

Governing Board Meeting

Agenda and Meeting Information

April 28, 2020

10:00 AM

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs, services and activities. Anyone requiring reasonable accommodation, or would like information as to the existence and location of accessible services, activities, and facilities, as provided for in the Americans with Disabilities Act, should contact Donna Kaspari, Sr. Performance Management Professional, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; or email ADACoordinator@WaterMatters.org or ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice). If requested, appropriate auxiliary aids and services will be provided at any public meeting, forum, or event of the District. In the event of a complaint, please follow the grievance procedure located at WaterMatters.org/ADA.

Final Agenda

GOVERNING BOARD MEETING

APRIL 28, 2020

10:00 AM

Brooksville Office

2379 BROAD STREET, BROOKSVILLE, FL 34604

(352) 796-7211

All meetings are open to the public.

- Viewing of the Board meeting will be available at each of the District offices and through the District's website (www.WaterMatters.org) -- follow directions to use internet streaming.
- Public input will be taken only at the meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

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

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

Bartow Office

170 Century Boulevard
Bartow, Florida 33830
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office

7601 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

10:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

1. *Call to Order*
2. *Invocation and Pledge of Allegiance*
3. *Additions/Deletions to Agenda*
4. *Public Input for Issues Not Listed on the Published Agenda*

CONSENT AGENDA (TAB B)***Finance/Outreach & Planning Committee***

5. Water Conservation Month
6. Information Technology – Access Privileges Follow-Up Audit by the Office of Inspector General
7. District Boat Replacement
8. Budget Transfer Report

Resource Management Committee

9. Recommend FY2021 Springs Projects for FDEP Funding Consideration
10. FARMS – Dover Land, LLC Phase 2 – Haynes Road, LLC (H782), Hillsborough County
11. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum and Guidance Levels for Lake Marion in Levy County (P256)

Operations, Lands and Resource Monitoring Committee

12. Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy Florida, LLC, Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P
13. Conveyance of Fee Interest for the Ridge Road Right-Of-Way, Pasco County, FL, SWF Parcel Numbers 15-705-107S and 15-705-108P
14. Non-Exclusive Utility Easement to Duke Energy Florida, LLC for the Sawgrass Lake Water Control Structure – SWF Parcel No. 16-560-144X
15. Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal - SWF Parcel Numbers 13-001-326

Regulation Committee

16. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 2005789.013 – Wiscon Maintenance Compound / Hernando County Water System / Hernando County BOCC (Hernando County)
 - b. WUP No. 20020883.000 – Sarasota National Community Development District/WCI Communities, LLC (Sarasota County)
 - c. WUP No. 20003872.020 – West Villages Improvement District/The Ranch Land Operations, LLC, West Villages Improvement District (Sarasota County)

General Counsel's Report

17. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Governing Board Concurrence – Emergency Order No. SWF 20-014 – Emergency Measures Made Necessary by COVID-19
 - b. Governing Board Resolution – Temporary Delegation of Authority to the Executive Director
 - c. Approval of Consent Order Between SWFWMD and Panther Trails, CDD – Overpumpage – WUP No. 20001854.008 – CT No. 400313 – Hillsborough County
18. Rulemaking - None

Executive Director's Report

19. Approve Governing Board Minutes – March 24, 2020

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)***Discussion***

20. Consent Item(s) Moved for Discussion
21. Investment Strategy Quarterly Update

Submit & File Reports

22. Office of Inspector General Quarterly Update – January 1, 2020 to March 31, 2020

23. Self-Funded Health Insurance Plan - 2019 Annual Update

Routine Reports

- 24. Treasurer's Report and Payment Register
- 25. Monthly Financial Statement
- 26. Monthly Cash Balances by Fiscal Year
- 27. Comprehensive Plan Amendment and Related Reviews Report

RESOURCE MANAGEMENT COMMITTEE (TAB D)**Discussion**

- 28. Consent Item(s) Moved for Discussion
- 29. 2020 Regional Water Supply Plan Update

Submit & File Reports - None**Routine Reports**

- 30. Minimum Flows and Levels Status Report
- 31. Significant Water Resource and Development Projects

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB E)**Discussion**

- 32. Consent Item(s) Moved for Discussion

Submit & File Reports - None**Routine Reports**

- 33. Significant Activities
- 34. Structure Operations
- 35. Surplus Lands Update

REGULATION COMMITTEE (TAB F)**Discussion**

- 36. Consent Item(s) Moved for Discussion
- 37. Denials Referred to the Governing Board

Submit & File Reports - None**Routine Reports**

- 38. Overpumpage Report
- 39. Individual Permits Issued by District Staff
- 40. Hydrologic Conditions Report and Consider Water Shortage Order(S) as Necessary

GENERAL COUNSEL'S REPORT (TAB G)**Discussion**

- 41. Consent Item(s) Moved for Discussion

Submit & File Reports - None**Routine Reports**

- 42. April 2020 Litigation Report
- 43. April 2020 Rulemaking Update

EXECUTIVE DIRECTOR'S REPORT (TAB H)

- 44. Executive Director's Report

CHAIR'S REPORT (TAB I)

- 45. Chair's Report
- 46. Employee Milestones

*** **RECESS PUBLIC HEARING** ***

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 November 26, 2019

OFFICERS	
Chair	Mark Taylor
Vice Chair	Michelle Williamson
Secretary	Joel Schleicher
Treasurer	Kelly S. Rice

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
James G. Murphy, Chair
Jack Bispham

RESOURCE MANAGEMENT COMMITTEE
Rebecca Smith, Chair
Roger Germann

REGULATION COMMITTEE
Joel Schleicher, Chair
Michelle Williamson

FINANCE/OUTREACH AND PLANNING COMMITTEE
Kelly S. Rice, Chair
Seth Weightman

** Board policy requires the Governing Board Treasurer to chair the Finance Committee.*

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Michelle Williamson
Environmental Advisory Committee	Roger Germann
Industrial Advisory Committee	James G. Murphy
Public Supply Advisory Committee	Kelly S. Rice (Temporary)
Well Drillers Advisory Committee	Seth Weightman

OTHER LIAISONS	
Central Florida Water Initiative	James Murphy
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	Jack Bispham
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Roger Germann
Tampa Bay Regional Planning Council	Rebecca Smith

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2020**

Updated 4/15/2020

Governing Board Meeting

October 22, 2019 – 9:00 a.m., Brooksville Office
November 19, 2019 – 9:00 a.m., Tampa Office
December 10, 2019 – 11:00 a.m., Brooksville Office
January 28, 2020 – 9:00 a.m., Tampa Office
February 25, 2020 – 9:00 a.m., Brooksville Office
March 24, 2020 – 10:00 a.m., Brooksville Office (Audio Visual Communication)
April 28, 2020 – 10:00 a.m., Brooksville Office (Audio Visual Communication)
May 19, 2020 – 9:00 a.m., Tampa Office
June 23, 2020 – 9:00 a.m., Brooksville Office
July 28, 2020 – 9:00 a.m., Tampa Office
August 25, 2020 – 9:00 a.m., Brooksville Office
September 22, 2020 – 3:00 p.m., Tampa Office

Governing Board Public Budget Hearing – 5:01 p.m., Tampa Office

2020 – September 8 & 22

Agricultural & Green Industry Advisory Committee – 10:00 a.m., Tampa Office

2019 – December 3
2020 – March 10, June 9, September 15

Environmental Advisory Committee – 10:00 a.m., Tampa Office

2019 – October 8
2020 – January 14, April 14, July 14

Industrial Advisory Committee – 10:00 a.m., Tampa Office

2019 – November 5
2020 – February 11, May 12, August 11

Public Supply Advisory Committee – 1:00 p.m., Tampa Office

2019 – November 5
2020 – February 11, May 12, August 11

Well Drillers Advisory Committee – 1:30 p.m., Tampa Office

2019 – October 9
2020 – January 8, April 8, July 8

Cooperative Funding Initiative – all meetings begin at 10:00 a.m.

2020 – February 5 – Northern Region, Brooksville Office
2020 – February 6 – Southern Region, Sarasota County Commission Chamber
2020 – February 12 – Heartland Region, Bartow City Hall
2020 – February 13 – Tampa Bay Region, Tampa Office
2020 – April 1 – Northern Region, Brooksville Office (Audio Visual Communication)
2020 – April 2 – Southern Region, Brooksville Office (Audio Visual Communication)
2020 – April 8 – Tampa Bay Region, Brooksville Office (Audio Visual Communication)
2020 – April 9 – Heartland Region, Brooksville Office (Audio Visual Communication)

Public Meeting for Pending Permit Applications – 9:00 a.m., Tampa Office

2019 – October 2, November 6, December 4
2020 – January 8, February 5, March 4, April 1, May 6, June 3, July 1, August 5, September 2

**Environmental Resource Permitting Advisory Group – 10:00 a.m., and
Water Use Permitting Advisory Group – 2:00 p.m., Tampa Office**

2019 – October 30
2020 – April 29, July 22

Meeting Locations

Brooksville Office – 2379 Broad Street, Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637
Lake Eva Banquet Hall – 799 Johns Avenue, Haines City, FL 33844
Bartow City Hall – 450 N. Wilson Avenue, Bartow, FL 33830
Sarasota County Commission Chamber – 1660 Ringling Blvd. Sarasota, FL 34236
Sarasota County Operations Center – 1001 Sarasota Center Blvd. Sarasota, FL 34240

Executive Summary

Executive Summary

GOVERNING BOARD MEETING

APRIL 28, 2020
10:00 a.m.

CONVENE PUBLIC MEETING (TAB A)

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Additions/Deletions to Agenda**
4. **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, the item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

Finance/Outreach & Planning Committee

5. Water Conservation Month

Request that the Governing Board sign a resolution declaring April 2020 as “Water Conservation Month.” Declaring April as “Water Conservation Month” has historically been used by the District to focus the public’s attention on the need for and benefits of water conservation and to highlight the resources available to help them.

Since 1998, the state of Florida, water management districts, local governments and water-related organizations have declared April as “Water Conservation Month.” April is typically the time of year when water demands increase due to generally hot and dry conditions. The concept of “Water Conservation Month” was developed by the Florida Water Wise Council, which has since evolved into the Water Use Efficiency Division of the Florida Section of the American Water Works Association (FSAWWA).

The District promotes water conservation year-round and highlights those efforts in the FY2019 Water Conservation Summary Report (provided under separate cover). The report covers conservation efforts with measurable savings throughout the District, including cost-share funding, technical assistance, education and outreach, and research and regulation. Examples of conservation public education include the Skip a Week campaign during the winter months and the Watch the Weather, Wait to Water campaign during the summer months.

During Water Conservation Month, conservation was promoted through news releases, videos, blog and e-newsletter articles and social media posts. In addition, the District provided Water Conservation Month materials to public supply utilities to promote conservation to their customers.

The District's government affairs regional managers contacted local governments encouraging them to adopt Water Conservation Month proclamations. The FSAWWA tracks statewide proclamations and provides the list to the Governor in support of a state resolution declaring April as "Water Conservation Month."

Staff Recommendation:

Approve and execute Resolution No. 20-03 declaring April 2020 as "Water Conservation Month."

6. **Information Technology – Access Privileges Follow-Up Audit by the Office of Inspector General**

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General shall monitor the implementation of the District's response to any audit issued by the Auditor General (AG).

On July 9, 2018, the AG released report No. 2019-001 on the operational audit of the District. Included in this report was a finding regarding IT access privileges. The AG recommended the District should ensure that assigned access privileges restrict employees to only those functions necessary for their assigned job responsibilities and enforce an appropriate separation of incompatible duties. To help monitor assigned access privileges, the District should establish procedures to periodically review the appropriateness of such privileges to ensure that employees do not access IT resources and functions that are incompatible with their assigned job responsibilities. In addition, if an employee only requires occasional access to perform back-up duties, the access should be granted only for the time needed.

The OIG conducted this follow-up audit for the period September 30, 2019 to February 28, 2020 in accordance with Generally Accepted Government Auditing Standards. Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for conclusions based upon the audit objectives. The OIG believes that the evidence obtained provides a reasonable basis for the conclusion based on the audit objectives.

The audit objectives of this follow-up audit were to:

- Evaluate management's performance in establishing and maintaining internal controls in accordance with applicable statutes, laws, rules, regulations, contracts, grant agreements, and other guidelines.
- Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and the safeguarding of assets, and identify weaknesses in those controls.
- Determine whether management had taken corrective action for, or was in the process of correcting, the AG's IT access privileges finding from report No. 2019-001.

OIG's follow-up audit disclosed District Management had taken corrective actions as recommended by the AG for the IT access privileges finding. No further findings or recommendations relating to the scope of this audit are included in the audit report.

Staff Recommendation:

Staff recommends the Board approve the Office of Inspector General IT Access Privileges Follow-Up Audit.

7. **District Boat Replacement**

Request Governing Board approval to utilize budgeted funds from the Capital Field Equipment Fund (CFEF) to replace boats 3101 and 3316 with one 24-foot aluminum landing craft boat.

The District purchased a Fiesta 18-foot Pontoon Boat in 2004 (unit 3101). It is used by multiple sections within the District for maintenance of structures and canals, deployment of buoys and boat barriers, placement of lake gauges, and maintenance and placement of data monitoring equipment. It is a standard pontoon boat with a wooden deck that has been modified from its original design as a pleasure boat.

The District also purchased a 16-foot Carolina Skiff in 2008 (unit 3316). It is used as a general-purpose boat for traveling on waterways throughout the District.

There is a continued need for a boat capable of handling the maintenance-related tasks and travel on waterways throughout the District. The current pontoon boat is being used for purposes beyond its design. The skiff is underutilized. The purchase of one boat with expanded capabilities will allow for the disposition of two boats, units 3101 and 3316.

Boat 3101 is 16 years old and has reached the end of its useful life. It was purchased for \$13,865 and has a life-to-date maintenance cost of \$14,501. The current condition is poor and frequent repairs have contributed to delays on projects. Boat 3316 is 12 years old and was purchased for \$11,803. It has a life-to-date maintenance cost of \$5,401. This boat has been identified as underutilized in recent audit reports.

The purchase of an aluminum landing craft boat will allow staff to perform maintenance safely and efficiently, as well as perform duties in a boat designed for this purpose. The design of the boat will incorporate installation of a crane for movement of buoys, structure control devices, and data monitoring equipment.

To qualify as a CFEF expenditure, the field equipment must meet the following criteria:

- Rolling stock (excluding vehicles less than 1.5 ton),
- Total estimated cost equal to or greater than \$1,000 including delivery, and
- Anticipated useful life of at least five years

Although the landing craft boat qualifies as a CFEF expenditure, it was not included in the FY2020 Annual Service Budget as a planned expenditure during the fiscal year. Unplanned expenditures from the CFEF are subject to adhering to the Budget Authority Transfer of Funds Governing Board Policy.

The current CFEF for Fiscal Year 2020 has an allocation for a 17-foot boat with an expected cost of \$25,600. Savings have been realized in year-to-date purchases and two items were eliminated from purchase due to utilization reviews, yielding a year-to-date savings of \$88,107. The budget for the 17-foot boat and the savings mentioned, as well as the balance of the fund, allow funding for the purchase of the requested boat through the Fiscal Year 2020 CFEF.

Staff Recommendation:

- Approve the purchase of a 24-foot landing craft boat for \$149,597 utilizing the CFEF.
- Approve the surplus disposition of existing boats 3101 and 3316.

Resource Management Committee**8. Budget Transfer Report**

Request approval of the Budget Transfer Report covering all budget transfers made during the month of March 2020.

In accordance with Board Policy, Budget Authority Transfer of Funds, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning 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 March 2020.

9. Recommend FY2021 Springs Projects for FDEP Funding Consideration

The purpose of this item is to approve a list of 12 projects that provide water resource improvements to Outstanding Florida Springs (OFS) within the Southwest Florida Water Management District (District). Pending Board approval, the list will be forwarded to the Florida Department of Environmental Protection (FDEP) in May 2020 for further review and State funding consideration.

In 2016, the Florida Legislature adopted Senate Bill 552, a comprehensive water bill that addressed statewide water supply and water quality issues, including springs restoration. The Florida Springs and Aquifer Protection Act, created out of Senate Bill 552, focuses on protecting and enhancing Florida's springs. The Legacy Florida Act, signed in 2016, provides legislative funding at an annual level of \$50 million for the protection and restoration of Outstanding Florida Springs (OFS).

The FDEP requested that water management districts evaluate and submit projects for FY2021 State funding consideration. The District's Springs Coast Steering Committee (SCSC) provides a lead role in soliciting and reviewing springs projects that will be forwarded to the FDEP for funding consideration. The SCSC directed its Management Committee to evaluate and rank projects and the Management Committee met two times to complete the review of projects and finalized the evaluation process based on SCSC guidance. At their March 18, 2020 meeting, the SCSC approved forwarding 12 projects to the FDEP for further review and State funding consideration, subject to the approval by the District's Governing Board. The 12 projects include one project that has been reviewed and recommended for District funding by the Governing Board's Northern Region subcommittee through the District's Cooperative Funding Initiative (CFI) process. The list also includes one project that was not recommended for District funding by the Northern Region subcommittee due to the project not being consistent with the FY2021 CFI guidelines. Attached are two Exhibits, the FY2021 Springs Funding Final Evaluations approved by the SCSC and Table 1 which includes the 12 projects recommended by the SCSC.

Staff Recommendation:

Approve the list of 12 springs projects for submittal to the Florida Department of Environmental Protection.

10. FARMS – Dover Land, LLC Phase 2 – Haynes Road, LLC (H782), Hillsborough County

Request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Dover Land, LLC and Haynes Road, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$656,250 (75% percent of total project costs). Of this amount, \$656,250 is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$875,000.

The District received a project proposal from Dennis Carlton, the owner of Dover Land, LLC and Haynes Road LLC, for an 80 acre strawberry operation on the Dover Land, LLC property and a 94.6 acre strawberry operation on the Haynes Road LLC property. Both properties are adjacent to each other and are located one-mile northeast of Dover, in Hillsborough County, within the Northern Tampa Bay Water Use Caution Area (NTBWUCA), and Dover Plant City Water Use Caution Area (DPCWUCA). The project will be built on the Dover Land, LLC property (previous FARMS project H705) and supply surface water to both the Dover Land, LLC and Haynes Road, LLC strawberry operations. This project will involve the use of an existing 43-acre reservoir located on the Dover Land, LLC property to offset Upper Floridan aquifer groundwater permitted for bed preparation and crop establishment on the Haynes Road, LLC property and for additional offset of frost freeze quantities on the Dover Land LLC property. FARMS project components consist of two surface water irrigation pump stations, filtration systems, hydraulic valves, and the piping necessary to connect the surface water reservoir to the planned and existing irrigation systems.

In January 2014, the Governing Board approved a FARMS project (H705) with Dennis Carlton on his Home Grove (now Dover Land, LLC) for a project that offset bed preparation, crop establishment, and a portion of his permitted frost freeze quantities for 80 acres of strawberries. This project had a total project cost of \$273,344 with District reimbursement of \$195,000 (71% of total costs). The project was for one surface water pump station, filtration, and mainline pipe to connect the pump station to an existing irrigation system. The project became operational in February 2015. Offset for bed preparation and crop establishment has averaged 47,272 gpd with an average offset of 1.04 mgd of cold protection quantities per freeze event. This project is achieving the anticipated benefits approved by the Board.

The proposed project involves water quantity best management practices for bed preparation, crop establishment, and alternatives to using groundwater for cold protection within the DPCWUCA. Therefore, the project qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to offset 111,000 gpd for bed preparation and crop establishment on the Haynes Road, LLC property and an additional 2.64 mgd of the permitted cold protection quantities per freeze event on the Dover Land, LLC property. This offset yields a cost of \$2.85 per thousand gallons of groundwater reduced over the proposed seven-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and cold protection for strawberry operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of this project, the Governing Board will have \$5,301,750 remaining in its FARMS Program budget.

Staff Recommendation:

- 1) Approve the Dover Land, LLC Phase 2 - Haynes Road, LLC project for a not-to-exceed project reimbursement of \$656,250 with \$656,250 provided by the Governing Board;
- 2) Authorize the transfer of \$656,250 from fund 010 H017 Governing Board FARMS Fund to the H782 Dover Land, LLC Phase 2 - Haynes Road LLC project fund;
- 3) Authorize Assistant Executive Director to sign the agreement.

11. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum and Guidance Levels for Lake Marion in Levy County (P256)

Request the Board initiate and approve rulemaking to amend Rule 40D-8.624, Florida Administrative Code (F.A.C.), to adopt revised Minimum and Guidance levels for Lake Marion in Levy County, and accept the report entitled: "Revised Minimum and Guidance Levels Based on Reevaluation of Levels Adopted for Lake Marion in Levy County, Florida" dated January 8, 2020.

Minimum levels are water levels at which further withdrawals would be significantly harmful to the water resources of the area. Guidance levels are used to describe expected water level fluctuations and serve as advisory information for the construction of lakeshore development, water dependent structures, and operation of water management structures. Minimum and Guidance levels for Lake Marion were adopted in February 2007. Section 373.0421(5), Florida Statutes, requires that minimum flows and levels shall be reevaluated periodically and revised as needed.

Lake Marion is included in the Northern District group of lakes selected for Minimum and Guidance level reevaluation. These reevaluations are being completed using up-to-date hydrologic, biologic, and survey data; recently developed hydrologic models, and peer-reviewed methodologies, to determine if any revisions are needed for currently adopted levels. Based on this reevaluation, and as shown in the attached Exhibit (Table 8-2), the Minimum Lake Level is proposed to decrease 1.3 feet and the High Minimum Lake Level is proposed to decrease 2.0 feet. The High Guidance Level is proposed to decrease 2.1 feet, and the Low Guidance Level is proposed to decrease 0.6 feet.

The technical report outlining the development of the newly proposed levels for Lake Marion was posted on the District's website on February 28, 2020. Note that no public workshop was held due to the small number of lakefront property owners. In lieu of a workshop, a letter was sent to lakefront owners briefly explaining the proposed MFL changes and how to access the draft report. District staff also offered to meet with residents or anyone who had questions or concerns regarding the proposed levels. No comments or questions, or requests for a meeting were received.

The proposed Minimum Levels are protective of all relevant environmental values identified for consideration in the Water Resource Implementation Rule, Chapter 62-40, F.A.C., when establishing minimum flows and levels.

An updated status assessment of the lake's levels was performed, and Lake Marion's water levels were determined to be above the proposed Minimum Lake Level and above the proposed High Minimum Lake Level. The District plans to continue regular monitoring of water levels in Lake Marion and will also routinely evaluate the status of the water levels with respect to adopted minimum levels for the lake included in Chapter 40D-8, F.A.C.

Adoption of Minimum Levels for Lake Marion will support the District's water supply planning, Water Use Permitting, and Environmental Resource Permitting programs. Adoption of Guidance Levels will provide advisory information for the construction of lakeshore development, water dependent structures, and operation of water management structures. A Statement of Estimated Regulatory Costs is not required for Lake Marion as this rulemaking is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

Upon Governing Board approval of the proposed levels, staff will proceed with formal rulemaking without further Governing Board action. If substantive changes are necessary as the result of comments received from the public or from reviewing entities such as the Governor's Office of Fiscal Accountability and Regulatory Reform or the Joint Administrative Procedures Committee, this matter will be brought back to the Governing Board for consideration.

Staff Recommendation:

- A. Accept the report entitled, Revised Minimum and Guidance Levels Based on Reevaluation of Levels Adopted for Lake Marion in Levy County, Florida.
- B. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.

Operations, Lands and Resource Monitoring Committee**12. Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy Florida, LLC, Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P**

Recommend the Governing Board approve the conveyance of an easement to Duke Energy Florida over a part of the Three Sisters Springs property jointly owned with the City of Crystal River. A general location map and an aerial map are attached as Exhibits 1 and 2.

The District acquired the Three Sisters Springs property in June 2010. The property is approximately 57 acres and was purchased to protect three second-order magnitude springs and an important manatee refuge. The District's specific interest in the property was to develop a stormwater treatment system for Kings Bay to improve water quality within the Bay and the Crystal River spring system. Acquisition of the property was a collaboration of multiple partners that included the Southwest Florida Water Management District (District), City of Crystal River (City), US Fish and Wildlife Services (USFWS), Florida Communities Trust, and other public and private contributors. The District holds a 30 percent undivided interest in the parcel and the City holds a 70 percent undivided interest in the parcel. This division of the ownership interest was determined by acquisition funding contributions and that the District would solely fund the stormwater treatment system and any future projects on the property.

The City and USFWS are the lead managers for the Three Sisters Property. The Governing Board approved an amendment to the Management Agreement for the property at their meeting on December 10, 2019 which included an updated management plan. The updated management plan includes improvements to the property including the construction of a restroom facility with electricity. Duke Energy requires an easement for the power line connection that services these improvements. The proposed Easement requested by Duke Energy is attached as Exhibit 3.

The construction of the improvements is part of the terms of the approved management plan for the property. There are not ongoing management costs for the District related to conveying this easement.

Staff Recommendation:

- Approve conveyance of a utility easement to Duke Energy;
- Authorize the Governing Board Chair and Secretary to execute the easement; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

13. Agreement Between the District and Pasco County and Conveyance of Right of Way for the Ridge Road Extension - SWF Parcels 15-705-107S and 15-705-108P

Request Governing Board approval to convey, to Pasco County (County), the right-of-way for construction of Ridge Road through the Serenova Tract owned in fee simple by the District and execute an agreement governing long-term access and maintenance responsibilities of the County and the District. The right-of-way will be conveyed to the County through the execution of the Quit Claim Deed. A general location map is included as Exhibit 1.

The Florida Department of Transportation (FDOT), County, and District were involved in negotiations about mitigation for the impacts associated with the Suncoast Parkway construction. In 1996, the FDOT purchased the Serenova Tract as mitigation for the Suncoast Parkway. Prior to FDOT's acquisition of the Serenova Tract, the County had acquired a reversionary right for an arterial or limited access highway through the property. In 1997, the FDOT conveyed the property, still containing the County's reversionary right, to the District at no cost with the conditions that the District would maintain the land for preservation and mitigation purposes. In response to the acquisition of the Serenova Tract, agreements between the FDOT, County, and District were executed that addressed, among other things, the extension of Ridge Road. Additionally, a conservation easement was granted to the Board of Trustees for the Serenova Tract further ensuring the property will be protected. The conservation easement does not limit or affect the agreements between the parties which identify the extension of Ridge Road through the Serenova Tract.

The agreement between the District and the County, executed in 1997 entitled *Agreement between the Southwest Florida Water Management District and Pasco County relating to Ridge Road* (1997 Agreement) includes the following terms relevant to this Governing Board item:

- The County, at its sole cost, will obtain all necessary regulatory permits for design and construction of a four-lane collector roadway and provide periodic status updates to the District;
- The District shall convey the necessary right-of-way required for the Ridge Road extension including the interchange and roadway drainage systems; and
- Upon notification by the County to the District that the extension of Ridge Road has been approved by the Board of County Commissioners, the conveyance shall be completed within 90 days of said notification.

On February 24, 2020, the District received notification from the County that all the necessary regulatory permits for the extension of Ridge Road were obtained and the project has been approved by the Board of County Commissioners. This notification requires the District to convey the right-of-way within 90 days (Exhibit 2). The long-term maintenance access and other related responsibilities acceptable to both parties are captured in the Access and Maintenance Agreement (Exhibit 3). Specifically, the County has agreed to provide the District maintenance access across and under the road at four locations shown and will convey perpetual access easements for two of the locations in accordance with the Access and Maintenance Agreement. The right-of-way for the Ridge Road extension is currently being cleared and in advance of the District's conveyance of the fee interest. On March 5, 2020, the District granted a license for construction activities to begin on the District property which was amended on March 24, 2020 to extend the term of the agreement until April 28, 2020 and allow access to the entire Ridge Road Extension right-of-way (Exhibit 4).

The conveyance of the Ridge Road right-of-way to the County will provide the County an additional evacuation route pursuant to its comprehensive plan requirements. A paved multiuse trail will be constructed within the right-of-way along the south side of the road to provide the public access and greenway opportunities into designated access points on the Serenova property. Conveying this property will satisfy the terms and conditions of the 1997 Agreement between the County and District.

Staff Recommendation:

- Approve the conveyance of the Ridge Road right-of-way to Pasco County for the Ridge Road Extension and execution of the of the Access and Maintenance Agreement;
- Authorize the Governing Board Chair and Secretary to execute the Quit Claim Deed;

- Authorize the Executive Director to execute the Access and Maintenance Agreement outlining access and other related responsibilities resulting from the transfer of the right-of-way;
- Accept perpetual access easements from Pasco County;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

14. Non-Exclusive Utility Easement to Duke Energy Florida, LLC for the Sawgrass Lake Water Control Structure – SWF Parcel No. 16-560-144X

Request approval of a Non-Exclusive Utility Easement for Duke Energy Florida, LLC, (Duke) to extend existing electric service to the District's Sawgrass Lake water control structure within Sawgrass Lake Park, providing the District a more resilient means to operate the structure remotely. General location maps of the property are included as Exhibits 1 and 2.

In 1972, the Southwest Florida Water Management District (District), Pinellas County (County), and the City of Pinellas Park (City), entered into a cooperative agreement to explore options to protect against recurrence of severe flooding of the City. A water management study was completed in 1973 that resulted in the construction of a water control structure, and various other modifications, including an entrance road and public parking area through the Sawgrass Lake property owned in fee simple by the District. In August 1976, the District, County and the Pinellas County School Board (School Board) entered into a management agreement designating the property a park. Under the agreement, the County and School Board operate and manage the property as a nature park and education center. The District retains operation and maintenance of the water control structure.

The District has operated the water control structure manually with the assistance of County staff since 1976. Providing electric service to the water control structure was explored and deemed not cost-effective on multiple occasions. In 2007 the District installed a gas generator on site to operate the site remotely.

In 2015 Pinellas County expanded electric service within the park for construction of an air monitoring station to participate in a federal air quality monitoring program. The expansion of the electric service within the park has provided the District a more cost-effective alternative to extend electric service to the water control structure. The District utilized in-house expertise and negotiated a reduced construction cost with Duke to construct electric service to the water control structure. A 3,000-foot by 10-foot corridor has been delineated for an underground electric service line.

Duke requires a utility easement for the new service. An easement has been prepared and is included as Exhibit 3. The easement contains standard conditions for construction and maintenance of an underground utility corridor. Those conditions include but are not limited to the following:

- Permission to enter upon, over, on, under and across the designated easement area.
- Duke granted right to construct the underground electric line and associated equipment.
- Duke granted right to increase/decrease voltage
- Duke granted right of ingress and egress to operate, maintain and repair the line and associated equipment.
- District reserves the right to continue to use the Property.

- Duke granted right to trim vegetation/trees as needed.
- Duke will indemnify the District pursuant to the District's standard requirements.
- Reversion conditions in the event Duke abandons.

The District will be able to convert the generator to a standby source resulting in a cost savings of about \$400 dollars per month in fuel costs. Remote operation will be more resilient than the current onsite generator single mode of operation.

Staff Recommendation:

- Approve the conveyance of a Non-Exclusive Perpetual Easement to Duke Energy Florida, LLC; and
- Authorize the Governing Board Chair and Secretary to execute the utility easement.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

15. Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal - SWF Parcel Numbers 13-001-326

Request Governing Board approval to execute an amendment to a non-exclusive easement (easement) with Tampa Electric Company (TECO) to expand the District's rights to include the removal and maintenance of exotic plants with herbicide treatment for the District's Palm River Restoration Project Phase II. A general location map and aerial map is included as Exhibits 1 and 2.

In June 1984, TECO conveyed a perpetual easement for ingress and egress across 27 acres of its overhead electric transmission corridor for the District's Tampa Bypass Canal (Canal) project.

The District is doing a SWIM restoration project, the Palm River Restoration Project Phase II, which requires the removal and maintenance of exotic plants with herbicide treatment within the easement area. The current easement only allows ingress and egress activities. District staff have prepared an amendment to the perpetual easement (Exhibit 3) that allows the removal and maintenance of exotic plants with herbicide treatment in support of the District's SWIM restoration project. TECO staff have reviewed and approved the amendment.

The District will have the required rights to proceed with the Palm River Restoration Project Phase II at no additional cost to the District. The completion of this Project, including the removal and maintenance of exotic plants within the easement area, will result in a natural systems benefit for the region.

Staff Recommendation:

- Approve the Amendment to the Perpetual Easement; and
- Authorize the Governing Board Chair and Secretary to execute the Amendment.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

16. Individual Water Use Permits Referred to the Governing Board

- a. **WUP No. 2005789.013 – Wiscon Maintenance Compound / Hernando County Water System / Hernando County BOCC (Hernando County)**

This is a modification of an existing water use permit for public supply use. The total

authorized quantities remain the same as the previous permit. The annual average remains at 23,299,000 gallons per day (gpd). The peak month average remains at 28,657,800 gpd. There is no change in use type from the previous permit. The modifications to the permit include activating and relocating District ID (DID) No. 8, plugging DID Nos. 2, 16, 44, and 45; reallocating quantities from plugged wells to DID Nos. 6, 7, 8, and 68; and removing DID Nos. 52, 54, 56, 60, 66, and 67 from water level monitoring conditions.

Special conditions include those that require the Permittee to continue to: record and report monthly meter readings from all withdrawal points, submit Public Supply Annual Report by April 1 of each year on water use during the previous calendar year, submit the Annual Report on Water Rate Billing and Meter Reading Practices by October 1 of each year, continue to have a water conserving rate structure, continue to implement the District-approved water conservation plan and submit a report on implementation of new components in the Public Supply Annual Report, and continue with reporting water levels from staff gages and monitor wells. The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

b. **WUP No. 20020883.000 – Sarasota National Community Development District/WCI Communities, LLC (Sarasota County)**

This is a new permit for landscape and recreational use. This permit authorizes an annual average quantity of 718,800 gallons per day (gpd) and a peak month quantity of 2,202,100 gpd. Quantities are based on the District's irrigation allotment calculation program, AGMOD, for 300 acres of landscape irrigation and 43.85 of golf course irrigation. The main irrigation source is reclaimed water from Sarasota County. During times when reclaimed water is unavailable or insufficient to meet the total irrigation demand, the permit allows the use of seven interconnected surface water ponds to meet the irrigation demand. The permit does not authorize the use of any groundwater. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee notify District staff upon installation of surface water withdrawals, report monthly meter readings, perform meter accuracy checks every five years, implement water conservation and best management practices, update to the Conservation Plan at permit midterm, provide an over pump age report upon request, and comply with the SWUCA recovery strategy. The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

c. **WUP No. 20003872.020 – West Villages Improvement District/The Ranch Land Operations, LLC, West Villages Improvement District (Sarasota County)**

This is a modification of an existing water use permit for agricultural and landscape/recreation use. The authorized groundwater and total demand authorized by this permit have increased. The authorized groundwater annual average has increased from 2,313,700 gallons per day (gpd) to 2,489,800 gpd, the authorized groundwater drought annual average has increased from 2,686,000 gpd to 2,890,400 gpd, and the authorized groundwater peak month quantity has increased from 6,179,800 gpd to 6,735,900 gpd. The increase in demand is due to an addition of approximately 87 acres of lawn and landscape. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This water use permit is located within the Southern Water

Use Caution Area (SWUCA) in Sarasota County. The Permittee is utilizing reclaimed water as well as surface water to the greatest extent practicable to meet the current demand and will primarily rely on Alternative Water Sources (AWS).

