITY: Citrus County Department of Public Works
COUNTY: Citrus
SEC/TWP/RGE: 34, 35/18S/17E
TOTAL ACRES OWNED OR UNDER CONTROL: 188.00
PROJECT SIZE: 39.73 Acres
LAND USE: Government
DATE APPLICATION FILED: April 23, 2008
AMENDED DATE: N/A

I. Water Quantity/Quality

<table>
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<tr>
<th>POND NO.</th>
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A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
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<td>7.80</td>
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*Codes for the type or method of compensation provided are as follows:
EE = Equivalent Excavation to offset project filling per Section 4.4 of the District's Basis of Review
N/A = Not Applicable
III. Environmental Considerations

### Wetland/Other Surface Water Information

<table>
<thead>
<tr>
<th>Wetland/Other Surface Water Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts Acres</th>
<th>Functional Loss*</th>
<th>Temporary Impacts Acres</th>
<th>Functional Loss*</th>
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<td>WL 13</td>
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* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments: Wetland 13 is the most southern portion of a larger Streams and Lake Swamps (Bottomland) wetland system that extends into the airport taxiway clear zone area. The area is routinely mowed and is now better classified and a Wetland Shrub (FLUCCS 631). A 0.25-acre area of this wetland will be filled for the new relocated taxiway. Wetland 14 is a freshwater marsh that will have more than half of its acreage filled for the relocated taxiway. The fish and wildlife habitat of the 0.75-acre portion to be filled and the 0.44-acre remnant will require mitigation. Although the 0.44-acre remnant will remain, the wetland will be used as a stormwater treatment pond. The relocated taxiway will also impact two lobes of Wetland 15. These wetland areas are also mowed regularly. Mitigation for these impacts will also be provided.

### Mitigation Information

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration Acres</th>
<th>Functional Gain</th>
<th>Enhancement Acres</th>
<th>Functional Gain</th>
<th>Preservation Acres</th>
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<td>0.00</td>
<td>0.00</td>
<td>1.00</td>
</tr>
</tbody>
</table>

Mitigation Comments: Mitigation for the permanent wetland impacts will be provided at the Upper Coastal Mitigation Bank, ERP No. 43031543.001. The 1.0 unit of credit required for the impacts will be deducted from the 2.69-acre Wetland AA2, which is a Vegetated non-forested wetland (FLUCCS 640). This habitat will adequately offset the habitat values and functions of the impacted wetlands. Mitigation was determined by utilizing the Florida Uniform Mitigation Assessment Method, Chapter 62-345 F.A.C. The 1.0 unit of functional loss will be offset by the purchase of 1 credit of FLUCCS 640 wetland from the mitigation bank.
Permit No.:   43004276.016
Project Name:   Crystal River Airport - Taxiway Relocation and Widening

Wetland/ Other Surface Water impacts and related mitigation
Wetland/ Other Surface Water: WL 13
Impact Area(s): Wetland 13 fill
Mitigation: AA2

Wetland/ Other Surface Water: WL 14
Impact Area(s): Wetland 14 fill
Mitigation: AA2

Wetland/ Other Surface Water: WL 14 remnant
Impact Area(s): Wetland 14 stormwater pond
Mitigation: AA2

Wetland/ Other Surface Water: WL 15
Impact Area(s): Wetland 15a, Wetland 15b
Mitigation: AA2

A regulatory conservation easement is not required.
A proprietary conservation easement is not required.

SPECIFIC CONDITIONS

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

   Tampa Regulation Department
   Southwest Florida Water Management District
   7601 U.S. Highway 301 North
   Tampa, FL  33637-6759

   The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Tampa Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.
5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

7. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
   a. wetland and surface water areas,
   b. wetland buffers, and
   c. limits of approved wetland impacts.

   The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

8. For dry bottom retention systems, the retention areas shall become dry within 72 hours after a rainfall event. If a retention area is regularly wet, this situation shall be deemed to be a violation of this permit.

9. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

   For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.

10. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.

11. The construction of all wetland impacts shall be supervised by a qualified environmental scientist/specialist/consultant. The Permittee shall identify, in writing, the environmental professional retained for construction oversight prior to initial clearing and grading activities.

12. The Permittee shall, prior to any mobilization of equipment, land clearing, grading and/or stockpiling of materials or soil, provide to the District a certified survey of the existing grades and elevations (topography) for the Contractor's Staging Area and the Secondary Stockpile Area. These areas have their locations identified on Plan Sheets C-19 and C-20 and shall be subject to the requirements of note Number 7 of the "NOTES:" section contained on each of those specific sheets.

13. The Permittee shall, prior to any wetland impacts, provide to the District documentation of the purchase of 1.0 Non-Forested mitigation credit from the Upper Coastal Mitigation Bank. That documentation shall be in the form of a Modification by Letter of Permit No. 43031543.001, issued to the Upper Coastal Mitigation Bank, which deducts 1.0 mitigation credit from the bank’s credit ledger.
This permit is issued based upon the design prepared by the Permittee's consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform and construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
CONSENT ITEM 8

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE GENERAL CONSTRUCTION

DENIAL OF GENERAL CONSTRUCTION
PERMIT APPLICATION NO. 44026519.002
DATE OF DENIAL: October 28, 2008

Staff recommends denial of this application for permit due to lack of completeness, in accordance with District Rule 40D-1.1020 and Rule 40D-40.302, Florida Administrative Code, (F.A.C.).

PROJECT NAME: Keystone Meadows - Phase I and II

OWNER/APPLICANT: Ariel Homes of Tampa, Inc.
5281 Ehrlich Road
Tampa, FL 33624

ABSTRACT: This permit denial is for a 16-lot single-family subdivision. The project site is located east of Brown Road and ¼ mile north of Mobley Road. It is within Section 23, Township 27 South, and Range 17 East in Hillsborough County. Water quality treatment and attenuation of the 25-year, 24-hour storm event will be provided within three ponds, Pond A, Pond B and Pond C. Wet detention will be the water quality treatment method. On September 26, 2006, The District's Governing Board approved Consent Order No. SWF 06-58, which required the submittal of a complete Environmental Resource Permit (ERP) application for the construction activities addressed by the Consent Order, as well as any additional construction activities proposed for the project site. The application was submitted on February 9, 2007.

January 21, 2004 Application received for project (ERP No. 44026519.000)
February 12, 2004 Request for Additional Information sent
February 23, 2004 Letter requesting withdrawal of the application received from Engineer of Record
April 1, 2005 District staff reported that construction had begun on site
April 6, 2005 District staff sent an unauthorized construction letter to owner
April 15, 2005 District staff met with the owner and the engineer to discuss the unauthorized construction letter
August 10, 2006 Pre-Application Meeting held in the Tampa Service Office
September 26, 2006 Consent Order approved by the District's Governing Board
February 9, 2007 ERP Application for the project received
March 2, 2007 Request for Additional Information letter sent
August 1, 2007 Applicant responds to Additional Information letter
August 30, 2007 Request for Additional Information letter sent
January 24, 2008 Applicant responds
February 18, 2008 Clarification of Received Information letter sent
July 9, 2008 Additional information received
July 30, 2008 The reviewer e-mailed the engineer to request information to complete the review.
August 5, 2008 Response to the e-mail was received
September 5, 2008 The reviewer spoke with owner.
September 9, 2008 The reviewer spoke with owner.

COUNTY: Hillsborough
SEC/TWP/RGE: 23/27S/17E
Permit No.: 44026519.002
Project Name: Keystone Meadows - Phase I and II

TOTAL ACRES OWNED: 60.37

PROJECT SIZE: 40.00 Acres

LAND USE: Residential

DATE APPLICATION FILED: February 9, 2007

AMENDED DATE: August 1, 2008

The following are reasons for denial:

**TECHNICAL AND LEGAL DOCUMENTATION**

1. The applicant did not pay the additional $800 to satisfy the required $1,600.00 fee for the ERP Application. [Rule 40D-1.607(1)(a)(6) F.A.C.]
Location Map
Rearing Horse Estates (DENIAL)
ERP No. 46033717.000

Legend
Project Area
Marion County

Southwest Florida
Water Management District
RFM GIS 9/10/2008
2008 Aerial
Staff recommends denial of this application for permit due to lack of completeness, in accordance with District Rules 40D-1.1020 and 40.301, Florida Administrative Code (F.A.C.).

PROJECT NAME: Rearing Horse Estates
OWNER/APPLICANT: Shakil Saulat
Southern Property Management, LLC
3630 Woodview Drive
Orange Park, FL 32065

ABSTRACT: This permit application is for the construction of a surface water management system to serve a 43.33-acre residential subdivision in Marion County. The project site is located on NW 35th Street in Marion County. The proposed low density subdivision would consist of six lots. The Environmental Resource Permit (ERP) Application was a requirement of a March 19, 2007, Notice of Violation for unauthorized construction. Staff recommends denial of this application as the applicant has not provided reasonable assurances that the conditions of issuance (Rule 40D-4.301, F.A.C.) will be met. Compliance Staff has been notified that this case must be referred back to the Legal Department for further action.

COUNTY: Marion
SEC/TWP/RGE: 32/14S/20E
TOTAL ACRES OWNED: 43.33 acres
PROJECT SIZE: 43.33
LAND USE: Residential
DATE APPLICATION FILED: December 14, 2007
AMENDED DATE: N/A

Information has not been provided that would allow the District to determine whether the following criteria have been met:

ENGINEERING:

1. Rule 40D-4.101, F.A.C., entitled Content of Application, contains Subsection 40D-4.101(2), F.A.C., which states "The application must be signed by the owner or the owner's authorized agent." In addition Subsection 40D-4.301(1)(j), F.A.C., entitled Conditions of Issuance of Permits, states that in order to obtain a permit under Chapter 40D-40, F.A.C., the applicant must
provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system "will be conducted by an entity with financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the permit, if issued."

The application proposes construction on the adjacent parcel which is not owned by the applicant. In addition the proposed erosion control measures are not located on the property controlled or owned by the applicant. The application does not contain authorization for construction on the adjacent parcel or a drainage easement that will allow the pond to be operated and maintained by the applicant.

2. Rule 40D-4.101, F.A.C., entitled **Content of Application** includes Subsection 40D-4.101(1)(b), F.A.C., which requires "five copies of the application form identified in Chapter 40D-1, F.A.C., with applicable supplements". Section E, Part F of the District's application from for an Environmental Resource Permit (ERP), entitled **Operation and Maintenance and Legal Documentation**, requires the applicant to "Provide evidence of ownership, or in the case of an applicant evidence of an easement or other documents evidencing authorization to perform the proposed work."

The application proposes construction on the adjacent parcel which is not owned by the applicant. The application does not contain authorization for construction on the adjacent parcel or a drainage easement that will allow the pond to be operated and maintained by the applicant.

3. Rule 40D-4.101, F.A.C., entitled **Content of Application** includes Subsection 40D-4.101(1)(b), F.A.C., which requires "five copies of the application form identified in Chapter 40D-1, F.A.C., with applicable supplements". Section E, Part F of the District's application form for an ERP, entitled **Operation and Maintenance and Legal Documentation**, requires the applicant to "Provide draft document enumerating the enforceable affirmative obligations for the entity to properly operate and maintain the system for its expected life, and document the entity's financial responsibility for long term maintenance….If a property owner's association is the proposed operation entity, provide copies of the Articles of Incorporation for the association and copies of the declaration, restrictive covenants, deed restrictions or other operational documents that assign responsibility for the operation and maintenance of the system."

In addition, Rule 40D-4.091, F.A.C., entitled **Publications and Agreements Incorporated by Reference** codifies the District's Basis of Review (B.O.R.) for Environmental Resource Permit Application within the Southwest Florida Water Management District (SWFWMD), May 2, 2006. Section 2.6.2 of the District's B.O.R., entitled **Operation and Maintenance Entity Documentation Requirements**, outlines the required components of the Articles of Incorporation and Declaration of Covenants.

The proposed draft Articles of Incorporation and Declaration of Covenants submitted on February 22, 2008, do not meet the requirements of Section 2.6.2 of the District's B.O.R. and the applicant has failed to have the documents changed after several requests.

4. Rule 40D-4.301(1)(j), F.A.C., entitled **Conditions of Issuance of Permits**, includes Subsection 40D-3.301(1)(b), F.A.C., which requires reasonable assurance that the proposed system "will not cause adverse flooding to on-site or off-site property", and includes Subsection 40D-4.301(3), F.A.C., which states, "The standards and criteria contained in the B.O.R., adopted by reference in Rule 40D-4.091, F.A.C., shall determine whether reasonable assurance required by Subsections
Permit No.: 46033717.000
Project Name: Rearing Horse Estates (DENIAL)

40D-4.301(1) and 40D-4.302, F.A.C., have been provided." Section 4.4, B.O.R., entitled Flood Plain Encroachment states, "No net encroachment into the floodplain, up to that encompassed by the 100-year storm event, which will adversely affect either conveyance, storage, water quality or adjacent lands will be allowed." In addition, Section 4.7 of the District's B.O.R., entitled Historic Basin Storage states, "Provision must be made to replace or otherwise mitigate the loss of historic basin storage provided by the site."

The application does not demonstrate that the proposed project will not increase flood stages off site. The unauthorized construction of the road including the installation of a culvert has filled a portion of the existing depression and altered the conveyance. Although a portion of the existing depression has been enlarged, the drainage calculations submitted do not demonstrate that the flood elevations have not increased off site. Furthermore, the lack of drainage easement over the existing depression does not provide assurance that any compensation maybe impacted in the future.

APPLICATION REVIEW TIMELINE:

March 19, 2007    District issued notice of violation for unauthorized construction (CT 182204).
April 3, 2007    Letter received by compliance staff requesting meeting with applicant's engineer.
May 16, 2007   Compliance staff met with engineer to discuss permit requirements.
October 3, 2007    Compliance staff received geotechnical information for the site. Engineer indicated he will advise District of ERP Application progress.
December 14, 2007  ERP Application received.
January 9, 2008  Request for Additional Information (RAI) letter issued.
February 8, 2008  Engineer of Record requested one-week time extension.
February 22, 2008  Response to RAI letter received.
March 20, 2008  Clarification of Information Received (CLAR) letter issued.
May 1, 2008    Response to CLAR letter received.
June 2, 2008    Owner requested time extension.
June 12, 2008  District met with owner and Engineer of Record to resolve issues addressed in second CLAR letter.
June 16, 2008  Site visit with Engineer of Record.
July 2, 2008  Owner requested a time extension to obtain necessary drainage and construction easements.
July 8, 2008    Time extension approved until August 1, 2008.
August 1, 2008  Response to Second CLAR letter received.
August 13, 2008  Reviewer contacted owner by email indicating withdraw application and remove unauthorized construction.
August 25, 2008  Notification of Incomplete Application letter sent to owner.

STAFF RECOMMENDATION:

- Does not meet rule requirements. Staff recommends denial.
This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

**PROJECT NAME:** Ashley Glen Boulevard

**GRANTED TO:** Ashley Glen, LLC
300 State Street E, Suite 222
Oldsmar, FL 34677

**ABSTRACT:** This permit is for the modification of systems previously permitted by the District, and construction of a new system to serve an 81.57-acre roadway project. The systems being modified include Suncoast Commercial (Environmental Resource Permit [ERP] No. 43024788.004) and Ashley Glen Apartments Mass Grading-Ph 1 (ERP No. 49024788.009). The project site is located within the Ashley Glen development on the north side of SR 54, approximately three miles west of US 41, in southern Pasco County. The project area is covered by an existing Conceptual Permit (ERP No. 49024788.005), issued on March 25, 2008. Information regarding the surface water management system and wetlands is contained in the tables below.

**OP. & MAINT. ENTITY:** Ashley Glen, LLC

**COUNTY:** Pasco

**SEC/TWP/RGE:** 19,30/26S/18E

**TOTAL ACRES OWNED OR UNDER CONTROL:** 260.87

**PROJECT SIZE:** 81.57 Acres

**LAND USE:** Road Project

**DATE APPLICATION FILED:** February 21, 2008

**AMENDED DATE:** June 6, 2008
I. Water Quantity/Quality

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<th>TREATMENT TYPE</th>
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<td><strong>TOTAL</strong></td>
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</table>

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
<th>Encroachment Result**(feet)</th>
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*Codes [ X ] for the type or method of compensation provided are as follows:
MI = Minimal Impact based on modeling of existing stages vs. post-project encroachment.
N/A = Not Applicable

**Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims MI type of compensation.

III. Environmental Considerations

<table>
<thead>
<tr>
<th>Wetland/Other Surface Water Information</th>
<th>Count of Wetlands: 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland/Other Surface Water Name</td>
<td>Total Acres</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>B4</td>
<td>0.75</td>
</tr>
<tr>
<td>C10</td>
<td>0.12</td>
</tr>
<tr>
<td>C12</td>
<td>0.05</td>
</tr>
<tr>
<td>C3</td>
<td>0.17</td>
</tr>
<tr>
<td>C4</td>
<td>0.60</td>
</tr>
<tr>
<td>C6</td>
<td>2.90</td>
</tr>
<tr>
<td>D2</td>
<td>0.29</td>
</tr>
<tr>
<td>E6</td>
<td>0.02</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4.90</strong></td>
</tr>
</tbody>
</table>

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments: This project contains 4.90 acres of wetlands and surface waters. Project construction will result in the filling and/or excavation of 4.08 acres of forested and non-forested wetlands and surface waters. The above wetland impacts result in a Functional Loss of 0.51.
Mitigation Information

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration</th>
<th>Enhancement</th>
<th>Preservation</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Acres</td>
<td>Functional Gain</td>
<td>Acres</td>
<td>Functional Gain</td>
</tr>
<tr>
<td>B2 Forest</td>
<td>1.29</td>
<td>0.38</td>
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<td>0.00</td>
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<tr>
<td>B2 Herb</td>
<td>1.60</td>
<td>0.51</td>
<td>0.00</td>
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<td>2.89</td>
<td>0.89</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Mitigation Comments: To mitigate for these impacts, the Permittee will create 2.89 acres of forested and non-forested wetlands from uplands. The wetland creation provides a Functional Gain of 0.89.

Mitigation is not required for impacts to isolated Wetland C3 and upland-cut ditches C6, C10, D2, and E6 pursuant to Subsections 3.2.2.1 and 3.2.2.2 of the Basis of Review. Under these Subsections, wetland mitigation is not required for impacts to: isolated wetlands that are not connected by standing or flowing water to other wetlands so that they are greater than one-half acre in size, are not used by threatened or endangered species, are not located in an Area of Critical State Concern, and are of minimal value to fish and wildlife and; upland-cut ditches that do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.

SPECIFIC CONDITIONS

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

Brooksville Regulation Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL  34604-6899

The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Brooksville Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.
5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA - B2

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the addition or removal of vegetation.

a. The mitigation area can be reasonably expected to develop into a palustrine emergent and forested wetland, as determined by the USFWS Classification of Wetlands and Deepwater Habitats of the United States.

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetland/surface water type specified in criterion "a."

c. The dominant and subdominant species of desirable wetland plants comprising each vegetation zone and stratum of the mitigation area shall be as follows:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>STRATUM</th>
<th>PERCENT COVER</th>
<th>DOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Herbaceous</td>
<td>45</td>
<td><em>Spartina bakeri</em></td>
</tr>
<tr>
<td></td>
<td>Shrub</td>
<td>45</td>
<td><em>Myrica cerifera</em></td>
</tr>
<tr>
<td>B</td>
<td>Herbaceous</td>
<td>70</td>
<td><em>Juncus effuses</em></td>
</tr>
<tr>
<td></td>
<td>Canopy</td>
<td>20</td>
<td><em>Panicum hemitomon</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>Fraxinus caroliniana</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>Cornus foemina</em></td>
</tr>
<tr>
<td>C</td>
<td>Herbaceous</td>
<td>70</td>
<td><em>Scirpus americanus</em></td>
</tr>
<tr>
<td></td>
<td>Shrub</td>
<td>20</td>
<td><em>Cephalanthus occidentalis</em></td>
</tr>
</tbody>
</table>

This criterion must be achieved within eight years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

d. Species composition of recruiting wetland vegetation are indicative of the wetland type specified in criterion "a."

e. Density of trees surviving in the mitigation area equals or exceeds 435/acre for trees greater than or equal to 8 feet in height.

f. Coverage by nuisance or exotic species does not exceed 10 percent.
g. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

7. The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.

9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected annually.

10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:

a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

b. suspending all maintenance activities in the wetland mitigation areas including, but not limited to, irrigation and addition or removal of vegetation; and

c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation sites to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation areas that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.
11. Following the District’s determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation areas such that they remain in their current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation areas where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

12. The Permittee shall, within 90 days of initial wetland impact and prior to beneficial use of the site, complete all aspects of the mitigation plan, including the grading, mulching, and planting, in accordance with the design details in the final approved construction drawings and information submitted in support of the application.

13. The construction of all wetland impacts and wetland mitigation shall be supervised by a qualified environmental scientist/specialist/consultant. The Permittee shall identify, in writing, the environmental professional retained for construction oversight prior to initial clearing and grading activities.

14. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

15. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
   - wetland and surface water areas
   - wetland buffers
   - limits of approved wetland impacts

   The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

16. All wetland boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District.

17. The following language shall be included as part of the deed restrictions for each lot:

   "No owner of property within the subdivision may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, wetland mitigation areas, buffer areas, upland conservation areas and drainage easements described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District, Brooksville Regulation Department."

18. Rights-of-way and easement locations necessary to construct, operate and maintain all facilities, which constitute the permitted surface water management system (including all wetlands and wetland buffers), shall be shown on the final plat recorded in the County Public Records. Documentation of this plat recording shall be submitted to the District with the Statement of Completion and Request for Transfer to Operation Entity Form, and prior to beneficial occupancy or use of the site.

19. Copies of the following documents in final form, as appropriate for the project, shall be submitted to the Brooksville Regulation Department:
20. The following language shall be included as part of the deed restrictions for each lot:

"Each property owner within the subdivision at the time of construction of a building, residence, or structure shall comply with the construction plans for the surface water management system approved and on file with the Southwest Florida Water Management District."

21. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.

22. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Brooksville Service Office.

23. If limestone bedrock is encountered during construction of the surface water management system, the District must be notified and construction in the affected area shall cease.

24. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.

25. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.

26. The Permittee shall execute the final draft financial responsibility instrument approved by the District prior to initiating activities authorized by this permit. The final draft financial responsibility instrument shall be consistent with the draft instrument submitted with the permit application and approved by this permit.
The Permittee shall submit the original executed financial responsibility instrument to the District at the address below:

Brooksville Regulation Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

The Permittee shall provide the financial responsibility required by Rule 40D-4.301(1)(j), F.A.C., until the District determines that the specific success criteria contained in this permit have been met; or the District approves a request to transfer the permit to a new owner and receives an acceptable substitute financial responsibility mechanism from the new owner.

The Permittee may request, in writing, a release from the obligation to maintain certain amounts of the financial assurance required by this permit as phases of the mitigation plan are successfully completed. The request shall include documentation that the mitigation phase or phases have been completed and payment for their completion has been made. Following the District's verification that the phase or phases have been completed in accordance with the mitigation plan, the District will authorize release from the applicable portion of the financial assurance obligation.

The District will notify the Permittee within 30 days of its determination that the specific success criteria contained in this permit have been met. Concurrent with this notification, the District will authorize, in writing, the appropriate entity to cancel or terminate the financial responsibility instrument.

The Permittee's failure to comply with the terms and conditions of this permit pertaining to the successful completion of all mitigation activities in accordance with the mitigation plan shall be deemed a violation of Chapter 40D-4, F.A.C. In addition to other remedies that the District may have, the District may draw upon the financial responsibility instrument for any funds necessary to remedy a violation, upon such notice to the Permittee as may be specified in the financial responsibility instrument or if none, upon reasonable notice.

The Permittee shall notify the District by certified mail within 10 days of the commencement of a voluntary or involuntary proceeding:

a. To dissolve the Permittee;
b. To place the Permittee into receivership;
c. For entry of an order for relief against the Permittee under Title XI (Bankruptcy), U.S. Code; and
d. To assign of the Permittee's assets for the benefit of its creditors under Chapter 727, Florida Statutes.

In the event of bankruptcy or insolvency of the issuing institution; or the suspension or revocation of the authority of the issuing institution to issue letters of credit or performance bonds, the Permittee shall be deemed without the required financial assurance and shall have 60 days to reestablish the financial assurance required by Rule 40D-4.301(1)(j), F.A.C.

This permit is issued based upon the design prepared by the Permittee's consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder.
to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system and/or mitigation areas.

35. The Permittee shall ensure that the construction commencement and completion of the permitted surface water management system does not precede the construction commencement and completion of the Suncoast Commercial (ERP No. 43024788.004) and Ashley Glen Apartments Mass Grading – Ph 1 (ERP No. 49024788.009) surface water management systems.
GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
Location Map
Pasco County - SR 54, from E of 1-75 to E of CR 577
ERP No. 43030052.001

Legend
- Project Area

Pasco County

Southwest Florida Water Management District

RPM GIS, 9/9/2008
2007 Aerial
CONSENT ITEM 11

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION
PERMIT NO. 43030052.001

Expiration Date: October 28, 2013
PERMIT ISSUE DATE: October 28, 2008

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Pasco County - SR 54, from E of I-75 to E of CR 577

GRANTED TO: Pasco County Engineering Services
4454 Grand Boulevard
New Port Richey, FL 34652

ABSTRACT: This permit is for construction of a new surface water management system to serve an 89.56-acre road widening project. The project is approximately 3.1 miles in length, beginning just east of I-75 and ending just east CR 577 in Pasco County. Several existing permitted facilities abut the project site. Information regarding the surface water management system and wetlands is contained in the tables below.

OP. & MAINT. ENTITY: Pasco County Engineering Services

COUNTY: Pasco

SEC/TWP/RGE: 7-10/26S/20E;12/26S/19E

TOTAL ACRES OWNED OR UNDER CONTROL: 89.56

PROJECT SIZE: 89.56 Acres

LAND USE: Road Project

DATE APPLICATION FILED: April 18, 2007

AMENDED DATE: N/A
I. Water Quantity/Quality

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<td>2</td>
<td>2.42</td>
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<td>3</td>
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<td>TD-1</td>
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<td><strong>TOTAL</strong></td>
<td><strong>8.91</strong></td>
<td><strong>Wet Detention</strong></td>
</tr>
</tbody>
</table>

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
<th>Encroachment Result**(feet)</th>
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<tbody>
<tr>
<td>0.00</td>
<td>0.00</td>
<td>MI X</td>
<td>Depth</td>
</tr>
</tbody>
</table>

*Codes [ X ] for the type or method of compensation provided are as follows:
MI = Minimal Impact based on modeling of existing stages vs. post-project encroachment.
N/A = Not Applicable

**Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims MI type of compensation.

III. Environmental Considerations

<table>
<thead>
<tr>
<th>Wetland/Other Surface Water Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td>Acres</td>
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<tr>
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</table>
Permit No.: 43030052.001
Project Name: Pasco County - SR 54, from E of I-75 to E of CR 577

<table>
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<tr>
<th>Wetland/Other Surface Water Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
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</thead>
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<td>0.05</td>
<td>0.02</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3.44</td>
<td>0.49</td>
<td>2.95</td>
<td>1.40</td>
</tr>
</tbody>
</table>

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments: There are 3.44 acres of wetlands and other surface waters within the project area.

Mitigation Information

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration Acres</th>
<th>Functional Gain</th>
<th>Enhancement Acres</th>
<th>Functional Gain</th>
<th>Preservation Acres</th>
<th>Functional Gain</th>
<th>Other Acres</th>
<th>Functional Gain</th>
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</thead>
<tbody>
<tr>
<td>Mit Area 1</td>
<td>1.22</td>
<td>0.22</td>
<td>0.00</td>
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<tr>
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<td>0.00</td>
<td>0.00</td>
<td>3.96</td>
<td>0.99</td>
</tr>
</tbody>
</table>

Mitigation Comments: Project construction will result in a total of 2.95 acres of impacts to wetlands and other surface waters. Of these 2.95 acres, 1.96 acres require mitigation. Mitigation is provided by the creation of 10.08 acres of wetlands and the enhancement/preservation of 3.96 acres of upland forest. The 1.40 units of functional loss is adequately offset by 2.90 units of functional gain. The 1.50 units of excess functional gain is available for future applications. Mitigation is not required for the 0.99 acre impact to upland-cut ditches OSW 2, OSW 3, OSW 4, OSW 8, OSW 9, OSW 10, OSW 16, OSW 18, OSW 21, OSW 23 pursuant to Subsection 3.2.2.2 of the Basis of Review. Under this Subsection, wetland mitigation is not required for impacts to upland cut ditches that do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.
The construction authorized in this permit requires paving and right-of-way construction in a portion of a conservation easement (Wetland 24) dedicated to the District through ERP No. 43015774.003 (SR 54/I-75 Mitigation Site). A release of this portion of the conservation easement is necessary for the County to proceed with the widening of State Road 54. The Applicant has proposed to environmentally compensate for the release by providing three times the ecological value of the 2446 square-foot CE area. The County has accounted for that value in their proposed mitigation. A financial appraisal valued the CE area to be released at approximately seventy-five (75) dollars.

The conceptual release of a portion of the conservation easement is approved through issuance of this permit. Mitigation for the impact to the conservation easement will occur in one of the four (4) mitigation areas permitted herein. The conservation easement will be released after construction and planting has occurred in any one of the mitigation areas.

Subsection 373.096, F.S. provides that the Governing Board may release any easement, reservation, or right-of-way interests, conveyed to it for which it has not present of apparent future use under terms and conditions determined by the Board. District staff have determined that the environmental value of the mitigation to be received through the proposed mitigation equals or exceeds the value of the interest to be released.

**SPECIFIC CONDITIONS**

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

   Brooksville Regulation Department  
   Southwest Florida Water Management District  
   2379 Broad Street  
   Brooksville, FL  34604-6899

   The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Brooksville Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.
5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREAS - 1, 2 and 4

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Freshwater Marsh, as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetland type specified in criterion "a".

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>PERCENT COVER</th>
<th>DOMINANT SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>66</td>
<td><em>Juncus effuses</em></td>
<td>Appropriate natives</td>
</tr>
<tr>
<td>C</td>
<td>50</td>
<td><em>Cephalanthus occidentalis</em></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>75</td>
<td><em>Iris virginica</em></td>
<td><em>Pontedaria cordata</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>Thalia geniculata</em></td>
</tr>
</tbody>
</table>

d. Planted or recruited tree species that are greater than or equal to 12 feet in height and established for more than three years shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>PERCENT COVER</th>
<th>DOMINANT SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>50</td>
<td><em>Magnolia virginiana</em></td>
<td><em>Liquidambar styraciflua</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Acer rubrum</em></td>
<td></td>
</tr>
</tbody>
</table>

e. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

f. Coverage by nuisance or exotic species does not exceed five percent at any location in the mitigation site and five percent for the entire mitigation site.

g. The wetland mitigation area can be determined to be a wetland or other surface water according the Chapter 62-340, F.A.C.
This criterion must be achieved within five years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA - 3

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Hardwood-Coniferous Mixed, as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the ecotype specified in criterion “a”.

c. Planted or recruited herbaceous or shrub species shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>PERCENT COVER</th>
<th>DOMINANT SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (trees)</td>
<td>50</td>
<td><em>Tripsacum dactyloides</em></td>
<td>Appropriate natives</td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Eragrostis elliottii</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Muhlenbergia capillaris</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Quercus minima</em></td>
<td></td>
</tr>
<tr>
<td>C (shrubs)</td>
<td>50</td>
<td><em>Serenoa repens</em></td>
<td><em>Diospyros virginiana</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Callicarpa Americana</em></td>
<td><em>Vaccinium myrsinites</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Ilex vomitoria</em></td>
<td><em>Ilex corlacea</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Vaccinium arboretum</em></td>
<td><em>Cornus florida</em></td>
</tr>
</tbody>
</table>

d. Planted or recruited tree species that are greater than or equal to 12 feet in height and established for more than three years shall meet the criteria specified:
Permit No.: 43030052.001
Project Name: Pasco County - SR 54, from E of I-75 to E of CR 577

<table>
<thead>
<tr>
<th>ZONE</th>
<th>PERCENT COVER</th>
<th>DOMINANT SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>B (canopy)</td>
<td>50</td>
<td>Quercus virginiana</td>
<td>Quercus laurifolia</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pinus palustris</td>
<td>Carya glabra</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Magnolia virginiana</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Liquidambar styraciflua</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Magnolia grandiflora</td>
<td></td>
</tr>
</tbody>
</table>

e. Species composition of recruiting vegetation is indicative of the ecotype specified in criterion "a".
f. Coverage by nuisance or exotic species does not exceed 10 percent at any location in the mitigation site and 10 percent for the entire mitigation site.

This criterion must be achieved within five years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

7. The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.

9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected annually.
10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:

   a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

   b. suspending all maintenance activities in the wetland mitigation areas including, but not limited to, irrigation and addition or removal of vegetation; and

   c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation sites to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation areas that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

11. Following the District’s determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation areas such that they remain in their current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation areas where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

12. The Permittee shall commence construction of the mitigation areas within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation areas shall commence by March 1. In either case, construction of the mitigation areas shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.

13. The construction of all wetland impacts and wetland mitigation shall be supervised by a qualified environmental scientist/specialist/consultant. The Permittee shall identify, in writing, the environmental professional retained for construction oversight prior to initial clearing and grading activities.

14. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

15. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

   - wetland boundaries
   - upland preservation
   - limits of upland enhancement
   - construction access for Mitigation Areas 1, 2 and 4 and Mitigation Area 3

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

16. All construction is prohibited within the permitted project area until the Permittee acquires legal ownership or legal control of the project area as delineated in the permitted construction drawings.
17. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.

18. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Brooksville Service Office.

19. If limestone bedrock is encountered during construction of the surface water management system, the District must be notified and construction in the affected area shall cease.

20. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.

21. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.

22. Construction is prohibited until the District receives and approves a complete Construction Surface Water Management Plan for the project area. Three copies of the plan must be submitted after they are signed by the Permittee/Owner or the Permittee/Owner's authorized agent, and signed and sealed by the design engineer.

23. This permit is issued based upon the design prepared by the Permittee’s consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system and/or mitigation areas.

24. The Permittee shall ensure the construction commencement and completion of the permitted surface water management system does not precede the construction commencement and completion of the permitted surface water management system for Pasco County – SR 581, North of County Line Road to South of SR 54 (ERP No. 43014392.004).

25. The Applicant has requested a release of a 2446-square foot portion (as outlined in the legal description provided by George F. Young, Inc on October 3, 2008) of an existing conservation easement (CE). The release is contingent on successful construction and planting of any one of the four (4) mitigation areas listed under Section III of this permit.

26. Prior to CE release, a completed boundary survey, or equivalent data on the location of the release area, will be required.
GENERAL CONDITIONS
1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
CONSENT ITEM 12  Default Date: December 2, 2008

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION MODIFICATION
PERMIT NO. 43015030.004

Expiration Date: October 28, 2013  PERMIT ISSUE DATE: October 28, 2008

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Canterbury School Athletic Fields

GRANTED TO: Canterbury School
990 62nd Avenue Northeast
St. Petersburg, FL 33702

ABSTRACT: This Individual permit modification is for the redesign of the permitted ponds and to address unauthorized wetland impacts at the Canterbury School (Compliance Tracking No. 179942). The project site is located in Section 32, Township 30 South and Range 17 East in St. Petersburg. The total project area is approximately 20.60 acres. The permitted on-line retention ponds, Ponds 1, 2 and 3 are not functioning (i.e. infiltrating within 72 hours) due to the placement of unsuitable material within the pond bottoms. The ponds will be modified so that the water quality treatment method will be effluent filtration. Discharge from the school site is to an unnamed tidal ditch that drains directly into receiving waters of Tampa Bay. The ponds will continue to treat the required ¾" of runoff from the contributing areas. Calculations were provided to demonstrate that the pond will pass the 25-year/24-hour storm event without overtopping the pond banks.

There are 7.61 acres of tidal wetlands within the project area. The project has permanently impacted 0.63-acre and will temporarily impact 1.96 acres for the construction of the athletic fields and roadways. The impacts have been reviewed utilizing the Unified Mitigation Assessment Methodology (UMAM) and will result in the functional loss of 0.19 wetland units. The applicant proposed to create 0.21-acre of saltwater marsh and restore 0.76-acre of mangrove swamp to mitigate the wetland impacts. The mitigation will provide a gain of 0.32 functional wetland units.

OP. & MAINT. ENTITY: Canterbury School

COUNTY: Pinellas

SEC/TWP/RGE: 32/30S/17E

TOTAL ACRES OWNED OR UNDER CONTROL: 44.80
Permit No.: 43015030.004  
Project Name: Canterbury School Athletic Fields

PROJECT SIZE: 20.60 Acres  
LAND USE: Semi-public  
DATE APPLICATION FILED: September 6, 2007  
AMENDED DATE: May 20, 2008

I. Water Quantity/Quality

<table>
<thead>
<tr>
<th>POND NO.</th>
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<th>TREATMENT TYPE</th>
</tr>
</thead>
<tbody>
<tr>
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<td>2</td>
<td>0.21</td>
<td>Effluent Filtration</td>
</tr>
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<td>3</td>
<td>0.15</td>
<td>Effluent Filtration</td>
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<tr>
<td>TOTAL</td>
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</tr>
</tbody>
</table>

A mixing zone is not required.  
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment Type</th>
<th>Encroachment Result (feet)</th>
<th>Compensation Type</th>
<th>Compensation (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
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</thead>
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III. Environmental Considerations

Wetland/Surface Water Information

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
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<td></td>
<td></td>
<td></td>
<td>Acres Functional Loss*</td>
<td>Acres Functional Loss*</td>
</tr>
<tr>
<td>Onsite Wetland</td>
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<td>5.02</td>
<td>0.63</td>
<td>0.19</td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
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<td></td>
<td></td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* For impacts that do not require mitigation, their functional loss is not included.

Wetland Comments: There are 7.61 acres of tidal mangrove and marsh wetlands within the project area. The project has permanently impacted 0.63-acre of mangrove swamp, saltwater marsh and Brazilian pepper wetlands. It will temporarily impact 1.96 acres of saltwater marsh and Brazilian pepper wetlands. The wetland impacts were reviewed utilizing the Uniform Mitigation Assessment Methodology (UMAM) and will result in the loss of 0.19 functional wetland units.
Mitigation Information

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration</th>
<th>Enhancement</th>
<th>Preservation</th>
<th>Other</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Acres</td>
<td>Functional Gain</td>
<td>Acres</td>
<td>Functional Gain</td>
</tr>
<tr>
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</tbody>
</table>

Mitigation Comments: The 0.63 acre of permanent wetland impacts will be mitigated by the creation of 0.21 acre of saltwater marsh and the restoration of 0.76 acre of mangrove swamp. The mitigation was reviewed utilizing the UMAM and the 0.19 unit of functional loss will be offset by the gain of 0.32 unit of functional wetland units. The excess functional wetland units are to offset the temporal loss of wetland functions and the secondary wetland impacts. There are no functional wetland units available for future use.

Wetland impacts and related mitigation

Wetland/Other Surface Water: Onsite Wetland
Impact Area(s): A, B, C, D, E, F, G, H, I, and J
Mitigation: A1, A2, A3, Restoration B, and Restoration C

A regulatory conservation easement is not required.

A proprietary conservation easement is not required.

SPECIFIC CONDITIONS

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

Tampa Regulation Department
Southwest Florida Water Management District
7601 U.S. Highway 301 North
Tampa, FL 33637-6759

The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.
4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Tampa Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA A3 and Restoration C

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Saltwater Marsh (642) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/surface water type specified in criterion "a".

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>STRATUM</th>
<th>% COVER</th>
<th>SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
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</thead>
<tbody>
<tr>
<td>Herbaceous</td>
<td>85</td>
<td>Distichlis spicata</td>
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<td></td>
</tr>
<tr>
<td>1 Shrub</td>
<td>70</td>
<td>Conocarpus erectus</td>
<td>None Specified</td>
<td></td>
</tr>
</tbody>
</table>

d. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

e. Coverage by nuisance or exotic species does not exceed five percent at any location in the mitigation site and five percent for the entire mitigation site.

f. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

This criterion must be achieved within three years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.
The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA A1, A2, and Restoration B

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Saltwater Marsh (642) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/surface water type specified in criterion "a".

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>STRATUM</th>
<th>% COVER</th>
<th>SPECIES</th>
<th>SUBDOMINANT SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Herbaceous</td>
<td>85</td>
<td>Distichlis spicata</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Shrub</td>
<td>70</td>
<td>Conocarpus erectus</td>
<td>None Specified</td>
</tr>
<tr>
<td>2</td>
<td>Herbaceous</td>
<td>85</td>
<td>Spartina alterniflora Batis maritima</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

d. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

e. Coverage by nuisance or exotic species does not exceed five percent at any location in the mitigation site and five percent for the entire mitigation site.

f. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

This criterion must be achieved within three years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.
7. The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.

9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:

a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

b. suspending all maintenance activities in the wetland mitigation areas including, but not limited to, irrigation and addition or removal of vegetation; and

c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation sites to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation areas that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

11. The Permittee shall commence construction of the mitigation areas within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation areas shall commence by March 1. In either case, construction of the mitigation areas shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.
12. The construction of all wetland impacts and wetland mitigation shall be supervised by a qualified environmental scientist/specialist/consultant. The Permittee shall identify, in writing, the environmental professional retained for construction oversight prior to initial clearing and grading activities.

13. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

14. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
   a. wetland and surface water areas,
   b. wetland buffers, and
   c. limits of approved wetland impacts.

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

15. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

   For systems utilizing effluent filtration or exfiltration or systems utilizing effluent filtration or exfiltration and retention or wet detention, the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

16. Prior to installation of the filter media, the Permittee’s contractor shall submit a certified test of the media to the Permittee's Professional Engineer and the District. The test shall address the following parameters: uniformity coefficient, effective grain size, sieve analysis, percent silts, clays and organic matter, and permeability testing (constant head). If testing indicates the actual permeability rate is less than the value specified in the permitted design, a permit modification will be required to lengthen the effluent filtration system. The Permittee shall also notify the Surface Water Regulation Manager, Tampa Regulation Department, at least 48 hours prior to commencement of construction of the effluent filtration system, so that District staff may observe this construction activity.

17. For dry bottom detention systems, the detention areas shall become dry within 36 hours after a rainfall event. If a detention area is regularly wet, this situation shall be deemed to be a violation of this permit.

18. This modification, Construction Permit No. 43015030.004, amends the previously issued Construction Permit No. 43015030.003, and adds conditions. All other original permit conditions remain in effect.

19. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.
20. The Permittee shall execute the final draft financial responsibility instrument approved by the District prior to initiating activities authorized by this permit. The final draft financial responsibility instrument shall be consistent with the draft instrument submitted with the permit application and approved by this permit.

21. The Permittee shall submit the original executed financial responsibility instrument to the District at the address below:

Tampa Regulation Department
Southwest Florida Water Management District
7601 U.S. Highway 301 North
Tampa, FL  33637-6759

22. The Permittee shall provide the financial responsibility required by Rule 40D-4.301(1)(j), F.A.C., until the District determines that the specific success criteria contained in this permit have been met; or the District approves a request to transfer the permit to a new owner and receives an acceptable substitute financial responsibility mechanism from the new owner.

23. The Permittee may request, in writing, a release from the obligation to maintain certain amounts of the financial assurance required by this permit as phases of the mitigation plan are successfully completed. The request shall include documentation that the mitigation phase or phases have been completed and payment for their completion has been made. Following the District's verification that the phase or phases have been completed in accordance with the mitigation plan, the District will authorize release from the applicable portion of the financial assurance obligation.

24. The District will notify the Permittee within 30 days of its determination that the specific success criteria contained in this permit have been met. Concurrent with this notification, the District will authorize, in writing, the appropriate entity to cancel or terminate the financial responsibility instrument.

25. The Permittee's failure to comply with the terms and conditions of this permit pertaining to the successful completion of all mitigation activities in accordance with the mitigation plan shall be deemed a violation of Chapter 40D-4, F.A.C. In addition to other remedies that the District may have, the District may draw upon the financial responsibility instrument for any funds necessary to remedy a violation, upon such notice to the Permittee as may be specified in the financial responsibility instrument or if none, upon reasonable notice.

26. The Permittee shall notify the District by certified mail within 10 days of the commencement of a voluntary or involuntary proceeding:

a. To dissolve the Permittee;
b. To place the Permittee into receivership;
c. For entry of an order for relief against the Permittee under Title XI (Bankruptcy), U.S. Code; and

d. To assign of the Permittee's assets for the benefit of its creditors under Chapter 727, Florida Statutes.

27. In the event of bankruptcy or insolvency of the issuing institution; or the suspension or revocation of the authority of the issuing institution to issue letters of credit or performance bonds, the Permittee shall be deemed without the required financial assurance and shall have 60 days to reestablish the financial assurance required by Rule 40D-4.301(1)(j), F.A.C.
28. This permit is issued based upon the design prepared by the Permittee’s consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system and/or mitigation areas.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
CONSENT ITEM 13
Default Date: November 26, 2008

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION
PERMIT NO. 43002514.003

Expiration Date: October 28, 2013
PERMIT ISSUE DATE: October 28, 2008

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Polk County - Harden/Pipkin Intersection Improvements

GRANTED TO: Polk County Board of County Commissioners
P.O. Box 9005, Dw. PW02
Bartow, FL 33831-9005

ABSTRACT: This permit authorization is for the construction of a new surface water management system serving a 22.30-acre roadway improvement project, as named above and as shown on the approved construction plans. The project includes intersection improvements at Harden Boulevard and Pipkin Road, roadway widening along Harden Boulevard from Pipkin Road to south of Beaker Boulevard, stockpile area with haul road, and wetland mitigation. Information regarding the surface water management system, 100-year floodplain, and wetlands is contained within the tables and comments below.

OP. & MAINT. ENTITY: Polk County Board of County Commissioners

COUNTY: Polk

SEC/TWP/RGE: 1,2,11,12/29S/23E

TOTAL ACRES OWNED OR UNDER CONTROL: N/A

PROJECT SIZE: 22.30 Acres

LAND USE: Road Project

DATE APPLICATION FILED: April 25, 2007

AMENDED DATE: January 18, 2008
I. Water Quantity/Quality

<table>
<thead>
<tr>
<th>POND NO.</th>
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<th>TREATMENT TYPE</th>
</tr>
</thead>
<tbody>
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<td>3</td>
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<td>Wet Detention</td>
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<td>4</td>
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<tr>
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<td>2.27</td>
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</tbody>
</table>

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
<th>Encroachment Result**(feet)</th>
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</thead>
<tbody>
<tr>
<td>2.80</td>
<td>5.15</td>
<td>EE</td>
<td>Depth 0.00</td>
</tr>
</tbody>
</table>

*Codes [ X ] for the type or method of compensation provided are as follows:
EE = Equivalent Excavation to offset project filling per Section 4.4 of the District's Basis of Review;
N/A = Not Applicable

**Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims MI type of compensation.

III. Environmental Considerations

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Acres</td>
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</tr>
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</table>

Count of Wetlands: 18
Permit No.: 43002514.003
Project Name: Polk County - Harden/Pipkin Intersection Improvements

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Acres</td>
<td>Functional Loss*</td>
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<tr>
<td></td>
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<td>Permanent</td>
<td>Temporary</td>
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<tr>
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<td>Loss*</td>
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<td>1.55</td>
<td>2.41</td>
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</table>

* For impacts that do not require mitigation, their functional loss is not included.

Wetland Comments: The project area includes 3.96 acres of wetlands and surface waters consisting of 1.00 acre of natural forested wetlands (W12, W13, W16A, and W18), 1.82 acres of man-made forested wetlands (W14 and W15), 0.09 acre of a natural stream (W9), 0.04 acre of wetland cut ditches (W1D, W1E, and W1F), 0.70 acre of upland cut ditches (W1A, W1B, W1C, W4, W7, W8, and W17), and 0.31 acre of an upland cut pond (W16B). Permanent impacts are proposed to 2.41 acres of wetlands and surface waters consisting of 0.66 acre of natural forested wetlands (W12 and W13), 1.15 acres of man-made forested wetlands (W14 and W15), 0.04 acre of a natural stream (W9), 0.04 acre of wetland cut ditches (W1D, W1E, and W1F), 0.21 acre of upland cut ditches (W1A, W1B, W1C, W7, and W8), and 0.31 acre of an upland cut pond (W16B).

Mitigation Information

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration</th>
<th>Enhancement</th>
<th>Preservation</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Acres</td>
<td>Functional Gain</td>
<td>Acres</td>
<td>Functional Gain</td>
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<tr>
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<td>TOTAL</td>
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<td>0.41</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Mitigation Comments: Mitigation for permanent impacts to 0.66 acre of natural forested wetlands, 0.04 acre of a natural stream, and 0.04 acre of wetland cut ditches is provided by creation of 1.65 acres of forested wetlands adjacent to W16A. No mitigation is required for the permanent impacts to 1.15 acres of man-made forested wetlands because they were previously authorized to be impacted by MSSW Permit No. 49000887.007. No mitigation is required for the permanent impacts to 0.21 acre of upland cut ditches because they were constructed in uplands, do not provide significant habitat for threatened or endangered species, and were not constructed to divert natural stream flow. No mitigation is required for the permanent impacts to 0.31 acre of an upland cut pond because the pond was constructed in uplands, is wholly owned, less than 1.0 acre in area and does not provide significant habitat for threatened or endangered species.

The functional loss of 0.41 due to the wetland impacts associated with this project is offset by the functional gain of 0.41 provided by the mitigation. The functional loss and functional gain were calculated using the Uniform Mitigation Assessment Methodology (Ch. 62-345, F.A.C).

A regulatory conservation easement is not required.

A proprietary conservation easement is not required.
SPECIFIC CONDITIONS

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

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   Southwest Florida Water Management District
   170 Century Boulevard
   Bartow, FL  33830-7700

   The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Bartow Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA - A

   Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

   a. The mitigation area can reasonably be expected to develop into a Mixed Wetland Hardwoods (FLUCCS # 617) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

   b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/ surface water type specified in criterion "a".
c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>% COVER</th>
<th>SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>85</td>
<td><em>Iris virginica</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Spartina bakeri</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Panicum hemitomon</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Muhlenbergia capillaris</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Thelypteris spp.</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Juncus effusus</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Woodwardia virginica</em></td>
</tr>
<tr>
<td>B</td>
<td>85</td>
<td><em>Sagittaria spp.</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Iris virginica</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Saururus cernuus</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Panicum hemitomon</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Muhlenbergia capillaris</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Pontederia cordata</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Juncus effusus</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Eleocharis spp.</em></td>
</tr>
</tbody>
</table>

d. Planted or recruited tree species that are greater than or equal to 12 feet in height and established for more than three (3) years shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>DENSITY (#/acre)</th>
<th>SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>400 trees/ac.</td>
<td><em>Ulmus americana</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Celtis laevigata</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Quercus laurifolia</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Acer rubrum</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Liquidambar styraciflua</em></td>
</tr>
<tr>
<td>A</td>
<td></td>
<td><em>Quercus nigra</em></td>
</tr>
<tr>
<td>B</td>
<td>400 trees/ac.</td>
<td><em>Ulmus americana</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Ilex cassine</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Nyssa sylvatica</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Magnolia virginiana</em></td>
</tr>
<tr>
<td>B</td>
<td></td>
<td><em>Carya aquatica</em></td>
</tr>
</tbody>
</table>

e. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

f. Coverage by nuisance or exotic species does not exceed five percent (5%) at any location in the mitigation site and five percent (5%) for the entire mitigation site.

g. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

This criterion must be achieved within five (5) years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.
7. The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.

9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:

a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

b. suspending all maintenance activities in the wetland mitigation areas including, but not limited to, irrigation and addition or removal of vegetation; and

c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation sites to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation areas that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

11. Following the District’s determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation areas such that they remain in their current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation areas where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.
12. The Permittee shall, within 120 days of initial wetland impact and prior to beneficial use of the site, complete all aspects of the mitigation plan, including the grading, mulching, and planting, in accordance with the design details in the final approved construction drawings received by the District on August 29, 2008, and information submitted in support of the application.

13. The Permittee shall commence construction of the mitigation areas within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation areas shall commence by March 1. In either case, construction of the mitigation areas shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.

14. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

- wetland and surface water areas
- limits of approved wetland impacts
- construction access for Mitigation Area - A

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

15. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Bartow Service Office.

16. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing effluent filtration or exfiltration or systems utilizing effluent filtration or exfiltration and retention or wet detention, the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

17. Prior to installation of the filter media, the Permittee's contractor shall submit a certified test of the media to the Permittee's Professional Engineer and the District. The test shall address the following parameters: uniformity coefficient, effective grain size, sieve analysis, percent silts, clays and organic matter, and permeability testing (constant head). If testing indicates the actual permeability rate is less than the value specified in the permitted design, a permit modification will be required to lengthen the effluent filtration system. The Permittee shall also notify the Surface Water Regulation Manager, Bartow Regulation Department, at least 48 hours prior to commencement of construction of the effluent filtration system, so that District staff may observe this construction activity.

18. For dry bottom retention systems, the retention areas shall become dry within 72 hours after a rainfall event. If a retention area is regularly wet, this situation shall be deemed to be a violation of this permit.

19. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
20. This permit is issued based upon the design prepared by the Permittee’s consultant. If at any
time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-
4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the
Permittee shall obtain a permit modification and perform any construction necessary thereunder
to correct any deficiencies in the system design or construction to meet District rule criteria. The
Permittee is advised that the correction of deficiencies may require re-construction of the surface
water management system and/or mitigation areas.

21. This Construction Permit No. 43002514.003, amends the previously issued Construction Permit
No. 40002514.002, and all conditions are replaced by the conditions herein.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by
reference and the Permittee shall comply with them.
This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: FDOT - U.S. 27 (N. of SR 540 to N. of SR 542)

GRANTED TO: Florida Department of Transportation
Post Office Box 1249
Bartow, FL 33831-1249

ABSTRACT: This permit authorization is for the construction of a new surface water management system serving a 77.68-acre roadway widening project, as named above and as shown on the approved construction plans. The project consists of upgrading an existing 4-lane divided roadway section to a 6-lane roadway. The project extends along U.S. Highway 27 (S.R. 25) from north of S.R. 540 to north of S.R. 542 in Polk County. Information regarding the surface water management system, 100-year floodplain, and wetlands is contained within the tables and comments below.

OP. & MAINT. ENTITY: Florida Department of Transportation

COUNTY: Polk

SEC/TWP/RGE: 29,32,33/28S/27E; 05,08/29S/27E

TOTAL ACRES OWNED OR UNDER CONTROL: N/A

PROJECT SIZE: 77.68 Acres

LAND USE: Road Project

DATE APPLICATION FILED: May 13, 2008

AMENDED DATE: N/A
I. Water Quantity/Quality

<table>
<thead>
<tr>
<th>POND NO.</th>
<th>AREA @ TOP OF BANK</th>
<th>TREATMENT TYPE</th>
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<tbody>
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<tr>
<td>MED8</td>
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<td>Retention</td>
</tr>
</tbody>
</table>

TOTAL 7.17

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
<th>Encroachment Result**(feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.56</td>
<td>5.56</td>
<td>EE</td>
<td>Depth N/A</td>
</tr>
</tbody>
</table>

*Codes [ X ] for the type or method of compensation provided are as follows:
EE = Equivalent Excavation to offset project filling per Section 4.4 of the District’s Basis of Review;
N/A = Not Applicable

**Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims MI type of compensation.

III. Environmental Considerations
Wetland/Surface Water Information

<table>
<thead>
<tr>
<th>Wetland Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts Acres</th>
<th>Functional Loss*</th>
<th>Temporary Impacts Acres</th>
<th>Functional Loss*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland A</td>
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<tr>
<td>Wetland C</td>
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<td>0.05</td>
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<tr>
<td>Wetland D</td>
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<td>0.01</td>
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</tr>
<tr>
<td>Wetland F</td>
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</tr>
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<td>0.06</td>
<td>0.04</td>
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<td>Wetland H</td>
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<td>0.00</td>
<td>0.00</td>
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<td>0.22</td>
<td>0.00</td>
</tr>
<tr>
<td>Wetland Pond B</td>
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<td>0.00</td>
<td>0.36</td>
<td>0.12</td>
<td>0.07</td>
<td>0.00</td>
</tr>
</tbody>
</table>

TOTAL 4.24 0.00 3.95 1.81 0.29 0.00

* For impacts that do not require mitigation, their functional loss is not included.

Wetland Comments: The project area includes 2.90 acres of herbaceous wetlands (Wetland A, Wetland B, Wetland C, Wetland G, and Wetland J), 1.03 acres of shrub wetlands (Wetland H, Wetland Pond A, and Wetland Pond B), 0.01 acre of streams and waterways (Wetland D and Wetland I) and 0.29 acre of forested wetlands (Wetland F). There is less than 0.01 acre (0.003) of Wetland I within the project area. Permanent impacts are proposed to 2.90 acres of herbaceous wetlands, 0.74 acre of shrub wetlands, 0.01 acre of streams and waterways and 0.29 acre of forested wetlands. Temporary impacts are proposed to 0.29 acre of shrub wetlands (Wetland A, 0.22 acre; Wetland B, 0.07 acre). The impacts to Wetland I are not recorded in the table above because the impacts are deemed insignificant to fish and wildlife habitat.

Mitigation Comments: Mitigation for 2.90 acres of herbaceous wetlands, 0.74 acre of shrub wetlands, 0.01 acre of streams and waterways, and 0.29 acre of forested wetlands associated with this FDOT project (FM1977061) shall be provided as identified in the 2006 FDOT Mitigation Program (Chapter 373.4137, Florida Statues) and is described in the Southwest Florida Water Management District's "FDOT Mitigation Plan" dated January 24, 2006. The mitigation will occur within the Circle B Bar Reserve. No mitigation is required the impact to Wetland I because the impact is deemed insignificant to fish and wildlife habitat.

A regulatory conservation easement is not required.

A proprietary conservation easement is not required.

**SPECIFIC CONDITIONS**

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

Bartow Regulation Department  
Southwest Florida Water Management District  
170 Century Boulevard  
Bartow, FL  33830-7700

The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Bartow Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
   - wetland and surface water areas
   - limits of approved wetland impacts

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

7. The Permittee, the Florida Department of Transportation, shall submit to the District a site-specific plan for erosion and sediment control best management practices, pursuant to Section 104, FDOT Standard Specifications for Road and Bridge Construction. The Permittee shall submit this plan and receive District approval prior to construction commencement.

8. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.
9. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Bartow Service Office.

10. For dry bottom retention systems, the retention areas shall become dry within 72 hours after a rainfall event. If a retention area is regularly wet, this situation shall be deemed to be a violation of this permit.

11. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.

12. This permit is issued based upon the design prepared by the Permittee’s consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system and/or mitigation areas.

13. Mitigation for 2.90 acres of herbaceous wetlands, 0.74 acre of shrub wetlands, 0.01 acre of streams and waterways, and 0.29 acre of forested wetlands associated with this FDOT project (FM1977061) shall be provided as identified in the 2006 FDOT Mitigation Program (Chapter 373.4137, Florida Statues) and is described in the Southwest Florida Water Management District's "FDOT Mitigation Plan" dated January 24, 2006. The mitigation will occur within the Circle B Bar Reserve.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Sarasota Interstate Park of Commerce - Phase 2

8441 Cooper Creek Boulevard
University Park, FL 34201

Board of County Commissioners, Sarasota County
c/o Carolyn Eastwood, P.E.
Sarasota County Public Works, Mobility
1001 Sarasota Center Boulevard
Sarasota, FL 34240

ABSTRACT: This permit authorizes the construction of a surface water management system to serve a 267.10-acre commercial/residential development known as Sarasota Interstate Park of Commerce - Phase 2. The project is located in the southwest quadrant of the Interstate 75/University Parkway Interchange in Sarasota County. An Incidental Site Activities (ISA) Permit within a 19.64-acre area of the project was issued on September 18, 2008. Information regarding the surface water management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the project.

OP. & MAINT. ENTITY: Benderson Development Company, LLC
COUNTY: Sarasota
SEC/TWP/RGE: 1/36S/18E
TOTAL ACRES OWNED OR UNDER CONTROL: 276.00
PROJECT SIZE: 267.10 Acres
LAND USE: Commercial
Permit No.: 43025469.008  
Project Name: Sarasota Interstate Park of Commerce - Phase 2

DATE APPLICATION FILED: December 14, 2007  
AMENDED DATE: April 21, 2008

I. Water Quantity/Quality

<table>
<thead>
<tr>
<th>POND NO.</th>
<th>AREA @ TOP OF BANK</th>
<th>TREATMENT TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pond A-1</td>
<td>1.61</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>Pond A-1LIT</td>
<td>0.24</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>Wetland J</td>
<td>8.30</td>
<td>Attenuation Only</td>
</tr>
<tr>
<td>Pond J</td>
<td>1.03</td>
<td>Effluent Filtration</td>
</tr>
<tr>
<td>Pond C</td>
<td>39.66</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>TOTAL</td>
<td>50.84</td>
<td></td>
</tr>
</tbody>
</table>

Comments: Construction includes a shopping mall, hotels, a theatre, office and residential space, associated parking, improvements to Cattlemen Road, and the surface water management system.

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

<table>
<thead>
<tr>
<th>Encroachment (Acre-Feet of fill)</th>
<th>Compensation (Acre-Feet of excavation)</th>
<th>Compensation Type*</th>
<th>Encroachment Result (feet)</th>
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</thead>
<tbody>
<tr>
<td>87.37</td>
<td>89.39</td>
<td>SM</td>
<td>0.00</td>
</tr>
</tbody>
</table>

SM = Storage Modeling hydrographs of pond and receiving stages indicate timing separation

III. Environmental Considerations

<table>
<thead>
<tr>
<th>Wetland/Other Surface Water Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Temporary Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Acres</td>
<td>Functional Loss*</td>
</tr>
<tr>
<td>North Lake</td>
<td>51.72</td>
<td>0.00</td>
<td>51.72</td>
<td>29.31</td>
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<tr>
<td>OSW H2</td>
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<td>0.00</td>
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<tr>
<td>OSW H3</td>
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<tr>
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<tr>
<td>OSW J3</td>
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<tr>
<td>OSW L</td>
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<td>0.02</td>
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<td>0.01</td>
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<td>OSW T</td>
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<td>0.25</td>
<td>0.02</td>
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<td>OSW U</td>
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<td>0.04</td>
<td>0.01</td>
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<tr>
<td>OSW V</td>
<td>0.40</td>
<td>0.00</td>
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<tr>
<td>South Lake</td>
<td>0.17</td>
<td>0.17</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Wetland AA</td>
<td>0.66</td>
<td>0.66</td>
<td>0.00</td>
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Count: 18
**Wetland/Other Surface Water**

<table>
<thead>
<tr>
<th>Name</th>
<th>Total Acres</th>
<th>Not Impacted Acres</th>
<th>Permanent Impacts</th>
<th>Functional Loss*</th>
<th>Temporary Impacts</th>
<th>Functional Loss*</th>
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</thead>
<tbody>
<tr>
<td>Wetland BB</td>
<td>1.04</td>
<td>1.04</td>
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<td>0.00</td>
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<tr>
<td>Wetland DD1</td>
<td>2.13</td>
<td>2.13</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>Wetland EE</td>
<td>0.15</td>
<td>0.15</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>Wetland FF</td>
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<tr>
<td>Wetland H1</td>
<td>3.60</td>
<td>0.00</td>
<td>3.60</td>
<td>1.80</td>
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<tr>
<td>Wetland J1</td>
<td>11.26</td>
<td>9.14</td>
<td>1.97</td>
<td>0.53</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>73.06</strong></td>
<td><strong>13.40</strong></td>
<td><strong>59.51</strong></td>
<td><strong>31.70</strong></td>
<td><strong>0.15</strong></td>
<td><strong>0.00</strong></td>
</tr>
</tbody>
</table>

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments: The project area contains seven wetlands totaling 18.95 acres, four upland-cut ditches that require habitat mitigation totaling 0.41 acre, and five upland-cut ponds and hydric-cut ditches totaling 1.81 acres. Permanent filling impacts are proposed to 3.60 acres of Wetland H1, 1.97 acres of Wetland J1, and all 2.22 acres of the upland- and hydric-cut ditches and upland-cut ponds for development of parking lots, roadways, stormwater ponds, and buildings. Temporary impacts are also proposed for 0.15 acre of Wetland J1 for improvement of hydrological conditions. There are also two borrow lakes located within the project area totaling 51.89 acres. The entire 51.72 acres of North Lake will be impacted by excavation and the placement of fill for the realignment of North Cattlemen Road and the development of stormwater Pond C. The results of the Uniform Mitigation Assessment Method (UMAM) analysis, pursuant to Chapter 62-345, F.A.C., identified a functional loss of 31.70 for the proposed wetland, North Lake, and upland cut ditch impacts.

**Mitigation Information**

<table>
<thead>
<tr>
<th>Mitigation Name</th>
<th>Creation/Restoration</th>
<th>Enhancement</th>
<th>Preservation</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Acres</td>
<td>Functional Gain</td>
<td>Acres</td>
<td>Functional Gain</td>
</tr>
<tr>
<td>M-4</td>
<td>5.81</td>
<td>2.79</td>
<td>0.00</td>
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<tr>
<td>North Lake</td>
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<td>3.68</td>
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<tr>
<td>Pond C</td>
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<td>16.07</td>
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<tr>
<td>South Lake</td>
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<td>10.19</td>
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<tr>
<td>Upland Preservation</td>
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</tr>
<tr>
<td>WRA-1</td>
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</tr>
<tr>
<td>WRA-2</td>
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</tr>
<tr>
<td>WRA-3</td>
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<td>0.06</td>
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</tr>
<tr>
<td>WRA-4</td>
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</tr>
<tr>
<td>WRA-5</td>
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<td>0.05</td>
<td>0.00</td>
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</tr>
<tr>
<td>WRA-6</td>
<td>0.38</td>
<td>0.18</td>
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<td>0.00</td>
</tr>
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<td>WRA-7</td>
<td>1.01</td>
<td>0.31</td>
<td>0.00</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>70.51</strong></td>
<td><strong>34.42</strong></td>
<td><strong>0.00</strong></td>
<td><strong>6.66</strong></td>
</tr>
</tbody>
</table>

Mitigation Comments: Wetland mitigation to offset permanent wetland, borrow lake, and upland cut ditch impacts to 57.70 acres of habitat will be provided by the creation of 6.13 acres of open water to form a new North Lake, a 16.98-acre expansion of open water in South Lake, creation of 37.38-acre stormwater Pond C, creation of 8.14 acres of freshwater marsh, creation of 1.88 acres of forested wetlands and preservation through a conservation easement of 6.66 acres of uplands. The results of the UMAM analysis indicates a total functional gain of 36.28 which
offsets the 31.70 units of functional loss proposed to habitat, and provides an excess of 5.21 functional units for exclusive possible future use to the SIPOC development project. Wetland mitigation is not required for impacts to the hydric-cut ditches and upland-cut ponds less than one-half acre in size pursuant to Subsection 3.2.2.2 of the Basis of Review. Under this subsection, wetland mitigation is not required for impacts to ditches or upland cut ponds less than one-half acre in size that do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.

A regulatory conservation easement is required.

A proprietary conservation easement is not required.

SPECIFIC CONDITIONS

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

   Sarasota Regulation Department
   Southwest Florida Water Management District
   6750 Fruitville Road
   Sarasota, FL  34240-9711

   The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Sarasota Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.
6. WETLAND MITIGATION SUCCESS CRITERIA

MITIGATION AREAS WRA-1, WRA-2, WRA-3, WRA-4, WRA-5, WRA-6, WRA-7 AND M-4

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions.

Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the additional or removal of vegetation.

a. The mitigation areas can reasonably be expected to develop into freshwater marshes (WRA-1, WRA-4, WRA-6, and M-4) and mixed forested wetlands (WRA-2, WRA-3, WRA-5, and WRA-7) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/surface water type specified in criterion "a".

c. For mitigation areas WRA-1, WRA-4, WRA-6, and M-4, and for the understory of mitigation areas WRA-2, WRA-3, WRA-5, and WRA-7, planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>% COVER</th>
<th>SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deep Marsh</td>
<td>85</td>
<td>Scirpus californicus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thalia geniculata</td>
</tr>
<tr>
<td>Marsh</td>
<td>85</td>
<td>Pontederia cordata</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Panicum hemitomon</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sagittaria lancifolia</td>
</tr>
<tr>
<td>Transition Zone</td>
<td>85</td>
<td>Cephalanthus occidentalis</td>
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<tr>
<td></td>
<td></td>
<td>Juncus effusus</td>
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<td></td>
<td></td>
<td>Spartina bakeri</td>
</tr>
<tr>
<td>Shrub Stabilization Islands</td>
<td>85</td>
<td>Myrica cerifera</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Spartina bakeri</td>
</tr>
<tr>
<td>Forested Wetland Understory</td>
<td>85</td>
<td>Juncus effusus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Spartina bakeri</td>
</tr>
</tbody>
</table>

1 Plant species providing the same function as those listed may also be considered in determining success.

d. Planted or recruited tree species in mitigation areas WRA-2, WRA-3, WRA-5, and WRA-7 that are greater than or equal to 12 feet in height and established for more than five years shall meet the criteria specified:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>DENSITY (#/acre)</th>
<th>SPECIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Forested Wetland</td>
<td>435</td>
<td>Fraxinus caroliniana</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Acer rubrum</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quercus laurifolia</td>
</tr>
</tbody>
</table>

1 Plant species providing the same function as those listed may also be considered in determining success.
e. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

f. Coverage by nuisance or exotic species does not exceed 5 percent at any location in the mitigation site and 5 percent for the entire mitigation site.

g. The wetland mitigation area can be determined to be a wetland or other surface water according the Chapter 62-340, F.A.C.

This criterion must be achieved within three years of mitigation area construction for freshwater marshes and five years for mixed forested wetlands. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

7. The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.

9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:
a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

b. suspending all maintenance activities in the wetland mitigation areas including, but not limited to, irrigation and addition or removal of vegetation; and

c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation sites to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation areas that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

11. In the event wetland impacts for which the preservation parcel is providing mitigation are not conducted, the permittee will notify the District in writing. Upon District verification that these wetland impacts have not occurred, the District will release any executed and recorded conservation easement.

12. Following the District’s determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation areas such that they remain in their current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation areas where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

13. The Permittee shall commence construction of the mitigation areas within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation areas shall commence by March 1. In either case, construction of the mitigation areas shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.

14. The construction of all wetland impacts and wetland mitigation shall be supervised by a qualified environmental scientist/specialist/consultant. The Permittee shall identify, in writing, the environmental professional retained for construction oversight prior to initial clearing and grading activities.

15. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

16. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

   a. wetland and surface water areas;
   b. wetland buffers;
   c. upland preservation;
   d. limits of approved wetland impacts; and,
   e. construction access for Mitigation Areas WRA-1, WRA-2, WRA-3, WRA-4, WRA-5, WRA-6, WRA-7, and M-4.

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
17. Wetlands AA, BB, DD1, EE, FF, H1, J1, North Lake, South Lake, and other surface waters OSW H2, OSW H3, OSW J2, OSW J3, OSW L, OSW S, OSW T, OSW U, OSW V boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District.

18. Rights-of-way and easement locations necessary to construct, operate and maintain all facilities, which constitute the permitted surface water management system, shall be shown on the final plat recorded in the County Public Records. Documentation of this plat recording shall be submitted to the District with the Statement of Completion and Request for Transfer to Operation Entity Form, and prior to beneficial occupancy or use of the site. The plat shall include the locations and limits of the following:

a. all wetlands;
b. wetland buffers;
c. upland preservation easements;
d. upland buffers for water quality treatment;
e. 100-yr floodplain areas; and,
f. floodplain compensation areas.

19. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Sarasota Service Office.

20. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing effluent filtration or exfiltration or systems utilizing effluent filtration or exfiltration and retention or wet detention, the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

21. Prior to installation of the filter media, the Permittee's contractor shall submit a certified test of the media to the Permittee's Professional Engineer and the District. The test shall address the following parameters: uniformity coefficient, effective grain size, sieve analysis, percent silts, clays and organic matter, and permeability testing (constant head). If testing indicates the actual permeability rate is less than the value specified in the permitted design, a permit modification will be required to lengthen the effluent filtration system. The Permittee shall also notify the Surface Water Regulation Manager, Sarasota Regulation Department, at least 48 hours prior to commencement of construction of the effluent filtration system, so that District staff may observe this construction activity.

22. The Permittee shall submit monthly construction status reports beginning one month from the date of permit issuance. Each report shall be due by the end of the month following data collection. This report shall contain the current status of the following construction:

a. retention/detention ponds;
b. authorized wetland impacts;
c. wetland mitigation;
d. conservation easement recording dates; and,
e. authorized work adjacent to wetlands.

Reporting for each of the listed items shall continue until construction has been completed for that item.
23. The Permittee shall execute the final draft financial responsibility instrument approved by the District prior to initiating activities authorized by this permit. The final draft financial responsibility instrument shall be consistent with the draft instrument submitted with the permit application and approved by this permit. The final draft financial responsibility instrument approved by the District is in the amount of $158,080.

24. The Permittee shall submit the original executed financial responsibility instrument to the District at the address below:

Sarasota Regulation Department  
Southwest Florida Water Management District  
6750 Fruitville Road  
Sarasota, FL 34240-9711

25. The Permittee shall provide the financial responsibility required by Rule 40D-4.301(1)(j), F.A.C., until the District determines that the specific success criteria contained in this permit have been met; or the District approves a request to transfer the permit to a new owner and receives an acceptable substitute financial responsibility mechanism from the new owner.

26. The Permittee may request, in writing, a release from the obligation to maintain certain amounts of the financial assurance required by this permit as phases of the mitigation plan are successfully completed. The request shall include documentation that the mitigation phase or phases have been completed and payment for their completion has been made. Following the District's verification that the phase or phases have been completed in accordance with the mitigation plan, the District will authorize release from the applicable portion of the financial assurance obligation.

27. The District will notify the Permittee within 30 days of its determination that the specific success criteria contained in this permit have been met. Concurrent with this notification, the District will authorize, in writing, the appropriate entity to cancel or terminate the financial responsibility instrument.

28. The Permittee's failure to comply with the terms and conditions of this permit pertaining to the successful completion of all mitigation activities in accordance with the mitigation plan shall be deemed a violation of Chapter 40D-4, F.A.C. In addition to other remedies that the District may have, the District may draw upon the financial responsibility instrument for any funds necessary to remedy a violation, upon such notice to the Permittee as may be specified in the financial responsibility instrument or if none, upon reasonable notice.

29. The Permittee shall notify the District by certified mail within 10 days of the commencement of a voluntary or involuntary proceeding:
   a. To dissolve the Permittee;
   b. To place the Permittee into receivership;
   c. For entry of an order for relief against the Permittee under Title XI (Bankruptcy), U.S. Code; and
   d. To assign of the Permittee's assets for the benefit of its creditors under Chapter 727, Florida Statutes.
30. In the event of bankruptcy or insolvency of the issuing institution; or the suspension or revocation of the authority of the issuing institution to issue letters of credit or performance bonds, the Permittee shall be deemed without the required financial assurance and shall have 60 days to reestablish the financial assurance required by Rule 40D-4.301(1)(j), F.A.C.

31. This permit is issued based upon the design prepared by the Permittee’s consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require reconstruction of the surface water management system and/or mitigation areas.

32. For the area(s) shown on the construction drawings that are not completed at the time of as-built drawing submittal, a permit modification shall be obtained for any construction in this/these area(s). As a requirement of the permit modification for this/these area(s), the Permittee shall submit a Statement of Completion and as-built drawings. The permit modification may be by outparcel form provided it is consistent with the construction drawings and meets the area of impervious shown on Sheet C-4, otherwise a formal permit (Sections A, C, and E) will be required.

33. By June 1, 2009, all construction associated with North Lake, South Lake, Pond C, and associated control structures shall be completed. Failure to meet this deadline shall require the applicant to retain appropriate District authorization to continue construction activities (i.e., Short Form Modification, Formal Modification, etc.). Any authorizations requesting an extension shall be submitted 60 days prior to this deadline.

34. The Permittee shall have a Professional Geotechnical Engineer provide written certification to the District prior to installation the selected liner is appropriate for lining detention ponds of the type and design approved in this permit. The Permittee shall also ensure that the pond liner installation is supervised by a licensed Professional Geotechnical Engineer who shall assure compliance with the liner manufacturer’s specifications for liner installation requirements.

35. The Statement of Completion and as-built drawings for the project shall include a signed/sealed certification from the Geotechnical Engineer who supervised the liner installation, as required in Specific Condition No. 34. The certification shall include the as-built details of the pond, including pond dimensions, as well as top and bottom elevations of the liner.

36. No dewatering of South Lake is authorized in this agency action. If the contractor determines dewatering of South Lake is required, a written dewatering plan must be approved by the District prior to the dewatering event. The dewatering plan must be signed and sealed by a licensed engineer in the State of Florida and include a letter of concurrence from Sarasota County.

37. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
38. Sarasota County shall remain the Operation and Maintenance (O&M) Entity of South Lake in accordance with Management and Storage of Surface Water (MSSW) Permit No. 40013039.000.

**GENERAL CONDITIONS**

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

____________________________________________
Authorized Signature
The following General Conditions are included on all Environmental Resource Permits issued pursuant to 40D-4 and 40D-40, Florida Administrative Code.
1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

3. For general permits authorizing incidental site activities, the following limiting general conditions shall also apply:

   a. If the decision to issue the associated individual permit is not final within 90 days of issuance of the incidental site activities permit, the site must be restored by the permittee within 90 days after notification by the District. Restoration must be completed by re-contouring the disturbed site to previous grades and slopes re-establishing and maintaining suitable vegetation and erosion control to provide stabilized hydraulic conditions. The period for completing restoration may be extended if requested by the permittee and determined by the District to be warranted due to adverse weather conditions or other good cause. In addition, the permittee shall institute stabilization measures for erosion and sediment control as soon as practicable, but in no case more than 7 days after notification by the District.

   b. The incidental site activities are commenced at the permittee's own risk. The Governing Board will not consider the monetary costs associated with the incidental site activities or any potential restoration costs in making its decision to approve or deny the individual environmental resource permit application. Issuance of this permit shall not in any way be construed as commitment to issue the associated individual environmental resource permit.

4. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

5. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the District as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water
quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.

6. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

7. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

8. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.

9. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

10. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
   a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
   b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
   c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

11. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.

12. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a written notification of commencement indicating the actual start date and the expected completion date.

13. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
14. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1, F.A.C. Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

15. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project areas, may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

16. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the District until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the District, if different from the permittee. Until a transfer is approved by the District, the permittee shall be liable for compliance with the terms of the permit.

17. Should any other regulatory agency require changes to the permitted system, the District shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.

18. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.

19. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.

20. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

22. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40D-4.351, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
23. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with District rules, regulations and conditions of the permits.

24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District and the Florida Department of State, Division of Historical Resources.

25. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal

GRANTED TO: Charlee, LLC
7750 Town Centre Drive
Broadview Heights, OH 44147

PROJECT NAME: 2 X 4 Ranch

WATER USE CAUTION AREA: Southern

PROPERTY LOCATION: 5,627 owned acres in DeSoto County, site is located 3.1 miles southeast of the intersection of State Highway 31 and State Highway 760.

ABSTRACT: This is a renewal of an existing agricultural water use permit with a change in permitted quantities for the irrigation of 926 acres of citrus, 662 acres of row crops, 472 acres of pasture and livestock watering. The permitted quantities for this renewal are a standard annual average of 2,203,200 gallons per day (gpd), a drought annual average of 2,593,800 gpd, a peak month of 11,114,500 gpd and a crop protection quantity of 18,934,000 gpd.

Special conditions include those that require the Permittee to maintain existing meters, record and report meter readings monthly, cap withdrawals not in use, document crop protection quantities, address utilization of alternative water supplies (AWS) and modify the permit to incorporate AWS when it is obtained, well construction specifications, continue to implement irrigation conservation measures, comply with irrigation allotments, submit annual irrigation water use reports, investigate the feasibility of tailwater recovery for irrigation, eliminate off-site discharge through Best Management Practices, document and submit a report if the standard annual average or drought annual average daily quantities have been exceeded and comply with minimum flows and levels recovery strategy within the Southern Water Use Caution Area (SWUCA).

CHANGES FROM PRIOR PERMIT: The standard annual average quantity decreases by 1,400 gpd, drought annual average quantity decreases by 123,500 gpd, peak month quantity increases by 863,500 gpd and crop protection quantity increases by 202,000 gpd. The changes in the permitted quantities were calculated by the District's agricultural water use calculation program, AGMOD, and are due to changes in the crop plan.
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1. Annual average quantities are the total gallons needed for one average rainfall year divided by 365 days.
2. Alternative Water Supply are sources of water other than historic natural sources. Ground water is not an Alternative Water Supply.
3. Reclaimed Water is not included in permit totals.
4. Drought Annual Average quantities are given to supplement rainfall during years when less than average rain falls, divided by 365 days. It is also the upper limit of permitted quantities when the Permittee is using Water Conservation Credits.
5. Water Conservation Credits are total gallons available for use when more than the standard annual average quantity is needed for irrigation. The credits can only be used on the crop for which the credits were given initially or on which they were earned, up to the Drought Annual Average limit.
6. Peak Month quantities are the total gallons needed for the highest water-use month divided by the number of days in that month.
7. Crop Protection quantities are the total gallons needed for one day for frost and freeze protection.

* Surface water quantities are re-pump of tail water and do not add to the permitted quantities.
## WATER DEMAND

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### SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Sarasota Regulation Department, Resource Regulation.

1. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District’s website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

   Permit Data Section, Regulation Performance Management Department
   Southwest Florida Water Management District
   2379 Broad Street
   Brooksville, Florida 34604-6899
Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall investigate the feasibility of using reclaimed water as a water source and submit a report describing the feasibility to the Permit Data Section, Regulation Performance Management Department, by **October 10, 2011**. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee’s property, the quantity of reclaimed water available, the projected date of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation.

3. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Permit Data Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:

A. Withdrawal facilities that are not yet constructed, District ID Nos. **14 and 15**, Permittee ID Nos. **14 and 15** shall be metered within 90 days of completion of construction of the withdrawal.

B. Existing permitted withdrawal facilities shall continue to be metered with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director, District ID Nos. **1, 2, 3, 4, 5, 7, 9, 10, 12 and 13**, Permittee ID Nos. **1, 2, 3, 4, 5, 7, 9, 10, 12 and 13**.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.

C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:
   1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
   2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:
1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

4. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Subsection 62-532.500(3)(a)(4), F.A.C.

5. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to reflect incorporation of the alternative source of water to replace permitted quantities in equal amounts. The replaced water shall be put on standby and may be used in the event that some or all of the alternative source is not available.

6. The Permittee shall:

A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.
B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.

C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.

D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.

7. Compliance with the allocated standard annual average quantity and drought annual average quantities is based on a rolling 12-month calculation where the current pumpage is added to the pumpage for the previous 11 months, and the total is then divided by the number of days in those 12 months for gallons per day. If the Permittee exceeds the allocated standard annual average quantity or drought annual average quantities during any month, within 30 days the Permittee must submit a report to the District that includes reasons why the allocated quantities were exceeded, efforts already taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allocated quantities are subject to District approval. Justification for exceeding the allocated quantities does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

8. Permittees whose maximum daily permitted water use is 1,000,000 gpd or more shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal source used for the protection of crops from frost or freeze damage. The report shall include the gallons per day pumped from each withdrawal source based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.

Even if your maximum daily permitted water use is less than 1,000,000 gpd, please be aware that it is in your best interest to document this usage as described above so that quantities pumped for crop protection can be excluded from the compliance calculation of your annual average use and in the determination of credit amounts.

9. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.

10. The Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except citrus, an irrigated acre, hereafter referred to as “acre,” is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding
uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An Applicant or Permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.

11. The Permittee shall record the following information on the appropriate "Irrigation Water Use Form", provided by the District, for each permitted irrigation withdrawal:

A. Items (1) through (7) for seasonal crops (example: vegetables) and nurseries;
B. Items (1) through (4) and item (7) for annual crops and plants (example: citrus, pasture, lawn and landscape);
C. Items (1) through (4) and item (8) for golf courses (annual);
The list of items are:
1) Crop type;
2) Monthly irrigated acres per crop for seasonal crops; annual irrigated acres for annual crops (Citrus growers, give total acres; the District will calculate "shaded area" for the groves.)
3) The dominant soil type per crop or the number of acres per crop on that dominant soil type;
4) Irrigation methods;
5) Planting dates (the date the plants are actually placed in the beds, not the date the field is prepared);
6) Season length (in days);
7) Crop protection quantities (total gallons); and
8) Number of acres of tees and greens.
D. Additionally, if used, the following shall be documented separately:
1) Beginning and ending dates of irrigation for field preparation/crop establishment and supplemental irrigation;
2) Beginning and ending hour and date of each use of quantities for crop protection;
3) Non-irrigation use from irrigation well: Quantities from the withdrawals listed on these forms that were for other uses not related to irrigation demand. Such uses may include filling of spray tanks, livestock needs, and cleaning equipment and facilities.
4) Use of tailwater recovery.

This information shall be submitted to the Permit Data Section, Regulation Performance Management Department, for irrigation activity during the previous season or year on the appropriate District form according to the following schedule:

<table>
<thead>
<tr>
<th>Irrigation Water Use Form No.</th>
<th>Form Title</th>
<th>Submit By</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUP-10 Form 46.20-010 (10/01)</td>
<td>Annual Crops</td>
<td>March 1</td>
</tr>
<tr>
<td>WUP-12 Form 46.20-012 (10/01)</td>
<td>Winter and Spring Seasonal</td>
<td>September 1</td>
</tr>
<tr>
<td>WUP-13 Form 46.20-013 (10/01)</td>
<td>Summer and Fall Seasonal</td>
<td>February 1</td>
</tr>
</tbody>
</table>
12. **A. Shell and Prairie Creek Watersheds**

The District has determined that direct and indirect run-off of irrigation water into Shell Creek and Prairie Creek have contributed to water quality degradation in a Class I waterway that serves as a public supply source for an existing legal water user, the City of Punta Gorda. Degradation of the City's reservoir has occurred to such an extent that the concentration of several constituents has exceeded secondary drinking water standards in the past. To avoid further degradation of the reservoir and to improve water quality, such that it is consistent with Class I water quality standards, the Permittee shall continue to improve the management of irrigation water by reducing or eliminating off-site discharge of lower quality irrigation water. At the time of issuance of this permit the District is addressing off-site discharge and attempting to resolve the aforementioned adverse impacts through cooperative and collaborative measures with Permittees, changes in irrigation management practices, and other methods. If the effectiveness of these measures is determined to be insufficient to resolve these adverse impacts and irrigation management practices on this site appear to contribute to these continued impacts, the District may seek to modify this permit in accordance with applicable law.

**B. Best Management Practices**

This specific permit is issued with the understanding that the Permittee shall implement Best Management Practices (BMPs), which will result in elimination of off-site discharge of lower quality irrigation water to the greatest extent practicable. This is required to avoid contribution by this permitted site to the water quality degradation within the Shell Creek and Prairie Creek watersheds, and to assist in improvement in water quality of the City of Punta Gorda's Shell Creek Reservoir.

**C. Joshua Creek Best Management Practices**

This specific permit is issued with the understanding that the Permittee shall implement Best Management Practices (BMPs), which will result in elimination of off-site discharge of lower quality irrigation water to the greatest extent practicable. This is required to avoid contribution by this permitted site to the water quality degradation and potential impairment of surface waters within the Joshua Creek watershed.

13. **A. Special Well Construction**

The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing depth specified is to prevent the unauthorized interchange of water between different water bearing zones. The total depth listed below is an estimate, based on best available information. However, since this well is located in an area where water quality can be poor, it is the well driller's responsibility to measure specific conductivity of the well water during construction, in 20 ft intervals once casing is set. The open hole interval of the well can only be advanced if the specific conductivity does not exceed 1000 microSiemens/centimeter and sampling of specific conductivity occurs in 20 ft intervals. Such sampling is necessary to ensure that the well does not encounter water of a quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause impacts to area surface waters or induce salt water intrusion. Specific conductivity readings must be recorded and submitted to the District. District staff are available to assist and verify readings during well construction and to receive water quality results. Please contact the Resource Conservation and Data Department at (813)985-7481 ext. 2102, 48 hours prior to initiation of well construction and specify at that time if assistance is needed in collecting specific conductivity measurements.
Permit No.: 20005060.011
Permittee Name: Charlee, LLC / 2 X 4 Ranch

<table>
<thead>
<tr>
<th>District ID No.</th>
<th>Permittee ID No.</th>
<th>Surface Diameter</th>
<th>Minimum Casing Depth</th>
<th>Estimated Total Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>14</td>
<td>16</td>
<td>650'</td>
<td>1,150'</td>
</tr>
<tr>
<td>15</td>
<td>15</td>
<td>16</td>
<td>650'</td>
<td>1,150'</td>
</tr>
</tbody>
</table>

1. Regardless of the maximum depth specified above, it is the well driller's responsibility to cease drilling when the specific conductivity of the ground water reaches 1,000 microSiemens/centimeter.

2. The casing shall be continuous from land surface to the minimum depth stated above.

3. All well casing (including liners and/or pipe) must be sealed to the depth specified above.

4. The proposed wells shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.

5. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells, and all wells six (6) inches or more in diameter.

6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Regulation Department Director, or the Supervisor of the Well Construction Permitting Section in Brooksville.

7. The finished well total depth shall not exceed the maximum total depth unless advance approval is granted by either the Regulation Department Director, or the Supervisor of the Well Construction Permitting Section in Brooksville, and the specific conductivity is less than 1,000 microSiemens/centimeter.

8. Advance approval from the Regulation Department Director is necessary should the Permittee propose to change the well location or casing diameter.

B. Sampling

Following completion of District ID Nos. 14 and 15, Permittee ID Nos. 14 and 15, a water-quality sample shall be collected by District Staff for laboratory analysis. The sample shall be collected during reverse air drilling, or other appropriate method with prior approval by the Regulation Department Director, Resource Regulation, which will allow representative samples to be collected. The sample shall be analyzed by the District's certified laboratory for specific conductivity, chloride, sulfate and total dissolved solids. Reports of the analyses will be submitted to the Permittee upon completion.

The Permittee shall submit a copy of the well completion report to the District's Permit Data Section within 30 days of well completion.
WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO.</th>
<th>PERMITTEE/DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD. FT. (feet lbs)</th>
<th>USE</th>
<th>AVERAGE</th>
<th>PEAK MONTH</th>
<th>CROP PROTECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 / 1</td>
<td>12</td>
<td>545 / 159</td>
<td>IR</td>
<td></td>
<td>374,700</td>
<td>2,990,300</td>
<td>N / A</td>
</tr>
<tr>
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<td>12</td>
<td>1,220 / 200</td>
<td>IR</td>
<td></td>
<td>531,000</td>
<td>1,188,000</td>
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</tr>
<tr>
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<td>1,676 / 126</td>
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<td></td>
<td>475,600</td>
<td>1,342,100</td>
<td>N / A</td>
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<tr>
<td>4 / 4</td>
<td>12</td>
<td>1,200 / 200</td>
<td>IR</td>
<td></td>
<td>57,000</td>
<td>389,000</td>
<td>1,661,500</td>
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<tr>
<td>5 / 5</td>
<td>16</td>
<td>1,478 / 525</td>
<td>IR</td>
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<td>616,700</td>
<td>2,150,400</td>
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<tr>
<td>7 / 7</td>
<td>16</td>
<td>1,500 / 500</td>
<td>IR</td>
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<td>94,400</td>
<td>643,800</td>
<td>2,856,000</td>
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<tr>
<td>9 / 9</td>
<td>16</td>
<td>1,560 / 645</td>
<td>IR</td>
<td></td>
<td>119,000</td>
<td>812,300</td>
<td>2,688,000</td>
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<tr>
<td>10 / 10</td>
<td>12</td>
<td>1,560 / 645</td>
<td>IR</td>
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<td>85,200</td>
<td>581,600</td>
<td>3,024,000</td>
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<tr>
<td>12 / 12</td>
<td>12</td>
<td>1,300 / 650</td>
<td>IR</td>
<td></td>
<td>75,900</td>
<td>518,200</td>
<td>1,266,700</td>
</tr>
<tr>
<td>13 / 13</td>
<td>16</td>
<td>1,300 / 650</td>
<td>IR</td>
<td></td>
<td>101,800</td>
<td>694,600</td>
<td>1,696,800</td>
</tr>
<tr>
<td>14 / 14</td>
<td>16</td>
<td>1,150 / 650</td>
<td>IR</td>
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<td>133,500</td>
<td>910,800</td>
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<tr>
<td>15 / 15</td>
<td>16</td>
<td>1,150 / 650</td>
<td>IR</td>
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<tr>
<td>16 / 16</td>
<td>4</td>
<td>300 / 110</td>
<td>AG</td>
<td></td>
<td>500</td>
<td>500</td>
<td>N / A</td>
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<tr>
<td>17 / 17</td>
<td>4</td>
<td>250 / 109</td>
<td>AG</td>
<td></td>
<td>500</td>
<td>500</td>
<td>N / A</td>
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<tr>
<td>26B / 18</td>
<td>1.5</td>
<td>UNK / UNK</td>
<td>L</td>
<td></td>
<td>300</td>
<td>300</td>
<td>N / A</td>
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<tr>
<td>25A / 19</td>
<td>2</td>
<td>UNK / UNK</td>
<td>L</td>
<td></td>
<td>300</td>
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<tr>
<td>26C / 20</td>
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<td>L</td>
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<td>300</td>
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<tr>
<td>26D / 21</td>
<td>1.5</td>
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<td>L</td>
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<tr>
<td>22 / 22</td>
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<td>L</td>
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<td>300</td>
<td>300</td>
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</table>

IR = Irrigation
AG = Augmentation
L = Livestock Watering
WITHDRAWAL POINT LOCATION TABLE

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
<th>SECTION/TOWNSHIP/RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>35/38/25</td>
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<tr>
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<td>23/38/25</td>
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<td>4</td>
<td>271032.25/814544.27</td>
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<td>5</td>
<td>271023.03/814623.33</td>
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<td>7</td>
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<td>9</td>
<td>271012.38/814557.29</td>
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<td>22</td>
<td>270759.74/814630.75</td>
<td></td>
<td>36/38/25</td>
</tr>
</tbody>
</table>

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit "A" and made a part hereof.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** Renewal

**GRANTED TO:**
City of Temple Terrace
Department of Public Works
11210 North 53rd Street
Temple Terrace, FL 33617

**PROJECT NAME:**
City of Temple Terrace - Department of Public Works

**WATER USE CAUTION AREA:** Northern Tampa Bay

**PROPERTY LOCATION:** 196 owned and 7,697 serviced acres in Hillsborough County, approximately 0.15 mile west of the Hillsborough River, in City of Temple Terrace, and 0.5 mile east of the intersection of Busch Boulevard and 56th Street.

**ABSTRACT:** This is a renewal with modification to increase the permitted quantities of an existing water use permit for public supply in Hillsborough County. The permitted quantities are 5,150,000 gallons per day (gpd) Annual Average and 5,817,400 gpd Peak Month.

Special conditions require monthly recording and reporting of pumpage, quarterly water quality sampling, capping of withdrawals not in use, report existing and future connections to alternative water supplies, adherence to irrigation conservation, per capita annual reporting, compliance to a per capita rate standard, adopting a water conservation rate structure, conducting and reporting water audits, submitting annual residential water use reports, submitting annual wellfield assessment report, and updating the service area map.

**CHANGES FROM PRIOR PERMIT:** The Annual Average increased from 5,098,000 gpd to 5,150,000 gpd (increase of 52,000 gpd). The Peak Month decreased from 7,272,000 gpd to 5,817,400 gpd (decrease of 1,454,600 gpd). The change in the Annual Average quantity is based on a combination of historical and projected demand. The gross per capita rate decreased from 115.8 gallons per day per person to 115.5 gallons per day per person. Additional special conditions regarding water conservation were added.
<table>
<thead>
<tr>
<th>Permit Information</th>
<th>Previously Permitted 2001</th>
<th>Requested 2018</th>
<th>Authorized 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANNUAL AVERAGE&lt;sup&gt;1&lt;/sup&gt; (gpd)</td>
<td>5,098,000</td>
<td>5,150,000</td>
<td>5,150,000</td>
</tr>
<tr>
<td>Ground Water (gpd)</td>
<td>5,098,000</td>
<td>5,150,000</td>
<td>5,150,000</td>
</tr>
<tr>
<td>Surface Water (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>PEAK MONTH&lt;sup&gt;2&lt;/sup&gt; (gpd)</td>
<td>7,272,000</td>
<td>5,817,400</td>
<td>5,817,400</td>
</tr>
<tr>
<td>Ground Water (gpd)</td>
<td>7,272,000</td>
<td>5,817,400</td>
<td>5,817,400</td>
</tr>
<tr>
<td>Surface Water (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<sup>1</sup> Annual Average is the total gallons in a year divided by 365 days per year

<sup>2</sup> Peak Month is the total gallons in the highest water-use month divided by the number of days in that month.

City of Temple Terrace WUP 20000450.009
Comparison of Annual Average Pumpage to Annual Average Permitted Quantities
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Population Served</td>
<td>31,909</td>
<td>41,774</td>
<td>41,774</td>
</tr>
<tr>
<td>Pumpage</td>
<td>4,008,195</td>
<td>5,150,000</td>
<td>5,150,000</td>
</tr>
<tr>
<td>Imports (gpd)</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Exports (gpd)</td>
<td>NA</td>
<td>NA</td>
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</tr>
<tr>
<td>Treatment Losses (gpd)</td>
<td>313,187</td>
<td>325,000</td>
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</tr>
<tr>
<td>Gross Use (gpd)</td>
<td>3,695,008</td>
<td>4,825,000</td>
<td>4,825,000</td>
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<tr>
<td>Gross Per Capita (gpd/person)</td>
<td>115.8</td>
<td>115.5</td>
<td>115.5</td>
</tr>
</tbody>
</table>

### ADJUSTMENTS

<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Significant Uses(^1) (gpd)</td>
<td>0</td>
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<td>Environmental Mitigation(^1) (gpd)</td>
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<tr>
<td>Reclaimed Water Credits(^2)</td>
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<td>Desalination Credits (^2)</td>
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<td>Adjusted gross per capita (gpd/person)</td>
<td>115.8</td>
<td>115.5</td>
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<td>Residential use (gpd)</td>
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<td>Residential per capita (gpd/person)</td>
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<td>Unaccounted water use (gpd)</td>
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<td>Others Uses</td>
<td>960,468</td>
<td>1,215,907</td>
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\(^1\) Water Use Caution Areas Only  
\(^2\) Northern Tampa Bay Water Use Caution Area Only
## Water Conservation Information

<table>
<thead>
<tr>
<th>Category</th>
<th>Practice</th>
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<tbody>
<tr>
<td>Single Family Residential Rate Structure</td>
<td>Inclined Block</td>
</tr>
<tr>
<td>Cost Region</td>
<td>2 (Medium)</td>
</tr>
<tr>
<td>Base Charge / Month</td>
<td></td>
</tr>
<tr>
<td>No Irrigation Meter</td>
<td></td>
</tr>
<tr>
<td>With Irrigation Meter</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$5.60</td>
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<tr>
<td></td>
<td>$2.88</td>
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<td>Block 1 range</td>
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</tr>
<tr>
<td>With Irrigation Meter</td>
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<tr>
<td>0 – 8,000 gallons per month</td>
<td>$1.53 / 1,000 gallons</td>
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<tr>
<td>0 – 12,000 gallons per month</td>
<td>$1.53 / 1,000 gallons</td>
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<tr>
<td>Block 2 range</td>
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<td>No Irrigation Meter</td>
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<td>With Irrigation Meter</td>
<td></td>
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<tr>
<td>Over 8,000 gallons per month</td>
<td>$2.55 / 1,000 gallons</td>
</tr>
<tr>
<td>Over 12,000 gallons per month</td>
<td>$2.55 / 1,000 gallons</td>
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</tbody>
</table>

### Conservation Practices

**Permit Required**

Monthly recording and reporting of pumpage, flow meter accuracy verification, compliance with allocated standard annual average quantities, a water conserving rate structure, adherence to water conservation plan, annual per capita reporting, irrigation conservation, and water audit of system.

**Water Efficient Landscape and Irrigation Codes/Ordinances**

- restriction of water uses
- water shortage contingency plan
- enforcement and penalties (issued 450 violation since 2007)

**Public Information and Education Programs**

- Annual drinking water report to residents.
- Available water conservation pamphlet for residents
- Participate in area “home shows: promoting water conservation
- Drought/Awareness campaign signs throughout city
- Online advertising tours of water supply and treatment facilities ([www.templetterrace.com/publicworks/water.htm](http://www.templetterrace.com/publicworks/water.htm))

**Water Conservation Incentive Programs**

None

**Alternative Water Supply Programs**

None

**Conserve Florida Guide (Y/N)**

No.

**Other**

- High consumption investigation and resolution
- Investigating the feasibility of upgrading meters with AMR technology
- Leak detection program
- Low water pressure testing
- Meter shut-off valve repair and replacement
- Reviewing current water block rate over 8,000 gallons per month
SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Tampa Regulation Department, Resource Regulation.

1. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District’s website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:

Existing permitted withdrawal facilities shall continue to be metered with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director, District ID Nos. 1, 2, 3, 5, 6, 8, 10, 16 and 20, Permittee ID Nos. 1, 2, 4, 6, 7, 9, 11, I-2 and 8A.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.

C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:

1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.

3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

3. Water quality samples shall be collected and analyzed, for parameters, and frequency(ies) specified below. Water quality samples from production wells shall be collected whether or not the well is being used, unless infeasible. If sampling is infeasible the Permittee shall indicate the reason for not sampling on the water quality data form. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, “Certification of Environmental Testing Laboratories”. At a minimum, water quality samples shall be collected after pumping the well at its normal rate for a pumping time specified in the table below, or to a constant temperature, pH, and conductivity. In addition, the Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director,
Resource Regulation. Reports of the analyses shall be submitted to the Permit Data Section, Regulation Performance Management Department, (using District forms) on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory which undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

District Permittee Minimum Pumping Sampling
ID No. ID No. Time (minutes) Parameters Frequency
1 1 13 Series A Quarterly
3 4 28 Series A Quarterly
5 6 10 Series A Quarterly
6 7 4 Series A Quarterly
8 9 5 Series A Quarterly
10 11 12 Series A Quarterly
11 12 17 Series A Quarterly
17 13 19 Series A Quarterly
18 14 20 Series A Quarterly
19 15 20 Series A Quarterly
20 8A 4 Series A Quarterly

**Parameters**
Series A = Chlorides, Sulfate and Total Dissolved Solids

Water quality samples shall be collected based on the following timetable:
Quarterly Same week of months specified February, May, August, November

Analyses shall be performed according to procedures outlined in the current edition of *Standard Methods for the Examination of Water and Wastewater* by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or *Methods for Chemical Analyses of Water and Wastes* by the U.S. Environmental Protection Agency (EPA).

4. Water quality samples from monitor wells shall be collected and analyzed for the District ID Nos. 3 and 4, parameters, and frequency(ies) specified in the table below. Water quality samples shall be collected after pumping the monitor wells to a constant temperature, pH, and conductivity. Sampling methods shall be designed to collect water quality samples that are chemically representative of the zone to be sampled. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, “Certification of Environmental Testing Laboratories”. The Permittee's sampling procedures shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. A report describing the sampling and chain of custody procedures shall be included with the first data submitted after the date this permit is granted, and upon any change in sampling and/or analytical methods. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation. Reports of the analyses shall be submitted to the Permit Data Section, Regulation Performance Management Department, on District forms on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory that undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
Permit No.: 20000450.009
Permittee Name: City of Temple Terrace / City of Temple Terrace – Department of Public Works

<table>
<thead>
<tr>
<th>District ID No.</th>
<th>Permittee ID No.</th>
<th>Parameters</th>
<th>Sampling Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>4</td>
<td>Series B</td>
<td>Quarterly</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>Series B</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>

**Parameters**

Series B = Benzene, Chlorobenzene, 1,2-Dichlorobenzene, 1,4-Dichlorobenzene, 1,1-Dichloroethane, 1,2-Dichloroethane, cis-1,2-Dichloroethene, trans-1,2-Dichloroethene, 1,2-Dichloropropane, Trichloroethene, and Vinyl Chloride.

Water quality samples shall be collected based on the following timetable:

Quarterly: Same week of months specified — February, May, August, November

Analyses shall be performed according to procedures outlined in the current edition of *Standard Methods for the Examination of Water and Wastewater* by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or *Methods for Chemical Analyses of Water and Wastes* by the U.S. Environmental Protection Agency (EPA).

5. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.

6. Permittees shall submit a written report to the District by **December 1, 2009** on whether or not they have existing connections to reclaimed water or other alternative water supplies, including that which is self-generated. Future connections to reclaimed water or other alternative water supplies shall be reported to the District within 30 days of connection to the reclaimed water or alternative water supply source. For any existing or future connection, the report shall list the supplier or source name, location of the inflow line to the property by latitude/longitude if the source is external, and an estimate of the monthly quantities obtained or to be obtained in total gallons per month. The Permittee shall modify this permit to add a special condition to meter and reporting monthly meter readings of the alternative water supplies. The Permittee may use the Letter Modification process to do this unless other changes are included which do not meet the conditions for modifications by letter.

7. The Permittee shall:

A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.

B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.

C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.

D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.
8. The Permittee shall have a per capita water rate equal to or less than 150 gpd, and this standard shall remain in effect until modified by rule.

By April 1 of each year for the preceding calendar year or fiscal year (October 1 through September 30), the Permittee shall submit a report detailing:

A. The population served;
B. Significant deducted uses, the associated quantity, and conservation measures applied to these uses;
C. Total withdrawals;
D. Treatment losses.
E. Environmental mitigation quantities.
F. Sources and quantities of incoming and outgoing transfers of water and wholesale purchases and sales of water, with quantities determined at the supplier's departure point.
G. Documentation of reuse and desalination credits, if taken.

If for some reason, the Permittee does not achieve the specified per capita rate, the report shall document why the rate and requirements were not achievable, measures taken to attempt meeting them, and a plan to bring the permit into compliance. This report is subject to District approval. If the report is not approved, the Permittee is in violation of the Water Use Permit.

The District will evaluate information submitted by Permittees who do not achieve these requirements to determine whether the lack of achievement is justifiable and a variance is warranted. Permittees may justify lack of achievement by documenting unusual water needs, such as larger-than-average lot sizes with greater water irrigation needs than normal-sized lots. However, even with such documented justification, phased reductions in water use shall be required unless the District determines that water usage was reasonable under the circumstances reported and that further reductions are not feasible. For such Permittees, on a case-by-case basis, individual water conservation requirements may be developed. Per capita rate requirements may be adjusted upward or downward through rulemaking and will become requirements.

9. The Permittee shall have a per capita water rate equal to or less than 150 gpd, and this standard shall remain in effect until modified by rule.

10. The Permittee shall adopt a water conserving rate structure within one year of permit issuance. Within 18 months of the permit issuance, the Permittee shall submit a report on the rate structure that includes but is not limited to a description of the structure, how each component is designed to promote water conservation among the Permittees customers, and how it is expected to reduce the Permittee's gross per capita water use. After the first report submitted, an update on the rate structure and a summary of its effectiveness shall be included with the Annual Report by April 1 of each year.

11. The Permittee shall conduct a water audit of the water distribution system and submit the results of the audit in report form with the annual report due April 1, 2009. Thereafter, each year where greater than 12% unaccounted water losses are identified in the annual report, a water audit shall be conducted annually until such time as the unaccounted water losses indicated in the annual report are less than 12 percent of the water quantities withdrawn. The water audit may include the following activities: detection of unauthorized uses and authorized un-metered uses; correction of under-registration of meters; determination of fire flow use; and leak detection/repair. Water audits that identify greater than 12 percent unaccounted water losses shall include a
schedule for remedial actions, followed by appropriate actions. Audits shall be completed and reports documenting the results of the audit shall be submitted as an element of the annual report required in the per capita condition to the Permit Data Section, Regulation Performance Management Department, by April 1 of each year.

12. By April 1 of each year, the Permittee shall submit a residential water use report for the preceding calendar year or fiscal year (October 1, through September 30), detailing:

A. The number of single family dwelling units served and their total water use,
B. The number of multi-family dwelling units served and their total water use,
C. The number of mobile homes served and their total water use.

Where separate indoor and outdoor meters exist, residential water use quantities shall include both the indoor and outdoor water uses associated with the dwelling units, including irrigation water.

13. The Permittee shall prepare a comprehensive and concise annual report describing the operation of the withdrawal facilities and an assessment of the water resources and environmental systems. An assessment of the water resources and environmental systems of the wellfield area is required for all sections listed below. This report shall concisely summarize the elements listed below, with emphasis on the interactions between these elements, where appropriate. Data sources shall be referenced, but no raw data shall be included in the report. Only essential text, graphs, and tables should be included in the report. Six copies of the report shall be submitted to the Permit Data Section, Regulation Performance Management Department, by April 1 of each year. The report shall cover the preceding water year period from October 1 to September 30. The specific elements of this report are listed below:

A. **Water Use**
   Any changes to the service area boundaries shall be described in the text and plotted on a map. The Permittee shall submit a report detailing:
   1. The population served;
   2. Significant deducted uses, the associated quantity, and conservation measures applied to these uses;
   3. Total withdrawals;
   4. Treatment losses.
   5. Environmental mitigation quantities.
   6. Sources and quantities of incoming and outgoing transfers of water and wholesale purchases and sales of water, with quantities determined at the supplier's departure point.

B. **Data collected through Condition Nos. 3 and 4** of this permit shall be used to determine the effects of pumpage at the wellfield on the following:
   1. movement of the fresh/saltwater interface;
   2. surficial aquifer water levels;
   3. potentiometric surface levels;
   4. lake levels;
   5. stream discharge; and
   6. wetlands vegetation.

Statistical trend analysis, such as double-mass curve analysis, multiple linear regression, time series analysis and factor analysis shall be performed to analyze the interactions of rainfall and pumpage on movement of the fresh/saltwater interface, surficial water levels, potentiometric surface levels in the semi-confined aquifers, lake and wetland water levels, stream discharge,
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treefalls per unit area, rate of soil subsidence, and evidence of vegetational succession, uplands vegetation and wetlands vegetation. Data shall be obtained through field measurements and aerial photo interpretation. A brief summary of any recommended changes to the monitoring requirements shall be provided.

SERVICE AREA NAME
City of Temple Terrace – Public Works Department

WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO.</th>
<th>PERMITTEE/DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD.FT. (feet bls)</th>
<th>USE</th>
<th>GALLONS PER DAY</th>
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<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>AVERAGE</td>
</tr>
<tr>
<td>1 / 1</td>
<td>8</td>
<td>480 / 80</td>
<td>B</td>
<td></td>
<td>206,000</td>
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<tr>
<td>2 / 2</td>
<td>10</td>
<td>480 / 93</td>
<td>B</td>
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<tr>
<td>4 / 3</td>
<td>12</td>
<td>570 / 119</td>
<td>B</td>
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<td>1,030,000</td>
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<tr>
<td>6 / 5</td>
<td>8</td>
<td>384 / 42</td>
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<tr>
<td>7 / 6</td>
<td>10</td>
<td>155 / 108</td>
<td>B</td>
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<td>9 / 8</td>
<td>10</td>
<td>170 / 114</td>
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</tr>
<tr>
<td>11 / 10</td>
<td>12</td>
<td>390 / 45</td>
<td>B</td>
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<tr>
<td>I-2 / 16</td>
<td>10</td>
<td>400 / 100</td>
<td>IR</td>
<td></td>
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<td>8A / 20</td>
<td>14</td>
<td>145 / 118</td>
<td>B</td>
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B = Public Supply
IR = Irrigation

WITHDRAWAL POINT LOCATION TABLE

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
<th>SECTION/TOWNSHIP/RANGE</th>
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<tbody>
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</tr>
<tr>
<td>2</td>
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<td>22/28/19</td>
<td></td>
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<tr>
<td>3</td>
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<td>20</td>
<td>280252.34/822326.03</td>
<td>15/28/19</td>
<td></td>
</tr>
</tbody>
</table>
STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit “A” and made a part hereof.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
CONSENT ITEM 18  

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO.  20002698.007

EXPIRATION DATE: October 28, 2014

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal

GRANTED TO: Sid Larkin and Son, Inc.
Post Office Box 1747
Dade City, FL 33526

PROJECT NAME: Sid Larkin and Son, Inc.

WATER USE CAUTION AREA: Northern Tampa Bay

PROPERTY LOCATION: 1,749.85 owned acres in Pasco County, approximately 0.25 mile north of U.S. Highway 98 on State Road 35A.

ABSTRACT: This is a renewal with modifications to increase the annual average, peak month, and maximum daily withdrawal rates for an existing agricultural water use permit located in Pasco County. The Annual Average withdrawal rate is 2,090,000 gallons per day (gpd), the Peak Month withdrawal rate is 5,763,700 gpd, and the Maximum Daily Crop Protection withdrawal rate is 16,113,700 gpd. The increase in quantities is due to changes in crop acreages and the addition of blueberries as a new crop type. The withdrawal rates are based on the AGMOD irrigation requirement calculation program. All wells are open to the upper Floridian aquifer. Special conditions require: metering of existing and proposed wells; monthly reporting of pumping from all wells; reporting of reclaimed quantities; implementing water conservation and best management practices; annual crop reporting; reporting of frost/freeze usage; investigation/mitigation of crop protection related well complaints; reporting of new reuse connections; modify permit to decrease permitted quantities when annual reclaimed supply reaches 225,000 gpd; and capping of all wells not in use.

CHANGES FROM PREVIOUS PERMIT: Sod irrigation increases from 100 acres to 690 acres; citrus decreases from 370 acres to 162 acres; containerized nursery irrigation increases from 5 acres to 10 acres; and 30 acres of blueberries are added as a new crop type. The Annual Average daily use increases 1,087,500 gpd; the Peak Monthly rate increases 2,049,225 gpd; and the Maximum Daily Crop Protection rate increases 3,331,600 gpd.
## PERMIT INFORMATION

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>ANNUAL AVERAGE 1</td>
<td>986,500 GPD</td>
<td>2,090,000 GPD</td>
</tr>
<tr>
<td>Ground Water</td>
<td>986,500 GPD</td>
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<tr>
<td>Surface Water</td>
<td>0 GPD</td>
<td>0 GPD</td>
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<tr>
<td>ALTERNATIVE WATER SUPPLY 2 (annual average)</td>
<td>150,000 GPD</td>
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<td>Reclaimed Water 3</td>
<td>150,000 GPD</td>
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<td>Captured Stormwater</td>
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<tr>
<td>Surface Water</td>
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<td>0 GPD</td>
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</table>

1 Annual average quantities are the total gallons needed for one year divided by 365 days.
2 Alternative Water Supply are sources of water other than the historic natural sources. Ground water is not an Alternative Water Supply.
3 Reclaimed Water is not included in permit totals.
4 Peak Month quantities are the total gallons needed for the highest water-use month divided by the number of days in that month.
5 Crop Protection quantities are the total gallons needed for one day for frost and freeze protection.

## WATER DEMAND

### ANNUAL AVERAGE VALUES

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Citrus</td>
<td>486,000 gpd</td>
<td>226,700 gpd</td>
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<tr>
<td>Irrigated Acres</td>
<td>370</td>
<td>162</td>
<td>162</td>
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<td>Irrigation Rate (in./ac./yr.)</td>
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<td>19.1</td>
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<td>Sod</td>
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<td>Irrigation Rate (in./ac./yr.)</td>
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<td>33.60</td>
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<tr>
<td>Commercial Hay</td>
<td>190,900 gpd</td>
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<td>0 gpd</td>
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<tr>
<td>Irrigated Acres</td>
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<tr>
<td>Standard Irrigation Rate (in./ac./yr.)</td>
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<td>Blueberries</td>
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<td>Nurseries</td>
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<tr>
<td>Irrigated Acres</td>
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<td>10</td>
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<td>Standard Irrigation Rate (in./ac./yr.)</td>
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<td>71.6</td>
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<td>Personal / Sanitary</td>
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<tr>
<td>Livestock</td>
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<td>Lawn / Landscape</td>
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<td>0 gpd</td>
</tr>
<tr>
<td>Other</td>
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<td>0 gpd</td>
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</tr>
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</table>
SPECIAL CONDITIONS:

All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District’s website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org.

All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida  34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

The Permittee shall meter, record, and report alternative water supply (AWS) quantities received and used from each alternative water supply inflow line (line coming onto the property from an off-site source) and each AWS re-pump surface water withdrawal point from any storage facility. The meters shall be read on a monthly basis within the last week of each month and be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. The Permittee shall use District-supplied scanning forms, unless another arrangement for submission of this data has been approved by the District.

The following AWS inflow lines and AWS re-pump facilities shall be metered:

Upon permit issuance for previously un-metered, existing sources:

AWS inflow line District ID No. 24, Permittee ID No R-1.

The meter shall adhere to the following requirements and shall be installed and maintained as follows:

A. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices or other accounting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the stipulations listed in this condition. Approval for other measuring devices or accounting methods must be obtained in writing from the Regulation Department Director.

B. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

C. Accuracy testing requirements:
   1. For newly metered AWS inflow lines and re-pump withdrawal point, the flow meter installation shall be designed for inline field access for meter-accuracy testing.
2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy-test requirement for existing meters.

3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the test equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

D. If the alternative accounting method involves a meter belonging to another entity or to the alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings continue to be accurate to 5% of the actual flow as installed. Such documentation is subject to approval by the District.

E. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

F. If a metered AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the alternative water supply line or re-pump withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

3. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:
A. Existing permitted withdrawal facilities shall continue to be metered with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director, District ID Nos. 3 and 4, Permittee ID Nos. 3 and 4.

B. Withdrawal facilities that are not yet constructed, District ID Nos. 21, 22 and 23, Permittee ID Nos. 21, 22 and 23 shall be metered within 90 days of completion of construction of the withdrawal.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.

C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:

1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.

2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.

3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:

1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.

2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.

3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms.
and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

4. Permittees shall submit a written report to the District by September 2011 on whether or not they have existing connections to reclaimed water or other alternative water supplies, including that which is self-generated. Future connections to reclaimed water or other alternative water supplies shall be reported to the District within 30 days of connection to the reclaimed water or alternative water supply source. For any existing or future connection, the report shall list the supplier or source name, location of the inflow line to the property by latitude/longitude if the source is external, and an estimate of the monthly quantities obtained or to be obtained in total gallons per month. The Permittee shall modify this permit to add a special condition to meter and reporting monthly meter readings of the alternative water supplies. The Permittee may use the Letter Modification process to do this unless other changes are included which do not meet the conditions for modifications by letter.

5. At such time as the use of reclaimed water reaches 225,000 gpd gallons per day on an annual average basis, the Permittee shall apply to modify this permit to decrease the quantity of water permitted from the on site wells.

6. Prior to submission of a formal application to increase quantities, the Permittee shall investigate the feasibility of desalination to provide all or a portion of the requested quantities, and to implement desalination if feasible. This report shall include a detailed economic analysis of desalination, including disposal costs, versus development of fresh water supplies, including land acquisition and transmission costs.

7. The Permittee shall:
   A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.
   B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.
   C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.
   D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.

8. Within sixty days the Permittees listed on this permit shall designate one individual responsible for receiving and responding to District notices and correspondence related to this permit. The designee shall be responsible for communicating information to and among the remaining Co-Permittees. Notification to the District of the designee, including address and telephone number shall be in written form and shall include the signatures of all Permittees.
9. Upon verbal or written notice from an alternative water supply (AWS) provider that delivery of all or part of the alternative water supply is to permanently cease, or if the loss of the AWS exceeds 1 year, the Permittee shall submit information to the District explaining the reasons for the cessation. If the cessation was not caused by actions of the Permittee and is beyond the control of the Permittee, the Permittee may apply for a letter modification to reinstate use of permitted standby quantities subject to all requirements of Rule 40D-2.331(2), F.A.C.

10. If the alternative water supply (AWS) becomes unavailable, insufficient, or unsuitable for a period of 30 days or less, the Permittee may access the standby quantities to meet authorized use from the date of the first loss. No District notification is required if the AWS is unavailable, insufficient, or unsuitable for the 30-day period or less. From the date of first loss and while the AWS delivery remains unavailable, insufficient or unsuitable, the Permittee is authorized to withdraw the standby quantities to meet the authorized use.

If the AWS becomes unavailable, insufficient, or unsuitable for a period greater than 30 days, the Permittee shall notify the District in writing within 45 days of the first day the AWS became unavailable, insufficient or unsuitable. The notification must continue to be submitted monthly for each subsequent 30-day period, for up to one year from the date of first loss, insufficiency, or unsuitability.

11. Compliance with the allocated standard annual average quantity and drought annual average quantities is based on a rolling 12-month calculation where the current pumpage is added to the pumpage for the previous 11 months, and the total is then divided by the number of days in those 12 months for gallons per day. If the Permittee exceeds the allocated standard annual average quantity or drought annual average quantities during any month, within 30 days the Permittee must submit a report to the District that includes reasons why the allocated quantities were exceeded, efforts already taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allocated quantities are subject to District approval. Justification for exceeding the allocated quantities does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

12. Permittees whose maximum daily permitted water use is 1,000,000 gpd or more shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal source used for the protection of crops from frost or freeze damage. The report shall include the gallons per day pumped from each withdrawal source based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.

Even if your maximum daily permitted water use is less than 1,000,000 gpd, please be aware that it is in your best interest to document this usage as described above so that quantities pumped for crop protection can be excluded from the compliance calculation of your annual average use and in the determination of credit amounts.

13. The Permittee shall investigate crop protection withdrawal-related well complaints within 660 feet of withdrawals District ID Nos. 3, 4, 21, 22 and 23, Permittee ID Nos. 3, 4, 21, 22 and 23. The complaint handling/mitigation procedure shall be as follows:

A. Within 48 hours of complaint receipt by the Permittee, the Permittee shall perform a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem.
B. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes, such as drinking water.

C. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected within 15 days of complaint receipt. Full correction shall be restoration of the complainant's well to pre-impact condition or better, including the aspects of pressure levels, discharge quantity, and water quality. This detailed investigation shall include, but not be limited to, an analysis of water levels and pumpage impacts at the time of the complainant's problem, well and pump characteristics including depths, capacity, pump curves, and irrigation system requirements.

D. If the resulting investigation determines that the Permittee was not responsible for the well problem, the Permittee shall document the reasons for this determination.

E. The Permittee shall file a report of the complaint to the Regulation Department Director, Resource Regulation, for review and approval within 20 days of the receipt of any complaint. The report shall include:

1. The name and address of each complainant;
2. The date and nature of the complaint;
3. A summary of the Permittee's investigation;
4. A summary of the Permittee's determination, including details of any mitigation activities; and
5. Cost of mitigation activity for each complaint.

A copy of the report shall also be sent to the complainant within 20 days of complaint receipt.

14. The Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated inches per irrigated acre per season for each crop type. An irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

Allocated inches per irrigated acre per season per crop for field preparation/crop establishment and supplemental irrigation (excluding nurseries, which are permitted on a case-by-case basis) are based on the minimum assigned efficiency standards listed in Table 1 below. These minimum standards shall remain in effect until modified by rule.

Table 1. Minimum assigned efficiency standards.

<table>
<thead>
<tr>
<th>Crop Type</th>
<th>Supplemental Irrigation Required Efficiency</th>
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<tbody>
<tr>
<td>Citrus, Strawberries or Row Crops</td>
<td></td>
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<tr>
<td>(with drip or unmulched, non-seepage irrigation)</td>
<td></td>
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<tr>
<td>Existing Permits</td>
<td>75%</td>
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<tr>
<td>New Permits</td>
<td>80%</td>
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<tr>
<td>Other Crops</td>
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<td>Existing Permits</td>
<td>60%</td>
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<tr>
<td>New Permits</td>
<td>70%</td>
</tr>
<tr>
<td>Field preparation/crop establishment:</td>
<td>60%</td>
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</table>
Compliance with allocated quantities shall be determined by comparing actual use to the calculated quantities for each individual crop on a per season basis. Seasonal crops will be compared on a seasonal basis (e.g. spring tomato requirements based on the calculated inches per season), and perennial crops will be compared on an annual basis (e.g. citrus requirements based on the calculated inches per year).

15. All Permittees whose average daily permitted use is equal to or exceeds 100,000 gpd shall record the following information for all seasonal crops (example: vegetables) and nurseries; Annual crops (example: Citrus) may omit items e. and f.:

A. crop type;
B. monthly irrigated acres per crop for seasonal crops, annual irrigated acres for annual crops;
C. the dominant soil type;
D. irrigation methods;
E. planting dates; and
F. season length.

Irrigation for field preparation/crop establishment and supplemental irrigation shall be documented separately by noting the beginning and ending dates for these activities. Additionally, quantities for crop protection shall be documented separately by noting the beginning and ending hour and date. The Permittee shall note whether tailwater recovery is used. This information shall be submitted to the Permit Data Section, Regulation Performance Management Department, on the Agricultural Water Use Form-Seasonal Crops within 60 days following the crop season. For annual crops, this information shall be submitted on the Annual Crops reporting form by March 1, for the preceding calendar year. If the Permittee exceeds the allocated quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per crop, the Permittee shall submit a report to the Permit Data Section, Regulation Performance Management Department, which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allotted quantities are subject to District approval. If the report is not approved, the Permittee is in violation of the Water Use Permit. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. Permittees may justify lack of achievement by documenting unusual water needs, such as unusual soil or weather conditions creating greater irrigation needs than normal. However, even with such documented justification, phased reductions in water use shall be required unless the District determines that water usage was reasonable under the circumstances reported and that further reductions are not feasible. For such Permittees, on a case-by-case basis, individual efficiency criteria may be developed for each management period.
## WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO.</th>
<th>PERMITTEE/ DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD. FT. (feet bls)</th>
<th>USE</th>
<th>AVERAGE GALLONS PER DAY</th>
<th>PEAK MONTH GALLONS PER DAY</th>
<th>CROP PROTECTION</th>
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<tr>
<td>3 / 3</td>
<td>12</td>
<td>120 / 65</td>
<td>IR</td>
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<td>2,498,500</td>
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IR = Irrigation  
L = Livestock Watering

## WITHDRAWAL POINT LOCATION TABLE

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STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit "A" and made a part hereof.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO.  20013170.000

EXPIRATION DATE: October 28, 2014
PERMIT ISSUE DATE: October 28, 2008

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION:  New

GRANTED TO:  Angelos Aggregate Materials, Ltd.  Sid Larkin and Son, Inc.
Post Office Box 1493  Post Office Box 1747
Largo, FL  33779-1493  Dade City, FL  33526

PROJECT NAME:  Angelos Aggregate Materials

WATER USE CAUTION AREA:  Northern Tampa Bay

PROPERTY LOCATION:  451.92 leased acres in Pasco County, approximately 0.25 mile north of U.S. Highway 98 on State Road 35A.

ABSTRACT:  This is a new permit that is a partial transfer of an existing agricultural permit (20002698.006) for irrigation of 180 acres of citrus, 135 acres of sod, a 10 acre containerized nursery, in addition to cattle watering on a total of 452 acres of land in Pasco County. The annual average day (AAD) quantity is permitted at 662,300 gallons per day (gpd), the peak month quantity is 2,136,800 gpd, and the crop protection maximum is 9,734,400 gpd. AGMOD was used to calculate the irrigation usage. The permitted quantities include 130,000 gpd of reclaimed water that will be supplied by Dade City. Special conditions on the permit require reporting of reuse flow meter readings, reporting of meter readings for existing withdrawals, reuse receiver reporting, modification of permit based on reuse quantity, investigation of feasibility of desalination, irrigation conservation, reporting of loss of reuse water, notification of temporary loss of alternative water supply, compliance with allocated standard annual average quantity, documentation of crop protection quantities, investigation of crop protection related well complaints, compliance with irrigation allotments, and submission of report data.

CHANGES FROM THE PREVIOUS PERMIT:  Quantities increase due to the addition of cattle watering, sod irrigation, and a 10 acre containerized nursery. The AAD quantity increases from 254,200 gpd to 662,300 gpd; the Peak Month quantity increases from 1,200,350 gpd to 2,137,400 gpd; and the crop protection quantity increases from 6,240,000 gpd to 9,734,400 gpd.
### PERMIT INFORMATION

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1. Annual average quantities are the total gallons needed for one year divided by 365 days.
2. Alternative Water Supply are sources of water other than the historic natural sources. Ground water is not an Alternative Water Supply.
3. Reclaimed Water is not included in permit totals.
4. Peak Month quantities are the total gallons needed for the highest water-use month divided by the number of days in that month.
5. Crop Protection quantities are the total gallons needed for one day for frost and freeze protection.

### WATER DEMAND

#### ANNUAL AVERAGE VALUES

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SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Brooksville Regulation Department, Resource Regulation.

1. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District’s website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida  34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall meter, record, and report alternative water supply (AWS) quantities received and used from each alternative water supply inflow line (line coming onto the property from an off-site source) and each AWS re-pump surface water withdrawal point from any storage facility. The meters shall be read on a monthly basis within the last week of each month and be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. The Permittee shall use District-supplied scanning forms, unless another arrangement for submission of this data has been approved by the District.

The following AWS inflow lines and AWS re-pump facilities shall be metered:

Upon permit issuance for previously un-metered, existing sources:

AWS inflow line District ID Nos. 5 and 6, Permittee ID Nos. R-1 and R-2.

The meters shall adhere to the following requirements and shall be installed and maintained as follows:

A. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices or other accounting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the stipulations listed in this condition. Approval for other measuring devices or accounting methods must be obtained in writing from the Regulation Department Director.

B. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

C. Accuracy testing requirements:

1. For newly metered AWS inflow lines and re-pump withdrawal point, the flow meter installation shall be designed for inline field access for meter-accuracy testing.
2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy-test requirement for existing meters.

3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the test equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

D. If the alternative accounting method involves a meter belonging to another entity or to the alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings continue to be accurate to 5% of the actual flow as installed. Such documentation is subject to approval by the District.

E. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

F. If a metered AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the alternative water supply line or re-pump withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

3. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:
Existing permitted withdrawal facilities shall continue to be metered with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director, District ID Nos. 1, 2, 3 and 4, Permittee ID Nos. 1, 5, 7 and 19.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.

C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:
   1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
   2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
   3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
   4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
   5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

4. Permittees shall submit a written report to the District by December 2011 on whether or not they have existing connections to reclaimed water or other alternative water supplies, including that which is self-generated. Future connections to reclaimed water or other alternative water supplies shall be reported to the District within 30 days of connection to the reclaimed water or alternative water supply source. For any existing or future connection, the report shall list the supplier or source name, location of the inflow line to the property by latitude/longitude if the source is external, and an estimate of the monthly quantities obtained or to be obtained in total gallons per month. The Permittee shall modify this permit to add a special condition to meter and reporting monthly meter readings of the alternative water supplies. The Permittee may use the Letter Modification process to do this unless other changes are included which do not meet the conditions for modifications by letter.

5. At such time as the use of reclaimed water reaches 200,000 gpd gallons per day on an annual average basis, the Permittee shall apply to modify this permit to decrease the quantity of water permitted from the on site wells.

6. Prior to submission of a formal application to increase quantities, the Permittee shall investigate the feasibility of desalination to provide all or a portion of the requested quantities, and to implement desalination if feasible. This report shall include a detailed economic analysis of desalination, including disposal costs, versus development of fresh water supplies, including land acquisition and transmission costs.

7. The Permittee shall:

A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.

B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.

C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.

D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.
8. Within sixty days the Permittees listed on this permit shall designate one individual responsible for receiving and responding to District notices and correspondence related to this permit. The designee shall be responsible for communicating information to and among the remaining Co-Permittees. Notification to the District of the designee, including address and telephone number shall be in written form and shall include the signatures of all Permittees.

9. Upon verbal or written notice from an alternative water supply (AWS) provider that delivery of all or part of the alternative water supply is to permanently cease, or if the loss of the AWS exceeds 1 year, the Permittee shall submit information to the District explaining the reasons for the cessation. If the cessation was not caused by actions of the Permittee and is beyond the control of the Permittee, the Permittee may apply for a letter modification to reinstate use of permitted standby quantities subject to all requirements of Rule 40D-2.331(2), F.A.C.

10. If the alternative water supply (AWS) becomes unavailable, insufficient, or unsuitable for a period of 30 days or less, the Permittee may access the standby quantities to meet authorized use from the date of the first loss. No District notification is required if the AWS is unavailable, insufficient, or unsuitable for the 30-day period or less. From the date of first loss and while the AWS delivery remains unavailable, insufficient or unsuitable, the Permittee is authorized to withdraw the standby quantities to meet the authorized use.

If the AWS becomes unavailable, insufficient, or unsuitable for a period greater than 30 days, the Permittee shall notify the District in writing within 45 days of the first day the AWS became unavailable, insufficient or unsuitable. The notification must continue to be submitted monthly for each subsequent 30-day period, for up to one year from the date of first loss, insufficiency, or unsuitability.

11. Compliance with the allocated standard annual average quantity and drought annual average quantities is based on a rolling 12-month calculation where the current pumpage is added to the pumpage for the previous 11 months, and the total is then divided by the number of days in those 12 months for gallons per day. If the Permittee exceeds the allocated standard annual average quantity or drought annual average quantities during any month, within 30 days the Permittee must submit a report to the District that includes reasons why the allocated quantities were exceeded, efforts already taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allocated quantities are subject to District approval. Justification for exceeding the allocated quantities does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

12. Permittees whose maximum daily permitted water use is 1,000,000 gpd or more shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal source used for the protection of crops from frost or freeze damage. The report shall include the gallons per day pumped from each withdrawal source based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.

Even if your maximum daily permitted water use is less than 1,000,000 gpd, please be aware that it is in your best interest to document this usage as described above so that quantities pumped for crop protection can be excluded from the compliance calculation of your annual average use and in the determination of credit amounts.
Permit No.: 20013170.000
Permittee Name: Angelos Aggregate Agricultural Use

13. The Permittee shall investigate crop protection withdrawal-related well complaints within 660 feet of withdrawals District ID Nos. 1, 2, 3 and 4, Permittee ID Nos. 1, 5, 7 and 19. The complaint handling/mitigation procedure shall be as follows:

A. Within 48 hours of complaint receipt by the Permittee, the Permittee shall perform a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem.

B. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes, such as drinking water.

C. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected within 15 days of complaint receipt. Full correction shall be restoration of the complainant's well to pre-impact condition or better, including the aspects of pressure levels, discharge quantity, and water quality. This detailed investigation shall include, but not be limited to, an analysis of water levels and pumpage impacts at the time of the complainant's problem, well and pump characteristics including depths, capacity, pump curves, and irrigation system requirements.

D. If the resulting investigation determines that the Permittee was not responsible for the well problem, the Permittee shall document the reasons for this determination.

E. The Permittee shall file a report of the complaint to the Regulation Department Director, Resource Regulation, for review and approval within 20 days of the receipt of any complaint. The report shall include:

1. The name and address of each complainant;
2. The date and nature of the complaint;
3. A summary of the Permittee's investigation;
4. A summary of the Permittee's determination, including details of any mitigation activities; and
5. Cost of mitigation activity for each complaint.

A copy of the report shall also be sent to the complainant within 20 days of complaint receipt.

14. The Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated inches per irrigated acre per season for each crop type. An irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

Allocated inches per irrigated acre per season per crop for field preparation/crop establishment and supplemental irrigation (excluding nurseries, which are permitted on a case-by-case basis) are based on the minimum assigned efficiency standards listed in Table 1 below. These minimum standards shall remain in effect until modified by rule.
Table 1. Minimum assigned efficiency standards.

<table>
<thead>
<tr>
<th>Crop Type</th>
<th>Supplemental Irrigation</th>
<th>Required Efficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citrus, Strawberries or Row Crops (with drip or unmulched, non-seepage irrigation)</td>
<td>Existing Permits</td>
<td>75%</td>
</tr>
<tr>
<td></td>
<td>New Permits</td>
<td>80%</td>
</tr>
<tr>
<td>Other Crops</td>
<td>Existing Permits</td>
<td>60%</td>
</tr>
<tr>
<td></td>
<td>New Permits</td>
<td>70%</td>
</tr>
<tr>
<td>Field preparation/crop establishment</td>
<td></td>
<td>60%</td>
</tr>
</tbody>
</table>

Compliance with allocated quantities shall be determined by comparing actual use to the calculated quantities for each individual crop on a per season basis. Seasonal crops will be compared on a seasonal basis (e.g. spring tomato requirements based on the calculated inches per season), and perennial crops will be compared on an annual basis (e.g. citrus requirements based on the calculated inches per year).

15. All Permittees whose average daily permitted use is equal to or exceeds 100,000 gpd shall record the following information for all seasonal crops (example: vegetables) and nurseries; Annual crops (example: Citrus) may omit items e. and f.:

A. crop type;
B. monthly irrigated acres per crop for seasonal crops, annual irrigated acres for annual crops;
C. the dominant soil type;
D. irrigation methods;
E. planting dates; and
F. season length.

Irrigation for field preparation/crop establishment and supplemental irrigation shall be documented separately by noting the beginning and ending dates for these activities. Additionally, quantities for crop protection shall be documented separately by noting the beginning and ending hour and date. The Permittee shall note whether tailwater recovery is used. This information shall be submitted to the Permit Data Section, Regulation Performance Management Department, on the Agricultural Water Use Form-Seasonal Crops within 60 days following the crop season. For annual crops, this information shall be submitted on the Annual Crops reporting form by March 1, for the preceding calendar year. If the Permittee exceeds the allocated quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per crop, the Permittee shall submit a report to the Permit Data Section, Regulation Performance Management Department, which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allotted quantities are subject to District approval. If the report is not approved, the Permittee is in violation of the Water Use Permit. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. Permittees may justify lack of achievement by
documenting unusual water needs, such as unusual soil or weather conditions creating greater irrigation needs than normal. However, even with such documented justification, phased reductions in water use shall be required unless the District determines that water usage was reasonable under the circumstances reported and that further reductions are not feasible. For such Permittees, on a case-by-case basis, individual efficiency criteria may be developed for each management period.

**WITHDRAWAL POINT QUANTITY TABLE**

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO. PERMITTEE/DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD. FT. (feet bls)</th>
<th>USE</th>
<th>AVERAGE GALLONS PER DAY</th>
<th>PEAK MONTH</th>
<th>CROP PROTECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 / 1</td>
<td>12</td>
<td>886 / 110</td>
<td>IR</td>
<td>65,600</td>
<td>284,700</td>
<td>2,448,000</td>
</tr>
<tr>
<td>5 / 2</td>
<td>12</td>
<td>485 / 126</td>
<td>IR</td>
<td>313,500</td>
<td>1,324,400</td>
<td>3,600,000</td>
</tr>
<tr>
<td>7 / 3</td>
<td>12</td>
<td>700 / 200</td>
<td>IR</td>
<td>99,900</td>
<td>441,300</td>
<td>3,600,000</td>
</tr>
<tr>
<td>19 / 4</td>
<td>4</td>
<td>120 / 60</td>
<td>IR</td>
<td>53,200</td>
<td>86,400</td>
<td>86,400</td>
</tr>
<tr>
<td>R-1 / 5</td>
<td>12</td>
<td>N/A / N/A</td>
<td>IR</td>
<td>65,000</td>
<td>162,500</td>
<td>N / A</td>
</tr>
<tr>
<td>R-2 / 6</td>
<td>12</td>
<td>N/A / N/A</td>
<td>IR</td>
<td>65,000</td>
<td>162,500</td>
<td>N / A</td>
</tr>
</tbody>
</table>

IR = Irrigation

District I.D. No. #1, 2, 3, 4, 5 and 6 formerly District I.D. No. #1, 2, 3, 4, 5 and 6 on Water Use Permit No. #20002698.006.

**WITHDRAWAL POINT LOCATION TABLE**

<table>
<thead>
<tr>
<th>DISTRICT I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
<th>SECTION/TOWNSHIP/RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>281929.55/820817.94</td>
<td>08/25/22</td>
</tr>
<tr>
<td>2</td>
<td>281914.69/820818.48</td>
<td>08/25/22</td>
</tr>
<tr>
<td>3</td>
<td>281852.17/820846.92</td>
<td>18/25/22</td>
</tr>
<tr>
<td>4</td>
<td>281914.18/820752.76</td>
<td>08/25/22</td>
</tr>
<tr>
<td>5</td>
<td>281928.11/820817.56</td>
<td>08/25/22</td>
</tr>
<tr>
<td>6</td>
<td>281912.91/820818.46</td>
<td>08/25/22</td>
</tr>
</tbody>
</table>
Permit No.: 20013170.000
Permittee Name: Angelos Aggregate Agricultural Use

**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit “A” and made a part hereof.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO. 20000341.011

CONSENT ITEM 20   Default Date: November 7, 2008


The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: New

GRANTED TO: City of Bartow
450 North Wilson Avenue
Bartow, FL 33830

PROJECT NAME: Bartow Public Supply

WATER USE CAUTION AREA: Southern

PROPERTY LOCATION: 2,702 owned and 67,691 serviced acres in Polk County, approximately 7 miles southeast of the City of Lakeland at the intersection of U.S. Highway 98 and State Road 60.

ABSTRACT: This is a renewal with modification to increase groundwater withdrawal quantities for the City of Bartow’s water use permit for public supply water use. The quantities authorized by this renewal are an annual average of 7,900,000 gallons per day (gpd) and a peak month of 9,480,000 gpd, for a projected population of 41,004 in 2018. Clear Springs Land Company, LLC and Clear Springs Enterprises, LLC own 17,676 acres that was annexed into the City of Bartow in 2007. Clear Springs is developing a mixed use community that will comprise residential, commercial, industrial, and research and development land uses on approximately 7,596 acres. The demand projections are based on historical pumpage data, projected population increases and the City’s current gross per capita of 142 gallons per capita daily. The existing and proposed water use is for single-family residential, multi-family residential, commercial/industrial, treatment losses, unaccounted uses, and fire protection and testing.

Special Conditions include those that require the Permittee to continue to meter and report existing pumpage, implement water conservation measures; record and report monitor well data; modify the permit to reflect incorporation of any new alternative sources of water; allow flexible pumpage between specified wells; comply with Southern Water Use Caution Area recovery strategy; comply with rolling 12-month average pumpage; cap all wells not in use; continue implementation of a water conservation plan; develop a hydrologic monitoring program; submit pumpage compliance report; submit an annual public supply report that consists of the service area functional population, non-residential significant use, total withdrawals, treatment losses, imported and exported transfers of bulk water, adjusted per-capita water use rate, water billing rate structure, water conservation activities, unaccounted water losses, water audit update if water losses exceed 12% residential water use, reclaimed water or other alternative water sources supplied to customers; provide updated service area map; submit beneficial reuse report; adhere to per-capita requirements; and, maintain a water conservation-oriented rate structure.
Permit No.: 20000341.011  
Permittee Name: City of Bartow / Bartow Public Supply

**CHANGES FROM PRIOR PERMIT:** The modification to the existing water use permit increased the total annual average quantity from 4,445,800 gpd to 7,900,000 gpd (increase of 3,454,200 gpd), and the peak month quantity increased from 6,074,100 gpd to 9,480,000 gpd (increase of 3,405,900 gpd). The projected population increased from 21,763 residents to 41,004 residents (increase of 19,241 residents) in 2018. The increase in public supply quantities is for current demands and projected residential and industrial/commercial growth in 2018 for the City of Bartow and the Clear Springs development project.

<table>
<thead>
<tr>
<th>Permit Information</th>
<th>Previously Permitted 2008</th>
<th>Requested 2018</th>
<th>Authorized 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ANNUAL AVERAGE</strong>¹ (gpd)</td>
<td>4,445,800</td>
<td>7,900,000</td>
<td>7,900,000</td>
</tr>
<tr>
<td>Ground Water (gpd)</td>
<td>4,445,800</td>
<td>7,900,000</td>
<td>7,900,000</td>
</tr>
<tr>
<td>Surface Water (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>PEAK MONTH</strong>² (gpd)</td>
<td>6,074,100</td>
<td>9,480,000</td>
<td>9,480,000</td>
</tr>
<tr>
<td>Ground Water (gpd)</td>
<td>6,074,100</td>
<td>9,480,000</td>
<td>9,480,000</td>
</tr>
<tr>
<td>Surface Water (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

¹ Annual Average is the total gallons in a year divided by 365 days per year  
² Peak Month is the total gallons in the highest water-use month divided by the number of days in that month.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Population Served</td>
<td>21,763</td>
<td>41,004</td>
<td>41,004</td>
</tr>
<tr>
<td>Pumpage</td>
<td>3,317,759 AAD</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Imports (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Exports (gpd)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Treatment Losses (gpd)</td>
<td>222,018</td>
<td>529,300</td>
<td>529,300</td>
</tr>
<tr>
<td>Gross Use (gpd)</td>
<td>3,095,741</td>
<td>7,900,000</td>
<td>7,900,000</td>
</tr>
<tr>
<td>Gross Per Capita (gpd/person)</td>
<td>142</td>
<td>142</td>
<td>142</td>
</tr>
</tbody>
</table>

**ADJUSTMENTS**

| Significant Uses¹ (gpd) | 357,000 | 1,536,000 | 1,536,000 |
| Environmental Mitigation¹ (gpd) | 0 | 0 | 0 |
| Reclaimed Water Credits² | 0 | 0 | 0 |
| Desalination Credits | 0 | 0 | 0 |
| Adjusted gross per capita (gpd/person) | 126 | 142 | 142 |
| Residential use (gpd) | 1,635,328 | 4,216,800 | 4,216,800 |
| Residential per capita (gpd/person) | 92 | 117 | 117 |
| Unaccounted water use (gpd) | 319,952 | 761,800 | 761,800 |

**OTHER USES**

| Industrial/Commercial (gpd) | 987,186 | 2,328,900 | 2,328,900 |
| Recreational/Aesthetic (gpd) | 127,865 | N/A | N/A |
| Other Uses (gpd) | 25,410 | 63,200 | 63,200 |

¹ Water Use Caution Areas Only (District-Wide % I/C Users)  
² Northern Tampa Bay Water Use Caution Area Only
## Water Conservation Information

<table>
<thead>
<tr>
<th>Category</th>
<th>Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Single Family Residential Rate Structure</strong></td>
<td></td>
</tr>
<tr>
<td>Cost Region</td>
<td>1 (low)</td>
</tr>
<tr>
<td>Base Charge / Month</td>
<td>$7.71</td>
</tr>
<tr>
<td>Block 1 range</td>
<td>0 to 6,000 gallons per month, $1.78/kgal</td>
</tr>
<tr>
<td>Block 2 range</td>
<td>6,000 gallons to 8,000 gallons per month, $2.43/kgal</td>
</tr>
<tr>
<td>Block 3 range</td>
<td>&gt; 8,000 gallons per month, $3.29/kgal</td>
</tr>
</tbody>
</table>

### Conservation Practices

**Permit Required**

Special Condition No. 14

**Water Efficient Landscape and Irrigation Codes/Ordinances**

- Applies to all properties within the city. No Certificate of Occupancy (CO) will be issued until all requirements are met. Impervious surfaces shall be limited.
- Water conserving practices: right plant, right place; hydrozoning; separately irrigated turf zones; design and construct irrigation systems according to Appendix F or Florida Irrigation Society standards; proper maintenance; rain shut-off requirement; matched precipitation rates; and only microirrigation allowed for areas less than 4 feet wide.
- Other Florida Yards and Neighborhoods principles addressed:
  - Recycle, Fertilize Appropriately; Manage Yard Pests Responsibly, Reduce Stormwater Runoff, and Protect the Waterfront
  - City employees shall be trained in FYN principles and Green Industries Best Management Practices.
  - Landscape maintenance providers shall be trained in Florida-friendly landscaping.
  - The Code Enforcement Department is permitted to make inspections and the city is authorized to issue citations or withhold a CO.

**Public Information and Education Programs**

- School presentations to students about water conservation using American Water Works Association and District materials.
- Information on Florida-Friendly Landscaping on City’s website.
- Promotion of water conservation through special event outreach at civic clubs, the library and the Chamber of Commerce.

**Water Conservation Incentive Programs**

None.

**Alternative Water Supply Programs**

See Reclaimed Water worksheet.

**Conserve Florida Guide (Y/N)**

No.

**Other**

- High consumption investigation and resolution.
- Investigating leak detection equipment.
- Hose nozzles distributed by customer request at water department.
SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Bartow Regulation Department, Resource Regulation.

1. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District's website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida  34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Data Management Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:

Existing permitted withdrawal facilities shall continue to be metered with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director, District ID Nos. 8, 18, 19, 20 and 21, Permittee ID Nos. M8(8), NE1, NE2, NE3 and NE4.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.

C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:
   1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.

3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.

5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

3. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.

4. The average day, peak monthly, and maximum daily, if applicable, quantities for District ID Nos. 18, 19, 20 and 21, Permittee ID Nos. NE1, NE2, NE3 and NE4, shown above in the production withdrawal table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes. The quantities listed in the table for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 7,900,000 gpd on an average basis, and up to 9,480,000 gpd gallons per day on a peak monthly basis for the individual wells, so long as adverse environmental impacts do not result and other conditions of this Permit are complied with. In all cases, the total average annual daily withdrawal and the total peak monthly daily withdrawal are limited to the quantities set forth above.
5. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to reflect incorporation of the alternative source of water to replace permitted quantities in equal amounts. The replaced water shall be put on standby and may be used in the event that some or all of the alternative sources are not available.

6. The Permittee shall:

A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.

B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.

C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.

D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.

7. Compliance with the allocated standard annual average quantity and drought annual average quantities is based on a rolling 12-month calculation where the current pumpage is added to the pumpage for the previous 11 months, and the total is then divided by the number of days in those 12 months for gallons per day. If the Permittee exceeds the allocated standard annual average quantity or drought annual average quantities during any month, within 30 days the Permittee must submit a report to the District that includes reasons why the allocated quantities were exceeded, efforts already taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allocated quantities are subject to District approval. Justification for exceeding the allocated quantities does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

8. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.

9. The Permittee shall submit an Annual Report to the District, by April 1 of each year, that includes:

A. Service area functional population (FP) served and methodology for determining service area functional population. As of April 1, 2009, for the 2008 calendar year data, the Permittee shall utilize the methodology described in “Requirements for the Estimation of Permanent and Temporal Service Area Populations,” Part D of the Basis of Review for Water Use Permit Applications and its applicable appendices Part D of the Basis of Review for Water Use Permit Applications (BOR). The applicable Worksheets from Part D and supporting documentation for calculations of per capita rates are required.

B. Non-residential significant water use (SU) that complies with criteria listed in Part B, Chapter 3, Section 3.6 of the BOR. All significant uses and associated quantities shall be listed even if not deducted. For those significant uses that are deducted in the calculation of adjusted per capita use, the Permittee shall identify the following:
Permit No.: 2000341.011
Permittee Name: City of Bartow / Bartow Public Supply

1. The Type of significant use chosen.
2. The name, location and mailing address for each significant use.
3. Meter type.
4. Use of the water
5. Meter readings or other documentation of the annual average quantity provided
6. Conservation plans appropriate to the Type of significant use chosen, and
7. Documentation that the conservation plan is being implemented.

C. **Total withdrawals (WD)**. The permittee may use data from a master meter for this item.

D. **Treatment losses (TL)**, including a description of how the losses are calculated.

E. **District-required environmental mitigation (EM) quantities**, including details concerning
   the environmental features mitigated and the method of mitigation.

F. **Imported (IM) and Exported (EX) transfers of bulk water**. Include:
   1. Monthly and annual average gallons per day with quantities determined at your
      departure point.
   2. Meter type and size.
   3. Receiver name, mailing address, telephone number, location (latitude and
      longitude) of point of receivership.
   4. The water use permit number for any receiver that has a wholesale water use
      permit.
   5. A description of how recipients of bulk transfers of water or wholesale purchasers
      adhere to your water conservation plan if they do not have a water use permit.

G. **Calculation of the adjusted gross per capita rate as follows**:

   \[
   WD + IM – EX – TL – SU – EM
   \]

   \[
   \text{FP}
   \]

H. **Water Rate Structure**: A description of the current water rate structure, how it has
   promoted water conservation to customers, water use savings due to the water rate
   structure, and any proposed amendments to the structure that is designed to promote
   water conservation.

I. **Water Conservation**: A detailed description of the Permittee's water conservation
   activities for the previous year as well as a description of ongoing and planned water
   conservation activities.

J. **Unaccounted Water Loss**: Annual Average daily quantity of unaccounted water lost and
   the percentage of unaccounted water lost relative to total withdrawals.

K. **Water Audit Update**: Summary of the Permittee's ongoing Water Audit activities that
   includes but is not limited to a description of all unaccounted water losses, the ongoing
   leak detection, and meter change-out programs. If the unaccounted water losses are
   12% or more of total withdrawals after subtracting treatment losses, the Permittee shall
   submit a comprehensive water audit report yearly on or before October 1 which
   specifically addresses the unaccounted water losses and provides an implementation
   schedule for remedial actions to reduce these losses below 12%. The water audit report
   shall continue to be submitted annually until the unaccounted water losses are less than
   12% of total withdrawals after subtracting treatment loss.

L. **Residential Water Use**: Total water use information on residential water use (including
   indoor and outdoor use) for the following categories of residential use. Describe the
   methodology used to determine the number of residences in each category. Estimates
   based on meter size will not be accepted.
   1. The number of single family units served.
   2. The number of multi-family units served.
   3. The number of mobile homes served, unless mobile homes are included in the
      number of single-family units.
Permit No.: 20000341.011
Permittee Name: City of Bartow / Bartow Public Supply

M. Suppliers of Alternative Water Report. The report must document the quantity of reclaimed water or stormwater supplied as beneficial reuse to residential customers and to bulk customers on both an annual average daily and monthly basis. Include with the report:
1. Meter readings of actual deliveries, but if this is not available, billing information may be submitted if the bill indicates quantities delivered.
2. For all individual customer reuse connections with line sizes of four inches or greater, include:
   (a) Account name and address.
   (b) Location of connection by latitude-longitude.
   (c) Line size.
   (a) If metered:
      i. Metered quantities and
      ii. Ownership of the meter.
   (b) The customer's stated use for the water.
   (c) Water Use Permit number for those customers having a water use permit from the District.

N. Disposal: Documentation of quantities of reclaimed water and stormwater disposed, location of disposal site, and manner of disposal.

O. Service Area Map: With every sixth yearly report, a current service area map as described in the Service Area Map Special Condition.

The Permittee may use the Public Supply Surveys to provide the information required by this condition, completing only the parts required by this condition. The survey forms are usually sent to the Permittee by the first week of January of each year, or they may be requested or downloaded from the District's website. In addition, the Permittee will find further description and assistance with completion of the annual report on the District's website.

10. The permittee shall read each customer’s meter and bill the customer no less frequently than bi-monthly (every other month), and the customer’s billing period usage shall be indicated on each bill. In addition, the Permittee shall provide the following information to all water customers at least once each calendar year:

A. Rate structure information describing applicable fixed and variable charges rates, minimum quantity charges, block size and pricing, seasonal rates, and applicable months. If billing units are not in gallons, a means to convert the billing units to gallons must be described to the customer with this information.

B. Historical billing period usage averaged over the three previous years for the applicable customer class.

11. The Permittee shall include an updated service area map with the Annual Report that is due April 1, 2014. The map shall adhere to the following guidelines:

A. The service area map shall build upon and clearly show any changes relative to the existing service area map in the District's electronic public supply service area boundary map file. If there are no changes, the Permittee may submit a statement with the Annual Report that there have been no changes to the map in the District map file. The Permittee may contact the District for assistance in accessing this map.

B. If a service area map is not on file in the District's GIS, it may be submitted in paper format or in District-compatible electronic file format. The map must include a north arrow (or show S-T-R lines) and have the scale clearly indicated. If it is not an aerial photographic map, it must include readily recognizable roads or streets and other identifiable landmarks. It must contain a legend to define all symbols used. A paper map must have a minimum scale of 1 inch = 2,000 feet or larger.

C. The map must clearly delineate the current area served, any areas proposed to be served within the permit term, and definable areas within the service area that are not served because the population uses domestic potable wells. If any of these un-served areas are
scheduled to be included in the service area within the permit term, documentation such as a capital improvement plan that demonstrates the proposed inclusion is required to be submitted with the updated map.

D. With each service area map submittal, the following information must be included:
   1. A current general utility contact person name, title, email address and phone number.
   2. A current contact person name, title, email address and phone number whom District staff may call concerning the service area map.
   3. The metadata for the map if the map is submitted as an electronic file that is compatible with the District's format.
   4. The District permit numbers and Florida Department of Environmental Protection Public Water Supply Identifier (PWSI) numbers and area designation names for each area served by a separate potable water treatment plant, as applicable.
   5. A description of routine water transfer interconnections between service areas and other utilities or wholesale suppliers or recipients.
   6. The name, phone number, and all District water use permit numbers for each utility that purchases water on a routine basis and the most recent year’s purchase quantity in millions of gallons per day.
   7. The name, phone number, and District water use permit numbers of each utility from which the permittee purchases water on a routine basis and the most recent year’s purchase quantity in millions of gallons per day.

12. The Permittee is encouraged to demonstrate that beneficial reuse of treated effluent is maximized so that 50% or more of the total annual treated effluent flow is beneficially reused. The calculation of the percentage beneficially reused will be based on the Permittee’s waste water treatment plants that have a capacity of 0.5 million gallons per day or greater. Beneficial reuse includes:

   A. Landscape irrigation of golf courses, playing fields, cemeteries, parks, playgrounds, school yards, retail nurseries and commercial, industrial and residential properties.
   B. Agricultural irrigation of food, fiber, fodder and seed crops, wholesale nurseries, "cut flowers", sod farms and improved pastures.
   C. Ground water recharge where such recharge results in environmental or water supply benefit.
   D. Industrial uses for cooling water, process water and wash waters.
   E. Wetlands restoration.
   F. Fire protection.
   G. Environmental enhancement, including discharges to surface waters to replace withdrawals.

Other useful purposes accepted by the District or allowed under a DEP permit pursuant to Chapter 62-610, F.A.C.

13. The Permittee shall adhere to the adjusted gross per capita (AGPC) requirements below:

   A. The AGPC daily water use rate shall be no greater than 150 gallons per day (gpd) per person. The Permittee shall calculate the AGPC rate as described in the Annual Report Condition on this permit and shall submit the calculations with the Annual Report by April 1 of each year.
   B. If the AGPC rate is greater than 150 gpd per person, the Permittee shall submit a report that documents why this rate was exceeded, measures previously or currently taken to reduce their AGPC rate, and a plan that describes additional measures and implementation dates for those measures to bring their AGPC rate to or below 150 gpd per person. This report shall be submitted with the Annual Report by April 1 for each year the AGPC rate exceeds 150 gpd per person.
Reports for Permittees not achieving the required adjusted gross per capita rate are subject to District approval. Justification for exceeding the adjusted gross per capita rate does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

14. The Permittee shall continue to have and maintain a water conservation oriented rate structure. A report on the effectiveness of the water conserving rate structure shall be submitted with each Annual Report by April 1 of each year. Changes made to the rate structure since 2004 and changes made during any year afterward and its impact on water conservation shall be included with the report.

15. By April 1, 2009, the Permittee shall install a surficial aquifer monitoring well at each of the locations noted on Figure 1 (District ID Nos. 50 and 51, Permittee ID Nos. 50 and 51); and propose the use of a sufficient number of properly placed existing City-owned Upper Floridan Aquifer System monitor wells; and refine the contingency mitigation plan (Attachment A); all subject to District approval. The Permittee shall provide locational data i.e., section, township, and range, and latitude and longitude to 0.01 seconds, within 30 days of installation of the monitoring wells. Well construction data i.e., depth, diameter, screened interval, and Chapter 40D-3 permit number shall be submitted with the locational data. Hydrologic monitoring (water level) data shall be collected weekly and reported to the District monthly.

16. Hydrologic data shall be submitted to the District in both tabular and graphical format for each surficial monitoring well and water level elevation readings for the Upper Floridan aquifer well. The tabular format will include the District Identification Number for each monitoring site; water level readings relative to NGVD; date the readings were taken; estimated seasonal high groundwater table (SHGWT) elevation at each surficial aquifer monitoring site; and the amount of drawdown that has occurred for each monitoring point for that respective month.

The graphical format shall contain on the x-axis the dates the water level elevations were recorded and the respective District Identification Number. The y-axis shall include the water level elevations relative to NGVD. Each graph shall also include the estimated SHGWT for each monitored monitoring site.

**WITHDRAWAL POINT QUANTITY TABLE**

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO. PERMITTEE/DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD. FT. (feet bls)</th>
<th>USE</th>
<th>GALLONS PER DAY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>AVERAGE</td>
</tr>
<tr>
<td>M8 (8) / 8</td>
<td>8</td>
<td>380 / 98</td>
<td>B</td>
<td>1,200</td>
</tr>
<tr>
<td>NE1 / 18</td>
<td>16</td>
<td>750 / 181</td>
<td>B</td>
<td>1,974,700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>625,300</td>
</tr>
<tr>
<td>NE2 / 19</td>
<td>16</td>
<td>750 / 180</td>
<td>B</td>
<td>1,974,700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>625,300</td>
</tr>
<tr>
<td>NE3 / 20</td>
<td>16</td>
<td>750 / 110</td>
<td>B</td>
<td>1,974,700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>625,300</td>
</tr>
<tr>
<td>NE4 / 21</td>
<td>16</td>
<td>750 / 183</td>
<td>B</td>
<td>1,974,700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>625,300</td>
</tr>
</tbody>
</table>

B = Public Supply
WITHDRAWAL POINT LOCATION TABLE

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
<th>SECTION/TOWNSHIP/RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>275114.57/815221.48</td>
<td>24/30/24</td>
<td></td>
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<tr>
<td>18</td>
<td>275542.80/814905.10</td>
<td>28/29/25</td>
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<tr>
<td>19</td>
<td>275536.58/814908/08</td>
<td>28/29/25</td>
<td></td>
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<td>20</td>
<td>275527.90/814912.69</td>
<td>28/29/25</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>275525.36/814854.59</td>
<td>33/29/25</td>
<td></td>
</tr>
</tbody>
</table>

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit "A" and made a part hereof.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO. 20002180.003

EXPIRATION DATE: October 28, 2018
PERMIT ISSUE DATE: October 28, 2008

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal with Modification

GRANTED TO: Sumter, LLC
2212 58th Avenue East
Bradenton, FL 34203

Lee Capital, Ltd. Partnership
1403 East State Road 44
Wildwood, FL 34785

PROJECT NAME: Sumter, LLC and Lee Capital, Ltd. Partnership

WATER USE CAUTION AREA: N/A

PROPERTY LOCATION: 1078 owned acres in Sumter County, approximately 2 miles west of Wildwood on the south side of County Road 44A, east of Interstate 75.

ABSTRACT: This is a renewal with modification to increase the annual average and peak month withdrawal rates for an existing agricultural water use permit located in Sumter County. The Annual Average withdrawal rate is 1,025,690 gallons per day (gpd), and the Peak Month withdrawal rate is 2,697,600 gpd. The increase in quantities is due to changes in crop acreages, and the addition of hay/commercial and container nursery as new crop types. The withdrawal rates are based on the AGMOD irrigation requirement calculation program. All wells are open to the upper Floridan aquifer. Special conditions require: to investigate alternative water supplies, metering withdrawals, submit monthly reporting of all withdrawals, cap wells not in use, submit well construction data of proposed wells, submit an Annual Agricultural report, and utilize irrigation conservation practices.

CHANGES FROM PREVIOUS PERMIT: Hay/commercial and container nursery are added as new crop types, and melons and pasture are removed from the crop types. The Annual Average daily use increases by 614,690 gpd and the Peak Month rate increases by 1,572,600 gpd.
### PERMIT INFORMATION

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ANNUAL AVERAGE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground Water</td>
<td>411,000</td>
<td>1,025,690</td>
<td>1,025,690</td>
</tr>
<tr>
<td>Surface Water</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>ALTERNATIVE WATER SUPPLY</strong> (annual average)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Reclaimed Water</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Captured Stormwater</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>PEAK MONTH</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground Water</td>
<td>1,125,000</td>
<td>2,697,600</td>
<td>2,697,600</td>
</tr>
<tr>
<td>Surface Water</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>CROP PROTECTION</strong></td>
<td></td>
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<tr>
<td>Ground Water</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surface Water</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

1. Annual average quantities are the total gallons needed for one year divided by 365 days.
2. Alternative Water Supply are sources of water other than the historic natural sources. Ground water is not an Alternative Water Supply.
3. Reclaimed Water is not included in permit totals.
4. Peak Month quantities are the total gallons needed for the highest water-use month divided by the number of days in that month.
5. Crop Protection quantities are the total gallons needed for one day for frost and freeze protection.

### WATER DEMAND

#### ANNUAL AVERAGE VALUES

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Nursery</td>
<td>0 gpd</td>
<td>568,400 gpd</td>
<td>568,400 gpd</td>
</tr>
<tr>
<td>Irrigated Acres</td>
<td>0</td>
<td>116</td>
<td>116</td>
</tr>
<tr>
<td>Irrigation Rate (in./ac./yr.)</td>
<td>N/A</td>
<td>65.9</td>
<td>65.9</td>
</tr>
<tr>
<td>Hay/Commerical</td>
<td>0 gpd</td>
<td>421,290 gpd</td>
<td>421,290 gpd</td>
</tr>
<tr>
<td>Irrigated Acres</td>
<td>0</td>
<td>216</td>
<td>216</td>
</tr>
<tr>
<td>Irrigation Rate (in./ac./yr.)</td>
<td>N/A</td>
<td>26.7</td>
<td>26.7</td>
</tr>
<tr>
<td>Pasture</td>
<td>201,300 gpd</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>Irrigated Acres</td>
<td>206</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>Standard Irrigation Rate (in./ac./yr.)</td>
<td>N/A</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>Melons</td>
<td>173,700 gpd</td>
<td>0 gpd</td>
<td>0 gpd</td>
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<tr>
<td>Irrigated Acres</td>
<td>80</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>Standard Irrigation Rate (in./ac./yr.)</td>
<td>N/A</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>PERSONAL / SANITARY</td>
<td>0 gpd</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>LIVESTOCK</td>
<td>0 gpd</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>LAWN/LANDSCAPE</td>
<td>0 gpd</td>
<td>0 gpd</td>
<td>0 gpd</td>
</tr>
<tr>
<td>OTHER</td>
<td>36,000 gpd</td>
<td>36,000 gpd</td>
<td>36,000 gpd</td>
</tr>
</tbody>
</table>

Permit No.: 20002180.003
Permittee Name: Sumter, LLC and Lee Capital, Ltd. Partnership
SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Brooksville Regulation Department, Resource Regulation.

1. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Permittee may use the District’s website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall investigate the feasibility of using reclaimed water as a water source and submit a report describing the feasibility to the Permit Data Section, Regulation Performance Management Department, by October 30, 2011. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee’s property, the quantity of reclaimed water available, the projected dates of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation.

3. The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Permit Data Section, Regulation Performance Management Department on or before the tenth day of the following month. District-supplied scanning forms shall be used to submit the meter readings unless another arrangement for submission of this data has been approved by the District. The following withdrawal facilities shall be metered:

A. Withdrawal facilities that are not yet constructed, District ID Nos. 7, 8, 9, 10 and 11, Permittee ID Nos. 7, 8, 9, 10 and 11 shall be metered within 90 days of completion of construction of the withdrawal.

B. Previously un-metered existing withdrawal facilities, District ID Nos. 1 and 6, Permittee Nos. 1 and 6 shall be metered upon permit issuance.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

A. The meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.

B. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
C. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.

D. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.

E. Accuracy testing requirements:
   1. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
   2. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
   3. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
   4. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
   5. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

F. The meter shall be installed according to the manufacturer’s instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

G. Broken or malfunctioning meter:
   1. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   2. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   3. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

H. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

I. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

4. Any wells not in use, District ID Nos. 3, 4 and 5, Permitee ID Nos. 3, 4 and 5 in which pumping equipment is not installed, shall be capped or valved in a water-tight manner in accordance with Chapter 62-532.500(3)(a)4, F.A.C.

5. By 60 days after well completion the Permittee shall submit to the Permit Data Section, Regulation Performance Management Department, the specific location of District/Permitee ID Nos. 7, 8, 9, 10, 11 and 12, Permitee ID Nos. 7, 8, 9, 10, 11 and 12 an original blue line aerial with a minimum scale of 1" = 800’ or by latitude/longitude.
6. During drilling of District ID Nos. 7, 9, and 10, Permittee ID Nos. 7, 9, and 10 water quality samples shall be collected at intervals of 30 feet or less, from 100 feet to a maximum depth of five feet above the bottom of the well. Regardless of the specified sample collection interval, a sample shall be collected from the depth which corresponds to five feet above the bottom of the well. Samples shall be collected during reverse air drilling, or other appropriate method with prior approval by the Regulation Department Director, Resource Regulation, which will allow representative samples for each depth to be collected.

Samples shall be analyzed by a certified laboratory for sulfates, TDS and specific conductivity. The Permittee’s sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Reports of the analyses shall be submitted to the Permit Data Section, Regulation Performance Management Department (using District forms) within thirty days of sampling, and shall include the signature of an authorized representative and the certification number of the Florida Department of Health certified laboratory utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F.A.C., “Certification of Environmental Testing Laboratories”.

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or by Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

7. The Permittee shall:

A. Incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.

B. Limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.

C. Implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.

D. Evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvements or conversion when determined to be operationally and economically feasible.

8. Compliance with the allocated standard annual average quantity and drought annual average quantities is based on a rolling 12-month calculation where the current pumpage is added to the pumpage for the previous 11 months, and the total is then divided by the number of days in those 12 months for gallons per day. If the Permittee exceeds the allocated standard annual average quantity or drought annual average quantities during any month, within 30 days the Permittee must submit a report to the District that includes reasons why the allocated quantities were exceeded, efforts already taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allocated quantities are subject to District approval. Justification for exceeding the allocated quantities does not constitute a waiver of the District’s authority to enforce the terms and conditions of the permit.
9. The following information for all seasonal crops (example: vegetables) and nurseries; annual crops (example: Citrus) shall be provided:

A. crop type;
B. monthly irrigated acres per crop for seasonal crops, annual irrigated acres for annual crops;
C. the dominant soil type;
D. irrigation methods;
E. planting dates; and
F. season length.

Irrigation for field preparation/crop establishment and supplemental irrigation shall be documented separately by noting the beginning and ending dates for these activities. Additionally, quantities for crop protection shall be documented separately by noting the beginning and ending hour and date. The annual report shall be submitted to the Permit Data Section, Regulation Performance Management Department, by March 1, for the preceding calendar year.

Reporting forms are available in Part C of the Basis of Review at [www.watermatters.org](http://www.watermatters.org)

**WITHDRAWAL POINT QUANTITY TABLE**

Water use from these withdrawal points are restricted to the quantities given below:

<table>
<thead>
<tr>
<th>I.D. NO. PERMITTEE/DISTRICT</th>
<th>DIAM. (IN.)</th>
<th>DEPTH TTL./CSD. FT. (feet bls)</th>
<th>USE</th>
<th>GALLONS PER DAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 / 1</td>
<td>6</td>
<td>139 / 47</td>
<td>IR</td>
<td>125,330</td>
</tr>
<tr>
<td>6 / 6</td>
<td>2</td>
<td>UNK / UNK</td>
<td>L</td>
<td>36,000</td>
</tr>
<tr>
<td>7 / 7</td>
<td>12</td>
<td>200 / 50</td>
<td>IR</td>
<td>210,700</td>
</tr>
<tr>
<td>8 / 8</td>
<td>12</td>
<td>200 / 50</td>
<td>IR</td>
<td>151,900</td>
</tr>
<tr>
<td>9 / 9</td>
<td>12</td>
<td>200 / 50</td>
<td>IR</td>
<td>249,110</td>
</tr>
<tr>
<td>10 / 10</td>
<td>12</td>
<td>200 / 50</td>
<td>IR</td>
<td>125,330</td>
</tr>
<tr>
<td>11 / 11</td>
<td>12</td>
<td>200 / 50</td>
<td>IR</td>
<td>127,320</td>
</tr>
</tbody>
</table>

IR = Irrigation  
L = Livestock Watering

**WITHDRAWAL POINT LOCATION TABLE**

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
<th>SECTION/TOWNSHIP/RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6</td>
<td>285131.87/820355.97</td>
<td>01/19/22</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>285143.13/820449.06</td>
<td>02/19/22</td>
</tr>
<tr>
<td>7</td>
<td>7</td>
<td>285152.56/820506.36</td>
<td>02/19/22</td>
</tr>
<tr>
<td>8</td>
<td>8</td>
<td>285152.81/820454.81</td>
<td>02/19/22</td>
</tr>
<tr>
<td>9</td>
<td>9</td>
<td>285135.56/820447.22</td>
<td>02/19/22</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>285113.79/820358.03</td>
<td>12/19/22</td>
</tr>
<tr>
<td>11</td>
<td>11</td>
<td>285106.12/820408.64</td>
<td>12/19/22</td>
</tr>
</tbody>
</table>
Permit No.: 20002180.003
Permittee Name: Sumter, LLC and Lee Capital, Ltd. Partnership

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit “A” and made a part hereof.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
The following Standard Conditions are included on all Water Use Permits issued pursuant to 40D-2, Florida Administrative Code.
WATER USE PERMIT STANDARD CONDITIONS

1. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, F.S., Chapter 40D, or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, following notice and hearing.

2. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.

3. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.

4. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.

5. The District shall collect water samples from any withdrawal point listed in the permit or shall require the Permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.

6. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.

7. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.

8. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below applicable minimum water level established in Chapter 40D-8 or rates of flow in streams fall below the minimum levels established in Chapter 40D-8.

9. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

10. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.

11. The District may establish special regulations for Water Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
12. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include:

A. A reduction in water levels which impairs the ability of the well to produce water;
B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of any aquifer water body.

13. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include:

A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses;
B. Sinkholes or subsidence caused by reduction in water levels;
C. Damage to crops and other vegetation causing financial harm to the owner; and
D. Damage to the habitat of endangered or threatened species.

14. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.

15. A District identification tag shall be prominently displayed at each withdrawal point by permanently affixing the tag to the withdrawal facility.

16. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.

17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

18. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the Board, upon reasonable notice to the permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact but only after an opportunity for the permittee to resolve or mitigate the change or impact or to request a hearing.

R. 08/08/2007
Consent Agenda  
October 28, 2008

Regulation Committee -- Other

**Governing Board Concurrence with Executive Director's Issuance of Fifth Modification to Executive Director Order No. SWF 07-045, Regarding Use of Peace River Diversions**

*Background*

The District began providing drought assistance to the Peace River/Manasota Regional Water Supply Authority in August 2007 by issuing Executive Director Order No. SWF 07-045 (an emergency authorization to temporarily increase withdrawals from the Peace River).

*Situation*

The Authority is still experiencing extremely low storage. As of September 29, 2008, a total of 858 million gallons were in storage, compared to a total storage capacity of about 8 billion gallons. The Authority's existing reservoir, which has a full capacity of 625 million gallons, had about 538 million gallons in storage. It was being held about three feet below full capacity in order to be able to receive any stormwater that needs to be removed from the construction site for the second reservoir. The Authority's two ASR wellfields, which have a combined capacity of about 7.4 billion gallons, currently have 320 million gallons in storage. As a result of these storage concerns, the Authority requested an additional extension of the emergency order beyond its current October 26, 2008, expiration date so that it can capitalize on river water withdrawals as long as possible to meet current demand and store water for use later in the dry season.

*New Regulatory Action*

District staff evaluated the Authority's request to extend the emergency order and drafted the applicable emergency authorization. As part of the review of the draft order, a need was identified to further modify the emergency authorization to encompass all blocks of the seasonally-adjusted diversion schedule that has been subject to peer review of proposed minimum flows for the river. In addition, the District's consideration of peer review comments could result in changes to the proposed diversion schedule, so staff added language to the draft order to address that possibility. The resulting Fifth Modification to Executive Director Order No. 07-045 will have been issued prior to the Governing Board's meeting on October 28, 2008. As drafted, this emergency authorization continues to temporarily modify the Authority's Water Use Permit No. 20010420.004, including a threshold for withdrawals that was established in previous modifications. That threshold is established at 90 cfs, based on combined flow measurements at the Peace River at Arcadia, Joshua Creek and Horse Creek stations. The order continues to make seasonally-adjusted changes to the maximum allowed withdrawals based on proposed minimum flows. Finally, instead of expiring on October 26, 2008, the fifth modification extends the order so that it will expire the earlier of April 19, 2009 or ten business days after any Board-approved changes to the proposed minimum flows schedule for the lower Peace River, unless rescinded or further modified by Governing Board or Executive Director action on or before that date.

**Staff Recommendation:**

See Exhibit

Concurrence with issuance of Fifth Modification to Executive Director Order SWF 07-045, for ongoing diversion from the Peace River to augment the Peace River/Manasota Regional Water Supply Authority’s reservoir, two ASR wellfields, and regional water transmission system.

**Presenter:** Ross Morton, Director, Sarasota Regulation Department
David L. Moore, Executive Director of the Southwest Florida Water Management District, a public corporation (DISTRICT), at District Headquarters, 2379 Broad Street, Brooksville, Florida, received evidence and information from District staff and representatives of the Peace River / Manasota Regional Water Supply Authority (AUTHORITY), regarding drought conditions causing a public water supply shortage within the AUTHORITY’s Regional System and low water levels in its reservoir and both ASR wellfields, thereby creating a public health, safety and welfare emergency, and based upon such evidence and information finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan (PLAN) as a means of assuring appropriate responses to droughts and other types of water shortage events.

2. Chapter 40D-21, Florida Administrative Code (F.A.C.), constitutes the DISTRICT’s PLAN.

3. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the PLAN.

4. Within Part III of the PLAN, Rule 40D-21.331(3), F.A.C., specifies that, if the DISTRICT determines that conditions are rapidly deteriorating, or if the DISTRICT receives a request for emergency action, the DISTRICT shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are
recommendations from, and emergency actions taken by, a local government in the affected area.

5. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the DISTRICT may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

6. Rules 40D-21.391(1), (2) and (3), F.A.C., allow for such emergency orders to be issued by the Executive Director without prior notice, subject to concurrence by the DISTRICT's Governing Board and proper notice to affected water users and local officials.

7. The AUTHORITY has been issued Water Use Permit No. 20010420.004 (PERMIT) authorizing withdrawals from the Peace River at the AUTHORITY's intake structure.

8. The AUTHORITY has requested emergency DISTRICT water shortage action which would allow it to continue taking withdrawals from the Peace River intake as specified in Executive Director Order No. SWF 07-045 and further modify the temporary change in diversion schedule previously authorized in the Fourth Modification to the Executive Director Order No. SWF 07-045 to continue to be consistent with the DISTRICT's proposed minimum flow schedule for the lower Peace River. Specifically, the AUTHORITY has requested:

   a. That terms of this emergency order be extended beyond the previous October 26, 2008 expiration, to a new expiration date that would be the later of April 19, 2009 or ten business days after the effective date of the minimum flows schedule for the lower Peace River.

   b. Continuation of the temporary modification to Special Condition #7A of the PERMIT as specified in the Second Modification to Executive Director Order No. SWF 07-045. This modification temporarily changes the low flow threshold for diversions to 90 cubic feet per second (cfs) based on the combined daily flow at the Peace River at Arcadia gauge (USGS gauge 02296750), Horse Creek near Arcadia (USGS gauge 02297310) and Joshua Creek at Nocatee (USGS gauge 02297100) for the previous day instead of the normal cut-off of 130 cfs at the Peace River at Arcadia (USGS gauge 02296750) only.

   c. Further change to the temporary modification to Special Condition #7B of the PERMIT, replacing the diversion schedule previously specified in
the Fourth Modification to Executive Director Order No. SWF 07-045 with the following seasonally-adjusted, three-block schedule:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Maximum Diversion Shall Not Exceed:</th>
<th>Under These Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Block 1</strong></td>
<td>10 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the</td>
<td>Combined flow is between 90 cfs and 221 cfs</td>
</tr>
<tr>
<td>(April 20 to</td>
<td>previous day</td>
<td></td>
</tr>
<tr>
<td>June 25)</td>
<td>22.1 cfs (10 percent of the combined daily flow at 221 cfs) plus 26 percent of the combined daily</td>
<td>Combined flow is above 221 cfs</td>
</tr>
<tr>
<td></td>
<td>flow above 221 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td></td>
</tr>
<tr>
<td><strong>Block 2</strong></td>
<td>14 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the</td>
<td>Combined flow is between 90 cfs and 330 cfs</td>
</tr>
<tr>
<td>(October 27</td>
<td>previous day</td>
<td></td>
</tr>
<tr>
<td>to April 19)</td>
<td>46.2 cfs (14 percent of the combined daily flow at 330 cfs) plus 15 percent of the combined daily</td>
<td>Combined flow is above 330 cfs</td>
</tr>
<tr>
<td></td>
<td>flow above 330 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td></td>
</tr>
<tr>
<td><strong>Block 3</strong></td>
<td>12 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the</td>
<td>Combined flow is between 90 cfs and 1370 cfs</td>
</tr>
<tr>
<td>(June 26 to</td>
<td>previous day</td>
<td></td>
</tr>
<tr>
<td>October 26)</td>
<td>1370 cfs (12 percent of the combined daily flow at 1370 cfs), plus 15 percent of the combined daily</td>
<td>Combined flow is above 1370 cfs</td>
</tr>
<tr>
<td></td>
<td>flow above 1370 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td></td>
</tr>
</tbody>
</table>

9. As of September 4, 2008, the AUTHORITY had been able to withdraw a total of approximately 1.5 billion gallons of water from the river that would not have been otherwise available to meet regional demand since Executive Director Order No. SWF 07-045 was originally issued on August 13, 2007.

10. As of September 4, 2008, the AUTHORITY had combined total of approximately 750 million gallons of water stored in its reservoir and two ASR
wellfields. This compares to a combined storage capacity of about 8.0 billion gallons, and represents an extremely low water supply condition.

11. As of September 4, 2008, the AUTHORITY was estimating that it would be able to increase total storage to about 1.1 billion gallons (an increase of 350 million gallons) prior to the expiration date of the Fourth Modification to this Order. This would still represent an extremely low water supply condition early in the annual dry season.

12. The AUTHORITY requests the emergency authorization described in Paragraph 8. above to continue capturing as much surface water as possible, in an environmentally responsible manner, in order to meet current demand and increase its stored reserves for later use when surface water diversions are not available. Capturing this surface water is an integral component of the projects being pursued by the AUTHORITY to bolster available supplies and maintain sufficient water quality in order to meet the public health, welfare and safety needs of its service area during the annual dry season, which runs from October 2008 through June 2009.

13. DISTRICT staff has determined that several hydrologic factors, including designated water resource indicators in the PLAN, have not experienced sufficient improvement, compared to the conditions reported in Executive Director Order No. SWF 07-045. Specifically:

   a. As of September 23, 2008, instantaneous stream flow remained substantially below-normal in the Peace River watershed. The Peace River (as measured at the Arcadia Station) is flowing at 525 cfs, compared to a median value of 1570 cfs for this date in history, equivalent to the 16th percentile, and trends are continuing downward.

   b. As of September 22, 2008, the AUTHORITY’s service area had been experiencing a rainfall deficit for more than two years. Normal rainfall during the past 12-months has improved the deficit, but the Northern Peace River basin still has a 15.8 inch deficit over this two year period, the Southern Peace River Basin has a 13.2-inch deficit, and the Manasota Basin has a 17.2-inch deficit.

   c. As of September 22, 2008, groundwater levels were trending downward in the AUTHORITY’S service area. The average level in these counties was registering at the 28th percentile, which is considered on the low end of the "normal range" as specified in the PLAN.

   d. As of September 18, 2008 (the most recent data available), the Climate Prediction Center is predicting uncertain conditions (equal chances of below-normal, normal and above-normal rainfall) until January 2009, followed by below-normal rainfall from February 2009 to April 2009, and then a return to
uncertain conditions through June 2009.

14. In combination with uncertain and below-normal rainfall predictions, the current water resource conditions and resulting water supply conditions, especially the low amount of storage in the AUTHORITY’s two ASR wellfields, continue to constitute a threat to both public water supply and to public health, safety and welfare.

ULTIMATE FINDINGS OF FACT

15. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Part II of Chapter 40D-21, F.A.C., are not sufficient to protect the public heath, safety, or welfare, nor the drinking water supply of persons who depend upon the AUTHORITY.

16. In order to mitigate the effects of the long-term rainfall deficit on, and to make water available for immediate use as well as storage in the AUTHORITY’s reservoir and two ASR wellfields, the AUTHORITY has requested that the DISTRICT authorize the AUTHORITY to take surface water diversions from the Peace River intake based on the DISTRICT’s proposed minimum flows for the lower Peace River, which provides for a seasonally-adjusted two-phase withdrawal schedule based on the combined daily flow at the Peace River at Arcadia (USGS gauge 02296750), Horse Creek near Arcadia (USGS gauge 02297310) and Joshua Creek at Nocatee (USGS gauge 02297100) for the previous day.

CONCLUSIONS OF LAW

17. The Executive Director of the DISTRICT is duly authorized by subsections 373.119(2), 373.175(4) and 373.246(7), F.S., and Rule 40D-21.331(5), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

18. The PERMIT includes a condition authorizing the DISTRICT to modify the PERMIT in the event the DISTRICT declares a water shortage.

ORDERED

19. A water shortage emergency is continuing for the AUTHORITY’s reservoir and two ASR wellfields. The ongoing emergency is putting at risk the reliability of the drinking water supply for over 250,000 residents within portions of the AUTHORITY’s service area, which includes the City of North Port and the counties of Charlotte, DeSoto, Sarasota and Manatee (Manatee
County does not currently receive water from the AUTHORITY), including associated fire suppression systems, hospitals, schools, businesses and governmental and community facilities.

20. The PERMIT is hereby modified as follows:

   a. In lieu of the low flow threshold provided in Special Condition #7A of the PERMIT, diversions are allowed whenever the previous day's combined daily flow at the Peace River at Arcadia (USGS gauge 02296750), Horse Creek near Arcadia (USGS gauge 02297310) and Joshua Creek at Nocatee (USGS gauge 02297100) is at least 90 cfs.

   b. In lieu of the diversion schedule provided in Special Condition #7B of the PERMIT, the amount of diversion from the Peace River intake may follow the "Temporary Diversion Schedule" table shown on the next page, effective immediately.

   c. However, in lieu of Special Condition #7C of the PERMIT, in no case shall the diversion amount exceed the difference between the previous day combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges and 90 cfs.

21. The expiration date for Executive Director Order No. SWF 07-045 is hereby extended to the later of April 19, 2009 or ten business days after the effective date of the minimum flows schedule for the lower Peace River, unless rescinded or further modified by Governing Board or Executive Director action on or before that date. As a result of ongoing review of the proposed minimum flows schedule for the lower Peace River, the Governing Board or Executive Director may further modify the temporary low flow threshold or the temporary diversion schedule prior to the Order’s new expiration date.

22. In lieu of a formal letter, the AUTHORITY may use an e-mail communication to Lois.Sorensen@swfwmd.state.fl.us as a means of requesting any additional extension or other modification to this Order.

23. Except as provided in paragraphs 20. through 22., above, all other terms and conditions of Executive Director Order No. SWF 07-045 shall remain in full force and effect.
## Temporary Diversion Schedule

<table>
<thead>
<tr>
<th>Block</th>
<th>Dates</th>
<th>Maximum Diversion Shall Not Exceed:</th>
<th>Under These Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 1</td>
<td>(April 20 to June 25)</td>
<td>10 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day</td>
<td>Combined flow is between 90 cfs and 221 cfs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>22.1 cfs (10 percent of the combined daily flow at 221 cfs) plus 26 percent of the combined daily flow above 221 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td>Combined flow is above 221 cfs</td>
</tr>
<tr>
<td>Block 2</td>
<td>(October 27 to April 19)</td>
<td>14 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day</td>
<td>Combined flow is between 90 cfs and 330 cfs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>46.2 cfs (14 percent of the combined daily flow at 330 cfs) plus 15 percent of the combined daily flow above 330 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td>Combined flow is above 330 cfs</td>
</tr>
<tr>
<td>Block 3</td>
<td>(June 26 to October 26)</td>
<td>12 percent of the combined daily flow at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day</td>
<td>Combined flow is between 90 cfs and 1370 cfs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1370 cfs (12 percent of the combined daily flow at 1370 cfs), plus 15 percent of the combined daily flow above 1370 cfs at the Arcadia, Horse Creek and Joshua Creek gauges for the previous day.</td>
<td>Combined flow is above 1370 cfs</td>
</tr>
</tbody>
</table>
DONE AND ORDERED in Hernando County, Florida, as of October __, 2008.

Southwest Florida Water Management District

Filed this ___ day of October, 2008. By: _______________________

David L. Moore
Executive Director

_________________________________________
Agency Clerk (SEAL)
NOTICE OF RIGHTS

Persons to whom this Executive Director Order is directed, or whose substantial interests are affected, may request pursuant to subsection 373.119(3), Florida Statutes (F.S.), to petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, Florida Administrative Code (F.A.C.). A request for a hearing must: 1) explain how the petitioner’s or other person’s substantial interests will be affected by the District’s action; 2) state all material facts disputed by the petitioner or other person, or state that there are no disputed facts; and 3) otherwise comply with Chapter 28-106, F.A.C.

A request for hearing must be filed with and received by the Agency Clerk of the District at District Headquarters, 2379 Broad Street, Brooksville, Florida 34604-6899 within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District’s action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available.

A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

PURSUANT TO SUBSECTION 373.119(3), F.S., AND NOTWITHSTANDING ANY OTHER PROVISION UNDER CHAPTER 120, F.S., PERSONS TO WHOM THE ORDER IS DIRECTED SHALL COMPLY THERewith IMMEDIATELY, AND THE TIMELY FILING OF A PETITION SHALL NOT STAY SUCH PERSON’S OBLIGATION TO MAINTAIN SUCH COMPLIANCE DURING THE PENDENCY OF ANY ADMINISTRATIVE PROCEEDING.
Consent Agenda
October 28, 2008

Regulation Committee -- Other

Approve Changes to Amendments to Rule 40D-2.041, F.A.C., to Revise the Small General Water Use Permit Category

In May and August 2008, the Governing Board authorized rulemaking to revise the Small General Water Use Permit (WUP) category and the permit application and monitoring information requirements for such permits. Part of the changes approved by the Governing Board included amendments to Rule 40D-2.041, Florida Administrative Code (F.A.C.), to re-define the Small General WUP category by limiting this permitting category to those minor water demands of less than 100,000 gpd that posed little-to-no risk of harm to the water resource or other existing legal users. Thus, when the amendments become effective, certain water uses for withdrawals less than 100,000 gpd that historically have required more supporting information for permit approvals or required ongoing monitoring information for compliance purposes will be removed from the Small General WUP category and placed in the General WUP category. Specifically, average daily water demands of less than 100,000 gpd will be elevated from Small General to General WUPs when: (1) the drought annual average daily water demand is 100,000 gpd or more; (2) the withdrawal is for mining or dewatering; (3) the withdrawal is from a surface water source; or (4) the withdrawal is required by the permit to be metered and withdrawal quantities reported to the District.

Following Governing Board approval to initiate rulemaking staff has proceeded with publishing notices of the proposed amendments in the Florida Administrative Weekly and has submitted the amendments to the Joint Administrative Procedures Committee for review and comment. It is anticipated that the amendments will take effect in November or December 2008. Meanwhile, staff has continued its ongoing assessment of ways to refine and improve permitting procedures and has since determined that two adjustments in the definition for the Small General WUP category are advisable. Instead of all surface water withdrawals for combined annual average daily water demands of less than 100,000 gpd being elevated to General WUPs, staff proposes that only when surface water withdrawals are the primary withdrawal source and the permitted annual average quantity is at least 50,000 gpd should the water use be considered as a General WUP. After further review of permits that withdraw large quantities over short time periods for crop protection (e.g., freeze events), staff also proposes that General WUPs include those permits where a technical impact evaluation would be needed. This would involve permits with combined annual average daily water demands of less than 100,000 gpd if the permit authorizes maximum daily withdrawal quantities of 3,000,000 gpd or more for crop protection or other use, unless the withdrawals are located within the Dover-Plant City area, in which case maximum daily withdrawal quantities of 1,000,000 gpd or greater. This change is being proposed due to the number of Small General permits having large maximum daily quantity limits and staff’s determination that maximum daily quantities of up to 3,000,000 gpd would not trigger the need for more detailed analysis or compliance monitoring, except in the Dover-Plant City area of the District. The Dover-Plant City area is more susceptible to potential adverse impacts associated with crop protection water use because such use is concentrated in a relatively small area; therefore permits having crop protection quantities of 1,000,000 gpd or greater in this area would require more detailed evaluation and monitoring of water use for reasonable assurance of no adverse impacts. An exhibit is included in the Board packet for this item which shows the proposed changes to be made in the revised Rule 40D-2.041, F.A.C., amended earlier by the Board.
If the proposed changes are approved, staff intends to proceed with the rulemaking process to adopt these changes once the pending amendments become effective. This rulemaking will proceed without further Governing Board action unless substantive comments are received or substantive changes are proposed, in which case such comments or changes will be brought back to the Governing Board for consideration.

Staff Recommendation: See Exhibit

Approve the changes proposed to Rule 40D-2.041, F.A.C., to revise the Small General Water Use Permit category and authorize staff to initiate the rulemaking process for these amendments.

Presenters: Ken Weber, Water Use Program Director, Regulation Performance Management
            Martha A. Moore, Senior Attorney, Office of General Counsel
40D-2.041 Permits Required.
(1) No Change.
(2) Water Use Permit Types are based on the combined annual average daily water demand, defined as the total reasonable-beneficial water quantity necessary for the proposed water use, to be obtained during one year from ground water, surface water, alternative water supply, imported water or any other water source, divided by 365 days and expressed in gallons per day (gpd). The District issues the following types of Water Use Permits:
   (a) Individual. Water Use Permits for a combined annual average daily water demand of 500,000 gpd or greater are issued as Individual Water Use Permits. Individual Water Use Permits must receive approval from the Governing Board.
   (b) General. Water Use Permits for the following are issued by District staff as General Water Use Permits, except as provided in Chapter 4, Section 4.3 A.1.a.ii.(4) of the Basis of Review:
      1. A combined annual average daily water demand less than 500,000 gpd but greater than or equal to 100,000 gpd; and
      2. A combined annual average daily water demand less than 100,000 gpd when:
         a. The drought annual average is 100,000 gpd or more in the Southern Water Use Caution Area;
         b. Withdrawal is for mining or dewatering;
         c. The primary withdrawal source is a surface water and the combined annual average daily water demand is at least 50,000 gpd; or
         d. The withdrawals are required by the permit to be metered and withdrawal quantities reported to the District, or:
         e. The maximum daily withdrawal quantity equals or exceeds 4,000,000 gpd for crop protection or other use unless at least one permitted withdrawal facility is located within the Dover-Plant City area or the Brooksville Ridge area, in which case the maximum daily withdrawal quantity equals or exceeds 1,000,000 gpd for crop protection or other use
   (c) Small General. Water Use Permits for a combined annual average daily water demand less than 100,000 gpd are issued as Small General Water Use Permits unless any criteria listed above for General Water Use Permits apply. Small General Water Use Permits are issued by staff.
(3) No change.
(4) No change

Resource Management Committee

Five-Year Water Resource Development Work Program

Purpose
Approve, for review and comment by the Florida Department of Environmental Protection (FDEP), the proposed Five-Year Water Resource Development Work Program (Program) as required by Section 373.536(6), Florida Statutes (F.S.). This Program must describe the District’s implementation strategy for the water resource development component of the approved Regional Water Supply Plan (RWSP). The Program includes updated demand projections and a list of fiscal year (FY) 2009 water supply development projects to be incorporated into the RWSP. The Program must be submitted to the FDEP and specified state and local government officials within 30 days after the adoption of the District’s final budget. The District's Program is due October 30, 2008. A copy of the proposed Program is included as an exhibit to this item.

Background/History
The Governing Board approved the District's 2006 update to the RWSP prepared pursuant to Section 373.0361, F.S. The RWSP is statutorily required to be updated every five years, but undergoes internal annual updating to demands and project elements. The RWSP covers the District’s Central and Southern Planning Regions which consist of a ten-county area extending from Pasco County south to Charlotte County where groundwater withdrawals have resulted in adverse impacts to water resources. The 2006 RWSP identified the demands for water supply and restoration of minimum flows and levels in impacted natural systems. The RWSP also identified the sources to meet these needs.

The Program (attached) covers the period from FY2009 through FY2013. It provides a review of the District’s water resource development activities intended to assist in meeting water supply demands through 2025. These activities include data collection and analyses efforts and over 20 active water resource development projects the District is financially and technically participating in during FY2009. The water resource development project entitled, “Cypress Creek Wellfield” was completed in 2008. Several of the projects added to the FY2009 Program include: Polk County Aquifer Recharge to Relieve Flooding, Carroll Brothers Nursery Demonstration, Rocky Creek Lake Enhancement, and Myakka River Watershed Initiative.

As part of the annual submittal, the FDEP requested the District provide a distinct mechanism where projects funded in the current fiscal year budget (but not specifically mentioned in the RWSP) can be approved as consistent with and subsequently be incorporated into the RWSP, which would allow these projects to be eligible for state funding. In an effort to respond to this request and provide the most current information for decision-makers on water supply, staff is utilizing the Program to provide yearly demand projections and a list of new water supply development projects to be incorporated into the RWSP.

The FDEP, within 30 days after Program submittal, must review and submit its findings, questions, and comments to the District. The review must include a written evaluation of the Program’s consistency with promoting the goals of the RWSP and the adequacy of proposed expenditures. Within 45 days after receiving comments from FDEP, the Governing Board must state in writing to FDEP which of the changes recommended in the evaluation will be incorporated into the Program or specify the reasons for not incorporating the changes. The
FDEP must then prepare a final evaluation report, including the District’s responses, and submit this report to the Governor, President of the Senate, and Speaker of the House of Representatives.

Staff Recommendation: See Report

Approve the proposed Five-Year Water Resource Development Work Program (including the 2008 Demand Projections and new projects for inclusion in the RWSP) for submittal to the Florida Department of Environmental Protection for review and comment.

Presenter: Brian Armstrong, P.G., Manager, Water Supply and Resource Development Section
Resource Management Committee

Minimum Flows and Levels Priority List and Schedule Update

Purpose
This is an action item to approve the Minimum Flows and Levels Priority List and Schedule (Priority List) for submission to Florida Department of Environmental Protection (FDEP) for their approval as required by Subsection 373.042(2), Florida Statutes (F.S.).

Background/History
The District is required under Chapter 373, F.S., to annually update its Priority List for the establishment of Minimum Flows and Levels (MFLs), submit it by November 15 each year to the FDEP for review and approval, and include the approved list in the District's consolidated annual report as required by s. 373.036(7), F.S.

Staff presented the proposed 2009 Priority List at the September Board Meeting prior to seeking public input. Four public input meetings were held where public comment was received. Public workshops were held at the District's Bartow Service Office; and the Brooksville Headquarters on October 7, 2008; and at the Tampa Service Office; and the Sarasota Service Office on October 9, 2008. Considering input from these sources and informally from FDEP, staff will discuss any additional proposed changes to the Priority List.

Benefits/Costs
Although only required to project out for three years, the District added specific water bodies for a fourth and fifth year beginning with the 2005 Priority List. This enables staff to begin data collection earlier in the MFLs process for those water bodies that require a greater planning and budgeting horizon, and would make unforeseeable hydrologic events less of an obstacle in developing MFLs.

Staff will be seeking Board approval of the Priority List that will be submitted to FDEP by November 15, 2008.

Staff Recommendation: See Exhibit

Approve the Priority List for submission to FDEP for their approval as required by Subsection 373.042(2), F.S.

Presenter: Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director, Resource Projects Department
PROPOSED 2009
MINIMUM FLOWS AND LEVELS PRIORITY LIST AND SCHEDULE

Minimum Flows and Levels Already Adopted

- Alafia River (upper freshwater segment)
- Braden River (freshwater segment)
- Citrus County Lakes - Ft. Cooper, Tsala Apopka – Floral City, Inverness and Hernando Pools
- Hernando County Lakes - Hunters, Lindsey, Mountain, Neff, Spring and Weekiwachee Prairie
- Highland County Lakes – Angelo, Denton, Jackson, Little Lake Jackson, June-in-Winter, Letta, Lotela, Placid, Tulane, and Verona
- Hillsborough County Lakes – Alice, Allen, Barbara, Bird, Brant, Calm, Charles, Church, Crenshaw, Crescent, Crystal, Cypress, Dan, Deer, Dosson, Echo, Ellen, Fairy [Maurine], Garden, Halfmoon, Harvey, Helen, Hobbs, Horse, Jackson, Juanita, Little Moon, Merrywater, Mound, Platt, Pretty, Rainbow, Reinheimer, Round, Saddleback, Sapphire, Stemper, Strawberry, Sunset, Sunshine, Taylor and Virginia.
- Hillsborough River (lower segment)
- Hillsborough River – upper segment (including Crystal Spring)
- Levy County Lake - Marion
- Peace River (middle segment)
- Peace River (upper segment – "low" minimum flows)
- Northern Tampa Bay - 41 Wetland sites
- Northern Tampa Bay – 7 Wells – Floridan Aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish, Bird, Buddy, Camp, Clear, Green, Hancock, Iola, Jessamine, King, King [East], Linda, Middle, Moon, Padgett, Parker aka Ann, Pasadena, Pasco, Pierce, unnamed #22 aka Loyce
- Polk County Lakes – Annie, Bonnie, Clinch, Crooked, Dinner, Eagle, Lee, Mabel, McLeod, Parker, Starr, Venus, and Wales
- Myakka River (upper freshwater segment)
- Sulphur Springs (Hillsborough County)
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka and Panasofkee
- SWUCA – Floridan Aquifer
- Tampa Bypass Canal

2008

- Alafia River Estuary (includes Lithia and Buckhorn Springs)
- Hillsborough County Lakes - Raleigh, Rogers and Starvation
- Highlands County Lake - Anoka
- Lower Peace River Estuary System (includes Shell Creek)
- Weekiwachee River System and Springs
  (includes Jenkins Creek, Salt, Little Weeki Wachee and Mud River springs)

September 26, 2008
Proposed 2009
Minimum Flows and Levels Priority List and Schedule

2009

- Anclote River System - moved from 2008
- Chassahowitzka River System and Springs (includes Chassahowitzka #1, Crab Creek, Potter and Ruth) – moved from 2008
- Blind Spring – moved from 2008
- Dona Bay (Cow Pen Slough/Canal) – moved from 2008
- Little Manatee River – moved from 2008
- Lower Myakka River System (Myakkahatchee Creek, Deer Prairie Creek and Blackburn Canal) – moved from 2008
- Manatee River System (Braden River Estuary) – moved from 2008
- Hillsborough County Lake - Wimauma – moved from 2008
- Polk County Lake – Hancock - moved from 2008
- Homosassa River System and Spring
- Upper and Middle Withlacoochee River System (Green Swamp)
- Rainbow Springs (includes Bubbling and Waterfall Springs)

2010

- Crystal River System
- Kings Bay Spring
- Gum Springs Group
- Hidden River Springs 1 and 2
- Northern Tampa Bay – Phase II
- Pithlachascotee River System
- Polk County Lake - Crystal

2011

- Lower Withlacoochee River System
- Brooker Creek
- Upper Peace River "Middle" and "High" Minimum Flows
- Marion County Lakes - Bonable, Little Bonable, Tiger

2012

- Charlie Creek
- Horse Creek
- North Prong Alafia River
- South Prong Alafia River

2013

- Prairie Creek
- Shell Creek (freshwater segment)
- Hernando County Lakes - Tooke, Whitehurst

2014- 2019 Priority Water bodies Proposed for Establishment in Future Years

- Highlands / Polk Surficial Aquifer
- SWUCA - Phase II
Notes: Changes being proposed to the MFL List are attributable to the following:

1. **Lake Wimauma** – An agreed upon study to examine the possible effects of drainage and sink hole development on lake levels for this lake is not yet complete, and as a result we have moved this lake from 2008 to 2009 on the proposed priority list.