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, perform meter accuracy tests every five years and submit meter accuracy test reports, comply with the allocated quantities, limit groundwater withdrawals to no more than 2,489,800 gpd on an annual average basis, implement conservation and best management practices, implement the approved Water Conservation Plan and provide an update every 10 years (next due April 1, 2029), preferentially use AWS, construct the proposed wells according to the approved specifications and submit well completion reports, submit an environmental monitoring report annually by January 1 each year, install backflow prevention and augmentation control devices, submit updates on Environmental Resource Permitting annually by April 1 each year, record and report annual and seasonal crop reports for all withdrawals, submit a comprehensive Permit Transition and Expansion Summary Report every 10 years (next due April 1, 2029), collect water quality samples quarterly from the specified wells and record water levels weekly at the designated stations, and comply with the SWUCA Recovery Strategy.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

General Counsel's Report

17. Administrative, Enforcement and Litigation Activities that Require Governing Board a.

a. Approval Governing Board Concurrence – Emergency Order No. SWF 20-014 – Emergency Measures Made Necessary by COVID-19

On March 9, 2020, the Governor issued an Executive Order declaring a state of emergency exists in Florida due to the Novel Coronavirus Disease 2019 (COVID-19). The Executive Order and Section 373.119, Florida Statutes, authorize local agencies and governments to take actions necessary to meet the emergency. Such actions may include, among others, waiving the procedures and formalities otherwise required to perform public work as necessary to ensure the health, safety, and welfare of the community.

The District's Executive Director and staff have found that immediate action is necessary to meet the ongoing public health emergency. In accordance with the Governor's Executive Order, the Executive Director issued Emergency Order No. SWF 20-014 on April 2, 2020 (Emergency Order) consistent with emergency orders issued by the Department of Environmental Protection and the other water management districts. The Emergency Order provides for the following narrowly tailored measures to assist the immediate need for action:

- Extension of permitting deadlines.
- Temporary closure of public buildings and facilities.
- Provision for conducting public meetings exclusively through audio/visual technology.

Section 373.119 also requires the District's Governing Board to concur with the findings and conclusions in the Emergency Order. If approved, the Emergency Order would remain in effect until May 8, 2020, unless terminated or extended by further order.

Staff Recommendation:

Approve Emergency Order No. SWF 20-014 and concur with the Executive Director's determinations regarding the state of emergency and the actions necessary to meet the emergency.

b. **Governing Board Resolution – Temporary Delegation of Authority to the Executive Director**

On March 9, 2020, the Governor issued an Executive Order declaring a state of emergency exists in Florida due to the Novel Coronavirus Disease 2019 (COVID-19). In accordance with state and federal guidance, District staff have been working diligently to implement measures to minimize the disruption by COVID-19 on the District's continuity of operation. These measures include, among other things, closing District buildings to the public and limiting meetings to those which can be conducted electronically. In addition, many District employees are working remotely to perform their duties and meet compressed timelines for operational and financial decisions.

District staff will continue responsibly performing their ordinary job responsibilities during the current public health emergency. However, changing circumstances may require implementation of additional protective measures to ensure public health, safety, and welfare. In order to ensure the District's continuity of operation in these uncertain times, District staff recommend that the Governing Board temporarily delegate additional authority to the Executive Director by Governing Board Resolution. In effect, this limited delegation would:

- Temporarily delegate all powers, duties, and functions of the Governing Board to the Executive Director, but only during the period of time when the Governing Board is not able to timely take action at a regular public meeting.
- Automatically sunset after six months unless terminated earlier by the Governing Board.
- Require Governing Board Chair concurrence with any action taken by the Executive Director under the limited, temporary delegation.

Staff Recommendation:

Approve Governing Board Resolution No. SWF 20-05.

c. **Approval of Consent Order Between SWFWMD and Panther Trails, CDD – Overpumpage – WUP No. 20001854.008 – CT No. 400313 – Hillsborough County**

On December 13, 2017, the District issued Water Use Permit (WUP) Number 20001854.008 (Permit) to Panther Trails, CDD (Permittee) authorizing water withdrawals in the amount of 4,600 gallons per day (gpd) on an annual average basis. The water withdrawals service approximately 2 acres of common area within a residential subdivision located in Hillsborough County, Florida, and in the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA).

On March 28, 2019, the District notified the Permittee that it was pumping quantities over the permitted annual average quantity authorized in the Permit. During a site visit on June 5, 2019, District staff observed a newly built residential subdivision with common areas that appeared to be planted and healthy. For the 12-month period ending December 2019, District staff concluded that the Permittee was pumping quantities as high as 105.5% over the permitted annual average quantity of 4,600 gpd.

The Permittee submitted a formal written response to District staff letters detailing the overpumpage violation. In the response, the Permittee explained that new plantings, water loss attributable to broken irrigation lines, and an increase in overall irrigated acres had contributed to the overpumpage. As a result, District staff issued the Permittee a Notice of Violation and proposed Consent Order on February 28, 2020, to bring the project into compliance by implementing a District-approved Corrective Action Plan.

On March 12, 2020, the Permittee agreed to the District's proposed Consent Order which assessed penalties totaling \$3,442.00 to be paid to the District. The Consent Order further required that the Permittee submit a written Compliance Plan to the District within thirty (30) days of the approval of the Consent Order, and that full compliance with the Permit be achieved within one hundred eighty (180) days of the District's approval of the proposed Compliance Plan.

Staff Recommendation:

- 1) Approve the Consent Order
- 2) Authorize the District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Consent Order, including filing any appropriate actions in circuit court, if necessary.

18. Rulemaking – None

Executive Director's Report

19. Approve Governing Board Minutes – March 24, 2020

Staff Recommendation:

Approve the minutes as presented.

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)
--

Discussion

20. Consent Item(s) Moved for Discussion

21. Investment Strategy Quarterly Update

Provide quarterly update of the investment portfolio.

The District's Investment Policy requires quarterly investment reports that shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period.
2. Percentage of available funds represented by each investment type.
3. Coupon, discount, or earning rate.
4. Average life or duration and final maturity of all investments.
5. Par value and market value.
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager.
7. A summary of District's investment strategy.
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended March 31, 2020.

Submit & File Reports

22. Office of Inspector General Quarterly Update – January 1, 2020 to March 31, 2020

In accordance with the Office of Inspector General Charter Governing Board Policy, the Inspector General is required, on a quarterly basis, to update the Committee regarding work and other matters.

Staff Recommendation:This item is for the Board's information; no action is needed.**23. Self-Funded Health Insurance Plan – 2019 Annual Update**

Provide update of the District's Self-funded Health Insurance Plan.

The District moved to a "self-funded" Health Insurance Plan for calendar year 2016. On October 27, 2015, staff presented a recommendation to move to a "self-funded" Health Insurance Plan for calendar year 2016 and adopt a resolution to commit funds in the amount of \$1.7 million as a Health Insurance Reserve Fund. The Board approved this action and Resolution No. 15-19.

In a self-funded plan, the insurance company estimates the amount of claims it expects from the District for the upcoming year just as in the fully funded scenario. The self-funded plan differs in that the District is responsible for paying the claims. If the claims are less than anticipated, the District has additional cash flow or savings to invest. If the claims are greater than anticipated, the District is responsible. To mitigate this risk the District purchased Stop Loss insurance that will cover higher-than-anticipated claims. The insurance company is paid to cover the costs of administering the plan, processing the claims, stop loss insurance, and some level of profit margin.

This item will provide updated data for the plan year ended December 2019 for the Self-funded Health Plan. Current plan year financial performance is not a guarantee of future financial performance.

Staff Recommendation:Presented for the Committee's information. No action required.**Routine Reports***The following items are provided for the Committee's information, and no action is required.***24. Treasurer's Report and Payment Register****25. Monthly Financial Statement****26. Monthly Cash Balances by Fiscal Year****27. Comprehensive Plan Amendment and Related Reviews Report**

RESOURCE MANAGEMENT COMMITTEE (TAB D)
--

Discussion**28. Consent Item(s) Moved for Discussion****29. 2020 Regional Water Supply Plan Update**

The purpose of this item is to review the draft 2020 Regional Water Supply Plan with the Governing Board prior to release for public review and comment.

The Regional Water Supply Plan (RWSP) is an assessment of projected water demands for all water use sectors and identifies potential sources to meet those demands over a 20-year planning period. Legislation passed in 1997 requires water management districts to complete a RWSP for areas where existing sources are not adequate to supply water for all existing and future uses while sustaining water resources and related natural systems through the planning period. The RWSP covers the entirety of the District's 16-county area and is required to be updated every five years. The current RWSP was completed in 2015, with this draft 2020 RWSP update to be made available for public for review and comment subsequent to the April Governing Board meeting.

The draft RWSP finds that there are sufficient sources available to meet projected water demands through 2040. These sources include fresh groundwater, reclaimed water, brackish groundwater, water conservation, surface water, stormwater, aquifer storage and recovery, and seawater desalination. The RWSP also identifies a variety of proposed and potential water resource and water supply project options for development to meet projected water demands.

In addition to the District's water supply planning activities, a number of important water supply planning efforts have been completed or are ongoing by Tampa Bay Water, the Peace River Manasota Regional Water Supply Authority, the Withlacoochee Regional Water Supply Authority and the Polk Regional Water Cooperative to address needs within their respective jurisdictions. The District has worked closely with these entities and, in some cases, provided cooperative funding resources to support these planning efforts. Information developed from these planning efforts has been incorporated into the District's draft 2020 RWSP.

The District has also engaged a variety of other stakeholders to date on development of the draft 2020 RWSP, including District advisory committees, local governments, public utilities, other water management districts, the Florida Department of Environmental Protection and Florida Department of Agriculture and Consumer Services. Release of the draft 2020 RWSP for public comment will afford additional outreach opportunities with the public and stakeholders to further refine and enhance the RWSP. The public comment period will begin once the draft RWSP is released and will extend for a minimum of 45 days. Given the current COVID-19 requirements for social distancing, staff are exploring a variety of options for hosting web-based audio/visual workshops to address restrictions on hosting or attending in-person workshops. Comments received will be evaluated and incorporated into the RWSP where appropriate, and staff will prepare a comments and responses document to accompany the final RWSP documents. It is anticipated the final 2020 RWSP will be submitted to the Governing Board for approval in late 2020. A link to the electronic version of the draft 2020 RWSP documents is provided under separate cover.

Staff Recommendation:

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

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

30. **Minimum Flows and Levels Status Report**

31. **Significant Water Resource and Development Projects**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)
--

Discussion

32. **Consent Item(s) Moved for Discussion**

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

33. **Significant Activities**

34. **Structure Operations**

35. **Surplus Lands Update**

REGULATION COMMITTEE (TAB F)

Discussion

36. Consent Item(s) Moved for Discussion

37. Hydrologic Conditions Report and Consider Water Shortage Order(s) as Necessary

Staff continues to monitor water resource and supply conditions to determine if any actions would be prudent. Since Board-issued water shortage orders must be discussed in a noticed public meeting prior to implementation, this agenda item is included as a contingency provision. It allows the Governing Board to immediately consider any action that staff may recommend based on regional data to be reviewed on April 21, 2020.

Funding is available from the Zephyr Creek Drainage Improvements: Units 3 and 4 CFI Project (N990), which has been cancelled by Pasco County and replaced by an FY2021 CFI request to complete a feasibility study of the Zephyr Creek area. The feasibility study will evaluate cost effective solutions to the street and structure flooding along Zephyr Creek before proceeding with any improvement project. Funding is needed in the amount of \$9,600 to pay for advertising requirements associated with any proposed water shortage order as presented at the Governing Board meeting April 28, 2020.

Staff Recommendation:

Recommendations will be presented at the Governing Board meeting April 28, 2020 based on then-current conditions and predictions. If a water shortage order is approved, also approve a budget transfer in the amount of \$9,600 from the canceled CFI project N990 Zephyr Creek Drainage Improvements: Units 3 and 4 CFI Project (N990) for advertising requirements associated with a water shortage order.

38. Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action.

Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

Staff Recommendation:

If any denials are requested to be referred to the Governing Board, these will be presented at the meeting.

Submit & File Reports – None

Routine Reports

The following items are provided for the Committee's information, and no action is required.

39. Overpumpage Report

40. Individual Permits Issued by District Staff

GENERAL COUNSEL'S REPORT (TAB G)**Discussion**41. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports

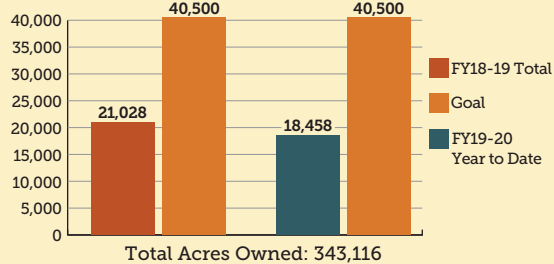
The following items are provided for the Committee's information, and no action is required.

42. April 2020 Litigation Report43. April 2020 Rulemaking Update**EXECUTIVE DIRECTOR'S REPORT (TAB H)**44. Executive Director's Report**CHAIR'S REPORT (TAB I)**45. Chair's Report46. Employee Milestones**ADJOURN PUBLIC MEETING**

ADJOURNMENT

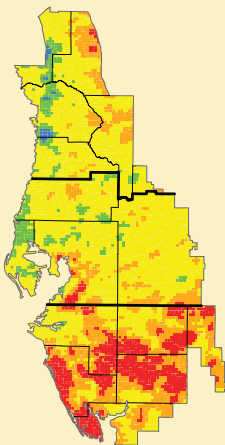
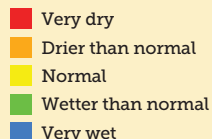
OPERATIONS, LANDS AND RESOURCE MONITORING

Prescribed Fire Acres Burned



RAINFALL DISTRIBUTION

Apr 2019 – Mar 2020



DATA COLLECTION

Hydrologic Data Quality Assurance Metric
Assessment of inherent good quality of raw hydrologic data measurements relative to need for correction

FY	Quarter	Total Measured Points
2020	2	3,657,016

Goal

Per Quarter, greater than 90% of measured points are good
Per Quarter, less than 5% are validated and
Per Quarter, less than 5% are missing

Good Data	Validated Data	Missing Data
98.92%	1.07%	0.01%

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Monthly Dashboard March 2020

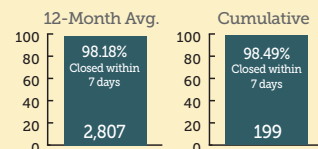


\$365.1 million
(current budget)

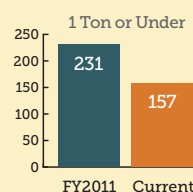
Days Without an At-Fault Accident: 120
Days Without a Lost-Time Injury: 147

MANAGEMENT SERVICES

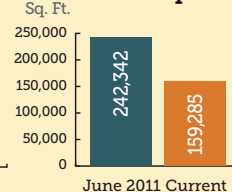
Public Records Requests



Fleet

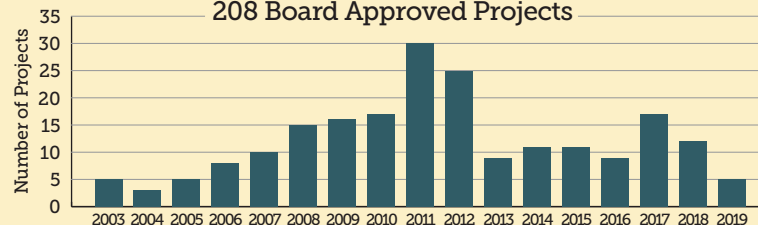


Office Space



RESOURCE MANAGEMENT

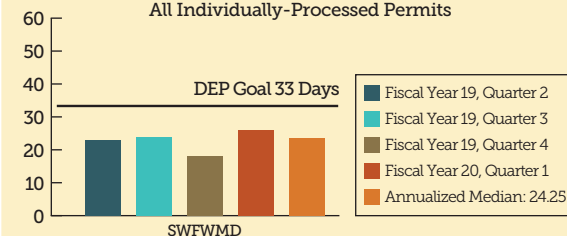
FARMS Projects by Fiscal Year 2003 through 2019 208 Board Approved Projects



REGULATION

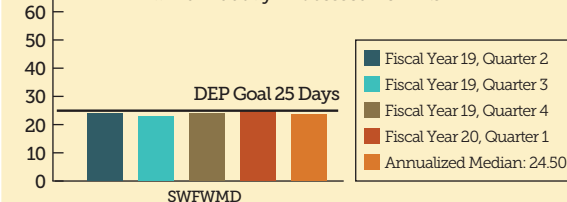
Consumptive Use Permitting

*Active Staff Processing Time,
All Individually-Processed Permits



Environmental Resource Permitting

*Active Staff Processing Time,
All Individually-Processed Permits

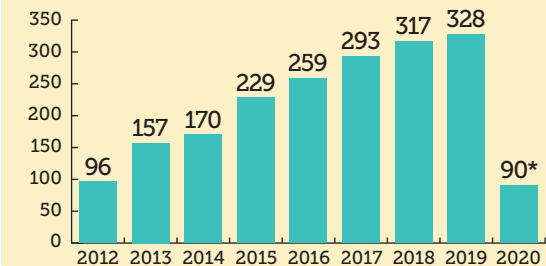


*Excludes time awaiting response from applicant, legal challenges, etc.

EMPLOYEE & EXTERNAL RELATIONS

Ombudsman

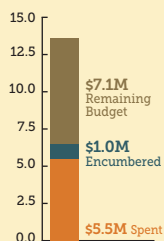
Number of Inquiries Received (Annually)



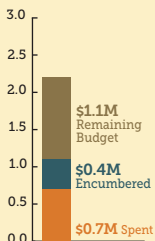
* As of 04/02/2020. Data based on a calendar year.

FINANCIAL SUMMARY

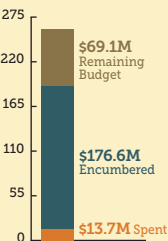
Regulation Budget \$13.6M



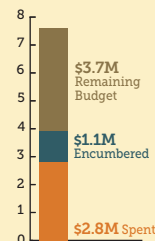
General Counsel Budget \$2.2M



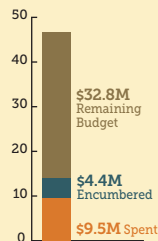
Resource Management Budget \$259.4M



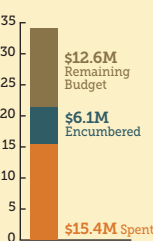
Emp. & Ext. Relations Budget \$7.6M



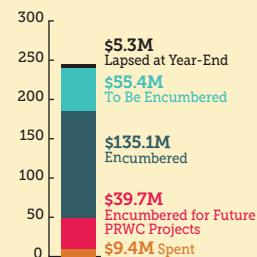
Operations, Lands & Resource Monitoring Budget \$46.7M



Management Services Budget \$34.1M

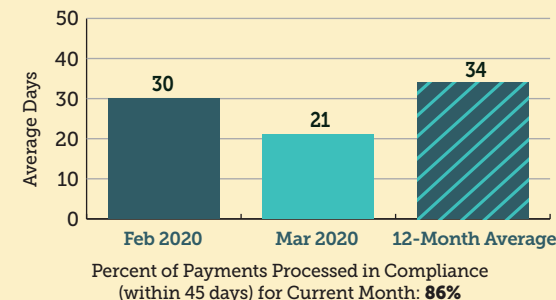


Total Number of Projects: 341 Resource Management Project Budget: \$244.9M



MANAGEMENT SERVICES

Payment Processing Time



**A. Public Hearing &
Meeting**

Governing Board Meeting

April 28, 2020

CONVENE MEETING OF THE GOVERNING BOARD

PUBLIC MEETING

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 meeting. 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. **Invocation and Pledge of Allegiance**

An invocation is offered. The Board Chair conducts the Pledge of Allegiance to the Flag of the United States of America.

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." Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

ADDITIONS: 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:

Approve the recommended additions and deletions to the published agenda if necessary.

Presenter: Brian J. Armstrong, P.G., Executive Director

4. **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.

Presenter: Mark Taylor, Chair

B. Consent Agenda

Governing Board Meeting

April 28, 2020

CONSENT AGENDA

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.

Finance/Outreach & Planning Committee

- 5. Water Conservation Month 6
- 6. Information Technology – Access Privileges Follow-Up Audit by the Office of Inspector General 8
- 7. District Boat Replacement10
- 8. Budget Transfer Report12

Resource Management Committee

- 9. Recommend FY2021 Springs Projects for FDEP Funding Consideration15
- 10. FARMS – Dover Land, LLC Phase 2 – Haynes Road, LLC (H782), Hillsborough County33
- 11. Initiation and Apporval of Rulemaking to Amend Rule 40D – 8.624, Florida Administrative code, to Adopt Revised Mininimum & Guidance Levels for Lake Marion in Levy County (P256)36

Operations, Lands and Resource Monitoring Committee

- 12. Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy Florida, LLC, Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P39
- 13. Agreement Between the District and Pasco County and Conveyance of Right of Way for the Ridge Road Extension - SWF Parcels 15-705-107S and 15-705-108P49
- 14. Non-Exclusive Utility Easement to Duke Energy Florida, LLC for Southwest Florida Water Management District to Provide Electric Service to the Sawgrass Lake Water Control Structure –SWF Parcel No. 16-560-144X.....200
- 15. Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal –SWF Parcel Numbers 13-001-326209

Regulation Committee

- 16. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 2005789.013 – Wiscon Maintenance Compound/Hernando County Water System/Hernando County BOCC (Hernando County)217
 - b. WUP No. 20020883.000 – Sarasota National Community Development District/WCI Communities, LLC (Sarasota County)241
 - c. WUP No. 20003872.020 – West Villages Improvement District/The Ranch Land Operations, LLC, West Villages Improvement District (Sarasota County)253

General Counsel's Report

17. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
- a. Governing Board Concurrence – Emergency Order No. SWF 20-014 – Emergency Measures Made Necessary by COVID-19272
 - b. Governing Board Resolution – Temporary Delegation of Authority to the Executive Director280
 - c. Approval of Consent Order Between SWFWMD and Panther Trails, CDD – Overpumpage – WUP No. 20001854.008 – CT No. 400313 – Hillsborough County.....284
18. Rulemaking – None

Executive Director's Report

19. Approve Governing Board Minutes – March 24, 2020294

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Consent Agenda

Water Conservation Month

Purpose

To request that the Governing Board sign a resolution declaring April 2020 as “Water Conservation Month.” Declaring April as “Water Conservation Month” has historically been used by the District to focus the public’s attention on the need for and benefits of water conservation and to highlight the resources available to help them.

Background/History

Since 1998, the state of Florida, water management districts, local governments and water-related organizations have declared April as “Water Conservation Month.” April is typically the time of year when water demands increase due to generally hot and dry conditions. The concept of “Water Conservation Month” was developed by the Florida Water Wise Council, which has since evolved into the Water Use Efficiency Division of the Florida Section of the American Water Works Association (FSAWWA).

The District promotes water conservation year-round and highlights those efforts in the FY2019 Water Conservation Summary Report (provided under separate cover). The report covers conservation efforts with measurable savings throughout the District, including cost-share funding, technical assistance, education and outreach, and research and regulation. Examples of conservation public education include the Skip a Week campaign during the winter months and the Watch the Weather, Wait to Water campaign during the summer months.

During Water Conservation Month, conservation was promoted through news releases, videos, blog and e-newsletter articles and social media posts. In addition, the District provided Water Conservation Month materials to public supply utilities to promote conservation to their customers.

The District’s government affairs regional managers contacted local governments encouraging them to adopt Water Conservation Month proclamations. The FSAWWA tracks statewide proclamations and provides the list to the Governor in support of a state resolution declaring April as “Water Conservation Month.”

The resolution for the Governing Board’s consideration is attached.

Staff Recommendation:

Approve and execute Resolution No. 20-03 declaring April 2020 as “Water Conservation Month.”

Presenter: Cara Martin, Office Chief, Government and Community Affairs

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 20-03

**PROCLAIMING APRIL 2020 as
“WATER CONSERVATION MONTH”**

WHEREAS, the state of Florida, the Southwest Florida Water Management District, local governments and others have since 1998 designated April, typically a dry month when water demands increase, as Florida’s “Water Conservation Month” to educate citizens about saving Florida’s precious water resources; and

WHEREAS, the Southwest Florida Water Management District has always encouraged and supported water conservation through its water supply planning, coordination of educational programs and special events, Cooperative Funding Initiative, technical assistance and regulatory authority; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, each business, industry, school and citizen can help save water by participating in District and local conservation programs and by adhering to water conservation restrictions and ordinances.

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims the month of April 2020 as “WATER CONSERVATION MONTH.”

BE IT FURTHER RESOLVED that the Southwest Florida Water Management District shall continue to promote water conservation through its various programs.

BE IT FURTHER RESOLVED that the Chair and Secretary of the Governing Board are hereby authorized to affix their signatures to the Resolution on behalf of the Board.

PASSED AND ADOPTED in Brooksville, Hernando County, Florida, on this 28th day of April 2020.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Mark Taylor, Chair

Attest: _____
Joel Schleicher, Secretary

Attachment: WCMP Proclamation for Board 20 (4973 : Water Conservation Month)

EXECUTIVE DIRECTOR'S REPORT

April 28, 2020

Consent Agenda

Information Technology – Access Privileges Follow-Up Audit by the Office of Inspector General

Purpose

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General shall monitor the implementation of the District's response to any audit issued by the Auditor General (AG).

Background/History

On July 9, 2018, the AG released report No. 2019-001 on the operational audit of the District. Included in this report was a finding regarding IT access privileges. The AG recommended the District should ensure that assigned access privileges restrict employees to only those functions necessary for their assigned job responsibilities and enforce an appropriate separation of incompatible duties. To help monitor assigned access privileges, the District should establish procedures to periodically review the appropriateness of such privileges to ensure that employees do not access IT resources and functions that are incompatible with their assigned job responsibilities. In addition, if an employee only requires occasional access to perform back-up duties, the access should be granted only for the time needed.

The OIG conducted this follow-up audit for the period September 30, 2019 to February 28, 2020 in accordance with *Generally Accepted Government Auditing Standards*. Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for conclusions based upon the audit objectives. The OIG believes that the evidence obtained provides a reasonable basis for the conclusion based on the audit objectives.

The audit objectives of this follow-up audit were to:

- Evaluate management's performance in establishing and maintaining internal controls in accordance with applicable statutes, laws, rules, regulations, contracts, grant agreements, and other guidelines.
- Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and the safeguarding of assets, and identify weaknesses in those controls.
- Determine whether management had taken corrective action for, or was in the process of correcting, the AG's IT access privileges finding from report No. 2019-001.

OIG's follow-up audit disclosed District Management had taken corrective actions as recommended by the AG for the IT access privileges finding. No further findings or recommendations relating to the scope of this audit are included in the audit report.

Item 6

Staff Recommendation:

Staff recommends the Board approve the Office of Inspector General IT Access Privileges Follow-Up Audit.

Presenter: Brian Werthmiller, Inspector General

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Consent Agenda

District Boat Replacement

Purpose

Request Governing Board approval to utilize budgeted funds from the Capital Field Equipment Fund (CFEF) to replace boats 3101 and 3316 with one 24-foot aluminum landing craft boat.

Background/History

The District purchased a Fiesta 18-foot Pontoon Boat in 2004 (unit 3101). It is used by multiple sections within the District for maintenance of structures and canals, deployment of buoys and boat barriers, placement of lake gauges, and maintenance and placement of data monitoring equipment. It is a standard pontoon boat with a wooden deck that has been modified from its original design as a pleasure boat.

The District also purchased a 16-foot Carolina Skiff in 2008 (unit 3316). It is used as a general-purpose boat for traveling on waterways throughout the District.

There is a continued need for a boat capable of handling the maintenance-related tasks and travel on waterways throughout the District. The current pontoon boat is being used for purposes beyond its design. The skiff is underutilized. The purchase of one boat with expanded capabilities will allow for the disposition of two boats, units 3101 and 3316.

Benefits/Costs

Boat 3101 is 16 years old and has reached the end of its useful life. It was purchased for \$13,865 and has a life-to-date maintenance cost of \$14,501. The current condition is poor and frequent repairs have contributed to delays on projects. Boat 3316 is 12 years old and was purchased for \$11,803. It has a life-to-date maintenance cost of \$5,401. This boat has been identified as underutilized in recent audit reports.

The purchase of an aluminum landing craft boat will allow staff to perform maintenance safely and efficiently, as well as perform duties in a boat designed for this purpose. The design of the boat will incorporate installation of a crane for movement of buoys, structure control devices, and data monitoring equipment.

To qualify as a CFEF expenditure, the field equipment must meet the following criteria:

- Rolling stock (excluding vehicles less than 1.5 ton),
- Total estimated cost equal to or greater than \$1,000 including delivery, and
- Anticipated useful life of at least five years

Although the landing craft boat qualifies as a CFEF expenditure, it was not included in the FY2020 Annual Service Budget as a planned expenditure during the fiscal year. Unplanned expenditures from the CFEF are subject to adhering to the *Budget Authority Transfer of Funds* Governing Board Policy.

The current CFEF for Fiscal Year 2020 has an allocation for a 17-foot boat with an expected

Item 7

cost of \$25,600. Savings have been realized in year-to-date purchases and two items were eliminated from purchase due to utilization reviews, yielding a year-to-date savings of \$88,107. The budget for the 17-foot boat and the savings mentioned, as well as the balance of the fund, allow funding for the purchase of the requested boat through the Fiscal Year 2020 CFEF.

Staff Recommendation:

- Approve the purchase of a 24-foot landing craft boat for \$149,597 utilizing the CFEF.
- Approve the surplus disposition of existing boats 3101 and 3316.

Presenters: Michelle Maxey, P.E., General Services Bureau Chief, and
Jerry Mallams, P.G., Operations and Land Management Bureau Chief

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of March 2020.

Background

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning 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 March 2020.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
March 2020

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Change from Original Budget Intent</u>				
1	Project Management Office Consultant Services	Project Management Office Consultant Services	Transfer of funds originally budgeted for consultant services to develop a component inventory for the District's major water control structures. Expenditures are projected to be less than anticipated based on negotiated task work assignments. The funds are needed for additional consultant services to address alternatives for the replacement or repair of the boat lock at the Wysong-Coogler Dam.	\$ 5,627.00
2	Water Resources Grant - Financial Assistance	Human Resources & Risk Mgmt Ins. and Bonds Prop. & Casualty Losses	Transfer of funds originally budgeted for the Zephyr Creek Drainage Improvements: Units 3 and 4 Cooperative Funding Initiative (CFI) project with Pasco County. The project has been cancelled by the cooperator due to it no longer meeting the benefits originally intended in the approved CFI application. The funds are needed for the unanticipated replacement or repair of insured District assets such as all-terrain vehicles, vehicles, equipment, and facilities that are damaged. Although insurance claim reimbursements are receipted as revenue for the fiscal year, an approved expenditure appropriation must be available to cover the cost to replace or repair the damaged property. The District does not currently budget for these unanticipated costs; however, having this appropriation readily available will expedite the remediation process after such events.	\$ 50,000.00
3	Water Resources Grant - Financial Assistance	Water Resources Consultant Services	Transfer of funds originally budgeted for the Zephyr Creek Drainage Improvements: Units 3 and 4 CFI project with Pasco County. The project has been cancelled by the cooperator due to it no longer meeting the benefits originally intended in the approved CFI application. The funds are needed for an additional Withlacoochee River Watershed model peer review for due diligence.	\$ 50,000.00
4	Water Resources Contracted Construction	Natural Systems & Restoration Equipment - Outside	Transfer of funds originally budgeted for the construction and implementation of the Lake Hancock Lake Level Modification to achieve minimum flows in the Upper Peace River. Expenditures for construction were less than anticipated. The funds are needed for the purchase of water quality monitoring equipment to be installed at Lake Hancock that provides real-time data to support operational decisions to achieve minimum flows in the Upper Peace River.	\$ 22,000.00
5	Natural Systems & Restoration Consultant Services	Natural Systems & Restoration Equipment - Outside	Transfer of funds originally budgeted for consultant services for data collection and analysis that will support developing the minimum flow and level (MFL) and provide an enhanced understanding of the Lower Withlacoochee River system. Expenditures are projected to be less than anticipated due to some tasks being completed in-house. The funds are needed for the purchase of data collection equipment required for MFLs development for the Lower Withlacoochee River system. It is more cost-effective for the District to purchase the equipment and collect data than to hire a consultant to perform this task.	\$ 13,500.00
Total Change from Original Budget Intent				\$ 141,127.00
<u>Consistent with Original Budget Intent</u>				
1	Water Resources Operations & Land Management Salaries & Benefits Travel - Staff Duties Consultant Services Other Contractual Services	Water Resources Operations & Land Management Salaries & Benefits Travel - Staff Duties Consultant Services Other Contractual Services	Funds are needed for the original purpose budgeted for the restoration of Hampton Borrow Pit South located on the District's Lake Hancock property. The funds are being transferred to the appropriate project code for better tracking of tasks performed on the restoration project.	\$ 224,951.00

Attachment: 04-20 FOP-FIN Exhibit-BT Rpt MAR2020 (4996 : Budget Transfer Report)

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
March 2020

Item No.	--- TRANSFERRED FROM ---	--- TRANSFERRED TO ---	Reason For Transfer	Transfer Amount
	Bureau / Expenditure Category	Bureau / Expenditure Category		
2	Operations & Land Management Equipment - Outside	Operations & Land Management Equipment - Non-Capital Outlay	Funds are needed for the original purpose budgeted for the replacement of four handheld two-way radios for emergency operations. The funds are being transferred to the appropriate expenditure category as the cost for the handheld two-way radios fell under the capital threshold of \$1,000.	\$ 3,451.08
3	Finance Salaries & Benefits Various Expenditure Categories	Procurement Office Salaries & Benefits Various Expenditure Categories	Funds are needed for the original purpose budgeted for the procurement function of the District. The funds are being transferred due to a strategic organizational change moving Procurement from the Finance Bureau to its own office.	\$ 340,225.94
Total Consistent with Original Budget Intent				\$ 568,628.02
Total Transfers for Governing Board Ratification				\$ 709,755.02

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director or designee or the Finance Bureau Chief consistent with Budget Authority Transfer of Funds Board Policy, and are presented for Governing Board ratification on the Consent Agenda. This Board Policy limits transfers made for a purpose other than the original budget intent to \$50,000. However, transfers made for accounting reallocation purposes consistent with original budget intent are not limited.

RESOURCE MANAGEMENT COMMITTEE

April 28, 2020

Consent Agenda

Recommend FY2021 Springs Projects for FDEP Funding Consideration

Purpose

The purpose of this item is to approve a list of 12 projects that provide water resource improvements to Outstanding Florida Springs (OFS) within the Southwest Florida Water Management District (District). Pending Board approval, the list will be forwarded to the Florida Department of Environmental Protection (FDEP) in May 2020 for further review and State funding consideration.

Background/History

In 2016, the Florida Legislature adopted Senate Bill 552, a comprehensive water bill that addressed statewide water supply and water quality issues, including springs restoration. The Florida Springs and Aquifer Protection Act, created out of Senate Bill 552, focuses on protecting and enhancing Florida's springs. The Legacy Florida Act, signed in 2016, provides legislative funding at an annual level of \$50 million for the protection and restoration of Outstanding Florida Springs (OFS).

The FDEP requested that water management districts evaluate and submit projects for FY2021 State funding consideration. The District's Springs Coast Steering Committee (SCSC) provides a lead role in soliciting and reviewing springs projects that will be forwarded to the FDEP for funding consideration. The SCSC directed its Management Committee to evaluate and rank projects and the Management Committee met two times to complete the review of projects and finalized the evaluation process based on SCSC guidance. At their March 18, 2020 meeting, the SCSC approved forwarding 12 projects to the FDEP for further review and State funding consideration, subject to the approval by the District's Governing Board. The 12 projects include one project that has been reviewed and recommended for District funding by the Governing Board's Northern Region subcommittee through the District's Cooperative Funding Initiative (CFI) process. The list also includes one project that was not recommended for District funding by the Northern Region subcommittee due to the project not being consistent with the FY2021 CFI guidelines. Attached are two Exhibits, the FY2021 Springs Funding Final Evaluations approved by the SCSC and Table 1 which includes the 12 projects recommended by the SCSC.

Staff Recommendation:

Approve the list of 12 springs projects for submittal to the Florida Department of Environmental Protection.

Presenter: Vivianne Bendixson, Surface Water Improvement & Management Supervisor

FDEP Springs Funding FY2021 Final Evaluations

March 18, 2020



FY2021 Springs Funding Final Evaluations											
Unit Number	Ranking	Applicant	Project	BMAP	Nitrogen Reduction (lbs/yr)	Cost/lbs of TN/30 yrs	FDEP FY2021 Request	WMD FY2021 Request	Local FY2021 Match	Other FY2021 Funding	Total for FY2021
APP10	High	Hernando County	Glen Water Reclamation Facility Denitrification	Weeki Wachee	24,592	\$ 7	\$ 3,700,000	\$ -	\$ 1,300,000	\$ -	\$ 5,000,000
APP04	High	FGUA	Rainbow River - Rio Vista Septic to Sewer	Rainbow	3,353	\$ 99	\$ 10,000,000	\$ -	\$ -	\$ -	\$ 10,000,000
APP12	High	City of Inverness	44 West Sewer Extension	Chassahowitzka-Homosassa	1,746	\$ 45	\$ 1,888,400	\$ -	\$ 472,100	\$ -	\$ 2,360,500
APP01	High	Bay Laurel CCDD	On Top of the World North Advanced WWTF*	Rainbow	15,856	\$ 110	\$ 450,000	\$ -	\$ 895,500	\$ -	\$ 1,345,500
WW09	High	Hernando County	Septic to Sewer District A Phase 1*	Weeki Wachee	3,703	\$ 149	\$ 2,310,000	\$ -	\$ 495,000	\$ 495,000	\$ 3,300,000
APP13	Med	City of Inverness	41 North Sewer Extension	Chassahowitzka-Homosassa	1,202	\$ 113	\$ 3,264,800	\$ -	\$ 816,200	\$ -	\$ 4,081,000
APP05	Med	FGUA	Burkitt Road Septic to Sewer	Rainbow	111	\$ 105	\$ 350,000	\$ -	\$ -	\$ -	\$ 350,000
APP03	Med	Marion County	Oak Bend I-75 Water Quality Improvement*	Rainbow/Silver	766	\$ 135	\$ 257,520	\$ -	\$ -	\$ -	\$ 257,520
APP06	Med	FGUA	180th Ave Package Plant Abatement	Rainbow	284	\$ 114	\$ 847,000	\$ -	\$ -	\$ -	\$ 847,000
APP14	Med	City of Crystal River	Pelican Bay Package Plant Removal	Crystal River/ Kings Bay	47	\$ 267	\$ 377,590	\$ -	\$ -	\$ -	\$ 377,590
Q155	Med	Marion County	NWRWWTF Expansion	Rainbow	2,017	\$ 258	\$ 6,850,000	\$ -	\$ 6,850,000	\$ -	\$ 13,700,000
APP11	Med	City of Inverness	South Highlands Septic to Sewer*	Chassahowitzka-Homosassa	695	\$ 157	\$ 2,613,600	\$ -	\$ 653,400	\$ -	\$ 3,267,000
			*Multiyear Funding Request								
			Application Count: 12		54,372		\$ 32,908,910.00	\$ -	\$ 11,482,200.00	\$ 495,000.00	\$ 44,886,110

Attachment: FY2021 FDEP Springs Funding Final Evals (4970 : Recommend FY2021 Springs Projects for FDEP Funding Consideration)

FY2021 Springs Funding Final Evaluation

Project No.	APP10				
Hernando County		Hernando County Glen WWTP AWT Upgrade			FY2021
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Design, permitting and construction of 3.0 mgd of Advanced Wastewater Treatment (AWT) components at the Hernando County Glen Regional Wastewater Treatment Plant and other necessary appurtenances to achieve the AWT nutrient limit of 3 mg/l Total Nitrogen. Funding is requested for only nutrient reduction portions, as no wastewater treatment plant expansion is anticipated for this facility.			
Costs:		Total project cost: \$5,000,000 (Design, Permitting, Construction) Hernando County share: \$1,300,000 all in FY2021 District share: \$0 FDEP share: \$3,700,000 all in FY2021			
PROJECT INFORMATION					
Spring Information:		High	The spring receiving the benefit is Weeki Wachee Spring and is designated an Outstanding Florida Spring. The spring is approximately 5 miles southwest of the project location. The project is within the Weeki Wachee BMAP boundary. The project is within the Weeki Wachee PFA boundary.		
Project Benefit:		High	The benefit of this project will be the reduction of pollutant loads by an estimated 24,592 lbs/yr TN. for the 2.20 mgd of wastewater anticipated to be treated in 2023.		
Cost Effectiveness:		High	The estimated cost for this project is \$7/lb of TN.		
Related Strategies:		High	This project is listed in the Weeki Wachee BMAP list of projects. The Weeki Wachee Spring has an existing MFL.		
Local Match:		High	This project includes a local match in the amount of \$1,300,000 which is 26% of the total project cost.		
Project Readiness:		High	This project is anticipated to begin in 2021 and be completed in 2023.		
OVERALL RANKING					
		High	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
Hernando County	\$ -	\$ 1,300,000	\$ -	\$ 1,300,000	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 3,700,000	\$ -	\$ 3,700,000	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	

FY2021 Springs Funding Final Evaluation

Project No.	APP04	Rainbow River and Rio Vista Septic-to-Sewer Project			FY2021
FGUA					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Design, permitting, and construction of a sanitary sewer collection system which will remove from service a minimum of 333 existing septic tanks. Connection fees are included in the funding request.			
Costs:		Total project cost: \$10,000,000 (design, permitting, construction, and connection fees) FGUA share: \$0 District share: \$0 FDEP share: \$10,000,000			
PROJECT INFORMATION					
Spring Information:		High	The spring receiving the benefit is Rainbow Springs and is designated as an Outstanding Florida Spring. The spring is approximately 2 miles north of the project location. The project is within the Rainbow Springs Group BMAP boundary. The project is within the Rainbow Springs PFA boundary.		
Project Benefit:		High	The benefit of this project is the reduction of pollutant loads by an estimated 3353 lbs/yr TN.		
Cost Effectiveness:		High	The estimated cost for this project is \$99/lb of TN.		
Related Strategies:		High	This project is listed in the Rainbow Springs BMAP list of projects and SWIM Plan. The Rainbow River has an existing MFL.		
Local Match:		Low	This project does not include a match.		
Project Readiness:		Low	This project is anticipated to begin in 2021 and be completed in 2022. This project is dependent on the rerating of the City's WRF to 0.50 MGD, anticipated in 2020. And a separate funded project to decommission the Rainbow Springs WRF and construct a forcemain prior to this project beginning. Construction has not begun on the previously funded project.		
OVERALL RANKING					
		High	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
FGUA	\$ -	\$ -	\$ -	\$ -	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000	

FY2021 Springs Funding Final Evaluation

Project No.	App 12	44 West Sewer Extension System				FY2021
City of Inverness						
Project Type:	Wastewater Collection & Treatment		Multiyear Contract:	No		
DESCRIPTION						
Description:	Design, permitting and construction of a sanitary sewer collection system which will remove from service a minimum of 54 septic tanks existing in the City of Inverness west service area which include 45 commerical septic tanks and 9 residential septic tanks. Connection fees are included in the funding request.					
Costs:	Total Project Cost: \$2,360,500 (design, permitting, construction, and connection fees) City of Inverness share: \$472,100 all in FY2021 District share: \$0 FDEP share: \$1,888,400 all in FY2021					
PROJECT INFORMATION						
Spring Information:	Medium	The spring receiving the benefit is the Chasshowitzka-Homosassa Spring and is designated as an Outstanding Florida Spring. The spring is approximately 18 miles from the project. The project is within the Chassahowitza-Homosassa Spring BMAP boundary. The project is not within the Chassahowitza-Homosassa Spring PFA boundary.				
Project Benefit:	Medium	The benefit of this project is the reduction of pollutant loads by an estiamted 1,746 lbs/yr TN.				
Cost Effectiveness:	High	The estimated cost for this project is \$45 per lb of TN.				
Related Strategies:	High	This project is not listed in the Chassahowitzka-Homosassa BMAP list of projects but is anticipated to be added in the next update. The Chassahowitzka-Homosassa Spring has an existing MFL.				
Local Match:	Medium	This project includes a local match in the amount of \$472,100 which is 20% of the total project cost.				
Project Readiness:	High	This project is anticipated to begin 2021 and be completed in 2023.				
OVERALL RANKING						
	High	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.				
FUNDING						
Funding Source	Prior	FY2021	Future	Total		
City of Inverness	\$ -	\$ 472,100	\$ -	\$ 472,100		
District	\$ -	\$ -	\$ -	\$ -		
FDEP	\$ -	\$ 1,888,400	\$ -	\$ 1,888,400		
Other	\$ -	\$ -	\$ -	\$ -		
Total	\$ -	\$ 2,360,500	\$ -	\$ 2,360,500		

Attachment: FY2021 FDEP Springs Funding Final Eval (4970 : Recommend FY2021 Springs Projects for FDEP Funding Consideration)

FY2021 Springs Funding Final Evaluation

Project No.	APP01	Bay Laurel (On Top of the World Ocala) AWT WWTP Expansion & Reuse			FY2021
Marion County					
Project Type:	Wastewater Collection & Treatment	Multiyear Contract:	Yes		
DESCRIPTION					
Description:	Design, Permitting and Construction of a new 2.50 mgd Advanced Wastewater Treatment (AWT) wastewater treatment plant (WWTP) at the On Top of the World Ocala development, a lift station, wastewater force main, a biosolids treatment facility and other necessary appurtenances to replace the existing 1.25 mgd conventional WWTP. Funding is also requested for reclaimed water infrastructure including a 5 mg storage tank, a pump station, transmission main and control appurtenances.				
Costs:	Total project cost: \$52,200,000 (Design, permitting, and construction) Bay Laurel share: \$26,100,000 (\$895,000 in FY2021 and \$25,205,000 in future FYs) FDEP share: \$26,100,000 (\$450,000 requested in FY2021 and \$25,650,000 anticipated to be requested in future FYs)				
PROJECT INFORMATION					
Spring Information:	Medium	The spring receiving benefit is Rainbow Springs and is designated an Outstanding Florida Spring. The spring is approximately 8 miles southwest of the project location. The project is within the Rainbow Springs BMAP boundary. The project is not within the Rainbow Springs PFA boundary.			
Project Benefit:	High	The benefit of this project will be the reduction of pollutant loads by an estimated 15,856 lbs/yr TN. for the 1.15 mgd of wastewater anticipated to be treated in 2025 and the supply of 0.36 mgd of additional reclaimed water beyond the 0.79 mgd required to be supplied by a previously District co-funded project (L786). This benefit calculation differs from the standard FDEP methodology as the calculation includes TN reductions for both the AWT facility and a biosolids removal component.			
Cost Effectiveness:	Medium	The estimated cost for this project is \$110/lb of TN.			
Related Strategies:	High	This project is not listed in the Rainbow River BMAP list of projects but is anticipated to be added in an update. The Rainbow River has an existing MFL.			
Local Match:	High	This project includes a local match in the amount of \$26,100,000 which is 50% of the total project cost.			
Project Readiness:	Medium	This project is anticipated to begin in 2021 and be completed in 2024.			
OVERALL RANKING					
	High	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.			
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
Bay Laurel CDD	\$ -	\$ 895,000	\$ 25,205,000	\$ 26,100,000	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 450,000	\$ 25,650,000	\$ 26,100,000	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 1,345,000	\$ 50,855,000	\$ 52,200,000	

Attachment: FY2021 FDEP Springs Funding Final Evals (4970 : Recommend FY2021 Springs Projects for FDEP Funding Consideration)

FY2021 Springs Funding Final Evaluation

Project No.	WW09	Hernando County Distrcit A Phase 1 Septic to Sewer Project				FY2021
Hernando County						
Project Type	Waste Water Collection & Treatment		Multiyear Contract:	Yes		
DESCRIPTION						
	Design, permitting, and construction of a sanitary sewer system which will remove from service a minimum of 363 existing septic tanks, including 11 commercial tanks, within the Weeki Wachee springshed. This project additionally includes tank abandonment, lateral lines from home to sewer, and connection/assessment fees.					
Costs:	Total Project cost: \$16,500,0000 (Design, permitting, construction, tank abandonment, connection fees) Hernando County share: \$495,000 in FY2021 and \$1,980,000 requested in future years FDEP share: \$2,310,000 in FY2021 and \$9,240,000 requested in future years Other share: \$495,000 in FY2021 and \$1,980,000 requested in future years District Share: The county has requested \$495,000 in FY2021 and \$1,980,000 requested in future years from the District through the cooperative funding program. If approved by the District, it will reduce the Other share.					
PROJECT INFORMATION						
Ranking						
Spring Information:	High	The spring receiving the benefit is Weeki Wachee Spring and is designated an Outstanding Florida Spring. The spring is approximately 1.14 miles west of the project location. The project is within the Weeki Wachee BMAP boundary. The project is within the Weeki Wachee PFA boundary.				
Project Benefit:	High	The benefit of this water quality project is the reduction of pollutant loads by an estimated 3,703 lbs/yr TN. The benefit calculation methodology deviates from the FDEP guidance.				
Cost Effectiveness:	Low	The estimated cost for this project is \$149/lb of TN.				
Related Strategies:	High	This project is listed in the Weeki Wachee BMAP list of projects.				
Local Match	Medium	This project includes a local match in the amount of \$2,475,000 which is 15% of the total project cost.				
Project Readiness:	High	This project is anticipated to begin in 2020 and be completed in 2024.				
OVERALL RANKING						
	High	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.				
FUNDING						
Funding Source	Prior	FY2021	Future	Total		
Hernando County	\$ -	\$ 495,000	\$ 1,980,000	\$ 2,475,000		
District	\$ -	\$ -	\$ -	\$ -		
FDEP	\$ -	\$ 2,310,000	\$ 9,240,000	\$ 11,550,000		
Other	\$ -	\$ 495,000	\$ 1,980,000	\$ 2,475,000		
Total	\$ -	\$ 3,300,000	\$ 13,200,000	\$ 16,500,000		

FY2021 Springs Funding Final Evaluation

Project No.	App 13	North 41 Sewer Extension Project				FY2021
City of Inverness						
Project Type:	Wastewater Collection & Treatment		Multiyear Contract:	No		
DESCRIPTION						
Description:	Design, permitting and construction of a sanitary sewer collection system which wil remove for service a minimum of 67 septic tanks existing in the City of Inverness north service area which include 33 commercial septic tanks and 34 residential septic tanks. Connection fees are included in the funding request.					
Costs:	Total Project Cost: \$4,081,000 (design, permitting, construction, and connection fees) City of Inverness share: \$816,200 all in FY2021 District share: \$0 FDEP share: \$3,264,800 all in FY2021					
PROJECT INFORMATION						
Spring Information:	Medium	The spring receiving the benefit is the Chasshowitzka-Homosassa Spring and is designated as an Outstanding Florida Spring. The spring is approximately 14.5 miles from the project. The project is within the Chassahowitza-Homosassa Spring BMAP boundary. The project is not within the Chassahowitza-Homosassa Spring PFA boundary.				
Project Benefit:	Medium	The benefit of this project is the reduction of pollutant loads by an estimated 1,202 lbs/yr TN.				
Cost Effectiveness:	Medium	The estimated cost for the project is \$113 per lb of TN.				
Related Strategies:	High	This project is not listed in the Chassahowitzka-Homosassa BMAP list of projects but is anticipated to be added in the next update. The Chassahowitzka-Homosassa Spring has an existing MFL.				
Local Match:	Medium	This project includes a local match in the amount of \$816,200 which is 20% of the total project cost.				
Project Readiness:	Medium	The project is anticiapted to begin in 2021 and be completed in 2023.				
OVERALL RANKING						
	Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.				
FUNDING						
Funding Source	Prior		FY2021	Future		Total
City of Inverness	\$ -		\$ 816,200	\$ -		\$ 816,200
District	\$ -		\$ -	\$ -		\$ -
FDEP	\$ -		\$ 3,264,800	\$ -		\$ 3,264,800
Other	\$ -		\$ -	\$ -		\$ -
Total	\$ -		\$ 4,081,000	\$ -		\$ 4,081,000

FY2021 Springs Funding Final Evaluation

Project No.	APP05	Burkitt Road Septic to Sewer Project			FY2021
FGUA					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Design, permitting, and construction of a sanitary sewer collection system which will remove from service a minimum of 11 existing septic tanks in the Burkitt Road area. Connection fees are included in the funding request.			
Costs:		Total project cost: \$350,000 (design, permitting, construction, and connection fees) FGUA share: \$0 District share: \$0 FDEP share: \$350,000			
PROJECT INFORMATION					
Spring Information:		High	The spring receiving the benefit is Rainbow Springs and is designated as an Outstanding Florida Spring. The spring is approximately 3 miles north of the project location. The project is within the Rainbow Springs BMAP boundary. The project is not within the Rainbow Springs PFA boundary.		
Project Benefit:		Low	The benefit of this project is the reduction of pollutant loads by an estimated 111 lbs/yr TN.		
Cost Effectiveness:		High	The estimated cost for this project is \$105/lb of TN.		
Related Strategies:		High	This project is not listed in the Rainbow Springs BMAP list of projects but is anticipated to be added in the next update. The Rainbow River has an existing MFL.		
Local Match:		Low	This project does not include a match.		
Project Readiness:		Low	This project is anticipated to begin in 2020 and be completed in 2021. It may not begin until the City of Dunnellon WTF is rerated by FDEP to 0.50 MGD anticipated in 2020.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
FGUA	\$ -	\$ -	\$ -	\$ -	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 350,000	\$ -	\$ 350,000	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 350,000	\$ -	\$ 350,000	

FY2021 Springs Funding Final Evaluation

Project No.	APP03	Oak Bend I-75 Water Quality Improvement Project			FY2021
Marion County					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	Yes	
DESCRIPTION					
Description:		Design, permitting, and construction of a sewer system to connect and decommission two package plants, Oak Bend package plant and FDOT I-75 Rest Area package plant, to the Marion County wastewater system. Connection fees for the Oak Bend community only are included in the funding request.			
Costs:		Total project cost: \$3,103,068 (design, permitting, construction, and connection fees) Marion County share: \$0 District share: \$0 FDEP share: \$257,520 requested in FY2021 and \$1,831,568 requested in future years. Other Funding: \$0 in FY2021 and \$1,013,980 in future years by FDOT (\$627,700) and Equity Lifestyle Properties, Inc. (\$386,280).			
PROJECT INFORMATION					
Spring Information:		Medium	The spring receiving benefit is Silver Springs. The spring is approximately 2 miles east of the project location. The project is within the Silver Springs and Rainbow Springs Group BMAP boundary. The project is not within the Silver Springs or Rainbow Springs Group PFA boundary.		
Project Benefit:		Medium	The benefit of this project is the reduction of pollutant loads by an estimated 766 lbs/yr TN.		
Cost Effectiveness:		Medium	The estimated cost for this project is \$135/lb of TN.		
Related Strategies:		Low	Applicant does not require connection to available sewer. This project is not listed in either Silver Springs or Rainbow Springs BMAP list of projects but is anticipated to be added in an update. Both Silver Springs and Rainbow Springs have an existing MFL.		
Local Match:		High	This project includes a match in the amount of \$1,013,980 from FDOT and Equity Lifestyle Properties which is 33% of the total project cost.		
Project Readiness:		High	This project is anticipated to begin in 2020 and be completed in 2022.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
Marion County	\$ -	\$ -	\$ -	\$ -	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 257,520	\$ 1,831,568	\$ 2,089,088	
Other	\$ -	\$ -	\$ 1,013,980	\$ 1,013,980	
Total	\$ -	\$ 257,520	\$ 2,845,548	\$ 3,103,068	

FY2021 Springs Funding Final Evaluation

Project No.	APP06	180th Ave Package Plant Abatement			FY2021
FGUA					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Design, permitting, and construction of lift stations and other sewer system components to decommission the Dunnellon High School/Elementary School complex, Rainbow Springs State Park Campground, and Sateke Village package plants and provide connection to the City of Dunnellon wastewater system. Connection fees are not included in the funding request.			
Costs:		Total Project cost: \$847,000 (Design, permitting, construction) City of Dunnellon/FGUA share: \$0 FDEP share: \$847,000 District Share: \$0			
PROJECT INFORMATION					
Spring Information:		High	The spring receiving the benefit is Rainbow Springs and is designated as an Outstanding Florida Spring. The spring is approximately 1.4 miles north-northwest of the project location. The project is within the Rainbow Springs BMAP boundary. The project is within the Rainbow Springs PFA boundary.		
Project Benefit:		Low	The benefit of this water quality project is the reduction of pollutant loads by an estimated 284 lbs/yr TN.		
Cost Effectiveness:		Medium	The estimated cost for this project is \$114/lb of TN.		
Related Strategies:		High	This project is listed in the Rainbow Springs Group and Rainbow Springs Group Run BMAP list of projects.		
Local Match:		Low	This project does not include a local match.		
Project Readiness:		Low	This project is anticipated to begin in 2020 and be completed in 2021. It may not begin until the City of Dunnellon WTF is rerated by FDEP to 0.50 MGD anticipated in 2020.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
FGUA	\$ -	\$ -	\$ -	\$ -	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 847,000	\$ -	\$ 847,000	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 847,000	\$ -	\$ 847,000	

FY2021 Springs Funding Final Evaluation 2020-02

Project No.	APP14	Pelican Bay Package Plant Removal				FY2021
City of Crystal River						
Project Type		Waste Water Collection & Treatment		Multiyear Contract:	No	
DESCRIPTION						
		Design, permitting, and construction of a sewer system to connect and decommission the Pelican Bay package plant to the City of Crystal River wastewater system. Connection fees are included in the funding request.				
Costs:		Total Project Cost: \$377,590 (Design, perrmitting, construction, and connection fees) Crystal River share: \$0 FDEP share: \$377,590 District Share: \$0				
PROJECT INFORMATION						
Ranking						
Spring Information:		High	The spring receiving the benefit is Three Sisters and Hunter Springs. Hunter Spring is located within the Kings Bay Springs Group which is an Outstanding Florida Spring. The spring is approximately 1.7 miles north of the project location. The project is within the Crystal River/Kings Bay BMAP boundary. The project is within the Crystal River/Kings Bay PFA boundary.			
Project Benefit:		Low	The benefit of this water quality project is the reduction of pollutant loads by an estimated 47 lbs/yr TN. The benefit calculation methodology deviates from the FDEP guidance.			
Cost Effectiveness:		Low	The estimated cost for this project is \$267/lb of TN.			
Related Strategies:		High	This project is listed in the Crystal River/Kings Bay BMAP list of projects			
Local Match		Low	This project does not include a local match.			
Project Readiness:		High	The project is anticipated to begin in 2021 and be completed in 2022.			
OVERALL RANKING						
		Med	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.			
FUNDING						
Funding Source		Prior	FY2021	Future		Total
Crystal River		\$ -	\$ -	\$ -		\$ -
District		\$ -	\$ -	\$ -		\$ -
FDEP		\$ -	\$ 377,590	\$ -		\$ 377,590
Other		\$ -	\$ -	\$ -		\$ -
Total		\$ -	\$ 377,590	\$ -		\$ 377,590

Attachment: FY2021 FDEP Springs Funding Final Evals (4970 : Recommend FY2021 Springs Projects for FDEP Funding Consideration)

FY2021 Springs Funding Final Evaluation

Project No.	Q155	Marion County Northwest AWT WWTP Expansion			FY2021
Marion County					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Construction of a new 0.80 mgd expansion (from 0.2 to 0.8 mgd) and upgrade to Advanced Wastewater Treatment (AWT) wastewater treatment plant (WWTP) at the Marion County Northwest Regional Wastewater Treatment Plant, including a lift station rehab, a biosolids handling facility and other necessary appurtenances. Overall project costs are estimated to be \$15,583,032, however the County is only requesting funding for the \$13,700,000 construction portion, as the County previously funded \$1,883,032 in design and permitting.			
Costs:		Total project cost: \$13,700,000 (Construction Only) District share: The county has requested \$3,425,000 all in FY2021 from the District through the cooperative funding program. If approved by the District, it will reduce Marion County share to \$3,425,000 for FY2021 Marion County share: \$8,733,032 with \$1,883,032 in prior years and \$6,850,000 in FY2021 FDEP share: \$6,850,000 all in FY2021 Total Design, Permitting, Construction Cost: \$15,583,032			
PROJECT INFORMATION					
Spring Information:		Medium	The spring receiving benefit is Rainbow Springs and is designated an Outstanding Florida Spring. The spring is 13.5 miles southwest of the project location. The project is within the Rainbow Springs BMAP boundary. The project is not within the Rainbow Springs PFA boundary.		
Project Benefit:		Medium	The benefit of this project will be the reduction of pollutant loads by an estimated 2,017 lbs/yr TN. for the 0.07 mgd of wastewater anticipated to be treated in 2023.		
Cost Effectiveness:		Low	The estimated cost for this project is \$258/lb of TN.		
Related Strategies:		Low	Applicant does not require connection to available sewer. This project is not listed in the Rainbow River BMAP list of projects but is anticipated to be added in an update. The Rainbow River has an existing MFL.		
Local Match:		High	This project includes a local match in the amount of \$5,308,032 which is 34% of the total project cost.		
Project Readiness:		High	Design of the project is underway and construction is anticipated to begin in 2020 and be completed in 2022.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source		Prior	FY2021	Future	Total
Marion County		\$ 1,883,032	\$ 6,850,000	\$ -	\$ 8,733,032
District		\$ -	\$ -	\$ -	\$ -
FDEP		\$ -	\$ 6,850,000	\$ -	\$ 6,850,000
Other		\$ -	\$ -	\$ -	\$ -
Total		\$ 1,883,032	\$ 13,700,000	\$ -	\$ 15,583,032

FY2021 Springs Funding Final Evaluation

Project No.	App 11	South Highlands Septic to Sewer Phase 1			FY2021
City of Inverness					
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	No	
DESCRIPTION					
Description:		Deisgn, permitting and construction of a sanitary sewer collection system which will remove for service a minimum of 69 residential septic tanks existing in the City of Inverness south service area. Connection fees are included in the funding request. This project is Phase 1 of 5 and future requests are anticipated for a total cost of \$21,889,500.			
Costs:		Total project cost: \$3,267,000 (deisgn, permitting, construction and connection fees) City of Inverness share: \$653,400 all in FY2021 District share: \$0 FDEP share: \$2,613,600 all in FY2021			
PROJECT INFORMATION					
Spring Information:		Medium	The spring receiving the benefit is the Chasshowitzka-Homosassa Spring and is designated as an Outstanding Florida Spring. The spring is approximately 16 miles from the project. The project is within the Chassahowitzka-Homosassa Spring BMAP boundary. The project is not within the Chassahowitzka-Homosassa Spring PFA boundary.		
Project Benefit:		Low	The benefit of this project is the reduction of pollutant loads by an estimated 695 lbs/yr TN.		
Cost Effectiveness:		Low	The estimated cost for first phase of this project is \$157 per lb of TN.		
Related Strategies:		High	This project is not listed in the Chassahowitzka-Homosassa BMAP list of projects but is anticipated to be added in the next update. The Chassahowitzka-Homosassa Spring has an existing MFL.		
Local Match:		Medium	This project includes a local match in the amount of \$653,400 which is 19% of the total project cost		
Project Readiness:		High	This project is anticipated to begin in 2021 and be completed in 2023.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2021 springs funding consideration.		
FUNDING					
Funding Source	Prior	FY2021	Future	Total	
City of Inverness	\$ -	\$ 653,400	\$ -	\$ 653,400	
District	\$ -	\$ -	\$ -	\$ -	
FDEP	\$ -	\$ 2,613,600	\$ -	\$ 2,613,600	
Other	\$ -	\$ -	\$ -	\$ -	
Total	\$ -	\$ 3,267,000	\$ -	\$ 3,267,000	

FY2021 FDEP Springs Funding Applications Project Information

Funds in Specific Appropriation 1606 may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.														IV. Water Quality			V. Water Quantity		VI. Land Acquisition	VI. Project Time and Cost								VII. Other
	I. Contact Information			II. Spring Information			III. Project Information								IV. Water Quality		V. Water Quantity		VI. Land Acquisition	VI. Project Time and Cost								VII. Other
C o u n t	Lead Water Managem ent District Name	Local Government	WMD Project Manager Name, Phone and Email	Spring Name	Does the Spring have an Impairment? If so, does it have a BMAP?	Does the Spring have an MFL, and, if so, is it in recovery or prevention?	Project Name	County	Project Location - Latitude of project	Project Location - Longitude of project	Project Type	Project description	Is the Project Listed in a BMAP (or Annual Update)?	Is the Project Listed in a Recovery/Prevention Strategy or Identified in a Regional Water Supply Plan as Benefitting an MFL?	Does this Project Have Water Quality Benefits?	N Reduced (lbs/yr)	Sediment reduced (lbs/yr)	Does this Project Have Water Quantity Benefits?	Quantity of Water Made Available (MGD)	Acres to be Acquired	State Funding Requested	Local Match	WMD Match	Third Party Match	Anticipated Start Date	Anticipated End Date	Is this a multi-year project?	Additional Information
1	SWFWMD	Hernando County	Anthony Andrade 352-796-7211 x4196 anthony.andrade@watermatters.org	Weeki Wachee	BMAP or RAP	MFL - Meeting	Glen Water Reclamation Facility Denitrification	Hernando	28.58	-82.53	Waste Water Collection & Treatment	Design, permitting and construction of 3.0 mgd of Advanced Wastewater Treatment (AWT) components at the Hernando County Glen Regional Wastewater Treatment Plant and other necessary appurtenances to achieve the AWT nutrient limit of 3 mg/l Total Nitrogen. Funding is requested for only nutrient reduction portions, as no wastewater treatment plant expansion is anticipated for this facility.	Yes	No	Yes	24,592	0	No	0	0	\$ 3,700,000.00	\$ 1,300,000.00	\$ -	\$ -	2/1/2021	10/1/2023	No	Ranking: High The benefit of this project is the reduction of nitrogen that is based on 2.20 mgd of wastewater anticipated to be treated in 2023.
2	SWFWMD	FGUA	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	Rainbow	BMAP or RAP	MFL - Meeting	Rainbow River - Rio Vista Septic to Sewer	Marion	29.07	-82.4390	Waste Water Collection & Treatment	Design, permitting, and construction of a sanitary sewer collection system which will remove from service a minimum of 333 existing septic tanks. Connection fees are included in the funding request.	Yes	Yes	Yes	3,353	0	No	0	0	\$ 10,000,000.00	\$ -	\$ -	\$ -	11/1/2021	11/1/2022	No	Ranking: High FDEP has funded a separate project with FGUA to decommission the Rainbow Springs Water Reclamation Facility and construct a forcemain that must be complete prior to this project beginning. Construction has not begun on the previously funded project.
3	SWFWMD	City of Inverness	Brent White 352-796-7211 x4214 brent.white@watermatters.org	Chasshowitzka-Homosassa	BMAP or RAP	MFL - Meeting	44 West Sewer Extension	Citrus	28.84	-82.36	Waste Water Collection & Treatment	Design, permitting and construction of a sanitary sewer collection system which will remove from service a minimum of 54 septic tanks existing in the City of Inverness west service area which include 45 commercial septic tanks and 9 residential septic tanks. Connection fees are included in the funding request.	No, but intended to be incorporated in next BMAP annual update	No	Yes	1,746	0	No	0	0	\$ 1,888,400.00	\$ 472,100.00	\$ -	\$ -	5/1/2021	5/1/2023	No	Ranking: High
4	SWFWMD	Bay Laurel CCDD	Anthony Andrade 352-796-7211 x4196 anthony.andrade@watermatters.org	Rainbow	BMAP or RAP	MFL - Meeting	On Top of the World North Advanced WWTF	Marion	29.11	-82.30	Waste Water Collection & Treatment	Design, Permitting and Construction of a new 2.50 mgd Advanced Wastewater Treatment (AWT) wastewater treatment plant (WWTP) at the On Top of the World Ocala development, a lift station, wastewater force main, a biosolids treatment facility and other necessary appurtenances to replace the existing 1.25 mgd conventional WWTP. Funding is also requested for reclaimed water infrastructure including a 5 mg storage tank, a pump station, transmission main and control appurtenances.	No, but intended to be incorporated in next BMAP annual update	No	Yes	15,856	0	Yes	0.36	0	\$ 26,100,000.00	\$ 26,100,000.00	\$ -	\$ -	1/1/2021	9/1/2024	Yes	Ranking: High The benefit of this project is the reduction of nitrogen that is based on 1.15 mgd of wastewater anticipated to be treated in 2025 and the supply of 0.36 mgd of additional reclaimed beyond the 0.79 mgd required to be supplied by a previously District co-funded project (L786).
5	SWFWMD	Hernando County	Claire Stapley 352-796-7211 x4423 claire.stapley@watermatters.org	Weeki Wachee	BMAP or RAP	MFL - Meeting	Septic to Sewer District A Phase 1	Hernando	28.52	-82.56	Waste Water Collection & Treatment	Design, permitting, and construction of a sanitary sewer system which will remove from service a minimum of 363 existing septic tanks, including 11 commercial tanks, within the Weeki Wachee springshed. This project additionally includes tank abandonment, lateral lines from home to sewer, and connection/assessment fees.	Yes	No	Yes	3,703	0	No	0	0	\$ 11,550,000.00	\$ 2,475,000.00	\$ -	\$ 2,475,000.00	11/1/2020	9/27/2024	Yes	Ranking: High The County has requested \$2,475,000 all in FY2021 from the District through the cooperative funding program. If approved, it will reduce the Other share by \$2,475,000.
6	SWFWMD	City of Inverness	Brent White 352-796-7211 x4214 brent.white@watermatters.org	Chasshowitzka-Homosassa	BMAP or RAP	MFL - Meeting	41 North Sewer Extension	Citrus	28.86	-82.35	Waste Water Collection & Treatment	Design, permitting and construction of a sanitary sewer collection system which will remove for service a minimum of 67 septic tanks existing in the City of Inverness north service area which include 33 commercial septic tanks and 34 residential septic tanks. Connection fees are included in the funding request.	No, but intended to be incorporated in next BMAP annual update	No	Yes	1,202	0	No	0	0	\$ 3,264,800.00	\$ 816,200.00	\$ -	\$ -	8/1/2021	8/1/2023	No	Ranking: Medium