2. **Lake Hancock** – Delayed to 2009 pending final design and permitting of the lake outfall structure.

3. **Anclote River, Blind Spring, Chassahowitzka River and Springs, Dona Bay (Cow Pen Slough), Little Manatee, Lower Myakka River System, Manatee** – The Dona Bay (Cow Pen Slough) MFL report is currently undergoing peer review, and we anticipate that the Anclote River and lower Myakka River MFL documents will be submitted for peer review in October or November; however, these MFLs will not be adopted before the calendar year is out, and have, therefore, moved these water bodies into the 2009 timeframe. Draft MFL reports on the Manatee, Little Manatee, and Chassahowitzka Rivers are behind schedule and will not be completed until the calendar year is out, and these water bodies have been moved into 2009 as well.

4. **Addition of Year 2013** – Beginning in 2004, the District added specific waterbodies for a fourth and fifth year. This enables staff to begin data collection earlier in the MFL process for those water bodies that require a greater planning and budgeting horizon, and would make unforeseeable hydrologic events less of an obstacle in developing MFLs.
Consent Agenda
October 28, 2008

Resource Management Committee

Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel No. 15-228-358

Purpose
The purpose of this item is to request the Governing Board approve the purchase of approximately 40 acres that has been negotiated with the owner, DeGolden Onipilip Estates, Ltd., a New York corporation, for a total cost of $450,290.00 as part of the District's Annutteliga Hammock project. A general location map of the parcel is included in the board packet as Exhibit 1 to this item.

Background/History
Acquisition of this parcel is consistent with the District's Florida Forever Work Plan, which specifically identifies the Annutteliga Hammock project for acquisition. The Governing Board approved the Annutteliga Hammock Resource Evaluation Report in 1996, authorizing acquisition within the project. The project consists of approximately 14,073 acres of high quality sand hills and upland hardwood forests (hammocks) located in the northwestern region of Hernando County. To date, approximately 2,200 acres have been acquired within the project. The Annutteliga Hammock project provides a corridor connection to large areas of public lands. To the west of the project across U.S. Highway 19 are the Chassahowitzka National Wildlife Refuge, the Chassahowitzka Swamp Conservation and Recreational Lands (CARL) project, the Longleaf Pine Ecosystem CARL project, and the District's Chassahowitzka River and Coastal Swamps, and Weekiwachee Preserve projects. Other publicly owned lands in the area of the project total approximately 76,500 acres.

In 2007 the Governing Board authorized the Land Resources Director to proceed directly to the Governing Board with appraisals and purchase/sale agreements which do not exceed the appraised value for parcels within the northern area of Annutteliga Hammock (Block 1). See Exhibit 2 included in the board packet.

Acquisition of these lands will meet the following Florida Forever program goals:
- Enhance the coordination and completion of land acquisition projects
- Increase the protection of Florida's biodiversity at the species, natural community and landscape levels
- Protect, restore, and maintain the quality and natural functions of land, water, and wetland systems of the state
- Increase natural resource-based public recreational and educational opportunities

These Florida Forever goals are consistent with the District's goals for water resource management.

Property Description
Location and Access – The subject property is located along the east side of Jenifer Lane, just north of Tinamou Avenue and about one-half mile north of Thrasher Avenue. Access is via Jenifer Lane, Kakawi Road and King Bird Road which are all county maintained, limerock roads.

Utilities and/or Improvements – Public electric and telephone service are available. Public water and sewer services are not available in this area.

Zoning – The property is zoned R-1C, Residential District.
Summary of Appraisals and Value Comparisons
In accordance with District policy, one appraisal was obtained for the parcel from Tod Marr, with Tod Marr & Associates. The appraisal was reviewed by Robert S. Sutte with Real Property Analysts, Inc. The appraisal report, which has an effective date of August 21, 2008 and was prepared on August 29, 2008, meets the necessary legal or District requirements and contains the appraiser's factual data leading to the value conclusion.

Highest and Best Use – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible and financially feasible uses for this property would be for future rural residential.

The appraiser applied the Sales Comparison Approach (Market Approach) to determine the value of this property. The appraiser relied on recent sales of comparable property in Hernando County. The sales were adjusted for differences that included, date of sale, location/access and physical characteristics including size and topography.

The following is a comparison of the total negotiated purchase price to the appraised value:

<table>
<thead>
<tr>
<th></th>
<th>Negotiated Amount</th>
<th>Appraised Value Marr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cost</td>
<td>$450,290</td>
<td>$520,000</td>
</tr>
<tr>
<td>Per Acre Cost</td>
<td>$11,257</td>
<td>$13,000</td>
</tr>
</tbody>
</table>

The negotiated price is approximately 15 percent, or $69,710, less than the Marr appraisal.

Purchase Agreement
- The sellers agreed to deliver marketable title free of all encumbrances objectionable to the District.
- An environmental site assessment will be completed prior to closing.
- A boundary survey will be completed prior to closing.

Benefits/Costs
Management Costs – In Fiscal Year 2007 the District paid an average annual cost of $15.77 per acre for recurring management costs. Recurring management costs include, but are not limited to, fencing, prescribed burning, exotic species control, resource monitoring, road maintenance, recreational development, resource protection, restoration and contract administration. Based on the District's average annual management costs, it would cost $630.80 annually to manage the tract. No fixed capital outlay has been identified at this time.

Impact If Not Funded/Funding
Funds are available from the Florida Forever Trust Fund. In order for funds to be released from the Trust Fund by the Florida Department of Environmental Protection, a resolution signed by the Governing Board must accompany the request.

Staff Recommendation: See Exhibits

(1) Acceptance of appraisal;
(2) Approval of purchase/sale agreement;
(3) Approval of resolution requesting funds; and
(4) Designation of SWF Parcel No. 15-228-358 as having been acquired for conservation purposes.

Presenter: Eric Sutton, Assistant Director, Land Resources Department
Annutteliga Hammock

SWF Parcel No. 15-228-358

SWF Parcel No. 15-228-358

SWFWMD Ownership

Other Conservation Lands

SWFWMD Proposed Acquisition

Centralia Rd

Thrasher Ave

Knuckey Rd

Kelso St

19 589

0 0.5 1

Miles

174
Annutteliga Hammock - Block One

SWF Parcel No. 15-228-358

SWF Parcel No. 15-228-358

Annutteliga Hammock - Block One

SWFWMD Fee Acquisition

Other Conservation Lands
Purpose
The purpose of this item is to request the Governing Board approve a no cost exchange of property that has been negotiated with owners S. D. Sanford, Inc., Scott A. Sanford and Charles David Sanford.

Background/History
The proposed transaction involves seven lots owned by the District located south of Thrasher Avenue (3.49 acres), to be exchanged for six lots north one lot south of Thrasher Avenue owned by the Sanfords (4.02 acres). The exchange will consolidate the District's lot ownership in the northern area (Block 1) and along Centralia Avenue within the District's Annutteliga Hammock project. A general location map of the parcels is included in the board packet as Exhibit 1 to this item.

Acquisition of these parcels is consistent with the District's Florida Forever Work Plan, which specifically identifies the Annutteliga Hammock project for acquisition. The Governing Board approved the Annutteliga Hammock Resource Evaluation Report in 1996, authorizing acquisition within the project. The project consists of approximately 14,073 acres of high quality sand hills and upland hardwood forests (hammocks) located in the northwestern region of Hernando County. To date, approximately 2,200 acres have been acquired within the project. The Annutteliga Hammock project provides a corridor connection to large areas of public lands. To the west of the project across U.S. Highway 19 are the Chassahowitzka National Wildlife Refuge, the Chassahowitzka Swamp Conservation and Recreational Lands (CARL) project, the Longleaf Pine Ecosystem CARL project, and the District's Chassahowitzka River and Coastal Swamps, and Weekiwachee Preserve projects. Other publicly owned lands in the area of the project total approximately 76,500 acres.

In 2007 the Governing Board authorized the Land Resources Director to proceed directly to the Governing Board with appraisals and purchase/sale agreements which do not exceed the appraised value for parcels within the northern area of Annutteliga Hammock (Block 1). Due to the fluctuations in the real estate market, the focus has been on parcels that are located in the project area generally described as being north of Thrasher Avenue and south of the Seville development (Block 1). The purpose of focusing acquisition in the Block 1 area is to facilitate linkages between existing conservation lands, thereby providing a corridor and a more manageable situation from a land management perspective. The proposed exchange will help to accomplish this goal. See Exhibit 2 included in the board packet.

Pursuant to Section 373.089, Florida Statutes, the Governing Board may exchange lands for which title is vested in the district for other lands within the state.

Property Description
Location and Access – All lots are located on limerock roads.
Utilities and/or Improvements – Public electric and telephone service are available. Public water and sewer services are not available in this area.

Zoning – The properties are zoned R-1C, Residential District.

Summary of Appraisals and Value Comparisons
In accordance with District policy, one appraisal was obtained for the parcels from Bradley Page, with Valuation Advisors. The appraisal was reviewed by Land Resources staff. The appraisal report, which has an effective date of July 31, 2008 and was prepared on August 26, 2008, meets the necessary legal or District requirements and contains the appraiser’s factual data leading to the value conclusion.

Highest and Best Use – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible and financially feasible uses for these lots would be for single family development.

The appraiser applied the Sales Comparison Approach (Market Approach) to determine the value of the property. The appraiser relied on recent sales of comparable property in Hernando County. The sales were adjusted for differences that included, date of sale, location/access and physical characteristics including size and topography.

The following is a comparison of the appraised values:

<table>
<thead>
<tr>
<th>Location and Access</th>
<th>Acres</th>
<th>Location and Access</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>13180 Kingfisher Road</td>
<td>.46</td>
<td>10393 Tailorbird Avenue</td>
<td>.59</td>
</tr>
<tr>
<td>13163 Kingfisher Road</td>
<td>.53</td>
<td>13043 Tailorbird Avenue</td>
<td>.60</td>
</tr>
<tr>
<td>13153 Kingfisher Road</td>
<td>.54</td>
<td>13053 Tailorbird Avenue</td>
<td>.59</td>
</tr>
<tr>
<td>12068 Pembrooke Avenue</td>
<td>.46</td>
<td>16489 Manor Road</td>
<td>.75</td>
</tr>
<tr>
<td>12035 Centralia Road</td>
<td>.48</td>
<td>13383 Dusky Warbler Road</td>
<td>.57</td>
</tr>
<tr>
<td>12399 Quigley Avenue</td>
<td>.46</td>
<td>16345 Force Road</td>
<td>.46</td>
</tr>
<tr>
<td>12362 Quigley Avenue</td>
<td>.56</td>
<td>13355 Force Road</td>
<td>.47</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3.49</strong></td>
<td><strong>Total</strong></td>
<td><strong>4.03</strong></td>
</tr>
</tbody>
</table>

The Sanford lots are valued at $1,100 (one percent) more than the District lots.

Exchange Agreement
- The Sanfords agreed to deliver marketable title free of all encumbrances objectionable to the District.
- An environmental site assessment will be completed prior to closing.
- A boundary survey will be completed prior to closing.

Benefits/Costs
Management Costs – No additional management costs are anticipated.
Item 27

Staff Recommendation:  
See Exhibits

(1) Accept the appraisal;  
(2) Approve the exchange agreement;  
(3) Declare SWF Parcel No. 15-228-1302S surplus and convey the property to S. D. Sanford, Inc., Scott A. Sanford and Charles David Sanford; and  
(4) Designate SWF Parcel No. 15-228-1301 as having been acquired for conservation purposes.

Presenter:  Eric Sutton, Assistant Director, Land Resources Department
Consent Agenda  
October 28, 2008

Resource Management Committee

Appraisals and Purchase/Sale Agreement - Lake Hancock Project, SWF Parcel No. 20-503-156

Purpose
The purpose of this item is to request the Governing Board approve the purchase of a single-family residence located on a 1.56-acre lot on Jacque Lee Lane which has been negotiated with the owners, John and Jacqueline Whitehead, as part of the District's Lake Hancock Project (Project). A general location map of the parcel in relation to the project (Exhibit 1) and a detailed map of the parcel (Exhibit 2) are included in the board packet as exhibits to this item.

Background/History
On September 25, 2007, the Governing Board authorized the implementation of the Project including acquisition of lands (placing priority emphasis on voluntary acquisitions) necessary for the Project. The Board also approved the use of eminent domain, if necessary, to complete the acquisition process. The Project is a result of the District being required by state law (Section 373.042, Florida Statutes (F.S.) to develop minimum flows and levels (MFL) on priority water bodies and aquifers. The purpose of the MFL is to ensure that adequate flows or levels are maintained to protect the state's water resources. The District has set minimum flows for the upper Peace River including 17 cubic feet per second (cfs) at Bartow, 27 cfs at Fort Meade, and 45 cfs at Zolfo Springs. Flows in the upper Peace River were below the minimum flows at Fort Meade approximately 28 percent of the time during the last 30 years. The District's Southern Water Use Caution Area (SWUCA) Recovery Strategy includes a specific recovery strategy, as required by state law (Section 373.0421, F.S.), for the upper Peace River because the minimum flows are not currently being met.

Ground-water withdrawals in the SWUCA have resulted in declines in aquifer levels throughout the SWUCA and contribute to reduced flows in the upper Peace River. The District determined that it is not feasible to reduce groundwater withdrawals to achieve the minimum flows for the upper Peace River. The Project is critical in the District's strategies for meeting the minimum flows in the upper Peace River. The goal of the Project is to store water by raising the control elevation of the existing outflow structure on Lake Hancock from 98.7 to 100.0 feet and to slowly release water during the dry season to help meet the flow requirements in the upper Peace River. Historically, prior to man-made alterations, the lake level was approximately one to two feet higher than the current operating level. The Project is anticipated to recover up to approximately 50 percent of the minimum flows for the upper Peace River.

Project/Parcel Benefits – In addition to the Project providing up to 50 percent of the minimum flows for the Upper Peace River, the Project will also improve the function of approximately 1,000 acres of wetlands around the lake and preserve approximately 4,800 acres of floodplain. To date, the District has acquired 6,607 acres in fee simple interest and 760 acres via perpetual conservation/inundation easements within the Project. This acquisition could provide additional restoration/mitigation opportunities. The District owns or has an interest in approximately eight and one-half miles of the 11 total miles of affected lake front properties on Lake Hancock. The land and rights acquired since Board approval of the Project were accomplished through 28 transactions, and the remaining acreage is divided between 45 parcels.

Property Description
Location and Access – The property is a 1.56-acre parcel improved with a single-family residence located at 3602 Jacque Lee Lane. The property is located on the east side of the road and has 150 feet of frontage.
Utilities and/or Improvements – The property has electric and telephone service available and is on a private well and septic system. The improvements consist of a 2,437± square foot one-story, three-bedroom, two-bathroom, concrete block home constructed in 1966. The property includes a detached one-story masonry cottage and a concrete block barn. The property was purchased in 1999 for $142,500.

Zoning – The property is zoned A/RR, Agricultural/Residential-Rural by Polk County.

Summary of Appraisals and Value Comparisons - Two appraisals were obtained for the parcel from Woodman S. Herr, MAI with Herr Valuation Services, Inc. and Nick Mancuso, MAI with Mancuso Appraisal Services, Inc. The appraisals were reviewed by Steven Jamir, MAI of Jamir and Associates. The appraisal reports were prepared in March and May 2008 respectively, with an effective date of March 4, 2008 and meet the necessary legal or District requirements and contain the appraisers’ factual data leading to the value conclusion.

Highest and Best Use – The highest and best use, as determined by the appraisers, based on the physically possible, legally permissible and financially feasible uses for this property, would be for single family residential.

The appraisers applied the Sales Comparison Approach (Market Approach) to determine the value of this property. The appraisers relied on recent sales of comparable property in Polk County. The sales were adjusted for differences that included improvement characteristics (garage size) location/access, and physical characteristics including size of house lot and other improvements (outbuildings).

The following is a comparison of the total negotiated purchase price to the appraised values:

<table>
<thead>
<tr>
<th>Negotiated Amount</th>
<th>Appraised Value Herr</th>
<th>Appraised Value Mancuso</th>
</tr>
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<tbody>
<tr>
<td>$455,225</td>
<td>$315,000</td>
<td>$325,000</td>
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</table>

The property is not listed for sale. An additional $6,275 will be disbursed to the sellers’ counsel, Troiano & Roberts, P.A., for payment or reimbursement of all costs and expenses incurred by the owners or their representatives in connection with the sale of their property, including attorneys fees, appraisals and any other professional services so that the total contract amount will be $461,500. The total acquisition cost of this property also includes consideration of the sellers’ moving expenses and a premium paid for a replacement residence meeting their needs.

Voluntary acquisition avoids the significant expense and investment of staff time that is required when eminent domain proceedings are initiated. In the eminent domain process the District can incur substantial costs in the form of attorney’s fees and expert witness fees. Moreover, the District is not only responsible for the costs of its attorneys and experts, but also those costs incurred by the landowner in the condemnation suit.

Purchase Agreement
• Total contract amount of $461,500.
• The Purchase and Sale Agreement provides that at closing $455,225 will be disbursed to the sellers and $6,275 will be disbursed to the sellers’ counsel, Troiano & Roberts, P.A., for payment or reimbursement of all costs and expenses incurred by the sellers or their representatives in connection with the sale of their property, including attorneys fees, appraisals and any other professional services.
• The sellers agreed to deliver marketable title free of all encumbrances objectionable to the District.
• An environmental site assessment will be completed prior to closing.
• The Purchase and Sale Agreement includes a provision to lease the property back to the sellers for a maximum of four months at a rate of $1,500 per month.
  o If the sellers stay 180 days or less, no rent will be due; or
If the sellers stay beyond 180 days, rent is due at the agreed-upon rate for the entire term of their occupancy, including the first 180 days.

**Impact If Not Funded/Funding**

Funds are available from the Governing Board’s General Fund Water Supply and Resource Development Reserve for the acquisition/purchase of this parcel. If not funded, the Project cannot be implemented.

**Staff Recommendation:**

(1) Accept the appraisals; and  
(2) Approve the Purchase/Sale Agreement.

**Presenter:** Fritz Musselmann, Director, Land Resources Department
Consent Agenda
October 28, 2008

Resource Management Committee

Appraisal and Purchase/Sale Agreement - Lake Hancock Project, SWF Parcel No. 20-503-168

Purpose
The purpose of this item is to request the Governing Board approve the purchase of a single-family residence located on a 1.55-acre lot on Jacque Lee Lane which has been negotiated with the owners, Paul and Marianne Palmer, as part of the District’s Lake Hancock Project (Project). A general location map of the parcel in relation to the project (Exhibit 1) and a detailed map of the parcel (Exhibit 2) are included in the board packet as exhibits to this item.

Background/History
On September 25, 2007, the Governing Board authorized the implementation of the Project including acquisition of lands (placing priority emphasis on voluntary acquisitions) necessary for the Project. The Board also approved the use of eminent domain, if necessary, to complete the acquisition process. The Project is a result of the District being required by state law (Section 373.042, Florida Statutes (F.S.) to develop minimum flows and levels (MFL) on priority water bodies and aquifers. The purpose of the MFL is to ensure that adequate flows or levels are maintained to protect the state's water resources. The District has set minimum flows for the upper Peace River including 17 cubic feet per second (cfs) at Bartow, 27 cfs at Fort Meade, and 45 cfs at Zolfo Springs. Flows in the upper Peace River were below the minimum flows at Fort Meade approximately 28 percent of the time during the last 30 years. The District's Southern Water Use Caution Area (SWUCA) Recovery Strategy includes a specific recovery strategy, as required by state law (Section 373.0421, F.S.), for the upper Peace River because the minimum flows are not currently being met.

Ground-water withdrawals in the SWUCA have resulted in declines in aquifer levels throughout the SWUCA and contribute to reduced flows in the upper Peace River. The District determined that it is not feasible to reduce groundwater withdrawals to achieve the minimum flows for the upper Peace River. The Project is critical in the District's strategies for meeting the minimum flows in the upper Peace River. The goal of the Project is to store water by raising the control elevation of the existing outflow structure on Lake Hancock from 98.7 to 100.0 feet and to slowly release water during the dry season to help meet the flow requirements in the upper Peace River. Historically, prior to man-made alterations, the lake level was approximately one to two feet higher than the current operating level. The Project is anticipated to recover up to approximately 50 percent of the minimum flows for the upper Peace River.

Project/Parcel Benefits – In addition to the Project providing up to 50 percent of the minimum flows for the Upper Peace River, the Project will also improve the function of approximately 1,000 acres of wetlands around the lake and preserve approximately 4,800 acres of floodplain. To date, the District has acquired 6,607 acres in fee simple interest and 760 acres via perpetual conservation/inundation easements within the Project. This acquisition could provide additional restoration/mitigation opportunities. The District owns or has an interest in approximately eight and one-half miles of the 11 total miles of affected lake front properties on Lake Hancock. The land and rights acquired since Board approval of the Project were accomplished through 28 transactions, and the remaining acreage is divided between 45 parcels.

Property Description
Location and Access – The property is a 1.55-acre parcel improved with a single-family residence located at 3616 Jacque Lee Lane. The property is located on the east side of the road and has 150 feet of frontage.
**Utilities and/or Improvements** – The property has electric and telephone service available and is on a private well and septic system. The improvements consist of a 1,750± square foot one-story, three-bedroom, two-bathroom, concrete block home constructed in 2000. The property was purchased in 2001 for $26,200, and does not appeal to be an arms-length transaction.

**Zoning** – The property is zoned A/RR, Agricultural/Residential-Rural by Polk County.

**Summary of Appraisal and Value Comparisons** – In accordance with District policy, one appraisal was obtained for the parcel from Woodman S. Herr, MAI with Herr Valuation Services, Inc. The appraisal was reviewed by Steven Jamir, MAI of Jamir and Associates. The appraisal report was prepared in April 2008, with an effective date of March 17, 2008 and meets the necessary legal or District requirements and contains the appraiser’s factual data leading to the value conclusion.

**Highest and Best Use** – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible and financially feasible uses for this property, would be for single family residential.

The appraiser applied the Sales Comparison Approach (Market Approach) to determine the value of this property. The appraiser relied on recent sales of comparable property in Polk County. The sales were adjusted for differences that included improvement characteristics (garage size) location/access, and physical characteristics including size of house lot and other improvements (outbuildings).

The following is a comparison of the total negotiated purchase price to the appraised values:

<table>
<thead>
<tr>
<th>Negotiated Amount</th>
<th>Appraised Value</th>
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<tbody>
<tr>
<td>$506,200</td>
<td>$360,000</td>
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The property is not listed for sale. An additional $5,000 will be disbursed to the sellers' counsel, Troiano & Roberts, P.A., for payment or reimbursement of all costs and expenses incurred by the owners or their representatives in connection with the sale of their property, including attorneys fees, appraisals and any other professional services so that the total contract amount will be $511,200. The total acquisition cost of this property also includes consideration of the sellers' moving expenses and a premium paid for a replacement residence meeting their needs.

Voluntary acquisition avoids the significant expense and investment of staff time that is required when eminent domain proceedings are initiated. In the eminent domain process the District can incur substantial costs in the form of attorney's fees and expert witness fees. Moreover, the District is not only responsible for the costs of its attorneys and experts, but also those costs incurred by the landowner in the condemnation suit.

**Purchase Agreement**
- Total contract amount including attorney fees of $511,200.
- The Purchase and Sale Agreement provides that at closing $506,200 will be disbursed to the sellers and $5,000 will be disbursed to the sellers' counsel, Troiano & Roberts, P.A., for payment or reimbursement of all costs and expenses incurred by the sellers or their representatives in connection with the sale of their property, including attorneys fees, appraisals and any other professional services.
- The sellers agreed to deliver marketable title free of all encumbrances objectionable to the District.
- An environmental site assessment will be completed prior to closing.
- The Purchase and Sale Agreement includes a provision to lease the property back to the sellers for a maximum of four months at a rate of $1,500 per month.
  - If the sellers stay 120 days or less, no rent will be due; or
o If the sellers stay beyond 120 days, rent is due at the agreed-upon rate for the entire term of their occupancy, including the first 120 days.

**Impact If Not Funded/Funding**
Funds are available from the Governing Board's General Fund Water Supply and Resource Development Reserve for the acquisition/purchase of this parcel. If not funded, the Project cannot be implemented.

**Staff Recommendation:**
(1) Accept the appraisal; and
(2) Approve the Purchase/Sale Agreement.

**Presenter:** Fritz Musselmann, Director, Land Resources Department
SWF Parcel No. 20-503-168

Proposed SWFWMD Easement Acquisition

Proposed SWFWMD Fee Acquisition

SWFWMD Easement

SWFWMD Fee Acquisition

Other Conservation Lands

Other Publicly Owned Lands
Consent Agenda
October 28, 2008

Resource Management Committee

Appraisals and Purchase/Sale Agreement - Lake Hancock Project, SWF Parcel No. 20-503-206

Purpose
The purpose of this item is to request the Governing Board approve the purchase of a single-family residence located on 2.43-acres located at 816 South Saddle Creek Farm Road, owned by Kevin L. and Mary Glynda Meadows, as part of the District’s Lake Hancock project. A general location map of the parcel in relation to the project (Exhibit 1) and a detailed map of the parcel (Exhibit 2) are to be included in the board packet as exhibits to this item.

Background/History
On September 25, 2007, the Governing Board authorized the implementation of the Project including acquisition of lands (placing priority emphasis on voluntary acquisitions) necessary for the Project. The Board also approved the use of eminent domain, if necessary, to complete the acquisition process. The Project is a result of the District being required by state law (Section 373.042, Florida Statutes (F.S.) to develop minimum flows and levels (MFL) on priority water bodies and aquifers. The purpose of the MFL is to ensure that adequate flows or levels are maintained to protect the state's water resources. The District has set minimum flows for the upper Peace River including 17 cubic feet per second (cfs) at Bartow, 27 cfs at Fort Meade, and 45 cfs at Zolfo Springs. Flows in the upper Peace River were below the minimum flows at Fort Meade approximately 28 percent of the time during the last 30 years. The District's Southern Water Use Caution Area (SWUCA) Recovery Strategy includes a specific recovery strategy, as required by state law (Section 373.0421, F.S.), for the upper Peace River because the minimum flows are not currently being met.

Ground-water withdrawals in the SWUCA have resulted in declines in aquifer levels throughout the SWUCA and contribute to reduced flows in the upper Peace River. The District determined that it is not feasible to reduce groundwater withdrawals to achieve the minimum flows for the upper Peace River. The Project is critical in the District's strategies for meeting the minimum flows in the upper Peace River. The goal of the Project is to store water by raising the control elevation of the existing outflow structure on Lake Hancock from 98.7 to 100.0 feet and to slowly release water during the dry season to help meet the flow requirements in the upper Peace River. Historically, prior to man-made alterations, the lake level was approximately one to two feet higher than the current operating level. The Project is anticipated to recover up to approximately 50 percent of the minimum flows for the upper Peace River.

Project/Parcel Benefits – In addition to the Lake Level Project providing up to 50 percent of the minimum flows for the upper Peace River, the Project will also improve the function of approximately 1,000 acres of wetlands around the lake and preserve approximately 4,800 acres of floodplain. To date, the District has acquired 6,607 acres in fee simple interest and 760 acres via perpetual conservation/inundation easements within the project. This acquisition could provide additional restoration/mitigation opportunities. Upon completion of this acquisition, the District will own approximately eight and one-half miles of the 11 total miles of affected lake front properties on Lake Hancock. The land and rights acquired to date were accomplished through 28 transactions, and the remaining acreage is divided between 45 parcels.

Property Description
Location and Access – The property is a 2.43-acre parcel improved with a single-family residence located at 816 South Saddle Creek Farm Road. The property is located on the east side of the road and has 165 feet of frontage.
Utilities and/or Improvements – The property has electric and telephone service is available and is on a private well and septic system. The improvements consist of a 3,265-square foot, one-story, four-bedroom, three-bathroom, concrete block home constructed in 1976. The property includes a 520-square foot attached garage. The owner purchased the property in October, 2000 for $145,000.

Zoning – The property is zoned Agriculture/Residential-Rural (A/RR) based on the Polk County Comprehensive Plan which governs zoning in the unincorporated areas of the county. One dwelling per five gross acres is permitted under this zoning. This is a "lot of record" created prior to the implementation of the Land Use Code. Approximately one-half of the property, including the home site, lies within a Federal Emergency Management Agency (FEMA) designated floodway in which new or replacement construction is strictly limited.

Summary of Appraisal and Value Comparisons - In accordance with District policy, one appraisal was obtained for the parcel from Nicolas J. Mancuso, MAI of Mancuso Appraisal Services, Inc. The sellers provided an appraisal prepared by Jess E. Collister, MAI of Calhoun, Collister & Parham, Inc. Stephen Jamir, of Jamir & Associates, Inc, reviewed both appraisals. The respective appraisal reports were prepared on June 11, 2008 and August 5, 2008 and have effective valuation dates of April 22, 2008 and April 8, 2008. Both reports meet the necessary legal or District requirements and contain the appraisers' factual data leading to the value conclusion. The reviewer did not concur with the opinion value in the Collister report and concluded his own estimate of value of $380,000 based on the information contained in the report.

Highest and Best Use – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible, and financially feasible uses for this property, would be for single-family residential use.

The appraisers applied the Sales Comparison Approach (Market Approach) and Cost Approach to determine the value of this property. The appraiser relied on recent sales of comparable property in Polk County. The sales were adjusted for differences that included land size, site quality/shape/land use, location and physical characteristics including size, garage/carport, out buildings, kitchen/fireplace, heating/cooling, construction quality, and age/condition of the improvements.

<table>
<thead>
<tr>
<th>Sellers' Compensation</th>
<th>District Appraised Values</th>
<th>Sellers Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mancuso</td>
<td>Jamir</td>
</tr>
<tr>
<td>$480,000</td>
<td>$330,000</td>
<td>$380,000</td>
</tr>
</tbody>
</table>

The property is not listed for sale. The total acquisition cost of this property also includes consideration of the sellers’ moving expenses, a premium paid for a replacement residence meeting the sellers’ needs, and attorney fees.

Voluntary acquisition avoids the significant expense and investment of staff time that is required when eminent domain proceedings are initiated. In the eminent domain process the District can incur substantial costs in the form of attorney’s fees and expert witness fees. Moreover, the District is not only responsible for the costs of its attorneys and experts, but also those costs incurred by the landowner in the condemnation suit.

Purchase Agreement
- Total contract amount of $480,000, including attorney fees
- The sellers will agree to deliver marketable title free of all encumbrances objectionable to the District.
• An environmental site assessment will be completed prior to closing.
• The Purchase/Sale Agreement will include a provision to lease the property back to the sellers for a maximum of six months at a rate of $1,500 per month.
  o If the sellers stay 180 days or less, no rent will be due; or
  o If the sellers stay beyond 180 days, rent is due at the agreed-upon rate for the entire term of their occupancy, including the first 180 days.
  o The District will hold $15,000 in escrow as a rental and security deposit until termination of the lease.

Impact If Not Funded/Funding
Funds are available from the Governing Board's General Fund Water Supply and Resource Development Reserve for the acquisition/purchase of this parcel. If not funded, the Lake Hancock Lake Level Modification Project cannot be implemented.

Staff Recommendation: See Exhibits
(1) Accept the District appraisals; and
(2) Approve the Purchase/Sale Agreement.

Presenter: Fritz Musselmann, Director, Land Resources Department
Consent Agenda
October 28, 2008

Resource Management Committee

Utility and Drainage Easement to Sarasota County – Sarasota Service Office, SWF Parcel No. 21-477-109X

Purpose
Approve conveyance of a utility and drainage easement over SWF Parcel No. 21-477-109X to Sarasota County; accept the appraised value of $32,000 for the easement and landscaping; and authorize the transfer of $19,800 from the General Fund Contingency Reserves to the General Services Department's fiscal year 2009 operating budget for landscaping lost as a result of construction.

Background/History
On May 27, 2008, the Governing Board approved the conveyance of a surplus parcel and a slope/drainage and utility easement to the County to accommodate the County's Fruitville Road Widening Project (Project). The County has since approached the District requesting to acquire an additional utility and drainage easement over 9,428 square feet for the same purpose. The additional easement will grant the appropriate property interests to the County to maintain utility lines and manage stormwater runoff associated with the Project. An aerial photograph depicting the subject easement is included in the Board packet as an exhibit to this item.

The parcel was purchased in 2000 for the construction of the District's Sarasota Service Office. The parcel currently consists of approximately 4.6 acres. The proposed project on Fruitville Road is a 2.2-mile segment from Coburn Road, just east of Interstate 75 to Debrecen Road. The proposed roadway design includes four vehicle travel lanes with medians, bicycle and sidewalk trails, closed drainage, street lighting and landscaping.

The following criteria have been agreed upon:
- The County has agreed to pay the District $12,200 for the utility and drainage easement to be conveyed to the County.
- The County has agreed to pay the District $19,800 for landscaping lost as a result of construction.
- The County will ensure that all grassed areas damaged as a result of construction are repaired with new sod.

Pursuant to Section 373.056, Florida Statutes (F.S.), the Governing Board may surplus land or rights in land to another governmental agency if the Governing Board determines that such a conveyance would be in the public's best interest. District staff has reviewed the proposal and appraisal and recommends the easement be conveyed to the County.

Property Description
Location and Access – The Sarasota Service Office is located at 6750 Fruitville Road. The property is accessed from Fruitville Road and also from an access road south of the property that connects to Apex Road west of the property.

Summary of Appraisal and Value Comparisons
The County provided an appraisal prepared by Roger L. Hettema, MAI, SRA, of Hettema, Saba and Walch, LLC. The appraisal contains the appraiser's factual data leading to the value conclusion and meets the necessary legal or District requirements.
**Highest and Best Use** – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible and financially feasible uses for this property, would be for continued governmental use.

The appraiser applied the Sales Comparison Approach to determine the value of this property. The appraiser relied on recent sales of comparable property in Sarasota County possessing similar utility, appeal, and highest and best use. The valuation included a utility and drainage easement and landscaping improvements lost.

**Benefits/Costs**
The County's Fruitville Road Widening Project will provide improved access to the District's Sarasota Service Office. Revenue derived from the conveyance of a utility and drainage easement over 21-477-108X will be deposited into the District's General Fund.

**Staff Recommendation:**
- See Exhibit

(1) Approve conveyance of a utility and drainage easement over SWF Parcel No. 21-477-109X to Sarasota County;
(2) Accept the appraised value of $32,000 for a drainage and utility easement over SWF Parcel No. 21-477-109X; and
(3) Authorize the transfer of $19,800 from the General Fund Contingency Reserves to the General Services Department's Fiscal Year 2009 operating budget for landscaping lost as a result of construction.

**Presenter:** Chuck Lane, Senior Land Use Specialist, Land Use and Protection Section
Utility and Drainage Easement to Sarasota County
SWF Parcel No. 21-477-109X

Legend
- District Property Boundary
- SWF Parcel No. 21-477-109X

Sarasota Service Office

SWF Parcel No. 21-477-107S - Parcel Recently Surplused to County

SWF Parcel No. 21-477-108X - Slope/Drainage and Utility Easement Recently Conveyed to County

SWF Parcel No. 21-477-109X - Utility and Drainage Easement under Board Consideration

0 45 90 180 Feet
Amendment to Eminent Domain Resolution to Correct Legal Description for Lake Hancock Lake Level Modification Project

Purpose
The purpose of this item is to request the Governing Board revise Resolution 07-34, approved by the Governing Board on September 25, 2007, as follows:

- Amend the elevation referenced in the resolution for the 100-year flood level from 103.85 (NGVD 1929) to 103.90 (NGVD 1929) reflecting reasonable precision for ground measurements.
- Amend the legal descriptions to conform to the finalized survey work.

Background/History
At its September 25, 2007 meeting, the Governing Board authorized staff to implement the Lake Hancock Lake Level Modification Project (Project), including final design, permitting and construction of necessary improvements; adopted a resolution authorizing proceedings in eminent domain, including a declaration of taking; amended the 2007 Florida Forever Work Plan to include all lands necessary for the lake level project; and designated Florida Forever and General Fund Water Supply and Resource Development Reserves for the Project. At the Board meeting, the Board instructed staff to exhaust all negotiations prior to filing eminent domain lawsuits.

The project timeline reviewed with the Board at the September 2007 meeting indicated that Project completion, including up front land acquisition, as ending in 2011. As for the estate or interest to be acquired in each parcel, the eminent domain resolution, which accompanied the recap in the board packet, specifically identified parcels to be acquired in fee simple and through inundation/flowage easements. The legal descriptions included in the original resolution were based on an unsurveyed watershed model and permit boundaries. As discussed during the September 29, 2008 Governing Board meeting, the survey work has recently been completed. As a result, the legal descriptions in the resolution need to be amended to conform to the final survey work.

The resolution must be amended in conjunction with completion of the voluntary phase of the acquisitions. The District will proceed with statutory offers in accordance with Florida law and if a settlement is not reached, condemnation lawsuits will be filed. A copy of the amended resolution is included as an exhibit to this item.

Staff Recommendation:

Revise Resolution 07-34 as follows:
(1) Amend the elevation referenced in the resolution for the 100-year flood level from 103.85 (NGVD 1929) to 103.90 (NGVD 1929) reflecting reasonable precision for ground measurements.
(2) Amend the legal descriptions to conform to the finalized survey work.

Presenter: Fritz Musselmann, Director, Land Resources Department
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 08-27

AMENDING AND SUPERSEDING RESOLUTION 07-34, WHICH AUTHORIZED PROCEEDINGS IN EMINENT DOMAIN, INCLUDING PRESUIT NEGOTIATION AND DECLARATION OF TAKING, FOR ACQUISITION OF CERTAIN LANDS IN POLK COUNTY, FLORIDA, FOR THE LAKE HANCOCK LAKE LEVEL MODIFICATION PROJECT

WHEREAS, the Southwest Florida Water Management District (the "District") was created by Chapter 61-691, Laws of Florida, and since 1972, has been authorized to act as a water management district under Chapter 373 of the Florida Statutes; and

WHEREAS, the District is authorized to acquire real property to carry out the District's powers including the acquisition of property for flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resources and water supply development, and preservation of wetlands, streams and lakes; and

WHEREAS, pursuant Section 373.042, Fla.Stat., the District is required to establish, as a minimum flow, the limit at which further withdrawals would be significantly harmful to the water resources or ecology for surface watercourses within its boundaries; and

WHEREAS, the District has established minimum flows for the upper Peace River of 17 cubic feet per second (cfs) at Bartow, 27 cfs at Fort Meade, and 45 cfs at Zolfo Springs; and

WHEREAS, pursuant to Section 373.0421, et seq., Fla.Stat., the District is required to implement a strategy that will achieve recovery of minimum flows as soon as practicable for watercourses where the existing flow is below the established minimum flow; and

WHEREAS, flows in the upper Peace River at Fort Meade were below the minimum flow approximately 28 percent of the time during the last 30 year period; and

WHEREAS, the District has determined that the implementation of the Lake Hancock Lake Level Modification Project is in the public interest, for the public benefit, and necessary for carrying out the District's purposes and obligations, including achieving the recovery of the minimum flow established for the upper Peace River; and

WHEREAS, the District's Governing Board approved its staff's recommendation on September 25, 2007 that the District amend its land acquisition plan to acquire the lands needed for the Lake Hancock Lake Level Modification Project; and
WHEREAS, the District has selected the scope and location of the Lake Hancock Lake Level Modification Project after carefully considering and weighing the alternatives, cost factors, environmental factors, long-range area planning, and safety considerations and has identified those lands needed for the Lake Hancock Lake Level Modification Project; and

WHEREAS, the District has made its assessment of the lands needed for the Lake Hancock Lake Level Modification Project, which lands are described in Exhibit A attached hereto and made a part hereof (the "Project Lands"); and

WHEREAS, to carry out its powers, the District is authorized to acquire real property by eminent domain for water storage under Section 373.139(2) of the Florida Statutes (2007); and

WHEREAS, based upon the foregoing and the recommendation of the District staff, it is found that the Project Lands are necessary for water storage under Section 373.139(2) of the Florida Statutes (2007) in connection with and related to the Lake Hancock Lake Level Modification Project; and

WHEREAS, consistent with Section 74.111(1) of the Florida Statutes (2007), the Chair of the District Governing Board, on behalf of the Governing Board, is of the opinion that the ultimate award probably will be within the limits of the District’s ability to pay; and

WHEREAS, the District will expend monies duly appropriated for the purpose of availing itself of the benefits of Chapter 74 and going forward with the project for which the land was taken only after receiving the opinion of its counsel in any proceeding that title has been vested in the District or all persons having an interest in the property have been made parties and will be bound by the final judgment; and

WHEREAS, Section 74.111(4) of the Florida Statutes (2007) authorizes the District’s attorney to stipulate or agree to exclude any property, or any part thereof, or any interest therein, that may have been, or may be, taken by or on behalf of the District by declaration of taking or otherwise; and

WHEREAS, the District staff has located the boundaries of the Project Lands and the District intends in good faith to implement the project within the confines of the Project Lands; and

WHEREAS, pursuant to Chapters 74 and 373 of the Florida Statutes (2007) including but not limited to Sections 74.011 and 373.139 of the Florida Statutes (2007), the District is authorized to bring “quick taking” condemnation proceedings under Chapter 74 of the Florida Statutes (2007); and

Resolution No. 08-27
WHEREAS, in adopting Resolution 07-34 the District's Governing Board found it necessary and advisable, in the discharge of its responsibilities, to institute the presuit negotiations specified by Section 73.015 of the Florida Statutes (2007) and, if negotiations are unsuccessful, eminent domain proceedings and proceedings by way of a Declaration of Taking to permit the timely acquisition of the Project Lands for the Lake Hancock Lake Level Modification Project; and

WHEREAS, such proceedings are still necessary, but formal survey of the Project Lands reflects a need to amend the specifically referenced one hundred year flood elevation and the legal descriptions incorporated in Resolution 07-34, the District's Governing Board finds it necessary to amend and restate its prior findings and authorizations as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the District as follows:

1. The Governing Board finds that pursuant to Chapter 373 of the Florida Statutes (2007), the District is authorized to acquire real property for and relating to the Lake Hancock Lake Level Modification Project;

2. The Governing Board finds that the acquisition of the Project Lands, as described in Exhibit A hereto, is necessary for water storage pursuant to Section 373.139(2) of the Florida Statutes (2007) for and relating to the Lake Hancock Lake Level Modification Project;

3. The Governing Board further finds that acquisition of the Project Lands, as described in Exhibit A hereto, for the Lake Hancock Lake Level Modification Project is not only necessary for water storage within the District, but also addresses the recovery of the minimum flow for the upper Peace River, is in the public interest, and is for a public purpose;

4. The Governing Board hereby authorizes initiation of presuit negotiations and, if the same are unsuccessful, acquisition of all or any part of the Project Lands as described in Exhibit A hereto, in fee simple title or, where designated with the suffix "P", an inundation easement for the purposes and consequences of establishing the Lake Hancock outfall control structure at an elevation of 100 NGVD (1929) and operating the control structure so that the one hundred year flood level for Lake Hancock is 103.9 NGVD (1929) at the control structure, by eminent domain pursuant to Chapters 73 and 74 of the Florida Statutes (2007) as expeditiously as possible.

5. The General Counsel of the District and outside counsel are hereby authorized and directed forthwith to institute such
presuit negotiations and eminent domain proceedings as may be necessary to avail the District of all eminent domain powers and procedures pursuant to Florida Statutes and rules of Court, including proceedings pursuant to Chapters 73 and 74 Florida Statutes (2007), in order to acquire an interest in the Project Lands as described above, including proceedings by way of a Declaration of Taking authorized under Chapter 74 of the Florida Statutes (2007), and as otherwise may be necessary to complete the acquisition of the Project Lands in fee simple, for the Lake Hancock Lake Level Modification Project, and for such work, facilities and appurtenances as may be required in connection therewith;

6. All conditions precedent which were required to have taken place prior to the adoption of this Resolution have occurred or have been performed; and

7. The Resolution shall supersede Resolution No. 07-34, which has been amended and restated herein above.

AS A RESULT of a public hearing, this Resolution was passed and adopted in Sarasota County, Florida, on the 28th day of October, 2008.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BY: ________________________________  
Neil Combee, Chair

Attest: ________________________________  
Jennifer E. Closshey, Secretary

APPROVED AS TO FORM

Counsel for the District
STATE OF FLORIDA
COUNTY OF ______________________

The foregoing was acknowledged before me this ____ day of ____________, 2008, by Neil Combee and Jennifer E. Closshey, Chair and Secretary, respectively of the Southwest Florida Water Management District. They are personally known to me.

Notary Public State of Florida
Printed Name: ______________________
Commission No. ______________________
My Commission Expires: ____________
Exhibit "A"
Lake Hancock - Project Lands

Legal Description 20-502-101

PURCHASE FROM USX REALTY, December 5, 1991, recorded December 9, 1991, official records book 3041, page 2083:

In Township 29 South, Range 25 East, Polk County, Florida:

Section 9: the fractional S-1/2.

Section 10: SW-1/4

Section 15: That part of Section 15, lying within a tract described as: Begin at the intersection of the north right-of-way line of the Old Winter Haven-Bartow Road and the west boundary of the E-1/4 of W-1/2 of Section 22, Township 29 South, Range 25 East, Polk County, Florida, run thence north along said west boundary 2743.2 feet, thence deflect right 33°15'41" and run 1234 feet to the east boundary of the W-1/2 of Section 15, thence north along said east boundary 4854.2 feet, thence West 200 feet, thence south parallel to the east boundary of the W-1/2 of Section 15, 1350 feet, thence West 600 feet, thence South 660.6 feet, thence East 600 feet, thence South 2786.6 feet, thence deflect right 33°42'22" and run 1234 feet, thence deflect left 33°15'41" and run 2902.96 feet to the north right-of-way line of the Old Winter Haven-Bartow Road, thence northeasterly along the north right-of-way line 225.96 feet to the point of beginning.

The W-1/2 and the W-1/2 of the NW-1/4 of SE-1/4, and the SW-1/4 of SE-1/4, LESS that part of the E-1/2 of W-1/2 cited above.

That part of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 15, lying West of Sheffield Road and begin further described as follows: Commence at the Northeast corner of said Northwest 1/4 of the Northeast 1/4 of Section 15; thence North 89°41'12" West along the North line of said Section 15 a distance of 311.21 feet to the intersection with the North and Westerly right of way line of aforesaid Sheffield Road, said point also being the Point of Beginning; thence continue North 89°41'12" West still along said North section line 1015.00 feet to the northwest corner of aforesaid Northwest 1/4 of the Northeast 1/4; thence South 00°09'42" West along the west line of said Northwest 1/4 of the Northeast 1/4 a distance of 661.12 feet to the southwest corner of the aforesaid North 1/2 of the Northwest 1/4 of the Northeast 1/4; thence South 89°43'24" East along the south line of said North 1/2 a distance of 631.58 feet to the aforesaid north and westerly right-of-way line of Sheffield Road; thence North 19°24'55" East along said right-of-way line 435.95 feet to the point of curvature of a curve concave to the southwesterly having a radius of 411.97 feet and a central angle of 49°30'11"; thence along said curve 355.94 feet to the Point of Beginning.

Section 16: All fractional section.

Section 19: The fractional NE-1/4 LESS the E-1/2 of NE-1/4 of NE-1/4, the fractional SE-1/4 of NW-1/4, the SE-1/4, and that part of the E-1/2 of SW-1/4 lying east of Saddle Creek, LESS that part of the SE-1/4 of SW-1/4 east of Saddle Creek lying within a tract described as: Commence at the southwest corner of Section 19, run thence East 2056.34 feet to the POINT OF BEGINNING, thence deflect to the right 66°35' and run southerly 69.81 feet, thence deflect 90 left and run northeasterly 180 feet, thence deflect 90 left and run northwesterly 100 feet, thence deflect 90 left and run southwesterly 180 feet, thence deflect 90 left and run southeasterly 30.19 feet to the point of beginning.
Section 20: All fractional section.

Section 21: That part of the E-1/2 and of the East 330 feet of the W-1/2 lying north of the Old Bartow-Winter Haven Road (the East 330 feet of the SE-1/4 of NW-1/4 being otherwise described as the East 330 feet of Lots 1 and 5 of A.B. Ferguson's Subdivision, according to the plat thereof recorded in Deed Book 61, Page 36, Polk County.

The fractional W-1/2, LESS the East 330 feet thereof.

Section 22: That part of Section 22, lying within a tract described as: Begin at the intersection of the north right of way line of the Old Winter Haven-Bartow Road and the west boundary of the E-1/4 of W-1/2 of Section 22, run thence north along said west boundary 2743.2 feet, thence deflect right 33°15'41" and run 1234 feet to the east boundary of the W-1/2 of Section 15, Township 29 South, Range 25 East, thence north along said east boundary 4854.2 feet, thence West 200 feet, thence south parallel to the east boundary of the W-1/2 of Section 15, 1350 feet, thence West 600 feet, thence South 660.6 feet, thence East 600 feet, thence South 2786.6 feet, thence deflect right 33°42'22" and run 1234 feet, thence deflect left 33°15'41" and run 2902.96 feet to the north right of way line of the Old Bartow-Winter Haven Road, thence northeasterly along the north right of way line 225.96 feet to the point of beginning.

The N-1/2 of NW-1/4, and the SW-1/4 of NW-1/4, and the W-1/2 of SE-1/4 of NW-1/4, and the W-3/4 of SW-1/4 lying north of the Old Bartow-Winter Haven Road (being otherwise described as Blocks 5 through 12, and Blocks 19 through 24, and Blocks 35 through 37, and that part of Blocks 34, 38, and 46 lying north of the Old Bartow-Winter Haven Road, of Gordonville, according to the revised plat thereof recorded in Plat Book 3, Page 43, Polk County, Florida), LESS that part of the E-1/2 of W-1/2 described above.

Section 28: That part of the E-1/2 and of the East 330 feet of the W-1/2 lying north of the Old Bartow-Winter Haven Road.

That part of Section 28, described as: Begin on the west boundary of Section 28 at a point 50 feet north of the north right-of-way line of the Old Bartow-Winter Haven Road, run thence north to northwest corner of Section 28, thence east to the northeast corner of the NW-1/4 of NE-1/4 of NW-1/4, thence south to the north right-of-way line of the Old Bartow-Winter Haven Road, thence southwesterly along said north right-of-way line to a point directly east of the point of beginning, thence west to the point of beginning.

Less the following described parcel:

Begin on the west boundary of Section 28, Township 29 South, Range 25 East and run east for 330 feet to the point where the line will intersect with the north boundary of the Old Bartow-Winter Haven Road for a point of beginning; thence run north along a line 330 feet east of the western boundary of Section 28 for a distance of 2770 feet; thence run East 1980 feet to a point which is 330 feet west of the centerline of Section 28; thence run south along a line 330 feet west of said centerline to the north boundary of the Old Bartow-Winter Haven Road; thence southwesterly along the north road boundary to the point of beginning. This parcel all lies in the west half of Section 28, Township 29 South, Range 25 East and north of the Old Bartow-Winter Haven Road in Polk County, Florida.

Section 29: That part of Section 29, described as: Begin on the east boundary of Section 29 at
a point 50 feet north of the north right-of-way line of the Old Bartow-Winter Haven Road, run
thence west to a point 200 feet northeasterly of, and measured at right angles to, the
northeasterly bank of Saddle Creek, thence run northwesterly along a line parallel to and 200
feet northeasterly of (measured at right angles to) said northeasterly bank to the west boundary
of Section 29; thence north to the northwest corner of the section, thence east to the northeast
corner of the section, thence south to the point of beginning.

Section 30: Those parts of the NE-1/4, and of the NE-1/4 of NW-1/4 lying northeast of Saddle
Creek, in Section 30, LESS that part of the NE-1/4 of NW-1/4 east of Saddle Creek lying within
a tract described as: Commence at the southwest corner of Section 19, Township 29 South,
Range 25 East, run thence East 2056.34 feet to the POINT OF BEGINNING, thence deflect to
the right 66° 35’ and run southerly 69.81 feet, thence deflect 90 left and run northeasterly 180
feet, thence deflect 90 left and run northwesterly 100 feet, thence deflect 90 left and run
southeasterly 30.19 feet to the point of beginning.

PURCHASE FROM CSX TRANSPORTATION, INC., May 25, 1995, recorded June 22, 1995,
official records book 3545, page 0041:

All that portion of CSX Railroad right-of-way according to Right-of-Way and Track Map V-3g-4
and S-4 lying within Section 28, Township 29 South, Range 25 East, Polk County, Florida, less
and except road rights-of-ways.

AND:

PURCHASE FROM IMC-AGRICO CO., June 12, 1995, recorded June 23, 1995, official records
book 3545, page 1190:

That part of the Northeast Quarter (NE 1/4) of Section 28, Township 29 South, Range 25 East,
Polk County, Florida, lying northwesterly of the right of way for State Road 555 (U.S. Highway
17) and southeasterly of the right of way for Old Bartow-Winter Haven Road (a/k/a Bartow-
Eagle Lake Road), according to Map Book 2, Pages 137-140, public records of Polk County,
Florida; less and except that portion of the above-described property lying within the railroad
right of way of CSX Transportation, Inc. and less and except that portion lying within the
maintained right of way of Crossover Road according to Map Book 5, Pages 243, public records
of Polk County, Florida.

AND:

PURCHASE FROM ROBERT STOKES & BOB STANLEY, August 29, 1995, recorded
September 6, 1995, official records book 3575, page 0531:

Lot 4 lying west of Old Bartow-Winter Haven Road; and that part of Lot 17 lying west of Old
Bartow-Winter Haven Road less the South 374 feet thereof; and the North 294 feet of Lot 18; all
according to the revised plat of Gordonville according to plat thereof recorded in Plat Book 3,
Page 43, public records of Polk County, Florida.

AND:

PURCHASE FROM THE ESTATE OF J.K. STUART, September 14, 1995, recorded September
21, 1995, official records book 3581, page 1677:
IN TOWNSHIP 29 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA:

That portion of the west half of Section 28 lying westerly of CSX Railroad right of way and southeasterly of Old Bartow-Winter Haven Road;

AND:

That portion of the southeast quarter of the southeast quarter of Section 29 lying southeasterly of Old Bartow-Winter Haven Road;

AND:

That portion of the northeast quarter of the northeast quarter of Section 32 lying southeasterly of Old Bartow-Winter Haven Road;

AND:

Begin at the NW corner of Section 33, Township 29 South, Range 25 East, then run East along the North boundary line of said Section 33 a distance of 706.71 feet to a point on the West boundary line of the right-of-way of the Seaboard Coast Line Railroad Company, then run South-westerly along said right-of-way line a distance of 1477.74 feet to a point on the West boundary line of said Section 33, then run North along the west boundary line of said Section 33 a distance of 1318.20 feet to the point of beginning.

All lying in Township 29 South, Range 25 East, Polk County, Florida.

AND:

PURCHASE FROM CSX TRANSPORTATION, INC., January 22, 1996, recorded February 9, 1996, official records book 3636, page 1640:

All that certain portion of Grantor's former operating property line and being near Bartow, Polk County, Florida, situate in the west half of the northwest quarter of Section 33, Township 29 South, Range 25 East, and lying on either side of Grantor's former centerline of railroad track, more particularly described as follows:

Beginning with the intersection of said centerline and the west line of Section 33; extending in a northeasterly direction 1,730 feet, more or less, and ending with the intersection of said centerline and the north line of Section 33, said former operating property being 100 feet wide, 50 feet on either side of said centerline in the southwest quarter of the northwest quarter of said Section 33 and 200 feet wide, 100 feet on either side of said centerline in the northwest quarter of the northwest quarter of said Section 33.

LESS AND EXCEPT the portion thereof conveyed to the State of Florida Department of Transportation described in Final Judgment of Civil Action No. 666-81-2637, and recorded among the Official Records of Polk County, Florida in Book 2079, Page 1652.

BEING a portion of the property granted to the Jacksonville, Tampa & Key West Railway Company, a predecessor of Grantor, from the State of Florida pursuant to Section 24 of an Act approved by the Florida Legislative on February 19, 1874 (Chapter 1987, Laws of Florida 1874).
Under foreclosure of April 8, 1893 the Jacksonville, Tampa & Key West Railway Company conveyed its property to the Plant Investment Company. On June 26, 1885, the Plant Investment Company conveyed a portion of its property to the South Florida Railroad Company, which changed its name to the Savannah, Florida and Western Railway Company. The Savannah, Florida and Western Railway Company was merged into the Atlantic Coast Line Railroad Company, effective July 1, 1902. On July 1, 1967 the Atlantic Coast Line Railroad Company merged with the Seaboard Air Line Railroad Company to form the Seaboard Coast Line Railroad Company. On December 29, 1982 the Louisville and Nashville Railroad Company merged into Seaboard Coast Line Railroad Company, and the name of the surviving corporation changed to Seaboard System Railroad, Inc. On July 1, 1986, Seaboard System Railroad, Inc. changed its name to CSX Transportation, Inc.

LESS AND EXCEPT PARCEL “A”:

That part of Section 22, Township 29 South, Range 25 East, Polk County, Florida, described as follows:

Commence at the Southeast corner of Lot 24 as per the Map of Correction of the Town of Gordonville recorded in Plat Book 3, Page 43, Public Records of Polk County, Florida; thence North 00°24'10" West along the east line of said Lot 24 a distance of 345.23 feet to the POINT OF BEGINNING; thence South 89°35'50" West a distance of 22.00 feet; thence North 00°24'10" West a distance of 55.00 feet; thence North 89°35'50" East a distance of 22.00 feet to said east line of Lot 24; thence South 00°24'10" East along said east line a distance of 55.00 feet to the Point of Beginning.

AND LESS AND EXCEPT PARCEL “B”:

That part of Section 22, Township 29 South, Range 25 East, Polk County, Florida, described as follows:

Commence at the Southeast corner of Lot 24 as per the Map of Correction of the Town of Gordonville recorded in Plat Book 3, Page 43, Public Records of Polk County, Florida; thence North 00°24'10" West along the east line of said Lot 24 and Lot 19 a distance of 890.14 feet to the POINT OF BEGINNING, said point also being 444 feet south of the northwest corner of Lot 18; thence South 89°35'50" West a distance of 25.00 feet; thence North 00°24'10" West and parallel with the east line of said Lot 19 a distance of 159.96 feet; thence North 89°30'03" East and parallel with the south line of the north 294 feet of Lot 18 a distance of 189.75 feet; thence South 00°29'57" East a distance of 10.00 feet to the south line of said north 294 feet of Lot 18; thence South 89°30'03" West along said south line of the north 294 feet of Lot 18 a distance of 164.76 feet to the common line between Lots 18 and 19; thence South 00°24'10" East along the east line of said Lot 19 a distance of 150.00 feet to the Point of Beginning.

Legal Description 20-503-102

That part of sections 4 and 9, Township 29 South, Range 25 East, Polk County, Florida, being more particularly described as follows:

The Northwest 1/4 of the Northwest 1/4; the Southwest 1/4 of the Northwest 1/4; the South 1/2 of the Southeast 1/4 of the Northwest 1/4; the South 1/2 of the Southwest 1/4 of the Northeast 1/4; the Northwest 1/4 of the Southeast 1/4; the Southwest 1/4 of the Southeast 1/4 and that
part of the Southwest 1/4 lying Northerly and Easterly of Lake Hancock, all in Section 4, Township 29 South, Range 25 East; and the North 1/2 of Section 9, Township 29 South, Range 25 East, lying East of Lake Hancock, less and except the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 9.

Together with:

That certain appurtenant easement conveyed by USX Corporation to Bartow Rod & Reel Associates, Ltd., in that certain Warranty Deed recorded in O.R. Book 2525, page 210 as amended in O.R. Book 5665, Page 427, of the public records of Polk County, Florida.

AND

United States Government Lot Number 3, Section 5, Township 29 South, Range 25 East, of the Public Records of Polk County, Florida.

**Legal Description 20-503-103**

That portion of Section 32, Township 28 South, Range 25 East, Polk County, Florida, lying South of State Road 540.

AND

That portion of Section 33, Township 28 South, Range 25 East, Polk County, Florida lying Southwesterly of Thornhill Road, less that portion of the Northwest 1/4 of the Northwest 1/4 lying North of State Road 540, and less maintained road right of way.

AND

The East fractional 1/2 of Section 31, Township 28 South, Range 25 East, Polk County, Florida, less right of way for State Road 540.

AND

U.S. Government Lots 1 and 2, located in Section 5, Township 29 South, Range 25 East, Polk County, Florida.

**Legal Description 20-503-105**

NW 1/4 East of RR and West of East Bank of Saddle Creek Canal and NE 1/4 W of East Bank of Saddle Creek Canal. Less that part Beginning 2056.34 feet East of NW corner of Section for Point of Beginning, deflect 66°35’ to the South for 69.81 feet, deflect 90° to the left 180 feet, deflect 90° to left to North line of Section, West to the Point of Beginning, all lying and being in Section 30, Township 29 South, Range 25 East, Polk County, Florida.

AND

The East 1/2 of the Northeast 1/4, lying East of Rail Road Way in Section 25, Township 29 South, Range 24 East of the Public Records of Polk County, Florida.
Legal Description 20-503-106

A portion of the south half of the southeast quarter of Section 24, Township 29 South, Range 24 East and U.S. Government Lots 3, 4, 5 & 6 of Section 19, Township 29 South, Range 25 East, Polk County, Florida, more particularly described as follows:

Commence at the southwest corner of Government Lot 3 of said Section 19; thence S 00º17'13" E along the west line of said Section 19 a distance of 294.51 feet to the Point of Beginning; thence S 89º54'16" E a distance of 242.19 feet to the intersection with the southerly extension of the east plat boundary of Riverlake as recorded in Plat Book 117 pages 1 & 2 of the public records of Polk County, Florida; thence N 00º19'10" W along said southerly extension a distance of 626.60 feet to a point on the south line of a parcel of land referred to as Lot 18B per document recorded in Official Records Book (O.R.B.) 7183, page 2233 of the public records of Polk County, Florida; thence S 89º57'16" E along said south line a distance of 810.01 feet to a point on the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following thirty six courses; (1) S 25º30'07" E a distance of 149.47 feet; (2) S 27º21'19" E a distance of 143.24 feet; (3) S 36º34'55" E a distance of 127.29 feet; (4) S 42º19'59" E a distance of 114.87 feet; (5) S 27º13'16" E a distance of 79.15 feet; (6) S 22º46'47" E a distance of 171.08 feet; (7) S 09º50'34" E a distance of 99.04 feet; (8) S 14º35'18" E a distance of 100.69 feet; (9) S 04º16'10" E a distance of 101.29 feet; (10) S 09º52'45" E a distance of 100.14 feet; (11) S 18º03'41" E a distance of 99.41 feet; (12) S 25º54'20" E a distance of 83.14 feet; (13) S 30º56'11" E a distance of 100.75 feet; (14) S 11º27'38" E a distance of 100.71 feet; (15) S 14º39'37" E a distance of 100.01 feet; (16) S 14º22'07" E a distance of 99.94 feet; (17) S 06º10'39" E a distance of 98.04 feet; (18) S 18º43'05" E a distance of 100.47 feet; (19) S 37º14'59" E a distance of 101.41 feet; (20) S 39º21'36" E a distance of 100.09 feet; (21) S 12º56'35" E a distance of 55.81 feet; (22) S 49º38'01" E a distance of 87.01 feet; (23) S 74º52'59" E a distance of 57.12 feet; (24) N 00º14'50" W a distance of 54.92 feet; (25) N 17º26'41" E a distance of 30.31 feet; (26) S 62º49'48" E a distance of 25.05 feet; (27) S 21º28'37" E a distance of 102.25 feet; (28) S 10º04'13" E a distance of 77.53 feet; (29) N 00º05'20" E a distance of 79.79 feet; (30) S 05º56'16" W a distance of 98.95 feet; (31) S 06º46'25" W a distance of 100.58 feet; (32) S 03º45'02" W a distance of 130.65 feet; (33) S 03º13'52" E a distance of 70.46 feet; (34) S 06º38'47" E a distance of 78.84 feet; (35) S 06º49'54" E a distance of 100.92 feet; (36) S 16º17'15" E a distance of 101.16 feet to a point on the north boundary line of a 100 foot by 180 foot parcel of land shown in the sketch recorded in O.R.B. 677 on page 51 of the public records of Polk County, Florida; thence S 67º07'46" W along said north line a distance of 45.18 feet to the northwest corner of said 100 foot by 180 foot parcel; thence S 22º47'00" E along the west boundary line of said parcel a distance of 30.45 feet to the intersection with the south line of said Section 19; thence N 89º25'31" W along the south line of said Section 19 a distance of 1167.97 feet to the southeast corner of a parcel of land described in Exhibit "A" of O.R.B. 3527, page 291 of the public records of Polk County, Florida; thence N 00º41'53' E along the east line of said parcel a distance of 249.92 feet to the northeast corner of said parcel; thence N 87º44'12" W along the north line of said parcel a distance of 14.90 feet to the southeast corner of a parcel of land described in O.R.B. 3738, page 957 of the public records of Polk County, Florida; thence N 00º29'41" E along the east line of said parcel a distance...
of 224.80 feet to the northeast corner of said parcel; thence N 89º30’22” W along the north line of said parcel a distance of 324.86 feet to the northwest corner of said parcel; thence S 00º33’26” W along the west line of said parcel a distance of 82.78 feet to a point on a parcel of land described in O.R.B. 4582, page 964 of the public records of Polk County, Florida; thence along said parcel boundary per O.R.B. 4582, page 964 for the following 5 courses; (1) N 89º30’22” W a distance of 30.02 feet; (2) N 00º28’48” E a distance of 82.73 feet; (3) N 89º32’01” W a distance of 949.30 feet; (4) S 07º46’43” W a distance of 424.52 feet; (5) S 29º59’41” E a distance of 15.78 feet to a point on the north line of the south 40.00 feet of the southeast quarter of said Section 24; thence N 89º33’47” W along said north line a distance of 166.42 feet to the easterly right of way line of the old CSX Railroad acquired by the City of Lakeland per document recorded in O.R.B. 4894, page 596 of the public records of Polk County, Florida; thence N 30º54’37” W continuing along said easterly line a distance of 628.43 feet; thence N 30º50’19” W along said easterly line a distance of 870.71 feet to a point on the north line of the south half of the southeast quarter of said Section 24; thence S 89º38’00” E along said north line a distance of 1404.95 feet to the northeast corner of said south half also being a point on the west line of said Section 19; thence N 00º17’13” W along said west line a distance of 1027.56 feet to the Point of Beginning.

Legal Description 20-503-106P

A parcel of land in Lots 14 through 18 of the plat of Riverlake as recorded in Plat Book 117, pages 1 & 2 of the public records of Polk County, Florida, and in Lots 14, 15 & 18 of the plat of Summertimes Plantation as recorded in Plat Book 132, pages 32 & 33 of the public records of Polk County, Florida, and in Tract A-1, & Lots 10A through 18A as shown in Exhibit “A” per Official Records Book 5684, page 1417 of the public records of Polk County, Florida, and in Lots 14B through 18B as shown in Exhibit “A” per Official Records Book 7183, page 2233 of the public records of Polk County, Florida and a portion of U.S. Government Lots 3 and 4 all being in Section 19, Township 29 South, Range 25 East, Polk County, Florida, and all being more particularly described as follows:

Begin at the southwest corner of Government Lot 3 of said Section 19; thence N 00º17’52” W along the west line of said Section 19 a distance of 332.10 feet to a point on the south boundary line of Lot 18 of said Summertimes Plantation; thence S 89º54’16” E along said south line a distance of 70.80 feet; thence N 00º03’15” W a distance of 75.00 feet to the north line of a private road reservation in Lot 18 of said Summertimes Plantation; thence S 89º51’39” E along said north line a distance of 24.50 feet; thence N 01º08’35” W a distance of 175.21 feet to the north line of Lot 18 of said Summertimes Plantation; thence N 89º47’44” E along said north line a distance of 20.00 feet to the northeast corner Lot 18 of said Summertimes Plantation; thence N 01º28’25” E along the east boundary line of Lots 17 & 16 of said Summertimes Plantation a distance of 365.08 feet to the southeast corner of Lot 15 of said Summertimes Plantation; thence S 89º47’44” W along the south line of said Lot 15 a distance of 20.53 feet; thence N 00º23’11” W a distance of 374.87 feet to the north line of Lot 14 of said Summertimes Plantation also being the south line of said Riverlake; thence N 89º47’44” E along said south line of Riverlake a distance of 33.27 feet; thence N 07º20’17” W a distance of 69.92 feet; thence N 06º27’56” E a distance of 47.64 feet; thence N 32º51’29” W a distance of 28.12 feet; thence N 16º22’37” E a distance of 71.30 feet; thence N 42º34’19” E a distance of 70.67 feet; thence N 74º12’46” E a distance of 20.08 feet to a point on the west line of a 35.00 foot drainage
easement in Lot 16 of said Riverlake; thence N 00º21'01" W along said west line a distance of 45.61 feet; thence S 80º00'08" W a distance of 26.67 feet; thence N 11º52'10" E a distance of 62.67 feet; thence N 01º47'35" E a distance of 63.89 feet; thence N 06º39'41" W a distance of 47.85 feet; thence N 14º04'06" E a distance of 54.28 feet; thence N 02º26'58" E a distance of 44.53 feet; thence N 20º35'30" W a distance of 24.18 feet to the north line of Lot 14 of said Riverlake; thence S 89º51'40" E along said north line a distance of 43.35 to the northeast corner of said Lot 14; thence N 00º19'58" W along the east plat boundary of said Riverlake a distance of 723.01 feet to the northeast corner of said Riverlake also being on the south line of the plat of Waterwood as recorded in Plat Book 66, page 39 of the public records of Polk County, Florida and also being on the north line of said Tract-A1; thence N 89º53'30" E along the north line of said Tract A1 a distance of 242.77 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL for the following 24 courses; (1) S 31º28'24" E a distance of 31.22 feet; (2) S 01º08'11" E a distance of 44.12 feet; (3) S 28º16'53" E a distance of 35.89 feet; (4) S 20º03'27" E a distance of 68.47 feet; (5) S 01º23'50" E a distance of 31.99 feet; (6) S 21º18'00" E a distance of 40.28 feet; (7) S 15º35'20" E a distance of 112.62 feet; (8) S 30º34'58" E a distance of 121.11 feet; (9) S 03º02'49" E a distance of 74.35 feet; (10) S 26º49'51" E a distance of 58.99 feet; (11) S 33º21'20" E a distance of 69.50 feet; (12) S 16º59'33" E a distance of 51.05 feet; (13) S 19º19'27" E a distance of 113.18 feet; (14) S 09º01'03" W a distance of 67.95 feet; (15) S 24º15'17" E a distance of 49.01 feet; (16) S 01º05'28" W a distance of 273.25 feet; (17) S 32º47'06" E a distance of 253.76 feet; (18) S 13º00'22" E a distance of 244.05 feet; (19) S 05º25'42" E a distance of 286.64 feet; (20) S 09º30'31" E a distance of 99.46 feet; (21) S 09º18'28" E a distance of 101.09 feet; (22) S 09º49'09" E a distance of 97.69 feet; (23) S 09º42'38" E a distance of 100.97 feet; (24) S 25º30'07" E a distance of 10.51 feet to the south line of said Lot 18B; thence N 89º57'16" W along said south line a distance of 810.01 feet to the intersection with the southerly extension of the east plat boundary of said Riverlake; thence S 00º19'10" E along said southerly extension a distance of 626.60 feet; thence N 89º54'16" W a distance of 242.19 feet to a point on the west line of said Section 19 and said Government Lot 4; thence N 00º17'13" W along said west line a distance of 294.51 feet to the Point of Beginning.

Legal Description 20-503-108P

Those portions of Section 12, Government Lot 1 lying in Section 12 and Government Lots 1 and 2 lying in Section 13, Township 29 South, Range 24 East, and Section 7, Township 29 South, Range 25 East, Polk County, Florida, being described as:

Begin at the northeast corner said Section 12; thence South 89º17'56" East along the north line of Section 7, Township 29 South, 24 East a distance of 1625.66 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL for the following 87 courses; (1) S 66º45'10" W a distance of 39.52 feet; (2) S 28º25'06" W a distance of 101.84 feet; (3) S 59º52'34" W a distance of 126.36 feet; (4) S 74º27'52" W a distance of 52.07 feet; (5) S 76º13'11" W a distance of 173.91 feet; (6) N 89º47'09" W a distance of 171.29 feet; (7) S 58º13'53" W a distance of 139.14 feet; (8) S 54º04'36" W a distance of 250.77 feet; (9) S 48º40'09" W a distance of 126.94 feet; (10) N 45º04'04" W a distance of 114.18 feet; (11) S 79º29'42" E a distance of 114.40 feet; (12) S 10º57'12" E a distance of 183.09 feet; (13) S 48º50'08" W a distance of 149.87 feet; (14) S 34º48'45" W a distance of 99.06 feet; (15) S 30º44'52" W a distance of 105.83 feet; (16) S 47º03'25" W a distance of 89.77 feet; (17) S 16º16'14" W a distance of 74.65 feet; (18) S 48º24'36" W a distance of 86.43 feet; (19) S 15º45'12" W a distance of 113.36 feet; (20) S 23º17'45" W a distance of 106.66 feet; (21) S
05°22'24" E a distance of 75.28 feet; (22) S 05°08'56" W a distance of 49.91 feet; (23) S 12°09'48" W a distance of 69.03 feet; (24) S 35°47'15" W a distance of 66.54 feet; (25) S 16°30'06" E a distance of 74.42 feet; (26) S 17°51'03" W a distance of 109.71 feet; (27) S 21°15'23" E a distance of 58.52 feet; (28) S 31°30'05" W a distance of 81.20 feet; (29) S 20°39'45" W a distance of 54.11 feet; (30) S 36°54'18" E a distance of 50.96 feet; (31) S 43°24'05" W a distance of 54.02 feet; (32) S 00'06'18" E a distance of 122.86 feet; (33) S 07°51'25" W a distance of 37.29 feet; (34) S 01°10'48" W a distance of 159.08 feet; (35) S 16°13'40" E a distance of 47.74 feet; (36) S 27°34'32" E a distance of 109.23 feet; (37) S 31°31'59" E a distance of 60.87 feet; (38) S 49°08'13" E a distance of 53.12 feet; (39) S 24°10'42" E a distance of 53.49 feet; (40) S 15°11'37" E a distance of 52.26 feet; (41) S 21°07'55" E a distance of 105.57 feet; (42) S 14°33'54" E a distance of 101.04 feet; (43) S 01°23'47" E a distance of 56.43 feet; (44) S 16°13'40" W a distance of 47.74 feet; (45) S 27°34'32" W a distance of 109.23 feet; (46) S 31°31'59" E a distance of 160.87 feet; (47) S 31°31'59" W a distance of 51.54 feet; (48) S 32°00'24" W a distance of 167.05 feet; (49) S 28°18'00" W a distance of 58.02 feet; (50) S 15°50'56" W a distance of 106.53 feet; (51) S 24°07'03" W a distance of 55.14 feet; (52) S 14°43'00" W a distance of 108.61 feet; (53) S 17°21'48" W a distance of 317.83 feet; (54) S 11°15'32" W a distance of 52.73 feet; (55) S 16°57'09" W a distance of 53.77 feet; (56) S 28°57'01" W a distance of 176.63 feet; (57) S 38°41'48" W a distance of 34.30 feet; (58) S 58°29'57" W a distance of 122.59 feet; (59) S 40°45'35" W a distance of 52.96 feet; (60) S 36°05'49" E a distance of 89.11 feet; (61) S 22°37'49" E a distance of 77.54 feet; (62) S 30°29'19" W a distance of 92.39 feet; (63) S 12°30'53" E a distance of 69.07 feet; (64) S 30°13'21" W a distance of 28.32 feet; (65) S 49°22'17" W a distance of 121.81 feet; (66) S 05°53'46" W a distance of 54.36 feet; (67) S 42°10'02" E a distance of 80.41 feet; (68) S 10°10'21" E a distance of 30.80 feet; (69) S 26°45'37" W a distance of 55.37 feet; (70) S 19°31'52" E a distance of 73.18 feet; (71) S 03°55'11" W a distance of 31.28 feet; (72) S 23°13'03" W a distance of 71.99 feet; (73) S 00°08'02" E a distance of 70.64 feet; (74) S 36°04'52" E a distance of 63.10 feet; (75) S 67°41'01" W a distance of 62.84 feet; (76) S 07°53'22" W a distance of 61.06 feet; (77) S 00°46'44" W a distance of 75.55 feet; (78) S 05°01'48" E a distance of 106.58 feet; (79) S 09°16'41" E a distance of 99.64 feet; (80) S 20°34'32" E a distance of 75.20 feet; (81) S 05°33'54" E a distance of 41.65 feet; (82) S 28°25'33" E a distance of 36.81 feet; (83) S 07°08'14" E a distance of 88.87 feet; (84) S 49°23'33" E a distance of 49.68 feet; (85) S 12°56'26" E a distance of 47.62 feet; (86) S 30°19'58" W a distance of 47.71 feet; (87) S 37°31'29" E a distance of 37.45 feet to a point on the south line of the north half of the northeast quarter of the northeast quarter of said Section 13; thence N 89°49'03" W along said south line a distance of 136.56 feet; thence N 89°48'21" W continuing along said south line a distance of 161.24 feet; thence N 46°56'02" W a distance of 25.32 feet; thence N 60°58'36" W a distance of 146.67 feet; thence N 67°12'17" W a distance of 108.21 feet; thence S 75°03'35" W a distance of 416.46 feet; thence N 88°39'01" W a distance of 135.36 feet; thence S 60°07'41" W a distance of 48.35 feet to a point on the south line of the north half of the northeast quarter of the northeast quarter of said Section 13; thence N 89°41'22" W along said south line a distance of 215.93 feet; thence N 89°50'00" W continuing along said south line a distance of 42.55 feet; thence N 37°47'55" W a distance of 7.72 feet; thence N 70°40'17" W a distance of 21.24 feet; thence N 25°31'13" E a distance of 29.69 feet; thence N 35°34'08" E a distance of 42.28 feet; thence N 56°16'01" E a distance of 79.01 feet; thence N 74°02'59" E a distance of 155.68 feet; thence N 50°05'47" E a distance of 379.38 feet; thence N 34°50'32" E a distance of 115.35 feet; thence N 22°43'49" E a distance of 232.59 feet; thence N 14°15'22" W a distance of 47.29 feet; thence S 51°22'24" W a distance of 147.23 feet;
thence N 54°46'26" W a distance of 153.20 feet; thence N 19°53'21" W a distance of 245.04 feet; thence N 36°03'51" E a distance of 125.18 feet; thence N 53°25'57" E a distance of 133.98 feet; thence N 31°17'49" E a distance of 327.72 feet; thence N 44°21'05" E a distance of 106.40 feet; thence N 57°44'24" E a distance of 105.35 feet; thence S 67°38'10" E a distance of 201.48 feet; thence S 17°29'46" E a distance of 117.55 feet; thence N 43°36'03" E a distance of 129.42 feet; thence N 26°21'44" W a distance of 81.93 feet; thence N 17°48'04" E a distance of 158.41 feet; thence N 31°17'43" E a distance of 118.37 feet; thence N 33°39'11" E a distance of 108.83 feet; thence N 21°28'34" E a distance of 210.36 feet; thence N 01°18'16" W a distance of 219.31 feet; thence N 33°01'52" W a distance of 324.12 feet; thence N 38°40'31" W a distance of 415.34 feet; thence N 03°51'43" W a distance of 371.13 feet; thence N 10°27'07" W a distance of 261.24 feet; thence N 03°39'36" E a distance of 155.90 feet; thence N 18°34'10" E a distance of 111.37 feet; thence N 38°56'09" E a distance of 230.25 feet; thence N 28°46'09" W a distance of 163.71 feet; thence N 08°05'40" E a distance of 115.65 feet; thence N 22°34'23" W a distance of 143.77 feet; thence N 44°46'25" W a distance of 56.20 feet; thence N 78°38'27" W a distance of 132.53 feet; thence N 75°29'30" W a distance of 172.14 feet; thence N 44°59'16" W a distance of 99.97 feet; thence N 25°26'14" W a distance of 148.78 feet; thence N 15°42'39" W a distance of 97.89 feet; thence N 17°48'02" W a distance of 238.26 feet; thence N 50°16'40" W a distance of 254.47 feet to the north line of Section 12, Township 29 South, Range 24 East; thence N 89°22'33" E along the north line of said Section 12 a distance of 940.37 feet to the POINT OF BEGINNING.

Legal Description 20-503-110P

That portion of U.S. Government Lot 1 in the South 1/2 of the Northeast 1/4 of Section 13, Township 29 South, Range 24 East, Polk County, Florida being described as follows:

COMMENCE at the Northwest corner of said Northeast 1/4 of Section 13; thence South 00°32'55" East, along the west line of said Northeast 1/4, a distance of 660.72 feet to the north line of aforesaid South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 13; thence South 89°42'48" East, along said north line, 1098.30 feet to the east line of the west 1097.50 feet of aforesaid Northwest 1/4 of the Northeast 1/4 of Section 13 and the POINT OF BEGINNING; thence continue South 89°42'48" East, along said north line, 215.93 feet; thence South 47°39'11" West, 30.08 feet; thence South 39°01'29" West, 36.51 feet; thence South 59°46'08" West, 16.87 feet; thence South 35°02'40" West, 28.55 feet; thence South 56°23'10" West, 62.73 feet; thence South 72°31'16" West, 12.50 feet; thence South 88°56'47" West, 12.00 feet; thence North 79°30'33" West, 30.13 feet; thence North 80°32'31" West, 12.55 feet; thence North 33°41'08" West, 12.47 feet; thence North 12°06'38" West, 28.50 feet; thence North 43°55'08" West, 11.60 feet to the aforesaid east line of the west 1097.50 feet; thence North 00°32'55" West, along said east line, 66.14 feet to the POINT OF BEGINNING.

AND

That portion of U.S. Government Lot 2 in the South 1/2 of the Northeast 1/4 of Section 13, Township 29 South, Range 24 East, Polk County, Florida being described as follows:

COMMENCE at the Northwest corner of said Northeast 1/4 of Section 13; thence South 00°32'55" East, along the west line of said Northeast 1/4, a distance of 660.72 feet to the north line of the South 1/2 of the Northwest 1/4 of the Northeast 1/4 of aforesaid Section 13; thence South 89°42'48" East, along said north line, 1334.17 feet to the west line of aforesaid Northeast 1/4 of the Northeast 1/4 of Section 13; thence South 89°50'56" East, along the north line of said
Northeast 1/4 of the Northeast 1/4 of Section 13, a distance of 806.20 feet to the POINT OF BEGINNING; thence continue South 89°50'56" East, along said north line, 297.74 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following nine (9) courses: (1) South 39°09'02" East, 6.35 feet; (2) South 41°19'00" East, 134.28 feet; (3) South 20°38'48" East, 93.18 feet; (4) South 22°28'53" East, 105.63 feet; (5) South 32°58'33" East, 62.20 feet; (6) South 17°59'27" East, 96.10 feet; (7) South 07°00'15" East, 111.30 feet; (8) South 18°53'00" West, 64.80 feet; (9) South 02°36'10" East, 55.64 feet to the south line of aforesaid Northeast 1/4 of the Northeast 1/4 of Section 13; thence North 89°51'31" West, along said south line, 70.17 feet; thence North 12°25'20" West, 72.95 feet; thence North 02°16'10" West, 40.90 feet; thence North 08°56'06" West, 64.40 feet; thence North 15°34'58" West, 47.05 feet; thence North 19°26'13" West, 37.42 feet; thence North 22°29'06" West, 42.35 feet; thence North 24°57'45" West, 33.92 feet; thence North 30°27'34" West, 50.06 feet; thence North 37°11'02" West, 55.74 feet; thence North 44°14'07" West, 49.01 feet; thence North 35°00'24" West, 53.70 feet; thence North 41°27'30" West, 41.31 feet; thence North 49°34'07" West, 52.78 feet; thence North 18°52'17" West, 48.87 feet; thence North 72°39'30" West, 28.63 feet; thence North 78°10'02" West, 54.38 feet; thence North 55°11'06" West, 47.75 feet; thence North 75°30'05" West, 43.47 feet to the POINT OF BEGINNING.

Legal Description 20-503-111P

That portion of the South half of U.S. Government Lot 1 and the North half of U.S. Government Lot 4 of Section 13, Township 29 South, Range 24 East, Polk County, Florida, described as follows:

Commence at the northwest corner of the plat of Waterwood as recorded on Plat Book 66 page 39 of the public records of Polk County, Florida, said point also being the southwest corner of the north half of said U.S. Government Lot 4; thence S 89º46'23" E along the north line of said Waterwood a distance of 780.45 feet to the northwest corner of Lot 45 of said Waterwood; thence S 89º56'59" E along the north line of said Lot 45 a distance of 132.57 feet to the Point of Beginning; thence N 10º13'44" E a distance of 83.02 feet; thence N 12º34'22" W a distance of 218.88 feet; thence N 33º13'02" E a distance of 94.25 feet; thence N 76º17'16" E a distance of 25.08 feet; thence N 28º48'54" E a distance of 42.36 feet; thence N 16º48'40" W a distance of 52.34 feet; thence N 70º01'31" E a distance of 48.42 feet; thence N 17º33'23" W a distance of 43.35 feet; thence N 04º13'15" W a distance of 95.22 feet; thence N 23º24'49" W a distance of 94.49 feet; thence N 01º46'42" W a distance of 46.87 feet; thence N 31º30'12" E a distance of 155.38 feet; thence N 25º58'31" E a distance of 148.89 feet; thence N 14º42'10" E a distance of 52.21 feet; thence N 02º27'50" E a distance of 165.93 feet; thence N 08º44'43" W a distance of 145.92 feet; thence N 01º34'13" W a distance of 43.33 feet; thence N 22º06'35" E a distance of 52.19 feet; thence N 00º00'00" E a distance of 17.46 feet; thence N 16º05'22" E a distance of 59.52 feet; thence N 04º01'15" E a distance of 166.94 feet; thence N 07º09'34" E a distance of 40.15 feet; thence N 68º59'39" E a distance of 16.55 feet; thence N 18º40'47" W a distance of 39.79 feet; thence N 02º50'08" E a distance of 24.24 feet; thence N 11º24'14" E a distance of 104.33 feet; N 04º56'22" E a distance of 141.44 feet; thence N 07º24'44" E a distance of 215.46 feet; thence N 01º12'24" E a distance of 124.74 feet; thence N 02º42'16" E a distance of 135.95 feet; thence N 02º45'36" E a distance of 102.57 feet to a point on the north line of the south half of said Government Lot 1; thence S 89º51'31" E along said north line a distance of 70.17 feet to the intersection with the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL for the following 40 courses; (1) S 02º36'10" E a distance of 4.15 feet; (2) S 16º34'33" W a distance of 81.72 feet; (3) S 06º26'36" W a distance of 161.36 feet; (4) S 02º09'52" W a distance of 160.54 feet; (5) S 07º42'03" W a distance of 101.39 feet; (6) S 10º17'29" W a distance of 43.47 feet to the POINT OF BEGINNING.
distance of 78.56 feet; (7) S 00°31'31" W a distance of 43.38 feet; (8) S 22°38'41" E a distance of 47.28 feet; (9) S 03°49'23" E a distance of 97.87 feet; (10) S 00°21'45" E a distance of 125.38 feet; (11) S 06°26'21" E a distance of 56.67 feet; (12) S 05°08'40" W a distance of 56.87 feet; (13) S 13°20'46" W a distance of 28.96 feet; (14) S 04°58'23" E a distance of 57.88 feet; (15) S 04°43'42" W a distance of 32.05 feet; (16) thence S 15°55'08" E a distance of 33.23 feet; (17) S 02°42'40" W a distance of 57.39 feet; (18) S 01°25'38" E a distance of 53.01 feet; (19) S 08°17'40" E a distance of 43.83 feet; (20) S 12°34'32" E a distance of 81.31 feet; (21) S 13°25'58" E a distance of 78.17 feet; (22) S 46°03'17" W a distance of 82.53 feet; (23) S 65°03'22" W a distance of 73.82 feet; (24) S 11°26'58" W a distance of 57.88 feet; (25) S 02°58'52" W a distance of 39.14 feet; (26) S 61°33'56" E a distance of 61.71 feet; (27) S 70°00'13" E a distance of 33.70 feet; (28) S 12°08'56" W a distance of 61.93 feet; (29) S 09°49'57" W a distance of 41.91 feet; (30) S 16°14'22" W a distance of 140.55 feet; (31) S 00°03'22" W a distance of 108.52 feet; (32) S 10°18'16" W a distance of 106.55 feet; (33) S 06°38'08" E a distance of 88.21 feet; (34) S 06°39'12" E a distance of 53.49 feet; (35) S 02°41'20" W a distance of 89.53 feet; (36) S 23°19'26" E a distance of 75.28 feet; (37) S 38°39'11" W a distance of 35.75 feet; (38) S 20°52'17" E a distance of 73.50 feet; (39) S 24°46'59" E a distance of 34.97 feet; (40) S 00°55'23" E a distance of 83.23 feet to a point on the south line of the north half of said U.S. Government Lot 4 also being on the north line of Lot 45 of said Waterwood; thence N 89°56'59" W along said south line of the north half of U.S. Government Lot 4 a distance of 306.42 feet to the Point of Beginning.

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The North 140.00 feet; and the North 460.00 feet, less the West 460.00 feet thereof; and the North 650.00 feet, less the West 705.00 feet; and the East 500.00 feet; and the South 80.00 feet of the East 810.00 feet; All being of the Southwest 1/4 of the Southeast 1/4 of Section 2, Township 29 South, Range 24 East, Polk County, Florida.

AND

That part of the Northwest 1/4 of the Northeast 1/4 of Section 11, Township 29 South, Range 24 East, Polk County, Florida described as follows:

Commence at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 11 for a Point of Beginning and run thence South along the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 11, a distance of 825.00 feet; thence West parallel to the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 11, a distance of 100.00 feet; thence Northwesterly, to an intersection with a line 500.00 feet South of and parallel with the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 11 and lying 280.00 feet West of the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 11; thence West along said line, to an intersection with a line 1020.00 feet West of and parallel with the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 11; thence North along said line, to an intersection with a line 810.00 feet West of and parallel with the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 11; thence North along said line, to an intersection with the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 11; thence East along said line, to an intersection with the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 11; thence East along said line to the Point of Beginning.

AND
That part of the Southeast 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East, Polk County, Florida described as follows:

Commence at the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section 2 for a Point of Beginning and run thence South along the East line of the Southeast 1/4 of the Southwest 1/4 of said Section 2, a distance of 380.00 feet; thence Southwesterly to an intersection with a line 690.00 East of and parallel with the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 2 and lying 700.00 feet South of the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 2; thence South along said line, to an intersection with a line 410.00 feet North of and parallel with the South line of the Southeast 1/4 of the Southwest 1/4 of said Section 2; thence West along said line, to an intersection with the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 2; thence North along said line, to the Northwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 2; thence East along the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 2, to the Point of Beginning.

AND

That part of the Southwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East, Polk County, Florida lying East of Railroad Right of Way and lying South of Banana Creek, less the South 410.00 feet thereof; also less the North 340.00 of the South 750.00, less the East 140.00 feet thereof.

AND

That part of the Southwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East, Polk County, Florida described as follows:

Commence at the Southwest corner of the Southwest 1/4 of said Section 2 and run thence S. 89°44'33" E. along the South line of the Southwest 1/4 of said Section 2, a distance of 647.00 feet to the Survey Base Line of the C.S.X. Transportation, Inc. Railroad; thence continue S. 89°44'33" E. along said South boundary, a distance of 23.35 feet; thence N. 30°47'44" W., a distance of 729.11 feet for a Point Beginning; thence continue N. 30°47'44" W., a distance of 603.70 feet to the West boundary of said Section 2; thence N. 00°36'12" W. along said West boundary, a distance of 159.08 feet to the Easterly right-of-way line of the C.S. X. Transportation, Inc. Railroad; thence S. 21°44'14" E. along said Easterly right-of-way line, a distance of 679.89 feet; thence S. 21°44'14" W., a distance of 100.80 feet to the Point of Beginning.

Legal Description 20-503-117P

Those portions of the Southeast 1/4 of the Southeast 1/4 of Section 4, Township of 29 South, Range 25 East, Polk County, Florida, AND Lot 5 and Tract "B", TWELVE OAKS ESTATES, as recorded in Plat Book 148, Pages 48 through 55, public records of Polk County, Florida, being described as follows:

BEGINNING at the southwest corner of aforesaid Southeast 1/4 of the Southeast 1/4 of Section 4; thence North 00°08’22" West, along the west line said Southeast 1/4 of the Southeast 1/4 of Section 4, a distance of 290.86 feet; thence North 88°13’39" East, 26.36 feet; thence South
70°21'43" East, 43.92 feet; thence North 89°25'19" East, 34.40 feet; thence South 42°45'48" East, 73.60 feet; thence South 14°45'46" East, 53.22 feet; thence South 37°13'31" East, 44.73 feet; thence North 26°54'44" East, 26.75 feet; thence North 09°49'07" East, 190.65 feet; thence North 10°08'15" West, 37.24 feet; thence North 04°54'56" West, 38.56 feet; thence North 45°35'36" West, 15.68 feet; thence North 55°29'08" West, 55.49 feet; thence North 34°06'29" West, 39.14 feet; thence North 48°22'32" East, 39.10 feet; thence North 25°45'44" East, 32.73 feet; thence North 40°12'49" East, 13.94 feet; thence North 87°17'48" East, 20.01 feet; thence South 76°56'05" East, 4.59 feet; thence North 73°53'45" East, 16.21 feet; thence North 44°54'24" East, 4.39 feet; thence North 86°11'11" East, 15.32 feet; thence North 53°26'46" East, 12.20 feet; thence North 67°50'32" West, 13.02 feet; thence South 77°45'21" West, 43.35 feet; thence South 89°35'27" West, 48.08 feet; thence South 30°05'55" East, 4.63 feet; thence South 84°08'30" East, 62.06 feet; thence South 69°36'18" East, 20.89 feet; thence South 82°55'50" West, 53.01 feet; thence South 58°35'09" West, 11.72 feet; thence South 75°19'01" West, 16.20 feet; thence North 73°11'10" West, 45.38 feet; thence North 63°46'28" West, 16.83 feet; thence North 54°53'50" West, 12.85 feet; thence North 20°38'57" East, 6.38 feet; thence North 10°41'30" East, 9.08 feet; thence North 12°22'49" West, 29.11 feet; thence North 46°57'16" West, 26.02 feet; thence North 29°02'01" West, 18.30 feet to aforesaid west line of the Southeast 1/4 of the Southeast 1/4 of Section 4; thence North 00°08'22" West, along said west line, 404.70 feet; thence North 68°23'17" East, 8.27 feet; thence North 44°28'14" East, 61.17 feet; thence North 13°57'39" East, 59.02 feet; thence North 21°19'10" West, 39.30 feet; thence North 37°10'07" West, 6.13 feet; thence North 09°44'12" East, 6.35 feet; thence North 36°14'57" East, 61.34 feet; thence North 44°12'32" West, 10.99 feet; thence North 33°56'23" East, 49.91 feet; thence North 39°16'22" East, 20.95 feet; thence North 40°42'21" East, 75.68 feet; thence North 20°27'12" East, 28.48 feet; thence North 51°40'42" East, 91.22 feet; thence North 44°38'49" East, 54.45 feet; thence North 49°08'17" East, 12.78 feet; thence North 56°51'58" East, 15.97 feet; thence North 77°08'09" East, 7.09 feet; thence South 47°22'49" East, 6.76 feet; thence South 06°09'55" West, 8.24 feet; thence South 68°33'41" East, 9.86 feet; thence South 41°51'55" East, 16.55 feet; thence South 00°21'17" East, 27.40 feet; thence South 13°05'02" East, 4.59 feet; thence South 28°23'49" East, 9.89 feet; thence South 50°47'57" East, 28.13 feet; thence North 88°45'14" East, 32.04 feet; thence South 00°37'16" West, 52.06 feet; thence South 02°00'19" West, 47.84 feet; thence South 00°36'33" West, 16.82 feet; thence South 19°37'05" West, 46.88 feet; thence South 57°04'15" West, 20.50 feet; thence South 13°55'45" West, 26.81 feet; thence South 42°22'27" East, 22.44 feet; thence South 26°22'59" East, 22.49 feet; thence South 03°01'57" West, 13.92 feet; thence South 09°57'44" West, 20.27 feet; thence South 17°01'28" East, 27.29 feet; thence South 04°29'59" West, 152.02 feet; thence South 03°39'59" East, 16.42 feet; thence South 01°35'49" West, 7.73 feet; thence South 06°50'02" West, 10.68 feet; thence South 31°13'09" East, 42.25 feet; thence South 70°38'30" East, 53.69 feet; thence South 66°38'30" East, 45.96 feet; thence South 50°02'23" East, 35.18 feet; thence South 79°07'51" East, 66.85 feet; thence South 70°13'34" East, 42.81 feet; thence South 36°11'23" East, 22.26 feet; thence South 21°53'47" West, 9.63 feet; thence South 28°55'54" East, 4.77 feet; thence South 61°39'32" East, 19.10 feet; thence South 41°51'02" East, 56.99 feet; thence South 64°15'28" East, 41.78 feet; thence North 08°04'43" East, 82.41 feet; thence North 14°32'27" East, 9.68 feet; thence South 03°03'15" West, 11.07 feet; thence South 01°41'26" East, 35.15 feet; thence South 03°59'45" West, 19.86 feet; thence South 13°33'41" West, 18.30 feet; thence South 15°11'22" East, 4.72 feet; thence South 44°15'42" East, 2.76 feet; thence North 80°16'00" East, 22.03 feet; thence North 50°37'13" West, 3.97 feet; thence North 11°38'23" East, 78.01 feet; thence South 02°31'47" West, 86.65 feet; thence South 42°29'54" East, 3.74 feet; thence South 83°58'45" East, 10.06 feet; thence North 59°00'21" East, 12.02 feet; thence North 15°45'05" East, 121.69 feet; thence North 41°08'17" East, 76.66
feet; thence North 84°40'58" East, 49.31 feet; thence South 74°44'41" East, 28.32 feet; thence South 70°11'21" East, 27.90 feet; thence South 44°39'28" East, 27.34 feet; thence South 13°46'03" East, 20.02 feet; thence North 81°51'03" East, 39.54 feet; thence North 79°09'56" East, 34.90 feet; thence North 55°04'46" East, 16.31 feet; thence South 87°58'23" East, 4.81 feet; thence South 06°36'50" East, 4.50 feet; thence South 47°15'17" West, 16.05 feet; thence South 80°59'11" West, 28.91 feet; thence South 54°11'19" West, 4.96 feet; thence South 76°25'02" West, 30.31 feet; thence South 44°36'37" West, 34.23 feet; thence South 27°51'40" West, 40.82 feet; thence South 27°29'30" West, 18.10 feet; thence South 51°38'12" West, 37.20 feet; thence South 02°42'00" West, 25.26 feet; thence South 04°27'51" West, 48.48 feet; thence South 07°42'56" West, 73.70 feet; thence South 11°48'20" West, 23.23 feet; thence South 34°01'07" West, 26.19 feet; thence South 23°24'24" West, 5.57 feet; thence South 58°34'23" West, 4.49 feet; thence North 89°20'58" West, 12.04 feet; thence North 71°58'50" West, 14.41 feet; thence North 76°04'06" West, 53.71 feet; thence North 71°48'06" West, 37.01 feet; thence North 23°20'29" West, 33.22 feet; thence North 02°58'35" West, 35.66 feet; thence North 34°24'47" West, 30.90 feet; thence North 32°03'04" West, 10.16 feet; thence North 85°03'06" West, 17.29 feet; thence South 85°29'37" West, 5.69 feet; thence South 15°53'46" West, 28.09 feet; thence North 01°50'00" West, 28.66 feet; thence North 77°22'29" West, 87.94 feet; thence South 64°21'31" West, 55.79 feet; thence South 51°22'18" West, 92.77 feet; thence South 56°56'34" West, 28.57 feet; thence South 78°36'22" West, 38.10 feet; thence North 88°32'55" West, 48.85 feet; thence North 30°36'12" West, 37.31 feet; thence South 68°56'27" West, 33.91 feet; thence South 14°51'46" West, 41.30 feet; thence South 72°30'18" East, 45.06 feet; thence South 06°01'20" West, 133.62 feet; thence South 20°53'43" West, 66.79 feet; thence South 88°21'08" East, 9.86 feet; thence North 84°40'08" East, 32.21 feet; thence North 83°08'05" East, 76.83 feet; thence North 80°31'11" East, 49.57 feet; thence South 81°57'12" East, 19.81 feet; thence North 83°13'00" East, 39.63 feet; thence South 79°20'37" East, 10.60 feet; thence South 39°13'55" East, 55.42 feet; thence South 56°56'25" West, 4.53 feet; thence North 56°01'15" West, 34.24 feet; thence North 32°11'34" West, 17.25 feet; thence South 85°03'11" West, 93.51 feet; thence South 77°25'52" West, 66.82 feet; thence South 78°42'06" West, 71.09 feet; thence South 13°27'27" West, 68.63 feet; thence South 51°28'40" West, 16.93 feet; thence South 12°18'48" East, 51.74 feet; thence South 59°45'30" West, 27.09 feet; thence North 85°54'23" East, 75.96 feet; thence South 52°54'28" East, 61.38 feet; thence South 07°01'05" West, 50.80 feet; thence South 62°51'26" East, 150.65 feet; thence South 74°29'06" East, 90.17 feet; thence South 82°22'39" East, 102.19 feet; thence North 43°18'57" East, 22.56 feet; thence South 24°10'59" East, 38.51 feet; thence North 71°18'24" West, 29.03 feet; thence North 85°35'55" West, 102.20 feet; thence South 76°52'24" West, 94.61 feet; thence South 36°06'27" West, 37.14 feet; thence South 39°40'59" East, 37.56 feet; thence South 66°34'08" West, 64.58 feet; thence South 06°49'16" West, 5.74 feet to the south line of aforesaid Southeast 1/4 of the Southeast 1/4 of Section 4; thence South 89°31'45" West, along said south line, 541.90 feet to the POINT OF BEGINNING.