FY2021 FDEP Springs Funding Applications Project Information

Funds in Specific Appropriation 1606 may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.																													
I. Contact Information				II. Spring Information			III. Project Information								IV. Water Quality			V. Water Quantity		VI. Land Acquisition	VI. Project Time and Cost							VII. Other	
C o u n t y	Lead Water Managem nt District Name	Local Government	WMD Project Manager Name, Phone and Email	Spring Name	Does the Spring have an Impairment? If so, does it have a BMAP?	Does the Spring have an MFL, and, if so, is it in recovery or prevention?	Project Name	County	Project Location - Latitude of project	Project Location - Longitude of project	Project Type	Project description	Is the Project Listed in a BMAP (or Annual Update)?	Is the Project Listed in a Recovery/Prevention Strategy or Identified in a Regional Water Supply Plan as Benefitting an MFL?	Does this Project Have Water Quality Benefits?	N Reduced (lbs/yr)	Sediment reduced (lbs/yr)	Does this Project Have Water Quantity Benefits?	Quantity of Water Made Available (MGD)	Acres to be Acquired	State Funding Requested	Local Match	WMD Match	Third Party Match	Anticipated Start Date	Anticipated End Date	Is this a multi-year project?	Additional Information	
7	SWFWMD	FGUA	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	Rainbow	BMAP or RAP	MFL - Meeting	Burkitt Road Septic to Sewer	Marion	29.06	-82.4460	Waste Water Collection & Treatment	Design, permitting, and construction of a sanitary sewer collection system which will remove from service a minimum of 11 existing septic tanks in the Burkitt Road area. Connection fees are included in the funding request.	No, but intended to be incorporated in next BMAP annual update	No	Yes	111	0	No	0	0	\$ 350,000.00	\$ -	\$ -	\$ -	11/1/2020	11/1/2021	No	Ranking: Medium This project may not begin until the City of Dunnellon Wastewater Treatment Facility is rerated by FDEP to 0.5 mgd, which is anticipated to be completed April 2020.	
8	SWFWMD	Marion County	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	Rainbow/Silver	BMAP or RAP	MFL - Meeting	Oak Bend I-75 Water Quality Improvement	Marion	29.09	-82.1829	Waste Water Collection & Treatment	Design, permitting, and construction of a sewer system to connect and decommission two package plants, Oak Bend package plant and FDOT I-75 Rest Area package plant, to the Marion County wastewater system. Connection fees for the Oak Bend community only are included in the funding request.	No, but intended to be incorporated in next BMAP annual update	No	Yes	766	0	Yes	0.01247	0	\$ 2,089,088.00	\$ -	\$ -	\$ 1,013,980.00	10/1/2020	10/1/2022	Yes	Ranking: Medium Third party match is future funding from Equity Lifestyle Properties, Inc. and FDOT.	
9	SWFWMD	FGUA	Joe Quinn 352-796-7211 x4421 joe.quinn@watermatters.org	Rainbow	BMAP or RAP	MFL - Meeting	180th Ave Package Plant Abatement	Marion	29.09	-82.42	Waste Water Collection & Treatment	Design, permitting, and construction of lift stations and other sewer system components to decommission the Dunnellon High School/Elementary School complex, Rainbow Springs State Park Campground, and Sateke Village package plants and provide connection to the City of Dunnellon wastewater system. Connection fees are not included in the funding request.	Yes	No	Yes	284	0	Yes	0.0248	0	\$ 847,000.00	\$ -	\$ -	\$ -	11/1/2020	9/1/2021	No	Ranking: Medium This project may not begin until the City of Dunnellon Wastewater Treatment Facility is rerated by FDEP to 0.5 mgd, which is anticipated to be completed April 2020.	
10	SWFWMD	City of Crystal River	Claire Stapley 352-796-7211 x4423 claire.stapley@watermatters.org	Kings Bay	BMAP or RAP	MFL - Meeting	Pelican Bay Package Plant Removal	Citrus	28.87	-82.60	Waste Water Collection & Treatment	Design, permitting, and construction of a sewer system to connect and decommission the Pelican Bay package plant to the City of Crystal River wastewater system. Connection fees are included in the funding request.	Yes	No	Yes	47	0	No	0	0	\$ 377,590.00	\$ -	\$ -	\$ -	1/1/2021	1/1/2022	No	Ranking: Medium The project site is located below the FEMA Flood Elevation. The existing wastewater treatment plant's percolation ponds have historically been subjected to flooding which has resulted in the offsite discharge of nutrient-rich wastewater effluent.	
11	SWFWMD	Marion County	Anthony Andrade 352-796-7211 x4196 anthony.andrade@watermatters.org	Rainbow	BMAP or RAP	MFL - Meeting	NRWRRTF Expansion	Marion	29.21	-82.25	Waste Water Collection & Treatment	Construction of a new 0.80 mgd expansion (from 0.2 to 0.8 mgd) and upgrade to Advanced Wastewater Treatment (AWT) wastewater treatment plant (WWTP) at the Marion County Northwest Regional Wastewater Treatment Plant, including a lift station rehab, a biosolids handling facility and other necessary appurtenances. Overall project costs are estimated to be \$15,583,032, however the County is only requesting funding for the \$13,700,000 construction portion, as the County previously funded \$1,883,032 in design and permitting.	No, but intended to be incorporated in next BMAP annual update	No	Yes	2,017	0	No	0	0	\$ 6,850,000.00	\$ 8,733,032.00	\$ -	\$ -	\$ -	3/1/2020	11/1/2022	No	Ranking: Medium \$1,883,032 in previous years calculatd in Local Match value.
12	SWFWMD	City of Inverness	Brent White 352-796-7211 x4214 brent.white@watermatters.org	Chasshowitzka Homosassa	BMAP or RAP	MFL - Meeting	South Highlands Septic to Sewer	Citrus	28.83	-82.33	Waste Water Collection & Treatment	Design, permitting and construction of a sanitary sewer collection system which will remove for service a minimum of 69 residential septic tanks existing in the City of Inverness south service area. Connection fees are included in the funding request. This project is Phase 1 of 5 and future requests are anticipated for a total cost of \$21,889,500.	No, but intended to be incorporated in next BMAP annual update	No	Yes	695	0	No	0.000	0	\$ 2,613,600.00	\$ 653,400.00	\$ -	\$ -	\$ -	1/1/2021	1/1/2023	No	Ranking: Medium

FY2021 FDEP Springs Funding Applications - Multiyear Projects

C o u n t	I. TOTAL PROJECT COST					II. Year 1 - Project Funding Breakout												II. Year 2 - Project Funding Breakout											
	DEP/State Funding Amount	Local Match Amount	WMD Match Amount	Third Party Match	TOTAL Project Cost	DEP/State Funding Amount	Local Match - Cash	Local Match - In-kind Efforts	Local Match - Companion Projects	Local Match - Other	WMD Match - Cash	WMD Match - In-kind Efforts	WMD Match - Companion Projects	WMD Match - Other	Third Party Funding	TOTAL Year 1 Funding	DEP/State Funding Amount	Local Match - Cash	Local Match - In-kind Efforts	Local Match - Companion Projects	Local Match - Other	WMD Match - Cash	WMD Match - In-kind Efforts	WMD Match - Companion Projects	WMD Match - Other	Third Party Funding	TOTAL Year 2 Funding		
1																													
2																													
3																													
4	\$ 26,100,000	\$ 26,100,000	\$ -	\$ -	\$ 52,200,000	\$ 450,000	\$ 895,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,345,000	\$ 6,725,000	\$ 6,280,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,005,000	
5	\$ 11,550,000	\$ 2,475,000	\$ -	\$ 2,475,000	\$ 16,500,000	\$ 2,310,000	\$ 495,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 495,000	\$ 3,300,000	\$ 2,310,000	\$ 495,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 495,000	\$ 3,300,000	
6																													
7																													
8	\$ 2,089,088	\$ -	\$ -	\$ 1,013,980	\$ 3,103,068	\$ 257,520	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 257,520	\$ 1,831,568	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,013,980	\$ 2,845,548	
9																													
10																													
11																													
12	\$ 17,511,600	\$ 4,377,900	\$ -	\$ -	\$ 21,889,500	\$ 2,613,600	\$ 261,000	\$ 392,400	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ 3,267,000	\$ 5,108,400	\$ 510,840	\$ 766,260	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,385,500	
	C o u n t	III. Year 3 - Project Funding Breakout					III. Year 4 - Project Funding Breakout					III. Year 5 - Project Funding Breakout																	
		DEP/State Funding Amount	Local Match Amount	WMD Match Amount	Third Party Funding	TOTAL Year 3 Funding	DEP/State Funding Amount	Local Match Amount	WMD Match Amount	Third Party Funding	TOTAL Year 4 Funding	DEP/State Funding Amount	Local Match Amount	WMD Match Amount	Third Party Funding	TOTAL Year 5 Funding													
		\$ 12,495,000	\$ 12,495,000	\$ -	\$ -	\$ 24,990,000	\$ 6,430,000	\$ 6,430,000	\$ -	\$ -	\$ 12,860,000																		
		\$ 2,310,000	\$ 495,000	\$ -	\$ 495,000	\$ 3,300,000	\$ 2,310,000	\$ 495,000	\$ -	\$ 495,000	\$ 3,300,000	\$ 2,310,000	\$ 495,000	\$ -	\$ 495,000	\$ 3,300,000													

RESOURCE MANAGEMENT COMMITTEE**April 28, 2020*****Consent Agenda*****FARMS – Dover Land, LLC Phase 2 – Haynes Road, LLC (H782), Hillsborough County*****Purpose***

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Dover Land, LLC and Haynes Road, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$656,250 (75% percent of total project costs). Of this amount, \$656,250 is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$875,000.

Project Proposal

The District received a project proposal from Dennis Carlton, the owner of Dover Land, LLC and Haynes Road LLC, for an 80 acre strawberry operation on the Dover Land, LLC property and a 94.6 acre strawberry operation on the Haynes Road LLC property. Both properties are adjacent to each other and are located one-mile northeast of Dover, in Hillsborough County, within the Northern Tampa Bay Water Use Caution Area (NTBWUCA), and Dover Plant City Water Use Caution Area (DPCWUCA). The project will be built on the Dover Land, LLC property (previous FARMS project H705) and supply surface water to both the Dover Land, LLC and Haynes Road, LLC strawberry operations. This project will involve the use of an existing 43-acre reservoir located on the Dover Land, LLC property to offset Upper Floridan aquifer groundwater permitted for bed preparation and crop establishment on the Haynes Road, LLC property and for additional offset of frost freeze quantities on the Dover Land LLC property. FARMS project components consist of two surface water irrigation pump stations, filtration systems, hydraulic valves, and the piping necessary to connect the surface water reservoir to the planned and existing irrigation systems.

In January 2014, the Governing Board approved a FARMS project (H705) with Dennis Carlton on his Home Grove (now Dover Land, LLC) for a project that offset bed preparation, crop establishment, and a portion of his permitted frost freeze quantities for 80 acres of strawberries. This project had a total project cost of \$273,344 with District reimbursement of \$195,000 (71% of total costs). The project was for one surface water pump station, filtration, and mainline pipe to connect the pump station to an existing irrigation system. The project became operational in February 2015. Offset for bed preparation and crop establishment has averaged 47,272 gpd with an average offset of 1.04 mgd of cold protection quantities per freeze event. This project is achieving the anticipated benefits approved by the Board.

Benefits/Costs

The proposed project involves water quantity best management practices for bed preparation, crop establishment, and alternatives to using groundwater for cold protection within the DPCWUCA. Therefore, the project qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to offset 111,000 gpd for bed preparation and crop establishment on the Haynes Road, LLC property and an additional 2.64 mgd of the permitted cold protection quantities per freeze event on the Dover Land, LLC property. This offset yields a cost of \$2.85 per thousand gallons of groundwater reduced over the proposed seven-year contract term. This value is within the guidelines for the generally accepted average

Item 10

cost savings per thousand gallons for the implementation of alternative supplies and cold protection for strawberry operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of this project, the Governing Board will have \$5,301,750 remaining in its FARMS Program budget

Staff Recommendation:

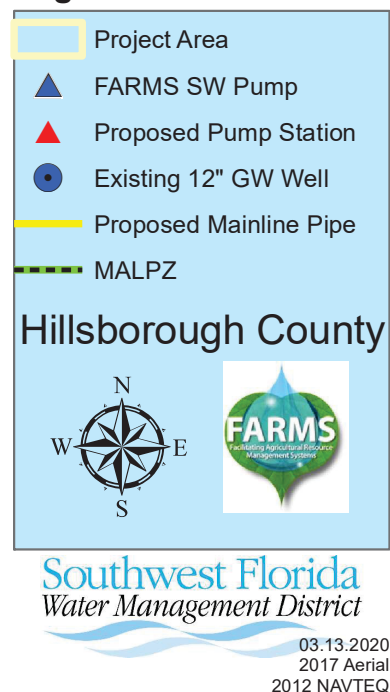
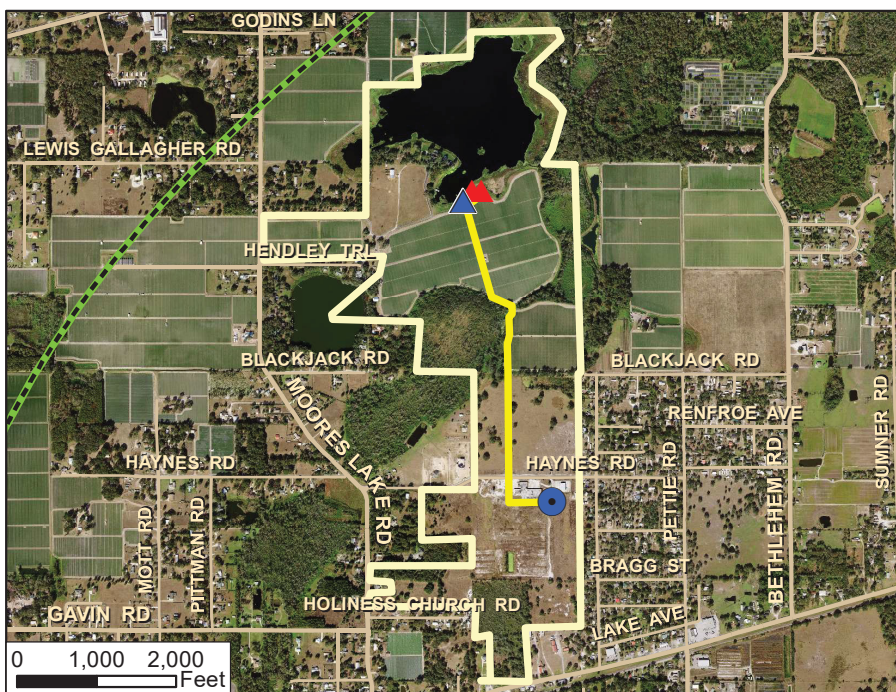
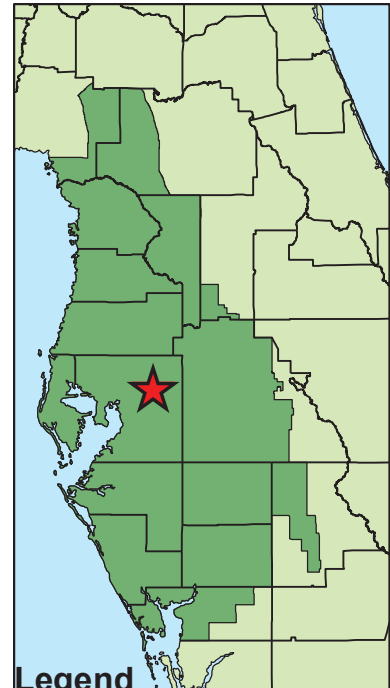
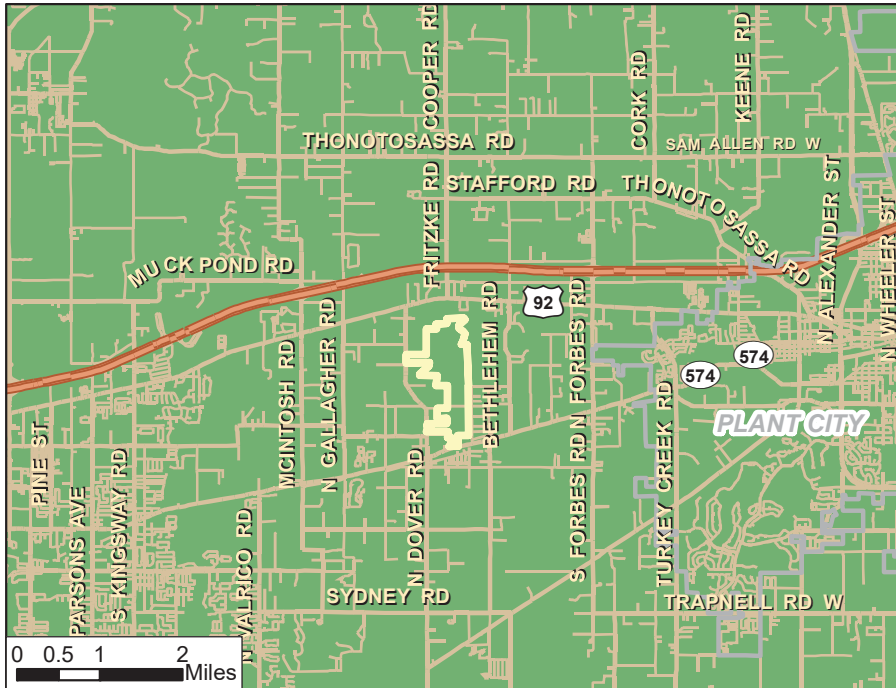
- 1) Approve the Dover Land, LLC Phase 2 - Haynes Road, LLC project for a not-to-exceed project reimbursement of \$656,250 with \$656,250 provided by the Governing Board;
- 2) Authorize the transfer of \$656,250 from fund 010 H017 Governing Board FARMS Fund to the H782 Dover Land, LLC Phase 2 - Haynes Road LLC project fund;
- 3) Authorize Assistant Executive Director to sign the agreement.

Presenter: Randy Smith, Bureau Chief, Natural Systems and Restoration

Location Map

Dover Land, LLC Phase2 - Haynes Rd, LLC

FARMS Project H782



RESOURCE MANAGEMENT COMMITTEE

April 28, 2020

Consent Agenda

Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum and Guidance Levels for Lake Marion in Levy County (P256)

Purpose

To request the Board initiate and approve rulemaking to amend Rule 40D-8.624, Florida Administrative Code (F.A.C.), to adopt revised Minimum and Guidance levels for Lake Marion in Levy County, and accept the report entitled: "Revised Minimum and Guidance Levels Based on Reevaluation of Levels Adopted for Lake Marion in Levy County, Florida" dated January 8, 2020.

Background/History

Minimum levels are water levels at which further withdrawals would be significantly harmful to the water resources of the area. Guidance levels are used to describe expected water level fluctuations and serve as advisory information for the construction of lakeshore development, water dependent structures, and operation of water management structures. Minimum and Guidance levels for Lake Marion were adopted in February 2007. Section 373.0421(5), Florida Statutes, requires that minimum flows and levels shall be reevaluated periodically and revised as needed.

Lake Marion is included in the Northern District group of lakes selected for Minimum and Guidance level reevaluation. These reevaluations are being completed using up-to-date hydrologic, biologic, and survey data; recently developed hydrologic models, and peer-reviewed methodologies, to determine if any revisions are needed for currently adopted levels. Based on this reevaluation, and as shown in the attached Exhibit (Table 8-2), the Minimum Lake Level is proposed to decrease 1.3 feet and the High Minimum Lake Level is proposed to decrease 2.0 feet. The High Guidance Level is proposed to decrease 2.1 feet, and the Low Guidance Level is proposed to decrease 0.6 feet.

The technical report outlining the development of the newly proposed levels for Lake Marion was posted on the District's website on February 28, 2020. Note that no public workshop was held due to the small number of lakefront property owners. In lieu of a workshop, a letter was sent to lakefront owners briefly explaining the proposed MFL changes and how to access the draft report. District staff also offered to meet with residents or anyone who had questions or concerns regarding the proposed levels. No comments or questions, or requests for a meeting were received.

The proposed Minimum Levels are protective of all relevant environmental values identified for consideration in the Water Resource Implementation Rule, Chapter 62-40, F.A.C., when establishing minimum flows and levels.

An updated status assessment of the lake's levels was performed, and Lake Marion's water levels were determined to be above the proposed Minimum Lake Level and above the proposed High Minimum Lake Level. The District plans to continue regular monitoring of water levels in

Item 11

Lake Marion and will also routinely evaluate the status of the water levels with respect to adopted minimum levels for the lake included in Chapter 40D-8, F.A.C.

Benefits/Costs

Adoption of Minimum Levels for Lake Marion will support the District's water supply planning, Water Use Permitting, and Environmental Resource Permitting programs. Adoption of Guidance Levels will provide advisory information for the construction of lakeshore development, water dependent structures, and operation of water management structures. A Statement of Estimated Regulatory Costs is not required for Lake Marion as this rulemaking is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

Upon Governing Board approval of the proposed levels, staff will proceed with formal rulemaking without further Governing Board action. If substantive changes are necessary as the result of comments received from the public or from reviewing entities such as the Governor's Office of Fiscal Accountability and Regulatory Reform or the Joint Administrative Procedures Committee, this matter will be brought back to the Governing Board for consideration.

Staff Recommendation:

- A. Accept the report entitled, "Revised Minimum and Guidance Levels Based on Reevaluation of Levels Adopted for Lake Marion in Levy County, Florida."
- B. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.

Presenter: Mark Hurst, M.S., P.W.S., Sr. Environmental Scientist, Water Resources Bureau

EXHIBIT

40D-8.624 Guidance and Minimum Levels for Lakes.

(1) through (11) No change.

(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.					
Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a) through (m) No change.					
(n) In Levy County Within the Withlacoochee River Basin	Marion, Lake S-02, T-14S, R-17E	<u>53.2'</u> 55.3'	<u>52.6'</u> 54.6' (CAT 3)	<u>49.4'</u> 50.7' (CAT 3)	47.1' 47.7'
(o) through (dd) No change.					

(13) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04 (13), 12-21-04 (13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11, 3-12-12, 11-25-12, 2-21-13 (12)(f), 2-21-13 (12)-(13), 9-3-13, 1-7-15, 7-1-15, 9-21-15, 11-30-16, 12-28-16, 2-12-17 (12)(s), 2-12-17 (12)(z), 2-12-17 (12)(z), 2-19-17 (12)(l), 2-19-17 (12)(q), 3-2-17 (12)(l), 3-2-17 (12)(z), 3-22-17, 4-2-17 (12)(q), 4-2-17 (12)(z), 4-20-17 (12)(i), 4-20-17 (12)(i), 2-5-18, 3-20-18, 5-30-18, 1-23-19, 2-11-19, 3-20-19, 4-28-19, 7-17-19,_____.

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Consent Agenda

Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy Florida, LLC, Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P

Purpose

Recommend the Governing Board approve the conveyance of an easement to Duke Energy Florida over a part of the Three Sisters Springs property jointly owned with the City of Crystal River. A general location map and an aerial map are attached as Exhibits 1 and 2.

Background

The District acquired the Three Sisters Springs property in June 2010. The property is approximately 57 acres and was purchased to protect three second-order magnitude springs and an important manatee refuge. The District's specific interest in the property was to develop a stormwater treatment system for Kings Bay to improve water quality within the Bay and the Crystal River spring system. Acquisition of the property was a collaboration of multiple partners that included the Southwest Florida Water Management District (District), City of Crystal River (City), US Fish and Wildlife Services (USFWS), Florida Communities Trust, and other public and private contributors. The District holds a 30 percent undivided interest in the parcel and the City holds a 70 percent undivided interest in the parcel. This division of the ownership interest was determined by acquisition funding contributions and that the District would solely fund the stormwater treatment system and any future projects on the property.

The City and USFWS are the lead managers for the Three Sisters Property. The Governing Board approved an amendment to the Management Agreement for the property at their meeting on December 10, 2019 which included an updated management plan. The updated management plan includes improvements to the property including the construction of a restroom facility with electricity. Duke Energy requires an easement for the power line connection that services these improvements. The proposed Easement requested by Duke Energy is attached as Exhibit 3.

Benefits/Costs

The construction of the improvements is part of the terms of the approved management plan for the property. There are not ongoing management costs for the District related to conveying this easement.

Staff Recommendation:

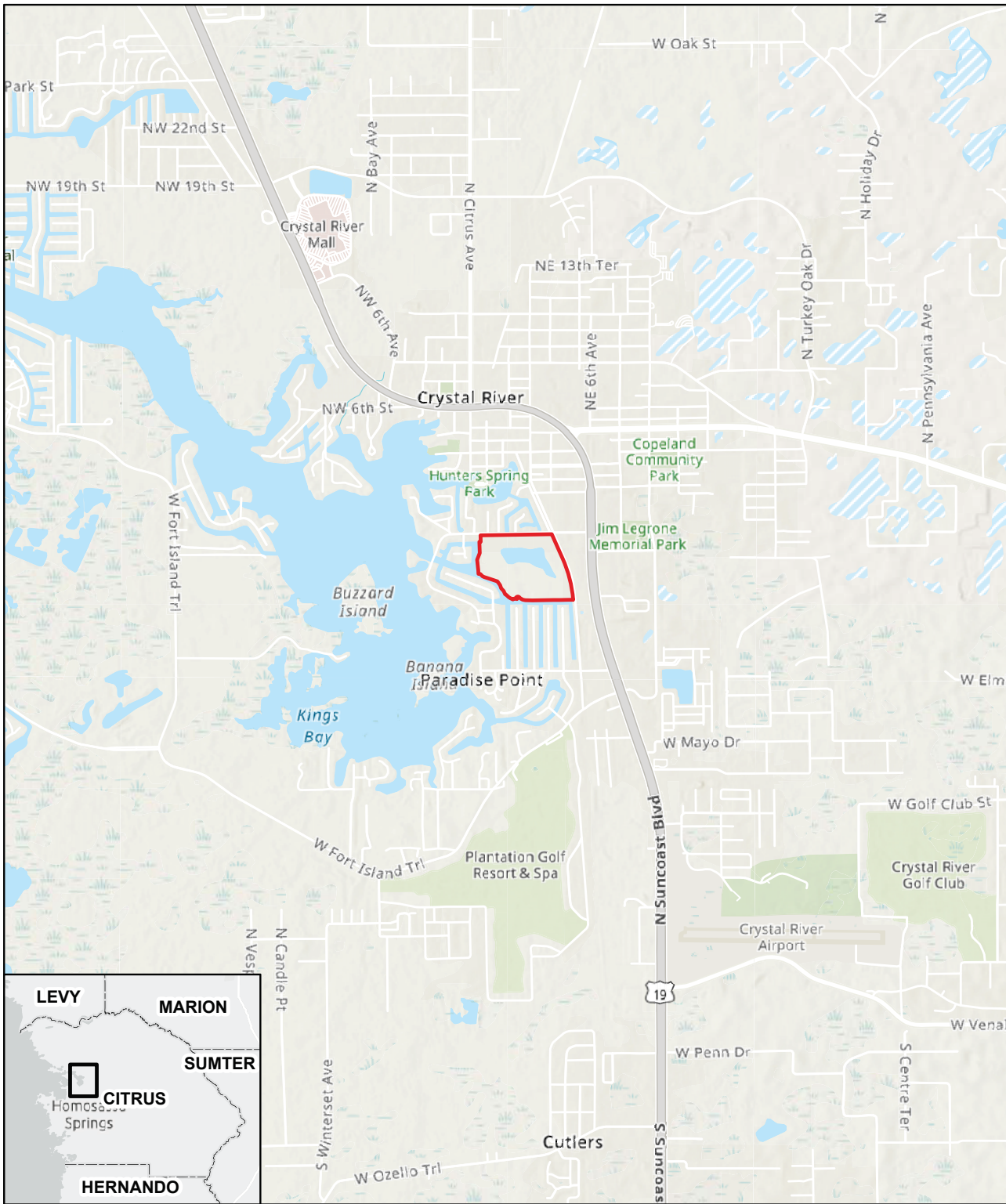
- Approve conveyance of a utility easement to Duke Energy;
- Authorize the Governing Board Chair and Secretary to execute the easement; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Item 12

Presenters: Jerry Mallams, P.G., Operations and Land Management Bureau Chief and
Ellen Morrison, Operations and Land Management Assistant Bureau Chief

Exhibit 1

Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy Florida LLC,
Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Three Sisters Springs Property

0 1,500 3,000
Feet

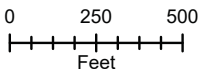


Attachment: Three Sisters Duke Exhibit MinTrac (5010 : Three Sisters Springs SWF Parcel 15-347-128P)

Exhibit 2
Joint Conveyance by the District and the City of Crystal River of an Easement to Duke Energy
Florida LLC, Chassahowitzka River – Three Sisters Springs SWF Parcel No. 15-347-128P



 Three Sisters Springs Property



Attachment: Three Sisters Duke Exhibit MinTrac (5010 : Three Sisters Springs SWF Parcel 15-347-128P)

Citrus County

Work Request #: 35966404

STR: 28-18S-17E

Address: 900 Three Sisters Springs, Trail, Crystal River

EASEMENT

THIS EASEMENT ("Easement") from **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**, a public corporation (*as to a 30% tenant-in-common interest*), whose post office address is 2379 Broad Street, Brooksville, Florida 34604-6899, and **CITY OF CRYSTAL RIVER**, a Florida municipal corporation (*as to a 70% tenant-in-common interest*), whose post office address is 123 NW Highway 19, Crystal River, Florida 34428 ("**GRANTOR**," whether one or more) to **DUKE ENERGY FLORIDA, LLC**, a Florida limited liability company, d/b/a **DUKE ENERGY**, Post Office Box 14042, St. Petersburg, Florida 33733, and its successors, lessees, licensees, transferees, permittees, apportionees, and assigns ("**GRANTEE**");

WITNESSETH:

THAT **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto **GRANTEE**, the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy and for communication purposes over, under, upon, across, through and within the following described lands in Citrus County, Florida, and referred to hereinafter as the Easement Area to wit:

A 10.00-foot-wide Easement Area lying 5.00 feet on each side of **GRANTEE's** Facilities to be installed at mutually agreeable locations within the following described property to accommodate present and future development:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Tax Parcel Number: 17E18S28 11300

The rights herein granted to **GRANTEE** by **GRANTOR** specifically include the right: (a) for **GRANTEE** to patrol, inspect, alter, improve, add to, repair, rebuild, relocate, and remove said Facilities; (b) for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of Facilities; (c) ingress and egress over the Easement Area and over portions of **GRANTOR's** adjoining property for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of **GRANTEE**, might interfere with or fall upon the Facilities; (f) to allow third parties to attach equipment to the Facilities including but not limited to wires, cables and other apparatus; (g) and all other rights and privileges reasonably necessary or convenient for **GRANTEE's** safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement for the purposes described herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

GRANTOR shall have the right to use the Easement Area in any manner that is consistent with the rights granted to **GRANTEE** herein; provided however, without the prior written consent of **GRANTEE**, **GRANTOR** shall not (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof. If obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area. **GRANTEE** shall have the right to remove any such obstruction(s) at **GRANTOR's** expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or **GRANTOR's** adjoining property caused by **GRANTEE** or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein.

GRANTOR hereby warrants and covenants (a) that **GRANTOR** is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that **GRANTOR** has full right and lawful authority to grant and convey this easement to **GRANTEE**, and (c) that **GRANTEE** shall have quiet and peaceful possession, use and enjoyment of this easement. All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this ____ day of _____, 2020, and is effective as of the Effective Date herein.

GRANTOR:

CITY OF CRYSTAL RIVER, a Florida municipal corporation (*as to a 70% tenant-in-common interest*)

Name of Municipality

ATTEST:

City Clerk

Mayor

Print or Type Name

Print or Type Name

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Grantor(s) mailing address:

Signature of First Witness

123 NW Highway 19

Crystal River, Florida 34428

Print or Type Name of First Witness

Signature of Second Witness

Print or Type Name of Second Witness

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing Easement was acknowledged before me by means of ____ physical presence or ____ online notarization, this ____ day of _____, 2020, by _____ and _____, its Mayor and its City Clerk, respectively of the CITY OF CRYSTAL RIVER, who is/are personally known to me or who has/have produced _____ as identification.

(Notary Seal)

Notary Public

Print: _____

Commission No: _____

My Commission Expires: _____

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this _____ day of _____, 2020, and is effective as of the Effective Date herein.

GRANTOR:

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**, a public
corporation (*as to a 30% tenant-in-common
interest*)

Name of Corporation

ATTEST:

Secretary

Chair

Joel Schleicher

Mark Taylor

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Grantor(s) mailing address:

Signature of First Witness

2379 Broad Street

Brooksville, FL 34604-6899

Print or Type Name of First Witness

Signature of Second Witness

Print or Type Name of Second Witness

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ____ physical presence or ____ online notarization, this _____ day of _____, 2020, by Mark Taylor, Chair and Joel Schleicher, as Secretary of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the Southwest Florida Water Management who are personally known to me.

(Notary Seal)

Notary Public

Print: _____

Commission No: _____

My Commission Expires: _____

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this _____ day of _____, 2020, and is effective as of the Effective Date herein.

ATTEST:

Secretary

Joel Schleicher

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Signature of First Witness

Print or Type Name of First Witness

Signature of Second Witness

Print or Type Name of Second Witness

GRANTOR:

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**, a public
corporation (*as to a 30% tenant-in-common
interest*)

Name of Corporation

Chair

Mark Taylor

Grantor(s) mailing address:

2379 Broad Street

Brooksville, FL 34604-6899

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ____ physical presence or ____ online notarization, this _____ day of _____, 2020, by Mark Taylor, Chair and Joel Schleicher, as Secretary of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the Southwest Florida Water Management who are personally known to me.

(Notary Seal)

Notary Public

Print: _____

Commission No: _____

My Commission Expires: _____

Exhibit "A"

THE PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BOUNDED AS FOLLOWS:

ON THE WEST: BY THE EAST AND SOUTH LINES OF THE LANDS DESCRIBED IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1171, AT PAGE 843, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, AND BY THE EASTERLY LINE OF THE WATERS OF THE SPRING RUN CANAL (SAID CANAL LYING EAST OF AND ADJACENT TO LOTS 1, 2 AND 3 OF PARADISE ISLE, AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 3, AT PAGE 88, OF SAID PUBLIC RECORDS) AND BY THE NORTHERLY PROJECTION OF SAID EASTERLY LINE OF SPRING RUN CANAL WATERS TO ITS INTERSECTION WITH THE AFOREMENTIONED SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1171, AT PAGE 843;

ON THE NORTH: BY THE SOUTHERLY RIGHT-OF-WAY LINE OF S.E. KINGS BAY DRIVE (A PUBLIC RIGHT-OF-WAY 66 FEET WIDE AS GRANTED TO CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 64, AT PAGE 144, OF SAID PUBLIC RECORDS);

ON THE EAST: BY THE WESTERLY RIGHT-OF-WAY LINE OF S.E. CUTLER SPUR BOULEVARD (A PUBLIC RIGHT-OF-WAY 100 FEET WIDE GRANTED TO THE CITY OF CRYSTAL RIVER VIA THE DEED RECORDED IN OFFICIAL RECORDS BOOK 501, AT PAGE 261, OF SAID PUBLIC RECORDS, AND FORMERLY KNOWN AS THE SEABOARD COAST LINE RAILROAD RIGHT-OF-WAY AS SHOWN ON RIGHT-OF-WAY AND TRACK MAP NO. V.5.C FL 7 DEPICTING THE HOMOSASSA BRANCH AS PREPARED BY ATLANTIC COAST LINE RAILROAD COMPANY AND DATED JUNE 30, 1917, FURTHER REFERENCED AS VALUATION MAP NO. VO6364 BY CSX REAL PROPERTY, INC.);

AND

THE PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, ALL OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BOUNDED AS FOLLOWS:

ON THE EAST: BY THE WESTERLY RIGHT-OF-WAY LINE OF S.E. CUTLER SPUR BOULEVARD (A PUBLIC RIGHT-OF-WAY 100 FEET WIDE GRANTED TO THE CITY OF CRYSTAL RIVER VIA THE DEED RECORDED IN OFFICIAL RECORDS BOOK 501, AT PAGE 261, OF SAID PUBLIC RECORDS, AND FORMERLY KNOWN AS THE SEABOARD COAST LINE RAILROAD RIGHT-OF-WAY AS SHOWN ON RIGHT-OF-WAY AND TRACK MAP NO. V.5.C FL 7 DEPICTING THE HOMOSASSA

BRANCH AS PREPARED BY ATLANTIC COAST LINE RAILROAD COMPANY AND DATED JUNE 30, 1917, FURTHER REFERENCED AS VALUATION MAP NO. VO6364 BY CSX REAL PROPERTY, INC.);

ON THE SOUTH: BY THE NORTHERLY LINE OF THE WATERS OF THE UNNAMED CANAL ORIENTED EAST TO WEST AND LYING AT THE NORTH END OF THE FOLLOWING SUBDIVISIONS: PRETTY SPRINGS (UNRECORDED); PRETTY SPRINGS UNIT 2 (RECORDED IN PLAT BOOK 7, PAGE 19, OF SAID PUBLIC RECORDS); PRETTY SPRINGS (RECORDED IN PLAT BOOK 5, AT PAGE 37, OF SAID PUBLIC RECORDS) AND GLEN AIRE ESTATES (UNRECORDED) AND BY THE EASTERLY PROJECTION OF SAID NORTHERLY LINE OF UNNAMED CANAL WATERS TO ITS INTERSECTION WITH THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF S.E. CUTLER SPUR BOULEVARD;

ON THE WEST: BY THE WATERS OF THE SPRING RUN CANAL (SAID CANAL LYING EAST OF AND ADJACENT TO LOTS 1, 2 AND 3 OF PARADISE ISLE, AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 3, AT PAGE 88, OF SAID PUBLIC RECORDS) AND BY THE NORTHEASTERLY LINE OF THE WATERS OF THE SPRING RUN CANAL (SAID SPRING RUN CANAL LYING NORTHEASTERLY OF AND ADJACENT TO PALM ISLAND, AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 4, AT PAGE 22, OF SAID PUBLIC RECORDS)

IT BEING THE SPECIFIC INTENT TO ESTABLISH AS THE SOUTHERLY, SOUTHWESTERLY AND WESTERLY BOUNDARIES OF THE LANDS HEREIN DESCRIBED, A CONTINUOUS BOUNDARY LINE ALONG THE NORTHERLY, NORTHEASTERLY AND EASTERLY LINES OF THE WATERS OF THE ABOVE DESCRIBED CONTINUOUS CANAL (UNNAMED AND SPRING RUN) AND IT BEING THE FURTHER SPECIFIC INTENT TO INCLUDE WITHIN THE LANDS HEREIN DESCRIBED THE NATURAL FEATURE KNOWN AS THREE SISTERS SPRINGS, BY VIRTUE OF THE DISCLAIMER EXECUTED BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA RECORDED IN OFFICIAL RECORDS BOOK 625, AT PAGE 973, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Consent Agenda

Conveyance of Fee Interest for the Ridge Road Right-Of-Way, Pasco County, FL, SWF Parcel Numbers 15-705-107S and 15-705-108P

Purpose:

Request Governing Board approval to convey, to Pasco County (County), the right-of-way for construction of Ridge Road through the Serenova Tract owned in fee simple by the District and execute an agreement governing long-term access and maintenance responsibilities of the County and the District. The right-of-way will be conveyed to the County through the execution of the Quit Claim Deed. A general location map is included as Exhibit 1.

Background/History:

The Florida Department of Transportation (FDOT), County, and District were involved in negotiations about mitigation for the impacts associated with the Suncoast Parkway construction. In 1996, the FDOT purchased the Serenova Tract as mitigation for the Suncoast Parkway. Prior to FDOT's acquisition of the Serenova Tract, the County had acquired a reversionary right for an arterial or limited access highway through the property. In 1997, the FDOT conveyed the property, still containing the County's reversionary right, to the District at no cost with the conditions that the District would maintain the land for preservation and mitigation purposes. In response to the acquisition of the Serenova Tract, agreements between the FDOT, County, and District were executed that addressed, among other things, the extension of Ridge Road. Additionally, a conservation easement was granted to the Board of Trustees for the Serenova Tract further ensuring the property will be protected. The conservation easement does not limit or affect the agreements between the parties which identify the extension of Ridge Road through the Serenova Tract.

The agreement between the District and the County, executed in 1997 entitled *Agreement between the Southwest Florida Water Management District and Pasco County relating to Ridge Road* (1997 Agreement) includes the following terms relevant to this Governing Board item:

- The County, at its sole cost, will obtain all necessary regulatory permits for design and construction of a four-lane collector roadway and provide periodic status updates to the District;
- The District shall convey the necessary right-of-way required for the Ridge Road extension including the interchange and roadway drainage systems; and
- Upon notification by the County to the District that the extension of Ridge Road has been approved by the Board of County Commissioners, the conveyance shall be completed within 90 days of said notification.

On February 24, 2020, the District received notification from the County that all the necessary regulatory permits for the extension of Ridge Road were obtained and the project has been approved by the Board of County Commissioners. This notification requires the District to convey the right-of-way within 90 days (Exhibit 2). The long-term maintenance access and other related responsibilities acceptable to both parties are captured in the Access and Maintenance Agreement (Exhibit 3). Specifically, the County has agreed to provide the District

maintenance access across and under the road at four locations shown and will convey perpetual access easements for two of the locations in accordance with the Access and Maintenance Agreement. The right-of-way for the Ridge Road extension is currently being cleared and in advance of the District's conveyance of the fee interest. On March 5, 2020, the District granted a license for construction activities to begin on the District property which was amended on March 24, 2020 to extend the term of the agreement until April 28, 2020 and allow access to the entire Ridge Road Extension right-of-way (Exhibit 4).

Benefits/Costs:

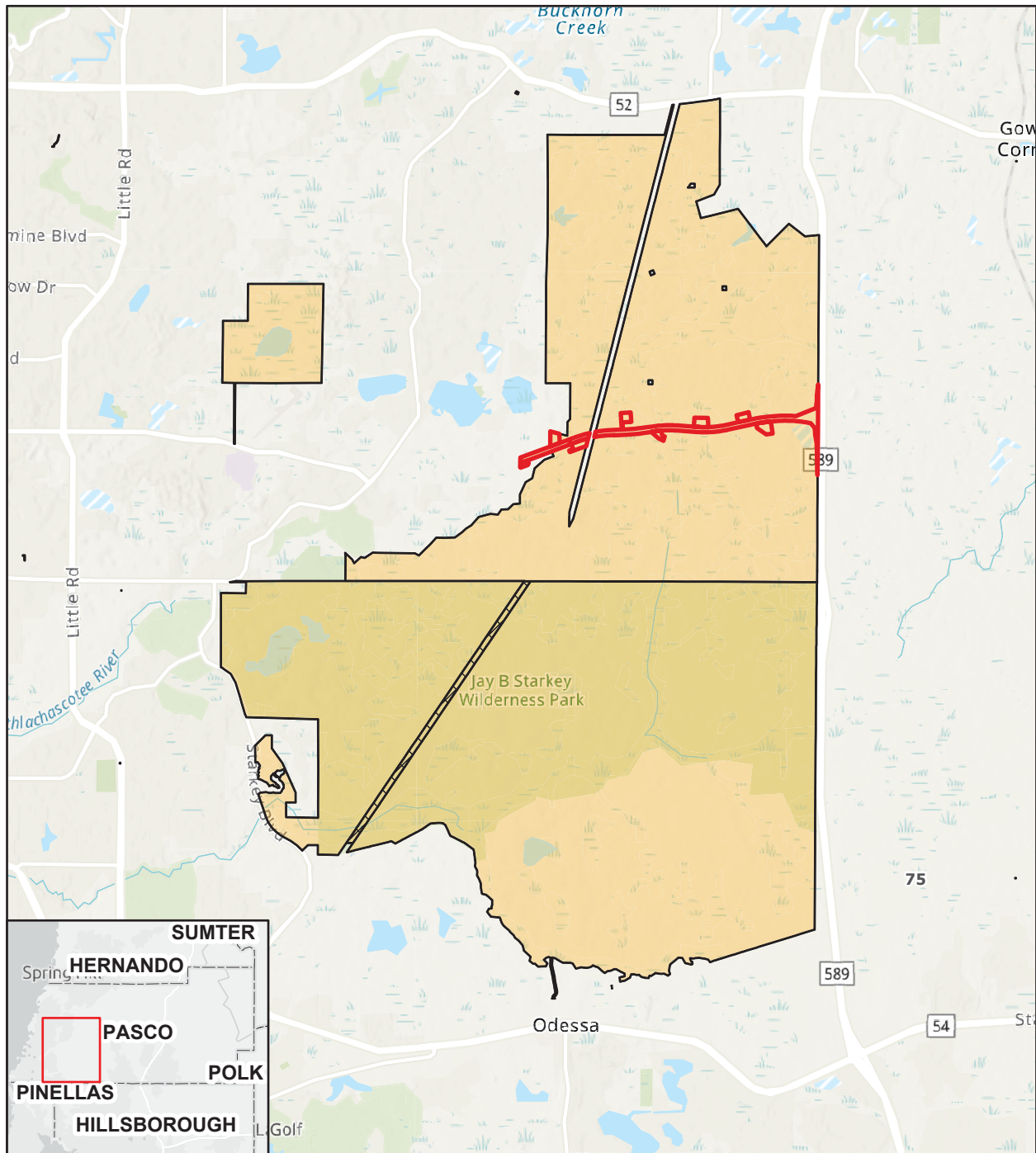
The conveyance of the Ridge Road right-of-way to the County will provide the County an additional evacuation route pursuant to its comprehensive plan requirements. A paved multiuse trail will be constructed within the right-of-way along the south side of the road to provide the public access and greenway opportunities into designated access points on the Serenova property. Conveying this property will satisfy the terms and conditions of the 1997 Agreement between the County and District.

Staff Recommendation:

- Approve the conveyance of the Ridge Road right-of-way to Pasco County for the Ridge Road Extension and execution of the of the Access and Maintenance Agreement;
- Authorize the Governing Board Chair and Secretary to execute the Quit Claim Deed;
- Authorize the Executive Director to execute the Access and Maintenance Agreement outlining access and other related responsibilities resulting from the transfer of the right-of-way;
- Accept perpetual access easements from Pasco County;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

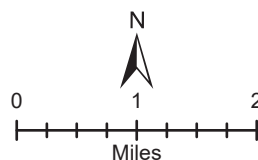
Presenters: Jerry Mallams, P.G., Operations and Land Management Bureau Chief and
Ellen Morrison, Operations and Land Management Assistant Bureau Chief

Exhibit 1
Conveyance of Fee Interest for the Ridge Road Right of Way
Pasco County, FL , SWF Parcel Numbers 15-705-107S and 15-705-108P Location Map



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- District-owned Fee Simple
- Perpetual Easement, not CEs
- SWF Parcel Numbers 15-705-107S and 15-705-108P



Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

Exhibit 2
Conveyance of Fee Interest for the Ridge Road Right-of-way, Pasco County, FL, SWF Parcel
Numbers 15-705-107S and 15-705-108P



February 18, 2020

Brian Armstrong, P.G.
Executive Director
Southwest Florida Water
Management District
2379 Broad Street
Brooksville, FL 34604-6899

Via: Certified Mail, Return Receipt
Email: brian.armstrong@swfwmd.state.fl.us

Dear Mr. Armstrong:

Pasco County has achieved a historic milestone in County transportation and hurricane preparedness. More than 20 years after its initial permit applications, on December 20, 2019, Pasco County received the last necessary permit, a Corps permit, for the construction of the Ridge Road Extension ("RRE").

The RRE is an approximately 8 miles long collector roadway in Pasco County and will carry traffic from the intersection of Ridge Road and Moon Lake Road on the west side of Pasco to U.S. 41 in central Pasco and include an interchange with the Suncoast Parkway. This letter is to request, based on existing agreements, that the District convey to Pasco County the right of way in fee simple through the Serenova Property for Phase I of the RRE, together with necessary easements for drainage. Pasco has provided your staff with the legal descriptions and sketches and the title commitments for the right of way.

The following is a summary of the history of the RRE, and the terms of the agreements between and among the District, the Florida Department of Transportation ("DOT"), the Florida Audubon Society and Pasco County regarding deeding to the County of the right of way in fee simple through Serenova for the RRE.

Ridge Road Extension

In January 1992, the Serenova DRI was approved by the Pasco County Board of Commissioners. The DRI encompassed the property east of Moon Lake Road, Decubellis Road, and Starkey Boulevard, south of S.R. 52, north of S.R. 54 and west of the land on which the Suncoast Parkway is now located (the "Serenova Property"). The approval of the Serenova DRI included an extension of Ridge Road through the Serenova Property. No development of the Serenova Property occurred based on the approved DRI. The Serenova Property was instead acquired by the DOT for environmental and mitigation purposes to support its construction permitting of the Suncoast Parkway. In 1997 and 1998, agreements were executed by Pasco County, DOT, the Audubon Society and the District providing for the use and maintenance of the Serenova Property for environmental preservation and mitigation purposes, for the future construction of a Ridge Road interchange with the Suncoast Parkway, and for the future construction of the RRE, including transfer of the necessary right of way to Pasco County.

COUNTY ADMINISTRATION
West Pasco Government Center | 8731 Citizens Drive, Suite 340 | New Port Richey, FL 34654
dbiles@pascocountyfl.net | 727.847.8115

In 1998, Pasco County and Florida's Turnpike Enterprise ("FTE", a statutory entity created within the FDOT) submitted joint permit applications to the District and the US Army Corps of Engineers (Corps). In 2000, the Corps issued the first Public Notice. The District issued an Environmental Resource Permit (ERP) for the project in 2003. At that point, Pasco County budgeted funding in the Transportation Capital Improvements Projects 5 Year Plan for the construction of Ridge Road connecting Moon Lake and the Suncoast Parkway Interchange (Phase 1). The ERP was subsequently modified in 2013, 2018 to incorporate minimization and other changes to the design which had been coordinated with the Corps.

At the request of the Corps, Pasco County and FTE submitted a new joint application for the RRE in 2011 and a new public notice was issued. In 2014, the Corps defined 16 alternatives and requested an Alternatives Analysis comparing them, which was submitted by the co-applicants in 2015. In 2017, the Corps made a preliminary determination of the Least Environmentally Damaging Practicable Alternative (LEDPA). Pasco County and the FTE initiated construction design plans based on the identified LEDPA concept. However in 2018, the co-applicants notified the Corps of a modification to the concept. A new public notice was issued by the Corps which detailed this modification and an addendum to the Alternatives Analysis was requested. In 2019, the Corp completed the consultation with the US Fish and Wildlife Service based on Section 7 of the Endangered Species Act, which resulted in the development of a Biological Opinion by the Service. The Addendum to the Alternatives Analysis was also completed in 2019. Funding for construction of Ridge Road connecting the Suncoast Parkway Interchange and US 41 (Phase 2) has been budgeted in the Transportation Capital Improvements Projects 5 Year Plan for Fiscal Year 2023.

Relevant Terms of the Agreement Between the Southwest Florida Water Management District and Pasco County, March 4, 1997 (See Attachment A)

1. The County shall, at its sole cost, procure all necessary regulatory permits, design, and construct a four-lane collector roadway in Pasco County. Construction may be performed in phases and may be initially designed and constructed as a two-lane roadway. This roadway shall connect the existing intersection at Ridge Road and Moon Lake Road to the proposed inter-change at Ridge Road and the North Suncoast Parkway.
2. The County shall provide the District with periodic status updates of the final design of the RRE.
3. Contingent upon the acquisition of the Serenova Property and the Crockett property, the District shall convey, in fee simple to the County, that portion of the Serenova and Crockett property necessary for construction of the proposed RRE as a four-lane collector roadway facility including a full interchange with the North Suncoast Parkway within the Serenova Property. The minimum right-of-way shall be two hundred and fifty feet (250') unless otherwise agreed upon. The exact limits of the needed right-of-way will be determined only after all design has been completed and all permit requirements determined.
4. Simultaneous with the District's conveyance to the County of the right of way through the Serenova Property, the County shall convey to the District, by County Deed pursuant to Sections 125.411 and 125.37, Florida Statutes, all rights to the Pasco County Acres Property.
5. The County and the District agree that the District shall provide any and all lands other than the RRE right-of-way needed for the roadway drainage systems and for any other District ERP permit requirements within the Serenova Property and the Crockett property, respectively. Surface water treatment and attenuation systems within the Serenova Property shall only be utilized for the RRE within Serenova. Any such systems shall comply with all District permitting rules and regulations. Wetland creation solely for mitigation purposes shall not be permitted within the Serenova Property. So far as such uses are consistent with the District's rules and regulations, the District shall provide any additional lands needed by the County to meet the permitting and/or mitigation requirements of other agencies. Such lands shall be provided, at no cost to the County, through

easements, licenses, deed or other instrument acceptable to both parties.

6. Conveyances of land within the Serenova Property and within the Crockett property for the RRE shall occur immediately upon the issuance of all necessary regulatory permits for the construction of RRE.
7. Conveyances of land in the Serenova Property for the Ridge Road Interchange shall occur immediately upon the issuance of all necessary regulatory permits for the construction of Ridge Road Interchange.
8. Upon notification by the County to the District that design and construction of the RRE has been programmed and approved by the Board of County Commissioners, and that all conditions precedent to the road's construction have been met, or will be met upon completion of the conveyances described above, and that all other contingencies required by this Agreement have been met, the SWFWMD and the County agree the conveyances described above shall be completed within 90 days of such notification by the County.

Relevant Terms of the Memorandum of Agreement Between Florida Department of Transportation and Pasco County, March 11, 1997 (see Attachment B):

1. The DOT purchased, as part of the environmental mitigation required by District, state and federal regulations, in connection with construction of the Suncoast Parkway, Phase I, the Serenova Property described in Official Records Book 3615, page 1115, of the Public Records of Pasco County.
2. Upon issuance of all regulatory permits for the Suncoast Parkway, Phase I, the DOT agreed to deed all its property described at O.R. Book 3615, page 1126 of the Public Records of Pasco County, and in Exhibit A, to the District, with the understanding that the DOT will not object if the District subsequently transfers portions of the property to Pasco County to be used for public purposes, including the proposed RRE, provided that such conveyances result in no changes or additional requirements to the environmental permits acquired by the DOT.
3. The County agreed to provide proof to the DOT that design and construction of the RRE has been programmed and approved by the Board of County Commissioners. The County agreed to notify the DOT once the County receives corridor approval, resolves all environmental issues and procures all necessary permits from local, state and federal agencies for the RRE.

Relevant Terms of the Stipulation of Settlement Among Florida Audubon Society, SWFWMD and the Florida Department of Transportation, November 1997 (see Attachment C)

1. The Audubon challenged the proposed issuance to the DOT of Environmental Resource Permits for construction of the Suncoast Parkway, Phase I.
2. The Audubon agreed to withdraw its challenge and not to challenge the final permits issued by the District to the DOT for the Suncoast Parkway, Phase I, so long as the conditions of the settlement agreement are satisfied.
3. The conditions of settlement include that the DOT shall record a Conservation Easement over the Serenova Property and Anclote River tract precluding the use of the lands comprising said lands for public water supply wellfields, and preserving the area in its natural condition, except as otherwise provided in the settlement agreement. The settlement agreement states that nothing in the agreement shall limit, modify, or affect in any way, the operation and effect of the certain agreement between the County and the District dated March 4, 1997 and the agreement between the DOT and the County dated March 11, 1997.

4. The Conservation Easement shall be enforceable by a government agency other than the DOT or the District.

5. The Conservation Easement is to include a statement that it shall not operate to preclude the construction of the proposed RRE through the Serenova Property, as contemplated by the pre-existing agreements between Pasco County and the District, and Pasco County and Grantor (DOT), provided that all wetland mitigation involving wetland creation associated with such construction is performed off-site, and not on the property controlled by the Conservation Easement; that the right of way shall be a fenced, limited access right-of-way, with access to the Serenova Property limited to management purposes, and the construction of the RRE shall include wildlife crossing to the specification of the Game and Fresh Water Fish Commission.

6. The settlement agreement stipulates that the District will prepare a management plan for the preservation and maintenance of the Serenova Property and Anclothe tracts.

Relevant Terms of the Agreement Between SWFWMD and Florida Department of Transportation, April 29, 1998 (see Attachment D)

1. This is a revised version of the agreement approved by the District on February 26, 1997. It incorporates the settlement condition that requires the Department and SWFWMD include in their March 1997 agreement that the District will prepare a Management Plan for the Serenova Property and Anclothe tracts.

Relevant Terms of the Conservation Easement Granted by the Department to the Trustees of the Internal Improvement Fund, October 25, 2000 (See Attachment E)

1. The Conservation Easement is granted by the DOT to the Trustees of the Internal Improvement Fund.

2. This Conservation Easement includes the terms summarized in the above description of the settlement agreement including that it shall not operate to preclude the construction of the proposed RRE through the Serenova Property, as contemplated by the pre-existing agreements between Pasco County and the District, and Pasco County and Grantor (DOT), provided that all wetland mitigation involving wetland creation associated with such construction is performed off-site, and not on the property controlled by this easement.

Current Status

On February 6, 2020, the Sierra Club filed two actions in federal court against the U.S. Army Corp of Engineers. One action was for a temporary restraining order to suspend the effectiveness of the Corps Permit issued to Pasco County for the Ridge Road Extension and enjoin the Corps from authorizing any further ground-clearing activities and construction on the Ridge Road Extension for 14 days. The second action is for a declaratory judgment and an injunction to, among other matters, require the Corps to rescind its permit for the Ridge Road Extension. A hearing was held on February 14, 2020 on the first action for a temporary restraining order. The court determined that Sierra Club is not likely to prevail on its second action and therefore, denied the first action for the temporary restraining order. A hearing date has not yet been set on the second action that includes the request to order that the permit be rescinded.

To the best of the County's knowledge, all conditions and obligations that are preconditions to the conveyance by the District to the County of the right of way in fee simple for the Ridge Road Extension have been satisfied. The County requests that you recommend to the Governing Board within the next 90 days the execution and delivery of a deed(s) to Pasco County of the road right of way, subject to an order of the federal court that negates the Corps permit issued to Pasco County for the Ridge Road Extension.

The Agreement between the District and Pasco County requires that notices to the District be given by certified mail, return receipt requested to Fritz Musslemann as the Land Resources Director. Of course, that receipt is not possible, but that notice will be sent, as a formality, in addition to this letter.

The County appreciates the ongoing coordination and efforts of the many District staff on this project currently and over the past years. We look forward to the project's completion.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dan Biles', with a stylized flourish extending to the right.

Dan Biles
Pasco County Administrator

cc: Karen West
Jerry Mallams
Colleen Kruk
Steve Blaschka
Margaret Smith
Sam Beneck
Karen A. Lloyd

11 MAR 97

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (MOA), is made and entered into this 11th day of MARCH, 1997, by and among the Florida Department of Transportation ("Department"), and Pasco County, Florida ("County"), by and through resolution of its County Commissioners.

WITNESSETH:

WHEREAS, the purposes of this MOA are: 1) to provide assurance to the County that its interests will be fully and appropriately considered by the Department in the Department's development and construction of the Suncoast Parkway, most particularly with respect to an interchange with the County's proposed extension of Ridge Road and the Department's purchase of the "Serenova" tract described herein; 2) to set forth the commitments and understandings in this regard of the Department and the County; and 3) to secure the County's support for the Suncoast Parkway and the Department's proposed environmental mitigation plan for the project.

WHEREAS, the Department intends to construct a limited access, tolled expressway known as the Suncoast Parkway, Project I (Suncoast); and

WHEREAS, the Department has purchased, as part of the environmental mitigation required by state and federal regulations, in connection with construction of Suncoast, a certain tract hereinafter known as the "Serenova Property" described in Official Records Book 3615, page 1115, of the Public Records of Pasco County; and

WHEREAS, the Department has acquired the "Grantor's" rights (reversionary interests) described in Official Records Book 3615, page 1126, of the Public Records of Pasco County; to certain property known as Pasco County Acres Property; and

WHEREAS, the purchase of the Serenova Property is intended to preserve the tract in its present natural condition, with selected wetland sites designated for enhancement, as an alternative to constructing only environmental mitigation sites by creation, restoration or enhancement. The cost to the public of such tract preservation in its present natural condition is less than the cost of constructing a mitigation site(s) and is also viewed as an environmentally preferred mitigation option by the environmental regulatory agencies, considering ecosystem management values; and

WHEREAS, upon issuance of all regulatory permits for the Suncoast Parkway, the Department will transfer ownership of that portion of the Serenova Property shown in Exhibit A and the Grantor's reversionary rights described in O.R. Book 3615, page 1126 of the Public Records of Pasco County, to the Southwest Florida Water Management District ("SWFWMD"). The Department's purchase was for transportation and environmental mitigation purposes; and

WHEREAS, it is acceptable to the Department, that SWFWMD accept the Serenova property with the understanding that SWFWMD may deed to the County a portion of the property which will then be used by the County for the future extension of Ridge Road provided the County

complies with the requirements set forth below and provided that such conveyance results in no changes or additional requirements to the environmental permits being acquired by the Department.

NOW THEREFORE, in consideration of these premises and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. To the best of the undersigned parties' knowledge, the foregoing recitals are true and correct, and are incorporated herein.

2. The Department will, at its sole cost, procure all necessary regulatory permits, design, right-of-way, and construct in conformance with the Department's design and access management standards, an interchange with the proposed extension of Ridge Road and the Suncoast on a schedule consistent with the County's construction schedule for the extension of Ridge Road, provided that said County construction begins no later than the construction of Phase II (remainder of project to U.S. 98 - Northern Terminus) of Suncoast I. Current Turnpike financial forecasts indicate that this Suncoast I construction may begin by 2003.

a. The Department will provide to the County a schedule for consultant selection, design services and construction for the Ridge Road interchange following the County's procurement of final alignment approval and formal programming of funds for the design and construction of Ridge Road extension to the Suncoast Parkway.

b. The Department will provide the County with periodic updates of the final design of the Ridge Road interchange.

c. In the event that the County secures the necessary alignment, environmental permits, and funding approvals in a timely manner, the Department will endeavor to let the Ridge Road interchange for construction immediately following the open-to-traffic date for Suncoast Parkway, Phase I.

3. Upon issuance of all regulatory permits for the Suncoast Parkway, the Department will deed all its property described at O.R. Book 3615, page 1126 of the Public Records of Pasco County and in Exhibit A to SWFWMD, with the understanding that the Department will not object if SWFWMD subsequently transfers portions of the property to the County to be used for public purposes, including the proposed extension of Ridge Road, provided that such conveyances result in no changes or additional requirements to the environmental permits acquired by the Department. The Department agrees to apply for necessary changes to the regulatory permits for the Suncoast Parkway to allow for such transfers provided that the County prepares such permit applications and permit modifications impose no additional requirements on the Department and the proposed use is for the benefit of the public. The County shall prepare all necessary permit modification applications.

4. The County shall design and construct Ridge Road in compliance with Rule 14-97, F.A.C. in general; and in particular, the County's design and construction of Ridge Road adjacent to the Suncoast Parkway I interchange shall establish a limited access line for a length of 1,320 feet from the returns of the Department's interchange ramps.

5. The Department will assist the County in an advisory capacity in the project development and environmental activities associated with the County's gaining approval of alignment of the proposed extension of Ridge Road.

6. The County shall provide proof to the Department that design and construction of Ridge Road Extension has been programmed and approved by the Board of County Commissioners. The County will notify the Department once the County receives corridor approval, resolves all environmental issues and procures all necessary permits from local, state and federal agencies for the Ridge Road extension.

7. The following funding provisions are imposed by law on the Department, as is set forth in Section 339.135(6)(a), Florida Statutes (1995):

(6) EXECUTION OF BUDGET -

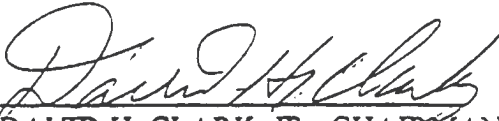
(a) The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The department shall require a statement from the comptroller of the department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the service to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim *in all contracts for the department which are for an amount in excess of \$25,000 and which have a term for a period of more than one year.*

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals effective this 11TH day of MARCH, 1997.

PASCO COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

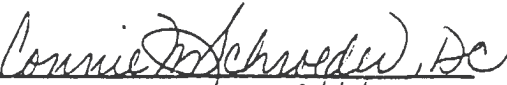
By:


DAVID H. CLARK, JR., CHAIRMAN
Board of County
Commissioners

By:


JAMES L. FLY, SECRETARY
Turnpike District

Attest:


Clerk to the Board of 3/4/97
County Commissioners

Date:

3/11/97

APPROVED AS TO LEGAL
FORM AND CONTENT
Office of the County Attorney

BY:


ATTORNEY

.....
FOR DEPARTMENT USE ONLY

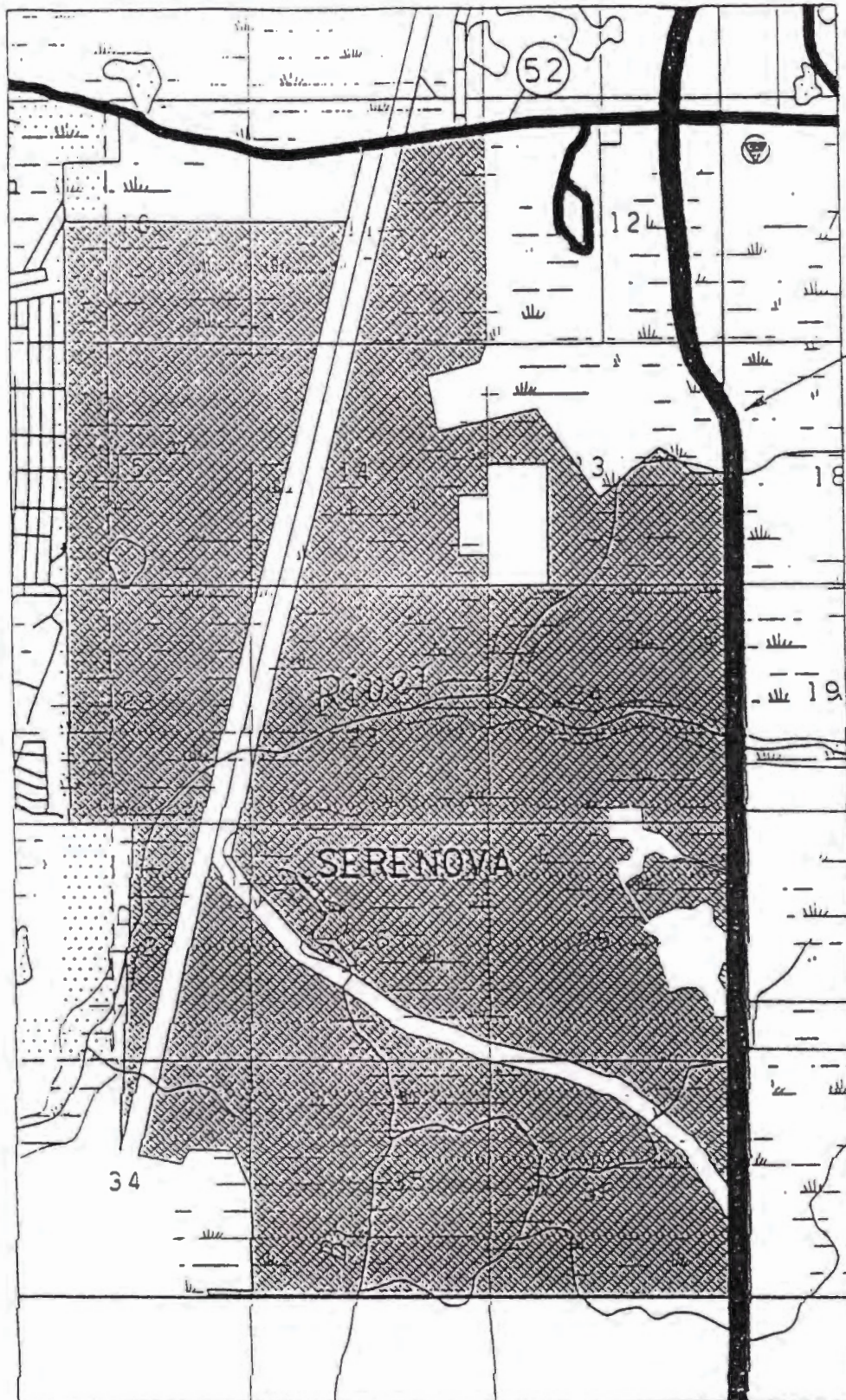
Legal Approval:

Fiscal Approval:




EXHIBIT "A"

TO BE DEEDED TO SWFWMD - 



PROPOSED
SUNCOAST
PARKWAY

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

STATE OF FLORIDA
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

FLORIDA AUDUBON SOCIETY,

Petitioner,

vs.

DOAH Case Nos. 97-1676
97-2553

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT and
FLORIDA DEPARTMENT OF
TRANSPORTATION, TURNPIKE
DISTRICT,

Permit Nos. 4315724.00
4315560.00
4315646.00
4315753.00

Respondents.

STIPULATION OF SETTLEMENT

COME NOW the Parties, Florida Audubon Society, Petitioner, and Respondents, Southwest Florida Water Management District and Florida Department of Transportation, and enter into this settlement stipulation providing that:

1. The Parties agree that all permit applications for Suncoast Parkway Project I (Sections 1A, 1B, 2A, 2B, 3, 4, 5, 6 and the Mitigation Plan) may be approved by the Southwest Florida Water Management District under the terms and conditions of the agreement set forth herein.

2. Audubon agrees that it will voluntarily dismiss the instant proceeding and that the consolidated cases referenced herein will be remanded to the Southwest Florida Water Management District for the District to take final agency action in this cause, consistent with the terms of the agreement set forth herein. The terms and conditions of this stipulation shall be incorporated by reference in any permits issued by the District concerning Suncoast I. Audubon further agrees that, provided that the terms of this stipulation are complied with by the Department and District, and permits are issued and maintained in accordance with this Stipulation, it will not exercise its Chapter 120, Florida Statutes, rights, or any appellate or other legal rights, to challenge, intervene

CC. ~~AA~~ mmj

in, or otherwise participate in any action challenging Suncoast I. Audubon also agrees not to participate with or provide funding on behalf of any person or entity which is challenging or may challenge Suncoast I. It is expressly understood and agreed that should the Department decide to pursue Suncoast II in the future, Audubon is free to exercise all available forums for objection, petitions for formal proceedings, or appeals in opposition to such a future project.