AND

That portion of the Southeast 1/4 of the Southeast 1/4 of Section 4, Township 29 South, Range 24 East, Polk County, Florida being described as follows:

COMMENCE at the southwest corner of said Southeast 1/4 of the Southeast 1/4 of Section 4; thence North 89°31'45" East, along the south line of said Southeast 1/4 of the Southeast 1/4 of Section 4, a distance of 996.94 feet to the POINT OF BEGINNING; thence North 31°16'13" West, 39.90 feet; thence North 47°48'34" West, 36.86 feet; thence North 36°14'45" West, 47.55 feet; thence North 45°23'58" West, 95.45 feet; thence North 15°14'13" West, 68.07 feet; thence North 02°41'51" East, 44.31 feet; thence North 11°46'37" East, 39.13 feet; thence North
15°25’22” West, 14.23 feet; thence North 04°55’13” East, 25.80 feet; thence North 25°47’45” East, 11.81 feet; thence North 64°05’27” West, 3.24 feet; thence North 16°16’57” East, 19.21 feet; thence North 46°40’09” East, 50.39 feet; thence North 20°10’02” West, 52.75 feet; thence North 04°58’36” East, 5.92 feet; thence North 14°46’03” East, 33.48 feet; thence North 46°09’26” East, 64.27 feet; thence North 21°04’43” West, 53.31 feet; thence North 02°53’34” West, 1.62 feet; thence North 14°59’52” West, 5.90 feet; thence North 17°34’22” East, 12.18 feet; thence South 70°31’05” East, 11.05 feet; thence South 29°52’57” East, 25.98 feet; thence South 33°28’17” East, 16.58 feet; thence South 79°24’02” East, 42.88 feet; thence North 79°23’08” East, 46.52 feet; thence South 66°19’44” East, 86.16 feet; thence South 39°58’11” East, 29.05 feet; thence South 46°27’16” East, 32.61 feet; thence South 50°49’38” East, 19.85 feet; thence South 16°12’13” East, 14.29 feet; thence South 05°43’42” East, 69.18 feet; thence South 11°28’45” East, 42.86 feet; thence South 00°58’00” East, 22.65 feet; thence South 09°56’56” East, 177.73 feet; thence South 11°03’10” East, 46.48 feet; thence South 20°16’27” East, 34.11 feet; thence South 06°42’44” East, 49.17 feet; thence South 22°32’47” West, 39.10 feet to the aforesaid south line of the Southeast 1/4 of the Southeast 1/4 of Section 4; thence thence South 89°31’45” West, along said south line, 229.86 feet to the POINT OF BEGINNING.

**Legal Description 20-503-118P**

Those portions of the Northeast ¼ of the Northeast ¼ of Section 11, Township 29 South, Range 24 East, and the Northwest ¼ of Section 12, Township 29 South, Range 24 East, Polk County, Florida, being described as:

COMMENCE at the northeast corner said Section 11; thence North 89°22’11” East along the north line of aforesaid Section 12, a distance of 332.65 feet to the POINT OF BEGINNING; thence continue North 89°22’11” East, along said north line, 923.07 feet; South 54°23’29” East a distance of 121.73 feet; thence South 23°31’41” East a distance of 108.56 feet; thence South 26°38’13” West a distance of 208.96 feet; thence South 42°59’50” East a distance of 46.87 feet; thence South 61°07’45” East a distance of 210.15 feet; thence South 38°18’32” East a distance of 124.20 feet; thence South 10°27’15” West a distance of 80.36 feet; thence South 60°13’35” West a distance of 45.96 feet; thence South 86°19’30” West a distance of 157.75 feet; thence North 70°55’25” West a distance of 140.26 feet; thence North 46°10’21” West a distance of 98.91 feet; thence North 22°34’55” West a distance of 87.06 feet; thence North 58°41’17” West a distance of 95.03 feet; thence North 30°45’34” West a distance of 52.08 feet; thence North 56°34’14” West a distance of 48.92 feet; thence North 28°48’37” West a distance of 53.55 feet; thence North 44°18’52” West a distance of 46.56 feet; thence South 82°05’03” West a distance of 41.87 feet; thence North 80°08’42” West a distance of 95.19 feet; thence North 65°41’47” West a distance of 246.88 feet; thence South 86°10’15” West a distance of 96.55 feet; thence North 26°35’44” West a distance of 83.16 feet; thence North 50°33’40” West a distance of 112.25 feet; thence North 31°48’32” West a distance of 52.87 feet to the POINT OF BEGINNING;

AND

BEGINNING at the northeast corner aforesaid Section 11; thence North 89°22’11” East along the north line of aforesaid Section 12, a distance of 293.41 feet; thence South 09°38’32” West a distance of 27.10 feet; thence South 77°19’45” West a distance of 69.20 feet; thence South 46°15’25” West, a distance of 46.86 feet; thence South 25°24’27” West, a distance of 32.18 feet; thence South 74°56’19” West, a distance of 28.34 feet; thence South 70°57’22” West, a
distance of 42.65 feet; thence South 80°54'00" West a distance of 165.53 feet; thence South 68°45'13" West a distance of 52.64 feet; thence North 64°14'31" West a distance of 108.97 feet; thence North 66°32'52" West a distance of 197.71 feet; thence South 57°43'31" West a distance of 18.98 feet; thence North 45°28'44" West a distance of 73.40 feet to the north line of aforesaid Section 11; thence South 89°49'30" East, along said north line a distance of 457.06 feet to the POINT OF BEGINNING;

AND

COMMENCE at the northeast corner aforesaid Section 11; thence North 89°49'30" West along the north line of said Section 11, a distance of 784.48 feet to the POINT OF BEGINNING; thence South 22°56'51" East a distance of 34.56 feet; thence South 16°04'20" West a distance of 37.00 feet; thence South 30°54'11" West a distance of 53.88 feet; thence South 45°00'45" West a distance of 56.30 feet; thence South 32°37'20" West a distance of 283.00 feet; thence South 44°10'32" West a distance of 107.17 feet; thence South 54°31'27" West a distance of 163.54 feet; thence South 23°39'39" West a distance of 72.58 feet to the west line of aforesaid Northeast 1/4 of the Northeast 1/4 of Section 11; thence North 00°41'19" West, along said west line a distance of 705.50 feet to the aforesaid north line of Section 11; thence South 89°49'30" East, along said north line a distance of 543.33 feet to the POINT OF BEGINNING.

**Legal Description 20-503-121**

A tract of land located in Section 25, Township 28 South, Range 24 East, Polk County, Florida, being described as follows:

Commence at the Southwest corner of said Section 25; thence run along the South boundary of said Section 25, N. 89°56'30" E., a distance of 3,985.72 feet to the Southeast corner of the West 3/4 of said Section 25; thence run along the Eastern boundary of said West 3/4 N. 00°08'30" W., a distance of 3,558.86 feet to the Point of Beginning; Thence run N. 76°44'33" W., 113.96 feet; thence N. 89°57'08" W., 140.36 feet; thence S. 66°09'50" W., 166.19 feet; thence N. 82°47'30" W., 493.96 feet; thence S. 66°35'25" W., 502.91 feet; thence N. 88°54'30" W., 103.92 feet; thence N. 28°16'09" W., 298.75 feet; thence N. 48°36'47" W., 371.54 feet; thence S. 67°54'30" W., 87.56 feet; thence N. 52°47'26" W., 252.89 feet; thence S. 65°48'53" W., 182.67 feet; thence S. 76°12'02" W., 116.73 feet; thence S. 64°55'58" W., 242.02 feet; thence S. 83°41'55" W., 46.08 feet; thence N. 71°56'27" W., 89.29 feet; thence N. 34°29'17" W., 104.06 feet; thence N., 21°10'55" W., 229.92 feet; thence N. 12°19'44" E., 189.79 feet; thence N. 89°54'23" W., 71.52 feet; thence N. 07°46'33" W., 44.75 feet; thence S. 88°49'18" E., 334.70 feet; thence S. 01°10'42" W., 85.00 feet; thence S. 88°49'18" E., 2639.71 feet to the Eastern boundary line of the West 3/4 of said Section 25; thence along said East boundary line S. 00°08'30" E., 611.78 feet to the Point of Beginning.

**Legal Description 20-503-122**

PARCEL A:

In Section 31, Township 28 South, Range 25 East, Polk County, Florida:

South of State Road 570
Commence at the Southwest corner of Section 31; thence run North 00°08'04" East along the West Line of said Section 31, 42.71 feet to the North right of way line of State Road 540; thence continue North 00°08'04" East along said West line of said Section, 1293.68 feet to the POINT OF BEGINNING; thence North 01°33'55" East, 541.09 feet; thence North 15°03'20" East, 90.93 feet; thence North 68°40'59" East, 233.96 feet; thence North 34°49'23" East, 106.33 feet; thence North 00°44'29" West, 161.55 feet; thence North 10°05'35" East, 254.39 feet; thence North 04°00'47" West, 334.34 feet; thence North 21°44'43" East, 187.55 feet; thence North 60°08'43" East, 182.43 feet; thence North 28°55'13" East, 173.65 feet; thence North 02°39'43" East, 736.10 feet; thence North 45°39'47" West, 877.55 feet; thence North 05°00'32" West, 520.89 feet to the West line of said Section 31; thence South 00°08'04" West, 3,831.11 feet to the West line of said Section 31; thence South 00°08'04" West, 3,831.11 feet to the POINT OF BEGINNING. LESS the right of way for State Road 570 as described in O.R Book 3544, Page 1475, Public Records of Polk County, Florida.

LESS: The West 400.00 feet of the South 600 feet of the SW 1/4 of the NW 1/4 and the West 400 feet of the North 350 feet of the NW 1/4 of the SW 1/4, Section 31, Township 28 South, Range 25 East, Polk County, Florida.

PARCEL B:

In Section 36, Township 28 South, Range 24 East, Polk County, Florida

South of State Road 570:

That part of the East 1/2 of the NE 1/4 lying South of State Road 570; and the NE 1/4 of the SE 1/4; and the East 300.00 feet of the NW 1/4 of the NE 1/4; and the East 300.00 feet of the North 400.00 feet of the SW 1/4 of NE 1/4; and the East 750.00 feet of the SW 1/4 of NE 1/4, LESS North 400.00 feet; and the East 750.00 feet of the NW 1/4 of SE 1/4, LESS the right of way for State Road 570, described in O.R. Book 3544, Page 1475.

And LESS: The East 750 feet of the South 600 feet of the SW 1/4 of NE 1/4; the East 750 feet of the NW 1/4 of SE 1/4; the South 600 feet of the SE 1/4 of NE 1/4; and the North 350 feet of the NE 1/4 of SE 1/4, Section 36, Township 28 South, Range 24 East, Polk County, Florida.

PARCEL C:

The West 450 feet of the East 750 feet of NW 1/4 of NE 1/4 lying South of the right of way line of State Road 570 and the North 400 feet of the West 450 feet of the East 750 feet of the SW 1/4 of NE 1/4: Section 36 Township 28 South, Range 24 East, Polk County, Florida.

PARCEL D:

In Section 31, Township 28 South, Range 25 East, Polk County, Florida:

South of State Road 570

A Tract of land located in the West 1/2 of Section 31, Township 28 South, Range 25 East, Polk County, Florida and being more fully described as follows: Beginning at a point on the West line of said Section 31, 42.71 feet North of the Southwest corner of said Section 31 and also on the
Northerly right-of-way of State Road No. 540; thence North 00°08'04" East along the West line of said Section 31, a distance of 1293.68 feet; thence North 01°33'55" East, 541.09 feet; thence North 15°03'20" East, 90.93 feet; thence North 68°40'59" East, 233.96 feet; thence North 34°49'23" East, 106.33 feet; thence North 00°44'29" West, 161.55 feet; thence North 10°05'35" East, 254.39 feet; thence North 04°00'47" West, 334.34 feet; thence North 21°44'43" East, 187.55 feet; thence North 60°08'43" East, 182.43 feet; thence North 28°55'13" East, 173.65 feet; thence North 02°39'43" East, 736.10 feet; thence North 45°39'47" West, 877.55 feet; thence North 05°00'32" West, 520.89 feet to the West line of said Section 31; thence North 00°08'04" East along the West line of said Section 31, a distance of 174.85 feet to the Northwest corner of said Section 31; thence South 88°57'30" East along the North line of said Section 31, a distance of 2,686.45 feet to the Northeast corner of the W 1/2 of said Section 31; thence South 00°05'23" East along the East line of the W 1/2 of said Section 31, a distance of 2,858.85 feet to the Northerly right-of-way of State Road No. 540; thence South 40°47'19" West along said right-of-way 2,183.73 feet to a point of curvature; thence continue with said right-of-way on a curve to the right, having a radius of 2,247.06 feet and a central angle of 38°18'36" for an arc distance of 1,502.46 feet to the Point of Beginning.

LESS: That part of property comprising the right-of-way for the State Road 570, Polk County Parkway as described in Official Record Book 3544, Page 1475, Polk County, Florida.

PARCEL E:

That part of the SW 1/4 of Section 31, Township 28 South, Range 25 East, Polk County, Florida, less the North 350 feet which lies Westerly of the following line: Begin 1,336.39 feet North of the SW corner of said Section; run North 01°33'55" East 541.09 feet thence North 15°03'20" East 90.93 feet, thence North 68°40'59" East 233.96 feet, thence North 34°49'23" East 106.33 feet, thence North 161.55 feet, run North 10°05'35" East, 254.39 feet to the end of line.

PARCEL F:

That part of the NE 1/4 of the SE 1/4 of Section 31, Township 28 South, Range 25 East Polk County, Florida, LESS the North 350 feet thereof.

PARCEL G:

That part of Section 36, Township 28 South, Range 24 East, Polk County, Florida, lying within: The South 600 feet of the SE 1/4 of the NE 1/4; The South 600 feet of the East 750 feet of the SW 1/4 of the NE 1/4; The North 350 feet of the NE 1/4 of the SE 1/4; The East 750 feet of the NW 1/4 of the SE 1/4;

LESS THE FOLLOWING PARCEL: Begin at the Southeast corner of the NW 1/4 of the SE 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, run thence West 458.87 feet, thence North 350 feet, thence East 461.93 feet, thence South 350 feet to the Point of Beginning.

PARCEL H:

The West 400 feet of the South 600 feet of the SW 1/4 of the NW 1/4 and the West 400 feet of the North 350 feet of the NW 1/4 of the SW 1/4 of Section 31, Township 28 South, Range 25
East, Polk County, Florida, LESS that part thereof lying Easterly of the following described line: Begin 1336.39 feet North of the SW corner of said Section. Run thence North 01°33'55" East, 541.09 feet, thence North 15°03'20" East, 90.93 feet; thence North 68°49'59" East, 233.96 feet, run thence North 34°49'23" East, 106.33 feet, thence North 00°44'29" West, 161.55 feet, thence North 10°05'35" East, 254.39 feet, thence run North 04°00'47" West, 334.34 feet, thence North 21°44'43" East, 187.55 feet, thence North 60°08'43" East, 182.43 feet to the END OF THE LINE.

Legal Description 20-503-123P

Those portions of the Northeast 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 9 and the Northwest 1/4 of Section 10, Township 29 South, Range 25 East, Polk County, Florida being described as follows:

COMMENCE at the Northeast corner of said Section 9; thence South 89°30'38" West, along the north line of said Section 9, a distance of 101.59 feet to the POINT OF BEGINNING; thence South 40°35'50" West, 51.96 feet; thence South 66°55'28" West, 92.36 feet; thence South 11°03'58" West, 53.16 feet; thence South 46°49'17" East, 71.95 feet; thence South 81°32'48" East, 25.74 feet; thence South 55°23'10" East, 44.80 feet; thence South 37°08'29" East, 42.45 feet; thence South 12°27'37" East, 36.74 feet; thence South 33°55'25" West, 38.37 feet; thence South 56°33'21" West, 47.10 feet; thence South 07°08'22" West, 43.75 feet; thence South 22°51'29" West, 89.93 feet; thence South 52°01'21" West, 68.38 feet; thence North 49°47'59" East, 68.15 feet; thence North 74°47'00" East, 37.64 feet; thence South 67°01'45" East, 48.26 feet; thence South 04°31'44" East, 110.31 feet; thence South 60°22'00" East, 13.39 feet; thence North 00°25'20" East, 260.29 feet; thence South 89°39'50" East, 8.42 feet; thence South 00°47'50" East, 244.80 feet; thence South 65°55'25" East, 44.42 feet; thence South 83°54'53" East, 55.12 feet; thence North 67°23'11" East, 73.19 feet; thence North 50°15'06" East, 59.74 feet; thence South 44°22'53" East, 10.30 feet; thence South 45°56'41" West, 63.77 feet; thence South 54°16'55" West, 177.36 feet; thence South 04°33'50" East, 119.08 feet; thence South 85°53'13" East, 61.99 feet; thence South 01°45'25" East, 11.01 feet; thence South 51°15'50" West, 22.38 feet; thence South 25°42'44" East, 97.51 feet; thence South 13°47'23" East, 57.58 feet; thence South 31°26'55" East, 55.84 feet; thence South 02°20'06" West, 73.56 feet; thence North 77°29'39" East, 95.04 feet; thence North 75°12'29" East, 69.43 feet; thence South 45°09'03" East, 66.35 feet; thence South 18°49'37" West, 72.75 feet; thence South 18°04'38" East, 290.01 feet; thence South 01°19'34" East, 80.11 feet; thence South 51°15'50" West, 135.04 feet; thence South 29°37'17" West, 100.41 feet; thence South 26°35'50" West, 184.57 feet; thence South 10°10'58" East, 94.78 feet; thence South 53°42'19" East, 46.11 feet; thence South 78°45'36" East, 32.12 feet; thence South 78°02'02" East, 148.43 feet; thence South 14°02'52" East, 9.93 feet; thence South 76°47'05" West, 182.85 feet; thence South 35°16'57" East, 171.03 feet; thence South 22°45'36" East, 156.73 feet; thence South 30°14'50" East, 194.25 feet; thence South 73°54'27" East, 71.48 feet; thence South 11°55'30" West, 31.11 feet; thence North 68°33'05" West, 42.65 feet; thence North 61°02'23" West, 66.98 feet; thence South 89°32'23" West, 61.79 feet; thence South 78°35'37" West, 20.82 feet; thence South 77°05'17" East, 21.25 feet; thence South 87°21'06" East, 80.03 to the south line of aforesaid Northwest 1/4 of Section 10; thence South 89°59'50" West, along said south line, 534.78 feet to the southwest corner of said Northwest 1/4 of Section 10; thence North 00°37'42" West, along the west line of said Northwest 1/4 of Section 10, a distance of 1989.26 feet to the south line of aforesaid Northeast 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 9; thence North 45°36'33" West along said south line, 939.37 feet to the aforesaid north line of Section 9; thence North 89°30'38" East, along said north line, 562.42 feet to the POINT OF BEGINNING.
Legal Description 20-503-127P

The South 300.00 feet of the Northeast 1/4 of the Southeast 1/4 lying East of Seaboard Coastline Railroad of Section 3, Township 29 South, Range 24 East, Polk County, Florida.

AND

Southwest 1/4 of the Southwest 1/4 lying East of Seaboard Coastline Railroad and North of Banana Creek of Section 2, Township 29 South, Range 24 East, Polk County, Florida.

AND

Northwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East, Polk County, Florida, less that portion lying North of the following described line:

Commence at a point along the West line of Northwest 1/4 of the Southwest 1/4 of said Section 2, said point located 230.00 feet North of the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 2 for a Point of Beginning; thence run Northeasterly to a point on the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 2 to a Point of Terminus, said point located 1,045.00 feet North of the Southeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 2.

Legal Description 20-503-129

That part of the Southeast 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, lying North of State Road 540.

Legal Description 20-503-135

Lot 40, WATERWOOD, according to the map or plat thereof as recorded in Plat Book 66, Page 39, of the Public Records of Polk County, Florida.

Legal Description 20-503-136

Lot 42, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

Legal Description 20-503-140

Lot 43, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

Legal Description 20-503-141P
That portion of Lot 6, Cripple Creek Estates, according to map or plat thereof as recorded in Plat Book 107, Page 17 of the Public records of Polk County, Florida described as follows:

Begin at the Southwest corner of said Lot 6 and run North 00°02'32" East along the West line of said Lot 6, a distance of 276.86 feet; thence run South 13°09'06" East, a distance of 64.47 feet; thence run South 58°47'58" East, a distance of 26.04 feet; thence run South 42°58'25" East, a distance of 43.52 feet; thence run South 89°50'30" East, a distance of 30.48 feet; thence run South 18°21'22" East, a distance of 47.32 feet; thence run South 67°10'13" East, a distance of 33.71 feet; thence run South 53°21'39" East, a distance of 25.46 feet; thence run South 72°28'25" East, a distance of 69.63 feet; thence South 56°17'59" East, a distance of 22.63 feet; thence run South 61°32'45" East, a distance of 21.94 feet to an intersection with the East line of said Lot 6; thence run South 00°02'24" West along said East line, a distance of 51.58 feet to the Southeast corner of said Lot 6; thence run North 89°58'59" West along the South line of said Lot 6, a distance of 268.18 feet to the Point of Beginning.

Legal Description 20-503-145

The North 15.0 feet of Lot 14, and all of Lot 15, Curtis Heights, an unrecorded subdivision, lying in Section 36, Township 28 South, Range 24 East, Polk County, Florida, said part of Lot 14 and all of Lot 15 being: Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, run thence North 0°11" East along the East line of said Southwest 1/4 of the Southeast 1/4 1204.0 feet to the Point of Beginning, run thence West 457.74 feet, thence North 0°19" West 129.02 feet, thence East 458.87 feet to the Northeast corner of said Southwest 1/4 of Southeast 1/4, thence South 0°11" West along East line of said Southwest 1/4 of Southeast 1/4 129.0 feet to the point of beginning. Being a part of Lot 51 in South 1/4 of Section 36, Township 28 South, Range 24 East, of W.F. Hallam & Company's Lakeland Highlands according to the plat thereof recorded in Plat Book 1, page 101, public records of Polk County, Florida.

Legal Description 20-503-150

That part of Lot 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 169 feet North of the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida for a Point of Beginning; and run thence North 150 feet; thence West 475.01 feet; thence South 150 feet; thence East 473.70 feet to the Point of Beginning.

Legal Description 20-503-151

That part of Lot 51, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, and run North 769.00 feet for a Point
of Beginning; run thence West 478.94 feet; thence North 150.00 feet; thence East 480.25 feet; thence South 150.00 feet to the Point of Beginning, Less Road Right of Way.

Legal Description 20-503-152

That part of Lot 46, HALLAM AND COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence at the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East and run thence West along the South 1/4 line of the said Northwest 1/4 of the Southeast 1/4 508.87 feet to the West Right of Way line of Jacque Lee Lane; and run thence North 200.00 feet for a Point of Beginning; continue thence North 150.00 feet; thence East 511.93 feet to the East boundary of said Northwest 1/4 of the Southeast 1/4; run thence South along said East boundary 150.00 feet; and run thence West 510.62 feet to the Point of Beginning, LESS the West 50.00 feet for Right of Way.

Legal Description 20-503-153

Lot 45, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

Legal Description 20-503-154

That part of Lot 46, HALLAM AND COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Beginning at the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East and run thence West along the South 1/4 line of the said Northwest 1/4 of the Southeast 1/4 508.87 feet to the West Right of Way line of Jacque Lee Lane; and run thence North 200.00 feet; thence East 510.62 feet to the East boundary of said Northwest 1/4 of the Southeast 1/4; run thence South along said East boundary 200.00 feet to the Point of Beginning, LESS the West 50.00 feet for Right of Way.

Legal Description 20-503-155

Lot 44, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

Legal Description 20-503-156

That part of Lot 51, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:
Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, and run North 619.00 feet for a Point of Beginning; run thence West 477.63 feet; thence North 150.00 feet; thence East 478.94 feet; thence South 150.00 feet to the Point of Beginning, Less Road Right of Way.

Legal Description 20-503-158

That part of Lots 61 and 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 19 feet North of the Southwest corner of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida and run thence East 450 feet for a Point of Beginning; and continue thence East 399.44 feet; thence North 320.00 feet; thence West 396.65 feet; thence South 320.00 feet to the Point of Beginning, Less Right of Way.

Legal Description 20-503-161

That part of Lot 51, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, and run North 919.00 feet for a Point of Beginning; run thence West 455.25 feet; thence North 150.00 feet; thence East 456.56 feet; thence South 150.00 feet to the Point of Beginning.

Legal Description 20-503-163P

That part of Lot 27 located in Waterwood Subdivision as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida being more particularly described as:

Begin at the Southernmost corner of said Lot 27 of Waterwood Subdivision; thence North 62°26′31″ West along the south line of said Lot 27 a distance of 104.00 feet; thence North 74°38′17″ East a distance of 15.97 feet; thence South 31°42′12″ East a distance of 8.49 feet; thence South 85°42′25″ East a distance of 17.05 feet; thence North 22°16′11″ East a distance of 20.72 feet; thence North 23°50′46″ East a distance of 20.41 feet; thence North 87°55′33″ West a distance of 12.84 feet; thence North 06°01′05″ East a distance of 22.68 feet; thence North 22°52′24″ East a distance of 21.48 feet; thence North 24°44′36″ East a distance of 10.42 feet; thence North 32°49′41″ East a distance of 28.25 feet; thence North 01°48′26″ East a distance of 11.34 feet; thence North 20°17′55″ West a distance of 38.91 feet to the northeast line of said Lot 27; thence South 28°35′44″ East along said northeast line a distance of 159.30 feet to the east line of said Lot 27 and a non-tangent intersection with a curve being concave southeasterly and having a radius of 60.00 feet; thence southwesterly along said curve to the left through a central angle of 80°37′40″, an arc distance of 84.43 feet (CH = 77.64 feet, CB = South 32°16′07″ West) to the Point of Beginning.
Legal Description 20-503-165

The South 135.0 feet of Lot 14 of unrecorded plat of Cutris Heights described as follows: Commencing at the SE corner of the SW 1/4 of the SE 1/4 of Section 36, Township 28 South, Range 24 East, run thence North 0°11" East along the East line of said SW 1/4 of SE 1/4 a distance of 1069.0 feet to the Point of Beginning, run thence West 456.38 feet, thence North 0°19" West 135.0 feet, thence East 457.74 feet to the East line of said SW 1/4 of SE 1/4, thence South 0°11" West 135.0 feet to the Point of Beginning.

Legal Description 20-503-168

That part of Lot 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Beginning 319.00 feet North of the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, and run thence West 475.01 feet; thence North 150.00 feet; thence East 476.32 feet; and thence South 150.00 feet to the Point of Beginning, Less Right of Way.

Legal Description 20-503-170P

That portion of Lot 3, Cripple Creek Estates, according to map or plat thereof as recorded in Plat Book 107, Page 17 of the Public records of Polk County, Florida described as follows:

Begin at the Northeast corner of said Lot 3 and run South 00°02'24" West along the East line of said Lot 3, a distance of 329.39 feet; thence run South 17°57'39" West, a distance of 50.79 feet; thence run South 36°38'18" West, a distance of 37.40 feet, thence run South 68°13'14" West, a distance of 39.38 feet; thence run North 77°08'59" West, a distance of 29.25 feet; thence run North 68°54'09" West, a distance of 27.95 feet; thence run North 67°46'11" West, a distance of 54.08 feet; thence run North 89°19'04" West, a distance of 56.54 feet; thence run South 64°03'39" West, a distance of 21.33 feet; thence run South 49°34'33" West, a distance of 13.30 feet to an intersection with the West line of said Lot 3; thence run North 00°02'24" East along said West line, a distance of 403.81 feet to the Northwest corner of said Lot 3; thence run South 89°44'06" East along the North Line of said Lot 3, a distance of 265.00 feet to the Point of Beginning

Legal Description 20-503-172P

Tract A, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida, AND a portion of Tract A-1, being that parcel or real property lying adjacent to and East of said Tract A, as depicted on that certain document recorded in Official Records Book 5684, Page 1417, of the Public Records of Polk County, Florida, being described as follows:

BEGINNING at the Northeast corner of aforesaid Tract "A"; thence North 89°53'30" East, along the north line of aforesaid Tract "A-1" 242.77 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following three (6) courses; (1) South 31°28'24"
East, 31.22 feet; (2) South 01°08'11" East, 44.12 feet; (3) South 28°16'53" East, 35.89 feet; (4) South 20°03'27" East, 68.47 feet; (5) South 01°23'50" East, 31.99 feet; (6) South 21°18'00" East, 3.24 feet to the south line of aforesaid Tract "A-1"; thence North 89°49'01" West, along said south line 301.17 feet to the southeast corner of aforesaid Tract "A"; thence North 00°21'01" West, along the east line of said Tract "A", 200.25 feet to the POINT OF BEGINNING.

Legal Description 20-503-175

That part of Lot 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 19 feet North of the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida for a Point of Beginning; and run thence North 150 feet; thence West 473.70 feet; thence South 150 feet; thence East 472.40 feet to the Point of Beginning, Less Right of Way.

Legal Description 20-503-177P

That portion of Lot 1, Cripple Creek Estates, according to map or plat thereof as recorded in Plat Book 107, Page 17 of the Public records of Polk County, Florida described as follows:

Begin at the Northeast corner of said Lot 1 and run South 00°02'24" West along the East line of said Lot 1, a distance of 742.88 feet; thence run South 80°53'00" West, a distance of 25.66 feet; thence run South 62°33'34" West, a distance of 26.27 feet; thence run North 88°35'27" West, a distance of 18.07 feet; thence run South 77°05'54" West, a distance of 84.10 feet; thence run South 82°40'24" West, a distance of 56.68 feet; thence run South 64°33'58" West, a distance of 25.46 feet; thence run South 85°32'46" West, a distance of 25.30 feet; thence run South 48°52'30" West, a distance of 20.00 feet to an intersection with the West line of said Lot 1; thence run North 00°02'32" East along said West line, a distance of 811.90 feet to the Northwest corner of said Lot 1; thence run South 89°44'06" East along the North line of said Lot 1, a distance of 268.12 feet to the Point of Beginning.

Legal Description 20-503-178P

That portion of Lot 2, Cripple Creek Estates, according to map or plat thereof as recorded in Plat Book 107, Page 17 of the Public records of Polk County, Florida described as follows:

Begin at the Northeast corner of said Lot 2 and run South 00°02'24" West along the East line of said Lot 2, a distance of 403.81 feet; thence run South 46°41'38" West, a distance of 18.69 feet; thence run South 16°29'27" West, a distance of 35.79 feet; thence run South 31°22'56" West, a distance of 44.22 feet; thence run South 34°51'14" West, a distance of 80.12 feet; thence run South 15°03'27" West, a distance of 40.15 feet; thence run South 65°36'12" West, a distance of 26.10 feet; thence run South 40°38'32" West, a distance of 8.49 feet; thence run South 12°56'53" West, a distance of 45.40 feet; thence run South 25°32'09" West, a distance of 46.33 feet; thence run South 40°44'09" West, a distance of 29.08 feet; thence run South 66°08'53" West, a distance of 40.69 feet; thence run North 89°51'19" West, a distance of 18.66 feet; thence run South 76°28'04" West, a distance of 28.73 feet to an intersection with the West line.
of said Lot 2; thence run North 00°02'24" East along said West line, a distance of 742.88 feet to the northwest corner of said Lot 2; thence run South 89°44'06" East along the North line of said Lot 2, a distance of 265.00 feet to the Point of Beginning

**Legal Description 20-503-179**

Lot 41, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

**Legal Description 20-503-183P**

Those parts of the West 1/2 of Section 2, Township 29 South, Range 24 East, Polk County, Florida, described as follows:

Commence at the Northeast corner of the Northwest 1/4 of said Section 2 and run thence S. 00°46'58" E. along the East boundary of said Northwest 1/4, a distance of 81.01 feet to the Southerly right-of-way line of State Road 540 (Winter Lake Road) for a Point of Beginning; thence continue S. 00°46'58" E. along the East boundary of said Northwest 1/4, a distance of 1980.79 feet; thence N. 89°11'07" W., a distance of 151.17 feet; thence N. 00°25'42" W., a distance of 1320.09 feet; thence N. 43°10'04" W., a distance of 899.89 feet to the Southerly right-of-way line of State Road 540; thence N. 89°50'31" E. along said Southerly right-of-way line, a distance of 749.62 feet to the Point of Beginning.

AND

Commence at the Northeast corner of the Southwest 1/4 of said Section 2 for a Point of Beginning and run thence S. 74°08'28" W., a distance of 1374.27 feet to the West boundary of the Northeast 1/4 of the Southwest 1/4 of said Section 2; thence N. 00°41'32" W. along said West boundary, a distance of 90.37 feet; thence N. 68°29'51" E., a distance of 781.70 feet to the North boundary of the Northeast 1/4 of the Southwest 1/4 of said Section 2; thence N. 56°57'59" E., a distance of 400.66 feet; thence S. 89°52'17" E., a distance of 256.88 feet to an intersection with the East boundary of the Northeast 1/4 of said Section 2; thence S. 00°46'58" E., a distance of 219.19 feet to the Point of Beginning.

**Legal Description 20-503-187**

Lot 39, WATERWOOD SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida.

**Legal Description 20-503-192**

The South ½ of the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the East 88 feet of the North 495 feet thereof and Less Right of Way.

**Legal Description 20-503-193**
The East 88 feet of the North 495 feet of the South ½ of the Southwest ¼ of the Northwest ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

**Legal Description 20-503-194**

The West 100 feet of the Southwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

**Legal Description 20-503-195**

The Southwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the West 100 feet thereof and Less Right of Way.

**Legal Description 20-503-196**

The Southeast ¼ of the Southeast ¼ of the Northwest ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

**Legal Description 20-503-197**

The West 95 feet of the South 160 feet of the North 850 feet of the West ½ of the Southwest ¼ of the Northeast ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

**Legal Description 20-503-198P**

That portion of the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida being described as follows:

COMMENCE at the northeast corner of said Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4; thence North 89°40'30" West, along the north line of said Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4, a distance of 571.45 feet to the east line of the west 95.0 feet of said Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4; thence South 00°20'48" East, along said east line, 74.31 feet to the POINT OF BEGINNING; thence South 11°34'26" East, 37.49 feet; thence South 63°47'57" East, 11.49 feet; thence South 68°47'54" East, 10.73 feet; thence South 86°48'36" East, 12.65 feet; thence South 75°29'02" East, 22.84 feet; thence North 51°14'27" East, 5.09 feet; thence North 06°40'57" West, 3.95 feet; thence North 21°58'57" West, 3.90 feet; thence North 17°07'02" East, 1.90 feet; thence South 25°39'39" East, 9.96 feet; thence South 05°50'49" West, 7.16 feet; thence South 48°04'49" West, 6.12 feet; thence North 59°45'56" West, 1.99 feet; thence South 52°59'38" West, 5.11 feet; thence South 67°18'42" East, 5.47 feet; thence North 55°23'30" East, 10.27 feet; thence South 45°34'54" East, 7.82 feet; thence South 08°28'51" West, 11.73 feet; thence South 01°19'00" West, 9.93 feet; thence South 07°11'00" East, 7.79 feet; thence South 14°56'52" East, 4.81 feet; thence South 77°55'44" East, 14.25 feet; thence South 32°31'37" East, 4.73 feet; thence North 89°07'42" East, 6.96 feet; thence North 57°43'08" East, 15.40 feet; thence North 26°30'00" East, 13.83
feet; thence North 09°03'21" West, 9.98 feet; thence North 50°38'56" East, 5.86 feet; thence South 60°47'36" East, 3.22 feet; thence South 01°27'57" East, 6.37 feet; thence South 10°23'32" East, 8.66 feet; thence South 19°16'43" East, 15.06 feet; thence South 01°27'57" East, 11.94 feet; thence South 09°01'18" West, 2.00 feet to the north line of the South 160.0 feet of the North 1010.0 feet of the aforesaid Southwest 1/4 of the Northeast 1/4; thence North 89°43'15" West, along said north line, 132.16 feet to the aforesaid east line of the West 95.0 feet of the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4; thence North 00°20'48" West, along said east line, 114.13 feet to the POINT OF BEGINNING.

**Legal Description 20-503-200P**

A portion of the land in the West ½ of the Southwest ¼ of the Northeast ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida being more particularly described as follows:

Commence at the northwest corner of Section 24, Township 28 South, Range 24 East, Polk County, Florida; thence South 89°47’03” East along the north line of Section 24 a distance of 2668.41 feet to the west line of the East ½ of Section 24; thence South 00°20’43” East along said west line a distance of 1328.87 feet to the northwest corner of the Southwest ¼ of the Northeast ¼ of Section 24; thence South 00°20’48” East along the west line of said Southwest ¼ of the Northeast ¼ a distance of 849.71 feet to the POINT OF BEGINNING; thence South 89°43’15” East along the north line of the south 160.00 feet of the north 1010.00 feet of said Southwest ¼ of the Northeast ¼ a distance of 166.40 feet; thence South 36°49’31” West a distance of 20.78 feet; thence South 51°31’37” East a distance of 49.64 feet; thence South 59°11’13” East a distance of 116.79 feet; thence South 72°28’53” East a distance of 43.70 feet; thence South 66°52’04” East a distance of 31.73 feet; thence South 86°05’28” East a distance of 27.37 feet; thence South 80°27’47” East a distance of 33.06 feet; thence North 89°50’44” East a distance of 17.32 feet; thence North 82°21’55” East a distance of 15.34 feet; thence North 74°08’55” East a distance of 10.27 feet; thence North 83°26’37” East a distance of 78.88 feet; thence North 54°36’53” East a distance of 13.81 feet; thence South 84°29’23” East a distance of 81.29 feet; thence North 52°51’18” East a distance of 6.59 feet; thence South 00°10’16” West a distance of 160.39 feet; to the POINT OF BEGINNING.

**Legal Description 20-503-201**

The North 165 feet of:

The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the North 1,010 feet and Less Right of Way; And the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way

**Legal Description 20-503-202**

The West ½ of the Southwest ¼ of the Northeast ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the North 1,175 feet and Less Right of Way; And the West ½ of the Northwest ¼ of the Southeast ¼ of Section 24, Township 28 South, Range 24 East,
Polk County, Florida, Less the South 372.30 feet of the North 536.80 feet of the East 142 feet thereof and Less Right of Way.

Legal Description 20-503-203P

That part of the South 372.30 feet of the North 536.80 feet of the East 142 feet of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way; described as follows:

Begin at the intersection of the westerly right of way line of Saddle Creek Farm Road and the south line of the North 536.80 feet of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida; thence run North 89°27'03" West along the said south line, a distance of 117.01 feet to the west line of the East 142.00 feet of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 24; thence run North 00°19'44" West along said west line, a distance of 282.85 feet; thence run North 78°14'31" East, a distance of 5.66 feet; thence South 47°20'26" East, a distance of 8.58 feet; thence run South 14°44'01" East, a distance of 2.54 feet; thence run South 01°57'32" West, a distance of 50.15 feet; thence run South 84°16'45" East, a distance of 44.52 feet; thence run North 00°30'19" West, a distance of 19.19 feet; thence run North 39°03'13" East, a distance of 5.62 feet; thence run South 10°24'55" East, a distance of 7.03 feet; thence run South 25°22'22" East, a distance of 20.14 feet; thence run South 05°03'52" East, a distance of 21.30 feet; thence run South 35°03'41" East, a distance of 18.24 feet; thence run North 28°01'11" East, a distance of 20.97 feet to the aforesaid westerly right of way line of Saddle Creek Farm Road; thence run South 00°19'44" East along said Westerly right of way, a distance of 175.59 feet to the point of beginning.

Legal Description 20-503-204P

The Southwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida

AND

The North 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 28 South, Range 24 East, Polk County, Florida

AND

A tract of land located in Section 25, Township 28 South, Range 24 East, Polk County, Florida, described as follows:

Commence at the Northeast corner of said Section 25, thence North 88° 44' 30" West a distance of 2644.16 feet to the Northwest corner of Northwest 1/4 of Northeast 1/4, thence South 0° 02' 37" East a distance of 329.72 feet to a concrete monument and the Point of
Beginning, thence North 88° 49' 18" West a distance of 1299.94 feet, thence South 1° 10' 42" West a distance 745.00 feet, thence South 88° 49' 18" East a distance of 2623 feet to the East line of the Northwest 1/4 of Northeast 1/4, thence North 0° 08’ 30” West a distance of 745.00 feet, thence North 88° 49’ 18” West a distance of 1322.47 feet to the Point of Beginning.

AND

A tract of land located in Section 25, Township 28 South, Range 24 East, Polk County, Florida, being described as follows:

Commence at the Southwest corner of Section 25, thence run along the South boundary of Section 25 North 89° 56’ 30" East a distance of 3,985.72 feet to the Southeast corner of the West 3/4 of Section 25, thence run along the eastern boundary of the West 3/4 North 00° 08' 30" West a distance of 1,918.69 feet to the Point of Beginning; thence run South 64° 14' 54" West 213.26 feet, thence South 80°16’ 07" West 80.77 feet, thence North 38° 01’ 43” West 154.30 feet, thence North 46° 22’ 20” West 332.94 feet, thence North 39° 39'58" West 145.53 feet, thence North 62° 22’ 53” West 43.30 feet, thence North 15° 18’ 49” East 183.48 feet, thence North 30° 30’ 20” East 168.94 feet, thence North 65°34' 03" East 425.76 feet thence North 38° 40’ 56" East 241.24 feet, thence South 79°14’ 30” East 64.91 feet to the Eastern boundary line of the West 3/4 of Section 25, thence along the East boundary line South 00° 08’ 30” East 1,051.88 feet to the Point of Beginning.

AND

Those parts of the Southwest 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, and the North 1/8 of the Northwest 1/4 of Section 25, Township 28 South, Range 24 East, Polk County, Florida, described as follows:

Commence at the Northeast corner of the Southwest 1/4 of said Section 24 for a Point of Beginning and run thence South along the East line of said Southwest 1/4 of said Section 24 and the East line of the North 1/8 of the Northwest 1/4 of said Section 25 to the Southeast corner of the North 1/8 of the Northwest 1/4 of said Section 25; thence West along the South line of the North 1/8 of the Northwest 1/4 of said Section 25, a distance of 1630.00 feet; thence North parallel with the East line of the North 1/8 of the Northwest 1/4 of said Section 25, a distance of 130.00 feet; thence Northeasterly to a point on the North line of the North 1/8 of the Northwest 1/4 of said Section 25, said point being 560.00 feet West of the Northeast corner of the North 1/8 of the Northwest 1/4 of said Section 25; thence North parallel with the East line of the Southwest 1/4 of said Section 24, a distance of 1,780.00 feet; thence N. 54°35'00" W., to an intersection with a line 160.00 feet South of and parallel with the North line of the Southwest 1/4 of said Section 24; thence West parallel with the North line of the Southwest 1/4 of said Section 24, to an intersection with the West line of the Southwest 1/4 of said Section 24; thence North along said West line, to the Northwest corner of the Southwest 1/4 of said Section 24; thence East along the North line of the Southwest 1/4 of said Section 24, to the Northeast corner of the Southwest 1/4 of said Section 24 and the Point of Beginning.

Legal Description 20-503-205P

That part of the South 165 feet of the North 2,170 feet of the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, being over and across that certain parcel of land described in Official Records Book 6810, Page 1277,
Commence at the Southeast corner of the North 2170 feet of the East 1/2 of the West 1/2 of the Northeast 1/4 of said Section 24 and run North 89°47'18" West along the south line of said North 2170 feet of the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 24, a distance of 78.74 feet to the Point of Beginning; thence continue North 89°47'18" West along said south line, a distance of 151.27 feet; thence run North 00°18'33" West, a distance of 18.10 feet; thence run South 80°16'19" West, a distance of 37.47 feet; thence run North 60°36'39" West, a distance of 27.10 feet; thence run North 43°38'24" East, a distance of 23.88 feet; thence run North 58°44'59" East, a distance of 20.93 feet; thence run South 56°19'56" East, a distance of 35.69 feet; thence run North 48°03'22" East, a distance of 15.59 feet; thence run North 65°56'16" East, a distance of 18.28 feet; thence run North 49°32'21" East, a distance of 5.86 feet; thence run North 15°04'40" East, a distance of 5.30 feet; thence run North 32°25'27" East, a distance of 11.87 feet; thence run North 43°38'03" East, a distance of 9.00 feet; thence run North 58°31'00" East, a distance of 12.54 feet; thence run South 72°38'02" East, a distance of 16.35 feet; thence run South 37°08'19" East, a distance of 12.50 feet; thence run South 79°22'26" East, a distance of 36.90 feet; thence run South 89°30'23" East, a distance of 15.49 feet; thence run South 43°25'32" West, a distance of 10.20 feet; thence run South 58°10'39" West, a distance of 19.98 feet; thence run South 21°53'20" East, a distance of 6.97 feet to the Point of Beginning.

Legal Description 20-503-206

The South 165 feet of the North 2,335 feet of the East ½ of the West ½ of the Northeast ¼ of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

Legal Description 20-503-207

Parcel 1
The North 326.40 feet of the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way.

Parcel 2
The North 795 feet of:
The West 155.00 feet of the Northeast 1/4 of the Southeast 1/4; And the West 155.00 feet of the South 1/4 of the Northeast 1/4 of the Southeast 1/4; And the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4; And the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the North 326.40 feet of the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less Right of Way. LESS AND EXCEPT any portion thereof which lies with the North 2335 feet of the East 1/2 of the West 1/2 of the NE 1/4 of said Section 24, Township 28 South, Range 24 East.

Parcel 3
The West 155.00 feet of the Northeast 1/4 of the Southeast 1/4; And the West 155.00 feet of the South 1/4 of the Northeast 1/4 of the Southeast 1/4; And the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4; And the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, Less the North 795 feet.
feet.

Legal Description 20-503-208P

That part of the Northwest 1/4 of Section 25, Township 28 South, Range 24 East, Polk County, Florida, being over and across that certain parcel of land described in Official Records Book 2707, Page 876, Public Records of Polk County, Florida, being described as follows:

Commence at the Northwest corner of the Northwest 1/4 of said Section 25 and thence run South along the West line of said Section 25, a distance of 333.52 feet; thence run South 88°49'18" East along the South line of the North 1/8 of the Northwest 1/4 of said Section 25, a distance of 1345.11 feet to a point on the east line of the aforesaid parcel of land, said point also being the Point of Beginning; thence run South 01°10'42" West along said east line, a distance of 660.00 feet to the south line of said parcel of land; thence run North 88°49'18" West along said south line, a distance of 276.66 feet; thence run North 14°34'38" East, a distance of 99.32 feet; thence run North 06°17'05" East, a distance of 88.34 feet; thence run North 19°40'20" East, a distance of 108.18 feet; thence run North 13°27'42" East, a distance of 98.66 feet; thence run North 01°37'26" West, a distance of 33.22 feet; thence run North 05°18'52" East, a distance of 20.98 feet; thence run North 14°42'41" East, a distance of 65.12 feet; thence run North 33°05'41" East, a distance of 24.47 feet; thence run North 70°50'18" East, a distance of 40.24 feet; thence run North 56°38'24" West, a distance of 48.03 feet; thence run North 17°45'05" West, a distance of 30.56 feet; thence run North 88°25'15" East, a distance of 9.89 feet; thence run North 19°45'42" West, a distance of 13.42 feet; thence run North 03°14'31" East, a distance of 41.67 feet; thence run North 17°57'59" West, a distance of 15.98 feet to a point on the aforesaid South line of the North 1/8 of the Northwest 1/4 of Section 25; thence run South 88°49'18" East along said south line of the North 1/8 of the Northwest 1/4 of Section 25, a distance of 172.76 feet to the Point of Beginning.

Legal Description 20-503-209P

That part of Section 25, Township 28 South, Range 24 East, Polk County, Florida, being over and across portions of those certain parcels of land designated as Parcels "A", "B", and "C" as described and recorded in Official Record Book 6900, Page 1245, public records of Polk County, Florida, being more particularly described as follows:

Commence at the southeast corner of the West 3/4 of said Section 25; thence North 00°06'54" West along the east line of the West 3/4 thereof a distance of 1802.00 feet to the POINT OF BEGINNING 1; thence South 26°20'34" West a distance of 28.36 feet; thence South 02°57'52" West a distance of 58.68 feet; thence South 01°25'45" West a distance of 46.39 feet; thence South 02°15'52" West a distance of 16.59 feet; thence South 02°12'12" West a distance of 47.71 feet; thence South 00°15'44" West a distance of 57.51 feet; thence South 01°14'53" East a distance of 55.03 feet; thence South 00°53'12" West a distance of 57.28 feet; thence South 01°10'30" West a distance of 55.65 feet; thence South 02°54'24" East a distance of 48.21 feet; thence South 05°35'05" West a distance of 29.60 feet; thence South 06°52'58" West a distance of 16.90 feet; thence South 33°33'40" West a distance of 11.40 feet; thence South 02°38'29" East a distance of 16.02 feet; thence South 71°56'14" West a distance of 21.43 feet; thence North 10°43'27" West a distance of 38.48 feet; thence North 00°20'46" East a distance of 25.64 feet; thence North 17°50'07" West a distance of 9.09 feet; thence North 07°27'42" West a distance of 18.37 feet; thence North 00°27'11" East a distance of 11.65 feet; thence North
05°39'45" West a distance of 42.18 feet; thence North 18°54'54" West a distance of 31.31 feet; thence North 13°23'10" West a distance of 10.88 feet; thence North 09°49'54" West a distance of 37.43 feet; thence North 13°30'38" West a distance of 26.01 feet; thence North 10°03'14" West a distance of 60.69 feet; thence North 20°37'15" West a distance of 69.40 feet; thence North 37°59'16" West a distance of 44.90 feet; thence North 41°01'23" West a distance of 37.05 feet; thence North 39°00'27" West a distance of 50.77 feet; thence North 62°46'13" East a distance of 82.03 feet; thence North 36°37'27" East a distance of 7.49 feet; thence North 07°05'40" East a distance of 20.43 feet; thence North 47°46'47" West a distance of 5.75 feet; thence South 77°20'47" West a distance of 38.27 feet; thence North 83°38'34" West a distance of 17.71 feet; thence North 88°06'51" West a distance of 31.06 feet; thence South 84°25'36" West a distance of 30.88 feet; thence North 58°32'20" West a distance of 32.98 feet; thence North 56°53'32" West a distance of 26.13 feet; thence North 55°28'52" West a distance of 19.37 feet; thence North 56°10'13" West a distance of 17.96 feet; thence North 44°09'02" West a distance of 23.92 feet; thence North 42°55'42" West a distance of 28.96 feet; thence North 39°55'58" West a distance of 39.84 feet; thence North 44°39'58" West a distance of 17.45 feet; thence North 45°25'44" West a distance of 88.53 feet; thence North 79°48'04" West a distance of 11.53 feet; thence North 60°04'25" West a distance of 22.26 feet; thence North 39°33'56" West a distance of 89.04 feet; thence North 55°29'21" West a distance of 38.50 feet; thence North 45°40'53" West a distance of 35.06 feet; thence North 46°51'42" West a distance of 40.05 feet; thence North 38°20'48" West a distance of 29.37 feet; thence North 41°20'51" West a distance of 28.66 feet; thence North 42°12'29" West a distance of 46.91 feet; thence North 55°42'51" West a distance of 60.76 feet; thence North 38°47'32" West a distance of 89.82 feet; thence North 20°55'16" East a distance of 24.97 feet; thence North 37°12'53" West a distance of 54.27 feet; thence South 59°20'12" West a distance of 88.10 feet; thence North 72°52'22" West a distance of 62.85 feet; thence South 86°17'25" West a distance of 35.14 feet; thence North 59°28'07" West a distance of 43.78 feet; thence North 56°48'23" West a distance of 66.23 feet; thence North 54°38'23" West a distance of 139.47 feet; thence North 56°52'51" West a distance of 80.95 feet; thence North 36°43'47" West a distance of 139.28 feet; thence North 10°40'28" West a distance of 129.03 feet; thence North 04°59'59" West a distance of 96.54 feet; thence North 01°56'02" East a distance of 64.43 feet; thence North 00°29'03" East a distance of 57.54 feet; thence North 38°22'28" East a distance of 79.99 feet; thence North 07°02'43" West a distance of 58.17 feet; thence North 66°43'46" West a distance of 55.53 feet; thence North 58°29'12" West a distance of 52.96 feet; thence North 42°32'41" West a distance of 32.39 feet; thence North 30°25'44" West a distance of 45.26 feet; thence North 31°53'38" West a distance of 63.51 feet; thence North 34°36'16" West a distance of 22.52 feet; thence North 26°08'41" West a distance of 42.01 feet; thence North 24°34'13" West a distance of 45.62 feet; thence North 38°54'01" West a distance of 46.95 feet; thence North 19°41'42" West a distance of 45.20 feet; thence North 15°44'35" West a distance of 28.77 feet; thence North 31°55'25" West a distance of 67.60 feet; thence North 28°07'54" West a distance of 33.92 feet; thence North 31°00'29" West a distance of 21.94 feet; thence North 17°01'17" West a distance of 16.74 feet; thence North 07°18'18" East a distance of 28.81 feet; thence North 15°49'04" West a distance of 43.68 feet to the intersection with the boundary of aforesaid Parcel "A" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of said Parcel "A" the following two (2) courses: 1) thence South 48°43'02" East a distance of 127.81 feet; 2) thence South 28°22'24" East a distance of 298.75 feet to the intersection with the boundary of aforesaid Parcel "B" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of said Parcel "B" the following six (6) courses: 1) thence South 82°53'45" East a distance of 103.92 feet; 2) thence North 66°29'10" East a distance of 502.91 feet; 3) thence South 89°00'45" East a distance of 493.96 feet; 4) thence North 66°03'35" East a distance of 166.19 feet; 5) thence North 89°56'37" East a distance of 140.36 feet; 6) thence South 76°50'48" East a distance of 121.54 feet to the aforesaid east line.
of the west 3/4 of said Section 25; thence South 00°06'54" East along said east line a distance of 587.94 feet to the intersection with the boundary of aforesaid Parcel "B" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of said "B" the following five (5) courses: 1) thence North 79°19'52" West a distance of 71.05 feet; 2) thence South 38°35'34" West a distance of 241.24 feet; 3) thence South 65°28'41" West a distance of 425.76 feet; 4) thence South 30°24'58" West a distance of 168.94 feet; 5) thence South 15°13'27" West a distance of 183.48 feet to the intersection with the boundary of aforesaid Parcel "A" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of said Parcel "A" the following four (4) courses: 1) thence South 62°28'15" East a distance of 43.30 feet; 2) thence South 39°45'20" East a distance of 145.53 feet; 3) thence South 46°27'42" East a distance of 332.94 feet; 4) thence South 38°07'05" East a distance of 154.30 feet to the intersection with the boundary of aforesaid Parcel "C" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of said Parcel "C" the following two (2) courses: 1) thence North 80°10'45" East a distance of 80.77 feet; 2) thence North 64°09'32" East a distance of 217.58 feet to the aforesaid east line of the west 3/4 of said Section 25; thence South 00°06'54" East along said east line a distance of 118.56 feet to the POINT OF BEGINNING 1.

AND:

That part of Section 25, Township 28 South, Range 24 East, Polk County, Florida, being over and across a portion of that certain parcel of land designated as Parcel "A" as described and recorded in Official Record Book 6900, Page 1245, public records of Polk County, Florida, being more particularly described as follows:

Commence at the southeast corner of the West 3/4 of said Section 25; thence North 00°06'54" West along the east line of the West 3/4 thereof a distance of 3557.35 feet to the intersection with the boundary of Parcel "B" as described and recorded in said Official Record Book 6900, Page 1245; thence along said boundary of Parcel "B" the following six (6) courses: 1) thence North 76°50'48" West a distance of 121.54 feet; 2) thence South 89°56'37" West a distance of 140.36 feet; 3) thence South 66°03'35" West a distance of 166.19 feet; 4) thence North 89°00'45" West a distance of 493.96 feet; 5) thence South 66°29'10" West a distance of 502.91 feet; 6) thence North 82°53'45" West a distance of 103.92 feet to the aforesaid Parcel "A" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of Parcel "A" the following two (2) courses: 1) thence North 28°22'24" West a distance of 298.75 feet; 2) thence North 48°43'02" West a distance of 346.36 feet to the POINT OF BEGINNING 2; thence departing said boundary of Parcel "A" thence North 82°47'47" West a distance of 17.30 feet; thence North 70°15'42" West a distance of 21.01 feet to the intersection with the aforesaid boundary of Parcel "A"; thence along said boundary of Parcel "A" the following two (2) courses: 1) thence North 67°48'15" East a distance of 19.46 feet; 2) thence South 48°43'02" East a distance of 25.18 feet to the POINT OF BEGINNING 2.

AND:

That part of Section 25, Township 28 South, Range 24 East, Polk County, Florida, being over and across a portion of that certain parcel of land designated as Parcel "A" as described and recorded in Official Record Book 6900, Page 1245, public records of Polk County, Florida, being more particularly described as follows:

Commence at the southeast corner of the West 3/4 of said Section 25; thence North 00°06'54"
West along the east line of the West 3/4 thereof a distance of 3557.35 feet to the intersection with the boundary of Parcel "B" as described and recorded in said Official Record Book 6900, Page 1245; thence along said boundary of Parcel "B" the following six (6) courses: 1) thence North 76°50'48" West a distance of 121.54 feet; 2) thence South 89°56'37" West a distance of 140.36 feet; 3) thence South 66°03'35" West a distance of 166.19 feet; 4) thence North 89°00'45" West a distance of 493.96 feet; 5) thence South 66°29'10" West a distance of 502.91 feet; 6) thence North 82°53'45" West a distance of 103.92 feet to the intersection with the boundary of aforesaid Parcel "A" as described and recorded in said Official Record Book 6900, Page 1245; thence along the boundary of Parcel "A" the following four (4) courses: 1) thence North 28°22'24" West a distance of 298.75 feet; 2) thence North 48°43'02" West a distance of 371.54 feet; 3) thence South 67°48'15" West a distance of 87.56 feet; 4) thence North 82°53'41" West a distance of 101.46 feet to the POINT OF BEGINNING 3; thence North 76°49'44" West a distance of 52.60 feet; thence South 86°28'34" West a distance of 62.58 feet; thence South 86°21'01" West a distance of 79.04 feet; thence North 74°03'55" West a distance of 50.73 feet; thence South 64°41'20" West a distance of 58.63 feet; thence South 82°04'40" West a distance of 59.12 feet; thence South 61°05'06" West a distance of 38.26 feet; thence South 74°16'07" West a distance of 51.26 feet; thence South 61°30'40" West a distance of 139.12 feet; thence South 49°55'04" West a distance of 42.87 feet; thence South 75°32'16" West a distance of 42.47 feet; thence South 74°42'52" West a distance of 29.76 feet; thence North 89°57'33" West a distance of 51.75 feet; thence North 72°41'14" West a distance of 33.84 feet; thence North 41°53'52" West a distance of 50.93 feet; thence North 25°10'28" West a distance of 31.92 feet; thence North 30°29'07" West a distance of 25.12 feet; thence North 29°00'56" West a distance of 18.59 feet; thence North 19°27'52" West a distance of 29.63 feet; thence North 12°04'14" West a distance of 16.61 feet; thence North 04°08'22" West a distance of 20.88 feet; thence North 13°46'50" West a distance of 13.07 feet; thence North 25°21'09" West a distance of 44.33 feet; thence North 23°15'43" West a distance of 55.67 feet; thence North 23°41'14" West a distance of 54.68 feet; thence North 09°22'50" West a distance of 25.41 feet; thence North 08°57'39" West a distance of 23.20 feet; thence North 00°52'16" West a distance of 26.68 feet; thence North 04°02'13" East a distance of 16.56 feet; thence North 15°20'39" East a distance of 84.20 feet; thence North 07°09'54" West a distance of 48.18 feet to the intersection with the boundary of aforesaid Parcel "A"; thence along the boundary of said Parcel "A" the following ten (10) courses: 1) thence North 89°58'39" East a distance of 32.95 feet; 2) thence South 12°13'29" West a distance of 189.79 feet; 3) thence South 21°17'10" East a distance of 229.92 feet; 4) thence South 34°35'32" East a distance of 104.06 feet; 5) thence South 72°02'42" East a distance of 89.29 feet; 6) thence North 83°35'40" East a distance of 46.08 feet; 7) thence North 64°49'43" East a distance of 242.02 feet; 8) thence North 76°05'47" East a distance of 116.73 feet; 9) thence North 65°42'38" East a distance of 182.67 feet; 10) thence South 52°53'41" East a distance of 151.43 feet to the POINT OF BEGINNING 3.

Legal Description 20-503-210P

That part of the Northeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, lying north of State Road 570, described as follows:

Begin at the northeast corner of said Section 36 and run South 00°08'44" West along the east line of the Northeast 1/4 of said Section 36, a distance of 86.31 feet; thence run North 50°54'28" West, a distance of 13.44 feet; thence run North 85°17'32" West, a distance of 61.13 feet; thence run North 87°28'54" West, a distance of 56.57 feet; thence run North 89°32'12" West, a distance of 44.63 feet; thence run South 79°25'14" West, a distance of 39.58 feet; thence run North 89°14'39" West, a distance of 80.01 feet; thence run North 86°56'31" West, a distance of...
56.83 feet; thence run North 89°38'37" West, a distance of 54.73 feet; thence run South 88°18'50" West, a distance of 61.42 feet; thence run North 85°08'14" West, a distance of 40.80 feet; thence run North 82°41'33" West, a distance of 38.24 feet; thence run North 64°48'11" West, a distance of 16.13 feet; thence run South 86°40'10" West, a distance of 19.69 feet; thence run South 67°44'09" West, a distance of 16.62 feet; thence run South 89°54'50" West, a distance of 49.34 feet; thence run South 58°04'58" West, a distance of 15.16 feet; thence run North 31°13'32" West, a distance of 9.74 feet; thence run North 88°57'16" West, a distance of 32.12 feet; thence run North 77°36'07" West, a distance of 44.41 feet; thence run South 55°52'39" West, a distance of 23.78 feet; thence run South 89°13'07" West, a distance of 43.42 feet; thence run North 82°45'50" West, a distance of 33.28 feet; thence run South 77°47'28" West, a distance of 31.20 feet; thence run South 83°38'56" West, a distance of 47.90 feet; thence run North 87°56'07" West, a distance of 19.99 feet; thence run South 77°55'22" West, a distance of 65.17 feet; thence run North 68°29'40" West, a distance of 40.71 feet; thence run South 77°18'47" West, a distance of 31.12 feet; thence run South 22°29'28" West, a distance of 36.46 feet; thence run South 64°25'49" West, a distance of 89.81 feet; thence run South 85°52'30" West, a distance of 39.58 feet; thence run North 11°38'12" East, a distance of 8.36 feet; thence run North 78°41'32" East, a distance of 24.66 feet; thence run North 54°50'15" East, a distance of 24.59 feet; thence run North 74°07'34" East, a distance of 49.29 feet; thence run North 35°22'16" West, a distance of 26.80 feet; thence run North 58°50'29" West, a distance of 31.70 feet; thence run South 77°37'08" West, a distance of 54.48 feet; thence run North 84°24'42" West, a distance of 74.70 feet; thence run South 59°11'27" West, a distance of 57.81 feet; thence run North 56°56'51" West, a distance of 17.22 feet to a point on the east line of the Northwest 1/4 of the Northeast 1/4 of aforesaid Section 36; thence run West 451.32 feet; thence N 0°19" W 150.0 feet, thence East 452.63 feet to the East line of said SW 1/4 of SE 1/4; thence S 0°11' W 150.0 feet to the point of beginning.

Legal Description 20-503-212

Tract 10: Commencing at the Southeast corner of the SW 1/4 of the SE 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida, thence N 0°11" E along the East line of said SW 1/4 of the SE 1/4 a distance of 469.0 feet to the point of beginning; thence West 451.32 feet; thence N 0°19" W 150.0 feet, thence East 452.63 feet to the East line of said SW 1/4 of SE 1/4; thence S 0°11' W 150.0 feet to the point of beginning.

Legal Description 20-503-215P

That part of Lot 26 located in Waterwood Subdivision as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida being more particularly described as:

Begin at the intersection of the common boundary between Lots 26 and 27 with the platted right-of-way line of Waterwood Run, also being a point on a curve concave northeasterly and having a radius of 60.00 feet; thence southeasterly along said curve to the left through a central angle of 17°28'06", an arc distance of 18.29 feet (CH = 18.22 feet, CB = South 18°08'13" East) to the east line of said Lot 26; thence South 34°31'22" West along said east line a distance of 24.74 feet; thence North 08°41'09" West a distance of 7.85 feet; thence North 18°01'18" West a distance of 19.07 feet; thence North 52°41'23" East a distance of 4.25 feet; thence North 11°56'50" East a distance of 7.08 feet; thence North 30°12'45" West a distance of 7.39 feet;
thence North 74°51'18" West a distance of 9.08 feet; thence South 43°18'44" West a distance of 4.69 feet; thence South 88°25'23" West a distance of 17.58 feet; thence North 61°28'06" West a distance of 10.38 feet; thence South 79°17'46" West a distance of 3.71 feet; thence South 40°40'56" West a distance of 10.92 feet; thence North 57°45'25" West a distance of 13.68 feet; thence North 65°08'05" West a distance of 6.39 feet; thence North 54°50'23" West a distance of 9.95 feet; thence North 51°16'20" West a distance of 10.06 feet; thence North 27°34'21" West a distance of 25.26 feet; thence North 81°19'48" East a distance of 7.32 feet; thence North 66°31'07" East a distance of 10.18 feet to the north line of said Lot 26; thence South 62°26'31" East along said north line a distance of 104.00 feet to the Point of Beginning.

**Legal Description 20-503-216**

Lot 28, WATERWOOD, according to the map or plat thereof as recorded in Plat Book 66, Page 39, of the Public Records of Polk County, Florida.

**Legal Description 20-503-217P**

That part of Lot 30 located in Waterwood Subdivision as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida being more particularly described as:

Begin at the northeast corner of said Lot 30 of Waterwood Subdivision; thence South 00°02'50" East along the east line of said Lot 30 a distance of 109.53 feet; thence North 07°14'02" West a distance of 24.40 feet; thence North 63°06'41" West a distance of 13.79 feet; thence North 19°13'57" West a distance of 42.66 feet; thence North 15°06'15" West a distance of 26.37 feet; thence North 87°33'20" West a distance of 13.53 feet; thence North 32°28'27" West a distance of 16.56 feet to the north line of said Lot 30; thence South 88°49'09" East along said north line a distance of 58.63 feet to the Point of Beginning.

**Legal Description 20-503-218**

Lot 29 WATERWOOD, according to the map or plat thereof as recorded in Plat Book 66, Page 39, of the Public Records of Polk County, Florida.

**Legal Description 20-503-219P**

Those portions of Lot 11, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida, AND Lot 11-A, being that parcel or real property lying adjacent to and East of said Lot 11, as depicted on that certain document recorded in Official Records Book 5684, Page 1417, of the Public Records of Polk County, Florida being described as follows:

COMMENCE at the northwest corner aforesaid Lot 11; thence South 89°50'15" East, along the north line of said Lot 11, a distance of 136.58 feet to the POINT OF BEGINNING; thence continue South 89°50'15" East, along said north line, 33.62 feet to the northeast corner of said Lot 11; thence continue South 89°50'15" East, along the north line of aforesaid Lot 11-A, a distance of 355.62 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following two (2) courses; (1) South 30°34'58" East, 98.06 feet; (2) South
03°02'49" East, 35.83 feet to the south line of aforesaid Lot 11-A; thence North 89°50'06" West, along said south line, 406.68 feet to the southeast corner of aforesaid Lot 11; thence North 89°50'06" West, along the south line of said Lot 11, a distance of 32.62 feet; thence North 06°34'32" West, 19.44 feet; thence North 12°34'02" East, 38.29 feet; thence North 03°07'44" West, 35.11 feet; thence North 11°48'56" West, 28.91 feet to the POINT OF BEGINNING.

**Legal Description 20-503-220**

Lot 38, WATERWOOD, according to the map or plat thereof as recorded in Plat Book 66, Page 39, of the Public Records of Polk County, Florida.

**Legal Description 20-503-221P**

Those portions of Lot 10, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida, AND Lot 10-A, being that parcel or real property lying adjacent to and East of said Lot 10, as depicted on that certain document recorded in Official Records Book 5684, Page 1417, of the Public Records of Polk County, Florida being described as follows:

COMMENCE at the northwest corner of aforesaid Lot 10; thence North 67°05'10" East, along the north line of said Lot 10, a distance of 112.87 feet to the POINT OF BEGINNING; thence continuing North 67°05'10" East, along said north line 52.39 feet; thence South 89°49'01" East, continuing along said north line, 35.07 feet to the northeast corner said Lot 10, thence South 89°49'01" East, along the north line of aforesaid Lot 10-A, 301.17 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following three (3) courses; (1) South 21°18'00" East, 37.03 feet; (2) South 15°35'20" East, 112.62 feet; (3) South 30°34'58" East, 23.04 feet to the south line of aforesaid Lot 10-A; thence North 89°50'15" West, along said south line, 355.62 feet to the southeast corner of aforesaid Lot 10; thence North 89°50'15" West, along the south line of said Lot 10, a distance of 33.62 feet; thence North 14°23'33" West, 26.47 feet; thence North 05°00'02" West, 52.32 feet; thence North 70°41'46" West, 13.39 feet to the POINT OF BEGINNING.

And

That portion of Lot 10, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida being described as follows:

COMMENCE at the northwest corner of said Lot 10; thence North 67°05'10" East, along the north line of said Lot 10, 11.98 feet to the POINT OF BEGINNING; thence continue North 67°05'10" East, along said north line, 58.53 feet; thence South 54°27'23" West, 10.68 feet; thence South 67°03'56" West, 44.75 feet; thence North 77°54'25" West, 4.10 feet to the POINT OF BEGINNING.

**Legal Description 20-503-223P**

Those portions of Lot 13, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida, AND Tract 13-A, being that
Exhibit "A"
Lake Hancock - Project Lands

parcellor real property lying adjacent to and East of said Lot 13, as depicted on that certain document recorded in Official Records Book 5684, Page 1417, of the Public Records of Polk County, Florida, being described as follows:

BEGINNING at the northeast corner of aforesaid Lot 13, thence South 89°49'29" East, along the north line of aforesaid Lot 13-A, a distance of 453.77 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following three (3) courses; (1) South 33°21'20" East, 34.67 feet; (2) thence South 16°59'33" East, 51.05 feet; (3) thence South 19°19'27" East, 44.47 feet to the south line of aforesaid Lot 13-A; thence North 89°51'57" West, along said south line, 501.74 feet to the southeast corner of aforesaid Lot 13; thence North 89°49'29" East, along said north line, 33.82 feet to the POINT OF BEGINNING.

Legal Description 20-503-229P

That part of Lot 37 located in Waterwood Subdivision as recorded in Plat Book 66, Page 39, Public Records of Polk County, Florida being more particularly described as:

Begin at the southeast corner of said Lot 37 of Waterwood Subdivision; thence South 89°51'47" West along the south line of said Lot 37 a distance of 125.96 feet; thence North 77°25'24" West a distance of 22.02 feet; thence North 60°40'01" West a distance of 25.89 feet; thence North 20°26'24" West a distance of 19.00 feet; thence South 77°01'45" West a distance of 18.72 feet; thence North 00°20'16" East a distance of 11.79 feet; thence South 82°37'12" East a distance of 27.01 feet; thence South 61°10'40" East a distance of 25.02 feet; thence North 88°01'00" East a distance of 21.00 feet; thence South 71°08'19" East a distance of 31.12 feet; thence North 75°24'29" East a distance of 26.44 feet; thence North 35°32'55" East a distance of 11.70 feet; thence North 22°20'21" East a distance of 22.91 feet; thence North 66°19'32" East a distance of 11.91 feet; thence North 45°16'50" East a distance of 5.18 feet; thence North 09°45'54" West a distance of 4.18 feet; thence North 31°30'38" West a distance of 68.85 feet; thence North 74°40'23" West a distance of 19.16 feet; thence North 54°59'52" West a distance of 30.20 feet; thence North 79°12'05" West a distance of 8.26 feet; thence North 29°21'05" West a distance of 11.45 feet; thence North 62°55'21" West a distance of 24.18 feet; thence South 62°51'45" West a distance of 10.83 feet; thence South 42°15'47" West a distance of 21.40 feet; thence South 85°43'07" West a distance of 11.78 feet; thence North 11°26'38" West a distance of 10.74 feet; thence North 76°46'29" West a distance of 8.94 feet to the west line of Lot 37; thence North 00°38'03" West along said west line a distance of 29.98 feet to the north line of Lot 37; thence South 89°14'16" East along said north line a distance of 39.52 feet to a non-tangent intersection with a curve being concave northeasterly and having a radius of 59.99 feet; thence southeasterly along said curve to the left through a central angle of 87°34'41", an arc distance of 91.70 feet (CH=83.03 feet, CB=South 72°50'46" East) to the east line of said Lot 37; thence South 26°28'53" East along said east line a distance of 186.71 feet to the Point of Beginning.

Legal Description 20-503-232

The East 25.00 feet of the following described lands:

That part of Lots 61 and 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat
thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 19 feet North of the Southwest corner of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida and run thence East 450 feet for a Point of Beginning; and continue thence East 399.44 feet; thence North 320.00 feet; thence West 396.65 feet; thence South 320.00 feet to the Point of Beginning.

AND

The West 25.00 feet of the following described lands:

That part of Lot 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 19 feet North of the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida for a Point of Beginning; and run thence North 150 feet; thence West 473.70 feet; thence South 150 feet; thence East 472.40 feet to the Point of Beginning.

AND

The West 25.00 feet of the following described lands:

That part of Lot 62, HALLAM & COMPANY SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 1, Page 101A, of the Public Records of Polk County, Florida, described as follows:

Commence 169 feet North of the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 28 South, Range 24 East, Polk County, Florida for a Point of Beginning; and run thence North 150 feet; thence West 475.01 feet; thence South 150 feet; thence East 473.70 feet to the Point of Beginning.

Legal Description 20-503-234P

The East 25.00 feet of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 and the West 25.00 feet of the East 1/2 of the Northwest 1/4 of the Southeast 1/4 and the East 25.00 feet of the West 1/2 of the Southwest 1/4 of the Northeast 1/4, less the North 850.00 feet and the West 25.00 feet of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 and the West 25.00 feet of the South 165 feet of the North 2,335 feet of the East 1/2 of the West 1/2 of the Northeast 1/4; All being in Section 24, Township 28 South, Range 24 East Polk County, Florida.

Legal Description 20-503-236P

Those portions of Lot 12, RIVERLAKE, according to the map or plat thereof as recorded in Plat Book 117, Page 1, of the Public Records of Polk County, Florida, AND Lot 12-A, being that parcel or real property lying adjacent to and East of said Lot 12, as depicted on that certain
document recorded in Official Records Book 5684, Page 1417, of the Public Records of Polk County, Florida being described as follows:

COMMENCE at the northwest corner of aforesaid Lot 12; thence South 89°50'06" East, along the north line of said Lot 12, a distance of 137.67 feet to the POINT OF BEGINNING; thence continuing South 89°50'06" East, along said north line 32.62 feet to the Northeast corner of said Lot 12; thence South 89°50'06" East, along the north line of aforesaid Lot 12-A, 406.68 feet to the Ordinary High Water Line (OHWL) of Lake Hancock; thence along said OHWL the following three (3) courses; (1) South 03°02'49" East, 38.52 feet; (2) South 26°49'51" East, 58.99 feet; (3) South 33°21'20" East, 34.83 feet to the south line of aforesaid Lot 12-A; thence North 89°49'29" West, along said south line, 453.77 feet to the southeast corner of aforesaid Lot 12; thence N 89°49'29" West, along said south line, 33.82 feet; thence North 02°26'34" East, 91.39 feet; thence North 06°49'01" West, 28.86 feet to the POINT OF BEGINNING.

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Consent Agenda
October 28, 2008

Resource Management Committee

**Sulphur Springs Pool Upper Weir & Gates and Sulphur Springs Pumping Station Project**
*(Approved at Hillsborough River and Northwest Hillsborough Basin Boards in October)*

**Purpose**
Approve the joint funding agreement with the City of Tampa (City) for the Recovery of the Lower Hillsborough River – Sulphur Springs Pool Upper Weir & Gates and Sulphur Springs Pumping Station Project.

**Background/History**
The Governing Board adopted minimum flow rules for the Lower Hillsborough River (LHR), Sulphur Springs, and the Tampa Bypass Canal at its August 28, 2007, meeting. The Governing Board also incorporated into Rule 40D-80.073, Florida Administrative Code (F.A.C), a recovery strategy for the LHR which outlined several proposed projects and a timeline for their implementation. To implement and provide partial funding for a number of proposed projects, the District approved a joint funding agreement with the City for $44.5 million. As outlined in the funding agreement, project costs are expected to be split on a 50/50 cost share basis with the City. Each major project will require an individual funding agreement mutually agreeable to the City and District. A number of projects were explicitly mentioned in the recovery strategy, including modifying the Sulphur Spring Pool upper weir and gates and pump station, with an estimated cost of $2.5 million.

This project will modify the existing pump station at Sulphur Springs to increase reliability and efficiently provide variable pumping rates; replace and or modify the Sulphur Springs upper weir and gates that control flow between Sulphur Springs Pool and Sulphur Springs Run; install provisions to control Sulphur Springs Pool pumping rate based on the temperature and salinity of adjacent monitoring stations; and modify and/or replace the Sulphur Springs pump station intake to allow for the range of anticipated water levels in Sulphur Springs Pool. The design of the project shall be completed by September 1, 2009, while the permitting will be completed by January 1, 2010, and construction completed by October 1, 2010.

The total cost for this specific project is $2,500,000, with the District providing a 50 percent share. However, the City has not requested joint funding for the permitting phase of this project, which equals $20,000. Thus, the total amount eligible for joint funding by the District is $2,480,000. It is expected that half of the District's costs will be provided by the Governing Board and that the remaining funds will be provided by the Hillsborough River Basin Board and the Northwest Hillsborough Basin Board, split on the basis of population served by the City’s Water Department. Using this criterion, the Governing Board would provide 50 percent ($620,000), the Hillsborough River Basin Board would provide 37.5 percent ($465,000), and the Northwest Hillsborough River Basin Board would provide 12.5 percent ($155,000) of the District's costs.

**Benefits/Costs**
Funding is included in the fiscal year (FY) 2009 budget for this project and is consistent with the timeline incorporated into Rule 40D-80.073, F.A.C. Implementation of this project in October 2009 will get this important element of the adopted recovery strategy for the LHR underway as soon as practical.
Staff Recommendation:

Approve the agreement effective as of October 1, 2009, with the City of Tampa for $2,480,000, with the District's share not to exceed $1,240,000; and authorize the Executive Director to execute the agreement.

Presenter:  Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director, Resource Projects Department
Consent Agenda
October 28, 2008

Resource Management Committee

**Chassahowitzka Spring Restoration – First Amendment**
*(Approved at the Coastal Rivers Basin Board Meeting in October)*

**Purpose**
To approve the First Amendment to the Cooperative Funding Agreement with Citrus County (County) for the Chassahowitzka Spring Restoration Project. This First Amendment revises the scope of work for Phase One of the project by deleting the final design and permitting tasks and replacing them with additional sediment surveys and conceptual design. This is necessary based on preliminary sediment analysis and site conditions. This adjustment to the project will require the project to be extended by one year. The deleted tasks are proposed to be completed by the District using State Water Management Lands Trust Funds (WMLTF).

**Background/History**
Approximately 3000 cubic yards of sediment, debris, and *Lyngbya* detritus have accumulated in the Chassahowitzka headspring, resulting in poor water quality and the loss of underwater native plants. The goal of the project is to remove the sediment and debris to improve water quality and provide a suitable substrate for the establishment and regeneration of desirable submerged aquatic vegetation.

On May 4, 2007, the District entered into an agreement with the County for the first phase of the Chassahowitzka Spring restoration project with an estimated cost of $50,000 ($25,000 from the County and $25,000 from the Coastal Rivers Basin Board). This first phase of the restoration project included the conceptual design, final design, and permitting. The second phase of the project will involve the sediment removal and revegetation and can be funded from the WMLTF as the District owns the lands around the headspring.

In October 2007, the County solicited cost estimates and proposals to complete the first phase of the project. The proposals received by the County indicated that additional sediment surveys and contaminant testing were needed in order to properly design and permit the project. As a result of these additional tests, the total cost of the first phase of the project was higher than originally estimated and budgeted. The County delayed hiring a consultant due to the higher cost estimate and concerns of potential impacts to County revenue as a result of tax reform. After a six month delay the County decided to continue with the project, and requested that the $50,000 originally designated for conceptual design, final design, and permitting (phase one) be used for sediment surveys and conceptual design (a portion of phase one). The WMLTF can be used to fund the final design and permitting (completion of phase one) and the sediment removal and revegetation (phase two). An amendment to the cooperative funding agreement with Citrus County is needed to revise the scope of work accordingly. The amendment will also extend the contract expiration date by one year from October 30, 2008, to October 30, 2009, to allow the County time to complete the sediment survey and conceptual design. The County has a consultant under contract and can complete these tasks within this time period.

Once the County completes the conceptual design, the District will take the lead on the final design and permitting using funds from the WMLTF. A total of $350,000 is included in the Basin’s FY2009 budget from the WMLTF with $50,000 allocated for the final design and permitting, and $300,000 allocated for sediment removal and revegetation. The total cost for sediment removal and revegetation of the headspring is estimated between $500,000 and
$600,000, based on recent information provided on two similar projects. Additional funds in the amount of $200,000 to $300,000 are anticipated to be requested in FY2010 from the WMLTF for the completion of the restoration project.

Benefits/Costs
The total project budget for the first phase of the project is $50,000 with the District and County each contributing $25,000. The first phase will achieve the sediment survey and conceptual sediment removal plan needed to properly design and permit the restoration project; as well as an analysis of Best Management Practices for the residential canals discharging to the headspring. The conceptual plans will include details on the sediment removal, processing and disposal, an evaluation of permit requirements, and a revegetation plan.

Staff Recommendation:

Approve the First Amendment to the agreement with Citrus County to revise the scope of work and extend the contract expiration date by one year; and authorize the Executive Director to execute the amendment.

Presenter: Mark A. Hammond, P.E., Director, Resource Projects Department
Item 35.a.

Consent Agenda
October 28, 2008

Resource Management Committee

Facilitating Agricultural Resource Management Systems – Citrus Creek Grove, LLC, Phase II – Charlotte County (Adopted by the Peace River Basin Board)

Purpose
To request approval for a Phase II Facilitating Agricultural Resource Management Systems (FARMS) project with Citrus Creek Grove, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of $637,500 (75 percent of total project costs). Of this amount, $318,750 of the 2009 State Appropriations will be used for one-half of the project, the Governing Board is requested to fund $159,375 and the Peace River Basin Board is requested to fund $159,375. Total project costs are estimated at $850,000.

Background/History
The District’s FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMP) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from groundwater and surface water sources) and/or conservation, restoration and augmentation of the area’s water resources and ecology. The District’s emphasis through the FARMS Program is on reductions in Upper Floridan aquifer withdrawals that will improve ground water conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized groundwater as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized groundwater, and at 75 percent for both water quantity and water quality improvements. FARMS procedure also allows for a 75 percent reimbursement of eligible costs, rather than 50 percent, when reducing groundwater withdrawals by 15 percent or more from a combination of aquifer producing zones (of which five percent is from the Upper Floridan aquifer) and provides improvements to water quality conditions as a result of reductions in groundwater withdrawals.

FARMS Program staff received a proposal for a Phase II project from Citrus Creek Grove located north of State Highway 74 and west of State Highway 31, within Charlotte County. The property drains predominantly to the northwest where surface water enters Shell Creek, approximately 4.5 miles upstream of Punta Gorda’s drinking water reservoir. The site currently utilizes both surface and ground water for irrigation. The Water Use Permit for this grove authorizes surface water and groundwater withdrawals up to 679,400 gallons per day (gpd) for the irrigation of 668 acres of citrus. The moving annual average indicates that Citrus Creek is currently using 97 percent of its permitted quantities and 62 percent of these quantities are from groundwater. Given the results of an Aquifer Performance Test conducted for the lower permeable zone of the Intermediate Aquifer System at the ROMP 5 monitoring site, only 2.5 miles from Citrus Creek Grove, and the results from the regional groundwater model (DWRM2), it has been determined that at least five percent of the groundwater pumped from on-site wells is from the Upper Floridan aquifer. This qualifies the project for a 75 percent cost-share rate. The primary goal of the project is to reduce the withdrawal of mineralized groundwater through the construction and operation of a 78 acre surface water irrigation
Item 35.a.

reservoir. The reduction in groundwater use will benefit the Shell Creek Watershed and Punta Gorda’s water supply by reducing the quantity of poor quality groundwater entering Shell Creek. FARMS project components consist of three surface water irrigation pump stations, filtration, and the piping necessary to connect the proposed surface water reservoir system to the existing irrigation system.

This site currently has a FARMS project that has completed the contract term. This project has been successful in capturing and reusing surface water and tailwater for citrus irrigation. Over the period of record, this project has offset 351 million gallons of poor quality groundwater by using surface water, which averages 199,200 gpd, or 146 percent of the original projected groundwater offset. This site also has a FARMS project that has recently completed construction of a weather station and soil moisture sensors. That project is projected to offset an additional 27,170 gpd. The second phase of this project will enhance the previous FARMS project goal by further reducing highly mineralized groundwater withdrawals by approximately 181,208 gpd. Combined, all phases of projects are projected to offset 407,578 gpd, which is 60 percent of permitted quantities.

Benefits/Costs
The proposed project involves water quantity and water quality BMPs which qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. Using an estimate of 40 percent savings of permitted quantities for this phase, or approximately 181,208 gpd, yields a daily cost of $2.95 per thousand gallons of groundwater reduced over the proposed five-year contract term, and $0.89 per thousand gallons of groundwater reduced over a thirty-year term. Both projected values for groundwater savings costs are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques and alternative supply use for flatwood citrus operations. The decrease in use of mineralized groundwater will improve surface water quality conditions in the basin. Total project costs are estimated at $850,000. The fiscal year 2009 State Appropriations will be used to fund one-half of the project reimbursement. The remainder will be divided evenly between the Governing Board and Peace River Basin Board. Upon approval, the Governing Board and Peace River Basin Board will have $1,645,641 and $32,813 respectively, remaining in their FARMS program budgets.

Staff Recommendation: See Exhibit

(1) Approve the Citrus Creek Grove, LLC, Phase II FARMS Project for a not-to-exceed project reimbursement of $637,500, with $159,375 provided by the Peace River Basin Board, $159,375 provided by the Governing Board, and $318,750 provided from State Appropriations;

(2) Authorize the transfer of $159,375 from fund 020 H017 Peace River Basin Board FARMS funds, $159,375 from fund 010 H017 Governing Board FARMS funds, and $318,750 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to the H548 Citrus Creek Grove, LLC, Phase II FARMS project fund; and

(3) Authorize the Executive Director to execute the agreement.

Presenter: Eric C. DeHaven, P.G., Director, Resource Data and Restoration Department

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Item 35.b.

Consent Agenda
October 28, 2008

Resource Management Committee

Facilitating Agricultural Resource Management Systems – TJ Chastain – Charlotte County (Adopted by the Peace River Basin Board)

Purpose
To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with TJ Chastain and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of $120,000 (75 percent of total project costs). Of this amount, $22,480 from the 2007 State Appropriations and $37,520 from the 2009 State Appropriations will be used to fund one-half of the project, the Governing Board is requested to fund $30,000 and the Peace River Basin Board is requested to fund $30,000. Total project costs are estimated at $160,000.

Background/History
The District's FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMPs) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from ground water and surface water sources) and/or conservation, and restoration and augmentation of the area's water resources and ecology. The District's emphasis through the FARMS Program is on reductions in Upper Floridan aquifer withdrawals that will improve ground water conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized ground water as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized ground water, and at 75 percent for both water quantity and water quality improvements. FARMS procedure also allows for a 75 percent reimbursement of eligible costs, rather than 50 percent, when reducing groundwater withdrawals by 15 percent or more from a combination of aquifer producing zones (of which five percent is from the Upper Floridan aquifer) and provides improvements to water quality conditions as a result of reductions in groundwater withdrawals.

FARMS Program staff received a project proposal from TJ Chastain for his 40-acre citrus grove located on Shell Creek, immediately upstream of the city of Punta Gorda's in-stream reservoir, in Charlotte County. The existing groundwater withdrawal is less than 100,000 gallons per day (gpd) and has an intake diameter less than four inches which is below the threshold for requiring a Water Use Permit, therefore no historical usage data is available. However, current annual average daily withdrawals are estimated to be 55,200 gpd using low volume under tree spray, as calculated from the District's AGMOD water use program. Field testing of ground water produced by the free-flowing well currently used for irrigation shows high levels of specific conductance, which is an indication that the water contains high levels of chlorides and total dissolved solids. There is no construction information available on this well, but the well was geophysically logged as part of the Quality of Water Improvement Program (QWIP) in order to gather information needed to abandon the well. Given the artesian nature of the well, high levels of specific conductance in the ground water, analysis of ground water modeling data and review of data collected at District Regional Observation Monitoring Program sites, it has been
determined that at least five percent of the ground water that flows from this well is from the Upper Floridian aquifer. This qualifies the project for a 75 percent cost-share rate. The primary goal of the project is to reduce the withdrawal of mineralized groundwater and improve the quality of water that leaves the site by constructing a surface water pump station, with associated filters and mainline piping, to withdraw water directly from Shell Creek. The proposed project will offset 55,200 gpd, or 100 percent, of the groundwater irrigation quantities needed by the grove. The reduction in groundwater use will benefit the Shell Creek Watershed and Punta Gorda's water supply by reducing the quantity of poor quality groundwater entering Shell Creek. If the project is approved, the surface water used for irrigation will be metered and reported to the District and the existing artesian well will be completely plugged under the QWIP program.

Benefits/Costs
The proposed project involves water quantity and quality BMPs which qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. Using an estimated 100 percent savings of estimated ground water quantities yields a daily cost of $1.83 per thousand gallons of groundwater reduced over the proposed five-year contract term, and $0.55 per thousand gallons of groundwater reduced over a thirty-year term. Both values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation techniques for flatwood citrus operations. The 2007 and 2009 State Appropriations will be used for one-half of the reimbursement, with the remainder divided evenly between the District Governing Board and the Peace River Basin Board. Upon approval, the Governing Board and Peace River Basin Board will have $2,489,391 and $314,063 respectively, remaining in their FARMS Program budgets.

Staff Recommendation:
(1) Approve the TJ Chastain Project for a not-to-exceed project reimbursement of $120,000 with $30,000 provided by the Peace River Basin Board, $30,000 provided by the Governing Board, and $60,000 provided from State Appropriations;
(2) Authorize the transfer of $30,000 from fund 020 H017 Peace River Basin Board FARMS funds, $30,000 from fund 010 H017 Governing Board FARMS funds, $60,000 from State Appropriations, of which $22,480 is allocated to fund 020 H017 and $37,520 is allocated to fund 010 H017, to H563, TJ Chastain project fund; and
(3) Authorize the Executive Director to execute the agreement.

Presenter: Eric DeHaven, P.G., Director, Resource Data and Restoration Department
Consent Agenda
October 28, 2008

Resource Management Committee

Facilitating Agricultural Resource Management Systems – Calvin Houghland – DeSoto County (Adopted by the Peace River Basin Board)

Purpose
To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Calvin Houghland and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of $487,500 (75 percent of total project costs). Of this amount, $243,750 of the 2009 State Appropriations will be used to fund one-half of the project, the Governing Board is requested to fund $121,875 and the Peace River Basin Board is requested to fund $121,875. Total project costs are estimated at $650,000.

Background/History
The District's FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMPs) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from ground water and surface water sources) and/or conservation, and restoration and augmentation of the area's water resources and ecology. The District's emphasis through the FARMS Program is on reductions in Upper Floridan aquifer withdrawals that will improve ground water conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized ground water as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized ground water, and at 75 percent for both water quantity and water quality improvements.

FARMS Program staff received a project proposal from Calvin Houghland for his 743-acre citrus grove in DeSoto County, known as Bright Hour Ranch. This project area drains south into Myrtle Slough, which in turn flows into Prairie Creek. The annual average groundwater withdrawal authorized by the Water Use Permit to irrigate with low volume microjet (752,730 gpd), and other crops by seepage, (493,270 gpd) is 1,246,000 gallons per day (gpd). Reported groundwater use since June 2005 has averaged 80 percent of the total permitted amount. Ground water tested from all of the wells used to irrigate the citrus grove show high levels of chloride, total dissolved solids, and specific conductance. At the time of submittal of the FARMS funding application, the cooperator was experiencing leaf drop and other symptoms characteristic of irrigating citrus with high salinity ground water. The primary goal of the project is to reduce Upper Floridan aquifer withdrawals by deepening an existing stormwater pond for use as an irrigation reservoir, the installation of two surface water irrigation pump stations, filtration, and the mainline piping necessary to connect the proposed surface water reservoir to the existing irrigation system. The reduction in use of groundwater in the Upper Floridan aquifer for irrigation and the subsequent increase in use of surface water will improve the water quality of Myrtle Slough and Prairie Creek.
Benefits/Costs
The proposed project will reduce withdrawals from the Upper Floridian aquifer as well as improve water quality and qualifies for 75 percent reimbursement. Using an estimated 50 percent savings of permitted quantities used to irrigate the citrus grove, or 376,365 gpd, yields a daily cost of $1.09 per thousand gallons of groundwater reduced over the proposed five-year contract term, and $0.33 per thousand gallons of groundwater reduced over a thirty-year term. Both values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation techniques for flatwood citrus operations. The fiscal years 2008 and 2009 State Appropriations will be used to fund one-half of the project reimbursement, with the remainder divided evenly between the Peace River Basin Board and the Governing Board. Upon approval, the Governing Board and Peace River Basin Board will have $2,123,766 and $192,188, respectively, remaining in their FARMS Program budgets.

Staff Recommendation:  See Exhibit

(1) Approve the Calvin Houghland project for a not-to-exceed project reimbursement of $487,500 with $121,875 provided by the Peace River Basin, $121,875 provided by the Governing Board, and $243,750 provided from State Appropriations;
(2) Authorize the transfer of $121,875 from fund 020 H017 Peace River Basin Board FARMS funds, $121,875 from fund 010 H017 Governing Board FARMS funds, and $243,750 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to H567 Calvin Houghland project fund; and
(3) Authorize the Executive Director to execute the agreement.

Presenter: Eric C. DeHaven, P.G., Director, Resource Data and Restoration Department
Consent Agenda
October 28, 2008

Resource Management Committee

**Facilitating Agricultural Resource Management Systems – Blue Fields USA, L.L.C. – Hardee County; and Additional FARMS Program Funding for Fiscal Year 2009**  
(Adopted by the Peace River Basin Board)

*Purpose*

The purpose of this item is twofold: 1) to request the transfer of $293,743 from a withdrawn cooperative funding project, L485 Charlotte County Golf Course Reuse Storage, to the Facilitating Agricultural Resource Management Systems (FARMS) Program (H017) for use in implementing additional projects in Fiscal Year (FY) 2009 due to a shortfall in budgeted FARMS Program funds in the Peace River Basin and; 2) to request approval and to reimburse FARMS eligible costs for the Blue Fields USA, L.L.C. project up to a not-to-exceed limit of $255,868 (72 percent of total project costs). The 2009 State Appropriation will be used for one-half of the project ($127,934), the Governing Board is requested to fund one-quarter of the project ($63,967), and the Peace River Basin Board is requested to fund one-quarter of the project ($63,967). Total project costs are estimated at $353,394.

Following the approval of the three FARMS projects on the October 2008 consent agenda, the Peace River Basin FARMS budget will have $32,813 remaining, which is not sufficient to support the Blue Fields USA L.L.C. project or future FY2009 projects. Therefore, staff is recommending the FARMS Program budget be replenished with the funds from the withdrawn cooperative funding project (L485) in the amount of $293,743. Approval of the Blue Fields USA, L.L.C. project will reduce this amount to $262,589 for future FARMS projects in the Basin which is projected to be sufficient to meet FY2009 needs.

*Background/History*

The District’s FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMPs) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from ground water and surface water sources) and/or conservation, restoration, and augmentation of the area’s water resources and ecology. The District’s emphasis through the FARMS Program is on reductions in Upper Floridan aquifer withdrawals that will improve groundwater conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized ground water as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized ground water, and at 75 percent for both water quantity and water quality improvements. FARMS policy also allows for a 75 percent reimbursement if Upper Floridan withdrawals will be reduced by 50 percent or more.

FARMS projects are typically funded 50 percent by State Appropriations, 25 percent by the Governing Board, and 25 percent by the Basin Boards. In FY2009, a total of $250,000 was budgeted for FARMS projects and $94,063 was encumbered from previous years. Four projects have been developed for review by the Peace River Basin Board at its October 3, 2008 Basin Board meeting. These four projects require a funding commitment from the Basin of $375,217, which exceeds available funds. A cooperative funding project approved by the Peace River Basin Board in FY2006, L485 Charlotte County Golf Course Reuse Storage, has been canceled due to foreclosure on the golf course, making these funds available to support other Basin needs. Therefore, staff requests the use of these funds to support the Blue Fields
USA, L.L.C. FARMS project, as well as additional FARMS projects developed for the remainder of FY2009.

FARMS Program staff received a project proposal from Blue Fields USA, L.L.C. for their blueberry farm located in the Peace River Watershed, east of US Highway 17 and north of SR 64 in Hardee County. The Water Use Permit authorizes an annual average groundwater withdrawal of 118,600 gallons per day (gpd) for the irrigation of 80 acres of blueberries from two wells completed in the Upper Floridan aquifer. The primary goal of this project is to reduce Upper Floridan aquifer withdrawals by alternative use of two surface water reservoirs. The project will include the construction of two surface water pump stations, filtration, and piping necessary to implement the surface water reservoir system. Excess storm runoff not captured by the surface water reservoir system will flow along the historical flow path to nearby Little Charlie Creek, approximately one-half mile east of the project area. Prior to the property's acquisition by Blue Fields USA, L.L.C., the property was a citrus grove permitted for quantities less than 100,000 gpd, therefore, there is no history of reported pumpage. If the project is approved, the surface water withdrawal used for irrigation will be metered and reported to the District.