3. **TERMS OF AGREEMENT.** As used herein, the term "Department" shall mean the Florida Department of Transportation. The term "District" shall mean the Southwest Florida Water Management District. The term "Audubon" shall mean the Florida Audubon Society, Inc. a Florida non-profit corporation which is the Petitioner in this proceeding. The term "Best Efforts" means the good faith, reasonable exercise of legal authority to attempt to achieve the objective sought, but does not authorize or require the District to consider or apply any permitting criteria for the North Pasco and Starkey Wellfields other than those provided by applicable law and rule. For the purposes of this Stipulation, the term "Mitigation Property" shall include the property more particularly described in Exhibit 3 and attached hereto.

(A) **Mitigation.**

(1) **Wetland Enhancement.** The Department shall incorporate within its Memorandum of Agreement providing for transfer of the Mitigation Property (Exhibit 1, Serenova and Anclote River Tracts) to the Southwest Florida Water Management District, a provision for funding an evaluation of the Mitigation Property to determine opportunities for additional wetland restoration or enhancement, such as re-establishment of appropriate hydroperiods and restoration of historical wetlands. The Department shall include within the Memorandum of Agreement a commitment for funding the completion of portions of the wetland enhancement activities identified by the evaluation. Total funding provided by the Department to the District for the evaluation of

cc -
RA - mmy

opportunities for additional wetland enhancement, and constructing the additional enhancement, shall be \$50,000. The District shall discuss the wetland enhancement plan with Audubon and give Audubon the opportunity to comment on said plan.

(2) Conservation Easement. The Department shall record a Conservation Easement in substantially the same form as Exhibit 2, over the Mitigation Property precluding the use of the lands comprising said tracts for public water supply wellfields, and preserving the area in its natural condition, except as otherwise provided in Section 8 of this Stipulation. The easement shall be enforceable by a government agency other than the Department or the District.

(3) Reduction of Wellfield Impacts. Two active potable water supply wells, owned by Pasco County, have been drilled within the North Pasco Wellfield ("NPW"), which is located on the portion of the mitigation property known as the "Serenova Tract" (see Exhibit 1). These wells are producing water under a water use permit issued by the District. An additional potable water supply well also has been drilled by Pasco County on the "Serenova Tract," but has not yet been placed into production. There is a fourth well site identified in the existing water use permit for the North Pasco Wellfield upon which no well has yet been constructed. District records indicate that all of Pasco County's active, inactive and proposed wells within the NPW are permitted at 8.52 mgd (annual average) combined, but that actual pumpage from the two active wells is approximately 2.7 mgd, combined. The Department and District agree to use their best efforts to obtain the consent and agreement of Pasco County, the West Coast Regional Water Supply Authority (WCRWSA) and the City of New Port Richey (CNPR) to:

(a) Limit pumping from the existing 2 production wells within the Mitigation Property to current production, without limiting the total permitted capacity of the North Pasco Wellfield.

(b) Extinguish any additional potable water production from other sites on the "Serenova Tract" (including, without limitation, the existing inactive well, and any additional wellfield sites).

(c) In order to secure the agreement of Pasco County, WCRWSA and CNPR to the above, the Department will make an offer, including but not necessarily limited to, a transfer of the parcel of land identified in Exhibit 1 as parcel A to Pasco County in exchange for equal acreage from the parcel identified as Parcel B, for the purpose of reconstructing the drilled but non-producing well NP-5 now located on the Serenova Tract onto Parcel A. The Department also will offer to reimburse the appropriate party the actual cost of constructing such well (minimum \$100,000), provided that Department determines this to be in the best interest of the Suncoast I project, and provided the costs are necessary, reasonable, customary, and sufficiently documented.

(d) In order to secure the agreement of Pasco County, WCRWSA and CNPR to the above, the Department agrees to make an offer to Pasco County, and/or WCRWSA and/or CNPR, as appropriate, to include but not be limited to, 1 or 2 well sites, each not to exceed one (1) acre in size, on a parcel north of the "Serenova Tract" (Exhibit 1, FDOT Out Parcel) that is owned by the Department but that is not part of the Mitigation Property.

(4) With the exception of the renewal of existing permits for the North Pasco Wellfield well sites located within the "Serenova Tract", or any reduced number of well sites authorized under future agreements, and subject to Section 8 herein, the District will not permit any additional water supply wells to be drilled on the Mitigation Property owned by the District and shall prohibit same through the terms and conditions of the Conservation Easement required under paragraph A (2) above.

(5) In the event that applications for permits for consumptive use of water, or construction of public water supply wellfields upon lands adjacent to the Mitigation Property are received by the

CL
A mmy

District, the District will, to the fullest extent allowable by law, perform an evaluation of such permits that takes into account the mitigation purposes to be served in perpetuity by the Mitigation Property; provided that this Stipulation does not impose additional permitting criteria on lands adjacent to the Mitigation Property other than those imposed by applicable law and rule.

(6) In the event that the Department and/or District are unsuccessful in obtaining the consent of Pasco County, WCRWSA and CNPR to achieve the objectives of (a) and (b) above, the Department will make available to the District the sum of \$100,000, which will be added to the funds available to the District for wetland enhancement, as provided in Paragraph (A)(1) above.

(B) Secondary and Cumulative Impacts. The Suncoast I project is a limited access toll facility extending from Veterans Expressway in Hillsborough County to U.S. 98 in northern Hernando County. The Suncoast II project, if constructed, would extend from the currently planned terminus of the "Suncoast I" project at U.S. 98 to a final connection point with U.S. 19 at a location north of the City of Crystal River, in Citrus County. In regard to these projects, the Department stipulates as follows:

(1) The Department agrees that current construction plans and available funding for Turnpike construction will not permit the construction of Suncoast II for at least ten (10) years subsequent to this stipulation. While the Department does not plan to initiate construction of Suncoast II prior to this date, it is understood that external events beyond the control of the Turnpike District, such as legislative directives, or directives from the Governor could advance the time frame for possible future construction. In the event that the Department makes a decision to pursue the construction of Suncoast II and intends to initiate any phase of the environmental permit process before 10 years from the date of this stipulation, it will first provide Audubon with 30 days written notice.

CE
mmj

(2) The Department agrees that the regional environmental impacts from the construction of an extension of the Suncoast Parkway to intersect U.S. 19 north of Crystal River should be studied. For this reason, the Department agrees and stipulates to the following efforts to assess and address such impacts prior to any action by the Department to construct the Suncoast II Project:

(a) The Department has contracted with a consultant to undertake an "action plan study" for U.S. 19 from the Georgia line to the Citrus County line. A level 3 "action plan study" is being performed using as a guideline the scope of services set forth in Exhibit 4. The study will determine a long range action plan to protect the transportation capacity of U.S. 19 and will identify a time schedule for work program funding and implementation.

The action plan study includes an "Environmental Element," in which the consultant is evaluating and summarizing environmental conditions and constraints related to the study. The study includes consideration of environmental concerns, such as wetlands and floodplain encroachment, noise, and potential contamination for the region of Florida's coastline known as the "Big Bend." The study also includes consideration of design alternatives to minimize environmental impacts. The study is being developed in accordance with government regulations and reports, including the Department's Environmental Guidelines, the National Environmental Policy Act of 1969 (NEPA), the Endangered Species Act, and executive orders concerning the protection of wetlands and floodplain management, as appropriate.

In addition to environmental considerations, the study will include recommendations for service improvement measures. These measures may include purchasing access rights, driveway restrictions, roadway connection reduction, and median opening reduction. The Department and its consultant are providing the public, including Audubon, with access to the "action plan study" process, and are affording the public, including Audubon, the opportunity to review and comment

upon drafts of this study. The Department, or its consultant agree to provide Audubon with written notice of all public meetings concerning this study and all opportunities for written comment or other input. Prior to finalizing the proposals to implement the "action plan," all comments received will be evaluated by the Department, and incorporated in the plan where feasible.

(b) In the event that the Department proceeds with the permitting of Suncoast II, the Department will use the "partnering approach" used in Suncoast Parkway Project I. This "partnering approach" would include, at a minimum, the Southwest Florida Water Management District, the U.S. Army Corps of Engineers, the Florida Game and Fresh Water Fish Commission, the Florida Department of Environmental Protection, the Florida Department of Community Affairs, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and Audubon. Representatives of these entities would hold partnering meetings to discuss outstanding permit issues.

(3) The Department will notify the Florida Department of Community Affairs ("DCA") in the event it elects to proceed with construction of Suncoast II so that DCA may determine and perform further study if necessary to address growth management concerns along the U.S. 19 corridor, if such a study has not already been done.

4. All Parties will bear their own costs, expenses, and attorney's fees associated with this proceeding.

5. If any term or provision, or any portion thereof, of this Stipulated Settlement is found to be illegal or unenforceable, then the remaining terms and conditions, or portions thereof, shall remain in full force and effect.

6. This document shall not be admissible for any purpose in any subsequent proceeding involving the water use permitting of the North Pasco Wellfield, nor does it authorize or require the

District to consider or apply any additional permitting criteria for the North Pasco and Starkey Wellfields other than as found in applicable law and rule.

7. This stipulated settlement is subject to the approval of the District Secretary of the Turnpike District of the Department and the District's Governing Board. If the District Secretary or Governing Board does not approve this stipulated settlement, this stipulated settlement shall be null and void and of no legal effect, and the District shall immediately refer this matter back to DOAH for an administrative hearing.

8. Nothing in this Stipulation shall in any way limit or preclude the right of WCRWSA, Pasco County, or CNPR from applying for permits necessary to construct additional well sites on the Starkey Wellfield, or replacement sites for existing wells and well sites on the Serenova Tract of the Mitigation Property. The District shall review any such applications based on the permitting criteria under applicable law and rule.

9. Nothing in this Stipulation shall limit or affect Pasco County's rights in or to the existing reclaimed water transmission main located on the Mitigation Property, nor shall this Stipulation limit or affect, in any way, Pasco County's right to use the existing reclaimed water transmission main located on the Mitigation Property, or Pasco County's utilization of the reclaimed water within the existing reclaimed water transmission main located on the Mitigation Property.


10. Nothing in this Stipulation of Settlement shall limit, modify, or affect in any way, the operation and effect of that certain "Agreement Between The Southwest Florida Water Management District and Pasco County Relating to Ridge Road", which was executed by the Board of County commissioners of Pasco County, Florida on March 4, 1997 and by the Southwest Florida Water Management District on February 27, 1997; or the Memorandum of Agreement dated March 11, 1997, between the Florida Department of Transportation (Department) and Pasco County, Florida,

 mmj

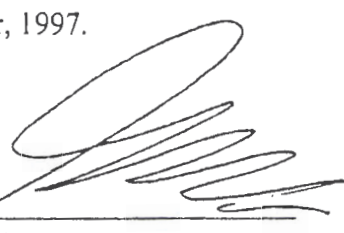
concerning the proposed extension of Ridge Road, which was executed by the District Secretary of the Turnpike District of the Department on March 11, 1997, and by the Board of County Commissioners of Pasco County, Florida, on March 4, 1997.

11. Nothing in this Stipulation of Settlement shall preclude or prohibit Pasco County, the CNPR, or WCRWSA from obtaining a transmission pipeline easement on the Mitigation Property which connects well no. NP-2, which is located off of the Mitigation Property on property owned by Pasco County, with the North Pasco Wellfield transmission main system, provided that the precise alignment of the pipeline easement shall be sited at the discretion of SWFWMD as the landowner of the mitigation property after consultation with the Grantee of the Conservation Easement. Siting of the pipeline easement shall give priority consideration to co-location with existing cleared easements on the mitigation property. SWFWMD's decision as landowner to grant such a pipeline easement may be made contingent upon a negotiated agreement with Pasco County, WCRWSA, and CNPR to provide mitigation or environmental restoration deemed necessary to offset any disturbance of natural resources. The provisions of this paragraph are intended to apply to SWFWMD's proprietary interest as owner of the mitigation property only, and are not intended to affect any independent regulatory requirements.

12. This document, with exhibits, replaces and supersedes the Stipulation of Settlement, with exhibits, executed on September 23, 1997, which has not been approved by the District's Governing Board.




Respectfully submitted this 19th day of November, 1997.

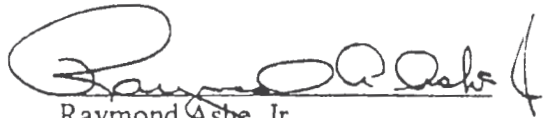


Charles Lee
Senior Vice President
Florida Audubon Society
1331 Palmetto Avenue
Winter Park, Fl. 32789
(407) 539-5700


Approved:



James L. Ely, District Secretary



Raymond Ashe, Jr.
Manager, Environmental Management Office
Turnpike District
State of Florida, Department of
Transportation
605 Suwannee Street, MS 98
Tallahassee, Florida 32399-0450



Margaret M. Lytle
Assistant General Counsel
Florida Bar No. 975702
SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT
2379 Broad Street
Brooksville, Florida 34609-6899
(352) 796-7211, Ext. 4660
Attorney for Respondent

FLORIDA

GOVERNOR



DEPARTMENT OF TRANSPORTATION

BEN G. WALSH
SECRETARY

APPOINTMENT AND DELEGATION OF AUTHORITY

I, James L. Ely, Turnpike District Secretary of the Florida Department of Transportation, do hereby appoint

KEVIN THIBAUT, Director of Production
WILLIAM THORP, Director of Finance
EDWARD T. DENHAM, Director of Planning and Programs
BRENDA GRICE, Director of Administration
BRUCE SEILER, Director of Operations

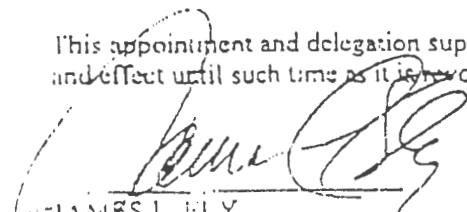
as my designees to supervise and implement the operational activities of the Turnpike District office of the Florida Department of Transportation during my absence from the District for any extended period of time, and delegate to each the authority to execute any contracts or documents not already delegated to them in their individual delegations, except in those instances where the authority to execute and sign any particular documents is either expressly retained by me or expressly delegated by the Secretary of Transportation to the District Secretaries and their successors, such instances include but are not necessarily limited to:

1. Approval, execution and signature of all necessary Department resolutions to initiate eminent domain proceedings to obtain real property rights for Turnpike District transportation facilities.
2. Approval, execution and signature of instruments of sale, lease and conveyance of property owned by the Turnpike District.
3. Approval, certification and signature of maintenance maps evidencing the Turnpike District's maintenance of right of way.
4. Approval, execution and signature of all necessary Department resolutions for engineer witnesses in Circuit Court to bind the Department of Transportation on those issues regarding design and construction for the Turnpike District's Transportation facilities.

Anytime during my absence from the District, I hereby delegate authority to sign correspondence and execute documents that require my signature to Kevin Thibault, Director of Production or in his absence, William Thorp, Director of Finance or in his absence Edward T. Denham, Director of Planning and Programs or in his absence Brenda Grice, Director of Administration or in her absence Bruce Seiler, Director of Operations.

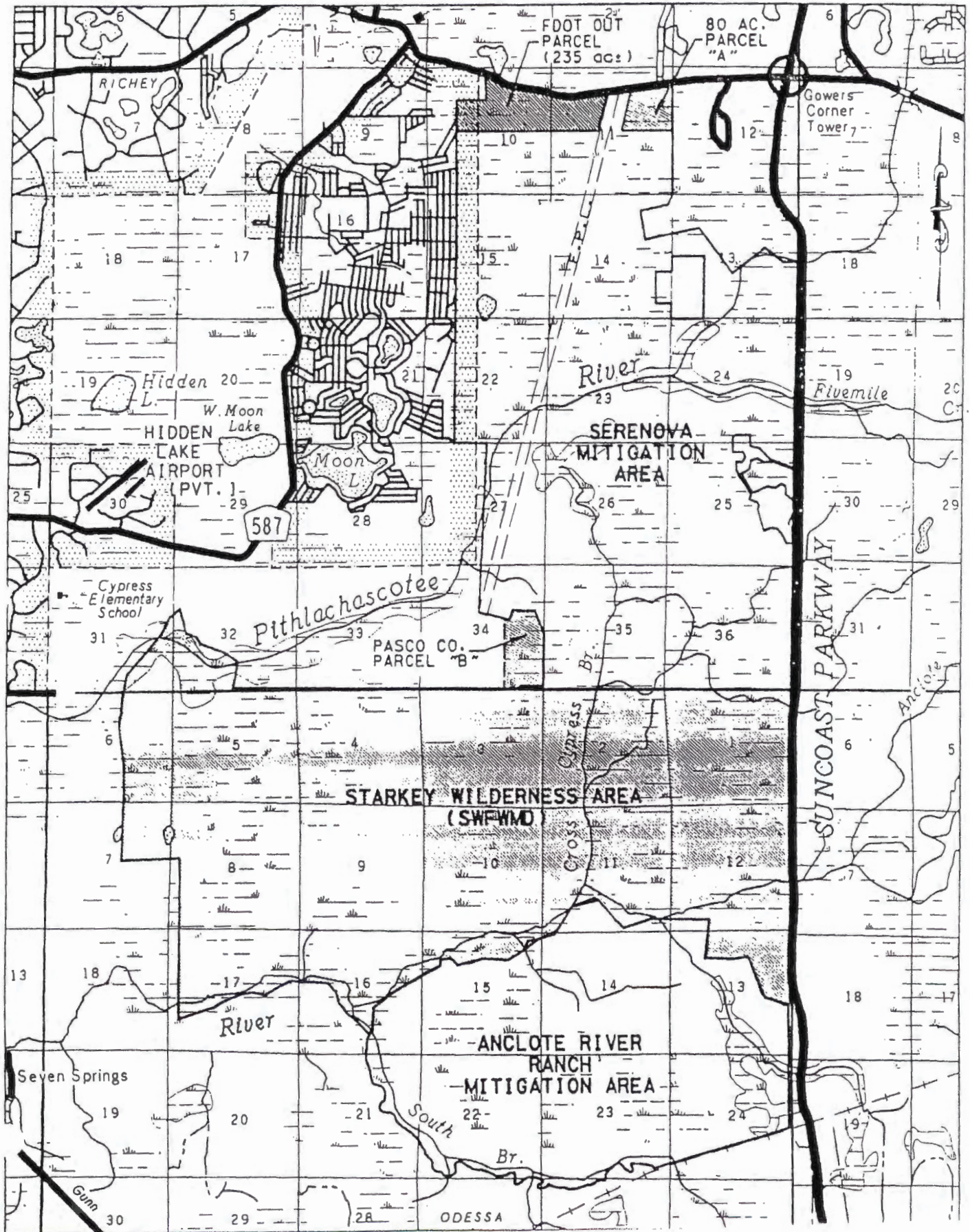
In addition, I hereby permanently appoint Woodrow L. Lawson, Jr. and Mary Bailey as my designees to reserve contracts to certified Minority Business Enterprise Firms in order to meet the procurement goals set forth in section 287.0945(6)(p), Florida Statutes.

This appointment and delegation supersedes prior appointments and delegations and shall remain in full force and effect until such time as it is revoked or superseded in writing by me or my successors.


JAMES L. ELY
Turnpike District Secretary

Date: 6/8/96

Attest: 



This instrument prepared by:

Return to:

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is made this ____ day of _____, 199__
by _(DOT)_____ having an address at _____
("Grantor"), in favor of the _____
having a mailing address at _____
("Grantee").

WITNESSETH:

WHEREAS, at present Grantor solely owns in fee simple certain real property in _____ County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated by this reference [or] as shown on the recorded plat as _____ (the "Property"), which is to be transferred to the Southwest Florida Water Management District; and

WHEREAS, Grantor desires to conserve and protect the Property in its natural state, as a wetland mitigation area, in perpetuity, as a condition of Environmental Resource Permit (ERP) Nos. 4315993.00 (Section 1A); 4316172 (Section 1B); 4215873.00 (Section 2A); 4315560.00 (Section 2B); 4315753.00 (Section 3); 4315646.00 (Section 4); 4416897.00 (Section 6); and 4315724.00 (Mitigation) issued by the Southwest Florida Water Management District to Grantor;

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, and for good and valuable consideration acknowledged hereto by the parties, Grantor hereby voluntarily grants and conveys to Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Conservation Easement").

1. Purpose. The purpose of this Conservation Easement is to assure that the Property will be protected and conserved in its natural condition, that it will retain its present environmental function as a wetland mitigation area, that it will be utilized for passive recreation, and to prevent any use of the Property as a public supply wellfield that will impair or interfere with the value of the Property as a conservation and wetland mitigation area. However, nothing in this Conservation Easement shall in any way limit, preclude or affect the right of existing permittees to apply for permits for the North Pasco or Starkey wellfields that include all existing well sites on the Serenova Tract, replacement well sites on the Serenova Tract as long as the total number of well sites does not exceed the lesser of four or the number of sites remaining subsequent to any voluntary agreement to remove sites from the Serenova Tract, and additional well sites on the Starkey Wellfield. In the event such applications are filed, the District's permit review shall be based on the permitting criteria under applicable law and rule.

2. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Subject to Section 1 of the Conservation Easement above, and without limiting the intent of the foregoing purpose, the following activities and uses are expressly prohibited to the fullest extent provided by law:

a. The further development of the property as a public supply wellfield beyond the current permitted capacity of the North Pasco Wellfield and well sites NP3, NP4, NP5 and NP6.

b. Construction of new public supply wells on the property which results in the number of well sites on the property exceeding four, or the lesser number of well sites existing subsequent to any voluntary agreement to remove well sites from the Serenova Tract.

c. Development activities (other than those expressly authorized herein) including, without limitation, any form of residential or commercial construction, highway construction, dredging or filling, or any other activities which would be inconsistent with the purpose of protecting and conserving the property in its natural state and as a mitigation area.

d. The sale, barter or exchange of "mitigation credits", or the utilization of the property for any mitigation purpose, project, or to meet mitigation requirements of any person, agency, or corporation other than mitigation needs arising from the Grantor's "Suncoast 1" project and the Ridge Road extension project proposed by Pasco County, without the prior approval of Grantee.

3. Reserved Rights. The Grantor reserves unto itself, and its successors and assigns, including the Southwest Florida Water Management District, all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property, that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement.

a. Property Management. This Conservation Easement may not be utilized to interfere with the normal and necessary activities associated with management of the property.

b. Ridge Road Extension. This Conservation Easement shall not operate to preclude the construction of the proposed extension of Ridge Road through the Serenova property, as contemplated by the pre-existing agreements between Pasco County and the District, and Pasco County and Grantor, provided that all wetland mitigation involving wetland creation associated with such construction is performed off-site, and not on the property controlled by this easement, and provided further that:

(1). The right-of-way through the Serenova property shall be a fenced, limited access right-of-way, with access to the Serenova property limited to management purposes;

(2). The construction of Ridge Road shall include wildlife crossing to the specification of the Game and Fresh Water Fish Commission.

c. Existing Public Water Supply Wellfields. This Conservation Easement may not be utilized to interfere with existing public supply well sites NP3, NP4, NP5 and NP6.

d. Suncoast 1 Project. This Conservation Easement may not be utilized to prevent any construction activity, including but not limited to dredge and fill activity and the construction of flood plain mitigation, which is authorized under the ERPs referenced in this Conservation Easement.

4. Grantee's Discretion. Grantee may enforce the terms of this Conservation Easement at its discretion, but if Grantor its successors and assigns breaches any term of this Conservation Easement and Grantee does not exercise its rights under this

Conservation Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement, or of any of the Grantee's rights under this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

5. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor or its successors and assigns for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property resulting from such causes.

6. Recordation. Grantor shall record this Conservation Easement in timely fashion in the Official Records of _____ County, Florida, and shall rerecord it at any time Grantee may require to preserve its rights.

7. Successors. The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

8. Severability. If any term or provision, or any portion thereof, of this Conservation Easement is found to be illegal or unenforceable then the remaining terms and conditions, or portions thereof, shall remain in full force and effect.

9. Inspection. Grantee may enter upon the Property in a reasonable manner and at reasonable times to ensure compliance with this Conservation Easement.

10. Nothing in this Conservation Easement shall limit or affect Pasco County's rights in or to the existing reclaimed water transmission main located on the Mitigation Property, nor shall this Conservation Easement limit or affect, in any way, Pasco County's right to use the existing reclaimed water transmission main located on the Mitigation Property or Pasco County's utilization of the reclaimed water within the existing reclaimed water transmission main located on the Mitigation Property.

11. Nothing in this Conservation Easement shall limit, modify, or effect in any way, the operation and effect of that certain "Agreement Between the Southwest Florida Water Management District And Pasco County Relating to Ridge Road", which was executed by the Board of County Commissioners of Pasco County, Florida on March 4, 1997, and by the Southwest Florida Water Management District on February 27, 1997; or the Memorandum of Agreement dated March 11, 1997, between the Florida Department of Transportation (Department) and Pasco County, Florida, concerning the proposed extension of Ridge Road, which was executed by the District Secretary of the Turnpike District of the Department on March 11, 1997, and by the Board of County Commissioners of Pasco County, Florida, on March 4, 1997.

12. Nothing in this Conservation Easement shall preclude or prohibit Pasco County, the CNPR, or WCRWSA from obtaining a transmission pipeline easement on the Mitigation Property which connects well no. NP-2, which is located off of the Mitigation Property on property owned by Pasco County, with the North Pasco Wellfield transmission main system, provided that the precise alignment of the pipeline easement shall be sited at the discretion of SWFWMD as the landowner of the mitigation property after consultation.

with the Grantee of the Conservation Easement. Siting of the pipeline easement shall give priority consideration to co-location with existing cleared easements on the mitigation property. SWFWMD's decision as landowner to grant such a pipeline easement may be made contingent upon a negotiated agreement with Pasco County, WCRWSA, and CNPR to provide mitigation or environmental restoration deemed necessary to offset any disturbance of natural resources. The provisions of this paragraph are intended to apply to SWFWMD's proprietary interest as owner of the mitigation property only, and are not intended to affect any independent regulatory requirements.

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

GRANTOR:

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Signature: _____

Printed Name: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1995, by _____, who did not take an oath.

Notary Public, State of Florida at Large.

My Commission Expires:

Serial No. _____

Personally known _____ OR produced identification _____. Identification
produced _____.

Signed, sealed and delivered
in our presence as witnesses:

GRANTEE:

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Signature: _____

Printed Name: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1995, by _____, who did not take an oath.

Notary Public, State of Florida at Large.

My Commission Expires:

Serial No. _____

Personally known _____ OR produced identification _____. Identification
produced _____.




General Consultant
Florida Department of Transportation, Turnpike District

MEMORANDUM

DATE: October 30, 1997

TO: Bill Lynn

FROM: Marcus Ashman 

COPIES: R. Chason, file

SUBJECT: W.P.I. No.: 7155807
DESCRIPTION: SUNCOAST PARKWAY
LEGAL DESCRIPTION

Attached is one copy of the legal description for that portion of Serenova we anticipate transferring to Southwest Florida Water Management District: all of the Serenova purchase except the 235 acre piece in the northwest corner, adjacent to S.R. 52. This piece is lessed-out of the overall metes and bounds description of Parcel 1 by identifying the appropriate aliquot parts of Sections 10 and 11.

This is not the preferred format. By the time the transfer actually occurs we need to revise the metes and bounds description of Parcel 1 to not include this piece. Please notify me when things have been finalized to the point that final revisions can be completed.

/mja

U:\KN846PP\SUNCOAST\MITIGATE\SERENOVA\WPDOCS\LYNN1030.MEM

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 1:

A parcel of land lying in Sections 10, 11, 14, 15, 22, 23, 27 and 34, Township 25 South, Range 17 East, Pasco County, Florida, being a portion of lands described in Official Records Book 3125, Page 1450 of the Public records of Pasco County, Florida, and being more completely described as:

Commence at the Northeast corner of Section 10, Township 25 South, Range 17 East, thence S 0°24'26" W along the East line of said Section 10 a distance of 1077.76 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide) and the POINT OF BEGINNING; thence S 80°16'24" E along said Southerly right-of-way line 441.44 feet to the P.C. of a curve concave Northerly having a radius of 2341.88 feet and a central angle of 16°33'24"; thence Easterly along the arc of said curve to the left 676.72 feet, said arc subtended by a chord that bears S 88°33'07" E a distance of 674.37 feet to the P.T. of said curve; thence N 83°10'12" E a distance of 1694.78 feet to a point on the Westerly right-of-way line of the Florida Power Corporation right-of-way (295 feet wide) recorded in Official Record Book 286, Pages 34 and 35, Public Records of Pasco County, Florida; thence S 14°22'35" W along said Westerly right-of-way line 22461.97 feet to a point on the West line of the Northeast one quarter of Section 34, Township 25 South, Range 17 East; thence N 0°28'54" E along said West line 1572.88 feet to the North one quarter section corner of said Section 34, said point also being the South one quarter section corner of Section 27, Township 25 South, Range 17 East; thence N 0°21'25" E along the West line of the East one half of said Section 27 a distance of 5284.18 feet to the North one quarter section corner of said Section 27, said point also being the South one quarter section corner of Section 22, Township 25 South, Range 17 East; thence N 89°51'12" W along the South line of said Section 22 a distance of 1309.71 feet to the Southwest corner of the East one half of the Southwest one quarter of said Section 22; thence N 0°15'34" E along the West line of the East one half of the Southwest one quarter of said Section 22 a distance of 2645.77 feet to the Southwest corner of the East one Half of the Northwest one quarter of said Section 22, thence N 0°16'48" E along the West line of the East one half of the Northwest one quarter of said Section 22 a distance of 2641.69 feet to the Southwest corner of the East

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 1: Cont'd

one half of the Southwest one quarter of Section 15, Township 25 South, Range 17 East; thence N 1°45'07" E along the West line of the East one half of the Southwest one quarter of said Section 15, a distance of 2683.82 feet to the Southwest corner of the East one half of the Northwest one quarter of said Section 15; thence N 0°12'32" E along the West line of the East one half of the Northwest one quarter of said Section 15 a distance of 2673.81 feet to the Southwest corner of the East one half of the Southwest one quarter of Section 10, Township 25 South, Range 17 East; thence N 0°27'30" W along the West line of the East one half of the Southwest one quarter of said Section 10 a distance of 2603.72 feet to the Southwest corner of the Southeast one quarter of the Northwest one quarter of said Section 10; thence N 0°27'28" W along the West line of the Southeast one quarter of the Northwest one quarter of said Section 10 a distance of 1305.95 feet to the Northwest corner of the Southeast one quarter of the Northwest one quarter of said Section 10; thence S 89°59'34" E along the North line of the Southeast one quarter of the Northwest one quarter of said Section 10 a distance of 1334.11 feet to the Southeast corner of the Northeast one quarter of the Northwest one quarter of said Section 10; thence N 0°14'38" W along the East line of the Northeast one quarter of the Northwest one quarter of said Section 10 a distance of 864.19 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide) said point being on the arc of a non-tangent curve concave Northeasterly having a radius of 2341.88 feet and a central angle of 15°15'16"; thence along the arc of said curve to the left 623.50 feet, said arc subtended by a chord that bears S 69°50'23" E a distance of 621.66 feet to the P.T. of said curve; thence S 77°28'01" E a distance of 994.22 feet to the P.C. of a curve concave Northeasterly having a radius of 11509.38 feet and a central angle of 2°48'23"; thence along the arc of said curve to the left 563.75 feet, said arc subtended by a chord that bears S 78°52'12" E 563.69 feet to the P.T. of said curve; thence S 80°16'24" E a distance of 533.31 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 1: Cont'd

All that part of the North 1/2 of said Section 10 lying southerly of State Road No. 52.

AND LESS AND EXCEPT THE FOLLOWING:

That part of the North 1/2 of said Section 11 lying southerly of State Road 52 and westerly of a line 80.00 feet west of and parallel with the westerly line of that Florida Power Corporation corridor described in O.R.286 at page 35 of the public records of Pinellas County, Florida.

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 2:

A portion of Sections 11, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 and 36, Township 25 South, Range 17 East Pasco County, Florida, being a portion of lands described in Official Record Book 3094, Page 0955, of the Public Records of Pasco County, Florida, and re-recorded in corrective deed in Official Records Book 3607, Page 1250, of the Public Records of Pasco County, Florida, being more completely described as:

Begin at the Southeast corner of Section 36, Township 25 South, Range 17 East, thence N 89°48'44" W along the South line of said Section 36 a distance of 2647.10 feet to the South one quarter section corner of said Section 36; thence N 89°48'22" W along the South line of said Section 36 a distance of 2646.84 feet to the Southwest corner of said Section 36, said corner also being the Southeast corner of Section 35, Township 25 South, Range 17 East; thence N 89°45'45" W along the South line of said Section 35 a distance of 2643.98 feet to the South one quarter corner of said Section 35; thence N 89°52'12" W along the South line of said Section 35 a distance of 2648.26 feet to the Southwest corner of said Section 35, said corner also being the Southeast corner of Section 34, Township 25 South, Range 17 East; thence N 89°51'58" W along the South line of said Section 34, a distance of 934.79 feet to a point on the Easterly boundary of those lands described in Official Record Book 1736, Page 1640, Public Records of Pasco County, Florida; thence N 0°09'42" E along the Easterly boundary of said lands 220.02 feet to a point on the Southerly boundary of said lands; thence S 89°51'55" E along the Southerly boundary of said lands 935.75 feet to the Southeast corner of said lands, said point also being on the East line of said Section 34; thence N 0°24'49" E along said East line of said Section 34 and the Easterly boundary of the aforementioned described lands and also those lands described in Official Record Book 1736, Page 1642, Public Records of Pasco County, Florida 2040.00 feet to a point on the Northerly boundary of said lands described in Official Record Book 1736, Page 1642; thence N 31°17'57" W along said Northerly boundary 1043.08 feet; thence N 89°53'21" W along said Northerly boundary 770.02 feet; thence S 59°38'13" W along said Northerly boundary 383.26 feet; thence N 61°59'27" W along said Northerly boundary 873.53 feet to a point on the Easterly right-of-way line of the Florida Power Corporation right-of-way (295 feet wide) described in Official Record Book 286, Pages 34 and 35, Public Records of Pasco County, Florida; thence N 14°22'35" E along said Easterly right-of-way line 22846.95 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide); thence N 83°26'20" E

along said Southerly right-of-way line 2149.03 feet to a point on the East line of Section 11, Township 25 South, Range 17 East,

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 2: Cont'd

thence S 0°01'40" W along the East line of said Section 11 a distance of 1953.08 feet to the East one quarter corner of said Section 11; thence S 0°08'21" W along the East line of said Section 11 a distance of 2643.03 feet to the Southeast Corner of said Section 11, said corner also being a point on the Westerly boundary of lands conveyed to GBY, INC., a Florida Corporation, by Trustee's Deed recorded May 1, 1987, in Official Record Book 1603, Pages 793 through 800, Public Records of Pasco County, Florida, and also being a point on the Easterly boundary of lands described in a corrective deed recorded in Official Record Book 3607 Page 1250 of the Public Records of Pasco County, Florida, thence along the Easterly and Southerly boundary of said lands, the following courses and distances, said courses being the common boundary line between the land being conveyed herein and the land conveyed in aforementioned Official Record Book 1603, Pages 793 through 800: S 30°25'30" W 603.05 feet, S 68°46'07" W 1020.92 feet, S 15°29'29" E 921.65 feet, N 76°06'31" E 2044.61 feet, S 37°16'18" E 2500.05 feet; N 45°05'11" E 1689.31 feet, S 51°50'26" E 1091.28 feet and N 83°56'11" E 756.30 feet to the East one quarter section corner of Section 13, Township 25 South, Range 17 East; thence S 0°21'37" W along the East line of said Section 13, and the West line of Section 18, Township 25 South, Range 18 East 2649.56 feet to the Southeast corner of said Section 13, said point also being the Northeast corner of Section 24, Township 25 South, Range 17 East; thence S 0°20'34" W along the East line of said Section 24 and the West line of Section 19, Township 25 South, Range 18 East, 2637.73 feet to the East one quarter section corner of said Section 24; thence S 0°18'56" W along the East line of said Section 24, and the West lines of Sections 19 and 30, Township 25 South, Range 18 East 2642.34 feet to the Southeast corner of said Section 24, said point also being the Northeast corner of Section 25, Township 25 South, Range 17 East; thence S 0°22'37" W along the East line of said Section 25 and the West line of Section 30, Township 25 South, Range 18 East, 2641.40 feet to the East one quarter corner of said Section 25; thence S 0°21'43" W along the East line of said Section 25 and the West line of Sections 30 and 31, Township 25 South, Range 18 East, 2645.42 feet to the Southeast corner of said Section 25 said point also being the Northeast corner of Section 36, Township 25 South, Range 17 East; thence S 0°19'35" W along the East line of said Section 36 and the West line of Section 31, Township 25 South,

Range 18 East, 2645.32 feet to the East one quarter corner of said Section 36; thence S 0°19'26" W along the East line of said Section 36 and West line of said Section 31 a distance of 2645.20 feet to the Point of Beginning.