Benefits/Costs
The proposed project involves reducing Upper Floridan aquifer withdrawals by more than 50 percent of permitted quantities over the project area, which qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. Using an estimate of 60 percent savings of permitted quantities for the project area, or approximately 71,200 gpd, yields a daily cost of $2.36 per thousand gallons of groundwater reduced over the proposed seven-year contract term, and $0.94 per thousand gallons of groundwater reduced over a thirty-year term. Both projected values for groundwater savings costs are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies for blueberry operations. Total project costs are estimated at $353,394. The FY2009 State Appropriations will be used to fund one-half of the project reimbursement, with the remainder divided evenly between the Peace River Basin Board and the Governing Board.

The transfer of funds originally intended for the L485 Charlotte County Golf Course Reuse Storage project to the FARMS Program will provide FY2009 funding for several potential Peace River Basin FARMS projects currently under development. Projections for projects in the Basin indicate that funds remaining following the transfer and subsequent use for H564 – Blue Fields USA, L.L.C. project, in the amount of $262,589, will be sufficient to meet FY2009 FARMS Program demands. The support of the FARMS Program is important to meet SWUCA Recovery Strategy and Shell and Prairie Creek Reasonable Assurance Plan goals for FY2009 and beyond. Upon approval, the Governing Board and Peace River Basin Board will have $1,453,740 and $262,589, respectively, remaining in their FARMS Program budgets.

**Staff Recommendation:**

1. Authorize the transfer of $293,743 from L485 Charlotte County Golf Course Reuse Storage project to H017 FARMS Program for use in implementing additional FARMS projects in FY2009;
2. Approve the Blue Fields USA, L.L.C. FARMS Project for a not-to-exceed project reimbursement of $255,868, with $63,967 provided by the Peace River Basin Board, $63,967 provided by the Governing Board, and $127,934 provided from State Appropriations;
3. Authorize the transfer of $63,967 from fund 020 H017 Peace River Basin Board FARMS funds, $63,967 from fund 010 H017 Governing Board FARMS funds, and $127,934 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to H564 Blue Fields USA, L.L.C. FARMS project fund; and
4. Authorize the Executive Director to execute the agreement.

**Presenter:** Eric C. DeHaven, P.G., Director, Resource Data and Restoration Department
Resource Management Committee

Facilitating Agricultural Resource Management Systems – Old Florida Investments, Inc. – Manatee County (Adopted by the Manasota Basin Board)

Purpose
To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Old Florida Investments, Inc. and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of $43,500 (50 percent of total project costs). Of this amount, $21,750 of the 2005 State Appropriations will be used for one-half of the reimbursement, the Governing Board is requested to fund $10,875, and the Manasota Basin Board is requested to fund $10,875. Total project costs are estimated at $87,000.

Background/History
The District's FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMPs) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from ground water and surface water sources) and/or conservation, and restoration and augmentation of the area’s water resources and ecology. The District's emphasis through the FARMS Program is on reductions of Upper Floridan aquifer withdrawals that will improve ground water conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized ground water as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized ground water, and at 75 percent for both water quantity and water quality improvements.

FARMS Program staff received a project proposal from Old Florida Investments for a portion of their Kibler Farm property, a 220 acre tomato farm located adjacent to Gilley Creek that drains to the Lake Manatee Reservoir within the SWUCA. The existing Water Use Permit (WUP) services a combined 4,754 acres for both a northern (Kibler Farm is 2,260 acres) and a southern (Smokey Farm is 2,500 acres) tomato farm, which are located approximately six-miles apart. Kibler Farm is the pertinent portion of the WUP that is the focus of this project. The project area of the WUP authorizes an annual average groundwater withdrawal of 583,900 gallons per day (gpd), for the irrigation of 220 acres of tomatoes from a single well completed in the Upper Floridan aquifer. There is no historical pumpage record for only the project area; however, the Kibler Farm portion of the WUP uses 44 percent of their permitted quantities. The primary goal of the project is to reduce Upper Floridan aquifer groundwater withdrawals through the efficient use of an automated irrigation system that will include the automation of a pump and zoned valve controls.

Benefits/Costs
The proposed project involves water quantity BMPs which qualifies for a 50 percent cost-share reimbursement rate under the FARMS Program. Using an estimated five percent savings of permitted quantities, or approximately 29,195 gpd, yields a daily cost of $1.88 per thousand
gallons of groundwater reduced over the proposed five-year contract term, and $0.56 per thousand gallons of groundwater reduced over a thirty-year term. Both values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques for tomato operations. The fiscal year 2005 State Appropriations will be used to fund one-half of the reimbursement, with the remainder divided evenly between the Governing Board and the Manasota Basin Board. Upon approval, the Governing Board and the Manasota Basin Board will have $2,556,911 and $1,217,043, respectively, remaining in their FARMS budgets.

Staff Recommendation: See Exhibit

(1) Approve the Old Florida Investments, Inc., Kibler Farm project for a not-to-exceed project reimbursement of $43,500 with $10,875 provided by the Manasota Basin Board, $10,875 provided by the Governing Board, and $21,750 provided from 2005 State Appropriations;
(2) Authorize the transfer of $10,875 from fund 010 H017 Governing Board FARMS funds, $10,875 from fund 021 H017 Manasota Basin Board FARMS funds, $21,750 from the 2005 State Appropriations allocated to fund 021 H017 Manasota Basin Board FARMS funds, to the H566 Old Florida Investments, Inc., Kibler Farm project fund; and
(3) Authorize the Executive Director to execute the agreement.

Presenter: Eric C. DeHaven, P.G., Director, Resource Data and Restoration Department
Consent Agenda
October 28, 2008

Resource Management Committee

Facilitating Agricultural Resource Management Systems – Sandy Branch Ranch, LLC –
Manatee County (Adopted by the Manasota Basin Board)

Purpose
To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Sandy Branch Ranch, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of $63,750 (75 percent of total project costs). The 2003 State Appropriations to the Manasota Basin Board will be used for the reimbursement of $63,750, as no matching funds are required from this appropriation. Total project costs are estimated at $85,000.

Background/History
The District's FARMS Program, developed by the District and Florida Department of Agriculture and Consumer Services, is a public/private agricultural Best Management Practices (BMPs) cost-share reimbursement program. FARMS is intended to expedite the implementation of production-scale agricultural BMPs that provide water resource benefits. Resource benefits of the FARMS Program include reduced Floridan aquifer withdrawals, water quality improvements (both from ground water and surface water sources) and/or conservation, and restoration and augmentation of the area's water resources and ecology. The District's emphasis through the FARMS Program is on reductions of Upper Floridan aquifer withdrawals that will improve ground water conditions as documented in the Southern Water Use Caution Area (SWUCA) recovery strategy. In addition, the District also provides funding for projects that improve water quality affected by the use of mineralized ground water as documented in the Shell and Prairie Creek Watershed Management Plan – Reasonable Assurance Documentation. Reimbursement cost-share rates are capped at 50 percent for water quantity withdrawal reductions from the Upper Floridan aquifer or water quality improvements realized from decreasing the use of mineralized ground water, and at 75 percent for both water quantity and water quality improvements.

FARMS Program staff received a project proposal from Sandy Branch Ranch, LLC for their 500 acre citrus grove and tomato farm located at the confluence of Owen Creek and Sandy Branch, within the Upper Myakka River Basin of the SWUCA. The existing Sandy Branch Ranch Water Use Permit (WUP) is comprised of two merged WUP's covering 1,514 total acres. This permit services two separate farms, located approximately two-miles apart, (the Main Farm is 516 acres and the Highway 70 Farm is 998 acres). The pertinent portion of the WUP that is the focus of this project is the Highway 70 Farm. The Highway 70 Farm portion of the WUP authorizes an annual average groundwater withdrawal of 673,000 gpd, for the irrigation of 500 acres of citrus and tomatoes from three wells completed in the Upper Floridan aquifer. The historical annual average as of July 1, 2008 is 382,614 gallons per day (gpd), or about 43 percent of permitted quantities. The primary goal of the project is to reduce Upper Floridan aquifer groundwater withdrawals through the use of an automated irrigation system that will include the automation of three pumps and zoned valve controls for three Upper Floridan aquifer wells to reduce duration of irrigation events. The reduction in groundwater withdrawals will also result in improved surface water quality and reduced impacts to the ecology of Flatford Swamp and the Upper Myakka River Watershed.
Benefits/Costs
The proposed project involves water quantity, quality, and natural system BMPs, which qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. Using an estimated five percent savings of permitted quantities, or approximately 33,660 gpd, yields a daily cost of $1.59 per thousand gallons of groundwater reduced over the proposed five-year contract term, and $0.48 per thousand gallons of groundwater reduced over a thirty-year term. Both values are within the Model Farms guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques for flatwood citrus and tomato operations. The 2003 State Appropriations to the Manasota Basin Board will be used for the reimbursement. Upon approval, the Manasota Basin Board will have $1,249,668 remaining in its FARMS Program budget. No funds are required from the Governing Board.

Staff Recommendation:  
See Exhibit

(1) Approve the Sandy Branch Ranch, LLC project for a not-to-exceed project reimbursement of $63,750 provided from the 2003 State Appropriations to the Manasota Basin Board;
(2) Authorize the transfer of $63,750 from the 2003 State Appropriations allocated to fund 021 H017 FARMS funds to H565, Sandy Branch Ranch, LLC, project fund; and
(3) Authorize the Executive Director to execute the agreement.

Presenter: Eric C. DeHaven, P.G., Director, Resource Data and Restoration Department
Finance and Administration Committee

Board Travel

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Travel to any conference or convention requires prior approval.

Within the geographic boundaries of the District, Governing Board members may incur travel expenses to attend Governing and Basin Board meetings or for other purposes beneficial to the District, excluding conferences and conventions. Scheduled travel for Governing Board members outside the District or to attend conferences or conventions requires prior approval through the consent agenda of a regular monthly Governing Board meeting. Non-scheduled travel outside the District or to attend any conference or convention requires prior approval of the Governing Board Chair, or in her absence, the Vice Chair.

As of October 16, 2008, no travel is planned for outside the geographic boundaries of the District.

Staff Recommendation:

No action required at this time.

Presenter: Lou Kavouras, Deputy Executive Director, Outreach, Planning & Board Services
Consent Agenda
October 28, 2008

Finance and Administration Committee

Budget Transfer Report

Purpose
Request approval of the Budget Transfer Report covering all budget transfers made during the month of September 2008.

Background
In accordance with Board Policy No. 130-8, all transfers approved by the Basins, Executive Director and Finance Director under delegated authority are regularly presented to the Finance and Administration Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for September 2008.

Presenter: Linda R. Pilcher, Assistant Director, Finance Department

See Exhibit
### Basin Board Approved

#### Alafia River Basin:
1. **Resource Data & Restoration**
   - Grant - Agriculture
   - **Expenditure Category**: Resource Data & Restoration
   - **Transfer Amount**: $35,020
   - **Reason For Transfer**: Transfer of budgeted funds to the appropriate project code for the Facilitating Agricultural Resource Management Systems (FARMS) Strawberry Red Ranch, LLC project.

2. **Hillsborough River Basin**
   - **Reserves for WSRD**
   - **Expenditure Category**: Resource Data & Restoration
   - **Transfer Amount**: $31,625
   - **Reason For Transfer**: Transfer of budgeted WSRD reserves to the appropriate project code for the FARMS Balaban Farms, LLC project.

3. **Peace River Basin**
   - **Resource Data & Restoration**
     - **Expenditure Category**: Resource Data & Restoration
     - **Transfer Amount**: $49,500
     - **Reason For Transfer**: Transfer of budgeted funds to the appropriate project code for the FARMS Classic Caladiums, LLC project.

#### Executive Director Approved

**General Fund:**
1. **Land Resources**
   - **Expenditure Category**: Land Purchases & Awards
   - **Transfer Amount**: $6,000
   - **Reason For Transfer**: Transfer of funds originally budgeted for purchase of monitor well sites. Expenditures were less than anticipated. The funds were needed for appraisal and survey for exchange related to Sweetwater Creek.

2. **Information Resources**
   - **Expenditure Category**: Consultant Services
   - **Transfer Amount**: $11,212
   - **Reason For Transfer**: Transfer of funds originally budgeted for development of tools and technology used to create and edit terrains and Digital Elevation Models derived from Light Detection and Ranging data and for support of the TeleAtlas roads data. Since development of the FY2008 budget, a third-party software firm has developed these tools and technology. The funds were needed to purchase licenses for this software from the firm.

3. **General Services**
   - **Expenditure Category**: Maint/Repair Bldgs Structures
   - **Transfer Amount**: $8,200
   - **Reason For Transfer**: Transfer of funds originally budgeted for maintenance and repairs of District buildings. Expenditures were less than anticipated. The funds were needed for replacement of an off-road utility vehicle used for maintaining grounds and landscaping.

4. **Information Resources**
   - **Expenditure Category**: Maint/Repair Equipment
   - **Transfer Amount**: $20,000
   - **Reason For Transfer**: Transfer of funds originally budgeted for hardware maintenance. Expenditures were less than anticipated. The funds were needed for replacement of an Uninterruptible Power Supply which is necessary to support server and communication equipment located at the Bartow Service Office.

5. **General Services**
   - **Expenditure Category**: Maint/Repair Bldgs Structures
   - **Transfer Amount**: $5,100
   - **Reason For Transfer**: Transfer of funds originally budgeted for maintenance and repairs of District buildings. Expenditures were less than anticipated. The funds were needed for purchase of a prism inflatable light with built-in generator for flood control system at the Tampa Service Office.
### SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

**Budget Transfer Report**

**September 2008**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Department / Expenditure Category</th>
<th>Department / Expenditure Category</th>
<th>Transfer Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Resource Projects</td>
<td>Planning</td>
<td>25,000</td>
</tr>
<tr>
<td></td>
<td>Grant - Water Conservation</td>
<td>Consultant Services</td>
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<tr>
<td>7</td>
<td>General Services</td>
<td>General Services</td>
<td>3,400</td>
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<tr>
<td></td>
<td>Maint/Repair Bldgs Structures</td>
<td>Equipment - Outside</td>
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<tr>
<td>8</td>
<td>Operations</td>
<td>Information Resources</td>
<td>4,850</td>
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<tr>
<td></td>
<td>Reproduction Supplies</td>
<td>Resource Projects Comptr Equip</td>
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<tr>
<td>9</td>
<td>Tampa Regulation</td>
<td>Tampa Regulation</td>
<td>2,226</td>
</tr>
<tr>
<td></td>
<td>Travel - Training</td>
<td>Other Contractual Services</td>
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</tr>
<tr>
<td>10</td>
<td>Operations</td>
<td>Operations</td>
<td>28,794</td>
</tr>
<tr>
<td></td>
<td>Other Contractual Services</td>
<td>Equipment - Non-Capital Outlay</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Operations</td>
<td>Operations</td>
<td>25,000</td>
</tr>
<tr>
<td></td>
<td>Other Contractual Services</td>
<td>Equipment - Outside</td>
<td></td>
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<td></td>
<td></td>
<td>Parts and Supplies</td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Coastal Rivers Basin:</td>
<td>Land Resources</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parts and Supplies</td>
<td></td>
</tr>
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<td></td>
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</tr>
<tr>
<td></td>
<td>Withlacoochee River Basin:</td>
<td>Land Resources</td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parts and Supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contracted Construction</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Peace River Basin:</td>
<td>Land Resources</td>
<td>4,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Security Services</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other Contractual Services</td>
<td></td>
</tr>
</tbody>
</table>

**Reason For Transfer**

- **Resource Projects**
  - Transfer of funds originally budgeted for the Tampa Bay Regional Reclaimed Water project. Project was cancelled. The funds were needed for an outside task coordinator and facilitator for the Central Florida Coordination Area Action Plan.
- **General Services**
  - Transfer of funds originally budgeted for maintenance and repairs of District buildings. Expenditures were less than anticipated. The funds were needed for purchase of digital receiver to locate buried power and water utility lines.
- **Operations**
  - Transfer of funds originally budgeted for reproduction supplies. Expenditures were less than anticipated. The funds were needed for temporary assistance within the Tampa Regulation vault.
  - Transfer of funds originally budgeted for development of a methodology to reprocess older rainfall data to improve quality. Project has been delayed and rebudgeted for FY2009. The funds were needed for purchase of modular furniture for Mapping & GIS and Aquatic Plant Management sections, which will provide a more ergonomical and efficient workspace.
  - Transfer of funds originally budgeted for development of a methodology to reprocess older rainfall data to improve quality. Project has been delayed and rebudgeted for FY2009. The funds were needed for purchase of equipment, parts and supplies associated with the Peace River Integrated Model and for monitoring associated with the Morris Bridge Sink Pump Testing.
  - Transfer of funds originally budgeted for parts and supplies for Starkey Wilderness Preserve. Expenditures were less than anticipated. The funds were needed for purchase of materials for an ADA-compliant dock at Serenova Tract.
- **Tampa Regulation**
  - Transfer of funds originally budgeted for travel - training. Expenditures were less than anticipated. The funds were needed for contractual mowing at recently acquired Lake Hancock properties.

**Total Executive Director Approved**

$ 150,282
## SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

### Budget Transfer Report

**September 2008**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Department / Expenditure Category</th>
<th>Department / Expenditure Category</th>
<th>Reason For Transfer</th>
<th>Transfer Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Operations Other Contractual Services</td>
<td>Operations Regular Salaries and Wages Other Contractual Services Rental of Other Equipment Central Garage Charges Landfill and Disposal Fees</td>
<td>Transfer of budgeted funds to the appropriate section and expenditure categories for repairs and maintenance of structure P-8 at Lake Hamilton.</td>
<td>$110,000</td>
</tr>
<tr>
<td>2</td>
<td>General Services Micro/Digital Imaging Service</td>
<td>General Services Other Contractual Services</td>
<td>Transfer of budgeted funds to the appropriate expenditure category for Districtwide microimaging services.</td>
<td>10,000</td>
</tr>
<tr>
<td>3</td>
<td>Information Resources Equipment - Computer</td>
<td>Information Resources Software</td>
<td>Transfer of budgeted funds to the appropriate expenditure category for purchase of system software for District server.</td>
<td>7,000</td>
</tr>
<tr>
<td>4</td>
<td>Land Resources Land Clearing and Demolition</td>
<td>Land Resources Land Clearing and Demolition</td>
<td>Transfer of budgeted funds to the appropriate project code for tree removal at Lower Hillsborough Wilderness Park.</td>
<td>2,500</td>
</tr>
<tr>
<td>5</td>
<td>Resource Projects Consultant Services</td>
<td>Resource Projects Grant - Financial Assistance</td>
<td>Transfer of budgeted funds to the appropriate expenditure category for the Thirteen Mile Run Water Control Structure Operation Evaluation project.</td>
<td>100,000</td>
</tr>
<tr>
<td>6</td>
<td>Resource Data &amp; Restoration Grant - Agriculture</td>
<td>Resource Data &amp; Restoration Grant - Agriculture</td>
<td>Transfer of unused budgeted FARMS funds back to the general FARMS budget appropriation for allocation to future projects.</td>
<td>38,549</td>
</tr>
<tr>
<td>7</td>
<td>Regulation Performance Management Contracted Construction</td>
<td>Land Resources Surveying Services</td>
<td>Transfer of budgeted funds to the appropriate department and expenditure category for the Hampton Tract Florida Department of Transportation (FDOT) Mitigation project.</td>
<td>4,800</td>
</tr>
<tr>
<td>8</td>
<td>Regulation Performance Management Consultant Services</td>
<td>Regulation Performance Management Consultant Services</td>
<td>Transfer of budgeted funds to the appropriate project code for outside consulting to verify water use permit data for allocation rate compliance within the Southern Water Use Caution Area and the Northern Tampa Bay Water Use Caution Area.</td>
<td>29,500</td>
</tr>
<tr>
<td>9</td>
<td>Human Resources &amp; Risk Mgmt FICA Regular Salaries and Wages Other Contractual Services</td>
<td>Various Departments Regular Salaries and Wages FICA Other Contractual Services</td>
<td>Transfer of budgeted funds to the appropriate departments for the Student Intern Program.</td>
<td>181,269</td>
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<tr>
<td>10</td>
<td>Regulation Performance Management Contracted Construction</td>
<td>Regulation Performance Management Contracted Construction</td>
<td>Transfer of budgeted funds to the appropriate project code for the Little Manatee River - Lower Tract FDOT Mitigation project.</td>
<td>61,600</td>
</tr>
<tr>
<td>11</td>
<td>Resource Projects Consultant Services</td>
<td>Resource Projects Grant - Financial Assistance</td>
<td>Transfer of budgeted funds to the appropriate expenditure category for the Watershed Management Program for Marion County.</td>
<td>21,552</td>
</tr>
</tbody>
</table>

Total Finance Director Approved $566,770

Total Transfers for Governing Board Approval $869,047

*This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Basin Boards, Executive Director, or Finance Director consistent with Board Policy 130-8, and are presented for Governing Board approval on the consent agenda. All Basin transfers are made based on Basin Board authority and are presented to the Governing Board via this report for ratification or approval. Executive Director approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts of $50,000 or less. Finance Director approved transfers are accounting type transfers with no change to the original budget intent.*
Consent Agenda
October 28, 2008

General Counsel’s Report

Consent Order – ERP No. 46029136.000 – Columbia Apartments II, LLC (Columbia Pines) – Hillsborough County

On June 24, 2005, the District received an Environmental Resource Permit (ERP) application from Columbia Apartments II, LLC (Permittee) for the construction of a surface water management system to serve a multi-family residential apartment complex east of North 15th Street and south of 130th Avenue in Tampa, Hillsborough County. On July 22, 2005, District staff conducted a site visit and located an existing two-inch well on the property. District staff photographed the well and recorded the well's Global Positioning System (GPS) coordinates. On November 28, 2005, the District issued ERP No. 46029136.000 (Permit) to Permittee. General Condition No. 10a of the Permit requires that any existing wells in the path of construction be properly plugged and abandoned by a licensed well contractor. At a subsequent site visit on April 21, 2006, District staff discovered that a building had been constructed where the well was located. District staff asked the site superintendent if the well had been properly abandoned, and he indicated that he did not know, but that he would look into the matter. District staff visited the site again on April 26, 2006, and took pictures of the building constructed where the well was located. On May 5, 2006, Permittee submitted a letter to the District stating that it cannot explain what happened to the well as none of the contractors who cleared the site knew anything about the well. The Permittee never obtained a Well Construction Permit to abandon the well, and acknowledged that a building slab is covering the area where the well is located.

Since the well cannot be properly abandoned as it is covered by a building slab, a proposed Consent Order was issued on August 21, 2008, which assessed penalties of $3,000 and costs of $2,700 for a total of $5,700, as follows:

- $2,000 – for the failure to properly abandon a two-inch well in the path of construction within the penalty matrix range of $250 - $2,499 for minor construction deviations;
- $1,000 – 50% enhancement for willful violation; and,
- $2,700 – the standard cost assessment for as-built deviations.

The Permittee responded to the proposed Consent Order and indicated that it was willing to pay the $2,700 in District costs assessed in the proposed Consent Order, but stated that a penalty of between $500 and $1,000 is more appropriate for the failure to abandon the well. The amount proposed by the Permittee was based upon its actual costs to abandon wells in similar locations, which was supported by copies of invoices for amounts paid by the Permittee to abandon other wells. After reviewing the documents submitted by the Permittee, District staff was willing to reduce the penalty. As a result, District staff issued a revised proposed Consent Order on September 15, 2008, which assessed penalties of $1,000 and costs of $2,700 for a total of $3,700, as follows:

- $500 – for the failure to properly abandon a two-inch well in the path of construction within the penalty matrix range of $250 - $2,499 for minor construction deviations;
- $500 – 100% enhancement for willful violation; and,
- $2,700 – the standard cost assessment for as-built deviations.

A signed Consent Order and full payment of the penalties and costs have been received.
Staff Recommendation:

Approve the proposed Consent Order and authorize the initiation of litigation against Columbia Apartments II, LLC to obtain compliance with the Consent Order.

Presenter: Adrienne E. Vining, Staff Attorney
Consent Agenda
October 28, 2008

Executive Director’s Report

Approval of Minutes –

September 16, 2008 Tentative Public Budget Hearing: See Exhibit ............Page 278

September 30, 2008 Governing Board Meeting; and See Exhibit (to be provided)

September 30, 2008 Final Public Budget Hearing See Exhibit ............Page 283

Staff Recommendation:

Approve the minutes as presented.

Presenter: David L. Moore, Executive Director
The Governing Board of the Southwest Florida Water Management District met at 5:01 p.m. on September 16, 2008, at the Tampa Service Office. The following persons were present:

**Board Members Present**
- Neil Combee, Chair
- Jennifer E. Closshey, Secretary
- Ronald E. Oakley, Treasurer
- Hugh M. Gramling, Member
- Albert G. Joerger, Member
- H. Paul Senft, Member
- Judith C. Whitehead, Member

**Board Members Absent**
- Todd Pressman, Vice Chair
- Bryan K. Beswick
- Patricia M. Glass, Member
- Martiza Rovira-Forino, Member
- Sallie Parks, Member (arrived after the meeting due to traffic)

**Staff Members Present**
- David L. Moore, Executive Director
- Lou Kavouras, Deputy Executive Director
- Richard S. Owen, Deputy Executive Director
- Eugene A. Schiller, Deputy Executive Director
- Bruce C. Wirth, Deputy Executive Director
- Karen A. West, Deputy General Counsel
- Daryl F. Pokrana, Director, Finance Dept.
- Linda R. Pilcher, Assistant Director, Finance Dept.
- Cathy A. Linsbeck, Senior Budget Analyst, Finance
- Eloise M. Buzbee, Senior Budget Analyst, Finance
- Alan Lynch, Senior Budget Analyst, Finance
- Michael Cacioppo, Staff Budget Analyst, Finance

**Recorded by**
- Randy Emberg, Video Production Spec. Supervisor
- Joyce Morra, Administrative Coordinator, Finance

A list of others present who signed the attendance roster is filed in the permanent files of the District. The meeting was video conferenced to District headquarters in Brooksville.

1. **Call to Order**
   
   Chair Combee called the meeting to order and noted a quorum was present.

2. **Open Public Hearing**
   
   Chair Combee welcomed the hearing attendees, and stated the budget hearing is for the purpose of adopting tentative millage rates and budgets for the District and Basins comprising the Southwest Florida Water Management District, pursuant to sections 373.536, 200.065 and 200.185, Florida Statutes, as amended. Chair Combee stated that anyone wishing to address the Governing should fill out and submit a speaker's card. He stated that comments would be limited to three minutes per speaker.

   Chair Combee led the Pledge of Allegiance to the Flag of the United States of America and then introduced Mr. Oakley, Chair of the Finance and Administration Committee.

   Mr. Oakley said the purpose of this first Public TRIM Budget Hearing is to adopt tentative millage rates and a budget for the District. The final millage rates and budget will be adopted at the second public hearing to be held on September 30, 2008 at 5:01 p.m., at the District headquarters in Brooksville. This budget is the culmination of months of Board and staff development; over 60 public meetings were held this fiscal year. The budget development process began back in the fall when the Basins held their annual planning workshops and the
Governing Board approved the Budget Priorities and Assumptions. The process will end with the adoption of the final budget by this Board at our next public hearing.

Mr. Oakley said the District's combined Fiscal Year 2009 (FY2009) budget is $376.5 million, a decrease of $18.5 million from the current year. This decrease reflects a $21.4 million or nine percent reduction in ad valorem revenue. This is offset by a net increase of $2.9 million in other revenues. All millage rates are below the rolled-back millage rates and maximum millage rates for FY2009.

Mr. Oakley said the budget had to again be developed during challenging times in the economy. Last year there was tax reform legislation enacted by the Florida Legislature. This year, Constitutional Amendment 1 was passed by Florida voters in January, increasing property tax exemptions. Further, property values have declined this year due to the real estate market. The impact of these changes resulted in ad valorem taxes being reduced when property values were certified in July.

Mr. Oakley said the reduction in ad valorem revenue has affected the amount of funding dedicated to the District's regional water supply and water resource development projects. As a result, the District must review current and future project viability and timing with local governments and other partners. At the October Governing Board meeting, the Board will receive an update on the District's Long-Range Water Supply and Water Resource Development Funding Plan through 2025.

Mr. Oakley said the FY2009 budget includes $166.6 million, which is 45 percent of the budget, for the District's cost-share programs: Water Supply and Resource Development program and Cooperative Funding program. These dollars will be leveraged through public and private partnerships for a potential investment of over $310 million in sustainable alternative water supply development and other water resource management projects. This is down from an estimated $339 million for FY2008. The District expects this level of investment to decline further at least through 2010, due to declining property values.

In summary, Mr. Oakley said he believes this budget reflects the District's goal of providing cost-effective quality services while protecting and enhancing the public's water resources, and it achieves the strategic priorities of the Governing and Basin Boards. He thanked the Governing and Basin Boards and staff for the special efforts required to develop this budget.

3. **Budget Overview**

   Mr. Schiller provided a brief overview of the budget provided in the public hearing budget booklet. He began by introducing Budget staff present today: Ms. Linda Pilcher, Assistant Finance Director; Mesdames Eloise Buzbee and Cathy Linsbeck, and Mr. Alan Lynch, Senior Budget Analysts; Mr. Mike Cacioppo, Staff Budget Analyst; and Ms. Joyce Morra, Administrative Coordinator. Also, on behalf of staff, he personally thanked the Governing Board and Basin Boards for their cooperation, understanding, and flexibility during this challenging budget year, which again included additional tax reform.

   Mr. Schiller reviewed the budget calendar for the balance of the fiscal year. The District is in the last phase of the budget adoption process for FY2009. This is the first of two public hearings on the budget. On September 23, comments are due from Governor Crist. The budget will be advertised on September 25. The second and final hearing will be held on September 30 at 5:01 p.m., following the September Governing Board meeting, at the District's headquarters in Brooksville.

   Mr. Schiller said page four of the public hearing budget booklet shows the District's combined FY2009 budget of $376.5 million, which is $18.5 million or 4.7 percent below FY2008. The budget has not changed since it was last presented to the Governing Board in August. The budget was delivered to Board members in June, and updates were provided in July and August regarding any proposed changes to the FY2009 budget. The budget includes the
Districtwide General Fund budget which is overseen by the Governing Board, and the eight separate Basin Funds, which are developed by the local Basin Boards. The Basin Boards adopted their final millage rates and budgets as presented, along with resolutions requesting the Governing Board levy ad valorem taxes at the adopted rates and include the Basin budgets as recommended as part of the District's final combined budget for FY2009.

As mentioned by Mr. Oakley, Mr. Schiller said the FY2009 budget includes $166.6 million for the District's cost-share programs: Water Supply and Resource Development program and Cooperative Funding program. This represents a decrease of $17.8 million from FY2008 due to a reduction in ad valorem and state funding. The FY2009 budget of $166.6 million will be matched by an estimated $144 million through public and private partnerships for a potential investment of over $310 million for additional water resource management projects. This planned outsourcing combined with the District's funding of the Water Supply and Resource Development and Cooperative Funding programs which is substantially outsourced by the District's private and public partners will result in $231 million or 61 percent of the budget outsourced to private industry. This is a significant step in continuing to fund the Long-Range Water Supply and Water Resource Development Funding Plan on a “pay-as-you-go” basis.

Mr. Schiller noted that the FY2009 millage rates were held at the same levels as FY2008, with the exception of the Pinellas-Anclote River Basin. The Pinellas-Anclote River Basin Board reduced its millage rate from 0.3701 to 0.3600. Millage rates maintained at the FY2008 levels, combined with the passage of Amendment 1 and declining property values, resulted in a decrease of $21.4 million in total ad valorem revenue from FY2008.

Mr. Schiller stated the District continues to operate without debt and with no increase in staffing. Additional information on the FY2009 budget is available in the public budget hearing booklet which has been provided.

Mr. Schiller presented page four of the hearing booklet which shows District revenues summarized for all funds, by revenue source.

- Ad Valorem revenues represent 59 percent of the District's total revenues, a decrease of $21.4 million from FY2008. This is based on the same millage rates as FY2008 except for the Pinellas-Anclote River Basin which reduced its millage rate from 0.3701 to 0.3600. The decrease is due to the impact of Constitutional Amendment 1 and declining property values.
- Balances brought forward from prior years represent 17 percent which is up from $44.8 million for FY2008, a $19.5 million increase. This is due primarily to $13.3 million from the canceled Tampa Bay Regional Reclaimed Water project.
- State funding represents 19 percent of revenues at $71.0 million, compared to $76.0 million for FY2008. The budget includes:
  - $1.425 million from the State’s Water Protection & Sustainability Trust Fund for alternative supply development, down from $13.0 million for FY2008.
  - $22.5 million from Florida Forever Trust Fund for land acquisition (equal to annual appropriation), down from $26.25 million for FY2008.
  - $26.0 million from the Water Management Lands Trust Fund ($20.6 million for land management and land acquisition ancillary costs and $5.4 million for SWIM).
  - $15.0 million in first year funding for the West-Central Florida Water Restoration Action Plan.
  - $6.1 million from other state revenue.
- Federal funding represents less than one percent of revenues at $0.8 million, down from $1.4 million for FY2008. This is due to a reduction in funding from the Federal Emergency Management Agency (FEMA). The District is cooperating with FEMA to modernize the Flood Insurance Rate Maps. The budget for FY2009 is for reimbursement of management support costs.
- Local funding is $4.1 million and one percent of revenue. This is funding the District will receive from cooperators for projects where the District will be the lead party.
- All other funding (i.e., local/county/city funding, permit fees, interest on investments, and other miscellaneous income) represents four percent or $13.7 million, down from $24.3 million in
FY2008. The majority of this decrease is due to a decrease in interest earnings on District investments ($12.6 million).

Mr. Schiller presented a chart (page 21 of the hearing booklet) which shows how the District allocates funds:

- 58 percent or $214.5 million of the District’s budget is for acquisition, restoration and public works. This includes water source development, land acquisition and surface water projects.
- 12 percent or $43.6 million is allocated to water resources planning and monitoring. This includes water supply planning, minimum flows and levels, mapping activities and watershed management planning.
- District Management and Administration is 15 percent or $56.3 million which includes:
  - Administration and Operations support at six percent or $21.3 million.
  - District’s entire information technology systems and support at four percent or $16.8 million.
  - Contingency reserves at three percent or $11.5 million.
  - Tax commissions at two percent or $6.7 million.
- These numbers do not include the interfund transfers of approximately $6.5 million. These transfers among funds, which must be appropriated, have been excluded from the water resources planning and acquisition and restoration and public works program areas.

In summary, Mr. Schiller said staff concurs with Mr. Oakley’s initial statement that this budget achieves all of the program priorities of the Governing and Basin Boards while holding millage rates steady.

4. Public Announcement of the Name of the Taxing Authority, Rolled-Back Rates, Percentage Decreases, and Millage Rates to be Levied for FY2009

Ms. Pilcher presented the required public announcement of the name of the taxing authority, the rolled-back rates, the percent of tax decrease below the rolled-back rates, and the millage rates to be levied for FY2009, and read into the record as required for the District and each of the eight Basins. It was noted that the Governing Board serves as the Board for the Green Swamp Basin; therefore, there is no separate Basin millage for the Green Swamp Basin.

5. Public Comments

a. Letters/Resolutions Received

Mr. Oakley noted that no letters or resolutions have been received as of today’s date. Staff has received 36 taxpayer calls in response to receiving their tax notices.

b. Persons Wishing to Address the Board

Mr. Oakley requested that anyone wishing to address the budget come forward, and state their name, address, and group affiliation, if any. There were no requests to speak.

6. Adopt Tentative FY2009 Millage Rates

The millage rates are as follows:

- General Fund Districtwide 0.3866
- Alafia River Basin 0.2163
- Hillsborough River Basin 0.2547
- Northwest Hillsborough Basin 0.2421
- Coastal Rivers Basin 0.1885
- Pinellas-Anclote River Basin 0.3600
- Withlacoochee River Basin 0.2308
- Peace River Basin 0.1827
- Manasota Basin 0.1484
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 08-10

ADOPTION OF TENTATIVE MILLAGE RATES
FISCAL YEAR 2009

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed
in the permanent resolution files of the District.

Following consideration, Ms. Whitehead moved to adopt Resolution No. 08-10, Adoption of
Tentative Millage Rates. Ms. Closshey seconded the motion, and it carried unanimously.

7. Adopt Tentative FY2009 Budget

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 08-18

ADOPTION OF TENTATIVE BUDGET
FOR FISCAL YEAR 2009

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed
in the permanent resolution files of the District.

Following consideration, Ms. Closshey moved to adopt Resolution No. 08-18, Adoption of
Tentative Budget for Fiscal Year 2009, in the amount of $376,489,390. Mr. Gramling
seconded the motion, and it carried unanimously.

8. Announcement of Second and Final Public Hearing

Mr. Oakley announced the second public hearing will be held on September 30, 2008,
5:01 p.m., at the District’s headquarters in Brooksville, 2379 Broad Street. Final action on the
FY2009 budget will be taken at that time.

9. Adjournment

Mr. Joerger moved, seconded by Mr. Senft, to adjourn the Tentative FY2009 Budget
Hearing. The motion carried unanimously.

The public hearing was adjourned at 5:20 p.m.

The Southwest Florida Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation, as provided for in the Americans with Disabilities Act, should contact the Executive Department, telephone 1-800-423-1476 (Florida only), extension 4610; TDD ONLY 1-800-231-6108 (Florida only); FAX 352-754-6874.
The Governing Board of the Southwest Florida Water Management District met at 5:04 p.m. on September 30, 2008, at the District's headquarters in Brooksville. The following persons were present:

**Board Members Present**
- Neil Combee, Chair
- Jennifer E. Closshey, Secretary
- Ronald E. Oakley, Treasurer
- Bryan K. Beswick, Member
- Patricia M. Glass, Member
- Hugh M. Gramling, Member
- Albert G. Joerger Member
- Sallie A. Parks, Member
- Maritza Rovira-Forino, Member
- H. Paul Senft, Member
- Douglas B. Tharp, Member
- Judith C. Whitehead, Member

**Board Member Absent**
- Todd Pressman, Vice Chair

**Staff Members Present**
- David L. Moore, Executive Director
- Lou Kavours, Deputy Executive Director
- Richard S. Owen, Deputy Executive Director
- Eugene A. Schiller, Deputy Executive Director
- Bruce C. Wirth, Deputy Executive Director
- William S. Bilenky, General Counsel
- Daryl F. Pokrana, Director, Finance Dept.
- Linda R. Pilcher, Assistant Director, Finance Dept.
- Cathy A. Linsbeck, Senior Budget Analyst, Finance
- Eloise M. Buzbee, Senior Budget Analyst, Finance
- Alan Lynch, Senior Budget Analyst, Finance
- Michael Cacioppo, Staff Budget Analyst, Finance
- Joyce Morra, Administrative Coordinator, Finance
- Annette D. Zielinski, Senior Admin. Assistant

A list of others present who signed the attendance roster is filed in the permanent files of the District.

1. **Call to Order**
   Chair Combee called the meeting to order.

2. **Open Public Hearing**
   Chair Combee opened the public hearing and turned the gavel over to Mr. Oakley, Chair of the Finance and Administration Committee.

Mr. Oakley said the purpose of this second public hearing is to adopt final millage rates and the combined budget for Fiscal Year (FY) 2009. This budget is the culmination of months of Board and staff development—over 60 public meetings were held this fiscal year. The budget development process began back in the fall and will conclude today with the adoption of the final budget. The purpose of this hearing is to adopt final millage rates and a combined budget for FY2009. He noted that earlier today, during the Finance and Administration Committee meeting, he mentioned the favorable letter received from Governor Crist and the details introducing this public budget hearing.

The District's combined FY2009 budget is $376.5 million, a decrease of $18.5 million from the current year. All millage rates are below the rolled-back millage rates and maximum millage rates for FY2009. The budget had to be developed during challenging times in the economy. Last year, there was tax reform legislation enacted by the Florida Legislature. This year, Constitutional Amendment 1 was passed by Florida voters in January, increasing property tax exemptions. Further, property values have declined this year due to the real estate market. The impact of these changes resulted in ad valorem taxes being reduced when property values were certified in July 2008.
On September 16, the District received a letter from Governor Crist approving the District's budget with one change. Governor Crist directed all five Water Management Districts to use budgeted funds proposed for salary increases for expediting capital projects. The purpose of this directive is to provide economic stimulus for Florida. In his letter, Governor Crist said the District's continued financial restraint through its "pay as you go" approach with an increased emphasis on Water Supply and Resource Development is admirable. Further, Governor Crist indicated he was pleased that the District has worked hard at making the West-Central Florida Water Restoration Action Plan a success in its first year. Governor Crist urged the District to remain vigilant in its efforts to promote water resource protection and development in the Southern Water Use Caution Area, as well as throughout the region. Governor Crist concluded by expressing his appreciation for the District's commitment, working on behalf of the citizens of this state, to ensure adequate natural resources for Florida's future. He closed by saying that the District must continue to be a leader in the protection of natural resources and in fostering sustainable growth.

Mr. Oakley personally thanked the Governing and Basin Board members, as well as District staff, for their participation and the special efforts required to develop the District's FY2009 budget. He then turned the hearing over to Mr. Schiller.

3. **Budget Overview**

Mr. Schiller thanked the Governing and Basin Board members and all staff for their collective efforts during this past fiscal year. Again, he said, staff had an interesting and challenging time working through all of the different budget issues.

Mr. Schiller then provided a brief overview and presented the information found on page four of the Public Budget Hearing Books, showing the District's combined FY2009 budget of $376.5 million, which is $18.5 million or 4.7 percent below FY2008. The overall total budget has not changed since it was last presented to the Governing Board at the Tentative Budget Hearing in September. As Mr. Oakley just mentioned, Governor Crist approved the District's budget but directed the water management districts to redirect salary increases to expedite capital projects. Mr. Schiller noted that Ms. Pilcher talked about the impact of this change at the Finance and Administration Committee meeting held earlier today and will briefly discuss it again during her portion of this public hearing.

Mr. Schiller then presented the District's budget as it will be adopted by fund. This includes the Districtwide General Fund budget which is overseen by the Governing Board, and the eight separate Basin Funds, which are developed by the local Basin Boards. The Basin Boards adopted their final millage rates and budgets as presented, along with resolutions requesting the Governing Board to levy ad valorem taxes at the adopted rates, and include the Basin budgets as recommended as part of the District's final combined budget for FY2009.

Mr. Schiller said the FY2009 budget includes $167.8 million for the District's cost-share programs—the Water Supply and Resource Development program and the Cooperative Funding program. This represents a decrease of $16.6 million from FY2008 due to a reduction in ad valorem and state funding. The FY2009 budget of $167.8 million will be matched by an estimated $145.2 million through public and private partnerships for a potential investment of over $313.0 million for additional water resource management projects. This is a significant step in continuing to fund the Long-Range Water Supply and Water Resource Development Funding Plan on a pay-as-you-go basis. An update of the 20-year long-term funding plan is being prepared for presentation at the October Basin meetings and will be provided at the October Governing Board meeting.

Mr. Schiller noted the FY2009 millage rates were held at the same levels as FY2008, with the exception of the Pinellas-Anclote River Basin. The Pinellas-Anclote River Basin Board reduced its millage rate from 0.3701 to 0.3600. Millage rates maintained at the FY2008 levels, combined
with the passage of Amendment 1 and declining property values, resulted in a decrease of $21.4 million in total ad valorem revenue from FY2008.

Mr. Schiller said that the District continues to operate without debt and with no increase in staffing. The District is uniquely prepared to be able to meet the challenges in the coming year to fund its priorities with the existing economic climate. Upon concluding his comments, he thanked the Budget Section staff for their efforts and then introduced Ms. Pilcher for the required portion of the hearing.

4. Public Announcement of the Name of the Taxing Authority, the Rolled-Back Rates, the Percentage Decreases, and the Millage Rates to be Levied for FY2009

Ms. Pilcher said page four of the handout is the required public announcement of the name of the taxing authority, the rolled-back rates, the percentage of tax decreases below the rolled-back rates, and the millage rates to be levied for FY2009. The name of each taxing authority, rolled-back rate, percent of tax decrease below the rolled-back rate, and millage rate for FY2009 were read into the record as required, for the District and each of the eight Basins.

5. Final FY2009 Budget
   a. Reconciliation of Tentative to Final FY2009 Budget
      Ms. Pilcher said that page five of the handout contains the reconciliation of the tentative budget to the final budget for FY2009. The total budget amount has not changed and there have been no changes to revenues, but there are changes in the program expenditure groupings. In response to the direction of Governor Crist, the proposed merit increases of $1.3 million have been removed and reallocated to projects. The allocation of this funding to specific projects was approved by the Governing Board earlier today. The Basin Boards will be asked to ratify the project allocations at their meetings in October.
   b. TRIM Budget Summary
      Ms. Pilcher stated that this item is on page seven of the handout. This is the “Truth in Millage” (TRIM) budget summary. It has been updated to reflect the changes implemented at the direction of the Governor and approved by this Board. It was used to prepare the newspaper advertisement and was provided for information only.

6. Public Comments
   a. Letters/Resolutions Received
      Mr. Oakley said the District has not received any correspondence and the staff has received three taxpayer calls since the first public hearing with general tax questions only. This information has been compiled into Exhibit A to Agenda Item 6.a. and is hereby incorporated by reference into the public record of this meeting. Copies of this exhibit are available at this meeting.
   b. Persons Wishing to Address the Board
      Mr. Oakley requested that anyone wishing to address the budget come forward. No persons came forward to address the Board.

7. Adopt Final FY2009 Millage Rates
   The final FY2009 millage rates as publicly announced in Agenda Item 4 are as follows:

<table>
<thead>
<tr>
<th>Basin</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Districtwide</td>
<td>0.3866</td>
</tr>
<tr>
<td>Alafia River Basin</td>
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<td>Peace River Basin</td>
<td>0.1827</td>
</tr>
<tr>
<td>Manasota Basin</td>
<td>0.1484</td>
</tr>
</tbody>
</table>
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 08-19

ADOPTION OF FINAL MILLAGE RATES AND
CERTIFICATION OF LEVIES TO THE COUNTY PROPERTY APPRAISERS
FISCAL YEAR 2009

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

Following consideration, Ms. Rovira-Forino moved, seconded by Mr. Senft, to adopt Resolution No. 08-19 for adoption of final millage rates as publicly announced. Motion carried unanimously. (CD 1 -Track 18 - 00:00/16:22)

8. **Adopt Final FY2009 Budget**
   The final FY2009 budget in the amount of $376,489,390 is summarized in the handout.
   Ms. Rovira-Forino moved, seconded by Mr. Joerger, to approve

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 08-20

ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2009

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

Motion carried unanimously. (CD 1 -Track 18 - 16:22/16:50)

9. **Introduce all Materials as Composite Exhibit**
   Mr. Oakley introduced all budget materials as a composite exhibit. He stated that the record should reflect that all materials presented here this afternoon, including the notebooks, are part of the permanent record of the public hearing.

10. **Adjournment**
    Mr. Oakley requested a motion to adjourn. Mr. Joerger moved, seconded by Mr. Gramling, to adjourn the final FY2009 public budget hearing. The motion carried unanimously.

The public hearing was adjourned at 5:18 p.m.

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Governing Board Meeting
October 28, 2008

Resource Management Committee

Discussion Items

40. Consent Item(s) Moved for Discussion

41. Hydrologic Conditions Status Report ................................................................. (15 minutes) ........ 2
   (Strategic Plan: Water Supply – Conservation)

42. District’s Long-Range Water Supply and Resource Development Funding Plan ................................................................. (20 minutes) ........ 4
   (Strategic Plan: Mission Support)

43. Lake Panasoffkee Restoration Council – Eleventh Annual Report to the Legislature ................................................................. (15 minutes) ........ 5
   (Strategic Plan: Ecologic Conservation & Restoration)

44. Southern Water Use Caution Area Recovery Strategy Status Report ................................................................. (30 minutes) ........ 21
   (Strategic Plan: Natural Systems – MFL Recovery)

45. District’s Watershed Management Program and Federal Emergency Management Agency Map Modernization Update ........ (15 minutes) ........ 22
   (Strategic Plan: Flood Protection – Floodplain Management)

Submit & File Report

46. Staff Response to the Peer Review of "Scientific Peer Review of the Proposed Minimum Flows and Levels for the Weeki Wachee River System" ............... 24

Routine Reports

47. Florida Forever Funding Status Report ................................................................. 25

48. Minimum Flows and Levels Status Report ................................................................. 29

49. Structure Operations Status Report ................................................................. 33


51. Significant Water Supply and Resource Development Projects ................................................................. 49
Discussion Item

Hydrologic Conditions Status Report

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data. The information presented below is a summary of data presented in much greater detail in the Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at http://www.swfwmd.state.fl.us/waterres/hydro/hydro.htm.

Rainfall
Provisional regional rainfall totals for the month (as of September 30) were below-normal in all regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month

- The northern region received an average of 1.58 inches of rainfall, equivalent to the 2nd percentile.
- The central region received 1.82 inches of rainfall, equivalent to the 2nd percentile.
- The southern region recorded an average of 2.74 inches of rain, equivalent to the 2nd percentile.
- District-wide, average rainfall was 2.07 inches, equivalent to the 2nd percentile.

Streamflow
Provisional streamflow (as of September 29) decreased in all three regions of the District compared to the previous month. Streamflow was at the low-end of the normal range of historic values in the northern region, while it was below-normal in the central and southern regions, based on regional index rivers. Normal streamflow is defined as falling between the 25th and 75th percentiles.

- The average streamflow in the Withlacoochee River near Holder in the northern region was in the 26th percentile.
- The average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 4th percentile.
- The average streamflow measured in the Peace River at Arcadia in the southern region was in the 23rd percentile.

Groundwater Levels
Provisional groundwater data (as of September 29) indicate levels in the Floridan/Intermediate aquifer decreased in all three regions of the District compared to the previous month. Groundwater levels were on the low end of the normal range of historic values in all regions of the District. Normal groundwater levels are defined as those falling between the 25th and 75th percentiles.

- The average groundwater level in the northern counties was in the 35th percentile.
- The average groundwater level in the central counties was in the 27th percentile.
- The average groundwater level in the southern counties was in the 29th percentile.
Lake Levels
Lake levels decreased in the Northern and Tampa Bay regions of the District during the month, while they increased in the Polk Uplands and Lake Wales Ridge regions. Average lake levels were below the base of the annual normal range in all regions of the District. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the Northern region decreased 0.33 foot and were 3.58 feet below the base of the annual normal range.
- Average lake levels in the Tampa Bay region decreased 0.29 foot and were 0.74 foot below the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.12 foot and were 1.13 feet below the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 0.16 foot and were 3.56 feet below the base of the annual normal range.

Issues of Significance

September historically marks the final month of the rainy season, and this year September precipitation was significantly below normal in all regions of the District. Rainfall received during the first three months of the 2008 wet season significantly improved hydrologic conditions, but the passage of Tropical Storm Fay in August saw a shift to drier-than-normal conditions. As a result, annual water level peaks occurred 30-45 days earlier than normally expected, and levels continue to decline. In the first week of October, regional lake levels are significantly below-normal, flow on all of the District's major rivers is extremely low, and groundwater conditions range from below-normal to low-normal throughout the District. The dry season runs from October through May, and further declines are expected through this period.

The US Drought Monitor (as of September 30) indicates that abnormally dry conditions have returned to west-central Florida. National weather forecasts for the three-month period from October through December have shifted from the above-normal rainfall they have been predicting to equal chance for below-normal, normal or above-normal rainfall. The extended climate outlook indicates a return to lower-than-normal rain conditions during the winter and spring months.

Updated weather forecasts will be available in mid-October. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of condition data.

Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Granville Kinsman, Manager, Hydrologic Data Section
Resource Management Committee  
October 28, 2008

Discussion Item

District's Long-Range Water Supply and Resource Development Funding Plan

Purpose
This is an information item, presented to the Board as an update of the funding plan.

Background
At the October 2007 Governing Board meeting, staff presented the District's long-range funding plan (Funding Plan) for water supply and water resource development projects through 2025. Revenue and allocation information was presented for the Water Supply and Resource Development Program, the Water Protection and Sustainability Trust Fund, and the Save Our Rivers and P2000 land acquisition programs. The presentation concluded with the identification of ten major water supply and water resource development projects within the Northern Tampa Bay (NTB) and the Southern Water Use Caution Area planning areas that are anticipated to be implemented by 2025, with an estimated total District cost of $1.16 billion. The conclusion of the presentation was that adequate Governing Board funding was available to meet projected costs, if the Board would "stay the course." Staff also reviewed the results of looking into the Basin Boards’ ability to meet the financial demands. The Basins in the NTB area appeared to be positioned well to meet the funding demands. The Manasota and Peace River Basins were not as well positioned going forward, particularly the Peace River Basin.

Throughout the year elements of the Funding Plan (project list, schedule costs and grants received) were updated for inclusion in the District's Fiscal Year 2009 budget.

At the October 2008 Governing Board meeting, staff will provide a comprehensive update of the Funding Plan based on the most current information and projections from our cooperators and our own initiatives. As with previous years, the projected cash outflow requirements for the Governing Board and the affected Basin Boards will be compared to their expected revenue streams to determine their respective abilities to meet the financial demands when costs are incurred.

Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Bruce C. Wirth, P.E., Deputy Executive Director, Resource Management and Development Division
Resource Management Committee
October 28, 2008

Discussion Item

Lake Panasoffkee Restoration Council – Eleventh Annual Report to the Legislature
(Presented to the Withlacoochee River Basin Board at its October meeting)

Purpose
Recommend the Governing Board accept the Lake Panasoffkee Restoration Council's (Council) 2007 Report to the Legislature.

Background/History
As a result of concern for Lake Panasoffkee, the Legislature passed Chapter 98-69 creating the Council. The law charged the Council with identifying strategies to restore the lake and required that they “Report to the Legislature before November 25 of each year on the progress of the Lake Panasoffkee Restoration Plan and any recommendations for the next fiscal year.” Pursuant to the law, the Council members serve as advisors to the Governing Board of the District and provide recommendations regarding the restoration of Lake Panasoffkee. The Governing Board reviews the recommendations and responds in writing to the Council if any recommendations require re-evaluation.

Since the submittal of the Council’s first Report to the Legislature in November 1998, the Council working with its Advisory Group, made up of the District, Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission, has worked to identify the management issues, strategies, and goals to restore Lake Panasoffkee. The primary restoration strategy for Lake Panasoffkee was a multi-step in-lake dredging project to remove sediments and dense emergent vegetation in order to restore fisheries habitat and historic shoreline, and to improve navigation. The final restoration plan recommended by the Council in its 2003 Report to the Legislature was comprised of four steps. Step 1 of the plan, the Coleman Landing Pilot Dredging Project, was completed in December 2000. The dredging of Steps 2 and 3 of the plan, the full-scale in-lake restoration effort, began in July 2004 and was completed earlier this month. Step 4, the cleanout of the residential canals along the western shoreline of Lake Panasoffkee, was completed by Sumter County in June 2008. With the completion of the full-scale in-lake elements of the restoration plan in early October, the Council has successfully implemented all restoration activities recommended in its plan.

The 2008 Report to the Legislature will be the Council’s final report and summarizes the successful implementation of all the elements of the Council’s recommended restoration plan for Lake Panasoffkee. The Report makes the following recommendations: the Legislature enact legislation to de-authorize the Council; the District’s Surface Water Improvement and Management Program assume the lead role in monitoring water quality and submerged aquatic vegetation coverage in the lake to ensure the long-term health of the lake; the Florida Fish and Wildlife Conservation Commission continue to monitor the health of the lake’s fisheries and snail populations; and the Florida Department of Environmental Protection continue to enforce illegal dredge and fill activities and other water quality violations, and regulate activities involving sovereign submerged lands.

Following Governing Board acceptance, the report will be distributed to the Legislature in accordance with the requirements of Chapter 98-69. The draft 2008 Report to the Legislature, less the accompanying photo-documentation is an exhibit to this recap.

Staff Recommendation: See Exhibit

Accept the Lake Panasoffkee Restoration Council's 2008 Report to the Legislature, as presented.

Presenter: Michael L. Holtkamp, Director, Operations Department
LAKE PANASOFFKEE
RESTORATION COUNCIL

REPORT TO
THE LEGISLATURE
NOVEMBER 25, 2008

Southwest Florida
Water Management District
WATERMATTERS.ORG - 1-800-423-1476

DRAFT

✓ FINAL REPORT
LAKE PANASOFFKEE RESTORATION PROJECT
REPORT TO THE LEGISLATURE
NOVEMBER 25, 2008

Restoration Council Members:

Daniel McCormic, Chairman, Attorney
George L. Buhmeyer, Vice-Chairman, Lakefront Property Owner
David Starnes, Secretary, Engineering
John W. Springstead, P. E., Member, Environmental Engineer
Jim W. Veal, Sr., Sport Fishing Industry
Joel A. Merritt, Biology
Howard Solomon, Lakefront Property Owner
November 23, 2008

The Honorable Charlie Crist
Governor, State of Florida
Plaza Level 05 - The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0001

Subject: Lake Panasoffkee Restoration Council, Report to the Legislature, dated November 25, 2008

Dear Governor Crist:

The Lake Panasoffkee Restoration Council (Council) is pleased to submit its 2008 Report to the Legislature as required under our enabling legislation, Chapter 98-69, Laws of Florida, and to inform you that this past year the Council successfully completed the lake restoration plan as originally approved and submitted to the Legislature in the Council’s 2003 report. This represents completion of all targeted lake restoration activities which were initiated with the creation of the Council in 1998. With the completion of dredging activities in September 2008, the lake’s fisheries and shoreline habitats have now been restored. The dredging removed 8.3 million cubic yards of sediment and in excess of 900 acres of tussocks. These activities increased the open water area of the lake by 37 percent to 3,313 acres, and restored 174 acres of hard bottom within historic fish spawning areas in the lake. Based on the ongoing fish and vegetation monitoring conducted by the supporting agencies, the Lake Panasoffkee Restoration Project has been an enormous success, with desirable vegetation re-emerging and fish populations responding accordingly. This year’s report provides a final accounting of all project costs in implementing the Lake Panasoffkee Restoration Project, as well as photo-documentation contrasting the project’s pre- and post-conditions.

The historic accomplishment of restoring Lake Panasoffkee could not have been realized had it not been for your continued support and that of the Legislature, and the original vision of Representative Everett Kelly. Without the significant financial support the Council received from the state, Southwest Florida Water Management District (District), Fish and Wildlife Conservation Commission, Florida Department of Transportation and the federal government, we would not have been able to achieve our goal. The Council is extremely gracious for this support, and in the confidence you and the Legislature have shown in our ability to carry out the Legislature’s mandate for Lake Panasoffkee. The Council is appreciative of having been given the opportunity to serve the residents of the State of Florida in restoring this priceless natural resource to the condition that many remember it being many decades ago, and that future generations will now also be able to appreciate and enjoy.

This information will be made available in accessible formats upon request. Please contact the Executive Department at (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4606; TDD only at 1-800-231-6103 (FL only).
The Honorable Charlie Crist  
Subject: *Lake Panasoffkee Restoration Council, Report to the Legislature, dated November 25, 2008*

Page 2  
November 23, 2008

By successfully completing the restoration plan, the Council has met the intent of the Legislative Act and believes there is no longer a need for the Council to continue. Future water quality and natural systems monitoring of the lake to ensure its continued health can be accomplished by the District's Surface Water Improvement and Management Program (SWIM), as Lake Panasoffkee is one the SWIM Program's ten listed priority waterbodies.

With the submittal of its 2008 Report to the Legislature, we are formally requesting the Legislature enact legislation to de-authorize the Council.

In closing, thank you once again for having given us the opportunity to participate in this remarkable environmental endeavor to restore Lake Panasoffkee.

Respectfully submitted,

Daniel McCormic, Chairman

George L. Buhmeyer, Vice-Chair

David Starnes, Secretary

John W. Springstead

Jim W. Veal Sr.

Joel A. Merritt

Howard Solomon

*Lake Panasoffkee Restoration Council*

closure

cc:  The Honorable Everett Kelly  
Governing Board Members  
Withlacoochee Basin Board Members  
Sumter County Legislative Delegation
Distribution List for the Lake Panasoffkee Restoration Council, Report to the Legislature, dated November 25, 2008 (Cover letter dated November 23, 2008)

The Honorable Charlie Crist
The Honorable Ken Pruitt
The Honorable Marco Rubio
The Honorable Paula Dockery
The Honorable Cary Baker
The Honorable Hugh Gibson
The Honorable Robert C. Schenck
Sumter County Board of County Commissioners
LAKE PANASOFFKEE RESTORATION COUNCIL
2008 REPORT TO THE LEGISLATURE

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INTRODUCTION

The Lake Panasoffkee Restoration Council (Council) is pleased to submit its 2008 Report to the Legislature documenting the successful completion of the four-step restoration plan recommended for Lake Panasoffkee in the Council’s 2003 report.

From its inception in 1998, the Council has exercised a conservative and pragmatic approach in the development and implementation of its recommended restoration plan for Lake Panasoffkee, and in its oversight of project expenditures. The final total cost to implement the plan based on actual incurred costs and contracted construction was $28,290,993. Funds were administered by the Southwest Florida Water Management District (District). The funding partners for the implementation of the plan, and their respective contributions, were: State of Florida, $19,520,000; Federal Government (U.S. Environmental Protection Agency), $1,098,700; Southwest Florida Water Management District (District), $4,952,560; Florida Fish and Wildlife Conservation Commission (FFWCC), $2,250,000; and, the Florida Department of Transportation (FDOT), $469,733. Without this financial support, the Council could not have successfully carried out the Legislative objective.

In recent years, the Council’s annual report has focused on the progress of the restoration plan. With this year’s successful completion of all the dredging elements this report is intended to document the final project costs and habitat restored, and is the Council’s final report to the Legislature.

BACKGROUND

Lake Panasoffkee

Lake Panasoffkee, located in Sumter County (Figure 1), is an Outstanding Florida Water as designated by the Florida Department of Environmental Protection (FDEP), and is the third largest of the approximately 1,800 lakes in west central Florida. Additionally, the lake is included on the District’s Surface Water Improvement and Management (SWIM) Priority Waterbody List. Lake Panasoffkee once enjoyed a national reputation, especially for its redear sunfish fishery, making the lake an important contributor to both the local and regional economies. Although fishing has remained popular at Panasoffkee in the last few decades, the lake’s future as an important recreational resource was threatened as a result of the loss of historic fish spawning areas and open water habitat due to sedimentation and the encroachment of undesirable vegetation. Since the mid-1950s when the lake’s fishery was first being studied the lake’s fisheries have declined considerably. At that time, at least 15 fish camps were in operation. When the Council’s first Report to the Legislature was submitted in 1998 only three remained operational. Today there are five operating fish camps on the lake.

Figure 1

Location map of Lake Panasoffkee.
Lake Panasoffkee Restoration Council

In an effort to protect and restore the environmental and regionally economic importance of Lake Panasoffkee, the 1998 Florida Legislature created the Lake Panasoffkee Restoration Council within the District. The enabling legislation (Chapter 98-69, Laws of Florida) established the membership and outlined the responsibilities of the Council and its Advisory Group.

Through the enabling legislation, the Legislature directed the Council to develop a restoration plan for Lake Panasoffkee. The Act specifically identified the Council's focus would be on shoreline restoration, sediment control and removal, exotic species management, floating tussock management and removal, navigation, water quality, and fisheries habitat improvement. During its first year, the Council and Advisory Group prioritized the management issues and developed strategies for restoring the lake. The Council also recommended additional studies to evaluate the lake's fishery and identified additional information needed to develop and implement the restoration plan. The culmination of this effort was discussed in detail in the first Lake Panasoffkee Restoration Council Report to the Legislature, dated November 25, 1998.

Pursuant to its Legislative directive, the Council has reported to the Legislature every year since 1998 to provide progress reports and recommendations for the next fiscal year.

Lake Panasoffkee Restoration Plan

The final restoration plan for Lake Panasoffkee was documented in the Council's 2003 Report to the Legislature and was comprised of four steps. Step 1 of the plan, the Coleman Landing Pilot Dredging Project, was completed in December 2000. Since the completion of Step 1, the primary focus was on the implementation of Steps 2 and 3 of the restoration plan. Steps 2 and 3 represented the full-scale in-lake restoration effort, and consisted of the dredging of approximately 8.3 million cubic yards of accumulated sediments over 1,744 acres of lake area, and the restoration of approximately 900 acres of historic open water area. Steps 2 and 3 were the critical steps in achieving the Council's goals to restore fisheries habitat and historic shoreline conditions, and improving navigation. Step 4 involved the removal of sediment and undesirable vegetation from the man-made residential canals along the western shoreline. Sumter County was the lead entity on this step with the Council contributing $657,000, or approximately 32 percent of the total cost. The benefit of Step 4 to the lake is the control of undesirable vegetation and migration of fine grained sediments back into the lake. Additionally, by dredging the canals down to the same elevation as the in-lake dredging steps, it provides improved operational flexibility to allow the lake to fluctuate through a wider range of elevations to ensure healthy native submerged aquatic vegetation (SAV) community. The four steps of the Council’s recommended restoration plan are described below in order of their priority.

Step 1 – Coleman Landing Pilot Project: The goals of this step were threefold. First and foremost, this pilot dredging project provided information critical to the design, permitting, and dredging of Steps 2 and 3 by confirming settling rates needed to size the upland spoil disposal area for Steps 2 and 3, and by demonstrating that discharge water would meet state water quality standards. Step 1 also confirmed that SAV would re-colonize in dredged areas, and provided an expected rate of re-colonization, both of which were key issues in the environmental permitting of Steps 2 and 3. Step 1 also restored public access and navigation by re-establishing a navigable channel from the existing Coleman's Landing boat ramp to the lake.
Step 2 – Dredge to Hard Bottom: The goal of this step was to dredge approximately 765 acres of lake bottom (3,396,120 cubic yards of sediment) to restore lost fisheries habitat, specifically the historic fish spawning areas in the vicinity of Grassy and Shell Points, where the desired hard bottom (sand/shell) for fish spawning has been covered by unconsolidated sediments. The dredging of this step also restored historic shoreline conditions along the eastern and western shores which provides improved fisheries, navigation, and recreational benefits.

Step 3 – Dredge East-side Emergent Vegetation: The goal of this step was to dredge approximately 979 acres of lake bottom (4,875,169 cubic yards of sediment) along the eastern and southern shores, and in the creeks at the southern end of the lake, to restore fisheries habitat, and historic open water and shoreline conditions.

Step 4 – Canals: The goal of this step was to improve lake access, and to control the transport of fine grained sediments and undesirable vegetation back into the lake from the 41 residential canals located along the lake’s western shoreline by the maintenance dredging of sediment and clean out of vegetation in the canals. Sumter County was the lead entity in the implementation of Step 4 and appropriated $1,386,060. The county hired a dredging contractor and managed the project. The goal of the county was to improve navigation from the canals to the lake. The Council participated financially in this element by contributing $657,000 of State appropriated funds. The justification for Council involvement was the elimination of the potential for canal sediments and undesirable vegetation to enter the lake once the lake was dredged adjacent to the mouth of the canals.

The dredging boundaries of the three in-lake steps of the Council’s restoration plan are shown in Figure 2. The actual implementation of the Council’s restoration plan for Lake Panasoffkee consisted of three distinct elements:

1. Coleman Landing Pilot Dredging Project
2. Full-scale In-lake Dredging Effort
3. Maintenance Dredging and Cleanout of Residential Canals
Step 4: Canals

41 residential canals along western shoreline

Figure 2 - Restoration Steps
SUMMARY REPORT

Project Funding and Final Project Costs

The project funding for the Lake Panasoffkee Restoration Project administered by the District is summarized in Table 1.

Table 1 – Project Funding

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Appropriations</td>
<td>$19,520,000</td>
<td>69.00%</td>
</tr>
<tr>
<td>Southwest Florida Water Management District ¹</td>
<td>$4,952,560</td>
<td>17.51%</td>
</tr>
<tr>
<td>Florida Fish and Wildlife Conservation Commission</td>
<td>$2,250,000</td>
<td>7.95%</td>
</tr>
<tr>
<td>U.S. Environmental Protection Agency</td>
<td>$1,098,700</td>
<td>3.88%</td>
</tr>
<tr>
<td>Florida Department of Transportation</td>
<td>$469,733</td>
<td>1.66%</td>
</tr>
<tr>
<td><strong>Total Project Funding</strong></td>
<td><strong>$28,290,993</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

Notes:
1. Amount includes $1,918,155 for the purchase of the upland spoil disposal site.

The total expenditures for the restoration plan for Lake Panasoffkee are summarized in Table 2. Costs have been updated since the 2007 report to reflect the final project costs based on actual project expenditures, including land acquisition. The costs shown for each element in Table 2 include prorated design, permitting, construction supervision and inspection, construction/dredging, SAV monitoring, land acquisition and other miscellaneous project related costs. In-kind costs incurred by the District, FFWCC and the FDEP for in-lake water quality and fisheries monitoring, and project management are not included in the costs shown.

Table 2 - Total Expenditures for All Elements of Lake Restoration

<table>
<thead>
<tr>
<th>Element of Restoration Plan</th>
<th>Area Acres</th>
<th>Volume Cu. Yards</th>
<th>Total Costs ⁴</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coleman Landing Pilot Dredging Project ¹</td>
<td>24.5</td>
<td>138,035</td>
<td>$759,092</td>
</tr>
<tr>
<td>Full-scale In-lake Restoration Effort ²</td>
<td>1,744</td>
<td>8,271,289</td>
<td>$26,874,901</td>
</tr>
<tr>
<td>Residential Canals ³</td>
<td></td>
<td></td>
<td>$657,000</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>8,271,769</strong></td>
<td></td>
<td><strong>28,290,993</strong></td>
</tr>
</tbody>
</table>

Notes:
1. Costs include reclamation costs for the spoil disposal site.
2. Costs shown are based on land acquisition cost, actual bid amounts, approved amendments to the construction agreement over the course of the project between December 2003 and September 2008, and other ancillary costs.
3. Sumter County was the lead entity for Step 4 and directly funded $1,386,060. The Council authorized the expenditure of $657,000 in State appropriations based on the water quality benefits that would accrue to the work by reducing the potential for fine grained canal sediments migrating from the canals into the lake.
4. Total costs shown include costs associated with ground water monitoring, sediment and water quality analyses, an archeological assessment and quarterly project monitoring, and other miscellaneous costs in support of the design, permitting, and construction of the restoration plan.
Project Element Summary

With the submittal of this report, all planned restoration activities of the Council’s restoration plan for Lake Panasoffkee have been completed. The following summarizes the timelines for each element of the plan along with the major cost components of each element.

Coleman Landing Pilot Dredging Project

The dredging contract for the Coleman Landing Pilot Dredging Project was awarded by the District to Subaqueous Services, Inc. in May 2000 in the amount of $740,000. The notice to proceed was issued on June 15, 2000 with a six-month construction/dredging period. Dredging was completed on December 14, 2000. The final dredging cost came in under budget because it was not necessary to use chemical flocculants to clarify discharge water from the upland spoil containment area. The design of the project was funded directly by the FFWCC, and the District made available the land for upland spoil containment area on property it owned adjacent to Coleman Landing.

Major cost components:

<table>
<thead>
<tr>
<th>Cost Component</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracted Construction</td>
<td>$699,000</td>
</tr>
<tr>
<td>Reclamation of Spoil Disposal Site</td>
<td>$57,767</td>
</tr>
<tr>
<td>Miscellaneous project related costs</td>
<td>$2,325</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$759,092</td>
</tr>
</tbody>
</table>

Full-scale In-lake Restoration Effort

The dredging contract for the full-scale in-lake restoration effort was awarded by the District to Subaqueous Services, Inc. in August 2003 in the amount of $22,627,895. The notice to proceed was issued on December 8, 2003 with a four-year construction/dredging period. The 450 acre upland spoil containment facility was completed in June 2004, and the dredging commenced in July 2004. The original completion date was January 23, 2008; however, the date was pushed back due to the extreme low water conditions that existed in the summer and fall of 2007. Dredging was completed on September 30, 2008, and demobilization was completed on October 31, 2008. This element of the restoration plan removed approximately 8.3 million cubic yards of fine grained sediments and in excess of 900 acres of tussocks, increased the open water area of the lake by 37 percent to 3,313 acres, and restored 174 acres of hard bottom within historic fish spawning areas in the lake.

Major cost components:

<table>
<thead>
<tr>
<th>Cost Component</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of Upland Spoil Disposal Site</td>
<td>$1,918,155</td>
</tr>
<tr>
<td>Final Design and Permitting</td>
<td>$452,818</td>
</tr>
<tr>
<td>SAV Mapping/Monitoring</td>
<td>$112,837</td>
</tr>
<tr>
<td>Construction Engineering &amp; Inspection Services</td>
<td>$974,897</td>
</tr>
<tr>
<td>Miscellaneous project related costs</td>
<td>$86,130</td>
</tr>
<tr>
<td>Contracted Construction (to be confirmed based on actual final costs)</td>
<td>$23,330,063</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$26,874,901</td>
</tr>
</tbody>
</table>

Residential Canals:

In 2001, Sumter County (County) assumed the lead role in the implementation of this element of the restoration plan. The Council initially authorized the use of $200,000 in State appropriations in 2001 for the county to use in initiating the design and permitting phase of the canal clean out, and for the implementation of this element. The contract to dredge 28 of the 41 canals along the western shoreline was awarded by the County to Associated Diving and Marine Contractors, L.L.C. in February 2007, in the amount of $1,336,842.
Subsequent to the contract award, the County expanded the scope of work to increase the number of canals to be cleaned from 28 to 41, and extend the limits of the clean out. The notice to proceed was issued to the contractor effective February 27, 2007. In 2007, the Council authorized the expenditure of an additional $457,000 in State appropriations for this element, for a total contribution of $657,000. The Council’s funding of this element of the plan was based on the in-lake benefits attributable to the canal clean out. The District also made the upland spoil containment area for full-scale in-lake dredging project available to the County’s contractor for the disposal of the material from the canal clean out. Work was substantially completed in April 2008, and the contractor had demobilized on August 19, 2008. The County funded $1,386,060 toward the residential canal clean out.

**Major cost components:**

$657,000 State appropriations used for design, permitting and construction

**Long Term Management Issues**

*Submerged Aquatic Vegetation (SAV):*

The Council's first Report to the Legislature in 1998 acknowledged the importance of maintaining a healthy SAV community in Lake Panasoffkee in order to maintain good water quality and water clarity. Baseline SAV mapping for the lake was obtained in the spring of 2000. Since the baseline mapping effort, the District had implemented an annual SAV mapping program to monitor SAV coverage during dredging operations to ensure SAV coverage does not drop below 60 percent of the open water area as a result of dredging activities. Research on Florida lakes has shown that 60 percent areal coverage of SAV is the minimal coverage necessary to maintain a healthy lake in terms of water clarity. Additionally, the maintenance of 60 percent SAV coverage in the lake during dredging was a requirement of the Environmental Resource Permit issued by the FDEP for the project. With the exception of the spring of 2003, when water clarity did not allow for the mapping of SAV, SAV has been mapped each spring since the 2000 baseline mapping effort through the final mapping effort in the summer of 2007.

As reported in the Council’s 2006 Report, a major concern of the Council has been the lack of natural recruitment of desirable (i.e., native) SAV species in the newly dredged areas. The Coleman Landing Pilot Dredging Project had previously demonstrated SAV would recruit newly dredged areas; however, there had been no significant recruitment of native SAV observed during the first two years of dredging for the full-scale in-lake element. Based on these concerns, and at the recommendation of the Advisory Group, the Council approved deleting 157 acres from within the dredging footprint that supported robust SAV populations. These areas were deleted in order to preserve a desirable SAV source to aid in the colonization of the other areas of the lake.

During 2007, there was dramatic resurgence of native SAV within the entire dredging footprint. This resurgence was attributable to the extended low water conditions that existed beginning in June 2006 and extending through the summer of 2007. The low water condition allowed for greater light penetration to the newly dredged lake bottom. The improved light penetration stimulated native SAV growth and the shallow water depths allowed the native species to compete with non-native species (i.e., *hydrilla*). Based on the last SAV mapping effort in August 2007, the lake’s SAV coverage was determined to be 69.9 percent, well in excess of the minimal 60 percent coverage characteristic of healthy lakes. Based on this resurgence of SAV and the continued recruitment of native SAV species, coupled with the fact that dredging was scheduled to be completed in September 2008, SAV was not mapped in 2008.
A summary of SAV coverages since the baseline 2000 mapping effort is provided in Table 3.

**Table 3 - Summary of Spring/Summer SAV Mapping Efforts**

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SAV (ac.)</td>
<td>2,006.2</td>
<td>1,715.5</td>
<td>1,827.5</td>
<td>1,738.5</td>
<td>1,998.3</td>
<td>2,034.2</td>
<td>2,323.6</td>
</tr>
<tr>
<td>Bare Bottom (ac.)</td>
<td>540.6</td>
<td>688.3</td>
<td>594.7</td>
<td>717.8</td>
<td>594.7</td>
<td>1,023.0</td>
<td>593.9</td>
</tr>
<tr>
<td>Open Water (ac.)</td>
<td>2,609.5</td>
<td>2,403.8</td>
<td>2,422.2</td>
<td>2,456.3</td>
<td>2,593.0</td>
<td>3,090.9</td>
<td>2,917.5</td>
</tr>
<tr>
<td>Percent SAV</td>
<td>76.9%</td>
<td>71.4%</td>
<td>75.4%</td>
<td>70.8%</td>
<td>77.1%</td>
<td>65.8%</td>
<td>69.9%</td>
</tr>
</tbody>
</table>

An important outcome of the SAV monitoring effort associated with the Lake Panasoffkee Restoration Project was the confirmation of the importance of the lake being allowed to fluctuate to reach lower water levels on a regular frequency to ensure a healthy SAV community is sustained in the lake.

**Ongoing Lake Management:**

The Surface Water Improvement and Management (SWIM) Act was passed by the Legislature in 1997 with the intent of protecting, preserving and/or restoring waterbodies of regional or statewide significance. Lake Panasoffkee was one of the nine original SWIM priority waterbodies identified by District's SWIM Program in 1997, and continues to be a priority waterbody for protection and preservation. With the completion of the Council's restoration plan for Lake Panasoffkee, and the Council’s recommended de-authorization of the Lake Panasoffkee Restoration Council, the District's SWIM Program will need to assume the primary responsibility for the continued monitoring of SAV coverage and lake water quality monitoring to ensure the long-term health of Lake Panasoffkee.

The FFWCC will also need to continue its ongoing efforts to monitor the lake’s fisheries and benthic communities to ensure the lake maintains a healthy and robust fish population in terms of both numbers and diversity of species. These activities would include electrofishing to sample fish populations to determine abundance, density, and species composition, and creel surveys to estimate anglers' catches. The FFWCC should continue its periodic invertebrate studies to monitor snail populations in the lake in an attempt to assess whether or not the dredging of the lake has had a positive impact on the snail populations.

**RECOMMENDATIONS**

Based on the completion of all restoration activities and the fulfillment of the Council's legislative charge, the following recommendations are made:

1. The Legislature enact legislation to de-authorize the Lake Panasoffkee Restoration Council now that the Council’s recommended restoration plan has been fully implemented.

2. The District’s SWIM Program assume the lead role in the monitoring of water quality and SAV coverage in the lake to ensure the long-term health of Lake Panasoffkee.

3. The FFWCC continue to monitor the lake’s fisheries and benthic communities, conduct electrofishing studies to monitor abundance, density, and species composition, and perform periodic creel surveys.
4. The FDEP strictly enforce illegal dredge and fill activities and other water quality violations in Lake Panasoffkee, and regulate activities involving sovereign submerged lands.

These recommendations were accepted by the District’s Governing Board at its October 28, 2008 meeting.
Discussion Item

Southern Water Use Caution Area Recovery Strategy Status Report

Purpose
This item is presented for the Board's information only and no action is required. The purpose of the presentation is to provide the Board with its annual update and status of the District's efforts to monitor the recovery of water levels and flows in the Southern Water Use Caution Area (SWUCA).

Background/History
In March 2006, the Governing Board adopted minimum "low" flows for the Upper Peace River and minimum levels for eight lakes along the Lake Wales Ridge in Polk and Highlands counties and the Upper Floridan aquifer in the "Most Impacted Area" of the SWUCA to slow the rate of saltwater intrusion. Since most, if not all, of these minimum flows and levels were not meeting their adopted levels and flows, the Board adopted a Recovery Strategy and changes to its water use permitting rules to implement the strategy. The purpose of the Recovery Strategy is to provide a plan for reducing the rate of saltwater intrusion, and restoring low flows to the Upper Peace River and lake levels by 2025 while ensuring sufficient water supplies and protecting the investments of existing water use permittees. The strategy has six basic components: conservation, alternative water supply development, resource recovery projects, land use transitions, permitting, and monitoring and reporting. Promoting conservation and alternative supply development are a continuation of longstanding District programs that, along with the District's permitting program, have contributed to a stabilization of groundwater withdrawals in the region over the past 30 years. Resource recovery projects, like the project to raise the levels of Lake Hancock for release to the Upper Peace River during the dry season, are actively being pursued. Whereas coastal areas will generally meet their future demands through development of alternative supplies, some new uses in inland areas will be met with ground water from displaced non-residential uses (i.e., land use transitions).

The success of the Recovery Strategy will be determined through continued monitoring of the resource. The District uses an extensive monitoring network to assess actual versus anticipated trends in water levels, flows, and saltwater intrusion. Additionally, the District conducts an assessment of the cumulative impacts of the factors affecting recovery. Information developed as part of this monitoring effort is to be provided to the Governing Board on an annual basis.

Staff will present an update and status of the District's ongoing SWUCA monitoring efforts.

Staff Recommendation:

This item is presented for the Committee's information, and no action is required.

Presenter: Mark D. Barcelo, Hydrologic Evaluation Program Director, Resource Projects Dept.
Resource Management Committee  
October 28, 2008

Discussion Item

District’s Watershed Management Program and Federal Emergency Management Agency Map Modernization Update

Purpose
This is an information item to provide the Board with an update on the status of the District’s Watershed Management Program and associated Federal Emergency Management Agency (FEMA) Map Modernization, including the District’s role in the FEMA process. Staff is providing this update as the first public meeting was held on October 1, 2008 for two watersheds in Hernando County. Additional public meetings are being scheduled for Hernando, Pasco, and Sarasota counties. The presentation will provide a status report on activities to address issues identified by the public and through the District’s coordination with the development community consultants in 2007 and discussed at the August and October 2007, and March and June 2008 Governing Board meetings. Staff will continue to update the Board monthly either through the routine reports or as a committee discussion item.

Background/History
The District initiated a partnership with FEMA to modernize Flood Insurance Rate Maps (FIRMs) as part of its Watershed Management Program (WMP). Flood protection and floodplain information has been a priority at the District since the inception of the organization and that priority was renewed following the El Niño weather event in 1997-1998. In addition to studies conducted by the District (primarily through the Basin Boards) and others, information on floodplains (elevations) is available through the FEMA FIRMs. However, many of the existing maps do not accurately represent the flood-prone areas, either because the initial studies were technically limited or the maps are outdated due to significant land use changes since completion. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local government’s understanding of their flood protection level of service, the District reached out to local governments and initiated the WMP in the late 90s.

The District recognized a potential funding partner in FEMA as they had mutual goals to improve the existing FIRMs to better identify risks of flooding within the District. The District and FEMA executed a Cooperating Technical Partners (CTP) Memorandum of Agreement on September 14, 2001, to formalize the relationship. As a CTP, the District is eligible for federal funds to act as FEMA’s partner in modernization of the FIRMs. Federal funds have allowed the District and local governments to accomplish significantly more than would otherwise been possible. To date, the District has received approximately $11.2 million in federal funds from FEMA for countywide map modernization projects for Pasco, Sarasota, Hernando, Marion, Polk, Hardee, Desoto, Citrus, Sumter, Levy, and Highlands counties. An additional $0.9 million is expected in future fiscal years for countywide map modernization projects for Manatee County. The Map Modernization Program also includes federal funding for management support. For fiscal year (FY) 2004 through FY2008 the District received $782,860 and could receive an additional $350,000 through FY2012.

District staff has been involved with several interested parties regarding the WMP and FEMA Map Modernization since January 2007 as a result of preliminary floodplain maps developed for Hernando, Pasco, and Sarasota counties. Several issues were identified focusing on technical methodologies, quality control, and public input. In October 2007, staff provided a status report to the Governing Board along with staff’s approach to address the issues. The issues were grouped into the following categories:
In June 2008, staff provided an update on the status of the District’s WMP and FEMA Map Modernization, including an update on the progress and activities associated with these issues.

The District’s consultants have been working on watershed models in Hernando, Pasco, and Sarasota counties to update the watershed models to account for infiltration and incorporate the latest topographic and other watershed information (to the extent practicable) into the models. As of October 3, 2008, the District has received preliminary floodplain maps and information for 23 of the 33 watersheds in Hernando, Pasco, and Sarasota counties. Seventeen of the watersheds are in the peer review process and a public meeting was held for two watersheds in Hernando County. Preliminary floodplain maps and information for the watersheds in Sarasota County are scheduled to be submitted to the District in October, as a result in delays in obtaining the topographic information. District staff review the preliminary floodplain maps as they are received, coordinate the peer review activities, and schedule public meetings. Public meetings have begun and will continue in October and November 2008 for Hernando and Pasco counties. Public meetings are scheduled in December 2008 and January 2009 for Sarasota County. The floodplain maps will be presented to the Governing Board following the public meetings and prior to submitting the floodplain maps to FEMA. Two watersheds in Hernando County are anticipated to be presented at the November meeting.

Staff’s presentation will highlight the key areas associated with Rainfall Duration, Quality Control/Peer Review, Outreach, and Schedule for updating the watershed models and preliminary FIRMs.

Staff Recommendation:

This item is presented for the Committee’s information, and no action is required.

Presenter: Mark A. Hammond, P.E., Director, Resource Projects Department
Submit & File Report

Staff Response to the Peer Review of "Scientific Peer Review of the Proposed Minimum Flows and Levels for the Weeki Wachee River System"

Purpose
To present the staff's response to the peer review of the District's proposed Minimum Flows and Levels (MFLs) for the Weeki Wachee River System.

Background/History
Staff completed a draft report recommending adoption of minimum flows for the Weeki Wachee River System (WWRS). This report was submitted to an independent scientific review panel (Panel) for voluntary peer review. The Panel was composed of four scientists who have extensive experience in hydrology, freshwater inflow relationships, and ecology. The Panel's charge was to review the validity of the technical approach used by the District to determine the proposed minimum flows. The Panel concluded that, "Overall, the District is to be commended for preparing an excellent report that summarizes a large quantity of data and analyses, produced from many studies, into a document that is coherent and relatively easy to read. The supporting data and information used to develop the proposed MFLs is technically sound. As described in the District's report, the data collection methods were appropriate, as were the findings and interpretations made from all analyses reviewed by the Panel."

The Panel further noted, "In the end, the District recommended that both the wet and dry season flows for the WWRS be maintained at 90 percent of the baseline (read naturalized) flows after the effects of human usage have been eliminated from the record. The fact that existing human usage is at or near the 10 percent limit means that little or no additional flow reductions will be allowed. After review, the Panel concurs with this recommendation."

The Panel did, however, identify some specific concerns related to the hydrodynamic model and the statistical salinity model. Staff has reviewed the concerns regarding the hydrodynamic model and has determined that some of the Panel's concerns were in fact addressed in the application of the model, but were not documented in the draft report. Staff will incorporate clarifying language into the final report and will further evaluate the Panel's comments regarding the bathymetry used in the hydrodynamic model.

Staff has also considered the Panel's recommendation regarding the statistical salinity model and generally agrees with the Panel, but note that the application may be limited to river systems dominated by spring flow. In consideration, staff re-developed the salinity statistical model incorporating the Panel's recommendation. When the two models are compared, the differences are about the same as the uncertainty of either model. Consequently, staff feels that the current statistical model is adequate for the intended purpose.

Staff Recommendation:

This item is submitted for the Committee's information, and no action is required.

Presenter: Michael G. Heyl, Chief Environmental Scientist, Resource Projects Department
Resource Management Committee  
October 28, 2008  

Routine Reports  

Florida Forever Funding Status Report  

Attached for the Board’s use and information is the monthly funding status report for the Florida Forever program. The projects have been categorized as acquisitions or projects for: restoration; capital improvements for restoration; water resource development; and preservation. In addition to Florida Forever funding, staff continues to explore all funding opportunities.  

Staff Recommendation:  

See Exhibit  

This item is provided for the Committee’s information, and no action is required.  

Presenter: Eric Sutton, Assistant Director, Land Resources Department
### Florida Forever Status

**Southwest Florida Water Management District**

**Florida Forever Funds Available -- Inception to Date**

<table>
<thead>
<tr>
<th>Parcel/Project</th>
<th>Funds Available</th>
<th>Fla Forever Category</th>
<th>SWUCA</th>
<th>Estimated Cost</th>
<th>Fee Acres</th>
<th>LTF Acres</th>
<th>Comments</th>
<th>Governing Bd Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Florida Forever Funds Available</strong></td>
<td>$280,413,581</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Includes $13,170,753 from the Water Management Lands Trust Fund, $3,182,719 from the P2000 Trust Fund and $5,310,109 from FDOT mitigation</td>
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<tr>
<td><strong>Completed Acquisitions</strong></td>
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<tr>
<td>Panasoffkee/Outlet Tract - Gibbons (19-441-105)</td>
<td>Preservation</td>
<td></td>
<td></td>
<td>74,758</td>
<td>10</td>
<td>Closed 01/18/2001</td>
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<tr>
<td>Annutteliga Hammock (mega parcels)</td>
<td>Preservation</td>
<td></td>
<td></td>
<td>205,744</td>
<td>38</td>
<td>Closed between 08/09/2001 and 02/09/2005 - 23 parcels</td>
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<td>317,785</td>
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<td>RV Griffin Reserve - Longino (21-599-102C)</td>
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<td>1,188,231</td>
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<td>Annutteliga Hammock - Stai (15-228-1204)</td>
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<td>179,200</td>
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<td>Green Swamp - Distefano (10-200-1242)</td>
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<td>1,125</td>
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<tr>
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<td>Restoration - land acq</td>
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<td>830,000</td>
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<tr>
<td>Prairie/Shell Creek - Burchers (20-649-105)</td>
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<td>✓</td>
<td>254,016</td>
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<td>Closed 01/16/2003</td>
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<td>Prairie/Shell Creek - Leonard (20-649-104)</td>
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<td>85,036</td>
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<td>Alafia River Corridor - Fish Hawk (11-709-131)</td>
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<td>✓</td>
<td>4,800,000</td>
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<td>Lake Pretty - Robinson (14-009-108)</td>
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<td>60,000</td>
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<td>Weekiwachee Preserve - GMB Investments (15-773-183)</td>
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<td>422,000</td>
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<td>Tampa Bay - Kushner (11-728-108)</td>
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<td>Tampa Bay - Pine Island (21-728-118)</td>
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<td>1,840,000</td>
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<td>Lake Panasoffkee - Beville (19-528-135C)</td>
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<td>4,160,000</td>
<td>5,553</td>
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<td>Annutteliga Hammock - 1029 Land Trust (15-228-1207)</td>
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<td>Pasco 1 - Connerton (15-704-102)</td>
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<td>9,792,677</td>
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<td>Annutteliga Hammock - Kalathakis (15-228-1268)</td>
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<td>Green Swamp - Davis (10-200-1238)</td>
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<td>Tampa Bay - Shell Pit (11-728-109)</td>
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<td>Flying Eagle - Boy Scouts (19-334-133)</td>
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<td>13,500,000</td>
<td>5,484</td>
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<td>Green Swamp - Beck (10-200-1246)</td>
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<td>11,250</td>
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<td>Lake Hancock - Griffin (20-503-105)</td>
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<td>$4,900,000</td>
<td>213</td>
<td>Closed 12/30/2004</td>
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### Florida Forever Status

<table>
<thead>
<tr>
<th>Parcel/Project</th>
<th>Funds Available</th>
<th>Fla Forever Category</th>
<th>SWUCA</th>
<th>Estimated Cost</th>
<th>Fee Acres</th>
<th>LTF Acres</th>
<th>Comments</th>
<th>Governing Bd Date</th>
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<tbody>
<tr>
<td>Weekiwachee Preserve - Suncoast Seabird Sanctuary (15-773-128)</td>
<td>Preservation</td>
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<td>625,139</td>
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<td>Annutteliga Hammock - Rush (15-228-1280)</td>
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<td>278,480</td>
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<tr>
<td>Green Swamp West - Little Everglades Ranch (19-410-120C)</td>
<td>Preservation ✓</td>
<td></td>
<td>3,784,550</td>
<td>1,792</td>
<td>Closed 02/11/2005</td>
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<tr>
<td>Myakka River - LOR, Inc. (21-708-125)</td>
<td>Preservation ✓</td>
<td></td>
<td>7,999,807</td>
<td>3,319</td>
<td>Closed 03/18/2005 - used WMLTF &amp; Florida Forever funds</td>
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<td>Green Swamp - Jones (10-200-1251)</td>
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<td>Closed 05/31/2005</td>
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<td>Green Swamp - Glass (10-200-1254)</td>
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<td>200,000</td>
<td>20</td>
<td>Closed 06/01/2005</td>
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<tr>
<td>Lake Hancock - Coscia and Nguyen (20-503-102)</td>
<td>Water resource dev - land acq ✓</td>
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<td>5,225,000</td>
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<td>Green Swamp East - Crowell (10-200-1237)</td>
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<td>Green Swamp East - Overstreet (10-200-1145)</td>
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<td>24,101,645</td>
<td>5,067</td>
<td>Closed 5/31/2006 - used WMLTF &amp; Florida Forever funds</td>
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<td>Green Swamp - Raulerson (10-200-1258)</td>
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<td>400,000</td>
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<td>Closed 04/13/2007</td>
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<td>Annutteliga Hammock - O'Brien (15-228-1288)</td>
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<td>67,000</td>
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<td>Closed 07/13/2007</td>
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<tr>
<td>Annutteliga Hammock - Tyte (15-228-1287)</td>
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<td>570,000</td>
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<td>Closed 07/13/2007</td>
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<tr>
<td>Lake Hancock - Powell (20-503-152)</td>
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<td>30,000</td>
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<td>Closed 07/26/2007</td>
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<tr>
<td>Lower Hillsborough FDA - Guerard (13-300-110)</td>
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<td>1,750,000</td>
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<td>Closed 09/06/2007</td>
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<tr>
<td>Green Swamp West - Barnes (19-410-123C)</td>
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<td>1,125,000</td>
<td>300</td>
<td>Closed 10/30/2007</td>
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<tr>
<td>Myakkahatchee Creek - Carlton (21-694-102 and 105C)</td>
<td>Preservation ✓</td>
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<td>19,746,592</td>
<td>4,744</td>
<td>Closed 12/20/2007 - used Florida Forever &amp; FDOT mitigation funds</td>
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<td>Lake Hancock - Hampton (20-503-103)</td>
<td>Water resource dev - land acq ✓</td>
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<td>37,175,000</td>
<td>2,036</td>
<td>Closed 4/30/2008</td>
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<td>Annutteliga Hammock - Hadley (15-228-1290)</td>
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<td>90,211</td>
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<td>Green Swamp - Vegso (10-200-1005)</td>
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<td>2,500</td>
<td>3</td>
<td>Closed 9/30/2008</td>
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**Subtotal Completed Parcels/Projects**

$ 192,262,841 35,062 20,268

**Subtotal Funds Available**

$ 88,150,740

### Parcels/Projects Approved By Board (Funds Encumbered within DEP Trust Fund)

<table>
<thead>
<tr>
<th>Parcel/Project</th>
<th>Funds Available</th>
<th>Fla Forever Category</th>
<th>SWUCA</th>
<th>Estimated Cost</th>
<th>Fee Acres</th>
<th>LTF Acres</th>
<th>Comments</th>
<th>Governing Bd Date</th>
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<tbody>
<tr>
<td>Annutteliga Hammock - Both (15-228-1293)</td>
<td>Preservation</td>
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<td>124,000</td>
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<td>Anticipate December closing</td>
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<tr>
<td>Annutteliga Hammock - Koblis (15-228-1294)</td>
<td>Preservation</td>
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<td>95,000</td>
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<td>Anticipate October closing</td>
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<td>Annutteliga Hammock - Reid (15-228-1296)</td>
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<td>141,231</td>
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<td>Anticipate December closing</td>
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<td>Annutteliga Hammock - O'Ryan (15-228-1295)</td>
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<td>267,750</td>
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<td>Anticipate December closing</td>
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<tr>
<td>Crooked Lake - Stuart (20-697-101)</td>
<td>Water resource dev - land acq ✓</td>
<td></td>
<td>5,365,700</td>
<td>3,517</td>
<td>Partnership with Polk County and NRCS; will close after NRCS completes survey on east side of US 27; anticipate November closing</td>
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<td>Weekiwachee Preserve - Aripeka Heights (15-773-143)</td>
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<td>2,175,000</td>
<td>210</td>
<td>50/50 partnership with Pasco County; County acquired the parcel from the owner; anticipate closing with the County in October</td>
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<td></td>
<td></td>
</tr>
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</table>

10/07/2008
### Southwest Florida Water Management District

**Florida Forever Status**

**Parcel/Project** | **Funds Available** | **Fia Forever Category** | **SWUCA** | **Estimated Cost** | **Fee Acres** | **LTF Acres** | **Comments** | **Governing Bd Date**
--- | --- | --- | --- | --- | --- | --- | --- | ---
South Saddle Creek Restoration and Water Quality Treatment Project |  | Restoration - capital improvement | ✓ | $13,435,446 | N/A | N/A | Funds encumbered | 

**Subtotal Parcels/Projects Approved By Board** | $21,624,127 | 3,758 | - | 

**Subtotal Funds Available** | $66,526,613 | 

| **Ongoing Acquisitions/Projects** | **Funds Available** | **Fee Acres** | **LTF Acres** | **Comments** | **Governing Bd Date** |
--- | --- | --- | --- | --- | ---
Upper Peace River - Clear Springs, LLC (20-502-107) |  | 1,900 | District discussing CS-11 alternatives and conversion costs | Apr-09 |
Alafia River Corridor - Gooch (11-709-112) |  | 750 | 50/50 partnership with Hillsborough County; working on interlocal agreement; Hillsborough County has acquired parcel | Dec-08 |
Annuteliga Hammock (9 parcels) |  | 14 | Negotiating with owners | TBD |
Annuteliga Hammock DeGolden (15-228-258) |  | 40 | Scheduled for October Board | Oct-08 |
Cypress Creek - Short (13-500-389) |  | 51 | Made offer | Dec-08 |
Lake Panasoffkee - Patterson (19-528-112) |  | 1 | Exploring exchange opportunities | TBD |
Lower Manatee River Floodway - Potter (21-602-111) |  | 21 | Reevaluating; further discussions with Manatee County necessary | TBD |
Lower Peace River Corridor - Fredrick (20-695-105) |  | 700 | Pursuing partnership with NRCS | TBD |
Myakka Prairie - Carithers (21-199-106C) |  | 234 | Negotiating conservation easement terms with owners and NRCS for joint acquisition | TBD |
Myakka Prairie - Chapman (21-199-107C) |  | 190 | Negotiating conservation easement terms with owners and NRCS for joint acquisition | TBD |
Myakka Prairie - Hullinger (21-199-110C) |  | 588 | Negotiating conservation easement terms with owners and NRCS for joint acquisition | TBD |
Myakka Ranchlands - Walton & Longino |  | 7,969 | Sarasota County will take acquisition lead | TBD |
Pasco 1 - Crossbar Ranch (15-704-109) |  | 12,000 | State will take acquisition lead; appraisals underway | TBD |
Potts Preserve - Goodgame (19-484-123) |  | 20 | Appraisal on order for potential exchange | Dec-08 |
Tampa Bay Estuarine Ecosystem - Amerson (21-728-124) |  | 20 | On hold until State determines partnership status | TBD |
Tampa Bay Estuarine Ecosystem - Bascom (21-728-125) |  | 6 | On hold until State determines partnership status | TBD |
Three Sisters Springs (15-347-123) |  | 56 | Partnership between City of Crystal River, US Fish & Wildlife Service, Florida Communities Trust (FCT), The Conservation Fund and SWFWMD; FCT grant awarded; City taking lead | TBD |
Upper Hillsborough - Schaper (13-400-167) |  | 40 | Appraisals underway | TBD |
Weekiawachee Preserve - Dial One (15-773-205) |  | 30 | Preparing offer | TBD |
Weekiawachee Preserve - Southworth (15-773-203C) |  | 278 | Revising conservation easement based on meeting with owner | Dec-08 |

**Subtotal Ongoing Acquisitions/Projects** | $79,789,641 | 14,949 | 9,959 | 

**Grand Total** | $(13,263,028) | $293,676,609 | 53,769 | 30,227 |

Note that projected monies to be spent exceed current funding. This is due to the fact that not all acquisitions will be consummated since the District’s acquisition program is opportunity-driven and primarily

An additional $22,500,000 will be available on July 1, 2009
Resource Management Committee
October 28, 2008

Routine Report

Minimum Flows and Levels Status Report

District staff continues to work on various phases of Minimum Flows and Levels (MFLs) development for water bodies on the District's MFLs priority list. Attached for the Board's use and information is the current Minimum Flows and Levels Priority List and Schedule – Water body Timelines report that identifies the status of each water body in regard to our five phase process of MFL establishment.