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 2: Cont'd

Less and Except the following:

Less: A parcel of land lying within Section 24 and 25, Township 25 South, Range 17 East, Pasco County, Florida, more particularly described as follows:

Commence at the Southeast corner of Section 25, Township 25 South, Range 17 East; thence North 00°21'43" East along the East line of said Section 25, a distance of 1012.72 feet; thence South 89°34'26" West, a distance of 75.01 feet to the POINT OF BEGINNING, said point being a 4" x 4" concrete monument marked LB 6615, said point being 75.00 feet from, measured at a right angle to, said East line; thence continue South 89°34'26" West, a distance of 231.90 feet to a 4" x 4" concrete monument marked LB 6615; thence North 21°02'35" West, a distance of 278.93 feet to a 4" x 4" concrete monument marked LB 6615; thence North 30°51'48" West, a distance of 200.86 feet to a 4" x 4" concrete monument marked LB 6615; thence North 40°33'37" West, a distance of 285.89 feet to a 4" x 4" concrete monument marked LB 6615; thence North 87°21'18" West, a distance of 278.55 feet to a 4" x 4" concrete monument marked LB 6615; thence South 67°15'22" West, a distance of 315.32 feet to a 4" x 4" concrete monument marked LB 6615; thence North 15°59'57" West, a distance of 975.93 feet to a 4" x 4" concrete monument marked LB 6615; thence North 24°10'22" East, a distance of 149.99 feet to a 4" x 4" concrete monument marked LB 6615; thence North 29°31'24" West, a distance of 158.67 feet to a 4" x 4" concrete monument marked LB 6615; thence North 64°39'55" West, a distance of 350.00 feet to a 4" x 4" concrete monument marked LB 6615; thence North 24°10'19" East, a distance of 189.91 feet to a 4" x 4" concrete monument marked LB 6615; thence North 32°09'25" West, a distance of 961.28 feet to a 4" x 4" concrete monument marked LB 6615; thence North 22°01'06" West, a distance of 311.28 feet to a 4" x 4" concrete monument marked LB 6615; thence North 00°04'36" East, a distance of 303.05 feet to a 4" x 4" concrete monument marked LB 6615; thence South 83°05'31" East, a distance of

248.64 feet to a 4" x 4" concrete monument marked LB 6615; thence North 31°29'22" East, a distance of 277.39 feet to a 4" x 4" concrete monument marked LB 6615; thence North 29°34'14" West, a distance of 228.25 feet to a 4" x 4" concrete monument marked LB 6615; thence North 89°32'35" West, a distance of 426.19 feet to a 4" x 4" concrete monument

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 2: Cont'd

marked LB 6615; thence North 00°27'21" East, a distance of 638.85 feet to a 4" x 4" concrete monument marked LB 6615; thence North 57°47'36" East, a distance of 153.16 feet to a 4" x 4" concrete monument marked LB 6615; thence South 89°46'27" East, a distance of 604.49 feet to a 4" x 4" concrete monument marked LB 6615; thence South 00°55'28" East, a distance of 494.37 feet to a 4" x 4" concrete monument marked LB 6615; thence South 76°28'44" East, a distance of 418.11 feet to a 4" x 4" concrete monument marked LB 6615; thence South 43°12'44" East, a distance of 636.52 feet to a 4" x 4" concrete monument marked LB 6615; thence South 69°38'18" East, a distance of 1035.15 feet to a 4" x 4" concrete monument marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line, thence South 00°22'37" West, Parallel to said East line a distance of 63.85 feet to a 4" x 4" concrete monument marked LB 6615; thence North 69°38'18" West, a distance of 1014.61 feet to a 4" x 4" concrete monument marked LB 6615; thence South 82°40'16" West, a distance of 281.18 feet to a 4" x 4" concrete monument marked LB 6615; thence North 62°57'24" West, a distance of 373.45 feet to a 4" x 4" concrete monument marked LB 6615; thence South 67°23'47" West, a distance of 264.43 feet to a 4" x 4" concrete monument marked LB 6615; thence South 09°28'12" West, a distance of 347.68 feet to a 4" x 4" concrete monument marked LB 6615; thence South 56°59'59" West, a distance of 415.21 feet to a 4" x 4" concrete monument marked LB 6615; thence South 32°09'23" East, a distance of 936.69 feet to a 4" x 4" concrete monument marked LB 6615; thence North 66°05'33" East, a distance of 664.65 feet to a 4" x 4" concrete monument marked LB 6615; thence South 81°34'04" East, a distance of 343.21 feet to a 4" x 4" concrete monument marked LB 6615; thence North 58°10'35" East, a distance of 319.43 feet to a 4" x 4" concrete monument marked LB 6615; thence South 56°24'27" East, a distance of 205.23 feet to a 4" x 4" concrete monument marked LB 6615;

thence South 00°42'43" East, a distance of 339.44 feet to a 4" x 4" concrete monument marked LB 6615; thence South 49°25'00" East, a distance of 410.04 feet to a 4" x 4" concrete monument marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line, thence South 00°22'37" West, parallel to said East line a distance of 184.81 feet to a 4" x 4" concrete monument

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 2: Cont'd

marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line, thence South 00°21'43" West, parallel to said East line a distance of 257.96 feet to a 4" x 4" concrete monument marked LB 6615; thence South 22°50'29" West, a distance of 559.00 feet to a 4" x 4" concrete monument marked LB 6615; thence South 31°20'42" East, a distance of 311.52 feet to a 4" x 4" concrete monument marked LB 6615; said point being 75.00 feet from measured at a right angle to, said East line, thence South 00°21'43" West, parallel to said East line a distance of 594.28 feet to a 4" x 4" concrete monument marked LB 6615, and the POINT OF BEGINNING.

- Less: The West one half of the Southwest one quarter of Section 13, Township 25 South, Range 17 East.
- Less: The Southeast one quarter of the Northeast one quarter of the Southeast one quarter and the Northeast one quarter of the Southeast one quarter of the Southeast one quarter of Section 14, Township 25 South, Range 17 East.
- Less: Well Site No. 6, lands described in Official Record Book 1881, Page 775, Public Records of Pasco County, Florida.
- Less: Well Site No. 5, lands described in Official Record Book 1881, Page 774, Public Records of Pasco County, Florida.
- Less: Well Site No. 4, lands described in Official Record Book 1881, Page 773, Public Records of Pasco County, Florida.
- Less: Well Site No. 3, lands described in Official Record Book 1881, Page 772, Public Records of Pasco County, Florida.
- Less: Parcel 3, lands described in Official Record Book 1832, Page 1209 through 1213, Public Records of Pasco County, Florida.

SERENOVA

PASCO COUNTY

LEGAL DESCRIPTION

PARCEL 3:

A parcel of land lying in Sections 11, 14, 22, 23, 25, 26, 27, 35, 36, Township 25 South, Range 17 East Pasco County, Florida, being a portion of lands described in Official Record Book 1832, Page 1209 through 1213 of the Public Records of Pasco County, Florida, being more completely described as:

Commence at the Southeast corner of Section 36, Township 25 South, Range 17 East, thence N 00°19'26" E along the East line of said Section 36 and the West line of Section 31, Township 25 South, Range 18 East 95.00 feet to the POINT OF BEGINNING, said point being on the arc of a curve concave Southwesterly having a radius of 4850.00 feet and a central angle of 74°50'01"; thence Northwesterly along the arc of said curve to the left, a distance of 6334.56 feet, said arc subtended by a chord that bears N 37°05'16" W a distance of 5893.81 feet to the P.T. of said curve; thence N 74°30'17" W a distance of 3014.84 feet to the P.C. of a curve, concave Northerly having a radius of 3015.00 feet and a central angle of 20°00'00"; thence Westerly along the arc of said curve to the right, a distance of 1052.44 feet, said arc subtended by a chord that bears N 64°30'17" W a distance of 1047.10 feet to the P.T. of said curve; thence N 54°30'17" W a distance of 2585.93 feet to the P.C. of a curve concave Northeasterly having a radius of 3650.00 feet and a central angle of 68°52'52"; thence Northwesterly along the arc of said curve to the right, a distance of 4388.05 feet, said arc subtended by a chord that bears N 20°03'51" W 4128.53 feet to the P.T. of said curve, also being a point on the Easterly line of the Florida Power Corporation right-of-way (295 feet wide) recorded in Official Record Book 286, Pages 34 and 35 of the Public Records of Pasco County, Florida; thence N 14°22'35" E along said Easterly right-of-way line 14559.08 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide); thence N 83°26'20" E along said Southerly right-of-way line 321.22 feet to a point 300.00 feet from, when measured at right angles to the said Easterly line of the Florida Power Corporation right-of-way; thence S 14°22'35" W parallel with said Easterly line of the Florida Power Corporation right-of-way, a distance of 14673.87 feet to the P.C. of a curve concave Northeasterly having a radius of 3350.00 feet and a central angle of 68°52'52", said point being 300.00 feet from, when measured at right angles to, the said Easterly line of the Florida Power Corporation right-of-way, thence along the arc of said curve to the left, a distance of 4027.38 feet, said arc subtended by a chord that bears S 20°03'51" E a distance of 3789.19 feet to the

P.T. of said curve; thence S 54°30'17" E a distance of 2585.93 feet
SERENOVA PASCO COUNTY LEGAL DESCRIPTION

PARCEL 3: Cont'd

to the P.C. of a curve concave Northerly having a radius of 2715.00 feet and a central angle of 20°00'00"; thence Easterly along the arc of said curve to the left, a distance of 947.71 feet, said arc subtended by a chord that bears S 64°30'17" E a distance of 942.91 feet to the P.T. of said curve; thence S 74°30'17" E a distance of 3014.84 feet to the P.C. of a curve concave Southwesterly having a radius of 5150.00 feet and a central angle of 55°10'32"; thence Southeasterly along the arc of said curve to the right, a distance of 4959.42 feet, said arc subtended by a chord that bears S 46°55'01" E a distance of 4770.00 feet to a point on the East line of said Section 36, also being the West line of said Section 31; thence S 00°19'26" W along said East line of Section 36, also being the said West line of Section 31, a distance of 1732.51 feet to the POINT OF BEGINNING.



SUNCOAST PARKWAY PROJECT 1 MITIGATION AREAS
CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is made and entered into this 25th day of October, 2000, by the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, Turnpike District, Turnpike Mile Post 263, Building 5315, Turkey Lake Service Plaza, Ocoee, Florida 34761 (hereinafter referred to as "Grantor"), to the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND of the State of Florida, whose address is C/O The Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (hereinafter referred to as "Grantee") who shall be the holder of the easement as that term is used in Section 704.06, Florida Statutes.

WITNESSETH:

WHEREAS, at present Grantor solely owns in fee simple certain real property in Pasco County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated by this reference (hereinafter the "Property") which is to be transferred to the Southwest Florida Water Management District, who shall be the holder of the fee as that term is used in Section 704.06, Florida Statutes; and

WHEREAS, Grantor desires to conserve and protect the Property in its natural state, as a wetland mitigation area, in perpetuity, as a condition of Environmental Resource Permit (ERP) Nos. 4315993.00 (Section 1A); 4316172.00 (Section 1B); 4215873.00 (Section 2A); 431560.00 (Section 2B); 4315753.00 (Section 3); 4315646.00 (Section 4); 4416897.00 (Section 6); and 4315724.00 (Mitigation) issued by the Southwest Florida Water Management District (hereinafter either "the District" or "SWFWMD") to Grantor; and

FN NO. 258888-1
 WPI NO. 7150055
 PARCEL NO. 101

Brenda Ashe
P.O. Box 613 069
Ocoee Fl. 34761 **R**

Rept: 453997
 DS: 0.00
 11/09/00
 Rec: 109.50
 IT: 0.00
 Dpty Clerk

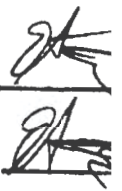
JED PITTMAN
 11/09/00 12:20pm
 OR BK 4478
 Pg 1467 of 24

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

WHEREAS, pursuant to Sections 704.06 and 337.25, Florida Statutes, the Grantor may transfer property interests to another governmental entity and conservation easements may be acquired by any governmental body whose purposes include protecting natural, scenic, or open space values of real property, including protecting natural resources; and

NOW THEREFORE, in consideration of the above recitals, and the mutual covenants, terms, conditions and restrictions contained herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged by the parties, the Grantor hereby voluntarily grants, and conveys to Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Conservation Easement").

1. Purpose. The purpose of this Conservation Easement is to assure that the Property will be protected and conserved in its natural condition, that it will retain its present environmental function as a wetland mitigation area, that it will be utilized for passive recreation that allows the land and water areas to remain predominantly in their natural condition, and to prevent any use of the Property as a public supply wellfield ~~that will impair or interfere with the value of the Property as a conservation and wetland mitigation area~~. Provided, however, nothing in this Conservation Easement shall in any way limit, preclude or affect the right of the existing permittee to apply for permits for the North Pasco or Starkey wellfields, as those wellfields are depicted on the Southwest Florida Water Management District Serenova Sketch attached hereto as Exhibit "B" (the Serenova Sketch), that include all existing well sites on the Serenova Tract, as that tract is depicted on the Serenova Sketch, replacement well sites on the Serenova Tract as long as the total number of well sites does not exceed the lesser of four or the number of sites remaining subsequent to any voluntary agreement to remove sites from the Serenova Tract, and



Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

additional well sites on the Starkey Wellfield. In the event applications for additional well sites are filed by the existing permittee, the District's permit review shall be based on the permitting criteria under applicable law and rule and the terms of this Conservation Easement. The permittee existing at the time of the grant of this Conservation Easement is Tampa Bay Water.

2. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Subject to Section 1 of the Conservation Easement above, and without limiting the intent of the foregoing purpose, the following activities and uses are expressly prohibited to the fullest extent provided by law:

- a. The further development of the Property as a public supply wellfield beyond the current permitted capacity as stipulated in Water Use Permit (WUP) Permit No. 2011771.00 for the North Pasco Wellfield and well sites NP3, NP4, NP5 and NP6.
- b. Construction of new public supply wells on or within the Property which results in the number of wells on the Property exceeding four, or the lesser number of well sites existing subsequent to any voluntary agreement to remove well sites from the Serenova Tract.
- c. Development activities (other than those expressly authorized herein) including, without limitation, any form of residential, industrial or commercial construction, highway construction (except as expressly provided in this Conservation Easement), dredging or filling, or any other activities that would be inconsistent with the purpose of protecting and conserving the Property in its natural state and as a mitigation area.
- d. The sale, barter or exchange of "mitigation credits," or the utilization of the Property for any mitigation purpose, project, or to meet mitigation requirements of any person, agency, or corporation other than mitigation needs arising from the Grantor's

“Suncoast 1” project¹ and the Ridge Road extension project² proposed by Pasco County, Florida, without the prior approval of the Grantee.

3. Reserved Rights. The Grantor reserves unto itself, and its successors and assigns, including the Southwest Florida Water Management District, all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and that are not inconsistent with the purpose of this Conservation Easement.

a. Property Management. This Conservation Easement may not be utilized to interfere with the normal and necessary activities associated with the management of the Property³.

b. Ridge Road Extension. This Conservation Easement shall not operate to preclude the construction of the proposed extension of Ridge Road through the Serenova property, as contemplated by the pre-existing agreements between Pasco County and the District, and Pasco County and the Grantor⁴, provided that all wetland mitigation involving wetland creation associated with Ridge Road Extension and Ridge Road interchange

¹ Suncoast 1 is more particularly defined by the following:

FPN No.	Description	State Project No.
25894015201	Suncoast Parkway, Section 1A & 1B	97102-3357
25895415201	Suncoast Parkway, Section 2A & 2B	97140-3300
25895615201	Suncoast Parkway, Section 3	97140-3302
25890415201	Suncoast Parkway, Section 4A & 4B	97080-3300
25890515201	Suncoast Parkway, Section 5	97080-3301
25890715201	Suncoast Parkway, Section 6	97080-3306
25893415201	Sugarwood & Hutchinson Rd Tolls	97102-3346
25888615201	Suncoast Parkway, Toll Plaza FAC	97869-3343
25890815201	Suncoast Section 5 Landscaping	97102-3384
25894945201	Suncoast Section 1 Landscaping	97102-3383
25896115201	Suncoast Section 2 Landscaping	97102-3385

² Ridge Road extension project is more particularly defined as Pasco County Project No. C668660.

³ See the SWFWMD Property Management Plan available for inspection at SWFWMD.

⁴ Preexisting agreements are more particularly defined in paragraph 12, *infra*.

construction is performed off-site, and not on the Property controlled by this Conservation Easement, and provided further that:

(1) The right-of-way through the Serenova property shall be a fenced, limited access right-of-way, with access to the Serenova property limited to management purposes; and

(2) The construction of Ridge Road shall include wildlife crossings to the specifications of the Fish and Wildlife Conservation Commission.

c. Existing Public Water Supply Wellfields. This Conservation Easement may not be utilized to interfere with the existing public supply well sites NP3, NP4, NP5 and NP6.

d. Suncoast 1 Project. This Conservation Easement may not be utilized to prevent any construction activity, including but not limited to dredge and fill activity and the construction of flood plain mitigation, which is authorized in Environmental Resource Permit (ERP) referenced on pages 1 and 2 of this Conservation Easement.

4. Grantee's Discretion. Grantee may enforce the terms of this Conservation Easement at its discretion, but if Grantor, its successors or assigns, breaches any term of this Conservation Easement, and Grantee does not exercise its rights under this Conservation Easement, the Grantee's forbearance shall not be construed to be a waiver by the Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement, or of any of the Grantee's rights under this Conservation Easement. No delay or omission by the Grantee in the exercise of any right or remedy upon any breach by the Grantor or its successors or assigns shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

5. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor or its successors or assigns for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property resulting from such causes.

6. Recordation: Grantor shall record this conservation Easement in timely fashion in the Official Records of Pasco County, Florida, and shall rerecord it at any time Grantee may require to preserve its rights.

7. Successors: The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective successors and assigns and shall continue as a servitude running in perpetuity with the Property. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

8. Enforcement: In the event of violation of the terms and conditions hereof, the Grantee shall give written notice to the fee owner of the property, which shall have the right to cease or to cure the violation without penalty within 30 days after receipt of the written notice or such longer period of time as may be necessary to cure the violation, provided the fee owner began curing the violation within the 30-day period and has continued to diligently pursue curing the violation. If the fee owner has failed to cure the violation within the 30-day period, or has failed to begin and diligently pursue curing the violation within such time, then the terms and conditions hereof may be enforced by the Grantee by suit for injunctive relief or for other

appropriate remedy in equity or at law, including but not limited to restoration of the portion of the property injured by the violation, specific performance, and compensation for injury to any conservation values protected by this Easement such as loss of scenic, aesthetic, or environmental values. If circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the property, Grantee may pursue its judicial remedies without waiting for the period provided for cure to expire.

9. Severability. If any term or provision, or any portion thereof, of this Conservation Easement is found to be illegal or unenforceable, then the remaining terms and conditions, or portions thereof, shall remain in full force and effect.

10. Inspection. Grantee may enter upon the Property in a reasonable manner and at reasonable times to ensure compliance with this Conservation Easement.

11. Reservation for Pasco County's Rights. Nothing in this Conservation Easement shall limit or affect Pasco County's right in or to the existing reclaimed water transmission main³ located on the Property, nor shall this Conservation Easement limit or affect, in any way, Pasco County's right to use the existing reclaimed water transmission main located on the Property or Pasco County's utilization of the reclaimed water within the existing reclaimed water transmission main located on the Property.

12. Agreement between SWFWMD and Pasco County Relating to Ridge Road. Nothing in this Conservation Easement shall limit, modify, or affect in any way, the operation and effect of that certain "Agreement Between the Southwest Florida Water Management District and Pasco County Relating to Ridge Road," which was executed by the Board of County Commissioners of Pasco County, Florida, on March 4, 1997, and by the Southwest Florida Water Management District on February 27, 1997; or the Memorandum of Agreement dated March 11,

1997, between the Florida Department of Transportation (Grantor) and Pasco County, Florida, concerning the proposed extension of Ridge Road, which was executed by the Secretary of the Florida Department of Transportation on March 11, 1997, and by the Board of County Commissioners of Pasco County, Florida on March 4, 1997. A copy of each of the aforementioned documents is available for inspection at the Southwest Florida Water Management District (Headquarters), 2379 Broad Street, Brooksville, FL 34609-6899.

13. Transmission Pipeline Easement. Nothing in this Conservation Easement shall preclude or prohibit Pasco County, the City of New Port Richey (CNPR) or Tampa Bay Water from obtaining a transmission pipeline easement on the Property that connects well no. NP-2, which is located off of the Property on property owned by Pasco County, with the North Pasco Wellfield⁶ transmission main system, provided that the precise alignment of the pipeline easement shall be sited at the discretion of SWFWMD as the landowner of the Property after consultation with the Grantee of the Conservation Easement. Siting of the pipeline easement shall give priority consideration to co-location with existing cleared easements on the Property. SWFWMD's decision as landowner to grant such a pipeline easement may be made contingent upon a negotiated agreement with Pasco County, Tampa Bay Water and CNPR to provide mitigation or environmental restoration deemed necessary to offset any disturbance of natural resources. The provisions of this paragraph are intended to apply to SWFWMD's proprietary interest as owner of the Property only, and are not intended to affect any independent regulatory requirements.

⁵ As shown on the Serenova Sketch map in Exhibit B.

⁶ As shown on the Serenova Sketch map in Exhibit B.

IN WITNESS WHEREOF, the Grantor has executed this Conservation Easement on the
day and year first above written.

Signed, sealed and delivered
in our presence as subscribing
witnesses:

State of Florida,
Department of Transportation
Turnpike District (GRANTOR)

Wanda Thomas
Signature of Witness

By: [Signature]
James L. Ely, Secretary

WANDA THOMAS
Name printed or typed

Legal Approval:

Elizabeth M. Decker
Signature of Witness

By: Jack R. Leonard
Jack R. Leonard
Assistant General Counsel

ELIZABETH M. DECKER
Name printed or typed

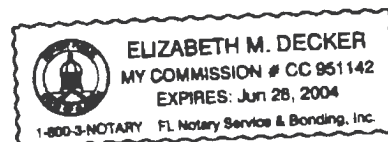
STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 25th day of October
2000, by James L. Ely, Secretary, State of Florida, Department of Transportation, Turnpike
District, who is personally known to me, and who produced a current Florida driver's license as
identification, and who did/did not take an oath.

Elizabeth M. Decker
Notary Public, State of Florida

ELIZABETH M. DECKER
Name of notary printed or typed

My commission Expires:



Signed, sealed and delivered
in our presence as subscribing
witnesses:

Oly Brock
Signature of Witness

O. G. Brock
Name printed or typed

Donna Ruffner
Signature of Witness

Donna Ruffner
Name printed or typed

Board of Trustees of the
Internal Improvement Fund
(GRANTEE)

By: *Eva Armstrong*
Name and title Eva Armstrong
Director

Legal Approval
By: *A. L. Schwell*
Assistant General Counsel

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me on this 7th day of November 2000, by Sandra Stockwell and Eva Armstrong who is/is not personally known to me, and who did/did not produced a current Florida driver's license as identification, and who did/did not take an oath.

Avis G. Lockett
Notary Public, State of Florida

Avis G. Lockett
Name of notary printed or typed

This instrument prepared by:
Jack R. Leonard, Esquire
Florida Department of Transp.
Turnpike Headquarters
Mile Post 263, Florida's Turnpike
Building 5315
Turkey Lake Service Plaza
Ocoee, Florida 34761

My commission Expires:



Avis G. Lockett
MY COMMISSION # CC968729 EXPIRES
September 19, 2004
BONDED THRU TROY FAIR INSURANCE, INC.

EXHIBIT "A"

SERENOVA - FEE SIMPLE

PARCEL 1:

A parcel of land lying in Sections 10, 11, 14, 15, 22, 23, 27 and 34, Township 25 South, Range 17 East, Pasco County, Florida, being a portion of lands described in Official Records Book 3125, Page 1450, of the Public records of Pasco County, Florida, and being more completely described as: Commence at the Northeast corner of Section 10, Township 25 South, Range 17 East, thence S 0°24'26" W along the East line of said Section 10 a distance of 1,077.76 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide) and the POINT OF BEGINNING; thence S 80°16'24" E along said Southerly right-of-way line 441.44 feet to the P.C. of a curve concave Northerly having a radius of 2,341.88 feet and a central angle of 16°33'24"; thence Easterly along the arc of said curve to the left 676.72 feet, said arc subtended by a chord that bears S 88°33'07" E a distance of 674.37 feet to the P.T. of said curve; thence N 83°10'12" E a distance of 1,694.78 feet to a point on the Westerly right-of-way line of the Florida Power Corporation right-of-way (295 feet wide) recorded in Official Record Book 286, Pages 34 and 35, Public Records of Pasco County, Florida; thence S 14°22'35" W along said Westerly right-of-way line 22,461.97 feet to a point on the West line of the Northeast one quarter of Section 34, Township 25 South, Range 17 East; thence N 0°28'54" E along said West line 1,572.88 feet to the North one quarter section corner of said Section 34, said point also being the South one quarter section corner of Section 27, Township 25 South, Range 17 East; thence N 0°21'25" E along the West line of the East one half of said Section 27 a distance of 5,284.18 feet to the North one quarter section corner of said Section 27, said point also being the South one quarter section corner of Section 22, Township 25 South, Range 17 East; thence N 89°51'12" W along the South line of said Section 22 a distance of 1,309.71 feet to the Southwest corner of the East one half of the Southwest one quarter of said Section 22; thence N 0°15'34" E along the West line of the East one half of the Southwest one quarter of said Section 22 a distance of 2,645.77 feet to the Southwest corner of the East one Half of the Northwest one quarter of said Section 22; thence N 0°16'48" E along the West line of the East one half of the Northwest one quarter of said Section 22 a distance of 2,641.69 feet to the Southwest corner of the East one half of the Southwest one quarter of Section 15, Township 25 South, Range 17 East; thence N 1°45'07" E along the West line of the East one half of the Southwest one quarter of said Section 15, a distance of 2,683.82 feet to the Southwest corner of the East one half of the Northwest one quarter of said Section 15; thence N 0°12'32" E along the West line of the East one half of the Northwest one quarter of said Section 15 a distance of 2,673.81 feet to the Southwest corner of the East one half of the Southwest one quarter of Section 10, Township 25 South, Range 17 East; thence N 0°27'30" W along the West line of the East one half of the Southwest one quarter of said Section 10 a distance of 2,603.72 feet to the Southwest corner of the Southeast one quarter of the Northwest one quarter of said Section 10; thence N 0°27'28" W along the West line of the Southeast one quarter of the Northwest one quarter of said Section 10 a distance of 1,305.95 feet to the Northwest corner of the Southeast one quarter of the Northwest one quarter of said Section 10; thence S 89°59'34" E along the North line of the Southeast one quarter of the Northwest one quarter of said Section 10 a distance of 1334.11 feet to the Southeast corner of the Northeast one quarter of the Northwest one quarter of said Section 10; thence N 0°14'38" W along the East line of the Northeast one quarter of the Northwest one quarter of said Section 10 a distance of 864.19 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide), said point being on

the arc of a non-tangent curve concave Northeasterly having a radius of 2,341.88 feet and a central angle of $15^{\circ}15'16''$; thence along the arc of said curve to the left 623.50 feet, said arc subtended by a chord that bears $S\ 69^{\circ}50'23''\ E$ a distance of 621.66 feet to the P.T. of said curve; thence $S\ 77^{\circ}28'01''\ E$ a distance of 994.22 feet to the P.C. of a curve concave Northeasterly having a radius of 11,509.38 feet and a central angle of $2^{\circ}48'23''$; thence along the arc of said curve to the left 563.75 feet, said arc subtended by a chord that bears $S\ 78^{\circ}52'12''\ E$ 563.69 feet to the P.T. of said curve; thence $S\ 80^{\circ}16'24''\ E$ a distance of 533.31 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

Commence at the NE corner of Section 10, Township 25 South, Range 17 East, Pasco County, Florida, said point being the NW corner of Section 11, Township 25 South, Range 17 East, thence $S\ 00^{\circ}24'26''\ W$ along the East line of said Section 10, said line being the West line of said Section 11, a distance of 1,077.76 feet to the POINT OF BEGINNING, said point being on the Southerly right-of-way line of State Road No. 52, said point also being 50.00 feet from, measured at a right angle to, the centerline of said State Road No. 52; thence along said Southerly right-of-way line the following courses and distances : $S\ 80^{\circ}16'24''\ E$ 441.44 feet to the P.C. of a curve, concave Northerly, having a central angle of $16^{\circ}33'24''$ and a radius of 2,341.88 feet, thence Easterly along the arc of said curve and along said right-of-way line a distance of 676.72 feet to the P.T. of said curve, thence continue along said right-of-way line $N\ 83^{\circ}10'12''\ E$ 1,608.96 feet to a point that is 80.00 feet from, measured at a right angle to, the Westerly right-of-way line of the Florida Power Corporation right-of-way as described in Official Records Book 286, Pages 34 & 35, Public Records of Pasco County, Florida; thence $S\ 14^{\circ}22'35''\ W$ parallel to said Westerly right-of-way line a distance of 1,705.34 feet to a point on the South line of the NW 1/4 of said Section 11; thence $N\ 89^{\circ}49'32''\ W$ along the South line of said NW 1/4 a distance of 2,294.37 feet to the West 1/4 corner of said Section 11, said point being the East 1/4 corner of said Section 10; thence $N\ 89^{\circ}56'19''\ W$ along the South line of the NE 1/4 of said Section 10 a distance of 2,612.61 feet to the SW corner of the NE 1/4 of said Section 10; thence $N\ 89^{\circ}56'19''\ W$ along the South line of the NW 1/4 of said Section 10 a distance of 1,329.24 feet to the SW corner of the SE 1/4 of the NW 1/4 of said Section 10; thence $N\ 00^{\circ}27'28''\ W$ along the West line of the SE 1/4 of the NW 1/4 a distance of 1,305.95 feet to the NW corner of said SE 1/4 of the NW 1/4; thence $S\ 89^{\circ}59'34''\ E$ along the North line of said SE 1/4 of the NW 1/4 a distance of 1,334.11 feet to the SE corner of the NE 1/4 of the NW 1/4 of said Section 10; thence $N\ 00^{\circ}14'38''\ W$ along the East line of said NE 1/4 of the NW 1/4 a distance of 864.19 feet to a point on the Southerly right-of-way line of said State Road No. 52, said point being 50.00 feet from, measured at a right angle to, the centerline of said State Road No. 52, said point also being on the arc of a curve, concave Northeasterly, having a central angle of $15^{\circ}15'16''$ and a radius of 2,341.88 feet; thence Southeasterly along the arc of said curve and along said right-of-way line a distance of 623.50 feet to the P.T. of said curve (chord bearing and distance between said points being $S\ 69^{\circ}50'23''\ E$ 621.66 feet); thence continue along said right-of-way line $S\ 77^{\circ}28'01''\ E$ 994.22 feet to the P.C. of a curve, concave Northeasterly, having a central angle of $02^{\circ}48'23''$ and a radius of 11,509.38 feet; thence Southeasterly along the arc of said curve and along said right-of-way line a distance of 563.75 feet to the P.T. of said curve; thence continue along said right-of-way line S

80°16'24" E 533.31 feet to the POINT OF BEGINNING.