Staff Recommendation: See Exhibit

This item is provided for the Committee's information, and no action is required.

Presenter: Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director, Resource Projects Department
## RIVERS, SPRINGS and ESTUARIES

**Schedule and Timeline**

**Exhibit A**

<table>
<thead>
<tr>
<th>Year</th>
<th>System/Location</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
<th>Phase 5</th>
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<td></td>
<td></td>
<td>Data Collection</td>
<td>Data Analysis</td>
<td>Rpt to Board / Peer Review</td>
<td>Recovery Strategy</td>
<td>Rule Adoption</td>
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<tr>
<td>2007</td>
<td>Braden River System (freshwater)</td>
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<td>completed</td>
<td>NA</td>
<td>completed*</td>
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<tr>
<td></td>
<td>Upper Hillsborough River System Crystal Spring</td>
<td>completed</td>
<td>completed</td>
<td>completed</td>
<td>NTB/Aug 2000</td>
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*At the Board's direction, staff have added projected dates on which we expect to have internal draft reports complete, presentation of draft to Board, report of peer review to Board, and return for rule establishment.*

* Waterbodies completed through Phase 5 will be removed from this list and added to the Minimum Flows and Levels Established to Date list when

**Updated September 30, 2008**
### 2007

<table>
<thead>
<tr>
<th>LAKES</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
<th>Phase 5</th>
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<tr>
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<td>Data Collection</td>
<td>Data Analysis &amp; Draft MFL Report</td>
<td>Peer Review</td>
<td>Recovery Strategy</td>
<td>Rule Adoption</td>
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### 2008

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*Waterbodies completed through Phase 5 will be removed from this list and added to the Minimum Flows and Levels Established to Date list when the priority list is updated each year.*
Minimum Flows and Levels Established to Date

- Alafia River (upper freshwater segment)
- Braden River
- Citrus County Lakes (Ft. Cooper, Tsala Apopka – Floral City, Inverness and Hernando Pools)
- Crystal Springs
- Hernando County Lakes - Hunters, Lindsey, Mountain, Neff, Spring and WeekiWachee Prairie
- Highland County Lakes – Angelo, Denton, Jackson, Little Lake Jackson, June-in-Winter, Letta, Lotela, Placid, Tulane, and Verona
- Hillsborough County Lakes – Alice, Allen, Barbara, Bird, Brant, Calm, Charles, Church, Crenshaw, Crescent, Crystal, Cypress, Dan, Deer, Dosson, Echo, Ellen, Fairy [Maurine], Garden, Halfmoon, Harvey, Helen, Hobbs, Horse, Jackson, Juanita, Little Moon, Merrywater, Mound, Platt, Pretty, Rainbow, Reinheimer, Round, Saddleback, Sapphire, Stemper, Strawberry, Sunset, Sunshine, Taylor and Virginia.
- Hillsborough River (lower segment)
- Hillsborough River (upper segment)
- Levy County Lake (Marion)
- Northern Tampa Bay - 41 Wetland sites
- Northern Tampa Bay – 7 Wells – Floridan Aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish, Bird, Buddy, Camp, Clear, Green, Hancock, Iola, Jessamine, King, King (East), Linda, Middle, Moon, Padgett, Parker aka Ann, Pasadena, Pasco, Pierce, unnamed #22 aka Loyce
- Peace River (middle segment)
- Peace River (upper segment – "low" minimum flows)
- Polk County Lakes – Annie, Bonnie, Clinch, Crooked, Dinner, Eagle, Lee, Mabel, McLeod, Parker, Starr, Venus, and Wales
- Myakka River (upper freshwater segment)
- Sulphur Springs
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka and Panasoffkee
- SWUCA – Floridan Aquifer
- Tampa Bypass Canal

Updated September 30, 2008
Resource Management Committee
October 28, 2008

Routine Report

Structure Operations Status Report

September historically marks the final month of the rainy season, and this year September precipitation was significantly below normal in all regions of the District. Rainfall received during the first three months of the 2008 wet season significantly improved hydrologic conditions, but the passage of Tropical Storm Fay in August saw a shift to drier-than-normal conditions. As a result, annual water level peaks occurred 30-45 days earlier than normally expected, and levels continue to decline. In the first week of October, regional lake levels are significantly below-normal, flow on all of the District's major rivers is extremely low, and groundwater conditions range from below-normal to low-normal throughout the District. The dry season runs from October through May, and further declines are expected through this period.

The US Drought Monitor (as of September 30) indicates that abnormally dry conditions have returned to west-central Florida. National weather forecasts for the three-month period from October through December have shifted from the above-normal rainfall they have been predicting to equal chance for below-normal, normal or above-normal rainfall. The extended climate outlook indicates a return to lower-than-normal rain conditions during the winter and spring months.

Updated weather forecasts will be available in mid-October. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of condition data.

Rainfall
Provisional regional rainfall totals for the month (as of September 30) were below-normal in all regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month

- The northern region received an average of 1.58 inches of rainfall, equivalent to the 2nd percentile.
- The central region received 1.82 inches of rainfall, equivalent to the 2nd percentile.
- The southern region recorded an average of 2.74 inches of rain, equivalent to the 2nd percentile.
- District-wide, average rainfall was 2.07 inches, equivalent to the 2nd percentile.

A summary of the operations made in September is as follows:

- Inglis Water Control Structures: The Inglis Bypass Spillway was operated during the month of September in order to maintain water levels in Lake Rousseau and provide flow to the lower Withlacoochee River. The Inglis Main Dam was operated the first week of September to divert excess flow from the lower Withlacoochee River. The average monthly water level for Lake Rousseau was 27.57' NGVD. The recommended maintenance level for the reservoir is 27.5' NGVD.

- Withlacoochee River Basin: All structures on the Tsala Apopka chain of lakes were closed the first week of September with the exception of the Leslie Heifner Structure. The Leslie Heifner Structure remains open to allow flow (and navigation) from the Withlacoochee River into the Floral City Pool. The Wysong-Coogler Water Conservation Structure main gate is in the fully
raised position (39.0’ NGVD) to aid in increasing and maintaining Lake Panasoffkee’s water level. The Wysong-Coogler Water Conservation Structure low flow gate crest is 38.5’ NGVD. The approximate average flow for the month of September of 376 cubic feet per second (cfs) of flow across the structure.

- Alafia River Basin: The environmental gate at the Medard Reservoir Structure was operated during the month of September. The environmental gate is set to 58.50’ NGVD in order to maintain water levels in the reservoir and provide for flow into the Little Alafia River. The average monthly water level for the Medard Reservoir was 58.54’ NGVD. The recommended maintenance level for the reservoir is 58.5’ NGVD.

- Hillsborough River Basin: The Flint Creek Structure was operated during the beginning of September in order to maintain water levels in Lake Thonotosassa. The average monthly water level for Lake Thonotosassa was 36.15’ NGVD compared to the recommended maintenance level of 36.5’ NGVD.

- Pinellas-Anclote River Basin: The Lake Sawgrass Structure was operated during the month of September in order to maintain water levels in Lake Sawgrass. The S-551 (Lake Tarpon) main gates operated during the early part of September to divert excess flow from Lake Tarpon in order to maintain the recommended maintenance level of 3.2’ NGVD. The average monthly water level for Lake Tarpon was 3.0’ NGVD.

- Northwest Hillsborough River Basin: The Lake Pretty Structure (Rocky Creek system) was operated during the beginning of September to maintain water level in Lake Pretty

- Peace River Basin: There were no structures operated during the month of September with the exception of the Structure G-90, which was operated to maintain water levels in Lake June-in-Winter. The average monthly water level for Lake June-in-Winter was 74.44’ NGVD compared to the recommended maintenance level of 75.0’ NGVD.

Staff Recommendation: See Exhibit

This item is provided for the Committee’s information, and no action is required.

Presenter: Tanase Bude, Manager, Structure Operations Section
<table>
<thead>
<tr>
<th>STRUCTURE</th>
<th>ELEVATION</th>
<th>ELEVATION DIFFERENCE</th>
<th>CURRENT LEVEL</th>
<th>POSITION OF STRUCTURE</th>
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</thead>
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<tr>
<td>FLINT CREEK</td>
<td>HIGH LEVEL</td>
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<td>-0.89</td>
<td>Gates Closed</td>
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<tr>
<td>MILL</td>
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<td>KEENE</td>
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<td>MAXIMUM DESIRABLE</td>
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<td>Keene 2: 5.7&quot; logs</td>
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<tr>
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<td>2.6&quot; logs installed</td>
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Lake Hanna

Lake Keene

Lake Kell

Lake Stemper

Daily Average Values

Water Surface Elevation

Lake Surface Area = 29 Acres
Low Slab = 63.68'
Structure Gauge Datum = 62.90'
Lake Gauge Datum = 54.45' MSL
SCADA #7531

Lake Surface Area = 31 Acres
SCADA Device Number 7631

Lake Surface Area = 31 Acres
Low Slab = 68.09'
Structure Gauge Datum = 62.90'
Lake Gauge Datum = 54.45' MSL
SCADA #1981

Lake Surface Area = 58.32 Acres
Low Slab = 63.70
Lake Gauge Datum = 30.3 MSL
SCADA Device # 2067
Lake Consuella

Lake Bradley

Lake Surface Area = 37 Acres
Low Slab = 47.80'
Structure Gauge Datum = Direct Read
Lake Gauge Datum = Direct Read

Lake Surface Area = 590 Acres
Low Slab = 44.38'

Weekly Average Values
Water Surface Elevation
Low Level
Max. Desirable
High Level
10 yr. Flood

Weekly Average Values
Water Surface Elevation
Low Level
Max. Desirable
High Level
10 yr. Flood
Resource Management Committee  
October 28, 2008  

Routine Report  


District staff continues to work on various steps of the District’s Watershed Management Program and Federal Emergency Management Agency Map Modernization. Attached for the Board’s information is the current schedule that identifies the status of each watershed for the topographic information, watershed evaluation, watershed management plan, and Flood Insurance Rate Maps (FIRMs). The list also indicates whether the updated FIRMs will be a redelineation of the existing FIRMs or based on a detailed study.  

Staff Recommendation: See Exhibit  

This item is provided for the Committee’s information, and no action is required.  

Presenter: Mark A. Hammond, P.E., Director, Resource Projects Department
### Exhibit – Watershed Management Program and FEMA Map Modernization Schedule
#### October 2008

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<thead>
<tr>
<th>Year</th>
<th>County</th>
<th>Watershed</th>
<th>Topographic Information</th>
<th>Watershed Model</th>
<th>Public Meetings</th>
<th>Present to Board</th>
<th>Submit Preliminary DFIRMs to FEMA</th>
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<td>Dec 2008</td>
<td>Jan 2009</td>
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TBD - To be determined.

Note: The LiDAR topographic information for Sarasota County is delayed. Staff are meeting with Sarasota County on March 17, 2008 to update schedule. FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.
# Exhibit – Watershed Management Program and FEMA Map Modernization Schedule

**October 2008**

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<th>Year</th>
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<th>Topographic Information</th>
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**TBD** - To be determined.

**Note:** FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.
Resource Management Committee  
October 28, 2008

Routine Report

Significant Water Supply and Resource Development Projects

This report provides information on significant Resource Management projects and programs in which the Governing Board participates in funding. The report provides a short status of significant activities associated with the project that have recently occurred or are about to happen. For greater detail, refer to the Project Notes write-ups or request information directly from the project managers.

Lake Hancock Lake Level Modification Project

The District received the Conceptual Environmental Resource Permit from the Florida Department of Environmental Protection (FDEP) in June 2007 for the Lake Hancock Lake Level Modification Project with an operating level of up to 100 feet. In September 2007, the Governing Board authorized staff to implement the Lake Hancock Lake Level Modification Project (final design, permitting, and construction) for a lake operating level of 100.0 feet National Geodetic Vertical Datum (NGVD); adopted the Resolution Authorizing Proceedings in Eminent Domain, including a Declaration of Taking; amended the 2007 Update to the Florida Forever Work Plan to include all lands identified as necessary for the Project and designated $41 million in Florida Forever Trust Funds for the Project; and designated and encumbered $79 million in General Fund Water Supply and Resource Development Reserves for the Project. District staff continues to coordinate with affected property owners or their legal counsel. Seventy-three parcels (7,256 acres) were identified as necessary to acquire in fee or a lesser interest in order for the project to go forward. At the September 2007 Governing Board meeting, the Board instructed staff to exhaust all negotiations prior to filing eminent domain proceedings. The legal description accompanying the resolution authorizing proceedings in eminent domain was based on geographic boundaries delineated by a model, and therefore would require detailed survey work and ground-truthing for negotiations. The survey work and appraisals required for a public works project, such as the Lake Level Project, are some of the most important components of the due diligence process; and depending on the complexity of the parcels/project, they can be some of the most time consuming components. In the case of the Lake Level Project, which will inundate all or portions of parcels permanently or temporarily, a simple boundary survey of a parcel is inadequate. Whether acquiring a parcel in fee or acquiring an easement over a portion or all of a parcel, it is necessary for the District, the owner, the owner's representative, and the appraisers to understand on the ground the pre- and post-effects the project will have on the parcel, including the improvements (house, pool, outbuildings, septic systems, wells, landscaping, etc.). Thus the surveys and the appraisals for the Lake Level Project have been more complex and time consuming than that which are required in the District's traditional voluntary conservation acquisition program.

New Activities Since Last Meeting: The District and DMK are planning several meetings in October to make technical decisions for the design of the replacement outfall structure. Acquisition status: Of the 73 parcels necessary for the project, 51 were prioritized for negotiation based on the level of impact of the project to the property and owners. Of these 51, 28 parcels containing 6,607 acres (including 17 homes) have been acquired through the voluntary acquisition process, and offers have been made on 23 parcels containing 308 acres (including 16 homes), of which at least two parcels will require litigation. The remaining 22 parcels (321 acres) are partial easement acquisitions, and District staff are continuing the necessary and complex due diligence in order to prepare offers to owners. The Governing Board, at its September 2008 meeting, approved the purchase of one parcel. Based on the completion of ground-truthing survey work, staff intends to bring an amended eminent domain resolution to the Governing Board in November. Project Managers: Scott Letasi/Steve Blaschka
Lake Hancock Outfall Treatment Project
At the February 2006 Governing Board meeting, the Board approved the staff recommendation to adopt a 27 percent nitrogen load reduction goal and to utilize wetlands as the primary treatment component. The District's consultant (Parsons) has completed constructability and the initial geotechnical testing at the proposed location of the treatment wetlands and a Basis of Design Report (BODR). The BODR establishes the objectives, data, and assumptions that form the foundation of design (configuration of wetland cells and infrastructure). The current phase includes design, permitting, and additional geotechnical evaluation. The District conducted a plant establishment study to evaluate wetland construction methods, different types of wetland plants, exotic plant control techniques, and water quality trends. Other tasks include habitat enhancement on adjacent, District-owned parcels. The objective of habitat enhancement is to maintain a vegetated corridor along South Saddle Creek for migratory birds. New Activities Since Last Meeting: The District's consultant continued design and permitting tasks, with the 60 percent design plan deliverable and permit application submittal anticipated in February 2009. Geotechnical testing and survey work continued. Utility alignments were coordinated with Bartow Electric and Verizon. Coordination with Land Resources staff took place to identify borrow locations for fill that will be needed for berm construction. Land Resources staff also reviewed proposed habitat enhancement areas on adjacent parcels. Project Manager: Janie Hagberg

Pilot Testing Of Biological Treatment Systems
At the February 2006 Governing Board meeting, following the vote on the Lake Hancock Outfall Treatment Project, the Board directed staff to initiate a project for pilot testing of biological water treatment systems. At the May 2006 Governing Board meeting, the Board authorized staff to proceed with the pilot testing of biological water treatment systems and to hire a consultant to assist the District in the pilot testing project. CH2M Hill, Inc., was hired as project consultant and has completed a detailed literature review of periphyton-based biological water treatment systems, an evaluation of potential pilot test sites, project work plan, and project delivery method document. The consultant also assisted in developing a Scope of Work for the Request for Proposal (RFP). The RFP included two alternatives on which vendors bid: (1) study an existing system, and (2) construct a small pilot system. The District felt this approach provided the most cost efficient means of meeting project objectives while also providing vendors some flexibility in ways they can demonstrate the effectiveness of their systems. Proposals were received from two vendors (Genesis Group, LLC, and Hydromentia, Inc.) and were evaluated by the consultant. At its February 2008 meeting, the Governing Board: (1) authorized staff to negotiate an agreement with Hydromentia, Inc., for an enhanced study of their full-scale Taylor Creek facility in the South Florida Water Management District (SFWMD) for an amount not to exceed $400,000, and authorized the Executive Director to sign the agreement; and (2) authorized District staff to negotiate an amendment to the agreement with CH2M Hill, Inc., for an amount not to exceed $300,000 to provide an independent evaluation of Hydromentia's Taylor Creek facility, and authorized the Executive Director to execute the amendment. A Notice of Award was posted on March 17, 2008, indicating the District's intention to award the contract to Hydromentia, Inc. Hydromentia is currently experiencing treatment performance related issues associated with the Taylor Creek facility and has recommended the District not proceed with the current proposed study until these issues are addressed in order to get an accurate assessment of the technology. On July 1, 2008, the District received from Hydromentia four potential approaches to consider for moving forward: (1) immediately initiate evaluation of Taylor Creek facility; (2) assist in identifying potential algae growth inhibitors, then initiate evaluation; (3) postpone evaluation until algal growth problem is resolved; and (4) build a pilot system instead of evaluating Taylor Creek. On July 28, 2008, the District project manager spoke with Hydromentia to discuss the status of the Taylor Creek facility. Hydromentia stated they are cooperating with the Florida Department of Agriculture and Consumer Services and the University of Florida to screen for compounds in Taylor Creek that may be inhibiting the growth of algae at the Taylor Creek facility. District staff and Hydromentia agreed it was best to postpone the evaluation of the treatment technology until the Taylor Creek facility algal growth issues are resolved. Hydromentia agreed to provide the District project manager with regular updates on the status of the facility. New Activities Since Last Meeting: On September 29, 2008, the District project manager spoke with Hydromentia regarding the status of the Taylor
Creek facility. Water samples have been collected from Taylor Creek and are currently being analyzed for compounds that could inhibit algal growth at the facility. Hydromentia held a conference call with researchers from the Florida Department of Agriculture and Consumer Services and the University of Florida on October 1, 2008, to discuss preliminary findings. The Taylor Creek facility was offline for most of the month of September due to failure of the pumps that deliver water from Taylor Creek to the facility. Repairs are almost complete, and the facility is expected to resume normal operations during the first week of October. Project Manager: Gary Williams

Peace Creek Watershed
In 2005, the Governing Board and Peace River Basin Board agreed to take on the responsibility to maintain and, where possible, improve the water conveyance/storage capabilities of the Peace Creek Canal. One of the primary tasks includes identification of property ownership in order for the District to obtain the necessary easements over the system. The work directly related to the Peace Creek Canal is part of the larger District effort, which started years earlier with watershed modeling, expanded in 2005; and will develop a watershed management plan that evaluates approximately 13,000 acres of lakes and 13,000 acres of wetland areas for potential surface water storage systems within the Peace Creek Watershed. Two temporary employees were hired for the District Operations Department to assist with the maintenance activities in the canal. New Activities Since Last Meeting: District staff performed aquatic weed control activities within the canal that involved mowing along the side banks, followed by chemical spraying. In some areas, the vegetation in the canal is being physically removed with District equipment. Following the recent storms, several fallen trees are being removed from the canal to improve conveyance. Construction on four additional sediment removal sites will be completed by January 2009. The District is working with the consultant for the design and permitting of four additional sediment removal sites for completion in spring 2009. Staff is coordinating with the City of Winter Haven and Polk County to review land use changes and right-of-way use needs for future maintenance. The District’s consultant continues to work on the modeling requirements necessary to update the Digital Flood Insurance Rate Maps (DFIRMs) and complete the Watershed Management Plan. Project Manager: Shelley Thornton

Watershed Management Program/Federal Emergency Management Agency Map Modernization
The District initiated a partnership with the Federal Emergency Management Agency (FEMA) to modernize Flood Insurance Rate Maps (FIRMs) as part of its Watershed Management Program (WMP). Flood protection and floodplain information has been a priority at the District since the inception of the organization, and that priority was renewed following the El Niño weather event in 1997-1998. In addition to studies conducted by the District (primarily through the Basin Boards) and others, information on floodplains (elevations) is available through the FEMA FIRMs. However, many of the existing maps do not accurately represent the flood-prone areas, either because the initial studies were technically limited or the maps are outdated due to significant land use changes since completion. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local government's understanding of their flood protection level of service, the District reached out to local governments and initiated the WMP in the late '90s. Additionally, the District and FEMA executed a Cooperating Technical Partners (CTP) Memorandum of Agreement on September 14, 2001, to formalize the relationship and to improve the existing FIRMs to better identify risks of flooding within the District. As a CTP, the District is eligible for federal funds to act as FEMA's partner in modernization of the FIRMs. Federal funds have allowed the District and local governments to accomplish significantly more than would have otherwise been possible. To date, the District has received approximately $11.2 million in federal funds from FEMA for countywide map modernization projects for Pasco, Sarasota, Hernando, Marion, Polk, Hardee, Desoto, Citrus, Sumter, Levy, and Highlands counties. An additional $0.9 million is expected in future fiscal years for countywide map modernization projects for Manatee County. The Map Modernization Program also includes federal funding for management support. For FY2004 through FY2008, the District received $782,860 and could receive an additional $350,000 through FY2012. FEMA began FIRM updates for Hillsborough and Marion counties before the District became a CTP. FEMA issued their letter of determination finalizing the
FIRMs for Hillsborough and Marion counties and the FIRMs became effective on August 28, 2008. **New Activities Since Last Meeting:** The District’s consultants are focusing on watershed models in Hernando, Pasco, and Sarasota counties to address all errors and omissions and to update the watershed models to account for infiltration, and incorporate the latest topographic and other watershed information (to the extent practicable) into the models. District and local government staff met with the District’s consultants in September to discuss schedules, budgets, data collection, infiltration, high water information, and coordination issues. The preliminary floodplains are being submitted by the consultants for initial review by District staff. Peer review meetings were held September 22 and 26, and October 2, 3, 6, and 13, with more meetings being scheduled. A public meeting was held on October 1, 2008, for two watersheds in Hernando County and others are being scheduled. The 2007 Light Detection and Ranging (LiDAR) topographic information for Sarasota County was delayed. District staff is coordinating with the County and consultants to evaluate how the delay will affect the schedule for updating the watershed models. District staff provided the Pasco County Board of County Commissioners (BOCC) an update on the FEMA Map Modernization process at the BOCC meeting on October 21, 2008. **Project Manager:** Gordon McClung

**Myakka River Watershed Initiative**
In February 2006, the Governing Board allocated $500,000 to hire a consultant team to perform elements of the Watershed Management Program and for the collection of topographic information in eastern Manatee County using LiDAR mapping technologies. On December 11, 2006, an agreement with the Singhofen & Associates consultant team was executed and a kick-off meeting was held with District staff. The consultant team held the first outreach meeting on February 14, 2007, to discuss the project in detail and solicit stakeholder input on issues and available sources of data. Staff has since made several introductory presentations to various stakeholder groups (Myakka Conservancy, Environmental Advisory Committee, etc.). The water budget model was completed and used to compare existing and historic conditions to determine the amount of excess water in the Upper Myakka River Watershed. This information was provided to the Authority for use in their water supply planning. The draft peer review document on the Upper Myakka Water Budget model was received on July 18, 2008. Survey crews continue working in the Upper Myakka River Watershed collecting stream profiles and cross section and structure data. The work order for the consultant to evaluate flow reductions to Flatford Swamp and the corresponding changes in the hydroperiod of the swamp was approved September 9, 2008. A project status update was given to the Florida Department of Environmental Protection's Myakka River Management Coordinating Council (MRMCC) on September 12, 2008. **New Activities Since Last Meeting:** A meeting was held with Sarasota County on October 6, 2008, to discuss upcoming surface water modeling and to coordinate evaluations within the watershed. In the near future, field visits to Flatford Swamp are scheduled to characterize the existing vegetative communities. This information will be used to evaluate how the vegetation may react as excess flows, that have been negatively impacting the swamp, are diverted away and used for water supply or environmental restoration. **Project Manager:** Lisann Morris

**Tampa Bay Water**
- **System Configuration II Project:** The Governing Board approved the agreement with Tampa Bay Water (TBW) for the System Configuration II Project at its February 2007 meeting. The project, when completed in 2011, is expected to provide up to 25 million gallons per day (mgd) of alternative water to the regional system. The estimated total project cost is $235,122,500, with the District committing to half of eligible costs of $232,000,000, which is $116,000,000. The project seeks to increase TBW's overall system capacity by drawing more water from the Hillsborough River during high flows via the Tampa Bypass Canal (TBC), in combination with increasing the allowable percentage of withdrawals from the TBC. The projects are primarily associated with the construction of improvements to the regional systems treatment, transmission, and storage infrastructure. The project agreement was executed May 1, 2007, and TBW received approval of its Water Use Permit in June 2007. The design of the Surface Water Treatment Plant (SWTP) expansion and the four pump station expansion project components is complete and a notice to proceed with construction was issued in May 2008 for the SWTP. The SWTP Expansion will increase the plant's
capacity from 66 mgd to a minimum of 99 mgd. The four pump station expansion project components include the Tampa Bypass Canal Pump Station Expansion, Tampa Bay Water Regional High Service Pump Station Expansion, Tampa Bay Water SWTP Repump Station Expansion, and the Cypress Creek Pump Station Expansion. Construction on Phase 1B of the South-Central Hillsborough Infrastructure Project component was completed on January 31, 2008. The purpose of Phase 1B is to provide potable water from the regional surface water treatment plant to TBW's Brandon/South Central Hillsborough service area and add yard piping improvements at the Lithia Water Treatment Plant. **New Activities Since Last Meeting:** Construction continues on Phase II of the South-Central Hillsborough Infrastructure Project. This phase will add disinfection facilities at Well Sites #5 and #7, raw water collection pipelines at the Brandon wells, and convert the Brandon and Brandon South-Central Connection pipelines to potable water supply. Well Site #5 is under construction, and a pond has been excavated. The final completion date for Well Site #7 was August 2008 and was fully operational in September 2008. In August 2008, TBW's Board approved the construction contracts for the Tampa Bypass Canal Pump Station Expansion, Tampa Bay Water Regional High Service Pump Station Expansion, Tampa Bay Water SWTP Repump Station Expansion. The Notice to Proceed for the three pump station expansions was issued on September 2, 2008. These three project components will increase the pumping capacity at each location by adding additional pumps and necessary power supply and yard piping. In addition to the above project components, the Cypress Creek Pump Station Expansion project component is ready for construction while the remaining project components are in the design stage. **Project Manager:** Audrie Goodwin

- **Tampa Bay Seawater Desalination Plant:** As outlined in the agreement between the District and Tampa Bay Water (TBW) for the seawater desalination facility, 25 percent ($21.25 million) of the $85 million being held by the District is payable upon acceptance of the facility by TBW. Of the remaining 75 percent, 25 percent will be provided to TBW when the plant is operated at a rate of 25 mgd for four consecutive months and the remaining 50 percent ($42.5 million) when the plant operates at an annual average of 12.5 mgd for 12 consecutive months. In addition, TBW will receive the interest accrued on the $85 million, since January 2008, when the plant operates at 20 mgd for 12 consecutive months beginning after the first year of operation and completed no later than December 31, 2010. Following American Water Pridesa's (AWP) completion of the required run-in period and acceptance test, AWP submitted an acceptance test report to TBW on November 27, 2007. After certification of the test results, TBW accepted the facility on December 26, 2007, which is considered the in-service date. The District processed the first 25 percent payment in the amount of $21,250,000 on January 24, 2008. **New Activities Since Last Meeting:** TBW's Tampa Bay Seawater Desalination Plant produced an average of 19.9 mgd since the plant was accepted on December 26, 2007. The plant produced an average of 22 mgd in September 2008. On December 26, 2008, TBW is expected to be eligible for the production milestone payment of $42.5 million. Please refer to the Water Production Supply Summary Routine Report, under the Regulation Committee tab, for additional historic pumpage information at the desalination facility. **Project Manager:** Ken Herd

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**Peace River/Manasota Regional Water Supply Authority**

- **Reservoir:** Final design for the Regional Reservoir Expansion has been completed and the Florida Department of Environmental Protection (FDEP) has issued the Environmental Resource Permit (ERP) for the reservoir construction. In June 2007, the Authority received three bids for the reservoir expansion. The low bid of $64,910,500 was 21 percent higher than the engineer's estimate. The project kick-off meeting was held in late September 2007. The Authority asked the District to provide additional funding as a result of the increased costs. At their December 2007 meetings, the Peace River and Manasota Basin Boards and the Governing Board approved an additional $3,703,704 in 2008 funding for the reservoir project. The Authority Board approved the reservoir construction contract and issued a notice to proceed to the contractor to begin work and permitting. FDEP approved construction to commence on December 8, 2007. In addition, the U.S. Army Corps of Engineers companion permit to the ERP was received on December 11, 2007. **New Activities Since Last Meeting:** The reservoir construction is underway and considered to be 61 percent complete. The project appears to be on schedule for the March 2010 Final Completion of Construction
Current progress is on schedule for the March 2010 Final Completion of Construction deadline. The project appears to be on schedule for the March 2010 Final Completion of Construction deadline. Currently, functional testing of raw water is occurring in the solid contact units. The major internal mechanisms and drive motors for two of the four solid contact units are operational in manual mode, and electrical wiring in the conduits continues to be installed. Other ongoing construction activities include the installation of yard piping, seeding/sodding around the building perimeters, and the laying of a limerock base for the road encircling the plant.

New Activities Since Last Meeting:

- **Facility:** In February 2007, the Authority received one bid for Contract 2 for major components of the Facility Expansion. The bid was approximately $17 million over the original engineer's estimate of probable cost. Since receiving the bid, Authority staff and the contractor have negotiated a revised project cost $14 million below the original bid price. The Authority's Board approved the revised cost and authorized staff to enter into an agreement with the contractor in April 2007. Even with the newly negotiated bid price, the overall revised project cost remained $19 million over the original project cost. The Authority requested additional funding as a result of the increased costs and an additional $3,756,693 in Water Protection and Sustainability Trust Funds were allocated to this project. Construction of the Facility Expansion Project will occur through three separate contracts. The first contract, completed in May 2007, focused on site preparation. The second contract is for construction of a maintenance building, dewatering facility, filters, storage tanks, thickeners, and chemical feed and disinfection stations. The third contract is for construction of an operations center.

- **Regional Integrated Loop System Project:** Charlotte County, Punta Gorda, and the Authority approved an agreement for the Regional Integrated Loop System Phase 1A. This pipeline creates an interconnect between the Authority and Punta Gorda's Water Treatment Plant (WTP) on Shell Creek while providing Charlotte County with additional opportunities for interconnects into the regional distribution system. Total cost for Phase 1A is estimated at $19,015,000. The District anticipates providing $12,007,500 toward the project, which includes $5,000,000 in West-Central Florida Water Restoration Action Plan (WRAP) Funding. The Authority Board approved the work order for Phase 3 of the Regional Loop System and issued a notice to proceed with preliminary engineering. The Phase 3 pipeline would be an extension of the Authority's regional transmission system currently terminating at the Carlton WTP. The first portion of this pipeline, Phase 3A, will provide an additional water delivery point to Sarasota County and the potential for an inter-tie to the City of Venice. The future expansion of Phase 3B would extend to Manatee County and connect to a proposed surface water treatment facility. The Phase 2 pipeline was originally planned to provide an interconnect between the Authority's Peace River Facility and the City of North Port's WTP. On May 7, 2008, the Authority agreed to suspend the project. Instead of constructing the Phase 2 pipeline along its originally planned route, the City of North Port has proposed a new point of connection on the Authority's existing 42-inch transmission main, which connects the Authority's facility to Sarasota County's Carlton WTP.

- **Regional Water Supply Source Feasibility Study:** The Regional Water Supply Source Feasibility Study will evaluate three alternative water supply sources: the Shell Creek, Cow Pen Slough/Dona Bay, and Upper Myakka River systems that were identified in the Authority’s Integrated Regional Water Supply Master Plan (IRWSMP) and Regional System Reliability Model (RSRM). The feasibility study contract was awarded to PBS&J in July 2007.
The District entered into a cooperative funding agreement with the Authority for the feasibility study on September 18, 2007. The consultant team submitted the first deliverable on October 25, 2007, which summarized and inventoried existing data, relevant technical reports, and models. The Preliminary Alternatives Analysis was presented to the Authority Board at its December 2007 meeting. The analysis identified opportunities for water supply within the three major source areas. Authority staff indicates the project is slightly behind the accelerated schedule requested by the Authority Board and is anticipated to be completed in December 2008. **New Activities Since Last Meeting:** Municipalities (City of Englewood and Venice) that responded favorably to the groundwater questionnaire and showed interest in a potential joint project with the Authority were asked to participate in the September TAC meeting. A draft Source Water Feasibility Report was completed in September and discussed at the October TAC meeting. The draft report will be presented to the Authority Board at its November workshop, and it is anticipated the Authority Board will decide in December which projects will be carried forward to preliminary design. **Project Manager: Lisann Morris**

**Aquifer Storage and Recovery – Arsenic Research**

The District continues to take an active role in investigating methods for controlling the mobilization of arsenic occurring during Aquifer Storage and Recovery (ASR) activities. Beginning in 2008, the District initiated a pilot project with the City of Bradenton for the design, permitting, and construction of a degasification system to remove dissolved oxygen (DO) from water prior to injection and storage in the aquifer. The project is co-funded by the District, South Florida Water Management District (SFWMD), St. Johns River Water Management District (SJRWMD), the Peace River/Manasota Regional Water Supply Authority, and the City of Bradenton. The pilot project is being performed at the City of Bradenton's ASR site and capable of processing water at 700 gallons per minute (gpm) with 99.96 percent removal of DO. A final report documenting the effectiveness of DO removal will be prepared at the end of the project, which is expected in two years. In addition to the degasification project, the District is working with Polk County, SJRWMD, SFWMD, and the Florida Department of Environmental Protection (FDEP) to address permitting issues associated with arsenic mobilization. Construction of the degasification system was completed in June 2008 and the City’s staff was trained on operation of the equipment. In preliminary testing of the degasification system, the system is performing according to design specifications. **New Activities Since Last Meeting:** The City has completed FDEP’s permit renewal process and is now awaiting the final consent order. It is planned to initiate the first 130 million gallon recharge/recovery cycle test with pre-treated water by November 2008. Preliminary results obtained from water quality sampling during the recharge portion of the test will be available by the end of January 2009. The storage portion of the cycle test will occur over a 60-day period in February and March 2009, and the recovery portion of the test will take place in April, May, and June 2009. Though preliminary results of the test might be available before June 2009, it will likely be the end of July when all the recovery data are available so an assessment of the pilot project can be made. The District has also been working closely with SJRWMD, SFWMD, and FDEP to establish operating standards for ASR cycle tests. **Project Manager: Don Ellison**

**Lower Hillsborough River MFL Recovery Strategy – Implementation**

At its August 28, 2007, meeting, the Governing Board established the minimum flow for the Lower Hillsborough River (LHR) by adoption of amendments to Rule 40D-8.041(1), Florida Administrative Code (F.A.C.). As required by statute, if the actual flow of a water course is below the proposed minimum flow or is projected to fall below the proposed minimum flow over the next 20 years, a "recovery strategy" is developed as part of the minimum flow development process. In the case of the LHR, a recovery strategy was needed. The proposed recovery strategy was approved by the Governing Board at its August 28, 2007, meeting and incorporated into Rule 40D-80.073(4), F.A.C. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flow. Projects that are planned under the recovery strategy include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. At its September 2007 meeting, the Board approved the transfer of $1,000,000 from reserves for installation of temporary pumping facilities on the TBC and at the dam on the LHR. Funds will go toward: (1) temporary pumping facilities, (2) consultant to provide more permanent pumping facilities, and (3)
consultant to look at the costs and design for moving water from the Morris Bridge Sink to the TBC. Temporary pumps to transfer water from the TBC to the LHR were in place by December 15, 2007, and the District began pumping 11 cfs (7.1 mgd) to the reservoir from the TBC on December 31, 2007. Per the recovery strategy, 75 percent of the 11 cfs (8.2 cfs or 5.3 mgd) transferred to the reservoir is being pumped to the base of the dam. This amount of freshwater in combination with 10 cfs supplied from Sulphur Springs to the base of the dam by the City of Tampa indicates an actual minimum flow of 18.2 cfs (11.8 mgd) or 70 to 80 percent of the proposed minimum flow is now being supplied to the LHR depending on season. **New Activities Since Last Meeting:** Due to the lowered flows in the upper Hillsborough River, the District has been moving water from the lower pool of the TBC to the base of the dam to help meet the minimum flow for the LHR since September 8, 2008. Likewise, the City of Tampa began supplying water from Sulphur Springs to the base of dam on September 8. The Human Machine Interface (HMI), which will allow the District’s SCADA system to communicate with the pumps, will be operational by the end of the first week in October. The peer review report for the Transmission Pipeline Project was delivered to the City and District on September 12, 2008, before the October 1 completion date specified in the recovery plan. Staff is currently reviewing the report; however, it is the conclusion of the panel that "the projected water savings by transporting the augmentation water in the pipeline rather than through the Reservoir is relatively small." The Blue Sink pump test for determining the potential yield of the system was completed in June, and a draft report has been prepared and is undergoing internal review. District and City staffs have prepared a joint-funding agreement for implementation of the Sulphur Springs project and anticipate taking the agreement to the Basin and Governing Boards in October. **Project Manager: Marty Kelly**

**Polk County Comprehensive Water Supply Plan**

Based on the recent results from the Kissimmee River Water Supply Feasibility Study and limitation of future water sources from outside its boundaries, Polk County (County) requested the District participate in a more detailed analysis of available ground water and alternative water supplies within Polk County. The County request was approved by the Governing Board in January 2008, and the Alafia River and Peace River Basin Boards in February 2008, during their regularly scheduled meetings. The Polk County Comprehensive Water Supply Plan (PCCWSP) will identify viable potable water supply sources and conservation alternatives to meet the future potable and non-potable water demands of various public utility systems within Polk County. The process will include investigation of multiple water resources including conservation, reclaimed water, stormwater, surface water, and ground water. The PCCWSP will address the technical, economic, environmental, jurisdictional, and regulatory factors associated with development of these potential new sources. The water supply planning effort will first include identification, quantification, and confirmation of the types and amounts of new water supply that can be developed, and then address aligning the sources with prospective water supply partners. Most importantly, the PCCWSP will set forth immediate projects and strategies that materially provide new water supplies for targeted public utilities. The PCCWSP will outline a set of real, attainable, affordable, and significant water supply projects, regional in nature, to begin the transition of water supplies from traditional ground water to alternative sources. Recommendations will include project definitions, specific actions, production rates, schedules, project costs, and unit water costs (operation, maintenance, and debt service). The total estimated cost to complete the PCCWSP is $955,318 via a consulting services contract between the County and Reiss Environmental. The South Florida Water Management District (SFWMD) has agreed to provide 10 percent of the total project cost, reducing the District's share to 40 percent, or $382,127. The funding agreement among the District, the County, and SFWMD was approved by the Polk County Board of County Commissioners (BOCC) on April 23, 2008, and has been signed by all parties. On April 25, 2008, District staff attended a meeting with Tampa Bay Water (TBW) and the County to discuss potential opportunities for water supply to Polk County from TBW. Additionally, the County is involved in several other initiatives to investigate water supply options. One option the County is evaluating is the potential for additional ground water in southeast Polk County. The County and SFWMD are coordinating to investigate this potential source as any withdrawals would be located within the SFWMD. The notice to proceed with construction date for the investigation of the SE Wellfield in SFWMD was September 3, 2008. The County is also coordinating with the STOPR group,
which includes St. Cloud, Tohopekaliga Water Authority, Orange County, Osceola County, Polk County, and the Reedy Creek Improvement District. STOPR and SFWMD are currently investigating the potential for water supply from the Kissimmee River, which should be completed by the beginning of 2009. In mid-August, District and SFWMD staff met with the County to discuss and comment on the Preliminary List of Projects and prepare for the BOCC meeting which was delayed until early November. On September 11, 2008, District executive staff (Dave Moore, Bruce Wirth, and Richard Owen) met with County Administrator, Mike Herr, and County staff to review potential water supply plan projects. New Activities Since Last Meeting: The County and TBW have completed a Memorandum of Understanding (MOU) to aid in the implementation of future collaborative efforts. During the September 17, 2008, meeting, both parties agreed to submit the MOU to the BOCC on November 5, 2008, and then to the TBW Board thereafter. During September, District, County, and SFWMD staff met to discuss ranking of the preliminary list of projects and review the progress of the plan. Additionally, District and County staff met with Polk County Farm Bureau, Polk County Water Policy Action Committee, and Polk County Builders Association to discuss the purpose of the plan and answer any questions. District staff also participated in two City Manager meetings held on September 8, 2008, and September 25, 2008. District staff reviewed and commented on the Alafia River Evaluation Report. The District’s final comments on the Peace River Evaluation Report are being incorporated and reviewed by the County and Reiss Environmental. It is anticipated that both reports will be finalized in October 2008. Project Manager: Audrie Goodwin

Regional Reclaimed Water Partnership Initiative
The project is essentially composed of two elements. The first is a traditional reclaimed water supply project consisting of transmission pipelines and storage to provide reclaimed water to industrial users from one or more domestic wastewater treatment facilities. The primary customer is the Tampa Electric Company (TECO). Two options have been identified as the potential reclaimed water supply routes. The first is to use reclaimed water from the City of Tampa’s Howard F. Curren Advanced Wastewater Treatment Plant; however, this route does not appear to be competitive from a cost perspective. The second, and more likely, option is to use a combination of reclaimed water from the City of Lakeland, Polk County, and possibly Plant City for the first TECO expansion. The second TECO expansion would be provided reclaimed water from Hillsborough County's Valrico Wastewater Treatment Plant, if Hillsborough County chooses to pursue this approach. The District remains hopeful that these two projects can be done in parallel to provide reclaimed water to both TECO and Mosaic within a three-to-five year window, and is continuing discussions with the parties to try to secure this approach. The second element of the project is more innovative in concept and seeks to create opportunities for additional potable groundwater withdrawals in the project area through recharge of the Upper Floridan aquifer with reclaimed water in southern Hillsborough County and/or western Polk County. On July 29, 2008, the Governing Board approved the transfer of $550,000 from the Water Supply and Resource Development Reserves (H100), to the Regional Reclaimed Water Partnership Initiative (H076). Up to $50,000 was allocated to the cost analyses of the potential supply routes to TECO. Upon completion of the analyses, the project team will have a clear path to move forward with the design and engineering for the identified route(s). The remaining $500,000 was allocated to the aquifer recharge feasibility study. New Activities Since Last Meeting: On September 17, District staff met with representatives from TECO and the City of Lakeland to discuss TECO’s reclaimed water needs for the first expansion and availability of flows from Lakeland. It appears that Lakeland will be able to supply 5.2 mgd of reclaimed water to TECO. When combined with ground water from TECO's existing water use permit, there will be enough water to meet TECO's needs for the first expansion. District staff also met with representatives from TECO and Hillsborough County on September 24 to discuss TECO's second expansion. Plans for this phase should be underway in the 2010-2012 timeframe, but initial estimates are that 6 mgd of reclaimed water will be needed. Hillsborough County will be the likely source of reclaimed water for the second phase, though many of the details still need to be resolved. On October 1, the Executive Director addressed the Hillsborough County Board of County Commissioners. A meeting with the full project team meeting has been scheduled for October 21. The District received ten responses to the Request for Qualifications to study the feasibility of using reclaimed water for direct and indirect
aquifer recharge in the Tampa Bay area, and MWH was selected as the consultant. The contract became effective October 1. The last meeting of the Regulation and Recharge Steering Committee was held on September 10; focus of the discussion was the Scope of Work for both direct and indirect recharge. The next steering committee meeting will be held in mid-November. Project Manager: Alison Ramoy

Land Resources Events

- **July 2007** – Land Resources and Communication staff held an event in support of one of the District’s strategic initiatives to increase diversity and youth education on conservation land. The Boys and Girls Club brought approximately 70 children to the WeekiWachee Preserve in Hernando County. Some of the older boys fished, while the remainder of the group was split into half. Land Resources staff led one group on a guided hike along one of the Preserve’s trails. Staff created an “I Spy” activity where the children had to find and identify plants, animals, and different species commonly found in a pine flatwoods ecosystem. Staff planted objects such as deer and raccoon skulls and tortoise shells along the trail to prompt discussion about the variety of wildlife that lives in the Preserve. Communications staff led the second group in a discussion about the importance of protecting the watershed and in a hands-on Project WET activity.

- **October 2007** – Land Resources staff set up a display table at the 13th Annual National Wildlife Refuge celebration held at the Chassahowitzka National Wildlife Refuge Complex in Crystal River. It is estimated that over 300 people were in attendance. Land Resources staff also held a volunteer work day at Lake PanaSokekee. Six volunteers attended and accomplished tasks that included mowing, trimming, reposting of approximately five miles of trails, and removal of three fallen trees. Afterwards, lunch was served, and the volunteers hitched up the horses and enjoyed the cleared trails.

- **November 2007** – Land Resources staff held a volunteer work day at the Serenova tract in the Starkey Wilderness Preserve in Pasco County. For approximately eight hours, five volunteers worked on lifting the tree canopy in the day-use parking area, trimming trails, and cleaning up two campgrounds. The following day, staff attended a Suncoast Trail Riders meeting to give a brief presentation and answer questions regarding recreation on District property. Another volunteer work day was held at the District’s Jack Creek property in Highlands County. Staff and four volunteers with the Ridge Rangers spent the day removing trash and debris that filled a dumpster.

- **December 2007** – Land Resources staff and volunteers participated in the Audubon Society’s annual Christmas Bird Count at WeekiWachee Preserve. Over 60 species were documented, including several rare birds.

- **December 2007 and January 2008** – The District hosted “Outdoors without Limits,” hunts in which participants were disabled, at the District’s Upper Hillsborough and Hampton tracts. A total of 24 hunters participated in modern gun hunts for deer and hogs on each property. District staff and volunteers assisted with all aspects of the hunts, including preparing and serving lunch, and assisting participants in getting to and from their hunting locations. Several deer and hogs were taken, and the hunts were a tremendous success for all involved.

- **January 2008** – The Sumter County Humane Society held a fundraising event “Helping Hooves Benefit Ride/Drive” at Lake PanaSokekee, which brought horse lovers together to lend their support to equine rescue efforts, as the need is continuously increasing. Approximately 113 people attended the event and raised more than $1,700. The revenue generated will be applied toward the group’s Animal Care Fund, which provides much needed veterinary care such as spaying/neutering, vaccinations, emergency care, animal food, and cruelty investigations. The event was a great success considering this was their first event and the weather was rainy and cold. Also, over 30 volunteers from across the state participated in a sparrow drive at WeekiWachee Preserve. A total of 20 birds, representing seven species, were banded. Three of these species that inhabit the Preserve are area-sensitive grassland birds that are declining throughout the eastern United States: the grasshopper sparrow, Henslow’s sparrow, and savannah sparrow. Another drive is scheduled in February.

- **February 2008** – Land Resources staff held a volunteer day at the Serenova tract within the Starkey Wilderness Preserve in Pasco County to help clear an area for a new restroom facility. Within six hours, ten volunteers not only cleared the site, but helped trim the road in and out of the area. The Council on American-Islamic Relations (CAIR) performed a clean-up
at the District’s Harney Canal in Tampa. Approximately 70 volunteers, including many students, removed trash from both the land and water. The Florida Department of Transportation picked up the trash after the event, and the Temple Terrace Police and Marine Patrol provided the volunteers with safety tips and removed the trash collected from the water. Hillsborough County Public Works is donating paint to cover graffiti on the bridge. Land Resources staff attended an "Ice Cream Social" at the Withlapopka Civic Association building near the Withlapopka Park at Flying Eagle in Citrus County. This event was sponsored by park volunteers to bring awareness to the park, raise money for park amenities, and solicit new park volunteers. More than 90 people attended the Ice Cream Social.

- **March 2008** – Land Resources staff held a work day to hand-treat exotic plants at our Panasoffkee Outlet property in Sumter County. The tract supports good quality upland hardwood forest, some of which has intact limestone outcrops. The plant targeted was an exotic vine called green wandering Jew, which is ranked a Category 1 plant by the Exotic Pest Plant Council (EPPC). The plant is difficult to treat due to unacceptable impacts of herbicide on native plants; therefore, hand removal is one of the only treatment options. Seven volunteers worked an area approximately 10 acres in size and removed about 30 pounds of the exotic plant. Three rare ferns will benefit: hemlock spleenwort, abscessed spleenwort, and Peter's filmy fern – all of which rely on limestone outcrops in good quality hammock. Disabled hunters participated in a turkey hunt, sponsored by “Outdoors without Limits,” at Hampton Tract within the Green Swamp Wilderness Preserve. A total of 16 disabled hunters and 20 volunteers participated. The South Creek Fox Hunters Club provided a nice barbeque lunch. Four turkeys were taken that weekend.

- **April 2008** – This year’s Volunteer Appreciation Day was held at Nature’s Classroom in Hillsborough County. The occasion was attended by nearly 150 volunteers, staff, and Board members. Attendees enjoyed a barbeque luncheon and music by the “Beagles.” They saw native wildlife in their habitats and took a scenic boat ride on the Hillsborough River. Eighteen awards were presented to worthy groups and individuals. Since its inception, approximately 84,000 hours have been donated in services for the District. Mike Blanton, the keynote speaker, spoke on the “Outdoors without Limits” program, which provides hunting and fishing opportunities to the disabled. Students from several government agencies and private entities attended the Natural Areas Training Academy Restoration Planning and Techniques for Forested Lands workshop conducted at Nature’s Classroom. As part of the workshop, students visited restoration sites at Lower Hillsborough’s Flatwoods Park and the Green Swamp West. District staff participated as classroom and field instructors. On the last day, students utilized material learned in the course to explore different techniques for restoring the area adjacent to the river floodplain, which was retired during recent renovations to Nature's Classroom.

- **May 2008** – Brooks Armstrong with the Florida Native Plant Society conducted a tour on the Edward W. Chance Reserve - Coker Prairie Tract with approximately 25 people. The group was attending an annual conference for the Society and signed up for the tour to identify various plants and birds on the property. Mr. Armstrong was given Recreational Guides, maps, schedules for past and future controlled burns, and Volunteer Brochures and applications. It was a successful morning with many new advocates for the District's recreational areas. The South Creek Fox Hunters had approximately 17 members participate in trail clean-up work days at the Oak Ridge Equestrian Area – Washburn Site. All trails were pruned, cleaned, and checked for adequate markings. The annual Endurance Ride was held at the Green Swamp West. The two-day ride covers 30- and 60-mile rides; 52 riders participated. As part of the ongoing Recreation Amenities Plan implementation, new entrance signs have been installed at Prairie Shell Creek, Frog Creek (Terra Ceia), Little Manatee River (Southfork), Wekiwa, and Lake Manatee Reserve (Coker and Gilley Creek).

- **June 2008** – As part of the ongoing upgrades included in the District’s Recreation Amenities Plan, three-rail wood fencing is being installed at the entrances to Green Swamp; a new entrance sign has also been installed at the Green Swamp; picnic tables are being added at Lake Panasoffkee, Upper Hillsborough, Starkey Wilderness Preserve, Flying Eagle, and Potts Preserve; new kiosks have been installed at the Edward W. Chance Reserve, Annutteliga Hammock, and Conner Preserve; a new picnic shelter was installed by volunteers at Withlapopka Park at Flying Eagle.
July 2008 – In conjunction with The Nature Conservancy, District staff and volunteers conducted Jay Watch surveys at Jack Creek, Little Manatee River Southfork Tract, Deer Prairie Creek, Schewe Tract, Winchester Tract of Myakka State Forest, and Gilley Creek Tract within the Edward W. Chance Reserve. Each survey was conducted on three consecutive days with 30 volunteers participating in the surveys. The Land Resources staff held a volunteer workday at District headquarters where four students assembled picnic tables for distribution to different recreation areas throughout the District. Volunteers also worked at Weekiwachee Preserve painting kiosks, picnic tables, sign-in boxes, and informational signs. Land Resources staff attended the Pasco County Summer Day Camp program at Shady Hills Community Center, Odessa Community Center, Land O’ Lakes Community Center, and Centennial Middle School. Staff spoke to the children attending camp, ages 5-13, about drought, conserving water, recreation on District lands, and volunteering. The Recreation Amenities Plan (RAP) improvements for Fiscal Year 2008 are nearing completion with entrance signs installed at Conner Preserve, Serenova Tract, and Annettelliga Hammock. New fencing has been completed at Green Swamp, Hálpata Tastanaki, Preserve Potts Preserve, Flying Eagle, Chassahowitza, Annettelliga Hammock, and Weekiwachee Preserve. Fencing is ongoing at Serenova Tract and Conner Preserve. New kiosks were installed at Upper Hillsborough/Chancey Road entrance and Weekiwachee Preserve. Picnic tables have been moved to Potts Preserve, Lake Panasoffkee, and Green Swamp. Lastly, University of Central Florida and Florida Natural Areas Inventory are conducting several wildlife surveys on District lands, focusing on raptors, neotropical migrants, wading birds, Bachman's sparrow, burrowing owls, Southeastern kestrel, Florida sandhill crane, Sherman's fox squirrels, and several snake species. Researchers are also examining population abundances and effects of roads and various recreational activities on several species. Preferred habitat characteristics are also being determined for areas occupied by Sherman's fox squirrels. This information will enhance the Land Resources Decision Support System and, subsequently, allow staff to predict impacts of various activities.

August 2008 – The Boys and Girls Club brought 63 students to its second field trip to the Weekiwachee Preserve in Hernando County. This field trip was a cooperative effort between several departments within the District. Land Resources staff guided the students on a nature hike. The District participated in an inter-district meeting to develop a single message detailing the water management districts’ (WMD) role in Florida and the existence of the recreational role we play in the overall public lands arena. After a full day of work, a brochure was developed, which is being taken back to each WMD for further review. This informative booklet is part of a messaging program showing a unified effort on the part of WMDs statewide, stressing public access and recreational opportunities on WMD lands available to the citizens of this state.

New Activities Since Last Meeting: In September, the Land Resources Department staff hosted or attended the following events:

- A volunteer work day was held at Potts Preserve to clear overgrown sections of the Florida Trail. The volunteers, including members of the Florida Trail Association, used a tractor and chainsaws to clear approximately seven miles of trails.
- A volunteer work day was held at the River Camp at Potts Preserve to install new picnic tables, fire rings, and grills. The volunteers, including members of the Citrus County Airboat Alliance, installed ten picnic tables, ten fire rings, and five grills at the site. That afternoon more than 15 Boy Scouts enjoyed the new amenities.
- Staff attended a coastal lake cleanup at Lake Henderson in Citrus County. More than 50 people from the Citrus County Airboat Alliance picked up 10,280 pounds of trash.
- As part of National Public Lands Day, four local agencies conducted volunteer days at different sites throughout Hernando County. District volunteers harvested native seeds at the Weekiwachee Preserve for planting at a recipient restoration site.
- A volunteer work day was held at the Green Swamp West Camppressco campground. The volunteers built a 20 x 20 picnic shelter, spread shell, and trimmed trees at the campground.

Fire Activity
As steward of over 300,000 acres of public conservation lands, the District is heavily involved in fire management, both prescribed fire and wildfire. The primary focus of the District’s fire
management personnel and material resources is prescribed burning, resulting in an annual average of 25,000 acres burned. However, these resources are also responsible for the efficient response to wildfires that occur on District lands. The District is a wildland fire cooperator with the Florida Division of Forestry (FDOF), the agency statutorily empowered to manage fire in the state. As such, the District’s fire management personnel and material resources provide support to the FDOF in the suppression of all wildfires that occur on District lands, and on larger fire incidents that occur on non-District lands within its 16-county jurisdiction. This relationship has been in place for many years and is highly successful. Fall through spring of 2006/2007 was among the driest on record, resulting in a very active wildfire season in Florida and on District lands. In fiscal year (FY) 2007, 48 wildfires, totaling 2,141 acres, burned on District lands. Wildfire activity was quiet during Fall/Winter 2007/2008. Periodic frontal rains throughout the winter helped to moderate ground and fuel drying and suppressed wildfire potential through March 2008. Spring dry weather patterns commenced in early to mid-April and dry, windy conditions prevailed, causing rapid decreases in vegetative fuel moisture and a gradual increase in wildfire activity state-wide. On May 11, Governor Crist signed Executive Order 08-83, declaring a Wildfire State of Emergency in Florida and declaring several large fires in Okeechobee, Brevard, and Volusia counties as disaster areas. The order triggered, in part, protocols to provide federal aid for the declared incidents, designates the State Office of Emergency Management as the Coordinating Officer for all related emergency actions, activates various emergency response agreements and compacts, and activates emergency procurement protocols for all agencies involved in incident response and recovery. At this time, the District has not been requested as a resource on a declared event, but is prepared to respond if requested. **New Activities Since Last Meeting:** As of this report, approximately 23,800 acres of prescribed burning has been completed in FY2008; 22 wildfires have occurred on District lands, totaling 1,438 acres.

### 2008 Wildfire Activity on District Lands

<table>
<thead>
<tr>
<th>FIRE</th>
<th>DATE</th>
<th>ACRES</th>
<th>STATUS AS OF 7/9/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>“88” Fire – Deer Prairie Creek</td>
<td>4-1-08</td>
<td>29</td>
<td>Out</td>
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<tr>
<td>Willow Pond – Potts Preserve</td>
<td>4-26-08</td>
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<td>Border Fire – Myakka River, Schewe Tract</td>
<td>4-30-08</td>
<td>9</td>
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<tr>
<td>Pistol Fire – Green Swam West</td>
<td>5-1-08</td>
<td>36</td>
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<td>MM 188 Fire – Myakka River, Schewe Tract</td>
<td>5-17-08</td>
<td>234</td>
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<td>MM189 Fire – Myakka River, Schewe Tract</td>
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<td>6</td>
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<tr>
<td>Green Judy Fire – Green Swamp</td>
<td>6-3-08</td>
<td>15</td>
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<td>Tampa Reservoir – Chito Branch</td>
<td>6-3-08</td>
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<td>Flatwoods Command – Lower Hillsborough</td>
<td>6-3-08</td>
<td>2</td>
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<td>Sand Pit Fire – Potts Preserve</td>
<td>6-6-08</td>
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<td>Burnt Palmetto Fire – Potts Preserve</td>
<td>6-7-08</td>
<td>&lt;1</td>
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<td>Eagle Creek Fire – Deer Prairie Creek</td>
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<td>Hernando Fire – Deer Prairie Creek</td>
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<td>Bear Fire – Starkey Wilderness Preserve</td>
<td>6-12-08</td>
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<td>Out</td>
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<td>Ranch Fire – Starkey Wilderness Preserve</td>
<td>6-12-08</td>
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<td>Lost Fire – Starkey Wilderness Preserve</td>
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<tr>
<td>Bell Fire – Green Swamp</td>
<td>6-13-08</td>
<td>&lt;1</td>
<td>Out</td>
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<tr>
<td>Bike Trail – Starkey Wilderness Preserve</td>
<td>6-14-08</td>
<td>5</td>
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### Item 51

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<th>ACRES</th>
<th>STATUS AS OF 7/9/2008</th>
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<tr>
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<td>6-22-08</td>
<td>34</td>
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<td>Little Bear – Starkey Wilderness Preserve</td>
<td>6-25-08</td>
<td>3</td>
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<td>2M Fire – Green Swamp</td>
<td>6-25-08</td>
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<td>Extension Fire – Starkey Wilderness Preserve</td>
<td>6-28-08</td>
<td>57</td>
<td>Mopping up and monitoring</td>
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<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>1,438</strong></td>
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**Staff Recommendation:**

This item is provided for the Committee’s information, and no action is required.

**Presenter:** Bruce C. Wirth, P.E., Deputy Executive Director, Resource Management
D. Outreach & Planning Comte.
Governing Board Meeting  
October 28, 2008

Outreach and Planning Committee

Discussion Item

52. Fiscal Year 2010-2014 Strategic Plan Approval ................................. (10 minutes) .......... 2  
   (Strategic Plan: Mission Support)

53. Sarasota Bay Estuary Program Update ........................................... (10 minutes) .......... 3  
   (Strategic Plan: Natural Systems – Ecologic Conservation and Restoration)

Submit & File Reports – None

Routine Reports

54. Comprehensive Plan Amendment and Related Reviews Report ......................... 4

55. Development of Regional Impact Activity Report .................................................. 9

56. Speakers Bureau ...................................................................................... 14

57. Significant Activities Report ......................................................................... 16
Outreach and Planning Committee  
October 28, 2008

Discussion Item

Fiscal Year 2010-2014 Strategic Plan Approval

Purpose
The purpose of this agenda item is to present the final Fiscal Year (FY) 2010-2014 Strategic Plan document to the Governing Board for approval. The document received by the Governing Board, prior to the meeting, is intended to be the final draft as it includes the comments and observations staff has received from Board members.

Background
The Strategic Plan provides the overarching strategic direction, from which all of our District strategies evolve: Superior Stewardship of Florida's Precious Water Resources. With that responsibility, the goal of FY2010 update is to:

- Use the input from staff Subject Matter Experts to enhance the quality of the goal statements and performance measures, and to improve alignment of strategies.
- Help prioritize, launch, and sponsor improvement initiatives.
- Produce a Governing Board-approved Strategic Plan brochure outlining the District's strategic direction, priorities over time and intended actions. The brochure will be used as a communication tool both internally and externally.
- Enhance the Governing Board’s level of satisfaction by refining the tracking and reporting methodology of performance measures.
- Further integrate the Strategic Plan into all aspects of District operations.

The presentation will communicate how the Strategic Plan update process and the Strategic Plan itself achieved the five set goals for the project.

Staff Recommendation:

Approve the FY 2010-2014 Strategic Plan, and authorize its publication and distribution.

Presenter: Roy Mazur P.E., Director, Planning Department
Outreach and Planning Committee
October 28, 2008

Discussion Item

Sarasota Bay Estuary Program Update

In 1989, Sarasota Bay was designated by the United States Environmental Protection Agency as an estuary of Federal Significance. As a result of this designation, the Sarasota Bay National Estuary Program (SBNEP) was established to develop a comprehensive plan for the restoration and protection of Sarasota Bay. The SBNEP is a partnership of citizens, elected officials, resource managers and commercial and recreational resource users working to improve the ecological integrity of Sarasota Bay and its watershed.

In 1995, the District identified Sarasota Bay as a Surface Water Improvement and Management (SWIM) priority waterbody.

In 2004, the partners in the SBNEP entered into an Interlocal Agreement which established the Sarasota Bay Estuary Program (SBEP) as an independent special district. The District has provided annual funding to the SBEP and provided a representative for on the Management and Policy Committees since 1990.

The partners of the SBEP jointly developed and approved a Comprehensive Conservation and Management Plan (CCMP) to protect and restore Sarasota Bay in 1995. Subsequently, the District approved the first Sarasota Bay SWIM Plan in 1997 and it was last updated in 2002. Through the implementation of these plans, a number of restoration and diagnostic projects have been completed, including: (1) investigation of toxic loading sources to the Bay, (2) seagrass mapping, (3) development of stormwater master plans, (4) habitat restoration projects, (5) construction of artificial reefs and oyster reefs, and (6) public outreach and education activities.

The Executive Director of the SBEP will provide an update of the projects that have been completed as well as the projects that are proposed in the coming years.

Staff Recommendation:

This item is presented for the Committee's information, and no action is required.

Presenter: Lizanne Garcia, Sr. Environmental Scientist, Resource Data and Restoration Dept.
Mark Alderson, Executive Director, Sarasota Bay Estuary Program
Outreach and Planning Committee
October 28, 2008

Routine Reports

Comprehensive Plan Amendment and Related Reviews Report

Purpose
This report is provided for the Committee's information and shows District activity in the review of Local Government Comprehensive Plans and Amendments. Staff updates the report monthly, showing new or changed information in bold.

Background/History
The District provides technical and policy information on water resources and water resource management to local governments as they prepare amendments to their local government comprehensive plans. This information encompasses all aspects of water resource management, including water supply, flood protection, water quality and natural systems, and is intended to support sound land use decisions. A number of statutory provisions direct the District in the provision of this assistance, particularly Section 373.0391, Florida Statutes (F.S.), Technical Assistance to Local Governments. As a part of the District's efforts to ensure that appropriate water resource information and policy direction is reflected in local government comprehensive plans, the District conducts reviews of local government proposed plan amendments. The state land planning agency, the Department of Community Affairs (DCA), administers this review process. Comments submitted by the District typically become a part of DCA's "objections, recommendations, and comments" report to the local government. In addition, the District will often perform informal reviews of draft plan updates working directly with local governments.

Benefits/Costs
The benefits of the District's local government technical assistance program are to ensure local government elected officials have sound water resource technical and policy information as they amend their local government comprehensive plans. This helps to ensure local plans are compatible with the District's plans, programs and statutory direction. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

Staff Recommendation: See Exhibit

This item is provided for the Committee's information, and no action is required.

Presenter: Roy A. Mazur, Director, Planning Department
As of October 8, 2008

Local Government
Comprehensive Plan Amendment and Related Reviews Report
DCA Comment
Received Request Letter
Received
from Gov't

DCA NOI
In
Received Compliance?

5

DCA ORC Report
Received

06/06/07
10/04/07
01/02/08
03/01/08
06/13/08
04/30/08
N/A
05/06/08
04/25/08
09/10/08
06/27/08
03/28/08
09/27/07
06/26/07
08/05/08
05/27/08
05/23/07
11/06/07
05/23/08
08/09/07
None

07/13/07
11/02/07
02/04/08
03/31/08
07/11/08
06/27/08
N/A
6/6/2008
6/20/2008
9/12/2008
8/4/2008
04/25/08
10/26/07
08/03/07
08/22/08

03/05/08
Not Rcvd
03/05/08
05/30/08
09/29/08

05/02/08
02/15/08
04/15/08
07/14/08

Yes
Yes
Yes
Yes

N/A
09/23/08

02/15/08

Yes

06/27/07
12/07/07
06/10/08
09/26/07

Amend.
Type**

Charlotte
Charlotte
Charlotte
Charlotte
Charlotte
Charlotte
Charlotte
Punta Gorda
Punta Gorda
Punta Gorda
CITRUS
Citrus
Citrus
Citrus
Crystal River
Crystal River
Inverness
Inverness
Inverness
Hardee
Hardee
Hardee
Hardee
Bowling Green
Wauchula
Zolfo Springs
HERNANDO
Hernando
Hernando
Highlands
Highlands
Highlands
Highlands
Highlands
Avon Park
Lake Placid
Lake Placid
Hillsborough
Hillsborough

07-D1
08-1R
08-D1
08-1RWSP
08-2
08-PEFE1
08-R1
08-1
08-PEFE1
08-2ER
08-01
08PEFE1
07-02
07-D1
08-01
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07-01
07-2ER
08-PEFE1
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07-2
07-2
08PEFE1

DRI
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DRI
Regular
Regular
Schools
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Schools
EAR Based
Regular
PSFE
Regular
DRI
Regular
EAR Based
Regular
EAR Based
PSFE
Regular
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WSP/ Regular
EAR
PSFE
PSFE
PSFE
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Regular
Regular
Regular
Regular
Schools
Regular
WSP
EAR, WSP
Regular
Regular
Regular
School

05/13/07
09/07/07
12/07/07
01/23/08
04/30/08
04/28/08
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04/21/08
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08/28/07
09/11/07

None
None
None
09/04/08
03/20/08
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05/06/08
None
05/05/08
06/23/08
05/14/08
08/23/07
08/27/07
10/12/07
10/10/07

Hillsborough
Hillsborough
Plant City
Plant City
Tampa
Tampa
Tampa
Tampa
Temple Terrace
Temple Terrace
LAKE
Lake
LEVY

08-1ER
08-2
07PEFE1
08-1
07M1-1
08PEFE1
08-1AR
08-2AR
08PEFE1
08-1
07WSA1
08-PEFE1
08-2ER

Ear-based
Regular
School
Regular
Regular
School
AR
AR
School
Regular
Regular
PSFE
EAR-Based

03/13/08
08/01/08
09/11/07
03/20/08
05/07/07
09/11/07
04/14/08
08/13/08
09/11/07
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04/07/07
09/05/08
05/01/08

03/14/08
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04/17/08
08/25/08
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04/08/08
06/04/07
10/10/07
05/01/08
09/23/08
10/10/07
12/27/07
04/27/07
10/08/08
06/03/08

Local Government

Adopted
Amend
Received

Comments
Sent

DCA
Project #

07/25/07

07/09/08

Yes

12/10/07

01/29/08
09/14/08

Yes
Yes

Not Rcvd

Not Rcvd

08/12/08

07/01/08

Yes

01/24/08
01/24/08
01/24/08
10/03/08
04/15/08
10/22/07
11/14/2007

07/11/08
01/17/08

04/15/08
02/05/08
01/15/08

Yes
Yes
Yes

01/03/08

Yes

Comments/Issues/Objections
Resubmittal from 2006
The Loop DRI
RWSP Amendments
Resubmittal of incomplete CPA
None
Remedial Amendment
FLUM amendments; No comments
EAR Based with RWSP
Capital Improvements Plan annual update
Schools
Adoption of Springs/Springshed Protection
128 acre residential increase
Conservation Element update
EAR amendments
175 acre residential development
EAR amendments
Schools

Schools
Schools
Schools
CIP Update
157-acre mining land use
Overlay Districts

6/10/2008
Water Supply Plan
9/14/2007
10/26/2007
10/26/07
11/09/07

12/19/07
05/07/08

01/25/08
06/20/08

Yes

05/13/08

06/23/08

08/06/08

Yes

11/09/07
05/20/08
07/06/07
11/09/07
05/16/08

06/06/08
07/22/08

07/16/08

Yes

11/09/07
01/29/08
06/08/07

06/17/08

08/06/08

Not Rcvd

Not Rcvd

07/08/08

08/12/08

Yes

No substantive comments
Public education amendments - No substantive comments
Commented on water supply work plan and several future land
use amendments.
No substantive comments
Public education amendments - No substantive comments
Amendment includes Plant City's water supply work plan.
No substantive comments
Public education amendments - No substantive comments
Identified flood protection concerns.
EAR-based amendments and water supply work plan
Public education amendments - No substantive comments
No substantive comments
Map amendments/Wekiva Study Area
Schools
Text Amendments


<table>
<thead>
<tr>
<th>Local Government</th>
<th>DCA Project #</th>
<th>Amend. Type**</th>
<th>Received from Gov't</th>
<th>DCA Comment Request Letter Received</th>
<th>Comments Sent</th>
<th>DCA ORC Report Received</th>
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<th>In Compliance?</th>
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<td>08-PFE1 PSFE</td>
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<td>03/24/08</td>
<td>03/25/08</td>
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<td>Ingless</td>
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<td>Yankeetown</td>
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<td>Manatee</td>
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<td>Several water resource concerns identified.</td>
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<td>08/28/07</td>
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<td>01/02/08</td>
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<td>School Facilities Element</td>
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<td>Anna Maria</td>
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<td>08/20/07</td>
<td>09/20/07</td>
<td>10/14/07</td>
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<td>EEAR Review - comments addressed water supply, coastal management and stormwater management.</td>
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## Local Government
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<td>96 acres land use change</td>
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<td>8,025 homes</td>
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<td>07/24/08</td>
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<td>1.2 million sq ft (commercial development)</td>
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<td>08/23/07</td>
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<td>3,000 homes</td>
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<td>08/23/07</td>
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<td>2,262 homes</td>
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<td>1,632 acre annexation</td>
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### Notes

**Amendment Types may include: Regular; DRI; EAR Based; Water Supply Plan; ASRPP**

Evaluation and Appraisal Reports (EARs) are not plan amendments but are required every 7 years. EAR-Based amendments are required 18 months after the report is determined to be sufficient by the State.

Key to Abbreviations:

- DCA = FL Dept. of Community Affairs
- ORC Report = Objections, Recommendations & Comments
- NOI = Notice of Intent = Determination by DCA whether amendment is in compliance with statutes and rules
- EAR = Evaluation and Appraisal Report
- DRI = Development of Regional Impact
- PRD = Preliminary Review Determination
- ASRPP = DCA pilot program for Pinellas and Broward Counties, and the cities of Tampa and Hialeah
Outreach and Planning Committee  
October 28, 2008

**Routine Reports**

**Development of Regional Impact Activity Report**

**Purpose**
This report is provided for the Committee's information and shows District activity in the review of Developments of Regional Impact (DRIs). Staff updates the report monthly, showing new or changed information in **bold**.

**Background/History**
The District participates in the review of Developments of Regional Impact (DRIs) pursuant to Section 380.06, Florida Statutes. DRI's are large-scale development projects that exceed statutorily specified thresholds such that the project is assumed to have potential impacts that transcend multiple local government jurisdictions. The District is one of several agencies that are required to participate in the review process, which is administered by the regional planning councils. The District has also entered into memoranda of agreement with the Central Florida, Southwest Florida, Tampa Bay and Withlacoochee regional planning councils to more specifically outline the District's DRI review responsibilities. The District provides water resource management technical and policy information to the regional planning councils and local governments to assist them in making well-informed growth management decisions.

**Benefits/Costs**
The benefits of the District's DRI review program are to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider large scale development proposals. This helps to ensure these developments are compatible with the District's plans, programs and statutory directives. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

**Staff Recommendation:**  
This item is provided for the Committee's information, and no action is required.

**Presenter:**  Roy A. Mazur, Director, Planning Department
## DRI Activity Report

### CFRPC

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Gov't's</th>
<th>Project Type</th>
<th>Acreage</th>
<th>Appl. Type</th>
<th>Pre-App Mtg. Date</th>
<th>Receipt Date</th>
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<tr>
<td>Westby Ranch</td>
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<td>ADA</td>
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<td>ADA</td>
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<td>CF Industries South Pasture Mine Extension</td>
<td>Hardee Phosphate Mine</td>
<td>6,750</td>
<td>SD</td>
<td>6/1/05</td>
<td>3/3/05</td>
<td>8/10/06</td>
<td>No increase in water use anticipated.</td>
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<td>ADA</td>
<td>7/15/05</td>
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<td>Transfer approved entitlements from Osceola to Polk County concerning the development of Champion's Gate</td>
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<td>Champion's Gate</td>
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<td>Village of Valencia Lake</td>
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### SWFRPC

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<td>Murdock Center</td>
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<th>Pre-App Mtg. Date</th>
<th>Receipt Date</th>
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<td>Apollo Beach</td>
<td>Hillsborough</td>
<td>Mixed Use</td>
<td>Not Provided</td>
<td>NOPC</td>
<td>9/8/05</td>
<td>09/22/05 10/13/05 12/14/05 03/15/06 09/23/06 01/18/07</td>
<td>Review on 9/22/05 dealt with time extension for build out.</td>
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<td>Wolf Creek Branch</td>
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<td>SD</td>
<td>9/7/05</td>
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<td>Project proposes 4,505 residential units, 457,380 s.f. of commercial/office, 2 schools and 121 acres of recreation.</td>
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<td>Proposes 35 wet slips.</td>
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<td>7/28/04 1/19/05 05/30/06 09/05/06 12/18/06</td>
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<td>Proposes the addition of 288 acres to existing DRI.</td>
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<td>12/19/05 04/17/06 09/19/06 02/22/07</td>
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<td>Proposal to extend build out, add 24 acres, add 7,500 s.f. restaurant, relocate drainage and establish additional project entrance.</td>
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<td>3/1/06</td>
<td>03/01/06 08/15/06 12/18/06 07/27/07</td>
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<td>Proposal to add 812 residential units, 120,000 sf of office and 405 hotel rooms.</td>
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<td>Phosphate Mining</td>
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<td>Proposes to add 60,578 sf of commercial development.</td>
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<td>Mosaic SE Tract (Manson-Jenkins)</td>
<td>Manatee</td>
<td>Phosphate Mining</td>
<td>103</td>
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<td></td>
<td>7/20/07</td>
<td>8/15/07</td>
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<td>Mosaic Wingate Creek Mine</td>
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<td>NOPC</td>
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<td>Proposes changes to mine plan, setback area, waste disposal plan and trucking route.</td>
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<td>3,879</td>
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<td>07/14/2008</td>
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<td>2,640</td>
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<td>3/26/07</td>
<td>3/6/2007 10/03/07 03/05/08 9/18/08</td>
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<td>On the Gulf of Mexico, near Aripeka. District is co-applicant. 2,570 res; 540,000 sf office/retail; hotel; marina; golf course.</td>
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<td>Connerton</td>
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<td>166</td>
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<td>8/3/05</td>
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<td>Bexley Ranch</td>
<td>Pasco</td>
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<td></td>
<td>NOPC</td>
<td></td>
<td>7/25/07</td>
<td>7/31/07</td>
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### DRI Activity Report

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<tr>
<th>Project Name</th>
<th>Govt's</th>
<th>Project Type</th>
<th>Acreage</th>
<th>Appl. Type</th>
<th>Pre-App Mtg. Date</th>
<th>Receipt Date</th>
<th>Sufficiency Comments Sent</th>
<th>Final Comments Sent</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Suncoast Crossings</td>
<td>Pasco</td>
<td>Mixed Use</td>
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<td>7/20/07</td>
<td>7/31/2007</td>
<td>04/29/08</td>
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<td>The Grove @ Wesley Chapel</td>
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<td>7/7/2008</td>
<td>9/22/2008</td>
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<tr>
<td>Bay Area Outlet Mall</td>
<td>Largo</td>
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<td>34</td>
<td>NOPC</td>
<td>4/24/06</td>
<td>N/A</td>
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<td></td>
<td>Combine office entitlements into 1 parcel, unused shift office entitlements, add Research and Development uses</td>
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<td>10/11/2006</td>
<td>01/22/07</td>
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<td>Combine office entitlements into 1 parcel, unused shift office entitlements, add Research and Development uses</td>
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<tr>
<td>Bay Area Outlet Mall</td>
<td>Largo</td>
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<td>34</td>
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<td>4/5/2007</td>
<td>10/01/2007</td>
<td>10/05/07</td>
<td>04/08/08</td>
<td>Combine office entitlements into 1 parcel, unused shift office entitlements, add Research and Development uses</td>
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<td>Trinity Communities</td>
<td>Pasco &amp; Pinellas</td>
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<td>4/23/2007</td>
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<td>04/08/08</td>
<td>Combine office entitlements into 1 parcel, unused shift office entitlements, add Research and Development uses</td>
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<td>Long Lake Ranch</td>
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<td>8/30/2008</td>
<td>8/28/08</td>
<td></td>
<td>Combine office entitlements into 1 parcel, unused shift office entitlements, add Research and Development uses</td>
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**WRPC**

<table>
<thead>
<tr>
<th>Project Name</th>
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<th>Project Type</th>
<th>Acreage</th>
<th>Appl. Type</th>
<th>Pre-App Mtg. Date</th>
<th>Receipt Date</th>
<th>Sufficiency Comments Sent</th>
<th>Final Comments Sent</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Beverly Hills</td>
<td>Citrus</td>
<td>Public Use</td>
<td>2</td>
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<td>N/A</td>
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<td>10/9/06</td>
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<td>5,175 sq ft Boys/Girls club facility</td>
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<td>Beverly Hills</td>
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<td>630</td>
<td>SD</td>
<td>4/16/07</td>
<td>3/9/07</td>
<td>6/1/07</td>
<td></td>
<td>Reduction of 254 residential units</td>
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<td>Mixed Use</td>
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<td>NOPC</td>
<td>N/A</td>
<td>5/24/07</td>
<td>5/13/08</td>
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<td>Model home sales center</td>
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<td>Hickory Hill</td>
<td>Hernando</td>
<td>Residential</td>
<td>5</td>
<td>NOPC</td>
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<td>4/21/08</td>
<td>5/13/08</td>
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<td>Preservation easement</td>
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<td>Hernando Oaks</td>
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<td>1,149</td>
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<td>8/18/06</td>
<td>1,525 residential units</td>
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<td>Preservation easement</td>
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<tr>
<td>Lake Hideaway</td>
<td>Hernando</td>
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<td>ADA</td>
<td>2/9/06</td>
<td>1/25/06</td>
<td>8/4/2006</td>
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<td>Crystal River Mall</td>
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<td>01/06/06</td>
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<td>Increase of 49 residential units</td>
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<tr>
<td>Citrus Hills</td>
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<td>Mixed Use</td>
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<td>11/8/05</td>
<td>11/29/05</td>
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<td>Increase of 46 residential units</td>
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<td>Seven Hills</td>
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<td>11/21/06</td>
<td>12/1/06</td>
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<td>Increase of 46 residential units</td>
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<tr>
<td>Sunrise</td>
<td>Hernando</td>
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<td>1/13/05</td>
<td>5/17/05</td>
<td>6/10/05</td>
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<td>4,800 residential units</td>
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<td>Oak Run</td>
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<td>NOPC</td>
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<td>12/8/05</td>
<td>12/15/05</td>
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<td>Phase 3 extension date</td>
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**As of October 8, 2008**
## DRI Activity Report

As of October 8, 2008

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Gov't's</th>
<th>Project Type</th>
<th>Acreage</th>
<th>Appl. Type</th>
<th>Pre-App Mtg. Date</th>
<th>Receipt Date</th>
<th>Sufficiency Comments Sent</th>
<th>Final Comments Sent</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Secret Promise</td>
<td>Lake</td>
<td>Mixed Use</td>
<td>3,747</td>
<td>ADA</td>
<td>12/29/05</td>
<td>8/21/06</td>
<td>9/11/06</td>
<td>8/06/07</td>
<td>9,211 residential units</td>
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<tr>
<td>Renaissance Trails</td>
<td>Sumter</td>
<td>Mixed Use</td>
<td>1,311</td>
<td>ADA</td>
<td>12/16/05</td>
<td>7/10/06</td>
<td>08/11/06</td>
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<td>2,262 residential units</td>
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<tr>
<td>Renaissance Trails</td>
<td>Sumter</td>
<td>Mixed Use</td>
<td>1,311</td>
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<td>N/A</td>
<td>7/7/07</td>
<td>7/20/07</td>
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<tr>
<td>Renaissance Trails</td>
<td>Sumter</td>
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<td>89</td>
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<td>2/2/06</td>
<td>2/7/06</td>
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<tr>
<td>Villages</td>
<td>Sumter</td>
<td>Mixed Use</td>
<td>85</td>
<td>NOPC</td>
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<td>4/24/06</td>
<td>5/12/06</td>
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<td>Villages</td>
<td>Sumter</td>
<td>Mixed Use</td>
<td>340</td>
<td>SD</td>
<td>6/18/2007</td>
<td>5/21/07</td>
<td>2/25/2008</td>
<td>04/28/08</td>
<td>Third Town Center</td>
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<td>Landstone</td>
<td>Sumter</td>
<td>Mixed Use</td>
<td>4,159</td>
<td>ADA</td>
<td>5/14/2007</td>
<td>3/12/07</td>
<td>12/18/07</td>
<td>02/23/08</td>
<td>8,025 Residential Units</td>
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<td>Quarry Preserve</td>
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<td>11/21/07</td>
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<tr>
<td>On Top of the World</td>
<td>Marion</td>
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<td>1,025</td>
<td>ADA</td>
<td>09/25/06</td>
<td>6/1/07</td>
<td>06/27/07</td>
<td>11/14/07</td>
<td>3,000 Residential Units</td>
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</table>

**Key to Abbreviations:**
- **CFRPC:** Central Florida Regional Planning Council
- **WRPC:** Withlacoochee Regional Planning Council
- **SWFRPC:** Southwest Florida Regional Planning Council
- **TBRPC:** Tampa Bay Regional Planning Council
- **ADA:** Application for Development Approval
- **NOPC:** Notice of Proposed Change
- **SD:** Substantial Deviation
- **DRI:** Development of Regional Impact

**Notes:**
- For NOPCs and SDs, acreage shown represents the proposed change in project area
- **Bold** text indicates a change from previous report
Outreach and Planning Committee  
October 28, 2008

Routine Report

Speakers Bureau

Purpose
This report is provided for the Committee's information and shows District staff participation in the outreach performed by the Speakers' Bureau program.

Background
The District has had a Speaker's Bureau Program since the early 1970s. For the past 20 years, the Program has been administered by the Community and Legislative Affairs Department (CLA) or the Communications Department. Currently, the program is managed by Susan Kessel of the CLA Department. The Speakers Bureau coordinates staff experts and generalists to speak or make presentations to interested community or business groups, or to address professional, governmental or technical groups on a variety of issues. The types of groups and organizations requesting a speaker is varied: civic organizations (Rotary, Kiwanis, Sertoma, etc.), chambers of commerce, colleges and high schools, and associations (homeowners, engineering, realtors, developers, etc.). Every request in the past two years has been honored. Over the past several years, staff has developed a library of PowerPoint presentations to go along with our popular Water 101 video. State-of-the-art audio-visual equipment is available in all of the service offices to accommodate presentations in those areas.

The following table summarizes the Speakers' Bureau activities for the past three months.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Topic</th>
<th>Aud</th>
<th>Speaker</th>
<th>Dept</th>
</tr>
</thead>
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<tr>
<td><strong>July 2008</strong></td>
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<tr>
<td>UF Center for Governmental Responsibility</td>
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<td>Ed Hobin</td>
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<td>75</td>
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<td>Safety Harbor Chamber of Commerce</td>
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<td>Kiwanis Club of Safety Harbor</td>
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<td>Rotary Club of Ybor City</td>
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<tr>
<td>USF Water Resource Mgmt Class</td>
<td>Current/ Future Water Supplies</td>
<td>24</td>
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<tr>
<td>Stoneybrook HOA</td>
<td>Drought/Water Conservation</td>
<td>47</td>
<td>Terri Behling</td>
<td>CLA</td>
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<td>Polk County Assn of Code Enforcement</td>
<td>Current/ Future Water Supplies</td>
<td>45</td>
<td>Ralph Lair</td>
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<tr>
<td>PR/MRWSA Board Meeting</td>
<td>Englewood Water District/ Charlotte County Interconnect</td>
<td>100</td>
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<td>EXE</td>
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<tr>
<td>Cub Scout Pack 510</td>
<td>Water Conservation</td>
<td>15</td>
<td>Nesya Bliss</td>
<td>COM</td>
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<td>65</td>
<td>Roy Mazur</td>
<td>PLN</td>
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<td>Citrus County Citizens Council</td>
<td>Water Resources Update</td>
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<td>EXE</td>
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<td>Century Comm/ Water supply</td>
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<td>FRWA Annual Technical Conference</td>
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<td>CLA</td>
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<tr>
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<td>Sallie Parks</td>
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<td>Water Resource Issues</td>
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<td>Roy Mazur</td>
<td>PLN</td>
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<td>Ross Morton</td>
<td>REG</td>
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<td>David Moore</td>
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<td>Ralph Lair</td>
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### Benefits/Costs

The benefit of the Speakers' Bureau program is the ongoing education of the public and community leaders regarding water resource management. The program provides an opportunity for interaction among the public and District staff knowledgeable in all areas of the District's statutory responsibilities and it provides a mechanism for communication of District priorities and concerns. Additionally, the program is utilized as a tool to influence behavior change in the areas of water conservation and to ensure support for the District's legislative initiatives.

### Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

**Presenter:** David Rathke, Director, Community and Legislative Affairs Department

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<table>
<thead>
<tr>
<th>Organization</th>
<th>Topic</th>
<th>Aud</th>
<th>Speaker</th>
<th>Dept</th>
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<td>Ed Hobin</td>
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**Key to Organization Abbreviations**

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<th>Assoc</th>
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<td>AWWA</td>
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<td>C of C</td>
<td>Chamber of Commerce</td>
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<td>Comm</td>
<td>Commission</td>
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<td>Comte</td>
<td>Committee</td>
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<td>DAR</td>
<td>Daughters of the American Revolution</td>
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<td>FFG</td>
<td>Florida Fruit Growers</td>
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<td>IFAS</td>
<td>Institute of Food &amp; Agricultural Sciences</td>
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<td>HOA</td>
<td>Homeowners Association</td>
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<td>PHCC</td>
<td>Pasco-Hernando Community College</td>
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<td>UF</td>
<td>University of Florida</td>
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<td>USF</td>
<td>University of South Florida</td>
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<td>W/S</td>
<td>Workshop</td>
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**Key to Department Abbreviations**

| CLA | Community & Legislative Affairs |
| COM | Communications |
| EXE | Executive |
| OPS | Operations |
| PLN | Planning |
| PRJ | Resource Projects |
| REG | Regulation Department |
| RPM | Regulation Performance Management |
| GOV | Governing Board |
Outreach and Planning Committee
October 28, 2008

Routine Report

Significant Activities Report

Conservation Messaging
Since January 2007, the District's conservation messaging has been dominated by water savings messaging related to the ongoing drought. Such messaging includes a grass-roots communications effort using existing tools such as the Speakers Bureau, news media outreach and public affairs programming, as well as outreach to homeowners associations (HOAs), landscape irrigation professionals, churches and others. The District also developed a web page at WaterMatters.org/drought to serve as a “one-stop-shopping” resource for the public to obtain information on the drought, water restrictions and conservation. Communications staff continued distributing a PowerPoint presentation, copy points and collateral materials to District staff to reach many of the key target audiences identified in the FY2008 Drought Communications Plan. Print ads and articles promoting "Skip a Week" were offered to 1,000 HOAs, 100 neighborhood associations and 30 organizations such as chambers of commerce, environmental organizations, community groups and religious denominations for use in their newsletters. In response to direction by the Governing Board, staff developed roadside signs that read: It’s a drought. Conserve! Learn how at WaterMatters.org. The District is offering the signs to local governments and utilities to be placed in their communities. The District’s drought web page has links to all organizations who partner with the District on the road signs. Based on a District employee's suggestion, the staff also ordered 500 conservation car magnets that have been placed on more than 220 District vehicles. The District's traditional spring media "Reduce Your Use" campaign ran from late February through April to capture its target audience. This winter–spring campaign included television, radio, newspaper, magazine and billboard advertising. The winter–spring advertising campaign cost $605,905. The success of the campaign is measured through reach, which is the number of people exposed to the messages, and frequency, which accounts for the number of times each person is exposed to the message. The goal of the District's media campaign is a reach of 80 and a frequency of 12. This year's spring campaign successfully passed the goal with a reach of 98 and a frequency of 22. A drought media buy was also placed in May–June in the southern portion of the District. In addition to traditional media, the buy included ads placed on movie theater screens. The reach for the campaign was 98 and the frequency was 18. The total cost for this buy was $115,525. Free print ads and articles promoting "Reduce Your Use" also were offered to more than 1,000 HOAs for use in their newsletters. District staff conducted 121 speaking engagements from December through September with an estimated audience of nearly 5,575. Staff has also participated in more than 22 community events with an estimated reach of 593,500 people. A total of 1,815 conservation signs have been received by 103 governments, utilities and organizations. Staff has written and distributed 20 drought-related news releases and guest columns. District-initiated drought media coverage has resulted in 453 newspaper, Internet, television and radio placements.

New Activities Since Last Meeting — Staff distributed a news release and placed follow-up calls to the media on the Governing Board's decision to extend the one-day-per-week watering restrictions, which resulted in 15 newspaper articles and 36 television and radio hits.

Water Conservation Hotel and Motel Program (Water CHAMP) and Water Program for Restaurant Outreach (Water PRO)
Water CHAMP promotes water conservation in hotels and motels through a towel and linen reuse program that encourages guests to use their towels and linens more than once during their stay. Participating hotels and motels receive materials that explain Water CHAMP to staff members and guests. Materials include towel reuse cards, linen reuse cards, environmental table brochures, guest comment cards, staff training materials and an environmental self-audit checklist — all free of charge. Educational workshops on additional ways to save water are also provided to the participating hotels and motels. Surveys of guests staying in Water CHAMP...
properties indicate that guests like the program and believe conserving water makes a
difference to the environment. From 2002–2003, Pinellas County Utilities and the City of Tampa
Water Department conducted comparison studies of the water use of 71 hotels in their area
before and after implementing Water CHAMP. The studies showed that in total the 71
participants saved a cumulative 100 million gallons of water in only one year after implementing
Water CHAMP. The Water CHAMP coordinator will also coordinate the Water Program for
Restaurant Outreach (Water PRO), which will extend water conservation achieved through the
Water CHAMP program by promoting water conservation in restaurants. Staff will be educating
both restaurateurs and guests with materials such as table tents, children's coloring sheets,
coasters and self-audit checklists. "We only serve water on request" buttons are also available
for wait staff. New Activities Since Last Meeting — Water CHAMP currently has 47 percent of
all hotels/motels in the District participating in the program. Since many of the small bed and
breakfast properties do not participate because guests launder their own linens, calculating the
percentage of Water CHAMP properties based on the number of rooms gives a more accurate
picture of the program's success. Of the 453 hotels/motels within the District with 50 or more
rooms, 306 are CHAMP properties. Thus CHAMP participation represents 68 percent of the
District's available rooms in properties with 50 rooms or more. Staff is conducting a Districtwide
audit of Water CHAMP properties to monitor water and monetary savings. Staff is also working
with a variety of partners to include the Water CHAMP logo next to participating properties in
several visitor guides. Bill inserts promoting Water CHAMP properties and directing residents to
the CHAMP web site are being designed in partnership with the following utilities: Pinellas
County, City of Winter Haven, Charlotte County and City of Lakeland. The Polk County Utilities
insert was distributed to 49,000 residents. Manatee County Utilities added a water conservation
page to its web site with a link to the Water CHAMP home page. The Charlotte County Utilities
newsletter placed an ad that promoted Water CHAMP properties and directed 1,200 employees
to the CHAMP web site. Water PRO is being promoted through one-on-one visits with
restaurant managers and networking at industry meetings. Staff presented Water PRO and
Water CHAMP materials/information to more than 30 restaurant owners and hoteliers at the
Waves Advisory Committee in Sarasota County. Staff also presented both Water CHAMP and
Water PRO to more than 35 restaurant owners and hoteliers at the Florida Restaurant &
Lodging Association meeting. Manatee County Utilities added a water conservation page to its
web site with a link to the Water PRO home page. The Charlotte County Utilities newsletter
placed an ad that promoted Water PRO restaurants and directed 1,200 employees to the PRO
web site. Overall, restaurant owners and managers have shown a positive reaction to Water
PRO. As of September 25, 2008, a total of 78 restaurants within the District had signed up to
participate.

Florida Water Star™
The Florida Water Star™ (FWS) program certifies new homes based on water conservation
criteria developed by the St. Johns River Water Management District (SJRWMD) to encourage
water efficiency in household appliances, plumbing fixtures, irrigation systems and landscapes.
The certification program encourages builders/developers to save water indoors and outdoors
and has some consistency with national green building programs such as LEED by the U.S.
Green Building Council and Energy Star® from EPA. The resulting certification criteria were also
integrated into the wider "green building umbrella" being developed at the time for the Florida
Green Building Coalition. The program's objectives are to increase the knowledge level of the
building industry about water-efficient building practices and to provide educational resources
and incentives to make these practices common to the marketplace. FWS is currently being
implemented successfully in the SJRWMD based on criteria it developed. Because builder/developer education has been ongoing within the SWFWMD for several years, an
advanced version of the outdoor water use criteria was developed to be more closely aligned to
the University of Florida/Institute of Food and Agricultural Sciences' Florida Yards &
Neighborhoods program's Florida-friendly landscaping principles and landscape best
management practices. SWFWMD Resource Projects Department staff also participated in
developing the indoor water use criteria. The resulting advanced version, Florida Water Star—
Gold Certification (FWSG), adds criteria that will result in even more water savings and fewer
impacts to water quality. New Activities Since Last Meeting — The FWSG communications
plan includes introduction of the program to boards and members of homebuilding associations
and continued beta-testing of the criteria for the next three months. In preparation for the program's launch, staff received training on September 17 on the duties of Florida Water Star quality assurance providers (QAPs) and use of the FWS database. QAPs assign certifiers to a home inspection and review the information submitted by the certifier. In addition, staff is processing the request for proposal to recruit a FWSG coordinator. FWSG was featured in the September/October WaterMatters. Another way the program was promoted was at the Florida Nursery, Growers and Landscape Association's landscape show in Orlando on September 25–27. District staff shared display space with the SJRWMD in the show's Green Zone, along with other conservation certifying organizations.

**Community-Based Social Marketing**

Community-based social marketing (CBSM) programs use research to uncover what drives residents to either participate in or avoid specific behaviors. With the knowledge of what motivates people to behave the way they do, the District can create programs that are tailored to the populations they are meant to target and will most likely result in desired behavior changes. The Communications Department has been using the theories of this social science to enhance program design. **New Activities Since Last Meeting** — Project manager held a Community-Based Social Marketing Resource Committee meeting at the District's Tampa Service Office on July 18. The committee will benefit the District by providing staff and partners an opportunity to share ideas, lessons learned and research that will ultimately improve water resources conservation and protection programs. Approximately 15 representatives from local governments, nonprofits, universities and interested professional social marketers attended to collaborate on landscaping, water conservation and watershed protection behavior change programs. The next committee meeting is scheduled for October 10 at the District's Tampa Service Office. Staff is developing a CBSM page to be added to the District's web site. The CBSM site will serve as a resource for staff and cooperators who are interested in enhancing program design and evaluation. Project manager is also continuing to develop a workshop series to be offered to staff and cooperators in conjunction with the *Partners in Watershed Education: Inspire, Educate, Celebrate* event on November 19, 2008. Session offerings include: Transforming Your Program With Social Marketing, How to Use Research to Develop Stronger Programs, Getting to the Root of Change, Institutional Water Use in Schools, Water Words That Work and Those That Don't, Focus Groups, Talking to the Media, and many more. Last fall, the District's project manager coordinated a marketing research and public relations campaign program with students from the University of South Florida's Public Relations School. Using the data the students collected, the District's project manager is organizing a college conservation program that will incorporate social marketing, guerilla marketing and viral marketing in the strategic mix.

**Irrigation Pilot Program**

A community-based social marketing pilot program is under way in neighborhoods in The Villages, the City of Lakeland and Charlotte County. Residents will be asked to “water only every other week” during the months of December, January and February and to “take control of their irrigation systems” during the months of July, August and September when rainfall can allow residents to turn off their systems for extended periods of time. The specific education interventions will be determined by results of qualitative (focus groups) and quantitative (survey) research conducted to determine the best way to educate the residents to achieve the desired behaviors. The audio recordings from the focus groups and other related research were used to guide the creation of a telephone survey questionnaire. The survey was pilot-tested with small sample audiences to ensure its understandability and clarity of responses before data collection began. Two sample sets of survey data were collected. **New Activities Since Last Meeting** — District staff is now using the behavioral research gathered earlier this year to create a strategic social marketing plan that is most likely to facilitate behavior change in our target groups. Program components are in development and all items will be pretested with our target audience to ensure clarity and comprehension of message. The pretesting interviews took place on August 3–6, August 21–23 and September 15–19. To date, 49 District residents have participated in the interviews and helped refine program components such as the logo, advertisements, newspaper insert and more. Final program components will be completed in October and November for program implementation in December. Staff is continuing to gather
information from participating utilities to create historical water data reports that will be used to measure changes in water use throughout the course of the project. Water-use data will be reported and logged monthly throughout the pilot project to gauge program effectiveness.

**Research Findings**

Community-based social marketing (CBSM) programs use research to uncover what drives residents to either participate in or avoid specific behaviors. With the knowledge of what motivates people to behave the way they do, the District can create programs that are tailored to the populations they are meant to target and will most likely result in desired behavior changes. The Communications Department has been using research to enhance program design and evaluate programs. **New Activities Since Last Meeting** — District staff has compiled some interesting findings from recent research regarding land use and recreation, pet waste and landscaping. Some of the findings regarding land use and recreation include:

- 63% of respondents said they do not get outdoors enough
- 43% said they were aware of District lands
- 33% have used District lands
- 93.7% have a favorable opinion of the District once they visited District lands
- More than 50% said they get their information about outdoor activities from word of mouth
- 24% cited time commitment as their biggest barrier to getting outdoors
- Respondents reported that the activities they would like to participate in outdoors include walking/hiking (25%), boating (20%) and fishing (17%)
- People who are currently actively participating in activities on District lands reported that they most enjoy hiking/walking (56%) and camping (29%)

Research findings from survey questions regarding pet waste include:

- 50% of District residents who were surveyed own a dog
- 43% of District residents who own a dog throw their pet's waste into the trash
- 32% leave their pet's waste on the ground
- 9% hose their pet's waste into the ground
- Respondents somewhat agreed that pet waste left on the ground would eventually end up in the closest body of water (5.67 on a scale of 1 to 10, where 10 is "strongly agree")
- Respondents generally did not agree with the statement "Proper disposal of pet waste is a problem in my community" (3.97 on a scale of 1 to 10, where 1 is "strongly disagree")

Significant findings from survey questions regarding landscaping include the following:

- The top three factors people consider when deciding how to landscape include "how the yard will look," "how much it will cost" and "the impact on property value." "Rules of the homeowners association" and "what the neighbors think of the yard" ranked lowest.
- When asked about issues that affect their community, residents rated "protecting the quality of the drinking water" as most important. Followed, in order of reported importance, by "protecting the water quality of our lakes, rivers and streams," "increasing safety from crime in our neighborhoods" and "protecting natural areas like woodlands and forests."

**Florida Yards & Neighborhoods (FYN)**

Recognizing the potential of water conservation and water quality protection through promotion of Florida-friendly landscaping practices, the District began partnering with the University of Florida in FY2001 to support Florida-friendly landscaping education. Currently, approximately 228,000 people are reached annually through homeowner programs in eight counties, builder and developer programs in five counties and community/homeowners association programs that reach four counties. With up to 50 percent of a typical household’s water use going to outdoor irrigation, outreach to builders, developers and irrigation specialists became available Districtwide in FY2007. **New Activities Since Last Meeting** — FY2009 scopes of work for nine cooperatively funded FYN programs and two Basin Initiative-funded programs are currently being prepared. A recent survey from several of the District's counties showed that 606 rain barrel class participants collected and used 325,936 gallons of water in the past year. In addition to the water conservation benefits, the rain barrels also prevented that amount of stormwater runoff from entering District ditches, canals and streams. Work continues in partnership with the St. Johns River Water Management District and the University of Florida on a new FYN planning guide, which will contain an illustrated plant list, the nine Florida-friendly
principles and the best management practices on landscape design. The book is expected to be published by the end of the fiscal year.

**Watershed Education**

The District’s watershed education efforts encourage residents to protect their local water resources through education relating to water quality, stormwater runoff, water conservation and natural systems. Some examples of the District's watershed education efforts include decision-maker workshops, upriver and downriver educational bus tours, estuary wading trips, speaking engagements, pond adoptions, outreach at special events, educational kiosks and stormdrain marking activities. In FY2005–2006, the "Know Where It Flows" campaign educated Crystal River/Kings Bay residents on proper fertilizer use and proper septic tank maintenance to address the increase in nitrate in the bay and springs in the Crystal River/Kings Bay area. After that campaign was completed, staff conducted an online survey to determine effectiveness, but a minimal response rate provided little feedback. To reinvigorate efforts, to expand the project to include the Rainbow River watershed and to ensure a way to assess effectiveness, the FY2007–2008 program includes focus groups and pre- and post-evaluation surveys.

**New Activities Since Last Meeting — Crystal River/Kings Bay/Rainbow River Watershed Education:** An education campaign based upon information gathered from focus groups has been created and is being implemented. The education campaign includes radio advertising, direct mail targeting landscape professionals and homeowners, newspaper advertisements, development of a booklet on fertilizing tips, movie theatre screen advertising and educational information on the District's web page. Staff is currently working to create the posttest to be implemented immediately following the campaign's completion in October. This information will be used as the pretest information for the next phase of the campaign to take place in March 2009.

**Manasota Watershed Education:** The District has partnered with the Science and Environment Council (SEC) of Sarasota to coordinate Watershed Awareness Week, which is scheduled for October 13–19. Associated events begin on Saturday, October 11. The week will include a variety of educational activities at Mote Marine Laboratory and Aquarium, New College, Historic Spanish Point, various local parks and Aquarian Quest. To gain local government commitment to watershed protection, the SEC will coordinate with Sarasota County to join the Manasota Basin Board in declaring October 13–19, 2008, as Watershed Awareness Week.

**Hillsborough River Watershed Education:** The Mayor’s Beautification Program will coordinate the Hillsborough River Stakeholder Tour on October 22, targeting leaders from the Mayor’s Beautification Program’s volunteer groups and sponsors, as well as board members and members of homeowners associations. The tour will focus on city and state agencies' efforts to protect the Hillsborough River and what actions citizens can take to positively impact the river. The Hillsborough River Watershed Awareness Week will be held November 15–22. The week will include a variety of educational events, kicking off with the Hillsborough River Watershed Alliance’s special event, A River Runs Through It, at the Hillsborough River State Park on Saturday, November 15, and ending with the Mayor’s Beautification Program's annual river cleanup, Rollin' On the River, at Lowry Park on Saturday, November 22.

**Community Education Grant Program**

The Community Education Grant (CEG) Program is in its twelfth year, funded through Basin Initiatives for Public Education (P268). The CEG Program provides funding assistance up to $5,000 per project for individuals, service groups, community associations and other organizations to implement a water resources education project. The deadline for FY2009 applications was August 22. A total of 74 applications were accepted and are being reviewed. After staff recommendations are made, proposals will be submitted to the BBEC for review. Basin Boards will be notified of awardees at their February Board meetings.

**Youth Education**

The District provides water resources education programs to county school districts, private schools, homeschool groups and nonformal educators through teacher training workshops, mini-grants, field trip programs and educational resources for students and educators. **New Activities Since Last Meeting — Outreach:** On September 5, the District promoted World Water Monitoring Day by issuing a media release informing the public that they could order two different types of water quality testing kits. Educators and citizens are encouraged to contact the
District to obtain a free test kit and monitor local water bodies during September and October. They can record their results through the District's web site. Staff participated in the Lakeland Cardboard Boat Challenge on Lake Hollingsworth on September 6. The estimated 200 visitors had the opportunity to learn about water resources through the District's exhibits as well as make their own water cycle wristband. Staff presented as part of the grand opening of the Marine Studies Education Center at the Canterbury School of Pinellas County on September 19, educating 100 fifth- through twelfth-grade students and teachers about watersheds and the Floridan aquifer system. Staff participated in the National Public Lands Day event on September 27 at Weekiwachee Preserve and Bud McKethan Park in Hernando County. The estimated 93 visitors took part in a seed gathering activity and watershed demonstration and received District educational materials. The Youth Education's outreach specialist visited five schools during September, educating approximately 461 students and educators through 25 presentations.

Mini-Grants: The 2008–2009 Splash! mini-grant program for teachers, which is available at WaterMatters.org/mini-grants, received 214 applications. The deadline for application submittals was September 12, 2008. With a 50 percent increase in the number of applications submitted from last year, 206 mini-grants were approved, totaling $409,479. Splash! mini-grants will occur in the following counties: Citrus, Charlotte, DeSoto, Hernando, Highlands, Hillsborough, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter. School Board Contact: School Board agreements have been finalized with Citrus, Charlotte, Hernando, Highlands, Hillsborough, Pasco, Pinellas, Polk, Sarasota and Sumter counties. Staff met with two DeSoto County school board contacts on September 9 to discuss funding opportunities, environmental education and the District's curriculum materials.

Publications: Approximately 186,045 youth publications and materials have been disseminated since the start of the 2008–2009 school year.

**One Bay – Regional Visioning**

One Bay is a partnership of public and private leaders spearheaded by five regional organizations: Tampa Bay Regional Planning Council, Tampa Bay Estuary Program, Southwest Florida Water Management District, Tampa Bay Partnership Regional Research & Education Foundation and the Urban Land Institute Tampa Bay District. The organization was formed in 2007 to follow through on the success of Reality Check, a day-long event at the Tampa Convention Center where citizens from across the region came together to vision for the future of Tampa Bay. Based on data compiled at the Reality Check events, different priorities were identified in different communities. These priorities were translated into four growth pattern "scenarios" intended to illustrate the different alternatives and encourage input from as many stakeholders as possible. The four scenarios were presented at a series of five Town Hall meetings, held simultaneously, at locations throughout the region on June 2, 2008. The four scenarios are general concepts that will help further assess the priorities deemed most important by citizens in looking ahead to the future. The opinions and data gathered will be analyzed and used to eventually develop a unified vision for the seven-county Tampa Bay region to help guide the region’s growth and expansion. To facilitate public participation, One Bay launched the "Voice It" campaign. This outreach campaign is seeking public opinion on the impacts and possibilities that the 4 different growth patterns can have on the region.

**New Activities Since Last Meeting** - The Voice It campaign will run through October with the goal of having a draft report detailing the results of the survey available in November. There were 17 presentations scheduled for September intended to disseminate information on the project, several of which were facilitated by the District’s Executive Director and Planning staff. Upon completion of the final report, the One Bay executive team will facilitate presentations to local councils and commissions on the results of the survey and how it can be used when making land use decisions.

**Heartland 2060 Regional Planning Initiative**

The purpose of the Heartland 2060 visioning effort is to plan for a future that enables growth while protecting natural resources, preserving natural areas and protecting wildlife and agricultural production, supporting healthy communities, large and small, and ensuring a vibrant economic and social life. Heartland 2060 will be a minimum two-year process, which will tie into other visioning efforts currently being conducted, such as MyRegion.org and Tampa Bay’s One Bay Reality Check. The end result will be an action plan of key priorities which will serve to
provide a framework for the growth of the Heartland over the next several decades. The effort has been divided into two task forces – (1) Education, Workforce and Economic Development Taskforce, and (2) the Environment and Natural Resources. District PLN and CLA staff are participating in the Environmental & Natural Resources Task Force Meetings. New Activities Since Last Meeting - The following tentative meeting dates for Heartland 2060 have been established:

- September 24 - Education, Workforce and Economic Development Task Force
- October 15 - Leadership Team Meeting
- November 19 - Environment and Natural Resources Task Force
- December 3 - Education, Workforce and Economic Development Task Force
- January (TBD) - Leadership Team Meeting

All meetings will be held at the Sebring Civic Center. District Planning and Community Affairs staff will be in attendance at the Environment and Natural Resources Task Force and Leadership Team Meeting.

Local Government 10-Year Water Supply Facilities Work Plans (see Exhibit)
Planning Department staff continues to review and comment on 10-year Water Supply Facilities Work Plans. The adoption deadline for these plans was May 30, 2008 for most local governments in 10-county area covered by the District's Regional Water Supply Plan. DCA has sent a letter to the primary elected official for each local government that has not submitted its Work Plan. The letter discusses the Compliance Report and encourages the local government to provide updated information on the completion status of the Work Plan. New Activities Since Last Meeting - Approximately 25 percent of the communities within the District are in compliance, with 22 percent in the submittal process, and 53 percent out of compliance. The non-compliance issue remains an issue throughout the state. On October 21, 2008, District staff will be meeting with the other water management districts along with DCA and DEP, to discuss this and other water supply related topics and a bi-annual work group meeting.

Florida’s Heartland Rural Economic Development Initiative (FHREDI)
The discussions intending to remedy the potential loss of employment due to the US Sugar acquisition have focused on the South Florida Inland Port project. An inland port is a distribution site that provides the facilities to support intermodal transfers between ship, rail and truck operations. Typically, inland ports are located in a rural setting which are centrally located to key markets and have efficient access for freight to move from the sea ports (rail) to the inland port and then rail and roads out to ultimate destinations. The South Florida Inland Port will be needed to provide for the efficient movement of freight that will originate from the Port of Miami, Port Everglades, and the Port of Palm Beach. There will be significant increases in cargo entering and leaving the south Florida ports largely due to the expansion of the Panama Canal that is currently underway and projected to be completed by 2015. South Florida seaports are ideally located to receive cargo that can be ultimately distributed to the center of the US and east coast avoiding the Appalachia mountains. The Panama Canal expansion creates remarkable implications for the worldwide shipping industry and places South Florida at the center. An inland port is necessary for Florida to maintain its global competitiveness while gaining the economic benefits of expanded transportation and logistics industry. An inland port may provide as much as 65,000 total jobs for the region, $3.6 billion of new personal income, $2.3 billion of new business revenue and $334 million of new total tax revenue. (Information Source: Tracy Whirls – Glades County, September 2, 2008 memo to FHREDI Board Members).

New Activities Since Last Meeting – At its September 15, 2008 meeting in Sebring, the group discussed the importance of the inland port and the need to find the best possible location within the FHREDI region to benefit the greatest portion of the South Central Rural Area of Critical Economic Concern (RACEC). The discussion points focused on job restoration and economic development to the area that will be impacted by the acquisition of U. S. Sugar. Members approved a resolution in support of the inland port within the South Central RACEC.

Regional Planning Council Update
- Tampa Bay Regional Planning Council (September 08, 2008) – Fred Abousleman, Executive Director of the National Association of Regional Councils, provided a presentation on the state
of the infrastructure and environment in America. He also discussed the legislative agenda in Congress and how it may affect regions and local governments in 2009. Staff presented the Emergency Management Program Report, which focused on the launch of a new web site for business disaster preparedness (www.fldisasterkit.org). The site features updated information and guidance for preparing a business continuity plan. The web site is part of the State of Florida “Get a Plan” initiative.

- Southwest Florida Regional Planning Council (September 18, 2008) – Staff facilitated a discussion of recommendations which Council representatives will take to the Water Congress. The discussion focused on actions which will lead to “a long-term water conservation, use and supply plan for environmental, agricultural and public consumption purposes.”

- Withlacoochee Regional Planning Council (September 18, 2008) – The Council unanimously approved two (2) Developments of Regional Impacts (DRIs) proposed for northeast Sumter County. Wildwood Springs and Landstone Communities include a combined total of 5,185 acres, 11,025 residential housing units, and an estimated water demand of 2.9 million gallons per day. The developer commitments incorporate long-term wildlife, environmental and groundwater monitoring plans. The developer’s proportionate share costs also address transportation, potable water, and stormwater management. Both DRIs are located in the City of Wildwood.

- Central Florida Regional Planning Council (September 10, 2008) – Council adopted the Charlotte Harbor National Estuary Program (CHNEP) Proclamation to recognize September 27, 2008 as National Estuaries Day.

**Strategic Planning**

The mission of the Strategic Plan update is to provide the overarching strategic direction, from which all of our District strategies evolve: Superior Stewardship of Florida's Precious Water Resources. With that responsibility, the goals of FY 2010 Update are to:

- Use the input from staff Subject Matter Experts to enhance the quality of the goal statements and performance measures, and to improve alignment of strategies.
- Help prioritize, launch, and sponsor improvement initiatives.
- Produce a Governing Board-approved Strategic Plan brochure outlining the District's strategic direction, priorities over time and intended actions. The brochure will be used as a communication tool both internally and externally.
- Enhance the Governing Board’s level of satisfaction by refining the tracking and reporting methodology for Board meetings.
- Further integrate the Strategic Plan into all aspects of District operations.

To achieve the established goals the update process employs a three tiered approach of staff involvement. A grouping of District technical subject matter experts (SME) will review the current plan for technical accuracy, consideration of the performance measures, and understanding of how their function is aligned with the Plan's goals and strategies. Secondly, a Strategic Team comprised of 12 Directors and Managers will meet to discuss the input of the SME and refinement of the performance measures. Lastly, conclusive direction of the project is overseen by a Steering Committee comprised of the Deputy Executive Directors, Deputy General Council, and the Inspector General. At the July Strategic Team meetings, a detailed review of all success indicators was facilitated. As recommended by the Steering Committee, the Strategic Team decided to identify one “primary” success indicator to be reinforced by several “supporting” success indicators. The primary indicator is to have a well known benchmark to be measured and reported against. The supporting indicators will corroborate the primary and also meet the test of yielding data meaningful for fiscal and programmatic decision making. **New Activities Since Last Meeting** - PLN and COM staff have worked diligently to complete the graphical elements and incorporate the narrative review comments from the circulation of the Production Draft. The Governing Board will have a final review of the document before the October meeting, where staff will be recommending approval for publication and distribution.
Local Government Outreach

As part of the District's community and legislative affairs program, CLA is responsible for (1) developing effective relationships with local elected and public officials and their staff, (2) serving as the District's day-to-day liaison with local officials, (3) facilitating coordination of District programs to assist local governmental entities, (4) promoting the mission of the District and (5) helping to develop and foster sound public policy on water resource related issues. To meet these responsibilities, CLA has developed long-standing programs and tactics, including but not limited to, project tours, the e-Resource newsletter, e-mail alerts and one-on-one meetings. **New Activities since Last Meeting:**

- **Local Government Resolutions Supporting WRAP** - CLA staff has been pursuing resolutions from local governments to increase the level of support for the WRAP program initiative. Thus far, several local governments have approved or committed to these resolutions. Since the last board meeting these include Manatee County and the Peace River Manasota Regional Water Supply Authority (PRMRWSA).

- **LE/AD's Integrating Water Resource Management "Total Water Management" Conference** - This one day conference was designed to increase awareness about how all of the components of water resources are interconnected. About seventy five attendees from various local governments along with consultants and several members of the public listened to fourteen speakers including District staff members. Staff from the St. John's River Water Management District, the South Florida Water Management District, and the United States Geologic Survey discussed karsts topography, water management and water supply planning while other presenters discussed sustainability, alternative water supplies, low impact development and total maximum daily loads. District staff presented topics on water demand, land use transition and education while staff members from Tampa Bay Water and the PRMRWSA presented the history of regionalism and how "one size" does not fit all. Additionally, Polk County presented an update on the Supplemental Water Supply Plan and the upcoming presentation to the county commission. In addition to assisting in the coordination and sponsorship of the event, CLA staff provided a presentation centered on the District's WRAP initiative that explained the importance of this funding mechanism for SWUCA recovery. Many of the attendees expressed their satisfaction and appreciation.

Legislation and Policy

CLA acts as the District's day-to-day representatives before the Florida Legislature and U.S. Congress. This includes educating officials and staff regarding the mission of the District, providing information on issues and legislation, and coordinating our legislative program with other state and federal agencies. The department recommends, develops and executes the District's legislative program based on Governing Board and executive staff direction. Staff works with executive, legal staff and other departments to develop and manage internal District legislative procedures and policies. **New Activities Since Last Meeting:**

- **Legislative Coordination** - CLA staff serves on the board of the New Water Supply Coalition, a national organization attempting to pass legislation to allow the use of tax credit bonds for the development of desalination, reuse and water reclamation projects. The board recently met to discuss the upcoming session of the new Congress and to strategize. The coalition is in agreement that its current legislation may need to be altered to provide a greater incentive for the purchase of these bonds because of changes made to the tax credit bond program for Clean Renewable Energy that passed as part of the recent bail out package. These changes include the reduction from 5 years to 3 years for the use of the bond proceeds and a change in the timing of the allocation/reimbursement of the bonds which would effectively exclude the use of bond proceeds for planning costs. Other changes that were recently enacted by Congress that may have a positive impact on the use of these bonds include the allowance of the bond principle and tax credits to be sold separately, the carrying over of unused tax credits to future years and the allowance of the bond proceeds to be invested in sinking funds and yields to be earned until the pay out of the principle occurs.

- **Water Congress Held** - The Century Commission recently held a statewide Water Congress in Orlando. The purpose of the Congress was to bring together community leaders from around the state to discuss water resource issues and make recommendations to the Commission for improvements to current water management practices in the state. Four shortlist recommendations were made by the Congress. These include fully funding the alternative...
water supply development program under SB 444, encouraging regional approaches to water supply development, funding conservation programs as alternative water supplies and setting a per capita target or goal for water use.

**Community Outreach**

In addition to acting as the District's liaison to local governments, CLA is responsible for the primary "grassroots and grassstops" outreach to local community organizations and groups. These include the agricultural community, environmental groups, business associations and others. These relationships provide a pivotal component of the District's legislative program and allow for opportunities to communicate the District's mission, policies and goals. **New Activities Since Last Meeting:** Special Events - The First Annual State of the Water Resources in West Central Florida workshop will take place on November 21, 2008 at the InterContinental Hotel in Tampa. The goals of the workshop are to provide all attendees an update on current water resource issues in the District; provide an opportunity for our former and current Governing and Basin Board members, our advisory committee members and our county commission liaisons to discuss water resource issues throughout the sixteen county area; to better utilize the institutional knowledge of former Board members and to further engage our advisory committee members and county commission liaisons. Four panels are planned which will focus on water supply, conservation, natural systems restoration and management, legislative issues, future challenges, and emerging trends. Invitees include current and former Governing and Basin Board members, members of our public supply, industrial, agricultural, green industry, environmental and well drilling advisory committees, the District's sixteen county commission liaisons, the general managers of the three water supply authorities, the directors of the three National Estuary Programs, and the directors of DEP District Offices.

**Speakers Bureau**

A very important part of CLA's outreach to the public and community leaders within the District is the Speakers Bureau. Most requests for speakers come directly to CLA. Staff fills the majority of requests from within the department and solicits assistance from other departments as needed. Since January, 2008, staff has responded to 200 requests. A summary is provided each month in the board packet. **New Activities Since Last Meeting:** A new public relations plan has been prepared and a new marketing plan is currently under development to increase the visibility of the program. The intent of these is to double the number of speaking opportunities performed during the next year. Staff is also enhancing and updating existing presentations for use by program participants. Additionally, new speaker bio's, website design and evaluation tools are currently being developed.

**Staff Recommendation:**

This item is provided for the Committee's information, and no action is required.

**Presenter:** Lou Kavouras, Deputy Executive Director, Outreach, Planning and Board Services
Special Events
October 31, 2008 through November 30, 2008

Event Title: Polk’s Nature Discovery Center Grand Opening
Date: Friday, October 31, 2008
Time: 11 a.m. luncheon
Location: Polk’s Nature Discovery Center at the Circle B Bar Reserve, 4399 Winter Lake Road, Lakeland
Sponsoring Organization(s): Polk County Board of County Commissioners, Polk County Natural Resources, Central Florida Visitors & Convention Bureau, Tourism and Sports Marketing, District
Attendees: Special guests by invitation
Event Description: The grand opening of Polk’s Nature Discovery Center is occurring at the Circle B Bar Reserve in Lakeland. The Peace River, Alafia River and Hillsborough River Basin Boards have funded three water exhibits inside the center.

District Contact Information
Name: Mary Margaret Hull
Phone: (352) 796-7211, ext. 4774
Email: MaryMargaret.Hull@WaterMatters.org

Event Title: Water, Wings & Wild Things: Polk Naturefest 2008 (in conjunction with Polk’s Nature Discovery Center grand opening)
Date: Saturday, November 1, 2008
Time: 10 a.m.–2 p.m.
Location: Polk’s Nature Discovery Center at the Circle B Bar Reserve, 4399 Winter Lake Road, Lakeland
Sponsoring Organization(s): Polk County Board of County Commissioners, Polk County Natural Resources, Central Florida Visitors & Convention Bureau, Tourism and Sports Marketing, District
Attendees: General public, other interested parties
Event Description: This annual event provides an age-diverse audience with the opportunity to spend the day learning about local natural resources and nature-based recreation opportunities. Presentations, educational exhibits, natural arts and crafts, children’s activities and native wildlife demonstrations will highlight Polk County’s natural resources and our connection to those resources.

District Contact Information
Name: Virginia Sternberger
Phone: (352) 796-7211, ext. 4779
Email: Virginia.Sternberger@WaterMatters.org

Event Title: Art Harvest
Date: November 1–2, 2008
Time: 10 a.m.–5 p.m.
Location: Highland Park, Dunedin
Sponsoring Organization(s): The Junior League of Clearwater-Dunedin
Attendees: General public, other interested parties
Event Description: Local artists display their artwork at this popular event. Art vendors, kids’ activities and the District's water conservation restroom will be on hand to provide water conservation information through the District's latest radio and print messages on Florida-friendly landscaping. For more information, contact The Junior League of Clearwater-Dunedin at (727) 738-5523.

District Contact Information
Name: Melissa Roe
Phone: (352) 796-7211, ext. 4776
Email: Melissa.Roe@WaterMatters.org
Event Title: Efest
Date: November 15–16, 2008
Time: Saturday 9:30 a.m.–5 p.m., Sunday 9:30 a.m.–4 p.m.
Location: Sarasota Polo Club at Lakewood Ranch, Sarasota, FL
Sponsoring Organization(s): Various organizations, District
Attendees: General public, other interested parties
Event Description: Efest brings together community leaders from government, business, not-for-profit organizations, families, retirees and students to celebrate our beautiful natural environment and quality of life. The event will include experts, environmentally friendly products, live performances, refreshments and hands-on exhibits and demonstrations.

District Contact Information
Name: Melissa Roe
Phone: (352) 796-7211, ext. 4776
Email: Melissa.Roe@WaterMatters.org

Event Title: Partners In Watershed Education Awards
Date: Wednesday, November 19, 2008
Time: 9 a.m.–3 p.m.
Location: Crowne Plaza Tampa East, 10221 Princess Palm Avenue, Tampa
Sponsoring Organization(s): District
Attendees: Cooperators, community organizations, teachers and other interested parties
Event Description: This biennial event recognizes teachers, community organizations and other cooperators for outstanding watershed education programs. The event includes educational sessions and an awards luncheon.

District Contact Information
Name: Melissa Roe
Phone: (352) 796-7211, ext. 4776
Email: Melissa.Roe@WaterMatters.org

Event Title: Charlotte Harbor Nature Festival
Date: November 22, 2008
Time: 10 a.m.–3 p.m.
Location: Charlotte County Sports Complex, 2300 El Jobean Rd./S.R. 776, Port Charlotte
Sponsoring Organization(s): Charlotte Harbor National Estuary Program, District, various other organizations
Attendees: General public, other interested parties
Event Description: Attendees will have the opportunity to visit the environmental exhibits and participate in activities, workshops and walking tours that will be featured at this event.

District Contact Information
Name: Melissa Roe
Phone: (352) 796-7211, ext. 4776
Email: Melissa.Roe@WaterMatters.org

Event Title: Mayor's 21st Annual Hillsborough River & Waterways Cleanup
Date: November 22, 2008
Time: 8 a.m.–2 p.m.
Location: Lowry Park Boat Ramp, 7525 North Boulevard, Tampa
Sponsoring Organization(s): City of Tampa and other cooperators, District
Attendees: General public, other interested parties
Event Description: More than 1,200 volunteers will clean up and restore the shoreline along the Hillsborough River and connected waterways in what has become one of Tampa's largest volunteer events. After the cleanup, volunteers will be treated to a variety of educational displays and activities, as well as a picnic and musical entertainment. For more information, contact Debra Evenson at (813) 221-8733.

District Contact Information
Name: Melissa Roe
Phone: (352) 796-7211, ext. 4776
Email: Melissa.Roe@WaterMatters.org
### 10-Year Water Supply Facilities Work Plan Matrix

<table>
<thead>
<tr>
<th>Municipalities</th>
<th>Water Provider</th>
<th>10 Year Water Supply Work Plan Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Charlotte County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charlotte County</td>
<td>Own facilities, PR/MRWSA, Englewood Water District, Punta Gorda, Gasparilla Island Water Assoc., Charlotte Harbor Water Assoc., El Jobean Water Assoc.</td>
<td>Submitted official comments on 3/1/08; ORC Report received 3/31/08; received adopted amendment 5/30/08; NOI received 7/14/08 -- In compliance</td>
</tr>
<tr>
<td>Punta Gorda</td>
<td>Own Facilities</td>
<td>Submitted within EAR-Based amendments (throughout w/no indication of where policies are located); final comments sent 9/9/08; ORC Report received 9/12/08</td>
</tr>
<tr>
<td><strong>DeSoto County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arcadia</td>
<td>Produce Own</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>DeSoto County</td>
<td>PR/MRWSA</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td><strong>Hardee County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bowling Green</td>
<td>City of Bowling Green</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Wauchula</td>
<td>City of Wauchula</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Zolfo Springs</td>
<td>Town of Zolfo Springs</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Hardee County</td>
<td>Hardee County</td>
<td>Submitted for review July 9, 2008</td>
</tr>
<tr>
<td><strong>Highlands County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avon Park</td>
<td>City of Avon Park</td>
<td>Submitted for Review April 8, 2008; comments sent May 14, 2008</td>
</tr>
<tr>
<td>Lake Placid</td>
<td>Town of Lake Placid</td>
<td>Submitted for review August 19, 2008; comments sent October 8, 2008</td>
</tr>
<tr>
<td>Sebring</td>
<td>City of Sebring</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Highlands County</td>
<td>Municipal utilities</td>
<td>Submitted for review June 5, 2008; comments sent July 18, 2008</td>
</tr>
<tr>
<td><strong>Hillsborough County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hillsborough County</td>
<td>Tampa Bay Water</td>
<td>Review completed, comments submitted to DCA on 4/17/08; DCA issued comments (ORC) 5/13; received adopted WSWP 6/23; received In Compliance NOI on 08/06/08</td>
</tr>
<tr>
<td>Plant City</td>
<td>Own facilities</td>
<td>Review completed, comments submitted to DCA on 4/08/08; DCA issued comments (ORC) 6/02; received Plant City ORC responses 7/24/08; received In Compliance NOI on 9/5/08</td>
</tr>
<tr>
<td>Tampa</td>
<td>Own facilities, Tampa Bay Water</td>
<td>Provided informal review comments 1/22/08; formal plan reviewed and comments provided to DCA 9/23/08</td>
</tr>
<tr>
<td>Temple Terrace</td>
<td>Own facilities</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td><strong>Manatee County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manatee County</td>
<td>Own facilities</td>
<td>Submitted official comments on 2/18/08; received Manatee’s adopted WSWP on 05/30/08; DCA NOI July 18, 2008 - In compliance</td>
</tr>
<tr>
<td>Anna Maria</td>
<td>Manatee County</td>
<td>Not submitted for review – some wswp feedback in EAR review letter 04/07</td>
</tr>
<tr>
<td>Bradenton</td>
<td>Own facilities, Manatee County</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Bradenton Beach</td>
<td>Manatee County</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Holmes Beach</td>
<td>Manatee County</td>
<td>Not submitted for review – Submitted comments on draft plan on 05/12</td>
</tr>
<tr>
<td>Palmetto</td>
<td>Own facilities, Manatee County (water supplier)</td>
<td>Not submitted for review – some wswp feedback in adopted EAR review letter 11/07</td>
</tr>
<tr>
<td>Municipalities</td>
<td>Water Provider</td>
<td>10 Year Water Supply Work Plan Status</td>
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<tr>
<td>------------------------</td>
<td>----------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Pasco County</strong></td>
</tr>
<tr>
<td>Dade City</td>
<td>Produce Own WUP 631.008 (7 Groundwater Wells)</td>
<td>Not submitted for review - comments were made during the EAR process; conversations with the City indicate progress toward completion of the plan</td>
</tr>
<tr>
<td>New Port Richey</td>
<td>Tampa Bay Water &amp; Produce Own</td>
<td>Submitted for review 5/21/2008; ORC Report containing objections received from DCA 7/24/08; comments made during the EAR process on EAR-based amendments and on 6/18/08</td>
</tr>
<tr>
<td>Pasco County</td>
<td>Tampa Bay Water &amp; Private Utilities &amp; Produce Own</td>
<td>Submitted for review on 7/31/08 - comment letter was sent on 8/28; comments were made on the 08-2 amendment package</td>
</tr>
<tr>
<td>Port Richey</td>
<td>Produce Own WUP 692.008 (Supplemented by NPR)</td>
<td>Not submitted for review. Comments were made directly to the City's consultant and on the 08-1ER amendment package</td>
</tr>
<tr>
<td>Saint Leo</td>
<td>San Antonio &amp; Pasco Co</td>
<td>Not submitted for review - comments were made during the EAR process; performed courtesy review on April 25</td>
</tr>
<tr>
<td>San Antonio</td>
<td>Produce Own WUP 550.006 (4 Groundwater Wells)</td>
<td>Not submitted for review - comments were made during the EAR process, on the 08-1ER amendment package, and directly to the City's consultant</td>
</tr>
<tr>
<td>Zephyrhills</td>
<td>Produce Own WUP 040.006 (10 Groundwater Wells)</td>
<td>Not submitted for review - comments were made during the EAR process; performed courtesy review on June 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Pinellas County</strong></td>
</tr>
<tr>
<td>Belleair</td>
<td>Produce own</td>
<td>Plan Adopted (NOI Issued - In Compliance) - Work Plan submitted w/ assistance from Gail Easley (consultant) and the Planning Commission</td>
</tr>
<tr>
<td>Belleair Beach</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance) - Work Plan submitted w/ assistance from Gail Easley (consultant) and the Planning Commission</td>
</tr>
<tr>
<td>Belleair Bluffs</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance) - Work Plan submitted and reviewed on Oct 26 - comments were provided to improve the plan</td>
</tr>
<tr>
<td>Belleair Shore</td>
<td>PCU</td>
<td>Plan Adopted - An ORC report has been submitted by DCA; submitted w/ assistance from consultant &amp; Planning Commission; reviewed Nov 19 - comments provided to improve the plan</td>
</tr>
<tr>
<td>Clearwater</td>
<td>Produce own – augmented by PCU</td>
<td>Reviewed - Comments sent to DCA in July</td>
</tr>
<tr>
<td>Dunedin</td>
<td>Produce own – RO</td>
<td>Reviewed - Comments sent to DCA in June</td>
</tr>
<tr>
<td>Gulfport</td>
<td>St. Pete - Wholesale</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Indian Rocks Beach</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Indian Shores</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>Kenneth City</td>
<td>PCU</td>
<td>Plan Adopted - An ORC report has been submitted by DCA; submitted w/ assistance from Gail Easley (consultant) and the Planning Commission</td>
</tr>
<tr>
<td>Largo</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Madeira Beach</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>N. Redington Beach</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>Oldsmar</td>
<td>PCU – developing RO</td>
<td>Not officially submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Pinellas Park</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Redington Beach</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Redington Shores</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Safety Harbor</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
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<tr>
<td>St Pete Beach</td>
<td>PCU</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>St.Petersburg</td>
<td>TBW</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>Seminole</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Municipalities</td>
<td>Water Provider</td>
<td>10 Year Water Supply Work Plan Status</td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>South Pasadena</td>
<td>St. Pete - Retail</td>
<td>Plan Adopted (NOI Issued - In Compliance)</td>
</tr>
<tr>
<td>Tarpon Springs</td>
<td>Produce own – wells &amp; augmented by PCU</td>
<td>Plan Adopted - An ORC report has been submitted by DCA</td>
</tr>
<tr>
<td>Treasure Island</td>
<td>PCU</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Pinellas County</td>
<td>TBW</td>
<td>Plan Adopted (NOI Issued - In Compliance) - Work plan submitted and found to be sufficient</td>
</tr>
<tr>
<td>Polk County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auburndale</td>
<td>City of Auburndale Public</td>
<td>Not submitted for review - overdue 5/30/08</td>
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<tr>
<td>Bartow</td>
<td>City of Bartow</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Davenport</td>
<td>City of Davenport</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Dundee</td>
<td>Town of Dundee</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Eagle Lake</td>
<td>City of Eagle Lake</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Fort Meade</td>
<td>City of Fort Meade</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Frostproof</td>
<td>City of Frostproof</td>
<td>Submitted for review July 21, 2008</td>
</tr>
<tr>
<td>Haines City</td>
<td>City of Haines City</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Highland Park</td>
<td>Village of Highland Park</td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Hillcrest Heights</td>
<td></td>
<td>Not submitted for review - overdue 5/30/08</td>
</tr>
<tr>
<td>Lake Alfred</td>
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<td>Submitted for Review April 17, 2008; comments sent May 14, 2008</td>
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<td>Submitted for review April 30, 2008; comments sent May 27, 2008; NOI received September 8, 2008 - In Compliance</td>
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<td>Not submitted for review - overdue 5/30/08</td>
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<td>Adopted June 9, 2008, NOI Issued August 1 - In Compliance</td>
</tr>
<tr>
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<td>Adopted June 18, 2008, NOI issued August 13 - In compliance</td>
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<td>Sarasota County</td>
<td>Own facilities, Manatee Co., PR/MRWSA, North Port, Englewood Water District, Siesta Key Utilities, Aqua Utilities FL Inc.</td>
<td>Not submitted for review - overdue 5/30/08</td>
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<td>Own facilities, Sarasota Co.</td>
<td>Submitted within EAR-Based amendments (throughout w/no indication of where policies are located); final comments sent 6/9/08; ORC Report received 7/3/08</td>
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<td>Not submitted for review - overdue 5/30/08</td>
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<tr>
<td>North Port</td>
<td>Own facilities, PR/MRWSA,</td>
<td>Submitted within EAR-Based amendments on 6/26/08; final comments sent 8/19/08</td>
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<tr>
<td>Longboat Key</td>
<td>Manatee Co.</td>
<td>Submitted EAR-Based amendments and feel they have satisfied the requirement, however, DCA and staff do not think what they submitted satisfies the requirements</td>
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Regulation Committee

Discussion Items

58. Consent Item(s) Moved for Discussion

59. Approve for Adoption the Final Amendments to 40D-22, F.A.C., Year-Round Water Conservation Measures, in Accordance With Statewide Consistency Initiative .......................... (30 minutes) 2
   (Strategic Plan: Water Supply – Conservation)

60. Governing Board Concurrence with Executive Director's Issuance of Executive Director Order No. SWF 08-043, Regarding Increased Use of the Tampa Bypass Canal .................... (15 minutes) 9
   (Strategic Plan: Water Supply – Conservation)

61. Phase III Water Shortage Declaration Request from Tampa Bay Water .......................................................... (30 minutes) 24
   (Strategic Plan: Water Supply – Alternative Water Supplies)

Submit & File Report

62. Phase II - Flow Meter Accuracy Verification Project ................................................................. 30

Routine Reports

63. Southern Water Use Caution Area Quantities ........................................................................ 31

64. Water Production Supply Summary ......................................................................................... 33

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Discussion Item

Approve for Adoption the Final Amendments to 40D-22, Florida Administrative Code, Year-Round Water Conservation Measures, in Accordance With Statewide Consistency Initiative

Background
The current adopted version of the Southwest Florida Water Management District's Year-Round Water Conservation Measures rule went into effect in September 2003. This version was the culmination of a two-year rule development effort that included extensive advisory committee and public input. It also addressed recommendations of the Florida Department of Environmental Protection's statewide "Water Conservation Initiative" report, which was produced in response to the 1999-2001 drought and contained several ideas intended to mitigate the effect of future droughts.

Compared to Florida's four other water management districts, this District currently has the most stringent set of adopted year-round water conservation measures. By comparison, the St. Johns River Water Management District (SJRWMD) also has a twice-per-week lawn watering schedule as part of its adopted year-round water conservation measures; however, its rule currently allows people to pick their own watering days unless their local government has an ordinance to the contrary, a provision which makes the rule difficult to enforce. The South Florida Water Management District (SFWMD) currently has a three-times-per-week lawn watering schedule in its adopted year-round water conservation measures; however, this schedule is only in effect for three of its counties.

Current Consistency Initiative
An initiative to address these interdistrict inconsistencies began as one outcome of a statewide drought coordination teleconference in November 2007. Specifically, since year-round water conservation measures are the foundation upon which additional district actions are taken during a drought event, close coordination along water management district boundaries was initially challenging because the districts and the local governments charged with enforcing the districts' water use measures were starting from differing levels of measures, especially lawn and landscape irrigation schedules. Staffs from this District and SJRWMD began working-through the details of a proposed consistency effort because it was a natural extension of the coordination they were already engaged in within Marion County. Staff from SFWMD joined the discussion in February 2008, and the executive directors of all three agencies meet in April 2008 to verify agreement or seek consensus on all substantive issues.

All three agencies have pursued formal rulemaking processes to implement the consistency effort, including public workshops and other means of receiving input on the proposed changes. The three agencies received divergent input on some topics; however, consistency on the most fundamental aspects of the agencies' year-round water conservation measures have been achieved and the resulting rule amendments are being brought back to the respective Governing Boards for consideration this month.

Proposed Amendments
The proposed amendments to Rule 40D-22 (this District's Year-Round Water Conservation Measures) are included as an exhibit. These amendments contain the following fundamental lawn and landscape irrigation measures that are consistent with year-round rule amendments
proposed for adoption by the SJRWMD and SFWMD: (1) a maximum of twice-per-week watering with specified days for residential properties, (2) a separate twice-per-week watering schedule for nonresidential properties, and (3) uniform allowable watering hours for all property types and sources of water, including reclaimed water. Other consistency-related changes in the proposed amendments include: modification of the establishment period allowance for new plant material, clarification regarding what constitutes one complete irrigation application, clarification regarding the need to improve the efficiency of reclaimed water, and a provision for review of a local government's proposed ordinance containing different year-round measures prior to approval of the ordinance by the applicable city council or county commission.

District staff will present a summary of these proposed amendments.

**Staff recommendation:** See Exhibit

Approve for adoption the final amendments to 40D-22, F.A.C., Year-Round Water Conservation Measures, as shown in the exhibit, in accordance with the statewide consistency initiative.

**Presenters:** Richard S. Owen, Deputy Director, Resource Regulation
Lois Ann Sorensen, Demand Management Coordinator
RULE OF THE  
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
CHAPTER 40D-22  
YEAR-ROUND WATER CONSERVATION MEASURES

40D-22.011 Policy and Purpose  
40D-22.101 Definitions  
40D-22.201 Year-Round Conservation Water Conservation Measures  
40D-22.301 Variances (Repealed)  
40D-22.303 Variances and Waivers  
40D-22.401 Enforcement

40D-22.011 Policy and Purpose  
(1) No Change.  
(2) No Change.

Specific authority 373.044, 373.113, 373.171, FS. Law Implemented 373.171, FS.  

40D-22.101 Definitions  
When used in this rule:  
(1) – (30) No Change.

Specific authority 373.044, 373.113, 373.171, FS. Law Implemented 373.171, 373.223,  

40D-22.201 Year-Round Water Conservation Measures  
(1) No change.  
(2) No change.  
(3) (a) No change.  
(3) (b) Irrigation systems may be operated during restricted days and/or times for  
    cleaning and maintenance purposes with an attendant on site in the area being tested.  
    Irrigation systems may routinely be operated for such purposes no more than once per  
    week, and the run time for any one test shall not exceed 10 minutes, and the total  
    run time shall not exceed ten minutes per hours per zone.  
(3) (c) Irrigation for the purpose of chemigation, fertigation or watering-in of applied  
    fertilizers, insecticides, fungicides and herbicides, where such watering-in is required by  
    the manufacturer, or by federal, state or local law, or by applicable best management  
    practices shall not be restricted, with two exceptions when associated with a Lawn or  
    Landscape: In the absence of specific alternative instructions from the manufacturer, such  
    watering-in shall be limited to one application of one-quarter inches within 24 hours of  
    the application; and, such watering-in shall be accomplished during allowable watering  
    hours times unless a professional applicator has posted a temporary sign containing the  
    date of application and the date(s) of needed watering-in activity and has also provided
instructions listing the chemicals used and stating that the watering-in must occur immediately rather than during allowable watering hours.

(3) (d) No change.
(3) (e) No change.
(3) (f) No change.
(3) (g) New Plant Material shall only be irrigated as follows:
1. Any New Plant Material may be irrigated on any day of the week as needed, for the purpose of maintaining plant health and encouraging root grow-in, during a 60-day establishment period. From day 1 through day 30 of this establishment period, irrigation may occur on any day of the week. From day 31 through day 60 of this establishment period, irrigation is limited to one application on each of three specified days, except as otherwise provided herein. The three allowable days shall be as follows: Even Numbered Addresses may provide establishment period irrigation on Tuesday, Thursday and Saturday and Odd Numbered Addresses may provide establishment period irrigation on Wednesday, Friday and Sunday.

2. – 7. No Change.
(3) (h) Appropriate use of Reclaimed Water is one aspect of the District's efforts to promote long-term sustainability of water resources as stated in 40D-22.011 (1). As such, Irrigation using Reclaimed Water is subject to the "wasteful and unnecessary" water use prohibition provided in 40D-22.201 (2) (e) and the allowable watering hours provided in 40D-22.201 (3) (a). It may also be shall not be restricted except as further restricted by a local government or other Reclaimed Water provider, as provided by District issued rules, variances or permits, as necessary, to promote conservation of this alternative water source. However, all properties should voluntarily conserve Reclaimed Water by not irrigating between the hours of 10:00 a.m. and 4 p.m. In addition, if irrigation is done with a source that contains a blend of Reclaimed Water and potable water, ground water, pond water or some other supply, the use of this blended water shall be subject to the restrictions that apply to that other supply, except for the following circumstances:
1. The other supply is incidental stormwater runoff that enters a Reclaimed Water storage pond;
2. The other supply is a withdrawal regulated by a District Water Use Permit, provided that the quantity being blended with the Reclaimed Water is specifically authorized for blending purposes and the net usage rate for lawn watering with the blended water does not exceed three applications per week. For example, this other supply may be withdrawals from an un-augmented stormwater system or water recovered from a permitted ASR well that stores seasonal diversions from a surface water body, including ASR well testing authorized in preparation for permit issuance. The permittee shall demonstrate to the District that the mechanism or combination of mechanisms selected by the permittee does achieve and maintain the maximum net usage rate of not more than three applications per week. If a lawn watering schedule is used as one of those mechanisms, the allowable schedule shall be as follows in the absence of a specific alternative provided by the applicant: Even Number Addresses may irrigate on Tuesday, Thursday and Sunday and Odd Number Addresses may irrigate on Monday, Wednesday and Saturday;
3. The other supply is water recovered from a Reclaimed Water ASR well permitted by the Florida Department of Environmental Protection, including Reclaimed Water ASR well testing authorized in preparation for permit issuance; or
4. The applicable Reclaimed Water provider is implementing a District-authorized variance from the provisions of 40D-22.201 which addresses use of the reclaimed water blend and the net usage rate for lawn watering with the blended water does not exceed three applications per week. The permittee shall demonstrate to the District that the mechanism or combination of mechanisms selected by the permittee does achieve and maintain the maximum net usage rate of no more than three applications per week. If a lawn watering schedule is used as one of those mechanisms, the allowable schedule shall be as follows in the absence of a specific alternative provided by the applicant: Even Number Addresses may irrigate on Tuesday, Thursday and Sunday and Odd Number Addresses may irrigate on Monday, Wednesday and Saturday.
(3) (i) – (j) No Change.
(4) Lawn and Landscape Use – The following additional requirements or exceptions to Rule 40D-22.201(1) – (3) shall apply to the Irrigation of Lawns and Landscape.
(a) Except as otherwise specified in this Chapter, residential properties with Even Numbered Addresses may accomplish necessary Lawn and Landscape Irrigation on only Tuesday and/or Sunday.
(b) Except as otherwise specified in this Chapter, residential properties with Odd Numbered Addresses and rights-of-way or other locations or without any discernible an Address may accomplish necessary Lawn and Landscape Irrigation on only Wednesday and/or Saturday.
(c) Except as otherwise specified in this Chapter, all nonresidential properties, including rights-of-way and common areas not associated with a specific residential property, may accomplish necessary Lawn and Landscape Irrigation on only Tuesday and/or Friday.
(d) (e) No change.
(e) In addition to following the applicable allowable watering days and times, Irrigation is limited to only the amount of water necessary. When Irrigating a Lawn, this amount is generally ½ to ¾ inch of water. Since most residential properties can accomplish this amount of Lawn Irrigation in eight (8) hours or less, the need for a residential property to utilize both the morning and evening allowable watering times is subject to verification. Also, during the cooler winter months or if rain has occurred since the last allowable watering day, Lawn Irrigation may not be necessary.
(f) Irrigation of a Lawn with an automatic sprinkler system shall include the proper installation, maintenance and operation of a rain sensor device or switch that automatically overrides the irrigation system when adequate rainfall has occurred.
(5) No Change.
(6) No Change.
(7) No Change.
(8) Other Use - The following additional requirements or exceptions to Rule 40D-22.201(1) – (2) shall apply to other uses as specified:
(a) Operation of water fountains, waterfalls and other artistic or recreational water features is allowed, provided the following conditions are met: the water is recirculated, there is no off-site discharge and the water feature is properly installed, maintained and operated to ensure that a minimal amount of water is used.
(b) Water may be used to create a containment and impoundment facility for aesthetic purposes, provided the facility is not augmented thereafter from any ground or off-site surface water source.

(c) Water body augmentation is allowed, provided the water use is either authorized by a Water Use Permit specific to the augmentation activity or, in the absence of a Water Use Permit, the following conditions are met:

1. The water body is one-half acre in size or less;
2. The water for augmentation is withdrawn from a well with an inside diameter of the largest permanent water bearing casing of no more than 2 inches;
2. Augmentation must not occur if the water body is discharging offsite, except that augmentation may occur flush a pond a maximum of twice per year if the pond is not a natural water body nor part of part of a stormwater management system; and
3. Augmentation must not occur if the water body's water level is above the average water table condition for the site or minimum management level established for proper operation of the stormwater management system, which ever is lower.

Specific authority 373.044, 373.113, 373.171, FS. Law Implemented 373.171, 373.219, 373.223,

40D-22.301 Variances
Specific authority 373.044, 373.113, 373.171, FS. Law Implemented 373.171, FS.
History – New 3.24.92, Repealed 7-2-98.

40D-22.303 Variances and Waivers
(1) – (4) No Change.

Specific authority 120.542, F.S., 373.044, 373.113, 373.171, FS. Law Implemented 120.542, 373.119, 373.171, 373.175(4), 373.246(7), 373.609, FS.
History – New 9-15-03.

40D-22.401 Enforcement
(1) No Change.
(2) No Change.
(3) Irrigation of Lawns and Landscapes, as described in this Chapter, may be further restricted by local governments in response to a local water supply system concern. In the event any county or city within the District endeavors to adopt or implement such local measures, the measures contained therein shall be at least as restrictive as those imposed by this Chapter and the county or city shall provide a draft ordinance to the District for review and approval for consistency with the requirements of this section at least 30 days prior to considering adoption of the ordinance. The ordinance must be adopted as approved. Once such an ordinance has been adopted, the county or city shall promptly notify the District of all local measures imposed and the effective implementation date. Irrigation of established lawns and landscaping, as established above, may be further restricted by local governments.
(4) No Change.
Specific authority 373.044, 373.113, 373.171, FS. Law Implemented 373.119, 373.171, 373.175, 373.219, 373.246, 373.603, 373.609, FS. History – New 3-24-92, amended 9-15-03.
Discussion Item

Governing Board Concurrence with Executive Director's Issuance of Executive Director Order No. SWF 08-043 Regarding Increased Use of the Tampa Bypass Canal

Background
The District has previously provided assistance to Tampa Bay Water and the City of Tampa in the form of emergency authorizations to temporarily modify Tampa Bay Water's Water Use Permit for withdrawals from the Tampa Bypass Canal's middle pool for the purpose of augmenting the City of Tampa's Hillsborough River. Past actions include Executive Director Orders No. SWF 06-031 in May of 2006 and 07-033 in May of 2007. The new emergency authorization is very similar to this past action.

Situation
Tampa relies primarily on its Hillsborough River Reservoir to meet the potable water needs of approximately 656,000 residents within its city limits and portions of unincorporated Hillsborough County served by its municipal water system. As of October 14, 2008 the level in the Reservoir was below 20.5 feet NGVD (1929), a level not normally seen until late May, and it continues to decline. Under such conditions, Tampa would typically purchase potable water from Tampa Bay Water, however, in light of low storage in Tampa Bay Water's C.W. Bill Young Regional Reservoir, the City has consulted with Tampa Bay Water and determined that it should postpone such purchases as long as possible in order to avoid putting further strain on Tampa Bay Water's Regional System. Tampa Bay Water has requested that the District authorize Tampa Bay Water to lower the elevation in the Middle Pool of the Tampa Bypass Canal to 10 feet NGVD (1929) through water withdrawals while not exceeding a maximum head differential across structure S-161 of 12 feet, in order to allow these withdrawals to augment the City's Reservoir.

New Regulatory Action
District staff reviewed Tampa Bay Water's request and drafted the applicable emergency authorization. Executive Director Order No. SWF 08-043 was signed by Mr. David L. Moore on October 16, 2008. This emergency authorization temporarily modifies Water Use Permit No. 20006675.005, authorizing Tampa Bay Water to make the withdrawal diversions which lower the stage in the Middle Pool of the Tampa Bypass Canal to a level at or above 10 feet NGVD, measured upstream of Structure S-162. The authorization still requires maintaining a head differential across Structure S-161 that shall not exceed a maximum of 12 feet, and a head differential across Structure S-162 that shall not exceed a maximum of 7 feet, in accordance with terms and conditions to be imposed by the U.S. Army Corps of Engineers. This Order also authorizes a temporary increase in withdrawals, waiving the permitted an annual average of 20,000,000 gallons of water per day, so that up to 40,000,000 gallons of water per day can be withdrawn from the Tampa Bypass Canal to augment the Hillsborough River Reservoir. The Order will expire on July 31, 2009 unless rescinded or extended by the Governing Board or Executive Director.

Staff will be available to provide a brief presentation regarding the new emergency order.

Staff Recommendation: See Exhibit
Concurrence with issuance of Executive Director Order SWF 08-043 for use of the Tampa Bypass Canal to augment of the Hillsborough River Reservoir.

Presenter: Alba Más, Director, Tampa Regulation Department
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

DECLARATION OF WATER SHORTAGE EMERGENCY RELATING TO USE OF TAMPA BYPASS CANAL FOR AUGMENTATION OF THE HILLSBOROUGH RIVER RESERVOIR

EXECUTIVE DIRECTOR ORDER NO. SWF 08-043

David L. Moore, Executive Director of the Southwest Florida Water Management District, a public corporation (DISTRICT), at District Headquarters, 2379 Broad Street, Brooksville, Florida, received evidence and information from District staff and representatives of Tampa Bay Water, a Regional Water Supply Authority (TAMPA BAY WATER) and the City of Tampa, a Florida municipal corporation (TAMPA), regarding drought conditions causing a public water supply shortage within the Hillsborough River Reservoir and creating an acute public health, safety and welfare emergency, and based upon such evidence and information finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan (PLAN) as a means of assuring appropriate responses to droughts and other types of water shortage events.

2. Chapter 62-40, Florida Administrative Code (F.A.C.), directs each water management district to incorporate certain features into its PLAN.

3. Chapter 40D-21, F.A.C., constitutes the DISTRICT's PLAN and was modified in April 2006 to assure compliance with provisions of Chapter 62-40, F.A.C.

4. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the PLAN.
5. Rule 40D-21.331(3), F.A.C., specifies that, if the DISTRICT determines that conditions are rapidly deteriorating, or if the DISTRICT receives a request for emergency action, the DISTRICT shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.

6. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the DISTRICT may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

7. Rules 40D-21.391(1), (2) and (3), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the DISTRICT's Governing Board and proper notice to affected water users and local officials.

8. TAMPA BAY WATER has requested emergency DISTRICT action which would allow it to continue to provide raw water from the Tampa Bypass Canal to TAMPA as one means of addressing the anticipated needs of TAMPA's potable water system.

9. TAMPA is currently experiencing a potable water demand of approximately 93 million gallons per day (mgd), on average, with peak demands exceeding 107 mgd, and such high demand is expected to continue until a normal summer rain season weather pattern is established.

10. TAMPA relies primarily on its Hillsborough River Reservoir to meet the potable water needs of approximately 656,000 residents within TAMPA's city limits and portions of unincorporated Hillsborough County. As of October 14, 2008 the level in the Reservoir was below 20.5 feet NGVD (1929), a level not normally seen until late May, and continues to decline.

11. As of October 14, 2008, natural inflow to the Reservoir, as approximated at the United States Geological Survey (USGS) Morris Bridge gauge on the Hillsborough River, was only 63 cubic feet per second (approximately 40 mgd, which is only 43 percent of the current average potable water demand). This inflow is expected to continue declining, resulting in fewer days of drinking water supply in the Reservoir, until summer rainfall in the watershed results in increased streamflow.

12. DISTRICT staff has determined that the following hydrologic factors are occurring and contributed to or exacerbated the local water supply situation:
Executive Director Order No. SWF 08-043
Page 3 of 14

a. Streamflow, a designated water resource indicator in the PLAN, is below normal in the Hillsborough River watershed. As measured at the USGS Zephyrhills gauge, streamflow is at the 10th percentile (8-week moving average, as of October 14, 2008). Normal streamflow is defined as the 25th to 75th percentile range.

b. Rainfall, another designated water resource indicator in the PLAN, is also below normal. During the past twelve months (October 2007 through September 2008), only 48.99 inches has fallen in the portion of the District that includes the Hillsborough River watershed, compared to a typical value of 53.49 inches for this time period, resulting in a deficit of 4.5 inches.

c. The U.S. Drought Monitor, also a designated water resource indicator in the PLAN, has classified the area including TAMPA’s service area to an "Abnormally Dry" designation. This area had been classified as "Normal" for several months, indicating that conditions are resulting in an increased need for irrigation. In TAMPA’s service area, this has resulted in increased potable water demand for lawn and landscape irrigation purposes.

13. The rainfall deficit, resulting lowered streamflows and below normal Hillsborough River Reservoir stage, constitutes a threat to both a public water supply and to public health, safety and welfare.

14. TAMPA and TAMPA BAY WATER are taking the following supply-side actions:

a. TAMPA is currently able to store approximately 10 mgd of water from the Hillsborough River in its Aquifer Storage and Recovery (ASR) wells; However, due to reduced river flows, the amount of water that can be captured and stored continues to decrease and the ability to store any water in the ASR wells is projected to cease by October 30, 2008. It is estimated that at that time there will be approximately 996 million gallons in storage. TAMPA will then use a combination of Hillsborough River Reservoir withdrawals, recovery from its ASR wells and withdrawals from the Sulphur Springs complex (when available, due to water quality limitations). These sources, however, are not currently sufficient to reliably meet anticipated demands for potable water.

b. A water shortage emergency has been declared pursuant to Executive Director Emergency Order No. SWF 08-024 in order to mitigate the effects of the rainfall deficit and other drought conditions and to make water available for augmentation of, TAMPA BAY WATER’s Regional System and the C.W. Bill Young Regional Reservoir. In light of this emergency declaration, TAMPA is not currently purchasing potable water from TAMPA BAY WATER to augment TAMPA’s municipal system, and is desirous of postponing such purchases as long as possible in order to avoid putting further strain on TAMPA BAY WATER’s Regional System and the C.W. Bill Young Regional Reservoir.
c. TAMPA BAY WATER is maximizing the permitted use of its Water Use Permit No. 20006675.005 for water withdrawals from the Tampa Bypass Canal for diversion into the Hillsborough River Reservoir ("Permit").

15. TAMPA and TAMPA BAY WATER are also taking the following demand-side actions:

   a. TAMPA passed Ordinance No. 2006-104 on May 4, 2006. This emergency ordinance limits lawn and landscape irrigation to a once-per-week watering schedule (instead of the standard twice-per-week schedule), bans irrigation between the hours of 8 a.m. to 6 p.m., reduces the new lawn establishment period exemption, and provides other stringent mandatory restrictions for its potable water customers.

   b. TAMPA BAY WATER, has been requesting its member governments to implement additional water conservation measures since October 2006. TAMPA BAY WATER, in consultation and coordination with TAMPA, other member governments and the DISTRICT, has increased media messaging, urging increased water conservation efforts.

16. In response to the regionalization of previously localized drought impacts, the DISTRICT issued Water Shortage Order No. SWF 07-02 on January 9, 2007. This Order imposed specific water use restrictions, including a once-per-week lawn watering schedule and other provisions that, as subsequently modified, remain in effect. The DISTRICT continues to monitor conditions to determine if additional regional response or local assistance is necessary.

17. TAMPA and TAMPA BAY WATER report that the above described demand-side and supply-side actions are not sufficient to protect public health, safety or welfare for the City of Tampa.

**ULTIMATE FINDINGS OF FACT**

18. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Part II of Chapter 40D-21, F.A.C., are not sufficient to protect the public heath, safety, or welfare, nor the drinking water supply of persons who depend upon the City of Tampa.

19. In order to mitigate the effects of the rainfall deficit on, and to make water available for augmentation of the Hillsborough River reservoir, TAMPA BAY WATER has requested that the DISTRICT authorize TAMPA BAY WATER to lower the elevation in the Middle Pool of the Tampa Bypass Canal to 10 feet NGVD (1929) through water withdrawals while not exceeding a maximum head differential across structure S-161 of 12 feet.
CONCLUSIONS OF LAW

20. The Executive Director of the DISTRICT is duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(5), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

21. The Permit includes a condition authorizing the DISTRICT to modify the permit in the event the DISTRICT declares a water shortage.

ORDERED

22. A water shortage emergency is declared for the Hillsborough River Reservoir putting at risk the reliability of the drinking water supply for approximately 656,000 residents within TAMPA’s city limits and portions of unincorporated Hillsborough County within TAMPA’s service area, including fire suppression systems, hospitals, schools, businesses and governmental and community facilities.

23. The Permit is hereby modified as follows:

   a. The Permit is hereby modified to authorize TAMPA BAY WATER to make the withdrawal diversions, to lower the stage in the Middle Pool of the Tampa Bypass Canal to a level at or above 10 feet NGVD (1929), measured upstream of Structure S-162 while maintaining a head differential across Structure S-161 that shall not exceed a maximum of 12 feet, and a head differential across Structure S-162 that shall not exceed a maximum of 7 feet, subject to terms and conditions to be imposed by the U.S. Army Corps of Engineers.

   b. Condition No. 3 limiting withdrawals to an annual average of 20,000,000 gallons of water per day shall be inapplicable and TAMPA BAY WATER may withdraw up to 40,000,000 gallons of water per day from the Tampa Bypass Canal to augment the Hillsborough River Reservoir.

   c. Quantities withdrawn pursuant to paragraph 23b. shall not be included in calculations to determine the 12 month running average compliance with the withdrawal quantity limitations in the Permit.

24. Except as provided in paragraph 23. above, all other terms and conditions of the Permit shall remain in full force and effect, including but not limited to the stage and head differential parameters associated with the Lower Pool.
25. TAMPA shall continue in effect and aggressively enforce Ordinance No. 2006-104 during the term of this Order. Aggressive enforcement shall specifically include, but shall not be limited to, response to complaints as necessary on any day of the week and at any time of the day, issuance of citations without prior warning, patrol or other monitoring of locations with known compliance issues, and expedited administrative or judicial resolution of citations resulting from a violation.

26. TAMPA shall immediately enhance its customer education to promote water conservation and minimize non-essential use during the term of this Order. These customer education enhancements shall, at a minimum incorporate: weekly website postings (including information regarding the water system's recent demand and other status data, current restrictions, new or rotating water conservation tips and availability of specific water conservation programs that would immediately save water, if the customer participates), material for city personnel to distribute if a water restriction violation is suspected but not verifiable, and local participation in regional water conservation messaging conducted by TAMPA BAY WATER or the DISTRICT.

27. TAMPA, in consultation with TAMPA BAY WATER and the DISTRICT, shall develop and implement an Emergency Action Plan (ACTION PLAN) within forty-five (45) days of the effective date of this Order. This ACTION PLAN shall address enforcement and education efforts described in paragraphs 25, 26, and 27 above. It shall also include an implementation timeline for those components which are not already in effect when the ACTION PLAN is submitted to the DISTRICT. In addition, this ACTION PLAN shall identify and evaluate potential additional potable water demand management actions for possible implementation during the duration of this Order, potentially including but not necessarily limited to applicable provisions of 40D-21.561 (attached), if conditions continue to deteriorate or do not rebound to normal values. A copy of the ACTION PLAN shall be transmitted via electronic mail (e-mail) to the DISTRICT's Demand Management Coordinator, Lois Ann Sorensen, at lois.sorensen@watermatters.org and Ralph Kerr, at ralph.kerr@watermatters.org.

28. TAMPA shall provide a monthly implementation status report regarding its ACTION PLAN. This status report shall include water demand, restriction enforcement data and other pertinent details. The report shall be due on the 10th of each month for activity occurring during the prior month and shall be transmitted via electronic mail (e-mail) to the DISTRICT's Demand Management Coordinator, Lois Ann Sorensen, at lois.sorensen@swfwmdd.state.fl.us. Upon request, TAMPA BAY WATER and TAMPA shall provide a status report at the DISTRICT's monthly Governing Board meetings on Demand Management Activities.

29. This Order shall expire on July 31, 2009, unless rescinded or extended by amendment authorized by the Executive Director of the DISTRICT.
DONE AND ORDERED in Hernando County, Florida, as of October 16, 2008.

Southwest Florida Water Management District

Filed this 16 day of October, 2008.

By: [Signature]
David L. Moore 10-16-08
Executive Director

(SEAL)
NOTICE OF RIGHTS

Persons to whom this Executive Director Order is directed, or whose substantial interests are affected, may request pursuant to subsection 373.119(3), Florida Statutes (F.S.), to petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, Florida Administrative Code (F.A.C.). A request for a hearing must: 1) explain how the petitioner's or other person's substantial interests will be affected by the District's action; 2) state all material facts disputed by the petitioner or other person, or state that there are no disputed facts; and 3) otherwise comply with Chapter 28-106, F.A.C.

A request for hearing must be filed with and received by the Agency Clerk of the District at District Headquarters, 2379 Broad Street, Brooksville, Florida 34604-6899 within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available.

A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

PURSUANT TO SUBSECTION 373.119(3), F.S., AND NOTWITHSTANDING ANY OTHER PROVISION UNDER CHAPTER 120, F.S., PERSONS TO WHOM THE ORDER IS DIRECTED SHALL COMPLY THERewith IMMEDIATELY, AND THE TIMELY FILING OF A PETITION SHALL NOT STAY SUCH PERSON'S OBLIGATION TO MAINTAIN SUCH COMPLIANCE DURING THE PENDENCY OF ANY ADMINISTRATIVE PROCEEDING.

(1) A Phase IV Water Shortage is a hydrologic or climatic condition where multiple regional Drought Indicators have extremely abnormal values, or the local Drought Indicator for a specific public supply has a critically abnormal value, such that conditions warrant the temporary suspension of nonessential use and/or initiation of supply augmentation. The Governing Board will request a 20% voluntary reduction in all water use, including reclaimed water blends. Notice of a declaration of a Phase IV Water Shortage will include those restrictions and other response mechanisms set forth below and any other response mechanisms that are in effect for the Phase IV Water Shortage.

(2) Indoor Use. The notice specified in Rule 40D-21.275(1), F.A.C., will include practical tips specific to Indoor Use about how to achieve the requested reduction. The notice may refer water users to website material or fact sheets for this or additional information.

(3) Essential Use
(a) Fire Fighting, Health and Medical water uses shall be subject to Rule 40D-21.641(3)(a) and (c), F.A.C. The notice specified in Rule 40D-21.275(5), F.A.C., that is sent to fire and rescue officials will summarize these requirements.

(b) Water Utility Use
1. The notice sent in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected public supply Permittees. Although it is the responsibility of permittees to notify their wholesale customers, the District will endeavor to send a copy of this notice to affected water utilities that are not permittees but are instead served by a permittee, such as the member governments of a Regional Authority.
2. Water utility use shall be subject to Rule 40D-21.641(3)(b), F.A.C., with the following modifications;
   a. Regular status updates shall be required on a weekly basis.
   b. Water utilities shall promptly notify the District's applicable Regulation Department and Demand Management staff about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.
   c. Water utilities shall participate in Water Shortage restriction enforcement as described in Rule 40D-21.641(3)(b4), F.A.C., and take the following additional actions when necessary to protect public health, safety and welfare:
      i. Temporary limits to potable water service, or augmented reclaimed water service, in response to a location specific request from the District to remedy a violation of this Chapter that is causing, or likely to cause, a public health hazard or property damage. These limits do not necessarily involve suspension of service, but may include utilization of a regulator valve or other means by which the user can be constrained to the amount of water necessary for reasonable Indoor Use. During a Phase IV Water Shortage, repetitive Water Shortage restriction violations may constitute a public health hazard. The applicable water utility shall determine the limitation method and may consider any reasonable mitigating circumstances.
      ii. Temporary waivers, or other means of deferring the enforcement of local code violations, until after the Phase IV Water Shortage declaration has been rescinded, if
enforcement would result in an increase in water use and compliance is not immediately required to protect public health, safety and welfare.

iii. Conditional certificates of occupancy, or some other action resulting in the temporary waiver or deferral of specific requirements normally associated with issuing a certificate of occupancy, such that installation of the Lawn or Landscaping normally required for a new or substantially rehabilitated building can be delayed until after the Phase IV Water Shortage declaration has been rescinded.

iv. Temporary suspension of the practice of issuing letters of commitment, or some other action resulting in the temporary deferral of new commitments to provide potable water or to augment reclaimed water, such that significant additional customers are not added to the system until after the Phase IV Water Shortage declaration has been rescinded.

(4) Commercial and Industrial Use
(a) The notice in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected commercial and industrial Water Use Permit. The notice will summarize the requirements listed below.
(b) Restrictions and other response mechanisms specified in Rule 40D-21.641(4), F.A.C., shall apply, with the following modifications:
   1. Local offices of banks and other entities offering home loans or mortgage services shall notify the District if they will not enter into new agreements with properties affected by Rules 40D-21.651(2)(b)2.c.ii or iii, F.A.C.
   2. Users shall, upon the specific request of the District, cease all uses of water that are not essential to public health, safety and welfare.
   3. Users shall, upon the specific request of the applicable water utility with a District-approved WSMP, cease all uses of utility-provided water that are not essential to public health, safety and welfare.

(5) Agricultural Uses
(a) The noticing in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected agricultural Water Use Permit. The notice will summarize the requirements listed below.
(b) Restrictions and other response mechanisms specified in Rule 40D-21.641(5), F.A.C., shall apply, with the following modifications:
   1. Users shall promptly notify the District's applicable Regulation Department Service Office and Demand Management staff about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.
   2. Users shall, upon the specific request of the District, cease all crop related uses of water that are not essential to public health, safety and welfare.
   3. Users shall, upon the specific request of the applicable water utility with a District-approved WSMP; cease all crop related uses of utility-provided water that are not essential to public health, safety and welfare.

(6) Landscape Use and Driving Ranges
(a) Golf Courses
   1. The noticing in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for
each affected golf course Water Use Permit. This notice will summarize the requirements listed below.
2. Restrictions and other response mechanisms specified in Rule 40D-21.641(6)(a), F.A.C., shall apply, with the following modifications:
   a. Watering roughs and non-play native or naturalized areas shall be prohibited.
   b. Users shall promptly notify the District's applicable Regulation Department Service Office and Demand Management staff about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.
   c. The establishment period for New Plant Materials shall be reduced to "15/30/15." This means that the material can be watered on any day for a 15-day period starting the day it is installed, then up to three days a week during the next 30 day period, then only two days a week during the final 15-day period.
   d. Users shall, upon the specific request of the District, cease all uses of water that are not essential to public health, safety and welfare.
   e. Users shall, upon the specific request of the applicable water utility with a District-approved WSMP, cease all uses of utility-provided water that are not essential to public health, safety and welfare.
(b) Other Athletic Play Areas
1. The noticing in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected Water Use Permit. This notice will summarize the requirements listed below.
2. Restrictions and other response mechanisms specified in Rule 40D-21.641(6)(b), F.A.C., shall continue to apply, with the following modifications:
   a. Supplemental irrigation of Turfgrass shall only be allowed once a week, regardless of the month.
   b. Users shall promptly notify the District's applicable Regulation Department Service Office and Demand Management staff about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.
   c. The establishment period for New Plant Materials shall be reduced to "15/30/15." This means that the material can be watered on any day for a 15-day period starting the day it is installed, then up to three days a week during the next 30 day period, then only two days a week during the final 15-day period.
   d. Users shall, upon the specific request of the District, cease all uses of water that are not essential to public health, safety and welfare.
   e. Users shall, upon the specific request of the applicable water utility with a District-approved WSMP, cease all uses of utility-provided water that are not essential to public health, safety and welfare.
(c) Lawn and Landscaping Use, including Cemeteries:
1. The notice in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected Water Use Permit. The notice will summarize the requirements listed below. An example copy of the notice specified in Rule 40D-21.275(3), F.A.C., shall be
sent to the Florida Department of Financial Services – Bureau of Cemetery Services and
will include a summary of the requirements listed below.
2. All Lawn and Landscaping Use, including Cemeteries, shall continue to comply with
applicable provisions of Rule 40D-21.641(6)(c), F.A.C., with the following
modifications:
a. The establishment period for New Plant Materials shall be reduced to "15/30/15." This
means that the material can be watered on any day for a 15-day period starting the day it
is installed, then up to three days a week during the next 30-day period, then only two
days a week during the final 15-day period.
i. When "three days a week" establishment period watering is allowed on properties
less than one acre in size, Even Addresses may only water on Tuesday, Thursday and
Saturday; whereas, Odd Addresses may only water on Wednesday, Friday and Sunday.
ii. When "two days a week" establishment period watering is allowed on properties less
than one acre in size, Even Addresses may only water on Tuesday and Saturday, whereas,
Odd Addresses may only water on Wednesday and Sunday.
iii. When "three days a week" or "two days a week" irrigation is allowed in cemeteries or
on other properties one acre in size or larger, each property shall maintain a written
schedule of its establishment period watering.
b. Supplemental irrigation for properties with an automatic timer or in-ground system
may only occur during the hours of 12:01 a.m. to 4 a.m. or 8 a.m. or 8 p.m. to 11:59 p.m.
Any property under one acre in size may only use one of the two allowable time periods
and the applicable water utility may designate which of these time periods their customers
shall use.
c. Supplemental irrigation accomplished by hand-watering, microirrigation or other low
volume technology, or by manual means only (such as an oscillating sprinkler supplied by
garden hose, or an in-ground system without an automatic timer) may only occur during
the hours of 4 a.m. to 8 a.m. or 6 p.m. to 10:00 p.m. Any property under one acre in size
may only use one of the two allowable time periods and the applicable water utility may
designate which of these time periods their customers may use.
d. Supplemental irrigation, except as otherwise provided below, shall be limited to only
one application per week during all months of the year in accordance with Rule 40D-
21.641(6)(c), F.A.C.
e. Supplemental irrigation of landscaping beds and other non-Lawn plant material, when
accomplished by handwatering, microirrigation and other Low-Volume Irrigation
methods, shall be limited to a maximum of three applications per week during all months
of the year.
i. Even Addresses under one acre in size shall only accomplish this irrigation on Tuesday,
Thursday and/or Saturday.
ii. Odd Addresses under one acre in size shall only accomplish this irrigation on
Wednesday, Friday and/or Sunday.
iii. Properties one acre or larger in size shall maintain a written schedule of its Low-
Volume Irrigation.
f. Spot treatment or syringing "hot spots" in Lawns is prohibited.
g. Utilize the following additional actions, as appropriate, to promote Lawn and
Landscape survival without increasing water use:
i. Reduce foot traffic on lawn and other ground cover;
ii. Modify nutritional practices, such as reducing the frequency of complete fertilizer applications;

iii. Spot-treat pest and weed problems instead of using broadcast applications of chemicals that must be watered-in;

iv. Regularly test and maintain irrigation systems in accordance with provisions of Chapter 40D-22, F.A.C., as a means of detecting and repairing problems before plant damage or loss is extensive;

v. Use organic material or other soil amendments to improve the soil's water retention capacity; and

vi. Adjust mowing practices to minimize water stress. For example, mow Lawns to the longest acceptable height and mow frequently enough to only remove one-third of the height each time.

3. Users shall, upon the specific request of the District, cease water uses that are not essential to public health, safety and welfare.

4. Users shall, upon the specific request of the applicable water utility with a District-approved WSMP, cease uses of utility-provided water that are not essential to public health, safety and welfare.

(7) Other Uses

(a) The noticing in accordance with Rule 40D-21.275(3), F.A.C., for a Phase IV Water Shortage declaration shall constitute a temporary modification of the requirements for each affected Water Use Permit. The notice will summarize the requirements listed below.

(b) Restrictions and other response mechanisms specified in Rule 40D-21.641(7), F.A.C., shall apply, with the following modifications:

1. Cooling, heating and air conditioning use: Cooling towers, geothermal units and similar water-using devices used in public spaces may only cool to a minimum of 78 degrees Fahrenheit and heat to a maximum of 68 degrees Fahrenheit, except as otherwise required for health or medical reasons.

2. Aesthetic Use: Aesthetic use including water fountains, waterfalls and other artistic water features is prohibited. In public spaces, the owner or manager of such features shall use signs, when practical, to indicate that this action was taken in compliance with current Water Shortage restrictions.

3. Washing or Cleaning of Outdoor Impervious Surfaces: Washing or cleaning of outdoor impervious surfaces, including Pressure Washing, is prohibited, except to meet federal, state or local health or safety standards. These standards specifically allow for required dust control.

4. Mobile Equipment Washing:

a. Routine washing of cars or trucks in residential settings and car wash fundraisers held on behalf of a non-profit organization is prohibited.

b. Cleaning of cars, trucks and other Mobile Equipment in other settings is also prohibited, with the following exceptions: washing of fire trucks and other emergency vehicles, rinsing of boats after use, flushing of boat motors after use, necessary cleaning of Lawn and maintenance and agricultural vehicles, rinsing of any vehicle after exposure to saltwater or sewage and washing of any vehicle immediately prior to sale, rent or lease (including lease termination, but excluding daily car or truck rentals).
5. Users shall, upon the specific request of the District, cease all uses of water that are not 
essential to public health, safety and welfare.
6. Users shall, upon the specific request of the applicable water utility with a District-
approved WSMP, cease all uses of utility-provided water that are not essential to public 
health, safety and welfare.
Specific Authority 373.044, 373.113, FS., Law Implemented 373.175, 373.246, FS,
History- New – 4-9-06.
Phase III Water Shortage Declaration Request from Tampa Bay Water

On October 15, 2008, Tampa Bay Water transmitted a letter requesting that the District declare a Phase III Extreme Water Shortage for Tampa Bay Water and its member governments, in accordance with Rule 40D-21, the District's Water Shortage Plan. This would replace the current modified Phase II Severe Water Shortage restrictions imposed by the District on a Districtwide basis since January 2007. Declining surface water availability, demonstrated by both extremely low river flows and low storage in the C.W. Bill Young Regional Reservoir, were cited as reasons for the request. The letter noted supply-side actions already being taken by Tampa Bay Water, including those involving the emergency authorizations described above.

As of October 16, Tampa Bay Water's request is in the process of being evaluated by District staff. As part of this evaluation, District staff has called for a meeting with Tampa Bay Water and Member Government representatives to review all available options to address the continuing drought and water supply situation in the Tampa Bay region, with the goal of scheduling this meeting prior to the Governing Board's October 28 meeting.

Staff will present the results of this evaluation, including any recommended Water Shortage Order or other Board action, at the Board meeting.

Staff Recommendation: See Exhibit

Staff's recommendation will be presented at the Governing Board meeting.

Presenters: Richard S. Owen, AICP, Deputy Executive Director, Resource Regulation Lois Ann Sorensen, Demand Management Coordinator
VIA FAX AND U.S. MAIL

October 14, 2008

Mr. David Moore  
Executive Director  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, FL 34604

Re: Request District Declaration of Phase III – Extreme Water Shortage

Dear Mr. Moore:

Tampa Bay Water requests that the District declare a Phase III Extreme Water Shortage for Tampa Bay Water and its member governments. Water Year 2008 ended with extremely low stream flow conditions and a regional rainfall deficit. A prolonged rainfall deficit exists for both the Hillsborough River and Alafia River watersheds (Figure 1). Surface water flows in the Hillsborough River and Alafia River continue to decline; for the month of September flows were 19% and 15%, respectively, of expected monthly mean flow rates. Daily river flows in the Hillsborough River and Alafia are in the fifth percentile or less; that is 95% of the historical record shows daily river flows greater than current conditions.

In response to declining hydrologic conditions and surface water availability, Tampa Bay Water received authorization from the District on July 22, 2008, to increase withdrawals from the Alafia River from the current 10 percent to 19 percent and increase the maximum daily withdrawal to 60 million gallons. In September, this authorization was extended through the remainder of 2008 calendar year. However, current river flow is below our water use permit threshold and yield is zero.

Tampa Bay Water continues to optimize its withdrawals from the Tampa Bypass Canal (TBC). Storage in the middle pool was used to maintain lower pool withdrawals until the middle pool water level dropped below 12.5 feet on October 3,
2008. Withdrawals from the lower pool range from 5 to 10 million gallons per day (MGD).

Tampa Bay Water activated the Harney pump station (Tampa Bypass Canal Middle Pool) on September 15, 2008, due to declining storage in the City of Tampa's Hillsborough River reservoir. Reservoir storage has continued to decline; Tampa Bay Water has requested authorization to lower the elevation of the water level within the Middle Pool of the TBC to 10.0 feet NGVD through water withdrawals from the middle pool. The intent of these additional withdrawals is to stabilize the Hillsborough River reservoir stage. Currently, the Hillsborough River reservoir stage is at 20.4 feet, which is about 2 feet below normal for this time of year.

Storage in the C.W. Bill Young Regional Reservoir is about 40% of its capacity. After using nearly 7.4 billion gallons of water during winter and spring 2008, Tampa Bay Water began filling the reservoir on July 18, 2008, and continued until a water level of 105 feet (6.5 billion gallons of storage) was reached. After consultation with the Florida Department of Environmental Protection on the soil-cement investigation, Tampa Bay Water agreed to stop filling the reservoir at a water level of 105 feet. Due to current hydrologic conditions, Tampa Bay Water began using reservoir storage on September 27, 2008, to maintain production at the regional surface water treatment plant. Currently, there are 6 billion gallons remaining in the reservoir. Unless the region receives above average rainfall in the January through March 2009 time frame, Tampa Bay Water expects to deplete storage from the Regional Reservoir by early May 2009.

Tampa Bay Water has established target monthly water deliveries to meet member government water demands and maintain compliance with the 90 MGD 12-month regulatory limit for the Consolidated Permit Wellfields. Target monthly water deliveries and target supply allocations are shown on Table 1. Currently, Consolidated Permit Wellfield production is averaging above its target rate for the month of October. Regional demands continue to vary from daily highs of 270 MGD (185 MGD Tampa Bay Water delivery on September 29, 2008) to lows of 225.2 MGD (150.2 MGD Tampa Bay Water delivery on October 7, 2008) as isolated rain showers temporarily reduced dry warm weather demand. It is anticipated the City of Tampa will ask Tampa Bay Water for potable water at the Morris Bridge Point of Connection before the end of October. It is expected that additional demand management measures will need to be implemented by member governments to meet targeted water deliveries, especially given the City of Tampa's local water supply shortage.
Additionally, comparing current hydrologic conditions and water supply availability to the triggers in the Tampa Bay Water draft water shortage mitigation plan provides support for the decision to seek from the District a declaration of a Phase III – Extreme Water Shortage Condition for Tampa Bay Water and its member governments.

Please do not hesitate to contact me or my staff if you have any questions concerning this request.

Sincerely,

[Signature]

Gerald J. Seeber
General Manager

Attachments
cc: Tampa Bay Water Board of Directors
Figure 1. Cumulative Rainfall Deficit for St. Leo and Plant City Rain Gauges

Inches

-40 -35 -30 -25 -20 -15 -10 -5 0 5 10

Oct-04 Jan-05 Apr-05 Jul-05 Oct-05 Jan-06 Apr-06 Jul-06 Oct-06 Jan-07 Apr-07 Jul-07 Oct-07 Jan-08 Apr-08 Jul-08

-17.3 inches

-36.4 inches

--- Alafia River Watershed
--- Hillsborough River Watershed
### Table 1: Water Year 2009 Supply Allocation Strategy

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</table>

(1): Groundwater total includes 1 mgd from Carrollwood and Eagles wells
Phase II - Flow Meter Accuracy Verification Project

Funds for the Flow Meter Accuracy Verification Project were included in the District’s FY 2008 budget. This two-year $30,000 project with The Avanti Company will support the District's data collection and permit compliance efforts. Trained technicians will visit permitted sites to check the accuracy of the flow meters and this will improve the quality of water use data that the District receives. Meter accuracy information will also help resolve potential permit compliance problems.

In the late 1980s, early 1990s, and as late as 2003, the District funded the costs of flow meters and some installation for over 1,200 agricultural wells. During this time period, and before, many of the public supply, mining, recreational and other water use wells had been equipped with flow meters. Manufacture reports indicate that depending on application and water quality, flow meters retain accuracy for five to ten years. Recent accuracy tests have indicated that only 75 percent of the flow meters meet the District's accuracy requirements.

The District needs accurate water use data collected by flow meters to fulfill its statutory responsibilities and to protect the state’s water resources. Data accuracy is critical to determining estimated water use and for modeling the health of the resources. Also, staff uses this data to help determine permitted amounts and permit compliance. In addition, this information is important for planning future water needs and will play a major role in monitoring the success of the Southern Water Use Caution Area recovery plan.

The District has negotiated an agreement with The Avanti Company for a two-year, $30,000 project. Payments to them will be made only for completed evaluations based on a fixed price, with a discount rate for multiple meters. The agreement was executed on September 19, 2008.

Staff Recommendation:

This item is submitted for the Committee's information, and no action is required.

Presenters:  Ken Weber, P.G., Water Use Program Director, Regulation Performance Management Department
            Ron Cohen, Sr. Professional Engineer, Regulation Performance Management Department
The SWUCA Recovery Strategy anticipates that up to an additional 35 MGD will be obtained from the surficial and intermediate aquifers.
Regulation Committee  
October 28, 2008  

Routine Report  

Water Production Supply Summary  

Due dates for inclusion in the Governing Board Packet occurred prior to data submittal dates for August; therefore, the Water Production Summary Report exhibit will be provided at the Board meeting.

The Water Production Summary report is included as an exhibit to this item. This report shows production for major public supply permittees throughout the District, including Tampa Bay Water; the cities of Tampa, Plant City, Dunedin, Clearwater and Temple Terrace and Pasco County in the Tampa Bay area; the Peace River / Manasota Regional Water Supply Authority and its member governments; the cities of Sarasota, Punta Gorda, Bradenton, Venice and the Englewood Water District in the southern region of the District; Polk County and the cities of Lakeland, Winter Haven, Haines City, Sebring and Auburndale in the "Heartland" area of the District; and The Villages, Marion, Citrus and Hernando counties, and On Top of the World communities in the northern District area. Monthly pumpage data is presented from 2000 to present. The most recent information available is presented for each permittee.

Added to this report are summary graphics for Tampa Bay Water's Consolidated Permit. These graphics show monthly and annual average production for calendar year 2008 including the most current information on actual production, projections through September 2008 developed by Tampa Bay Water as a part of its annual budgeting process, and an estimate developed by the District on the maximum production for October through December 2008 that could be produced while still meeting the maximum 90 mgd annual average required as a part of the Consolidated permit and Partnership Agreement. There will be periodic changes in the District projections as the actual production produced by Tampa Bay Water may be more or less than the projections developed by Tampa Bay Water. These graphics will be provided through the remainder of 2008.

Staff Recommendation  

See Exhibit (to be provided)

This item is provided for the Committee’s information, and no action is required.

Presenter:  Richard S. Owen, Deputy Executive Director, Resource Regulation
Public Supply Benchmarks

The Board has expressed an interest in having comparative information available for public supply water use. This chart includes information relating to both potable and reclaimed water usage from county and regional perspectives. Utility, population, per capita use, and water rate information is contained on the left side of the table. Wastewater flow and reclaimed water information is presented on the right side, including the amount of ground water offset by the reclaimed water. Sources and notes are displayed below the chart. The table has been updated with 2007 information, and now includes a column indicating the water treatment cost region within which each utility is located.

Staff Recommendation

See Exhibit

This item is provided for the Committee’s information, and no action is required.

Presenter: Paul O’Neil, P.E., Department Director, Regulation Performance Management

<table>
<thead>
<tr>
<th></th>
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<td>$31.92</td>
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<td>Total</td>
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<td>113 n/a</td>
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<td>SWUCA - Inland Area5</td>
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<td>$12.32</td>
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<td>15.63</td>
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<td>$11.85</td>
<td>$17.53</td>
<td>$30.55</td>
<td>18.62</td>
<td>9.24</td>
<td>9.40</td>
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<tr>
<td>Total</td>
<td>165</td>
<td>4,733,608</td>
<td>113 n/a</td>
<td>$7.88</td>
<td>$16.52</td>
<td>$27.75</td>
<td>$57.53</td>
<td>340.03</td>
<td>187.91</td>
<td>164.23</td>
</tr>
</tbody>
</table>

Reclaimed water data source: 2006 Reuse Inventory, SWFWMD Revision (SWFWMD, Jan 2008)

1 Gross Per Capita Use = [withdrawal + imports - exports - treatment loss] / total service area population, calculated for each county or planning area.
2 There are no utilities in the portion of Lake County within the District.
3 Includes Pasco and Pinellas counties, and the portion of Hillsborough County not in the SWUCA.
4 Includes the coastal area of the SWUCA captures all of Manatee, Sarasota, and Charlotte counties, and the portion of Hillsborough County in the SWUCA.
5 Includes the inland area of SWUCA and captures all of DeSoto, Hardee, Highlands and Polk counties.
6 Includes the six northern counties within the District (north of, and not including, Pasco County).
7 Population-weighted average water bill for 8,000, 12,000 and 16,000 gallons per month (FY 2008).
8 Treated wastewater available for use (i.e., reclaimed water).
9 Recharge to the Floridan Aquifer from disposal of reclaimed water in rapid infiltration basins is low in the county.
10 Recharge to the Floridan aquifer from disposal of reclaimed water is high in most of the county.
11 Recharge to the Floridan aquifer from disposal of reclaimed water in rapid infiltration basins ranges from very low to very high in the county.
12 Negative value for discharge reflects the use of reclaimed water from Marion and Lake County, outside of District boundaries, to serve the Villages in Sumter County, within District boundaries.
13 Includes reclaimed water stored for later use at Englewood Water District ASR, St. Petersburg ASR and Pinellas County North Reservoir.
14 Portions (10+ MGD) of Tampa's reclaimed water flows to CF Industries are classified as both reuse and disposal due to closed loop system.
15 Portions (10+ MGD) of Tampa's reclaimed water flows to CF Industries are classified as both reuse and disposal due to closed loop system.

August 2008
### Table 1. Overpumpage Report Summary

<table>
<thead>
<tr>
<th>Service Office</th>
<th>Projects Under Review (Table 2)</th>
<th>Preparing for RPM / Legal (Table 3)</th>
<th>Justified/Closed Since Previous Report (Table 4)</th>
<th>Active Files in Legal (Table 5)</th>
<th>Consent Order Monitoring (Table 6)</th>
<th>Total Files</th>
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<tbody>
<tr>
<td></td>
<td>Previous Month</td>
<td>Current Month</td>
<td>Previous Month</td>
<td>Current Month</td>
<td>Previous Month</td>
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<td>Bartow</td>
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<td>7</td>
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<td>3</td>
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<tr>
<td>Brooksville</td>
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<td>1</td>
<td>2</td>
<td>5</td>
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<tr>
<td>Sarasota</td>
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<td>Tampa</td>
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<td>Totals</td>
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<td>8</td>
<td>3</td>
<td>7</td>
<td>8</td>
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</table>

RPM = Regulation Performance Management Department
Table 2. Projects Under Review \(^{(1)}\)

<table>
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<tr>
<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type (^{(2)})</th>
<th>Months on Report</th>
<th>Service Office</th>
</tr>
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<tbody>
<tr>
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<td></td>
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<td></td>
</tr>
<tr>
<td><strong>New Since Previous Report</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Continuing From Previous Report</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>20003626.006</td>
<td>Mattis Properties Inc.</td>
<td>A</td>
<td>2</td>
<td>Bartow</td>
</tr>
<tr>
<td>20005086.006</td>
<td>Vonann Groves, Inc.</td>
<td>A</td>
<td>2</td>
<td>Bartow</td>
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<tr>
<td>20005920.010</td>
<td>Pioneer Grove, Inc.</td>
<td>A</td>
<td>2</td>
<td>Bartow</td>
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<tr>
<td>20009124.003</td>
<td>Westby Corp.</td>
<td>A</td>
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<tr>
<td>20009192.003</td>
<td>Bowen Bros.</td>
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<td>2</td>
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<tr>
<td>20004045.003</td>
<td>Mitchell Kalogridis, Inc.</td>
<td>A</td>
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<td>20004698.006</td>
<td>Bok Tower Gardens Foundation, Inc.</td>
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<tr>
<td>20003228.007</td>
<td>Citrus Hills Investment Prop. Inc.</td>
<td>R</td>
<td>3</td>
<td>Brooksville</td>
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</tbody>
</table>

\(^{(1)}\) These projects are under review by the Service Office and have not been determined to be in non-compliance at this time

\(^{(2)}\) Use Types:  P = Public Supply   R = Recreational   A = Agricultural   MD = Mining/Dewatering   IC = Industrial/Commercial
# Overpumpage Report
## August 2008

### Table 3. Preparing for Regulation Performance Management / Legal (1)

<table>
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<tr>
<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Permitted Annual Average</th>
<th>Original Report Date Annual Avg. Use Percent Over</th>
<th>Current Annual Average Use Percent Over</th>
<th>Service Office</th>
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<tbody>
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<td>20002113.005</td>
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<td>A</td>
<td>156,000 gpd</td>
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<td>06/27/08* 261,000 gpd 67.3%</td>
<td>Bartow</td>
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<td>20003806.004</td>
<td>Laura V Riche Trust</td>
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<td>2005063.004</td>
<td>Rolling Meadows Ranch Inc.</td>
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<td>171,900 gpd</td>
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<td><strong>Continuing From Previous Report</strong></td>
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<td>2011856.000</td>
<td>Brassboys Enterprises</td>
<td>R</td>
<td>42,000 gpd</td>
<td>02/27/08 52,848 gpd 25.8%</td>
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<td>2010266.002</td>
<td>Pulte Homes</td>
<td>R</td>
<td>369,000 gpd</td>
<td>04/27/08 483,728 gpd 31.1%</td>
<td>08/27/08 424,163 gpd 14.9%</td>
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<tr>
<td>2005814.002</td>
<td>I 4 Land Holdings LTD Co.</td>
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<td>156,000 gpd</td>
<td>06/27/08 170,822 gpd 9.5%</td>
<td>08/27/08 216,616 gpd 38.7%</td>
<td>Tampa</td>
</tr>
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</table>

(1) Preliminary determination that permit is in non-compliance; file being prepared for or under review by Regulation Performance Management

(2) Use Types: P = Public Supply    R = Recreational    A = Agricultural    MD = Mining/Dewatering    IC = Industrial/Commercial

*Current pumpage information not available due to permit holder non-submittal of data
# Overpumpage Report
## August 2008

Table 3. Preparing for Regulation Performance Management / Legal (1)

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Permitted Annual Average</th>
<th>Original Report Date</th>
<th>Annual Avg. Use Percent Over</th>
<th>Current Annual Average Use Percent Over</th>
<th>Service Office</th>
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<td>2006678.008</td>
<td>Allison Repetto</td>
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<td>117,800 gpd</td>
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<td>202,392 gpd 71.8%</td>
<td>Tampa</td>
</tr>
</tbody>
</table>

---

(1) Preliminary determination that permit is in non-compliance; file being prepared for or under review by Regulation Performance Management

(2) Use Types:  
- P = Public Supply  
- R = Recreational  
- A = Agricultural  
- MD = Mining/Dewatering  
- IC = Industrial/Commercial

*Current pumpage information not available due to permit holder non-submittal of data*
# Overpumpage Report

**August 2008**

## Table 4. Justified / Closed Since Previous Report

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<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Months on Report</th>
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<td>20001259.004</td>
<td>Leffie M. Carlton &amp; Charles D. Carlton</td>
<td>A</td>
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<td>20008468.002</td>
<td>City of Polk City</td>
<td>A</td>
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<td>Bartow</td>
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<tr>
<td>20004994.003</td>
<td>James A &amp; Joseph Messena</td>
<td>A</td>
<td>1</td>
<td>Bartow</td>
</tr>
<tr>
<td><strong>Closed from Legal</strong></td>
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<tr>
<td>None</td>
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</tr>
</tbody>
</table>

(1) Determination that Permit is in compliance – no further action

(2) Use Types:  
- P = Public Supply  
- R = Recreational  
- A = Agricultural  
- MD = Mining/Dewatering  
- IC = Industrial/Commercial
# Overpumpage Report
## August 2008

### Table 5. Active Files in Legal

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<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Permitted Annual Average</th>
<th>Original Report Date Annual Average Use Percent Over</th>
<th>Current Annual Average Use Percent Over</th>
<th>Service Office</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Since Previous Report</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Continuing From Previous Report</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sun' N Lakes of Sebring</td>
<td>P</td>
<td>548,300 gpd</td>
<td>07/26/06 1,054,200 gpd 4.8%</td>
<td>07/29/08* 708,801 gpd 29.3%</td>
<td>Bartow</td>
</tr>
<tr>
<td>Sebring Land LP &amp; Highlands</td>
<td>P</td>
<td>223,700 gpd</td>
<td>06/28/06 275,833 gpd 23.3%</td>
<td>07/29/08* 254,798 gpd 13.9%</td>
<td>Bartow</td>
</tr>
<tr>
<td>Country Club Utilities, Inc.</td>
<td>P</td>
<td>183,000 gpd</td>
<td>01/31/06 256,852 gpd 40.4%</td>
<td>07/29/08* 217,141 gpd 18.7%</td>
<td>Bartow</td>
</tr>
<tr>
<td>St. Leo College Inc.</td>
<td>P</td>
<td>113,300 gpd</td>
<td>05/27/07 117,679 gpd 3.9%</td>
<td>08/27/08 126,257 gpd 11.4%</td>
<td>Brooksville</td>
</tr>
<tr>
<td>Vikings LLC</td>
<td>R</td>
<td>263,000 gpd</td>
<td>06/27/07 500,427 gpd 90.3%</td>
<td>08/27/08 452,914 gpd 72.2%</td>
<td>Brooksville</td>
</tr>
<tr>
<td>Timber Pines Community</td>
<td>R</td>
<td>363,400 gpd</td>
<td>04/27/07 376,487 gpd 3.6%</td>
<td>08/27/08 32,987 gpd (90.0%)</td>
<td>Brooksville</td>
</tr>
</tbody>
</table>

---

(1) Regulation Performance Management concurs with non-compliance and file in Legal for enforcement

(2) Use Types:  P = Public Supply  R = Recreational  A = Agricultural  MD = Mining/Dewatering  IC = Industrial/Commercial

*Current pumpage information not available due to permit holder non-submittal of data
### Overpumpage Report
#### August 2008

**Table 5. Active Files in Legal (1)**

<table>
<thead>
<tr>
<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Permitted Annual Average</th>
<th>Original Report Date</th>
<th>Current Annual Average Use</th>
<th>Percent Over</th>
<th>Service Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spruce Creek Development</td>
<td>R</td>
<td>445,800 gpd</td>
<td>06/28/06</td>
<td>08/27/08</td>
<td></td>
<td>Brooksville</td>
</tr>
<tr>
<td></td>
<td></td>
<td>462,416 gpd 3.7%</td>
<td>478,486 gpd 7.3%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Zephyrhills</td>
<td>P</td>
<td>2,746,000 gpd</td>
<td>05/26/06</td>
<td>08/27/08</td>
<td></td>
<td>Brooksville</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2,950,504 gpd 7.4%</td>
<td>2,698,713 gpd (1.7%)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasco County Utilities (Lake Jovita)</td>
<td>P</td>
<td>327,000 gpd</td>
<td>05/26/06</td>
<td>08/27/08</td>
<td></td>
<td>Brooksville</td>
</tr>
<tr>
<td></td>
<td></td>
<td>331,981 gpd 1.5%</td>
<td>394,645 gpd 20.7%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

(1) Regulation Performance Management concurs with non-compliance and file in Legal for enforcement

(2) Use Types:  P = Public Supply   R = Recreational   A = Agricultural   MD = Mining/Dewatering   IC = Industrial/Commercial
## Overpumpage Activity Report
### August 2008

### Table 6. Consent Order Monitoring

<table>
<thead>
<tr>
<th>Permit Holder</th>
<th>Use Type (2)</th>
<th>Permitted Annual Average</th>
<th>Original Report Date Annual Average Use Percent Over</th>
<th>Current Annual Average Use Percent Over</th>
<th>Service Office</th>
<th>GB Apprvd CO Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Since Previous Report</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Continuing From Previous Report</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citrus County Utilities (Sugarmill Woods)</td>
<td>P</td>
<td>2,010,000 gpd</td>
<td>04/27/06 2,552,635 gpd 26.9%</td>
<td>08/27/08 2,229,560 gpd 10.9%</td>
<td>Brooksville</td>
<td>5/2008</td>
</tr>
<tr>
<td>Citrus County Utilities (Citrus Springs/Pine Ridge)</td>
<td>P</td>
<td>2,575,000 gpd</td>
<td>11/28/06 2,645,779 gpd 2.7%</td>
<td>08/27/08 2,682,977 gpd 4.2%</td>
<td>Brooksville</td>
<td>5/2008</td>
</tr>
<tr>
<td>Spencer Farms, Inc.</td>
<td>A</td>
<td>274,700 gpd</td>
<td>10/28/06 602,959 gpd 119.5%</td>
<td>08/27/08 222,204 gpd (19.1%)</td>
<td>Tampa</td>
<td>8/2008</td>
</tr>
</tbody>
</table>

---

(1) Legal pursued enforcement action and a Consent Order has been signed; corrective actions are now being monitored for compliance

(2) Use Types:  P = Public Supply     R = Recreational     A = Agricultural     MD = Mining/Dewatering     IC = Industrial/Commercial
Regulation Committee
October 28, 2008

Routine Report

Resource Regulation Significant Initiatives Report

This report provides information regarding significant activities within the Resource Regulation Division. Recent activity within each of the District's major permitting programs is provided, followed by information regarding other significant activities.

Monthly Resource Regulation Activity

<table>
<thead>
<tr>
<th>Environmental Resource Permits Issued – August 2008</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Minor Systems</td>
<td>12</td>
<td>9</td>
<td>11</td>
<td>20</td>
<td>52</td>
</tr>
<tr>
<td>Noticed Generals</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>Generals</td>
<td>22</td>
<td>24</td>
<td>21</td>
<td>35</td>
<td>102</td>
</tr>
<tr>
<td>Individuals</td>
<td>3</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>13</td>
</tr>
<tr>
<td>Formal Wetland Determinations</td>
<td>2</td>
<td>5</td>
<td>3</td>
<td>3</td>
<td>13</td>
</tr>
<tr>
<td>ERP Conceptuals</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>ERP Site Condition</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Totals</td>
<td>43</td>
<td>48</td>
<td>43</td>
<td>67</td>
<td>201</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Resource Permits, Acres Permitted – August 2008</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Minor Systems</td>
<td>10.49</td>
<td>14.21</td>
<td>23.64</td>
<td>19.18</td>
<td>67.52</td>
</tr>
<tr>
<td>Noticed Generals</td>
<td>5.44</td>
<td>49.00</td>
<td>1.08</td>
<td>7.02</td>
<td>62.54</td>
</tr>
<tr>
<td>Generals</td>
<td>261.57</td>
<td>421.68</td>
<td>271.11</td>
<td>241.30</td>
<td>1,195.66</td>
</tr>
<tr>
<td>Individual</td>
<td>1,036.90</td>
<td>910.74</td>
<td>497.74</td>
<td>337.89</td>
<td>2,783.27</td>
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<tr>
<td>Formal Wetland Determinations</td>
<td>37.68</td>
<td>2764.74</td>
<td>115.18</td>
<td>148.71</td>
<td>3,066.31</td>
</tr>
<tr>
<td>ERP Conceptuals</td>
<td>177.90</td>
<td>1,119.35</td>
<td>1,195.25</td>
<td>0</td>
<td>2,492.50</td>
</tr>
<tr>
<td>Totals</td>
<td>1,529.98</td>
<td>5,279.72</td>
<td>2,104.00</td>
<td>754.10</td>
<td>9,667.80</td>
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</table>

<table>
<thead>
<tr>
<th>Water Use Permits Issued – August 2008</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Generals</td>
<td>24</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>31</td>
</tr>
<tr>
<td>Generals</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>Individuals</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Totals</td>
<td>29</td>
<td>5</td>
<td>8</td>
<td>6</td>
<td>48</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Well Construction Permits Issued – August 2008</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Well Construction</td>
<td>138</td>
<td>162</td>
<td>45</td>
<td>218</td>
<td>563</td>
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</tbody>
</table>

Compliance Activities – August 2008

<table>
<thead>
<tr>
<th>Description</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints Investigated</td>
<td>22</td>
<td>29</td>
<td>15</td>
<td>14</td>
<td>80</td>
</tr>
<tr>
<td>ERP Const Inspections</td>
<td>205</td>
<td>161</td>
<td>180</td>
<td>305</td>
<td>851</td>
</tr>
<tr>
<td>As-Builts Processed</td>
<td>52</td>
<td>41</td>
<td>42</td>
<td>53</td>
<td>188</td>
</tr>
<tr>
<td>Transfer to Operation</td>
<td>47</td>
<td>40</td>
<td>35</td>
<td>66</td>
<td>188</td>
</tr>
<tr>
<td>Recertifications Recvd</td>
<td>64</td>
<td>56</td>
<td>76</td>
<td>113</td>
<td>309</td>
</tr>
<tr>
<td>Well Const Inspections</td>
<td>31</td>
<td>140</td>
<td>1</td>
<td>35</td>
<td>207</td>
</tr>
<tr>
<td>Totals</td>
<td>421</td>
<td>467</td>
<td>349</td>
<td>586</td>
<td>1,823</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Agricultural Ground &amp; Surface Water Mgt Project Designs (AGSWM) – August 2008</th>
<th>Bartow</th>
<th>Brooksville</th>
<th>Sarasota</th>
<th>Tampa</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary Farming</td>
<td>2</td>
<td>140</td>
<td>1</td>
<td>35</td>
<td>207</td>
</tr>
<tr>
<td>Temporary Farming</td>
<td>1</td>
<td>140</td>
<td>1</td>
<td>35</td>
<td>207</td>
</tr>
<tr>
<td>Permanent Farming</td>
<td>2</td>
<td>140</td>
<td>1</td>
<td>35</td>
<td>207</td>
</tr>
<tr>
<td>District Totals</td>
<td>5</td>
<td>140</td>
<td>1</td>
<td>35</td>
<td>207</td>
</tr>
</tbody>
</table>
• **Central Florida Coordination Area Rules Development and Implementation** – Regulation and Legal staff continue to coordinate with St. John's River and South Florida district staff on the development of regulations for the Central Florida Coordination Area (CFCA). The first phase of regulations was approved by all three Governing Boards at their December 2007 meetings. Major components of the Phase 1 rules include establishing 2013 demands as the limit on new groundwater withdrawals in the CFCA. The rules also provide an incentive for permittees to develop alternative water supplies. Those permittees that agree to meet demands beyond 2013 with alternative supplies can obtain a 20 year permit for their groundwater supplies. The rules also contain a sunset provision, requiring the District's to reevaluate this determination of groundwater availability by 2012 and to either reaffirm this determination or adopt new rules which could either lower or increase the available groundwater in the region. Within the SWFWMD, these rules only apply in the portion of Polk County outside the SWUCA, and in Lake County. Representatives of the three Districts have been meeting to develop a plan to evaluate the sustainability issues of the CFCA and chart a course for the next phase of regulations that will focus on longer-term solutions to the area's water resource issues. Meetings have been occurring over the summer months, and are planned through the fall. **New activities since last meeting:** Environmental staffs of the three Districts have begun environmental assessments within the area. Additionally, meetings have occurred among the staffs undertaking the ground water flow modeling and hydrologic evaluation of the water resources in the area.

• **Statewide Stormwater Rule** – Unmanaged urban stormwater creates a wide variety of effects on Florida’s surface and ground waters. Urbanization leads to the compaction of soil; the addition of impervious surfaces such as roads and parking lots; alteration of natural landscape features such as natural depressional areas which hold water, floodplains and wetlands; construction of highly efficient drainage systems; and the addition of pollutants from everyday human activities. These alterations within a watershed decrease the amount of rainwater that can seep into the soil to recharge our aquifers, maintain water levels in lakes and wetlands, and maintain spring and stream flows. Consequently, the volume, speed, and pollutant loading in stormwater that runs off developed areas increases, leading to flooding, water quality problems and loss of habitat. In 1990, in response to legislation, the Department developed and implemented the State Water resource Implementation Rule (originally known as the State Water Policy rule). This rule sets forth the broad guidelines for the implementation of Florida’s stormwater program and describes the roles of DEP, the water management districts, and local governments. The rule provides that one of the primary goals of the program is to maintain, to the degree possible, during and after construction and development, the predevelopment stormwater characteristics of a site. The rule also provides a specific minimum performance standard for stormwater treatment systems: to remove 80% of the post-development stormwater pollutant loading of pollutants “that cause or contribute to violations of water quality standards.” However, for a variety of reasons, the BMP design criteria in the stormwater or environmental resource permitting rules of DEP or the WMDs were never updated to achieve this level of treatment. In January 2008 the Department initiated rule making to implement these criteria statewide. **New activities since last meeting:** The Technical Advisory Committee met again on October 1 and 2. The meeting focused on three areas of the new rule: redevelopment projects, legacy pollutant sites, and wet detention. The TAC will meet again on November 12 and 13 to summarize the issues and input from all of the previous meetings. Agency staff expects to begin work on a draft rule soon after the November meeting with the intent of presenting the rule draft to the TAC in early 2009.

• **Conserve Florida - Statewide Public Supply Water Conservation Initiative** – Resource Regulation staff is actively engaged in Conserve Florida, a statewide initiative to develop a water conservation options program for public supply users, because there are many potential regulatory implications. Staff is participating in a statewide workgroup and its various committees, plus internal coordination with Conservation Projects staff and other non-regulatory departments. The main product of this initiative to date is a web-based computer application called The Guide which a utility can use to develop or update its water
conservation plan. The Guide identifies recommended and optional elements to include in a water conservation plan based on the utility's profile (size, mix of customers, existing efforts, etc). Staff has been participating in group oversight of the Conserve Florida Clearinghouse (an entity that includes technical support for The Guide and an on-line water conservation library that is under development). Staff has also participated in several task-specific committees, including one currently looking into a simplified version or different user interface for The Guide designed specifically for small utilities (in conjunction with a Florida Rural Water Association assistance effort funding by the District). The District's financial contribution to the Clearinghouse in Fiscal Year 2009 is $75,000. Conserve Florida's workgroup also sometimes serves in an advisory capacity to FDEP on water conservation projects, and its meetings provide an excellent forum for all participants to receive information and solicit input on their conservation-related activities. **New activities since last meeting:** The full workgroup meeting originally scheduled for September 4 was held on September 24 instead. Select participants will meet on October 30 to test a prototype for the proposed simplified version of The Guide. The next full workgroup is scheduled to meet on November 6.

- **Year-Round Water Conservation Measures - Statewide Consistency Initiative** – Please refer to the Regulation Committee's discussion agenda for details.

- **Executive Director Orders** – Two emergency authorizations remain in effect as of October 9, 2008. Executive Director Order No. SWF 07-045, as modified, allows the Peace River/Manasota Regional Water Supply Authority to use a temporary diversion schedule for water withdrawals from the Peace River. The higher withdrawal rate is being used to meet current demand and also augment the Authority's existing reservoir and two ASR wellfields. Executive Director Order No. SWF 08-024, as modified, allows Tampa Bay Water to use a temporary diversion schedule for water withdrawals from the Alafia River. The higher withdrawal rate is being used to augment their reservoir. Both emergency authorizations are consistent with recent Minimum Flows and Levels studies. **New activities since last meeting:** Staff worked with the Authority to draft an additional modification to SWF 07-045. Please refer to the Consent Agenda for details. Tampa Bay Water has indicated that it may soon request an additional emergency authorization regarding use of the Tampa Bypass Canal, similar to assistance that has been provided in previous droughts. If the applicable Executive Director Order is issued prior to the Governing Board's October meeting, it will be presented for concurrence.

- **Water Shortage Order No. SWF 07-02** – This non-emergency order, originally issued on January 9, 2007, has been extended several times in response to ongoing drought conditions. It encompasses all sixteen counties in the District and implements Modified "Phase II" water shortage conservation measures. These measures limit lawn watering to one day per week and prohibit lawn watering between 8 a.m. and 6 p.m. At its meeting on June 24, the Governing Board decided to expand the declaration area to include eastern Marion County in accordance with the terms of the Interagency Agreement between the District and the St. Johns River Water Management District. At its meeting on September 30, the Board decided to further extend the order through February 27, 2009. **New activities since last meeting:** Staff is in the process of implementing the required notices associated with the latest extension, including a newspaper ad to inform the general public and letters mailed to Water Use Permit holders and local government officials.

- **Water Restriction Hotline** – Staff continues to maintain a toll-free hotline (1-800-423-1476, extension 4498 or 1-800-848-0499) and an e-mail address (water.restrictions@ watermatters.org) that citizens and local officials can use to ask questions, report possible violations, and request information about water shortage and year-round water conservation measures. **New activities since last meeting:** In the five week period ending September 28, the hotline answered 395 calls and 73 e-mails. Related follow-up activity included: sending 108 first-time violation letters, referring 11 multiple-time violation enforcement cases to local government agencies, and resolving 31 petitions for variance (requests for permission to follow a special watering schedule that abides by the basic intent of current water shortage measures).
New activities since last meeting:

- **Low Impact Development** – LID is a term used to describe a collection of innovative stormwater management practices that mimic a site’s pre-development hydrology, maintain groundwater recharge and protect water quality. The District has been meeting monthly with Sarasota County to develop a Low Impact Development (LID) Manual. Development of the manual is funded by Sarasota County and intended for use in the county but it is expected to have applicability in other parts of the District as well. These monthly meetings have concluded with the release of a draft manual on October 1. The manual focuses on four LID practices: pervious pavement, green roofs, stormwater reuse and biofiltration. District staff is working with Sarasota county staff and the Stormwater Management Academy to conduct LID training for District and County staff in November with a follow-up event in December.

**Staff Recommendation:**

This item is provided for the Committee’s information, and no action is required.

**Presenter:** Richard S. Owen, AICP, Deputy Executive Director, Resource Regulation
Finance and Administration Committee

Discussion Items

68. Consent Item(s) Moved for Discussion

69. Office of Inspector General Proposed Annual Audit Plan for Fiscal Year 2009 ................................................................. (10 minutes) ........... 2
   (Strategic Plan: Mission Support)

Submit & File Report

70. Office of Inspector General Annual Report for Fiscal Year 2008 ............................................ 4

71. District Environmental Stewardship Initiative Status Report ................................................. 6

Routine Reports

72. Treasurer’s Report, Payment Register, and Contingency Reserves Report ..................... 12

73. Management Services Significant Initiatives Report ......................................................... 17
Finance and Administration Committee
October 28, 2008

Discussion Item

Office of Inspector General Proposed Annual Audit Plan for Fiscal Year 2009

In accordance with Governing Board Policy 140-1, the Office of Inspector General has prepared an annual audit plan for fiscal year 2009. The one-page plan follows this recap and itemizes the planned projects. Each line of the plan shows the following:

- Project title,
- Planned start and end date,
- Office of Inspector General staff assigned,
- Budgeted hours for each staff member, and
- Estimated cost.

The office continues to support development of the District's Water Management Information System (WMIS). During fiscal year 2009, the water use permitting program will go "online". We will work with District management to realign staff duties and improve both the quality of service and efficiency of operation. Similarly, this office will provide assistance during the design of the WMIS ERP release. Other audit projects related to the WMIS initiative include an audit of the mainframe decommissioning effort and continued tests of District network security.

Questions regarding the audit plan can be directed to the District's Inspector General at extension 4100.

Staff Recommendation: See Exhibit

This item is presented for the Board’s approval.

Presenter: Kurt P. Fritsch, Inspector General
Office of Inspector General: Proposed FY 2009 Audit Plan
For the Period of October 1, 2008 through September 30, 2009
Presented to the District Finance and Administration Committee: October 28, 2008

### Audit Plan Description

<table>
<thead>
<tr>
<th>Audit Plan Description</th>
<th>Start</th>
<th>End</th>
<th>IG Hours</th>
<th>PA Hours</th>
<th>AA Hours</th>
<th>Total Hours</th>
<th>Cost ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Audits</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Network Security Audit (2009) *</td>
<td>Nov-08</td>
<td>Jun-09</td>
<td>64</td>
<td>208</td>
<td>8</td>
<td>280</td>
<td>$18,987</td>
</tr>
<tr>
<td>WMIS Process Control Implementation -- WUP General &amp; Individual Releases</td>
<td>Jan-09</td>
<td>Aug-09</td>
<td>56</td>
<td>296</td>
<td>16</td>
<td>368</td>
<td>$24,954</td>
</tr>
<tr>
<td>WMIS Process Control Implementation -- WUP Monitoring</td>
<td>Oct-08</td>
<td>Sep-09</td>
<td>192</td>
<td>104</td>
<td>16</td>
<td>312</td>
<td>$21,157</td>
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<tr>
<td>WMIS Systems Development -- ERP Concept Engineering</td>
<td>Oct-08</td>
<td>Jan-09</td>
<td>164</td>
<td>-</td>
<td>16</td>
<td>180</td>
<td>$12,206</td>
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<tr>
<td>WMIS -- Mainframe Systems Integration &amp; Decommissioning</td>
<td>Oct-08</td>
<td>Sep-09</td>
<td>64</td>
<td>400</td>
<td>16</td>
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<td>$32,549</td>
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<tr>
<td>WMIS Process Control Implementation -- ERP Administrative</td>
<td>Nov-08</td>
<td>Sep-09</td>
<td>-</td>
<td>65</td>
<td>-</td>
<td>65</td>
<td>$4,408</td>
</tr>
<tr>
<td>Purchase Card Procedure Compliance Audit *</td>
<td>Oct-08</td>
<td>Feb-09</td>
<td>56</td>
<td>-</td>
<td>232</td>
<td>288</td>
<td>$19,529</td>
</tr>
<tr>
<td>Cell Phone Procedure Compliance Audit *</td>
<td>Jan-09</td>
<td>Jul-09</td>
<td>56</td>
<td>-</td>
<td>232</td>
<td>288</td>
<td>$19,529</td>
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<tr>
<td>Fraud Monitoring</td>
<td>Oct-08</td>
<td>Sep-09</td>
<td>8</td>
<td>-</td>
<td>32</td>
<td>40</td>
<td>$2,712</td>
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<tr>
<td>Land Resources Business Process Reviews (Acquisition)</td>
<td>Jan-09</td>
<td>Sep-09</td>
<td>88</td>
<td>-</td>
<td>208</td>
<td>296</td>
<td>$20,072</td>
</tr>
</tbody>
</table>

| **External Audits**    |       |     |          |          |          |             |          |
| Department of Health: Chemistry Lab Audit * | Oct-08 | Jan-09 | 8 | - | 40 | 48 | $3,255 |
| OPPAGA: Florida Fish & Wildlife Review -- Outreach Expenses | Oct-08 | Jan-09 | 12 | - | 8 | 20 | $1,356 |
| Legislative Sunset Review Committee | Oct-08 | Sep-09 | 104 | - | 32 | 136 | $9,222 |
| Annual Financial Audit | Dec-08 | Feb-09 | 8 | - | 2 | 10 | $678 |

| **Progress Reports**   |       |     |          |          |          |             |          |
| MFL Monitoring (6 Month) | Oct-08 | Mar-09 | 36 | - | 8 | 44 | $2,984 |
| Regulation Performance Management Realignment (6 Month) | Oct-08 | May-09 | 64 | 251 | 8 | 323 | $21,903 |
| Land Resources Business Process Reviews (Land Use/Land Mgmt) (6 Month) | Jan-09 | Apr-09 | 24 | - | 48 | 72 | $4,882 |
| Annual Financial Audit (6 Month) | Apr-09 | Aug-09 | 2 | - | - | 2 | $136 |

| **Subtotal -- Audit Projects** |       |     |          |          |          |             |          |
|                               | 1,358 | 1,532 | 954 | 3,844 | $260,662 |

| **Mandated Assignments**    |       |     |          |          |          |             |          |
| Development of Annual Risk Assessment and Audit Plan | Jul-09 | Oct-09 | 40 | 42 | 40 | 122 | $8,273 |
| Chemistry Laboratory Managerial Audit | Feb-09 | May-09 | 16 | - | 96 | 112 | $7,595 |
| Whistle-blower / Investigations | Oct-08 | Sep-09 | 40 | - | 160 | 200 | $13,562 |
| District Performance Measures | Oct-08 | Sep-09 | 32 | - | 16 | 48 | $3,255 |
| OIG Quality Assessment Review | Nov-08 | Jun-09 | 40 | 31 | 104 | 175 | $11,867 |

| **Subtotal -- Mandated Assignments** |       |     |          |          |          |             |          |
|                                      | 192   | 84   | 456 | 732 | $49,637 |

| **Discretionary Assistance** |       |     |          |          |          |             |          |
|                            | 138   | 84   | 126 | 348 | $23,598 |

| **Total -- Audits and Other Direct Services** |       |     |          |          |          |             |          |
|                                               | 1,688 | 1,700 | 1,536 | 4,924 | $333,897 |

| **Audit Services Administration** |       |     |          |          |          |             |          |
| Audit Management Activities | Oct-08 | Sep-09 | 48 | 36 | 200 | 284 |
| Professional Training and Development | Oct-08 | Sep-09 | 64 | 64 | 64 | 192 |
| Leave (Annual, Sick & Holidays) (1,012 earned) | Oct-08 | Sep-09 | 288 | 288 | 288 | 864 |

| **Total -- Audit Services Administration** |       |     |          |          |          |             |          |
|                                             | 400   | 388 | 552 | 1,340 |

| **Total -- Audit Plan** |       |     |          |          |          |             |          |
|                        | 2,088 | 2,088 | 2,088 | 6,264 |

**Legend:**
- WMIS - Water Management Information System
- IG - Inspector General
- WUP - Water Use Permitting
- PA - Principal Auditor
- ERP - Environmental Resource Permitting
- AA - Associate Auditor
- OPPAGA - Office of Program Policy and Government Analysis
- OIG - Office of Inspector General
- * Audit report submitted to Governing Board on Consent Agenda; all others summarized in Annual Report

$333,897 = Total FY09 office operational budget (excluding consultant services)
Submit & File Report

Office of Inspector General Annual Report for Fiscal Year 2008

In accordance with Governing Board Policies 140-1 and 140-3 and Section 20.055, Florida Statutes, the Inspector General must submit an annual report to the District Governing Board that summarizes the projects and activities undertaken by the District's Office of Inspector General during the previous fiscal year. The report also contains the office's final planned to actual hours report and final performance measures report.

To avoid duplication, staff has submitted the entire annual report to the District Governing Board as part of the annual performance appraisal packet for the Inspector General. The one-page executive summary follows:

Role: The Office of Inspector General serves as a primary point for the coordination of activities that promote accountability, effectiveness, and efficiency at the District. Accordingly, the District Governing Board has adopted policies to provide assurance that the Inspector General may effectively:

- Provide independent, objective analyses and appraisals of District programs and processes to help the District's Governing Board, Executive and Senior Management assess the District's performance in addressing its four areas of responsibility and seven core business processes.
- Assist Executive and Senior Management assess business risks and develop performance measures.
- Help operational management design better business processes to control risks and improve effectiveness and efficiency.
- Prevent and detect fraud and abuse.

Responsibilities: In accordance with District Governing Board Policy 140-1, 140-2, 140-3, and Section 373.079(4)(b), F.S.; Section 20.055, F.S.; Sections 112.3187-112.31895, F.S.; and Section 11.513(2), F.S., the Office of Inspector General is responsible for the following activities:

- Conduct, supervise, and coordinate audits, investigations, management reviews, and risk assessments to promote constructive change.
- Review the actions taken by the District on departmental progress in achieving actions plans.
- Keep the District Governing Board informed concerning fraud, abuses, and deficiencies.
- Advise in the development of performance measures, standards, and procedures for the evaluation of the District's programs.
- Review rules relating to the programs and operations of the District and make recommendations concerning their impact.
- Ensure effective coordination and cooperation with outside auditors.
- Ensure that an appropriate balance is maintained between audits, investigations, and other accountability activities.

FY 2008 Achievements: Each fiscal year, the Office of Inspector General designs an audit plan, approved by the Governing Board, that shows what audits, follow-up activities, and anticipated external audit coordination services the office intends to provide during the next fiscal year. The audit plan identifies time available to respond to management requests, whistle-blower
Item 70

concerns, and administrative requirements. Each audit or activity has a budget in staff hours and dollars. In addition to evaluating office progress toward completing the audit plan, the District Governing Board has adopted performance measures to evaluate audit project outcomes. The performance measures include departmental, Executive Management, and Finance and Administration Committee (serving as the Audit Committee) evaluations of every audit. Following are performance highlights for Fiscal Year 2008:

- Completed 92 percent of planned audit work containing seven major audit projects that included Regulation Division Organizational Study, the Land Resources Business Process Reviews, and the Network Security Assurance Audit.
- Completed two progress reports and monitored the District's external financial audit.
- Addressed three investigative issues.
- Provided detailed assistance to other District departments on more than 44 separate matters including the Permit Authority Delegation and the Records Retention Requirements Amending 1B-26.003, F.A.C. requested by Executive Management and Senior Management respectively.
- Exceeded audit quality performance targets on all performance categories evaluated by the Audit Committee, Executive Management, and department staff.
- Exceeded the office’s $300 thousand cost savings or cost avoidance goals by more than $2 million.

Planned Fiscal Year 2009 Audit Projects: Following are major projects currently planned for Fiscal Year 2009:

- WMIS Mainframe Systems Integration and Decommissioning
- WMIS Process Control Implementation
- WMIS Systems Development
- Cell Phone Procedure Compliance Audit
- Land Resources Business Process Reviews (Acquisition)
- Purchase Card Procedure Compliance Audit
- Four Progress Reports

Staff Recommendation:

This item is presented for the Board’s acceptance.

Presenter: Kurt P. Fritsch, Inspector General
Submit & File Report

District Environmental Stewardship Initiative

Purpose
This item is provided quarterly to update the Governing Board on the status of the District's Environmental Stewardship Initiative.

Background
The Southwest Florida Water Management supports and supports Governor Crist’s efforts to move toward more environmentally sustainable governance practices. Florida’s Water Management Districts already lead the way in water conservation. Incorporating an emphasis on energy efficiency in our day-to-day operations makes sense and fits well with our focus on sustainable growth and environmental responsibility.

The District's Project Team, appointed by Executive Director David Moore, is lead by Deputy Executive Director Gene Schiller as the executive sponsor and Human Resources Director Elaine Kuligofski as the project coordinator. This team has authority to examine the District’s entire operations—facilities, construction, fleet management, procurement of goods and services, internal process enhancements, education for employees and many other activities in which the District may be able to achieve efficiencies and reduce its carbon emissions.

District staff works cooperatively with project team members from other Districts so that we can share ideas and move forward in a coordinated fashion. The District coordinates with the Department of Environmental Protection and the Department of Management Services regarding the State's development of a carbon scorecard for Governor’s agencies and departments. Additionally, all District employees are encouraged to submit ideas for potential energy-saving initiatives.

In 2007 the Team finalized an initial, overall project plan, with individual project assigned to appropriate subteams for feasibility evaluation, cost assessment and, where appropriate, prioritization of projects for implementation. The following are progress reports on key initiatives currently completed or underway in 2008.

District Policies and Guidelines

At the April 2008 Governing Board meeting, the Board adopted Board Policy 110-10, District Commitment to Superior Environmental Stewardship. Subsequently, staff implemented two new internal operating procedures:

- **District Energy Management and Conservation** – General Services established procedure 11-10a, Energy Management and Conservation, to set parameters for operation of equipment such as heating, ventilation and air conditioning, energy conservation for computer equipment, lighting fixtures and other facilities-related matters, in an effort to reduce the District's consumption of fuel and electricity over time. This procedure became effective as of September 1, 2008.

- **Environmental Purchasing** – The Finance Department developed procedure 11-10b, Environmental Procurement, to give direction to staff to seek, where possible and economically feasible, product and service alternatives that provide energy, water, fuel and other environmental savings or benefits. This procedure became effective as of September 1, 2008.
Some other significant achievements over the past quarter include:

- **The District's Strategic Plan** – The Planning Department took the lead this year in updating the District’s Strategic Plan. An important component of this effort during 2008 was to fully incorporate superior environmental stewardship and responsibility into the Plan. The updated Strategic Plan is before the Board this month for review and approval.

- **Fiscal Year 2009 Budget Planning** - During the development of the FY2009 budget, the Environmental Stewardship Initiative was incorporated into the budget planning effort. All budget requests, when applicable, provided an assessment of energy efficient options with a return on investment for budgeted products and services. This assessment demonstrated the efforts of each budget request to increase energy efficiency, reduce carbon emissions, or otherwise support environmentally sound business practices.

- **Adaptation Technical Work Group (TWG)** – Richard Owen, Deputy Executive Director of the Resource Regulation Division, continued to serve on the Adaptation TWG for the Governor's Action Team on Energy and Climate Change. This Action Team, established by Executive Order 07-128, is tasked with creating a comprehensive Florida Energy and Climate Change Action Plan. The Adaptation TWG, to which Mr. Owen was appointed, focuses on assessing climate change risks and developing strategies to help Florida cope with the challenges and impacts of climate change. Discussions center on such topics as: comprehensive land use planning and building regulation, water supply and delivery, transportation and other infrastructure, coastal zone and beach management, public land management objectives, conservation of natural lands and marine environments, ecosystem restoration projects and response to emergency and catastrophic events.

**Outreach to District Staff and the Public**

- **Intranet Resources for District Staff** – The Communications and Human Resources Departments have established an intranet site that provides information and resources for staff to educate them about options they can use at work and in their personal lives to conserve energy, fuel, water and other resources. This environmental stewardship site will also ultimately provide a place for staff to post comments, questions and otherwise discuss news, articles and other resources. The District's Car Pool site, which allows staff interested in ridesharing to locate other riders and drivers based on location and work schedule, has been incorporated into this site. The site is expected to go live in October 2008.

- **Florida Water Star Program** – The Communications Department continues to work with the St. Johns River Water Management District (SJRWMD) to implement a Florida Water Star program, designed to provide certification and recognition to builders who incorporate water-saving efforts into new home construction. The Florida Water Star Gold program includes both indoor and outdoor conservation measures. The SJRWMD is currently implementing the program successfully in its District. In expanding the program to the Southwest District, Communications staff is working with the SJRWMD to enhance the conservation requirements to mirror more clearly existing conservation programs in this District, such as the Florida Yards and Neighborhoods program. The District expects to start piloting the enhanced Florida Water Star program in Fiscal Year 2009. A new funding line has been included in the FY2009 budget, with both District and Basin contributions to support a program manager and expenses.

**General Services Department (GSD) Efforts**

- **Energy Consumption Reports to the State** – The District provided requested quarterly reports on fuel and energy consumption to the Department of Management Services in September 2007, December 2007, March 2008, June 2008 and August 2008. The DMS incorporates the District-provided information into the overall Carbon Scorecard for the state of Florida which can be viewed in the MyFlorida website. The goal of this Carbon Scorecard is to track the progress of state government entities to reduce energy and fuel consumption (and thus reduce greenhouse gas emissions) over time in accordance with Governor Crist’s Executive Orders.
Facilities and Construction

- **Staff Training** – Several GSD staff have received orientation to the Leadership in Energy and Environmental Design (LEED) program for design, construction, maintenance and retrofit of new and existing buildings. As of this date, three employees--Lloyd Roberts, General Services Director; Mark Leytze, Facilities & Construction Manager; David Orner, Construction Projects--have been LEED accredited so that current and future construction, rehabilitation and maintenance efforts at the District will be better positioned to comply with LEED standards laid out in Governor Crist's Executive Orders.

- **Automated Building Lighting Controls** – The GSD is adding lighting controls to existing buildings through the Building Automation System that automatically turn off the lights according to a predetermined schedule. The controls include a bypass control to turn on the lights in an emergency. Presently, Buildings 2, 4 and 5 in Brooksville and Buildings 1 and 2 in Tampa have been completed, and eventually all buildings in the District will be controlled through the Building Automation System. The ultimate goal is to ensure that all lighting is turned off automatically when not in use, thereby conserving energy.

- **Exploring Use of Solar Power** – The GSD evaluated whether solar panels could be cost effectively purchased, installed and used for generation of electricity at District facilities. Ultimately it was determined that, while the technology is not cost-effective for widescale energy production, such panels can be used to assist with such functions as heating water. Where practical, the GSD will incorporate this technology on a case-by-case basis to help reduce the District's reliance on direct electrical generation.

- **Green Roof Technologies** – The GSD continues to evaluate whether roofs on any buildings at the District would be appropriate and cost effective for installation of green roofing materials. That is, plant-based insulating, reflective or other materials that if properly designed can help to insulate buildings, absorb or reflect heat, increase greenspace to help convert carbon dioxide to oxygen and provide aesthetic value. The District is currently considering whether there may be opportunities for a partnership to create a vegetated roof demonstration area here or at another location.

Fleet Services

**Vehicle Efficiency Tracking** – Fleet Services is in the process of installing Vehicle Efficiency Tracking units on vehicles and equipment to provide tracking of fuel consumption, engine idle time, notification of mechanical conditions, vehicle safety, current mileage, instant manufacturers' recall notices, engine/ hydraulic coolant and oil temperatures and diagnostic maintenance issues. This not only improves the efficiency of repairs, but keeps the vehicles and equipment operating more efficient by reducing fuel use/cost and emissions.

Document Services

Document Services has made an impact by utilizing the benefits of providing records in electronic form instead of hardcopy paper in order to reduce the amount of copies produced, thus reducing paper consumption.

- **Scan On Demand** – In September 2007, the "Scan on Demand" option was initiated in conjunction with the offsite storage vendor. This allows District staff access to files in electronic format instead of paper. Previously staff would have to request a box from storage. The box would be delivered by courier transportation and then paper copies would be made. By utilizing "Scan on Demand" service, we have reduced courier trips and charges (less emissions) and paper consumption (less carbon footprint). The "Scan on Demand" created and shared by off site records has been expanded to in-house imaging services and used for special projects requested by Resource Projects, Office of General Counsel, Planning and Brooksville Regulation. Staff enjoys the easily portable and efficient format of electronic file over paper.

- **Digital Micrographics** – Recently the Document Services Section researched several options to replacing the older analog micrographics reader printer that are strictly file to print equipment. In April 2008, the District began leasing a Minolta MS800 digital machine
that allows for the creation of micrographics file to electronic format. The Document Services Section has received a steady stream of customers requesting to use the MS800 over the antiquated reader printer machines which continues to reduce the paper consumption.

**General Services Review of Past Initiatives**

Part of the District's objective in looking at Environmental Stewardship was to capture actions we have taken in the past to promote green practices. Prior to the Governor's Executive Order issued in July, 2007, the General Services Department (GSD), comprised of Facilities & Construction, Fleet Services and Document Services, had already initiated numerous energy savings and conservation projects throughout the District. Some of the key projects included:

- **Recycling** – Aluminum cans, paper and cardboard recycling on going for 10 years
- **Upgrading Lighting Fixtures** – In 2004, began upgrading lighting fixtures District-wide with energy-efficient systems, including installation of occupancy sensors to control lighting in offices and conference, replacing incandescent exit sign lights with LED, and retrofitting overhead T-12 fluorescent lights to energy efficient T-8 with electronic ballasts.
- **Upgrading Heating, Ventilation and Air Conditioning (HVAC)** – In 2004 and 2005, began upgrading HVAC systems, including installation of new Building Automation System (BAS) for Districtwide control of HVAC systems and irrigation systems and Variable Frequency Drives (VFD) in large HVAC motors.
- **Purchase Fuel-Efficient Vehicles** – Between 2003 and 2007, emphasis was placed on purchase of fuel-efficient vehicles, including six hybrid vehicles, three flex-fuel vehicles, three electric motor vehicles for on campus use, and an environmentally friendly ultra-low emissions outboard boat engine. It is anticipated that, by the end of fiscal year 2009, the District will have 19 hybrid or flex-fuel vehicles in its fleet.
- **Remodeling the Tampa Data Center** – The Facilities & Construction Section was energy and "green" considerate in the remodeling of the Tampa Data Center which commenced in early 2007. Low-e windows, a high efficiency HVAC chilled water system, a Building Automation System (BAS) to control the building's lighting, cooling and heating needs and energy saving T-8 fluorescent lighting fixtures with efficient electronic ballasts controlled with occupancy sensors were used throughout the building. Doors and other building materials were reused or recycled during the retrofit which diverted waste going to the landfill.
- **Fuel Savings Suggestions** – The Fleet Services Section has long advocated users to employ numerous fuel savings suggestions: set vehicle air conditioning in "maximum" position, map out daily routes before starting travel, use cruise control when driving long distance, remove tools and/or supplies not used on a daily basis to lighten the load and check tire pressure. Fleet also installed Tire Pressure Monitoring Systems (TPMS) on transport trailers in Tampa and is testing visual alert tire pressure indicators on vehicles. The TPMS helps to improve vehicle safety, and aids drivers in maintaining their vehicle tire pressures. Tire under-inflation produces an increase in fuel consumption of two percent and a decrease in tire life of 25 percent. Utilizing these suggestions maximizes mileage and fuel economy.
- **New Roof for Brooksville Building 6** – This new roof is the District's first building that meets the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) requirements for reducing the heat island effect. This occurs when warmer temperatures are experienced as a result of solar energy retention on constructed surfaces. In order to meet the LEED requirement, the roof material must have a solar reflective index (SRI) of at least 78 out of 100. The new Building 6 roof has an SRI of 92. This will keep the roof approximately fifty degrees cooler than standard cap sheet materials. This not only will decrease the thermal loading for the roof top air handling units where fresh air is introduced, but will provide cooler air coming into the building creating substantial energy savings.
**General Services - Future Projects**

Future projects under consideration by the GSD include:

- **Modifying the Janitorial Schedule** – This schedule is being modified to realize energy savings by turning off the HVAC systems and lights earlier than the present schedule permits.

- **Investigation of Photovoltaic Systems** – This type of system is being investigated to provide a source of renewable energy for the District's buildings. A photovoltaic system is a system which uses solar cells to convert light into electricity. A photovoltaic system consists of several components, including cells, mechanical and electrical connections and mountings and means of regulating and/or modifying electrical output.

- **Investigation of Vegetated Roofs** – A vegetated roof is a green space on top of a building structure developed from soil and plantings and covers the waterproofing system entirely with soil and vegetation. Vegetated roofs can help clean the air of particulate matter; provide aesthetic appeal to surrounding locations; reduce the urban heat island effect prevalent in many metropolitan areas and control storm water run-off.

- **New Vehicle Specifications** – The Fleet Services Section is coordinating new vehicle specifications like compatible transmission and differential ratios; the use of cameras in lieu of driver/passenger outside mirrors to reduce wind resistance; the purchase of trucks with energy saving cab designs; purchasing additional hybrid and flex-fuel vehicles; and the cost of gasoline versus diesel fuel engines.

- **Use of Recycled Paper** – The District Print Shop is currently determining best options available for increasing the use of recycled paper for internally produced and outsourced print and copy projects. It is considering the economic impact, availability and day to day usability of alternative papers manufactured under Forest Stewardship Council (FSC) standards and containing high levels of post consumer content.

**Information Resources Department (IRD) Efforts**

- **Gartner Symposium/IT Expo** – Terry Redman, Information Resources Director, has been asked by Gartner Inc., the world's leading information technology research and advisory company, to participate in the Gartner Symposium/IT Expo on October 14. Mr. Redman will sit on a panel titled "Is There Anything Greener Than a Dollar?" This panel of information technology (IT) leaders and key players in the public sector will discuss their priorities and progress around environmental sustainability of IT, as well as the challenges they still face. The purpose of the panel is to both provide examples of what is being done (and not done) about Green IT as well as how IT is being used to reduce the environmental impact of other parts of the business or for the public at large.

- **Global Power Settings for Personal Computers** – The IRD fully implemented the Global Power Settings on laptop and desktop personal computers to ensure that all units will enter a power-conserving "sleep" mode when not in use. It is anticipated that this will achieve an average 42 percent reduction in energy consumption for these units. Additionally, IRD conducted power consumption measurements on models of PCs, laptops, monitors, and printers installed at the District and established a baseline for use as comparison while the District updates its technology infrastructure.

- **Flexible Work Arrangements** – Federal, state and local governments have implemented or are evaluating the feasibility of implementing flexible work arrangements for staff that can save fuel and energy and maximize productivity. The Human Resources Department will evaluate whether additional flexible work arrangements could achieve energy and operational efficiencies for the District.
Operations Department Efforts

Biological Control of the Invasive Tropical Soda Apple (TSA) – Through a $10,000 District-funded grant from Save Our Rivers funds, the Aquatic Plant Management Section of the Operations Department is cooperating with Dr. Medal at the University of Florida Entomology Department to support the mass rearing and field release of the leaf-feeder beetle *Gratiana boliviana* to help control the invasive species tropical soda apple (TSA), *Solanum viarum* on Southwest Florida Water Management District lands and other conservation lands. The beetle is host specific to TSA. TSA is an invasive perennial shrub in Florida and other states. Native to southeastern Brazil, northeastern Argentina, Paraguay, and Uruguay, it was first found in Glade County in 1988, and it has already invaded more than one million acres of grasslands and conservation areas. The rapid spread in Florida can be partially attributed to the plant’s great reproductive potential and highly effective seed dispersal by cattle and wildlife (deer, raccoons, feral hogs, birds) that feed on the fruit. One TSA plant can produce on average from 100 to 160 fruits/plant, and 40,000 to 50,000 seeds per year, with a germination rate of at least 75 percent. This exotic weed was placed on the Florida and Federal Noxious Weed Lists in 1995. In addition to causing ecological problems on conservation lands, it is a significant economic problem for cattle producers. The Operations Department plans to establish reproducing populations on several District lands (currently Green Swamp East and West) so that staff can collect and spread the beetles to other properties infested with TSA. Dr. Medal is training Mike Terry, a District employee, how to release, establish, collect and transfer the beetles. Maximizing the damage (control) caused by this biocontrol agent on TSA will reduce the size and frequency of required treatment operations on District lands resulting in less herbicide and gas (vehicle usage) used.

Benefit/Costs

Through these efforts the District seeks to establish its baseline energy consumption and carbon output, and then in the future reduce these in accordance with Governor Crist’s Climate Change Initiative. The goal is not only to implement more environmentally sustainable practices, but also where possible to achieve efficiency and cost reductions in District operations.

Staff Recommendation:

This item is submitted for the Committee’s information, and no action is required.

Presenter: Elaine M. Kuligofski, Director, Human Resources and Risk Management Dept.
Finance and Administration Committee  
October 28, 2008  

Routine Report  

Treasurer's Report, Payment Register, and Contingency Reserves Report  

Purpose  
Presentation of the Treasurer's Report, Payment Register, and Contingency Reserves Report.  

Background  
In accordance with Board Policy 130-3, District Investment Policy, a monthly report on investments shall be provided to the Governing Board. Attached is a copy of the Treasurer's Report as of September 30, 2008, which reflects total cash and investments at a market value of $603,042,029.  

As reflected on the September 30, 2008, Treasurer's Report, the investment portfolio had $118.3 million or 19.3 percent invested in the State Board of Administration (SBA) Local Government Surplus Funds Trust Fund (LGSFTF) with $105.2 million in Pool A and $13.1 million in Pool B. The District has received $5.3 million of Pool A interest earnings during the twelve month period ended September 30, 2008. Pool B is not distributing interest earnings. The District is managing its short-term and daily liquidity needs through the use of two money market funds (Dreyfus Government Cash Management and Federated Government Obligations #5). Consistent with Board Policy 130-3, the maximum percent of the portfolio that will be invested in any one money market fund is 25 percent.  

Pool A consists of all money market appropriate assets and has been assigned a "AAAm" rating by Standard & Poor's Ratings Services. Withdrawals are authorized based on the Pool's liquidity. At September 30, the District's investment in Pool A was $105.2 million, down from the initial investment of $246.6 million. The $105.2 million consists of $38.2 million that is liquid and available for District use and $67 million that is still illiquid and not available for District use. The District is anticipating the SBA will authorize additional withdrawals from Pool A during the month of October.  

Pool B consists of assets that had defaulted on a payment, paid more slowly than expected, or had any significant credit and liquidity risk. At September 30, the District's investment in Pool B was $13.1 million, down from the initial investment of $40.7 million. The market value of the Pool B investments is $10.4 million or 80 percent of cost, reflecting $2.7 million at risk. District staff are not aware of any plans by the SBA to liquidate Pool B investments below cost. On October 6, 2008, the SBA LGIP released another $244 thousand from Fund B. Therefore, subsequent to September 30, 2008, the balance of $13.1 million has been reduced by $244 thousand, leaving the District's balance in Fund B at $12.8 million, which would further reduce the $2.7 million at risk.  

Staff will continue to monitor the SBA activities to determine how this will impact the District's current investment in the SBA LGSFTF Pool A, and affect the District's investment strategy going forward.  

In accordance with Board Policy 130-1, Disbursement of Funds, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic funds transfers (EFTs).
The final FY2008 Contingency Reserves Report (District only) follows:

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<th>Less Approved Transfers</th>
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<tr>
<td>District's Watershed Management Program and FEMA Map Modernization</td>
<td>March 25, 2008</td>
</tr>
<tr>
<td>Planned Storage Area Network</td>
<td>May 27, 2008</td>
</tr>
<tr>
<td>Fruitville Road Widening – Sarasota Service Office (relocation of improvements within the road right-of-way)</td>
<td>May 27, 2008</td>
</tr>
<tr>
<td>BALANCE:</td>
<td>$4,883,500</td>
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Effective October 1, 2008, the approved FY2009 contingency reserves budget is $6,000,000. The FY2009 contingency reserves balance will be reflected on the report next month, November 2008.

**Staff Recommendation:** See Exhibit

These items are provided for the Committee's information, and no action is required.

**Presenter:** Daryl F. Pokrana, Director, Finance Department
## AGENCY SECURITIES

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<th>MATURITY DATE</th>
<th>DURATION (YRS) OF SECURITY</th>
<th>DAYS TO MATURITY OF SECURITY</th>
<th>PURCHASE COST</th>
<th>MARKET VALUE</th>
<th>ACCRUED INTEREST</th>
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**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

**TREASURER’S REPORT TO THE GOVERNING BOARD**

**September 30, 2008**

### STATE BOARD OF ADMINISTRATION (SBA) & OTHER INVESTMENT ACCOUNTS

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<th>ACCOUNT NUMBER</th>
<th>ACCOUNT DESCRIPTION</th>
<th>EFFECTIVE INTEREST RATE</th>
<th>PURCHASE COST</th>
<th>MARKET VALUE</th>
<th>ACCRUED INTEREST</th>
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| Pool B (1) | SBA General Investments | 0.00 | $11,472,309 | $9,159,315 | 271426 | 0.00 |
|            | SBA Workers’ Compensation | 0.00 | 59,807 | 47,749 | 271427 | 0.00 |
|            | SBA Benefit Plan | 0.00 | 1,334 | 1,065 | 271428 | 0.00 |
|            | SBA Land Resources | 0.00 | 254,898 | 203,506 | 271429 | 0.00 |
|            | SBA Advanced State Funding | 0.00 | 1,176,078 | 938,963 | 271430 | 0.00 |
|            | SBA Advanced State Funding (FDOT Maintenance and Monitoring) | 0.00 | 92,736 | 74,039 | 271431 | 0.00 |
| Total Pool B (1) |                               |                               | $13,057,162 | $10,424,637 | 271432 | 0.00 |

| TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS | $118,310,459 | $115,677,934 | 19.32 |
| DREYFUS GOVERNMENT CASH MANAGEMENT ACCOUNT | 2.06 | 91,115,896 | 91,115,896 | 14.88 |
| FEDERATED GOVERNMENT OBLIGATIONS #5 ACCOUNT | 2.22 | 152,060,803 | 152,060,803 | 24.84 |
| TOTAL INVESTMENTS | $612,240,529 | $610,263,410 | 100.00 |
| CASH, SUNTRUST DEMAND ACCOUNT (2) | (7,221,381) | (7,221,381) |
| TOTAL CASH AND INVESTMENTS | $605,019,148 | $603,042,029 |

**Weighted average yield on portfolio at September 30, 2008 is 2.83%.**
(1) Pool B commingles investments from participants in a portfolio of securities with the objective to maximize the present value of distributions to participants, to the extent reasonable and prudent, net of fees. This objective emphasizes both the timeliness and extent of the recovery of participants' original principal. This is according to Investment Policy Guidelines, Local Government Investment Pool B, Part III. Investment Objective (effective 12/21/07). The District is not receiving interest earnings distributions from the SBA-Pool B accounts.

(2) Excess funds from the District's SunTrust Bank Demand Account are transferred to the District's money market accounts daily. This may result in a negative book balance. However, a positive bank balance is maintained at all times.

### EQUITY - CASH AND INVESTMENTS

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<td><strong>TOTAL EQUITY IN CASH AND INVESTMENTS</strong></td>
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Management Services Status Report

Brooksville Building 1 Feasibility Study
Brooksville Building 1 is a one-story building constructed in 1964 as the first building on the Brooksville campus. There have been three additions to the building since that date. This building currently houses the Information Resources and Finance Departments and the Geographic Information Systems Section of the Operations Department. It is recommended that a condition assessment study be performed of the building to determine on a cost/benefit basis whether to replace the building's major systems (electrical, HVAC, and roof) or to demolish and replace the structure. Based on the results of the study, the recommended building rehabilitation or new construction will be added for the Governing Board's consideration to the proposed capital improvements plan for the future years. New Activities Since Last Meeting: Long & Associates presented Staff with several conceptual plans for renovating and replacing the existing Building 1. Staff is putting together the estimated cost for relocating staff and IRD equipment. This cost will be included in Long & Associates overall cost estimates. The study will be completed by December 31, 2008.

Learning Management System
Training and staff development represent a critical investment in the District's human capital. A Learning Management System (LMS) is a major component of the comprehensive Human Resources Information System (HRIS) which will be implemented beginning this year. To provide much of the needed functionality between now and the rollout of the new system, the District has undertaken some significant interim initiatives. First, the District currently has deployed an internally developed database, Training Central, which centralizes the administration of all internal, District-sponsored training. This database automates and standardizes many of the routine training functions: course and class creation, catalog publication, registration, notification, confirmation, managing prerequisites, budget and cost information and student training history.
- Functionality has been added to Training Central to allow supervisors to view their employees' internal (District sponsored) training history. A new Training Central feature rolled out on September 4, 2007. 'My Education' allows an employee to add their academic degrees, professional certifications, licensures, and certificate programs to the Training Central database. Managers and supervisors have the ability to view education history for their employees, to capture and report on external training, and on licensure and certification requirements where applicable, and to store employee education (college degree) information. In addition, we will add more information, available to all employees regarding college and university offerings of all types.
- The external training and development function of Training Central was released to employees in late January 2008. 'My External Development' allows employees to enter all training and development events they attend, along with any applicable educational units (e.g. CEUs) that apply to their certification requirements. With this added feature, Training Central gives managers and supervisors the ability to view a complete history of employees' training and education with one tool.
- A new Training web page has been developed by IRD and HRD staff to provide employees with current information on the District's training initiatives. It gives staff the ability to link to all departments that offer training. External links are also included to educational and other relevant sites. The web page was released to all employees in December 2007 and will be updated and enhanced on a regular basis.

Current Status:
- The scheduled implementation of the LMS component of the new HRIS is expected by September 2009 and is dependent upon the successful completion of several other
components such as the Employee and Manager Self Service. Staff are learning the new system and reviewing current training data in preparation for the implementation.

**Employee Turnover**

Employee turnover is widely viewed as a key indicator of an employer's ability to attract and retain the critical talent required to move the enterprise forward. As a public sector employer, the District has historically enjoyed turnover relatively low compared to the private sector and, generally, to other public sector organizations in its geographic area. This District began to experience an upturn in turnover in 2005 that continued in 2006. Specifically, total turnover increased from 7.62% in FY2004 to 9.35% in FY2005 and to 11.33% in FY2006. Early in 2006, with the full support of the Governing Board, the District undertook a major study of its compensation and benefit practices. This effort resulted in the adoption of significant improvements to our direct compensation program, several changes to our benefit plans and the adoption of a District matching contribution arrangement for participants in the deferred compensation plan. In FY2007, the District experienced a decrease of overall employee turnover to 6.33% versus the record high of 11.33% the prior fiscal year.

**Current Status:**
- For FY2008, employee turnover (regular, board-authorized positions) was 6.9%. For FY2007, employee turnover was 6.3%. Voluntary turnover for the current fiscal year was 3.8%, the same as the previous fiscal year. Also noteworthy, we had 20 retirements exceeded the totals of the past three years. Retirements accounted for 41% of all separations this fiscal year.
- The number of vacant positions as of September 30, 2008 was 26, the same as the previous month. Overall, vacancies are considerably lower than in FY2006 and FY2007. The District experienced a record high of 58 vacancies in February 2006 and an average of 34.9 vacancies per month for the past two Fiscal Years.
- Human Resources staff will continue to track and report to management on turnover trends to ensure that we are prepared to respond to any unusual upward trends that may occur in the future.

**Risk Management and Safety**

The District is committed to providing a safe and healthy environment for employees. This activity includes both internal and extracurricular wellness and safety programs which can benefit both employees and their dependents. Funds to support this initiative are budgeted annually by the Human Resources/Risk Management Department. Wellness and safety programs have been shown to increase workplace productivity, reduce incidents of accident and illness, and improve the overall mental, physical and emotional health and well being of employees and their families and reduce health care and lost time costs to the District.

**Current Status:** In September 2008, the District offered Fire Extinguisher training classes to employees at each location. The classes were taught by Central Florida Safety Training. A total of six (6) classes were offered with 120 employees participating. The program consisted of an hour of classroom instruction and an hour of outside hands-on training where the participants used different sizes of fire extinguishers to put out actual fire. The class was well received by the participants. Programs such as this one provide risk management and safety instruction that employees can use to protect themselves and to protect property both on and off the job.

**Water Management Information System**

The vision for the Water Management Information System (WMIS), as defined in the 2005 Vision Statement, is that it will support the District's activities related to Water Use Permitting (WUP), Environmental Resource Permitting, and Well Construction Permitting. In addition, the system will have the ability to store and retrieve Scientific and Regulatory data, as well as the ability to capture and track compliance activities. Specifically, it will:
- Facilitate and allow for comprehensive demonstration of the District’s accomplishment of its mission and accountability for its performance in meeting its areas of responsibility.
- Provide for the entry, maintenance, analysis, and presentation of the District’s scientific and regulatory data.
- Be easy to use, robust, nimble, and enable appropriate decision-making through the consistent application of the District’s scientific, regulatory, and business processes.
- Be a component of the District’s Strategic Information Systems architecture.
This project is scheduled for completion in FY 2010 with planned interim releases designed to continuously improve well-defined District regulatory and scientific functions. The next major interim releases include all Water Use Permits by October 2008, Environmental Resource Permitting and Sovereign Submerged Lands by October of 2009 and any additional system integration by September 2010. The IBM Mainframe will be removed by the end of this project plan. **Current Status:** A major release is scheduled for implementation over the weekend starting October 31, 2008. It includes expanded on-line permitting, compliance tracking, and enhanced resource data which includes RADAR rainfall searches. Permitting enhancements include permit renewal, owner transfers, permit modifications and new permit requests. Additional user requested enhancements and additional reporting will also be released. Intensive testing is ongoing for this release. **Next Major Milestones:** Development is starting for the final WUP implementation of mining and public supply applications, along with condition data submittal. It is targeted for release in spring 2009. The actual date depends on finalization of customer requirements. A development team will start the next phase of WMIS, the Environmental Resource Permit (ERP) and Sovereign Lands (SL) migration, while the maintenance team continues to maintain and modify existing systems based on user requested changes. The project remains on time and within budget for a planned completion in October 2010.

**Enterprise Content Management (ECM)**
The District's critical information is currently located in multiple repositories including desktop computers, network file systems, CD-ROMS, USB drives and multiple electronic systems. The Information Resources Department (IRD) and Records Management share in this task of managing the District's critical information in this environment. Daily volumes of general correspondence, email, spreadsheets, digital images, video, audio, and web content, make it necessary to manage the totality of content at the District. Enterprise Content Management (ECM) provides for the centralized management of all content and allows quick access to the information in a structured manner. It is critical to the District's business continuity that this information is safe, secured and easily retrievable on demand. The ECM strategic project is a collaborative effort between IRD and Records Management. Records Management is working on procedural changes and documenting those procedures to support the ECM effort. IRD is working on the technical architecture and system interfaces required for implementation and operation. Due to requirements listed in FAC 1B-26.003, storage for the electronic records is also a major concern that will be addressed with an ECM infrastructure. The District has already implemented some components of content management such as imaging and workflow processing in the Water Management Information System (WMIS). South Florida and St. Johns Water Management Districts are in like stages of their ECM implementations. **Current Status:** A Request for Quotes (RFQ) was released on May 1, 2008 to identify the most qualified vendor to assist the District in developing an enterprise-wide content taxonomy. Taxonomy provides a formal categorization of records needed to ensure the proper classification and retrieval of content. From these quotes, Dow Jones & Company was selected. A kick-off meeting was held on July 8, 2008. Dow Jones completed the discovery phase of this effort by meeting with District staff representing each department. The prototype taxonomy was delivered on time. The final deliverable, testing, was completed on August 29 with all the resulting changes implemented. An enterprise-wide taxonomy will support current Records Management efforts and is a key baseline effort required for a successful ECM implementation. Funding for this effort was from remaining FY2007 ECM funds. The ECM RFP Pre-Bid conference was held on July 9, 2008 as scheduled and the responses to the RFP were received August 5, 2008. A total of nine vendors submitted responses. Demonstrations were scheduled for the top six vendors, one vendor dropped out, and the remaining five vendors provided demonstrations. The final demonstration was conducted on October 6. Based on indepth analysis, District employees’ recommended that the ECM project be awarded to IKnow LLC who will use the Vignette suite of products. **Next Major Milestones:** The next two major milestones are the implementation of basic content management by April 2009 and new records management capabilities by August 2009. The project remains on time and within budget for a planned completion of July 2012.
Land Resources Information System (LaRIS)
In 1981, the Save Our Rivers program was established by the Florida Legislature for the acquisition of lands necessary for water management, water supply, protection and conservation of water resources. This program was broadened in 1990 with the Preservation 2000 Act and revised in 1999 with the Florida Forever Act. Utilizing these programs, the Southwest Florida Water Management District (District) has acquired fee simple interest in over 330,000 acres and less than fee interest in over 67,000 acres for various water management requirements. The lands that are acquired by the District require management and maintenance to provide public access, recreational use and protection of the natural systems. Managing these resources requires that District staff have access to comprehensive information for each of the District's properties. The Land Resources Information System (LaRIS) was envisioned to meet land acquisition and management requirements and significantly improve the business processes. The 2005 LaRIS vision statement states that the system will:
- Provide a common, centralized storage location for detailed Land Resources data.
- Have user-friendly applications for the input and maintenance of Land Resources data.
- Validate information is in proper format.
- Generate required documentation output such as detailed reports and map documents.
- Allow District staff to easily and efficiently access and utilize the necessary information pertaining to District-owned lands to perform the duties of their jobs.
Funding for this project is reimbursable through the Water Management Lands Trust Fund.

Current Status: The Land Management burn components (Burn Planning, Burn Prescriptions, Burn Evaluations and Burn Coordination) are in production. Land Acquisition components are ready for final verification. User Acceptance testing has been conducted. IRD continues to assist Land Management with the transition to the new systems and processes through a combination of training and mentoring. Additionally, technology changes were coordinated with the other strategic projects to ensure the Enterprise Architecture remains standard. Required changes were made in October 2008. There was a meeting on October 7, 2008 to discuss the results and set the timeline for user training. This is expected to occur by October 31, 2008.

Next Major Milestones: Land Use functionality is expected to begin acceptance testing in November 2008. This will include the Land Use screens, Land Use Agreements and Agreement Monitoring. Land Resources, along with Information Resources, will review all identified requirements and funding to ensure the best use of resources and that new requirements, based on system use, are fully integrated. The project remains on time and within budget for a planned completion in January 2010.

Project Information Management System (PIMS)
The Project Information Management System (PIMS) project was started in FY 2006 as a replacement for a limited function project management system written in Domino/Lotus Notes. The earlier project management solution was a critical resource used by the Governing Board and Basin Boards to evaluate the progress of existing projects. This evaluation is used by the board to determine the direction of funding for projects on an annual basis. The previous system had no automated integration with the financial system, and required an extensive manual effort to achieve this integration. The previous application also failed to provide appropriate security and auditing to verify the source of the information. The proposed PIMS solution provides an easier to use process for project definition, automates the integration with the financial systems and provides integration with other district applications including the Water Management Information System (WMIS), the Surface Water Improvement Management (SWIM) program and document management. It is designed to reduce the administrative effort to maintain the information, improve the accuracy of the information and provide more flexibility in how the information is reported. It also includes Cooperative Funding Initiative (CFI) online access.

Current Status: A major CFI release was implemented on October 1, 2008. This release has the new look and feel of the WMIS screens, and opens up the 2010 application process. External functions include ease of customer use improvements. Internal functions are focused on improved security. This updated version was discussed and demonstrated at the Cooperative Funding workshops during September and October.
Additional internal updates are planned for mid-December 2008, including the on-line evaluation process. The project remains on time and within budget for September 2009.

**Human Resources Information System (HRIS)**

As identified in the Information Resources Department Five-Year Technology Plan, FY2008 to FY2012, the District requires greater functionality from its Human Resource and Payroll processes. The existing applications, Hewitt CYBORG Human Resource and Payroll, are not fully integrated or as robust as required for current demands. The data is currently on multiple hardware and software platforms and must be better integrated to meet current and future processing requirements and to significantly improve workflows. Replacing the currently disparate systems and processes with an integrated solution, will improve data integrity and data analysis. It will also reduce the staff impact caused by developing multiple interfaces to integrate the current systems. Additionally, replacing the current systems with a more current technology helps ensure the District's technical architecture standards are met and the orderly removal of legacy systems from the IBM Enterprise Server (Mainframe) continues on schedule.

**Current Status:** Based on an aggressive schedule recommended by the vendor, updated investment requirements were included in the IRD Five-Year Technology Plan, FY2009-FY2013. HR/Benefits went live on June 28, 2008. Phase 2, payroll conversion, started June 30, 2008. Based on several vendor technical and project schedule issues, IRD and NuView management discussed options for improved project quality and timeliness. Based on the complexity of the process and interfaces, NuView is providing onsite technical assistance with the parallel testing of payroll. The District continues to take a conservative approach to ensuring employee pay and benefits are 100% correct before accepting modules from the vendor. These technical and functional issues will probably delay the entire project until beyond the original optimistic completion date estimate of March 2009 to a more realistic mid to late FY2009 timeframe. **Next Major Milestones:** The remaining modules are Payroll Processing (January 2009), Employee Self Service (TBD), Recruiting (TBD), Training (TBD), Compensation Planning and Performance (TBD). The project remains on time and within budget for the District estimated project completion of October 2009.

**Unified Communication Process Improvement**

As discussed in the IRD Five Year Technology Plan, FY2009 – FY2013, the District has identified the need for better and more refined governance and asset management regarding Unified Communications interoperability which includes but is not limited to voice, video, data and two-way radio frequency (RF) communications. According to the IRD Technology Plan, the major milestones are communications support consolidation in October 2008, telecommunications upgrades in 2009, Voice over IP in 2010, Unified Messaging in 2011 and Unified Communications in 2013. The principles of shared decision making, accountability, business applications and infrastructure for Unified Communications must be part of the District's architecture. These principles become especially critical during emergency events where coordinated communications between the groups are essential. Interoperability needs to be addressed as a coordinated effort between all the departments key in implementing this Unified Communications strategy which includes Finance, Information Resources, Land Resources, Operations and General Services. This project includes implementing this decision-making structure for coordinating the interoperability of various communications technologies throughout the District. The goals of this project are to:

- Create a common understanding of communications interoperability at the District
- Integrate existing and future communications systems
- Establish a process for the acquisition, implementation, on-going support, and maintenance of this communications infrastructure.
- Facilitate training to enhance the efforts of a unified communications strategy.

**Current Status:** The planned requirements gathering started on June 12, 2008 and completed in September 2008. The Sponsor's agreed to upgrade the towers to digital for better interoperability and reliability. Additional repeaters were ordered and received by TriCo, the vendor. Installation is planned for within the next 30 days. Upgraded cell phones are currently being distributed. The Architecture Review Board was briefed on the status on September 19, 2008. **Next Major Milestones:** An updated project review is scheduled for the Architecture
Review Board in January 2009. Upgrades to the radio infrastructure, which includes upgrading existing analog technology to digital with phased integration and migration for vehicles and handheld radio sets is planned throughout FY2009 and FY2010. The required core infrastructure upgrade requirements analysis is in process and is scheduled for completion in November 2008. This infrastructure upgrade is included in the IRD Five-Year Technology Plan, FY2009 to FY2013, and is included in the FY2009 IRD budget. The project remains on time and within budget for completion by July 2013.

Staff Recommendation:

This item is provided for the Committee’s information, and no action is required.

Presenter: Gene Schiller, Deputy Executive Director, Management Services
General Counsel’s Report

Discussion Items

74.  Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports

75.  Litigation Report ................................................................. 2

76.  Rulemaking Update .............................................................. 13
### ADMINISTRATIVE PROCEEDINGS

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<thead>
<tr>
<th>STYLE/CASE NO.</th>
<th>COURT/JUDGE</th>
<th>ATTORNEY</th>
<th>DESCRIPTION</th>
<th>STATUS (current as of 10/8/2008)</th>
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<tbody>
<tr>
<td>Dr. Octavio v. GPG, Inc. and SWFWMD/Case No. 08-3053</td>
<td>Division of Administrative Hearings/D. Alexander</td>
<td>J. Smith</td>
<td>Formal Administrative Proceedings on objection to issuance of ERP No. 43024788.007</td>
<td>6/10/08 – Request for Administrative Hearing served. 6/19/08 – Referral to DOAH served. 6/23/08 – Initial Order entered. 7/23/08 – Motion to Dismiss and for Fees and Costs served. 8/7/08 – Respondent GPG, Inc.’s Notice of Service of First Set of Interrogatories to Petitioner Dr. Octavio Blanco (with Interrogatories); and Motion to Withdraw as Counsel for Petitioner Dr. Blanco served. 8/11/08 – Order (granting Motion to Withdraw) entered. 8/12/08 – Amended Motion to Withdraw as Counsel for Petitioner Dr. Blanco served. 8/26/08 – Response to Motion to Dismiss and For Fees and Costs served. 9/3/08 – Recommended Order of Dismissal entered. 9/18/08 – Notice of Appearance served. 9/19/08 – Petitioner’s Exceptions to Recommended Order of Dismissal, and Respondent GPG, Inc.’s Response to Exceptions served. 9/30/08 - Final Order No. SWF 08-037 approved by Governing Board. 10/1/08 – Notice of Entry of Final Order served.</td>
</tr>
</tbody>
</table>
| Dr. Octavio v. SWFWMD and NNP-Bexley, LTD/Case No. 08-1972 | Division of Administrative Hearings/J. L. Johnston | J. Smith/M. Mitchell | Formal Administrative Proceedings on objection to issuance of ERP No. 43013740.004 | 3/19/08 – Request for Administrative Hearing served. 3/26/08 - Order of Dismissal Without Prejudice entered. 4/9/08 – Amended Request for Administrative Hearing served. 5/2/08 – Hearing scheduled for Sept. 9 – 12, 2008. 5/6/08 – Order Denying Motion to Expire entered. 6/3/08 – Order Granting Extension of Time (extending resolution session until 6/30/08) entered. 7/30/08 – Order Granting Official Recognition entered. 8/4/08 – Order Granting Motion in Limine entered. 8/8/08 – (NNP-Bexley’s) Motion for Fees and Costs served. 8/22/08 – Response to Motion for Fees and Costs served; and Order to Show Cause entered. 8/26/08 – Notice of Filing of Testimony of John Parker and Notice of Intent to Use Summary of Testimony served; and Order Vacating Order to Show Cause entered. 9/4/08 – Order Denying continuance entered. 9/5/08 – Notice of Pre-Hearing (teleconference held 9/8/08) served. Administrative Hearing held 9/9/08 and 9/10/08. 9/19/08 – Affidavit of Mark C. Rains, PhD in Support of Petitioner Dr. Octavio Blanco in Response to Respondent’s Motion for Fees and Costs served. 9/22/08 – Affidavit of Mark Stewart, PhD in Support of Petitioner Dr. Octavio Blanco in Response to Respondent’s Motion for Fees and Costs served. 9/24/08 – Affidavit of Patrick Tara in Support of Petitioner Dr. Octavio Blanco served. 9/25/08 – Notices of Taking Deposition of Mark C. Rains and Mark T. Stewart (scheduled for 9/29/08) served. 9/29/08 – Cross Notices of Taking Deposition (of Drs. Rains and Stewart) served. 10/1/08 – Notices of Filing Deposition Transcripts of
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<tr>
<td>Rothenberger, Daniel W. v. DOT and SWFWMD/Case No. 08-4274</td>
<td>Division of Administrative Hearings/B. Canter</td>
<td>A. Vining</td>
<td>Formal Administrative Proceedings on objection to issuance of ERP No. 43023532.002</td>
<td>8/11/08 – Request for Administrative Hearing served. 8/27/08 – Referral to DOAH. 9/2/08 – Initial Order entered. 9/5/08 – Joint Response to Initial Order entered. 9/12/08 – Notice of Hearing (February 25 and 26, 2009) and Order of Pre-Hearing Instructions entered. 9/18/08 – Notice of Appearance DOT served.</td>
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**DELEGATED ADMINISTRATIVE HEARING MATTERS**

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<th>STYLE/CASE NO.</th>
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**ENFORCEMENT CASES** (Including Administrative Complaints)

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<tr>
<th>STYLE/CASE NO.</th>
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<tbody>
<tr>
<td>SWFWMD v. Add-A-Room Self Storage of Bradenton, LLC</td>
<td>5th Judicial Circuit, Marion County/J. Singbush</td>
<td>J. Smith</td>
<td>Complaint and Petition for Enforcement of ACO No. SWF 07-35</td>
<td>7/17/08 – Petition filed. 7/21/08 – Defendant served.</td>
</tr>
<tr>
<td>SWFWMD v. R.J. Bunbury Homes, Inc.</td>
<td>6th Judicial Circuit, Pinellas County/J. Schaefer</td>
<td>A. Vining</td>
<td>Administrative Complaint and Order</td>
<td>8/12/08 – Complaint and Petition for Enforcement filed. 8/19/08 – Complaint and Petition for Enforcement served. 9/2/08 - Answer to Complaint and Petition for Enforcement served.</td>
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<tr>
<td>SWFWMD v. R.J. Bunbury Homes, Inc./Case No. 08-011833CI21</td>
<td></td>
<td>A. Vining</td>
<td>Administrative Complaint and Order</td>
<td>9/3/08 – Administrative Complaint and Order served. 9/9/08 - $500 payment of administrative fines received. 10/7/08 –</td>
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<tr>
<td>STYLE/CASE NO.</td>
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<tr>
<td>SWFWMD v. Central Suburban, Inc.</td>
<td>10th Judicial Circuit/Polk County</td>
<td>C. Felice</td>
<td>Administrative Complaint and Order</td>
<td>2/25/08 - Administrative Complaint and Order served. 5/7/08 - Administrative Complaint served on registered agent. 5/22/08 - Order No. SWF 08-015 entered. 7/22/08 – Complaint for Enforcement and Summons served on registered agent.</td>
</tr>
<tr>
<td>SWFWMD v. Central Suburban, Inc./53-2008-CA-006254-0000-00</td>
<td>5th Judicial Circuit, Lake County/W. G. Law</td>
<td>J. Ward</td>
<td>Complaint and Petition for Enforcement of Consent Order for ERP violations</td>
<td>4/19/04 - Complaint served. 6/24/05 - District's Motion for Summary Judgment served. 11/4/05 - Order for Partial Summary judgment entered (deeming Requests for Admissions to Defendant admitted). 4/11/07 – Motion for Leave to Amend Complaint (with Amended Complaint) and Notice of Hearing served. 12/11/07 - Final Judgment entered. 2/29/08 - Plaintiff’s Motion to Compel Compliance with Final Judgment and to Hold Defendant in Contempt of Court served. 3/17/08 - Received completed Fact Information Sheet. 4/8/08 - Final Judgment recorded in OR Book 03608, Page 2174, public records of Lake County. 7/28/08 – Order for Proceedings Supplementary to Execution (set for 9/22/08 at 10:30 a.m. in Tavares) entered. 9/19/08 - Amended Order for Proceedings Supplementary to Execution entered (rescheduled for 12/16/08). 10/3/08 - Execution issued by Clerk.</td>
</tr>
<tr>
<td>SWFWMD v. John Belcher/Case No. 06-4467CI-8</td>
<td>6th Judicial Circuit, Pinellas County/F. Quesada</td>
<td>A. Vining</td>
<td>Complaint and Petition for Enforcement of Administrative Complaint and Order</td>
<td>7/6/06 - Summons and Complaint served on Defendant. 10/27/06 – Motion for Default by the Court, and Notice of Hearing served. 11/13/06 – Order Denying Motion for Default by the Court entered. 1/17/07 – Order granting Plaintiff's Motion to Strike Defendant's Affirmative Defenses entered. 12/26/07 – Notice of Lack of Prosecution entered. 2/25/08 – Plaintiff's Motion for Summary Judgment served. 5/19/08 Plaintiff's Motion for Extension of Time served. 5/27/08 – Order on Plaintiff's Motion for Extension of Time entered; and Plaintiff's Memorandum of Law in Support of Motion for Summary Judgment served. 8/15/08 – Order granting Plaintiff's Motion for Summary Judgment entered. 9/17/08 – Notice of Hearing on Attorney Fees and Costs served.</td>
</tr>
<tr>
<td>SWFWMD v. Going, William</td>
<td></td>
<td>A. Vining</td>
<td>Administrative Complaint and Order</td>
<td>8/27/08 – Administrative Complaint and Order served. 9/24/08 – Request for hearing served. 10/6/08 – Order of Dismissal Without Prejudice entered.</td>
</tr>
<tr>
<td>SWFWMD v. HCH Holdings, LLC</td>
<td></td>
<td>C. Felice</td>
<td>Administrative Complaint and Order</td>
<td>7/2/08 - sent ACO to be served on Respondent. 7/11/08 - Respondent served. 8/21/08 - Order No. SWF 08-030 entered.</td>
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<tr>
<td>SWFWMD v. The Kell Group, Ltd.</td>
<td>10th Judicial Circuit, Highlands County/O. Shinholser</td>
<td>A. Vining</td>
<td>Administrative Complaint and Order</td>
<td>8/12/08 – Administrative Complaint and Order served. 9/5/08 – Administrative Complaint and Order SWF 08-035 entered.</td>
</tr>
<tr>
<td>SWFWMD v. Lake Sebring Estates Development, Corp./Case No. 08-892GCS</td>
<td>6th Judicial Circuit, Pinellas County/M. Shames</td>
<td>A. Vining</td>
<td>Complaint and Petition for Enforcement to enforce ACO No. SWF 06-54</td>
<td>7/15/08 - Complaint filed. 7/23/08 – Registered Agent served. 8/11/08 - Notice of Appearance filed on behalf of Defendant served. 9/2/08 - Answer and Affirmative Defenses served.</td>
</tr>
<tr>
<td>SWFWMD v. Manasota Electric, Inc.</td>
<td>6th Judicial Circuit, Pinellas County/M. Shames</td>
<td>J. Pepper</td>
<td>Administrative Complaint and Order</td>
<td>10/22/07 – Administrative Complaint and Order served. 11/6/07 - Order No. SWF 07-058 entered.</td>
</tr>
<tr>
<td>SWFWMD v. McClendon, J.C., Jr./Case No.0811837CI13</td>
<td>6th Judicial Circuit, Pinellas County/M. Shames</td>
<td>A. Vining</td>
<td>Complaint and Petition for Enforcement of ACO SWF07-056</td>
<td>8/12/08 – Complaint and Petition for Enforcement filed. 8/18/08 – Complaint and Petition for Enforcement served. 8/29/08 – Response served. 9/16/08 – Motion for Default by the Court served. 9/19/08 – Notice of Hearing on Motion for Default by the Court served.</td>
</tr>
<tr>
<td>SWFWMD v. Maldonado, Santos, Sr.</td>
<td>6th Judicial Circuit, Pinellas County/M. Shames</td>
<td>J. Felice</td>
<td>Administrative Complaint and Order</td>
<td>7/10/08 - sent ACO to be served on Respondent. 7/10/08 - Respondent served. 8/21/08 - Order No. SWF 08-031 entered.</td>
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<tr>
<td>SWFWMD v. Mozdzer, Wendy B.</td>
<td>6th Judicial Circuit, Pinellas County/M. Shames</td>
<td>J. Felice</td>
<td>Administrative Complaint and Order</td>
<td>7/10/08 - sent ACO to be served on Respondent. 8/5/08 - ACO served on Respondent. Deadline to respond is 8/19/08. 8/19/08 - Request for Administrative Hearing served. 9/02/08 – Respondent agrees to resolve matter through consent order. 9/23/08 – District receives signed consent order from Respondent. 9/29/08 – Consent Order No. SWF 08-039 approved by Governing Board.</td>
</tr>
<tr>
<td>SWFWMD v. Sean M. Murphy and Shelly A. Murphy</td>
<td>10th Judicial Circuit, Polk County/C. Moore</td>
<td>L. Pease</td>
<td>Administrative Complaint and Order</td>
<td>2/9/08 – Administrative Complaint and Order served on Sean M. Murphy. 2/28/08 – Order No. SWF 08-005 entered.</td>
</tr>
<tr>
<td>SWFWMD v. David Richardson and Lisa Richardson/Case No. 07-1395CI-07</td>
<td>6th Circuit Court, Polk County/L. Allan</td>
<td>J. Ward</td>
<td>Complaint and Petition for Enforcement</td>
<td>2/9/07 - Complaint and Petition for Enforcement filed; Summons Issued to Defendants. Return of Service (served 2/27/07). 5/3/07 – Plaintiff's Motion for Clerk’s Entry of Default Against Defendants filed. 5/30/07 - Plaintiff's Renewed Motion for Clerk’s Entry of Default Against Defendants (with Affidavit of Non-Military Service) served. 8/22/07- Default entered. 9/20/07 - Plaintiff's Ex Parte Motion for Entry of Final Judgment After Default (with proposed Order) served. 9/21/07 - Final Judgment</td>
</tr>
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<tr>
<td>SWFWMD v. Alan J. Rieder and Cynthia F. Rieder/Case No. 2005CA-001184-0000</td>
<td>10th Judicial Circuit, Polk County/D. Maloney</td>
<td>M. Moore</td>
<td>Complaint and Petition for Enforcement to enforce Administrative Complaint and Order No. 05-09</td>
<td>3/23/05 – Complaint and Petition for Enforcement filed. 6/8/05 - Mediation held. 6/28/05 - Mediation Settlement Agreement approved by Governing Board. 9/27/05 – Third payment received pursuant to Settlement Agreement. 10/19/05 – Payment received. 11/15/05 – Payment received. 4/20/06 – Payment received. 7/7/06 – Order Approving and Enforcing Mediation Agreement entered. 10/30/06 – Order Adjudging Defendants in Contempt served, setting 1/1/07 as compliance date or daily penalty of $250 thereafter. 11/13/06 – Order Adjudging Defendants in Contempt entered. Compliance with Contempt Order being monitored.</td>
</tr>
<tr>
<td>SWFWMD v. Shant Hotels, LLC</td>
<td>5th Judicial Circuit, Sumter County/J. Pepper/J. Ward</td>
<td>C. Felice</td>
<td>Administrative Complaint and Order</td>
<td>7/2/08 - sent ACO to be served on Respondent. 8/4/08 - Respondent served. Response due 8/18/08. 8/21/08 - Order No. SWF 08-029 entered.</td>
</tr>
</tbody>
</table>
| SWFWMD v. Danny J. Suggs, et al./Case No. 2003-CA-000724 | 5th Judicial Circuit, Sumter County/J. Booth | D. Graziano/J. Ward | Complaint enforcing Final Order No. SWF 03-050 | 7/7/03 - Complaint filed. 3/2/04 – Order Granting Plaintiff's Motion for Temporary Injunction entered. 5/11/04 – Order denying Defendants' Motion for Stay/Motion to Modify Injunction entered. 6/11/04 – Order Granting Attorney's Fees (for motion to compel inspection of land) entered. 7/12/04 – Order Granting Attorney's Fees (for motion to compel production of documents) entered. 4/25/05 – Order Adjudging Defendants in Contempt entered. 8/31/05 – Order denying Plaintiff's Motion for Partial Summary Judgment entered. 5/18/06 – Order Granting Defendants' Amended Motion for Judicial Inspection, Order on Defendants' Amended Motion for Evaluation of Defendants' Proposed Activity, and Order on Defendants' Motion to Modify Injunction entered. 7/28/06 – Order granting Plaintiff's Motion to Add Parties, etc. entered. 8/1/06 – Order on Motion to Modify Injunction After Considering the Party's Memoranda entered. 8/28/06 – Answer of new defendants served. 8/29/06 – Notice of Appeal of a Non-Final Order served. 2/13/07 – Order Granting Amended Motion for Protective Order entered. 2/11/08 – Order (Defendants to
<table>
<thead>
<tr>
<th>STYLE/CASE NO.</th>
<th>COURT/JUDGE</th>
<th>ATTORNEY</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>SWFWMD v. Tomko Development, Inc. and Built To The T, Inc./Case No. 05-4689, Division F</td>
<td>13th Judicial Circuit, Hillsborough County/Judge Nielson</td>
<td>J. Ward</td>
<td>Complaint to enjoin defendant to complete activities required by ERP Nos. 4419967.000, .001</td>
</tr>
<tr>
<td>SWFWMD v. Trimar Southeast Developments, Inc./Case No. 512003CA-3209ES, Section Y</td>
<td>6th Judicial Circuit, Pasco County/W. Cobb</td>
<td>J. Ward</td>
<td>Complaint and Petition for Enforcement of Consent Order for ERP violations</td>
</tr>
<tr>
<td>SWFWMD v. Wygant, Wayne</td>
<td></td>
<td>A. Vining</td>
<td>Administrative Complaint and Order</td>
</tr>
<tr>
<td>Crowley Museum and Nature Center, Inc. v. SWFWMD, et al./Case No. 2002-CA-015283NC</td>
<td>12th Judicial Circuit, Sarasota County/B. A. Titus</td>
<td>J. Ward</td>
<td>Complaint for inverse condemnation, trespass, nuisance and negligence</td>
</tr>
</tbody>
</table>

**MISCELLANEOUS**

- 11/21/06 - Order Granting Leave to Amend the Complaint entered. 12/11/06 - SWFWMD & SWFWMD Governing Board’s Motion to Dismiss Fourth Amended Complaint served. 1/24/07 - Defendant SWFWMD’s Amended Motion to Dismiss, Motion to Strike, Motion for a More Definite Statement, and Supporting Memorandum of Law served. 3/20/07 – Plaintiff’s Response to Defendant SWFWMD’s Amended Motion to Dismiss, Motion to Strike and Motion for a More Definite Statement served. 4/16/07


5/31/05 – Complaint filed. 10/25/05 - Order entered granting District’s Motion to Strike Affirmative Defenses. 7/13/06 - Order (granting Motion to Amend Complaint) entered. 8/2/06 - Defendant’s Motion to Dismiss Count III of Amended Complaint served. 11/10/06 - Built To The T served. 12/29/06 – Motion for Entry of Default Judgment, or in the Alternative, Motion to Strike Response of Defendant Built To The T, Inc. served. 1/23/07 – Defendant Built To The T, Inc.’s Answer and Affirmative Defenses to Amended Complaint served. 12/6/07 - Order (denying) Defendant Tomko Development, Inc.’s Motion to Dismiss Count III of Amended Complaint; and Order (granting) Plaintiff’s Motion to Compel Defendant Tomko Development, Inc. to Produce Documents entered.

11/5/03 - Complaint filed. 8/7/06 – Order granting Motion to Withdraw; and Order granting Third Motion for Extension of Time to Respond to Discovery entered. 9/7/07 - Notice of Taking Deposition Duces Tecum served. 10/24/07 - Notice of Taking Deposition (of corporate representative of Trimar) served. 10/26/07 - Amended Notice of Taking Deposition (of corporate representative of Trimar) served.

9/8/08 – Administrative Complaint and Order served.

11/5/03 - Complaint filed. 8/7/06 – Order granting Motion to Withdraw; and Order granting Third Motion for Extension of Time to Respond to Discovery entered. 9/7/07 - Notice of Taking Deposition Duces Tecum served. 10/24/07 - Notice of Taking Deposition (of corporate representative of Trimar) served. 10/26/07 - Amended Notice of Taking Deposition (of corporate representative of Trimar) served.
<table>
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<tr>
<th>STYLE/CASE NO.</th>
<th>COURT/JUDGE</th>
<th>ATTORNEY</th>
<th>DESCRIPTION</th>
<th>STATUS (current as of 10/8/2008)</th>
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</thead>
<tbody>
<tr>
<td>Dencker, Dennis W. v. SWFWMD, et al./Case No. 53-2008-CA-006548-0000-WH</td>
<td>10th Judicial Circuit, Polk County/C. Curry</td>
<td>J. Ward</td>
<td>Suit to quiet title</td>
<td>9/23/08 - Summons, Complaint to Quiet Tax Title and Affidavit of Dennis W. Dencker served.</td>
</tr>
<tr>
<td>Ham, Lance H. and Norma G. Ham v. City of Plant City, Hillsborough County and SWFWMD/Case No. 05-CA-9419 R</td>
<td>13th Judicial Circuit, Hillsborough County/C. Isom</td>
<td>E. Kohlmyer/J. Ward</td>
<td>Suit for damages and injunctive relief alleging inverse condemnation</td>
<td>11/10/05 – Summons and Complaint served. 11/21/05 – Plant City's Motion to Dismiss for Failure to State a Cause of Action served. 12/13/05 – SWFWMD's Motion to Dismiss and/or Motion to Abate and/or Motion for a More Definite Statement; and Plaintiffs' Amended Complaint served. 1/3/06 – Hillsborough County's Motion to Dismiss Counts II and III of Plaintiffs' Amended Complaint served. 1/10/06 – Defendant, SWFWMD's Answer and Affirmative Defenses to Plaintiff's Amended Complaint served. 1/17/06 – Defendant Plant City's Answer and Affirmative Defenses to Amended Complaint served. 1/2/08 - Order Denying Defendant's Motion for Summary Judgment and Order Denying Defendant City of Plant City's Motion to Dismiss for Fraud on the Court or in the Alternative, Motion to Strike Plaintiff's Affidavits and Memorandum of Law entered. 2/18/08 - Order Denying Defendant Hillsborough County's Motion to Dismiss as to Count II And Order Dismissing Count III of Amended Complaint as to Defendant Hillsborough County entered; Order Denying Defendant CPC's Motion for Reconsideration And Order Dismissing Defendant CPC's Motion to Leave to Proffer Fraud Evidence entered. 4/3/08 - Order Continuing Trial From the Trial Docket of June 16, 2008 entered. 4/23/08 - Hillsborough County's Motion for Summary Judgment and Incorporated Memorandum of Law served. 4/25/08 - Defendant City of Plant City's Motion for Summary Judgment and Notice of Hearing on same (set for 5/14/08) served.</td>
</tr>
</tbody>
</table>
**Hames, Cedar and Nora H. Scholin v. State of FL Department of Environmental Protection and SWFWMD/Case No. 2007-CA-001649**

<table>
<thead>
<tr>
<th>STYLE/CASE NO.</th>
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<th>ATTORNEY</th>
<th>DESCRIPTION</th>
<th>STATUS (current as of 10/8/2008)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12th Judicial Circuit, Manatee County/P. Dubensky</td>
<td>D. Graziano /J. Ward</td>
<td>Suit for damages alleging inverse condemnation</td>
<td>4/4/07 – Amended Complaint and Summons served. 4/23/07 - State of Florida Department of Environmental Protection’s Motion to Dismiss served. 5/16/07 - Order from Middle District of Florida remanding case back to circuit court entered. 5/18/07 - SWFWMD’s Motion to Dismiss served. 5/24/07 - Notice of Hearing (on DEP’s &amp; SWFWMD’s Motions to Dismiss – scheduled for 7/18/07) served. 8/7/07 – SWFWMD’s Answer served. 8/9/07 - Plaintiffs’ Reply to Affirmative Defenses and Motion to Strike served. 8/15/07 - Defendant SWFWMD’s Motion for Summary Judgment and Memorandum of Law in Support of Defendant’s Motion served. 8/23/07 - (Plaintiff’s) Motion to Bifurcate served. 10/12/07 - Defendant SWFWMD’s Amended Motion for Summary Judgment and Memorandum of Law in Support of Defendant’s Motion served. 10/17/07 - (Plaintiff’s) Motion for Partial Summary Judgment as to SWFWMD’s Liability for Taking Under Counts I, II, IV, V, VII, VIII, X, XI, XIII, XIV, XVII, XX and XXIII of Plaintiff’s Amended Complaint served. 11/6/07 – Memorandum of Law in Opposition to Plaintiffs’ Motion for Summary Judgment served. 12/7/07 - Order Denying Defendant’s Amended Motion for Summary Judgment; Order Granting Plaintiff’s Motion for Partial Summary Judgment as to SWFWMD’s Liability for Taking entered. 1/14/08 - Order Denying Defendant Southwest Florida Water Management District’s Motion for Rehearing entered. 2/4/08 - Amended Order of Referral to mediation entered; Agreed Order Regarding Date of Taking entered. 2/20/08 - Notice of Invoking Automatic Stay Pending Review Pursuant to Rule 9.310(b)(2), Fla.R.App.P. served. 2/22/08 - Motion for Relief from Stay; Notice of Hearing (scheduled for 3/4/08) served. 2/27/08 - Notice of Court Ordered Mediation entered. 3/14/08 - Stipulated Order entered. 5/9/08 - Defendant’s Notice of Serving Proposal for Settlement to Plaintiffs served. 7/15/08 Order Setting Case Management Conference (on 8/27/08) entered. 8/7/08 – Proposed Stipulated Order served. 8/18/08 - Stipulated Order of Referral to Mediation entered. 9/5/08 - Motion in Limine on Taking Issue served. 9/8/08 – Order Scheduling Case for Jury Trial, Pretrial Conference &amp; Referral to Mediation entered. (Trial set for 1/26/09; Pretrial set for 1/16/09). 9/25/08 - Defendant’s Response to Plaintiffs’ Motion in Limine on the Taking Issue served. 9/29/08 - Motion to Continue Mediation Date served; Motion to Set Aside/Vacate Court’s Order Granting Partial Summary Judgment for Misrepresentation on the Court served. 10/2/08 - Amended Motion to Set Aside/Vacate</td>
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<tr>
<td>STYLE/CASE NO.</td>
<td>COURT/JUDGE</td>
<td>ATTORNEY</td>
<td>DESCRIPTION</td>
<td>STATUS (current as of 10/8/2008)</td>
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<tr>
<td>Keeley, Mike &amp; Tina v. Allstate Floridian Insurance Company &amp; City of Bartow; City of Bartow (3rd Party Plaintiff) v. Polk County School Board, SWFWMD, Pickett Hunter Architects, P.A. &amp; Envisors, LLC</td>
<td>10th Judicial Circuit, Polk County/</td>
<td>J. Ward</td>
<td>Third Party Complaint against the District by City of Bartow with regard to complaint against them for an inverse condemnation and negligence charges.</td>
<td>Court's Order Granting Partial Summary Judgment for Misrepresentation on the Court served and Notice of Rescheduled Hearing (set for the 10/6/08) served. 10/6/08 - Plaintiffs' Motion to Strike or for More Definite Statement and for Sanctions and, in the Alternative, Response in Opposition to Defendant's Motion to Set Aside/Vacate Judgment for Misrepresentation on the Court and Notice of Hearing (set for 10/6/08) served. 5/1/08 - Summons and Defendant, Third Party Plaintiff City of Bartow’s Third Party Complaint served. 6/2/08 - Third Party Defendant SWFWMD’s Motion to Dismiss Third Party Complaint and Motion for More Definite Statement served. 6/4/08 - Envisors, LLC’s Motion to Dismiss Third Party Complaint served. 06/23/08- Notice of Voluntary Dismissal With Prejudice as to Allstate Floridian Insurance Company Only served. 7/18/08 - Motion to Dismiss Third Party Complaint by Third Party Defendant, The School Board of Polk County, Florida served. 9/17/08 - Notice of Hearing (on SWFWMD’s Amended Motion to Dismiss Third Party Complaint and Motion for More Definite Statement (set for 12/5/08) served. 10/2/08 - Joint Stipulation for Substitution of Counsel served (substituting Tracy Marshall of Gray Robinson for T.R. Unice of Zimmett, Unice as co-counsel for SWFWMD).</td>
</tr>
</tbody>
</table>
| Trinkaus, Regina v. SWFWMD/Case No. H27CA2007-175 | 5th Judicial Circuit, Hernando County/D. Merritt, Sr. | F. Miller/L. Tetreault | Complaint for breach of contract | 2/26/07 – Complaint served. 3/16/07 – Defendant’s Motion to Dismiss Plaintiff’s Complaint for Failure to State a Cause of Action, or, Alternatively, Motion for More Definite Statement, and Memorandum of Law served. 6/21/07 - Defendant’s Reply Memorandum served. 10/2/07 - Order (granting SWFWMD’s Motion to Dismiss without prejudice) entered. 10/02/07 - Amended Complaint served. 10/19/07 - Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint for Failure to State A Cause of Action and Memorandum of Law served. 11/26/07 - Plaintiff’s Memorandum in Opposition to Defendant’s Motion to Dismiss the Amended Complaint served. 12/18/07 - Plaintiff’s Counter Motion for Section 57.105 Sanctions and Incorporated Memorandum of Law served. 3/4/08- Notice of Filing - Motion for Attorney’s Fees and Costs Pursuant to Section 57.105, Florida Status, and Incorporated Memorandum of Law served. 4/15/08 - Notice of Hearing (on our Motion to Dismiss Amended Complaint set for 6/2/08) served. 6/2/08 - Emergency Motion to Continue or in the Alternative Other Relief served. 6/3/08 - Order (granting our Motion to Dismiss Amended Complaint w/o prejudice and granting Plaintiff 15 days from
<table>
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<tr>
<th>STYLE/CASE NO.</th>
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<th>STATUS (current as of 10/8/2008)</th>
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<tbody>
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<td>6/2/08, in which to file Second Amended Complaint) entered.</td>
<td>6/18/08 - Second Amended Complaint served. 7/1/08 - Defendant’s Motion to Dismiss Plaintiff’s Second Amended Complaint for Failure to State a Cause of Action and Incorporated Memorandum of Law served. 9/25/08 - Order to Show Cause entered (giving Trinkaus 10 days to respond to our Motion to Dismiss Second Amended Complaint). 10/7/08 - Order of Substitution of Counsel (Gonzalez for Miller) entered.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>6/18/08 - Second Amended Complaint served. 7/1/08 - Defendant’s Motion to Dismiss Plaintiff’s Second Amended Complaint for Failure to State a Cause of Action and Incorporated Memorandum of Law served. 9/25/08 - Order to Show Cause entered (giving Trinkaus 10 days to respond to our Motion to Dismiss Second Amended Complaint). 10/7/08 - Order of Substitution of Counsel (Gonzalez for Miller) entered.</td>
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</tbody>
</table>

**APPEALS**

- **Blanco, Octavio v. Win-Suncoast, Ltd. and SWFWMD/Case No. 2D08-2012**
  - Second District Court of Appeal
  - J. Smith/J. Ward
  - Appeal of Final Order of SWFWMD
  - 4/23/08 – Notice of Administrative Appeal served. 4/25/08 – Acknowledgment of New Case filed. 6/5/08 – Index to Record served. 7/9/08 – Notice of Appearance (of Bricklemyer Smolker & Bolves, P.A.) and Motion for Sanctions served. 7/9/08 – Motion for Enlargement of Time to File Initial Brief served. 7/21/08 – Response to Motion for Enlargement of Time to File Initial Brief served. Order granting motion to extend time entered. 7/30/08 – Order denial of motion for sanctions filed by Win-Suncoast entered. 8/7/08 – Record on Appeal served. 8/21/08 – Initial Brief of Appellant Octavio Blanco served. 8/29/08 – SWFWMD’s Agreed Motion for Enlargement of Time to File Answer Brief served. 9/3/08 - Stipulated Motion for Extension of Time to File Answer Brief served; and Order Granting Extension of Time for Answer Brief entered. Answer Brief due 10/10/08. 9/5/08 – Order granting Win-Suncoast's extension of time to file answer brief entered. 10/7/08 – Answer Brief of Appellee, Win-Suncoast, Ltd. served. 10/9/08 – SWFWMD's Answer Brief served.

- **Crowley Museum and Nature Center, Inc. v. SWFWMD, et al./Case No. 2D07-2013**
  - Second District Court of Appeal
  - J. Ward
  - Appeal of order granting with prejudice SWFWMD's Amended Motion to Dismiss
  - 4/18/07 – (Crowley’s) Notice of Appeal filed. 5/31/07 - Index to Record filed served. 6/28/07 - Initial Brief of Appellant served (with Appendices). 7/10/07 - SWFWMD’s Agreed Motion for Enlargement of Time to File Answer Brief served. 8/13/07 - Appellant’s Motion to Supplement the Record with Order on Motion for Clarification served. 8/28/07 - Order (granting Appellant’s motion to supplement the record) entered. 8/31/07 - Appellant’s Motion to Amend the Initial Brief (with Amended Initial Brief of Appellant) served. 9/4/07 - Supplemental Index served. 9/7/07 - SWFWMD’s Response in Opposition to Appellant’s Motion to File Amended Initial Brief served. 9/10/07 - Appellant Nature Center’s Motion for Leave to File Reply to District’s Response to Motion for Leave to File An Amended Initial Brief served. 9/13/07 - Revised Supplemental Index.
10/5/07 - SWFWMD’s Agreed Motion for Enlargement of Time to File Answer Brief served. 10/9/07 - Answer Brief to Appellant’s Amended Initial Brief by Appellee SWFWMD served. 10/26/07 - Appellant’s Motion for Leave to File 25 Page Reply Brief served. 10/31/07 - Order Authorizing Longer Brief entered. 11/5/07 - Reply Brief of Appellant Crowley Museum and Nature Center, Inc. served; Appellant’s Request for Oral Argument served. 1/4/08 - Supplemental Index #2 served. 1/17/08 - SWFWMD Governing Board’s Motion for Leave to File Answer Brief served. 1/23/08 - Appellant Nature Center’s Response to Governing Board’s Motion for 45 Days to File Answer Brief served. 1/30/08 - Order (granting SWFWMD’s motion for extension of time to file answer brief - due within 45 days from date of Order) entered. 3/17/08 - Answer Brief to Appellant’s Initial Brief by Appellee SWFWMD Governing Board served. 4/11/08 - Appellant Crowley Museum and Nature Center’s Reply to Answer Brief of Governing Board served. 6/24/08- Appellant’s Motion for Continuance of Oral Argument served.

CONSENT ORDERS

<table>
<thead>
<tr>
<th>VIOLATOR</th>
<th>BOARD POLICY</th>
<th>ATTORNEY</th>
<th>VIOLATIONS</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wygant, Wayne</td>
<td>160-6</td>
<td>A. Vining</td>
<td>Contractor Violation</td>
<td>9/29/08 – Consent Order signed by violator.</td>
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<td>10/8/08 – Consent Order signed by Ex. Director.</td>
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# Rulemaking Update

**October 2008**

**Proposed Rules for Which the Governing Board Has Authorized Initiation of Rulemaking**

<table>
<thead>
<tr>
<th>Rule Description</th>
<th>Initiation Date</th>
<th>Next Scheduled Action</th>
<th>Projected Board Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. (40D-1.002) Rulemaking to expand delegation of authority to the Executive Director for issuance of Environmental Resource and Water Use Permits</td>
<td>Apr 2008</td>
<td>Governing Board Dec 2008</td>
<td>Dec 2008</td>
</tr>
<tr>
<td>2. (40D-1.603, 40D-1.1010, 40D-1.1024, 40D-2.091, 40D-2.101, 40D-4.041, 40D-4.101, 40D-40.040, 40D-40.112) Rulemaking to revise permit application noticing provisions and clarify noticing of agency action</td>
<td>Sept 2008</td>
<td>Effective Approximately late Oct/early Nov 2008</td>
<td>N/A</td>
</tr>
<tr>
<td>3. (40D-1.607) Rulemaking to adjust environmental resource permitting application fees</td>
<td>July 2008</td>
<td>TBA</td>
<td>TBA</td>
</tr>
<tr>
<td>5. (40D-1.659, 40D-2.091) Rulemaking to adopt flow meter accuracy verification reporting and forms requirements</td>
<td>Apr 2008</td>
<td>Governing Board Dec 2008</td>
<td>N/A</td>
</tr>
<tr>
<td>6. (40D-2.091) Rulemaking to expand SWUCA per capita requirements District-wide</td>
<td>Jan 2007</td>
<td>Effective Approximately January 2009</td>
<td>N/A</td>
</tr>
<tr>
<td>8. (40D-2.301, 40D-2.321, BOR 1.9) Rulemaking to provide for a 20-year permit for uses with both traditional and AWS sources, 5-year compliance review, population growth report, establish permit fee, clarify type of ERP required to obtain a 20-year permit for multi-phase, long-term AWS projects</td>
<td>Jul/Aug 2006</td>
<td>Governing Board Feb 2009</td>
<td>Feb 2009</td>
</tr>
<tr>
<td>Rule</td>
<td>Initiation Date</td>
<td>Next Scheduled Action</td>
<td>Projected Board Approval Date</td>
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<td>10. (40D-4.091) Rulemaking to amend ERP BOR to maintain the protection of certain listed wildlife species of the Bald Eagle</td>
<td>Jun 2008</td>
<td>Effective Approximately Dec 2008</td>
<td>N/A</td>
</tr>
<tr>
<td>11. (40D-4.091) Rulemaking to incorporate clarifying language in the water quantity section of the ERP BOR</td>
<td>Sept 2008</td>
<td>Effective Approximately Jan 2009</td>
<td>N/A</td>
</tr>
<tr>
<td>12. (40D-8.624) Rulemaking to add minimum levels for Lake Crews in Pasco County</td>
<td>Nov/Dec 2006</td>
<td>TBA</td>
<td>TBA</td>
</tr>
<tr>
<td>14. (40D-26) Rulemaking to adopt the District’s Program “Facilitating Agricultural Resource Management Systems” (FARMS)</td>
<td>Oct 2006</td>
<td>Effective Approximately Nov 2008</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Governing Board Meeting
October 28, 2008

Reports

77. **Industrial Advisory Committee Liaison Report**
    The Committee met on October 21, 2008, and Ms. Closshey is the Board’s liaison.

78. **Public Supply Advisory Committee Liaison Report**
    The Committee met on October 21, 2008, and Mr. Pressman is the Board’s liaison.

79. **Well Drillers Advisory Committee Liaison Report**
    The Committee met on October 22, 2008, and Mr. Oakley is the Board’s liaison.

80. **Executive Director’s Report**

81. **Chair’s Report**