OR BK **4478** PG **1479**
13 of 24

PARCEL 2:

A portion of Sections 11, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 and 36, Township 25 South, Range 17 East, Pasco County, Florida, being a portion of lands described in Official Record Book 3094, Page 0955, of the Public Records of Pasco County, Florida, and re-recorded in corrective deed in Official Record Book 3607, Page 1250, of the Public Records of Pasco County, Florida, being more completely described as:

BEGIN at the Southeast corner of Section 36, Township 25 South, Range 17 East; thence N 89°48'44" W along the South line of said Section 36 a distance of 2,647.10 feet to the South one quarter section corner of said Section 36; thence N 89°48'22" W along the South line of said Section 36 a distance of 2,646.84 feet to the Southwest corner of said Section 36, said corner also being the Southeast corner of Section 35, Township 25 South, Range 17 East; thence N 89°45'45" W along the South line of said Section 35 a distance of 2,643.98 feet to the South one quarter corner of said Section 35; thence N 89°52'12" W along the South line of said Section 35 a distance of 2648.26 feet to the Southwest corner of said Section 35, said corner also being the Southeast corner of Section 34, Township 25 South, Range 17 East; thence N 89°51'58" W along the South line of said Section 34, a distance of 934.79 feet to a point on the Easterly boundary of those lands described in Official Record Book 1736, Page 1640, Public Records of Pasco County, Florida; thence N 0°09'42" E along the Easterly boundary of said lands 220.02 feet to a point on the Southerly boundary of said lands; thence S 89°51'55" E along the Southerly boundary of said lands 935.75 feet to the Southeast corner of said lands, said point also being on the East line of said Section 34; thence N 0°24'49" E along said East line of said Section 34 and the Easterly boundary of the aforementioned described lands and also those lands described in Official Record Book 1736, Page 1642, Public Records of Pasco County, Florida 2,040.00 feet to a point on the Northerly boundary of said lands described in Official Record Book 1736, Page 1642; thence N 31°17'57" W along said Northerly boundary 1,043.08 feet; thence N 89°53'21" W along said Northerly boundary 770.02 feet; thence S 59°38'13" W along said Northerly boundary 383.26 feet; thence N 61°59'27" W along said Northerly boundary 873.53 feet to a point on the Easterly right-of-way line of the Florida Power Corporation right-of-way (295 feet wide) described in Official Record Book 286, Pages 34 and 35, Public Records of Pasco County, Florida; thence N 14°22'35" E along said Easterly right-of-way line 22,846.95 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide); thence N 83°26'20" E along said Southerly right-of-way line 2,149.03 feet to a point on the East line of Section 11, Township 25 South, Range 17 East, thence S 0°01'40" W along the East line of said Section 11 a distance of 1,953.08 feet to the East one quarter corner of said Section 11; thence S 0°08'21" W along the East line of said Section 11 a distance of 2,643.03 feet to the Southeast Corner of said Section 11, said corner also being a point on the Westerly boundary of lands conveyed to GBY, INC., a Florida Corporation, by Trustee's Deed recorded May 1, 1987, in Official Record Book 1603, Pages 793 through 800, Public Records of Pasco County, Florida, and also being a point on the Easterly boundary of lands described in a corrective deed recorded in Official Record Book 3607 Page 1250 of the Public Records of Pasco County, Florida, thence along the Easterly and Southerly boundary of said lands the following courses and distances, said courses being the common boundary line between the land being conveyed herein and the land conveyed in aforementioned Official Record

Book 1603, Pages 793 through 800: S 30°25'30" W 603.05 feet, S 68°46'07" W 1,020.92 feet, S 15°29'29" E 921.65 feet, N 76°06'31" E 2044.61 feet, S 37°16'18" E 2,500.05 feet; N 45°05'11" E 1,689.31 feet, S 51°50'26" E 1,091.28 feet and N 83°56'11" E 756.30 feet to the East one quarter section corner of Section 13, Township 25 South, Range 17 East; thence S 0°21'37" W along the East line of said Section 13, and the West line of Section 18, Township 25 South, Range 18 East, 2,649.56 feet to the Southeast corner of said Section 13, said point also being the Northeast corner of Section 24, Township 25 South, Range 17 East; thence S 0°20'34" W along the East line of said Section 24 and the West line of Section 19, Township 25 South, Range 18 East, 2637.73 feet to the East one quarter section corner of said Section 24; thence S 0°18'56" W along the East line of said Section 24, and the West lines of Sections 19 and 30, Township 25 South, Range 18 East, 2,642.34 feet to the Southeast corner of said Section 24, said point also being the Northeast corner of Section 25, Township 25 South, Range 17 East; thence S 0°22'37" W along the East line of said Section 25 and the West line of Section 30, Township 25 South, Range 18 East, 2,641.40 feet to the East one quarter corner of said Section 25; thence S 0°21'43" W along the East line of said Section 25 and the West line of Sections 30 and 31, Township 25 South, Range 18 East, 2,645.42 feet to the Southeast corner of said Section 25, said point also being the Northeast corner of Section 36, Township 25 South, Range 17 East; thence S 0°19'35" W along the East line of said Section 36 and the West line of Section 31, Township 25 South, Range 18 East, 2,645.32 feet to the East one quarter corner of said Section 36; thence S 0°19'26" W along the East line of said Section 36 and West line of said Section 31 a distance of 2,645.20 feet to the POINT OF BEGINNING.

LESS AND EXCEPT

A parcel of land lying within Sections 24 and 25, Township 25 South, Range 17 East, Pasco County, Florida, more particularly described as follows: Commence at the Southeast corner of Section 25, Township 25 South, Range 17 East; thence North 00°21'43" East along the East line of said Section 25, a distance of 1,012.72 feet; thence South 89°34'26" West, a distance of 75.01 feet to the POINT OF BEGINNING, said point being a 4" x 4" concrete monument marked LB 6615, said point being 75.00 feet from, measured at a right angle to, said East line; thence continue South 89°34'26" West, a distance of 231.90 feet to a 4" x 4" concrete monument marked LB 6615; thence North 21°02'35" West, a distance of 278.93 feet to a 4" x 4" concrete monument marked LB 6615; thence North 30°51'48" West, a distance of 200.86 feet to a 4" x 4" concrete monument marked LB 6615; thence North 40°33'37" West, a distance of 285.89 feet to a 4" x 4" concrete monument marked LB 6615; thence North 87°21'18" West, a distance of 278.55 feet to a 4" x 4" concrete monument marked LB 6615; thence South 67°15'22" West, a distance of 315.32 feet to a 4" x 4" concrete monument marked LB 6615; thence North 15°59'57" West, a distance of 975.93 feet to a 4" x 4" concrete monument marked LB 6615; thence North 24°10'22" East, a distance of 149.99 feet to a 4" x 4" concrete monument marked LB 6615; thence North 29°31'24" West, a distance of 158.67 feet to a 4" x 4" concrete monument marked LB 6615; thence North 64°39'55" West, a distance of 350.00 feet to a 4" x 4" concrete monument marked LB 6615; thence North 24°10'19" East, a distance of 189.91 feet to a 4" x 4" concrete monument marked LB 6615; thence North 32°09'25" West, a distance of 961.28 feet to a 4" x 4" concrete monument marked LB 6615; thence North 22°01'06" West, a distance of 311.28 feet to a 4" x 4" concrete monument marked LB 6615; thence North 00°04'36" East,

a distance of 303.05 feet to a 4" x 4" concrete monument marked LB 6615; thence South 83°05'31" East, a distance of 248.64 feet to a 4" x 4" concrete monument marked LB 6615; thence North 31°29'22" East, a distance of 277.39 feet to a 4" x 4" concrete monument marked LB 6615; thence North 29°34'14" West, a distance of 228.25 feet to a 4" x 4" concrete monument marked LB 6615; thence North 89°32'35" West, a distance of 426.19 feet to a 4" x 4" concrete monument marked LB 6615; thence North 00°27'21" East, a distance of 638.85 feet to a 4" x 4" concrete monument marked LB 6615; thence North 57°47'36" East, a distance of 153.16 feet to a 4" x 4" concrete monument marked LB 6615; thence South 89°46'27" East, a distance of 604.49 feet to a 4" x 4" concrete monument marked LB 6615; thence South 00°55'28" East, a distance of 494.37 feet to a 4" x 4" concrete monument marked LB 6615; thence South 76°28'44" East, a distance of 418.11 feet to a 4" x 4" concrete monument marked LB 6615; thence South 43°12'44" East, a distance of 636.52 feet to a 4" x 4" concrete monument marked LB 6615; thence South 69°38'18" East, a distance of 1,035.15 feet to a 4" x 4" concrete monument marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line; thence South 00°22'37" West, parallel to said East line, a distance of 63.85 feet to a 4" x 4" concrete monument marked LB 6615; thence North 69°38'18" West, a distance of 1,014.61 feet to a 4" x 4" concrete monument marked LB 6615; thence South 82°40'16" West, a distance of 281.18 feet to a 4" x 4" concrete monument marked LB 6615; thence North 62°57'24" West, a distance of 373.45 feet to a 4" x 4" concrete monument marked LB 6615; thence South 67°23'47" West, a distance of 264.43 feet to a 4" x 4" concrete monument marked LB 6615; thence South 09°28'12" West, a distance of 347.68 feet to a 4" x 4" concrete monument marked LB 6615; thence South 56°59'59" West, a distance of 415.21 feet to a 4" x 4" concrete monument marked LB 6615; thence South 32°09'23" East, a distance of 936.69 feet to a 4" x 4" concrete monument marked LB 6615; thence North 66°05'33" East, a distance of 664.65 feet to a 4" x 4" concrete monument marked LB 6615; thence South 81°34'04" East, a distance of 343.21 feet to a 4" x 4" concrete monument marked LB 6615; thence North 58°10'35" East, a distance of 319.43 feet to a 4" x 4" concrete monument marked LB 6615; thence South 56°24'27" East, a distance of 205.23 feet to a 4" x 4" concrete monument marked LB 6615; thence South 00°42'43" East, a distance of 339.44 feet to a 4" x 4" concrete monument marked LB 6615; thence South 49°25'00" East, a distance of 410.04 feet to a 4" x 4" concrete monument marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line; thence South 00°22'37" West, parallel to said East line, a distance of 184.81 feet to a 4" x 4" concrete monument marked LB 6615; said point being 25.00 feet from, measured at a right angle to, said East line; thence South 00°21'43" West, parallel to said East line, a distance of 257.96 feet to a 4" x 4" concrete monument marked LB 6615; thence South 22°50'29" West, a distance of 559.00 feet to a 4" x 4" concrete monument marked LB 6615; thence South 31°20'42" East, a distance of 311.52 feet to a 4" x 4" concrete monument marked LB 6615; said point being 75.00 feet from measured at a right angle to, said East line; thence South 00°21'43" West, parallel to said East line, a distance of 594.28 feet to a 4" x 4" concrete monument marked LB 6615, and the POINT OF BEGINNING.

ALSO LESS:

The West one half of the Southwest one quarter of Section 13, Township 25 South, Range 17 East.

ALSO LESS:

The Southeast one quarter of the Northeast one quarter of the Southeast one quarter, and the Northeast one quarter of the Southeast one quarter of the Southeast one quarter of Section 14, Township 25 South, Range 17 East.

ALSO LESS:

Well Site No. 6, lands described in Official Record Book 1881, Page 775, Public Records of Pasco County, Florida.

ALSO LESS:

Well Site No. 5, lands described in Official Record Book 1881, Page 774, Public Records of Pasco County, Florida.

ALSO LESS:

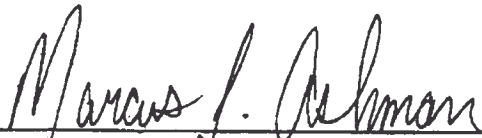
Well Site No. 4, lands described in Official Record Book 1881, Page 773, Public Records of Pasco County, Florida.

ALSO LESS:

Well Site No. 3, lands described in Official Record Book 1881, Page 772, Public Records of Pasco County, Florida.

ALSO LESS:

Parcel 3, lands described in Official Record Book 1832, Page 1209 through 1213, Public Records of Pasco County, Florida.



Marcus Ashman
P.S.M. No. 5186
NOT VALID UNLESS SIGNED & SEALED

EXHIBIT "A"

ANCLOTE RIVER RANCH

BEGIN at the Southeast corner of Section 13, Township 26 South, Range 17 East thence North 00°17'38" East along the East line of said Section 13, a distance of 2129.58 feet to the Southeast corner of SWF Parcel 16-010-011.5 recorded in Official Record Book 1524, Page 402, Public Records of Pasco County, Florida; thence North 89°41'54" West along the Southerly boundary of said Parcel 16-010-011.5, a distance of 330.24 feet; thence continue along said boundary the following courses and distances: North 69°31'05" West, a distance of 628.23 feet; thence North 28°56'13" West, a distance of 890.34 feet; thence North 19°14'57" West, a distance of 1118.55 feet to the Southeast corner of SWF Parcel 16-010-022 recorded in Official Record book 1875, page 1260 the Public Records of Pasco County, Florida; thence South 81°23'17" West along the Southerly boundary of said Parcel 16-010-022, a distance of 782.17 feet; thence continue along said Southerly boundary North 88°26'34" West, a distance of 1033.28 feet to the Southwest corner of said SWF Parcel 16-010-022; thence North 12°20'06" East along the Westerly boundary of said Parcel, a distance of 433.29 feet; thence North 03°24'04" East along the Westerly boundary of said Parcel 16-010-022, a distance of 1254.28 feet; thence North 80°36'31" West, a distance of 1165.80 feet to the most Westerly corner of said Parcel 16-010-022 said point also being on the Southerly boundary of the aforementioned SWF Parcel 16-010-011.5 described in Official Record Book 1524, Page 402, Public Records of Pasco County, Florida; thence along said Southerly boundary the following courses and distances: North 89°34'08" West, a distance of 453.32 feet; thence South 72°43'04" West a distance of 423.26 feet; thence North 87°59'04" West, a distance of 309.48 feet; thence South 72°20'48" West, a distance of 330.59 feet; thence South 84°34'27" West, a distance of 1137.56 feet to the Southwest corner of said SWF Parcel 16-010-011.5, said point also being the Southeast corner of SWF Parcel 16-010-010 recorded in Official Records Book 1435, Page 1565, Public Records of Pasco County, Florida; thence along the Southerly boundary of said Parcel 16-010-010 the following courses and distances: North 44°03'56" West a distance of 1334.36 feet; thence North 66°44'49" West, a distance of 189.48 feet; thence South 72°32'45" West, a distance of 1021.76 feet; thence South 31°00'55" West, a distance of 1408.25 feet; thence South 75°21'38" West, a distance of 1190.62 feet; thence South 29°35'37" West, a distance of 447.84 feet; thence South 58°09'24" West, a distance of 340.03 feet to the most Easterly corner of SWF Parcel 16-010-021 recorded in Official Record Book 1875, Page 1260, Public Records of Pasco County, Florida; thence along the Southerly boundary of said SWF Parcel 16-010-021 South 58°10'11" West, a distance of 201.92 feet; thence continue along said Southerly boundary South 80°50'13" West, a distance of 1191.48 feet to the Southwest corner of said SWF Parcel 16-010-021, said point also being a point on the Southerly boundary of the aforementioned SWF Parcel 16-010-010 described in Official Record Book 1435, Page 1565, Public Records of Pasco County, Florida; thence South 80°50'12" West a distance of 1111.09 feet; thence North 76°32'16" West along the Southerly boundary of said SWF Parcel, a distance of 236.72 feet to the Southwest corner of said SWF Parcel 16-010-010, said point also being the Southeast corner of SWF Parcel 16-010-009.6 as recorded in Official Record Book 1353, Page 830, Public Records of Pasco County, Florida; thence along the Southerly boundary of said SWF Parcel 16-010-009.6 the following courses and distances: North 76°31'07" West, a distance of 663.17 feet; thence South 02°55'24" West, a distance of 240.96 feet; thence South 72°17'02" West, a distance of 567.20 feet; thence South 56°14'59" West, a distance of 1212.05 feet; thence South 62°58'26" West, a distance of 486.34 feet; thence South 20°53'06" West, a distance of 584.75 feet; thence South 80°13'44" West, a distance of 564.82 feet; thence South 10°45'39" East, a distance of

1089.10 feet; thence South 18°08'20" West, a distance of 233.19 feet to the Northeast corner of SWF Parcel 16-010-020 recorded in Official Record Book 1875, Page 1260, Public Records of Pasco County, Florida; thence South 07°24'48" East along the Easterly boundary of said Parcel 16-010-020, a distance of 99.94 feet to the Southeast corner of said Parcel 16-010-020; thence South 72°11'51" West, a distance of 622.92 feet to the Southwest corner of said Parcel 16-010-020; thence South 06°59'01" West, a distance of 209.29 feet; thence South 28°20'36" East, a distance of 264.22 feet; thence South 04°37'11" West, a distance of 238.03 feet; thence South 29°32'23" East, a distance of 247.23 feet; thence South 20°35'31" East, a distance of 236.04 feet; thence South 00°37'54" East, a distance of 241.30 feet; thence South 12°37'17" East, a distance of 313.82 feet; thence South 74°42'22" East, a distance of 225.78 feet; thence South 48°59'43" East, a distance of 413.43 feet; thence South 00°46'38" East, a distance of 257.63 feet; thence South 15°48'14" West, a distance of 102.98 feet; thence South 04°22'37" East, a distance of 85.66 feet; thence South 79°08'22" West, a distance of 154.70 feet; thence South 29°18'45" West, a distance of 186.27 feet; thence South 37°35'43" East, a distance of 323.79 feet; thence South 84°56'00" East, a distance of 470.07 feet; thence South 22°49'34" East, a distance of 122.61 feet; thence South 18°48'45" East, a distance of 175.50 feet; thence South 33°01'11" East, a distance of 195.45 feet; thence South 49°36'20" East, a distance of 184.25 feet; thence South 51°18'16" East, a distance of 189.12 feet; thence South 36°14'58" East, a distance of 128.82 feet; thence South 46°32'50" East, a distance of 225.75 feet; thence South 30°02'50" East, a distance of 172.23 feet; thence South 50°22'12" East, a distance of 269.58 feet; thence South 40°57'35" East, a distance of 289.55 feet; thence South 14°11'21" East, a distance of 293.43 feet; thence South 47°17'03" East, a distance of 480.59 feet; thence South 11°42'41" West, a distance of 234.77 feet; thence South 51°16'19" East, a distance of 229.87 feet; thence South 89°32'40" East, a distance of 105.32 feet; thence South 47°49'38" East, a distance of 228.93 feet; thence North 88°03'44" East, a distance of 411.66 feet; thence North 29°34'34" East, a distance of 170.66 feet; thence North 42°45'33" West, a distance of 274.86 feet; thence North 46°19'34" East, a distance of 153.32 feet; thence North 72°28'22" East, a distance of 145.41 feet; thence South 64°29'59" East, a distance of 115.17 feet; thence North 83°05'47" East, a distance of 99.98 feet; thence South 76°42'06" East, a distance of 145.18 feet; thence South 59°16'21" East, a distance of 467.14 feet; thence South 89°07'50" East, a distance of 427.98 feet; thence South 74°57'39" East, a distance of 115.82 feet; thence South 31°30'28" East, a distance of 328.12 feet; thence North 75°02'55" East, a distance of 295.38 feet; thence South 81°59'26" East, a distance of 297.57 feet; thence North 75°18'45" East, a distance of 206.75 feet; thence North 55°23'21" East, a distance of 153.92 feet; thence South 67°19'10" East, a distance of 273.38 feet; thence South 51°20'20" East, a distance of 482.00 feet to a point on the Northerly boundary of those lands described in Official Record Book 1946, Page 1666, Public Records of Pasco County, Florida; thence along said Northerly boundary the following courses and distances: North 53°15'09" East, a distance of 164.35 feet; thence North 84°30'03" East, a distance of 178.86 feet; thence North 66°26'30" East, a distance of 229.56 feet; thence South 88°05'14" East, a distance of 97.01 feet; thence South 59°55'32" East, a distance of 257.25 feet; thence South 63°33'45" East, a distance of 249.59 feet; thence South 00°50'35" West, a distance of 132.41 feet; thence South 76°16'52" West, a distance of 277.74 feet; thence South 05°50'53" East, a distance of 226.98 feet; thence North 77°49'11" East, a distance of 254.69 feet; thence North 60°17'32" East, a distance of 324.01 feet; thence North 21°44'28" East, a distance of 187.84 feet; thence North 86°36'30" East, a distance of 136.10 feet; thence South 74°20'50" East, a distance of 156.53 feet; thence North 85°53'35" East, a distance of 118.43 feet; thence South 49°17'46" East, a distance of 172.40 feet; thence South

75°14'24" East, a distance of 199.29 feet; thence South 88°26'13" East, a distance of 202.65 feet; thence North 18°31'22" East, a distance of 131.60 feet; thence South 80°20'17" East, a distance of 90.25 feet; thence North 56°16'25" East, a distance of 274.97 feet; thence South 80°13'45" East, a distance of 176.33 feet; thence South 87°32'40" East, a distance of 147.84 feet; thence North 84°57'45" East, a distance of 132.55 feet; thence South 63°00'31" East, a distance of 242.91 feet; thence North 52°28'24" East, a distance of 131.14 feet; thence North 15°58'32" West, a distance of 151.47 feet; thence North 01°04'53" West, a distance of 74.54 feet; thence North 04°56'11" East, a distance of 169.96 feet; thence North 18°58'11" East, a distance of 133.89 feet; thence North 47°17'59" East, a distance of 178.49 feet; thence North 51°49'55" East, a distance of 249.07 feet; thence North 47°43'33" East, a distance of 140.58 feet; thence South 82°40'02" East, a distance of 214.60 feet; thence South 28°16'24" East, a distance of 311.00 feet; thence South 77°01'39" East, a distance of 254.45 feet; thence South 84°43'04" East, a distance of 113.11 feet; thence North 36°26'59" East, a distance of 46.34 feet; thence North 07°08'46" West, a distance of 101.92 feet; thence North 71°54'32" West, a distance of 62.08 feet; thence North 18°31'07" West, a distance of 186.36 feet; thence South 82°33'32" East, a distance of 154.37 feet; thence North 79°32'55" East, a distance of 161.60 feet; thence North 88°31'11" East, a distance of 163.94 feet; thence South 82°09'50" East, a distance of 311.35 feet; thence South 76°48'12" East, a distance of 185.79 feet; thence South 36°50'04" East, a distance of 169.38 feet; thence South 20°11'36" East, a distance of 4.22 feet to a point of intersection with a non-tangent curve, concave Southerly, having a radius of 7228.03 feet and a central angle of 03°03'34", said point being on the Northerly right of way line of the former U.S.X. railroad

(abandoned); thence Easterly along the arc of said curve to the right, from which the local tangent at the beginning point bears North 69°47'49" East, a distance of 385.97 feet, said arc subtended by a chord which bears North 71°19'36" East, a distance of 385.92 feet; thence continue along said right of way line (abandoned) North 72°51'02" East, a distance of 5455.55 feet to a point on the East line of Section 24, Township 26 South, Range 17 East as shown on a Right-of-Way Control Survey of State Road 589, Section 97140-1301, thence North 0°20'17" East along the East line of said Section 24 a distance of 425.61 feet to the East 1/4 section corner of said Section 24, thence North 0°20'02" East along the East line of said Section 24 a distance of 2646.56 feet to the POINT OF BEGINNING.

TOGETHER WITH

Ingress and egress Easement No. 1 and Easement No. 2 described as follows:

Easement No. 1:

COMMENCE at the Southeast corner of Section 13, Township 26 South, Range 17 East thence North 00°17'38" East along the East line of said Section 13, a distance of 2129.58 feet to the Southeast corner of SWF Parcel 16-010-011.5 recorded in Official Record Book 1524, Page 402, Public Records of Pasco County, Florida; thence North 89°41'54" West along the Southerly boundary of said Parcel 16-010-011.5, a distance of 330.24 feet; thence continue along said boundary the following courses and distances: North 69°31'05" West, a distance of 628.23 feet; thence North 28°56'13" West, a distance of 890.34 feet; thence North 19°14'57" West, a distance of 1118.55 feet to the Southeast corner of SWF Parcel 16-010-022 recorded in Official Record Book 1875, page 1260 the Public Records of Pasco County, Florida; thence South 81°23'17" West along

the Southerly boundary of said Parcel 16-010-022, a distance of 782.17 feet; thence continue along said Southerly boundary North 88°26'34" West, a distance of 1033.28 feet to the Southwest corner of said SWF Parcel 16-010-022; thence North 12°20'06" East along the Westerly boundary of said Parcel, a distance of 433.29 feet; thence North 03°24'04" East along the Westerly boundary of said Parcel 16-010-022, a distance of 1254.28 feet; thence North 80°36'31" West, a distance of 1165.80 feet to the most Westerly corner of said Parcel 16-010-022 said point also being on the Southerly boundary of the aforementioned SWF Parcel 16-010-011.5 described in Official Record Book 1524, Page 402, Public Records of Pasco County, Florida; thence along said Southerly boundary the following courses and distances: North 89°34'08" West, a distance of 453.32 feet; thence South 72°43'04" West a distance of 423.26 feet; thence North 87°59'04" West, a distance of 309.48 feet; thence South 72°20'48" West, a distance of 330.59 feet; thence South 84°34'27" West, a distance of 1137.56 feet to the Southwest corner of said SWF Parcel 16-010-011.5, said point also being the Southeast corner of SWF Parcel 16-010-010 recorded in Official Records Book 1435, Page 1565, Public Records of Pasco County, Florida; thence along the Southerly boundary of said Parcel 16-010-010 the following courses and distances: North 44°03'56" West a distance of 1334.36 feet; thence North 66°44'49" West, a distance of 189.48 feet; thence South 72°32'45" West, a distance of 1021.76 feet; thence South 31°00'55" West, a distance of 1408.25 feet; thence South 75°21'38" West, a distance of 1190.62 feet; thence South 29°35'37" West, a distance of 447.84 feet; thence South 58°09'24" West, a distance of 340.03 feet to the most Easterly corner of SWF Parcel 16-010-021 recorded in Official Record Book 1875, Page 1260, Public Records of Pasco County, Florida; thence along the Southerly boundary of said SWF Parcel 16-010-021 South 58°10'11" West, a distance of 201.92 feet; thence continue along said Southerly boundary South 80°50'13" West, a distance of 1191.48 feet to the Southwest corner of said SWF Parcel 16-010-021, said point also being a point on the Southerly boundary of the aforementioned SWF Parcel 16-010-010 described in Official Record Book 1435, Page 1565, Public Records of Pasco County, Florida; thence South 80°50'12" West a distance of 1111.09 feet; thence North 76°32'16" West along the Southerly boundary of said SWF Parcel, a distance of 236.72 feet to the Southwest corner of said SWF Parcel 16-010-010, said point also being the Southeast corner of SWF Parcel 16-010-009.6 as recorded in Official Record Book 1353, Page 830, Public Records of Pasco County, Florida; thence along the Southerly boundary of said SWF Parcel 16-010-009.6 the following courses and distances: North 76°31'07" West, a distance of 663.17 feet; thence South 02°55'24" West, a distance of 240.96 feet; thence South 72°17'02" West, distance of 567.20 feet; thence South 56°14'59" West, a distance of 1212.05 feet; thence South 62°58'26" West, a distance of 486.34 feet; thence South 20°53'06" West, a distance of 584.75 feet; thence South 80°13'44" West, a distance of 564.82 feet; thence South 10°45'39" East, a distance of 1089.10 feet; thence South 18°08'20" West, a distance of 233.19 feet to the Northeast corner of SWF Parcel 16-010-020 recorded in Official Record Book 1875, Page 1260, Public Records of Pasco County, Florida; thence South 07°24'48" East along the Easterly boundary of said Parcel 16-010-020, a distance of 99.94 feet to the Southeast corner of said Parcel 16-010-020; thence South 72°11'51" West, a distance of 622.92 feet to the Southwest corner of said Parcel 16-010-020; thence South 06°59'01" West, a distance of 209.29 feet; thence South 28°20'36" East, a distance of 264.22 feet; thence South 04°37'11" West, a distance of 238.03 feet; thence South 29°32'23" East, a distance of 247.23 feet; thence South 20°35'31" East, a distance of 236.04 feet; thence South 00°37'54" East, a distance of 241.30 feet; thence South 12°37'17" East, a distance of 313.82 feet; thence South 74°42'22" East, a distance of 225.78 feet; thence South 48°59'43" East, a distance of 413.43 feet; thence South 00°46'38" East, a distance of 257.63 feet; thence South

15°48'14" West, a distance of 102.98 feet; thence South 04°22'37" East, a distance of 85.66 feet; thence South 79°08'22" West, a distance of 154.70 feet; thence South 29°18'45" West, a distance of 186.27 feet; thence South 37°35'43" East, a distance of 323.79 feet; thence South 84°56'00" East, a distance of 470.07 feet; thence South 22°49'34" East, a distance of 122.61 feet; thence South 18°48'45" East, a distance of 175.50 feet; thence South 33°01'11" East, a distance of 195.45 feet; thence South 49°36'20" East, a distance of 184.25 feet; thence South 51°18'16" East, a distance of 189.12 feet; thence South 36°14'58" East, a distance of 128.82 feet; thence South 46°32'50" East, a distance of 225.75 feet; thence South 30°02'50" East, a distance of 172.23 feet; thence South 50°22'12" East, a distance of 269.58 feet; thence South 40°57'35" East, a distance of 289.55 feet; thence South 14°11'21" East, a distance of 293.43 feet; thence South 47°17'03" East, a distance of 480.59 feet; thence South 11°42'41" West, a distance of 234.77 feet; thence South 51°16'19" East, a distance of 229.87 feet; thence South 89°32'40" East, a distance of 105.32 feet; thence South 47°49'38" East, a distance of 228.93 feet; thence North 88°03'44" East, a distance of 411.66 feet; thence North 29°34'34" East, a distance of 170.66 feet; thence North 42°45'33" West, a distance of 274.86 feet; thence North 46°19'34" East, a distance of 153.32 feet; thence North 72°28'22" East, a distance of 145.41 feet; thence South 64°29'59" East, a distance of 115.17 feet to the POINT OF BEGINNING; thence South 18°49'23" East, a distance of 209.42 feet; thence South 03°32'27" East, a distance of 862.15 feet; thence South 03°21'11" West, a distance of 841.09 feet; thence South 13°15'15" West, a distance of 342.40 feet; thence South 00°33'39" West, a distance of 953.84 feet; thence South 00°14'47" East, a distance of 60.52 feet to the Northwest corner of the East 43.2 feet of Lot 3, Block R, Lyon Company's Subdivision, as recorded in Plat Book 2, Page 39, Public Records of Pasco County, Florida; thence South 00°17'52" West, along the West line of the East 43.2 feet of said Lot 3, and along a Southerly projection thereof, a distance of 331.09 feet; to a point on the Southerly right of way line of the U.S.X. Railroad (abandoned); thence North 77°40'39" East, along said right of way line, a distance of 102.48 feet; thence North 00°17'52" East, a distance of 309.18 feet; thence North 00°14'50" West, a distance of 60.29 feet; thence North 00°33'40" East, a distance of 942.01 feet; thence North 13°15'15" East, a distance of 339.03 feet; thence North 03°21'11" East, a distance of 856.05 feet; thence North 03°32'27" West, a distance of 883.02 feet; thence North 18°49'22" West, a distance of 199.95 feet; thence North 76°42'06" West, a distance of 2.57 feet; thence South 83°05'47" West, a distance of 99.98 feet, to the POINT OF BEGINNING. LESS AND EXCEPT all that portion of the above described lands lying within the right-of-way of any dedicated county road.

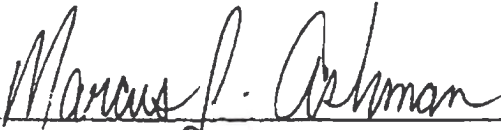
Subject to a 32 foot wide easement along the South 32 foot of the abandoned U.S.X. Railroad right-of-way according to Official Record Book 732, Page 338, Public Records of Pasco County, Florida.

Easement No. 2:

A parcel of land lying in the Southwest 1/4 of Section 27, Township 26 South, Range 17 East, Pasco County, Florida, being; more particularly described as follows:

COMMENCE at the Northeast corner of the Southwest 1/4 of said Section 27, thence S 00°18'15" W along the East boundary of the Southwest 1/4 of said Section 27 for 43.11 feet to a point of intersection with the Northerly right-of-way line of the former Atlantic Coast Line (ACL) Railroad (a 120.00 foot wide right-of-way); thence S 77°40'41" W along said Northerly right-of-way line for 596.77 feet; thence S 0°18'15" W for 122.97 feet to a point of intersection with the Southerly right-of-way line of said former ACL Railroad, said point being the POINT OF BEGINNING; thence

continue S 0°18'15" W for 50.58 feet to a point of intersection with the Northerly right-of-way line of S.R. No. 54 per State Road Department right-of-way Map Section No. 1457-250 (a 100-foot wide right-of-way); thence S 84°13'21" W along the last described Northerly right-of-way line for 240.86 feet to a point of intersection with the Southerly extension of the West line of the East 43.2 feet of Lot 3, Block R of The Lyon Company's Subdivision as recorded in Plat Book 2, Page 39, of the Public Records of Pasco County, Florida; thence N 0°12'41" E along said Southerly extension for 22.44 feet to a point of intersection with the Southerly right-of-way line of said former ACL Railroad; thence N 77°40'41" E along said Southerly right-of-way line for 245.48 feet to the POINT OF BEGINNING.



Marcus Ashman

P.S.M. No. 5186

NOT VALID UNLESS SIGNED & SEALED

EXHIBIT "A"

SERENOVA - REVERSIONARY INTERESTS

PARCEL 3:

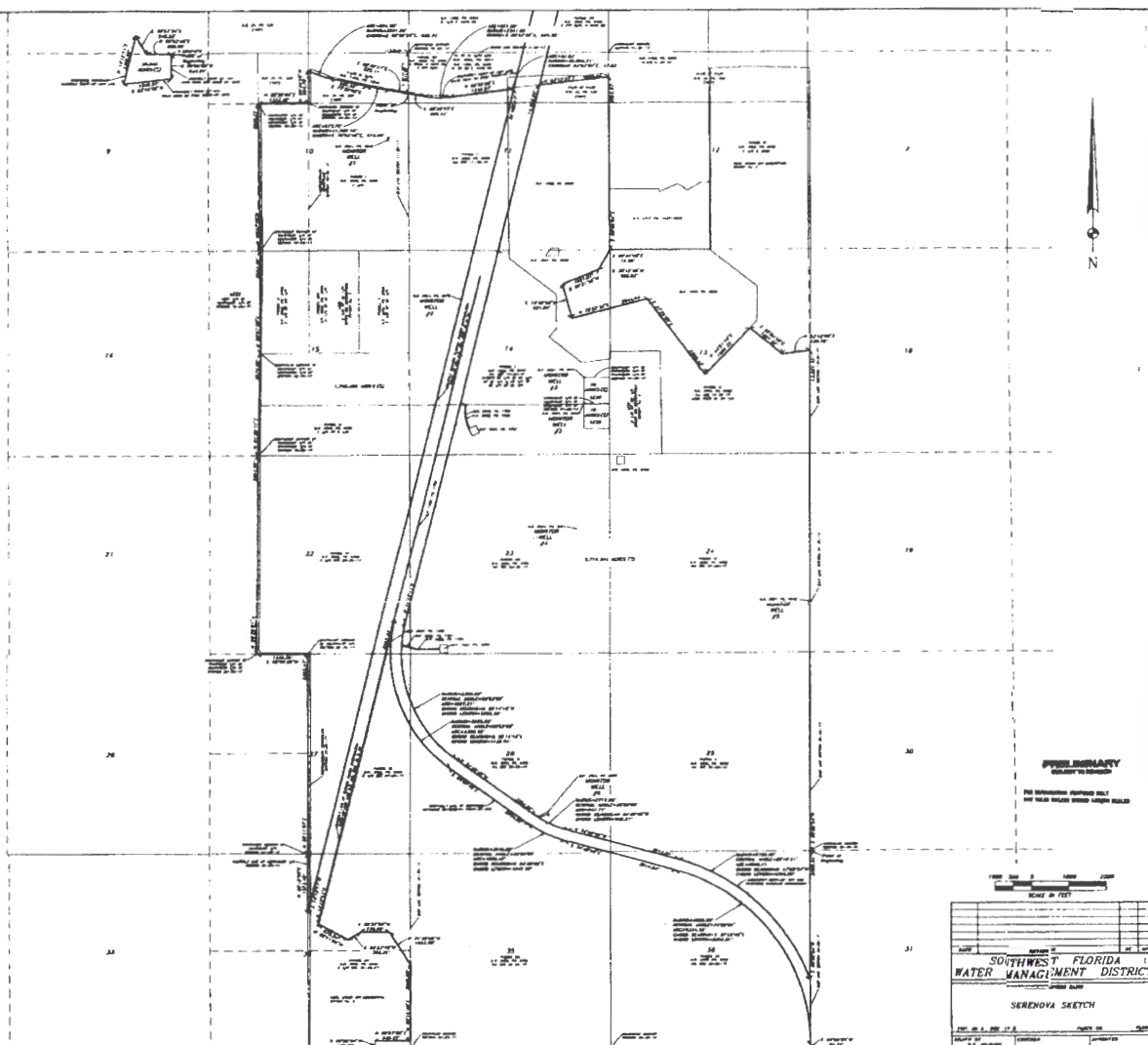
A parcel of land lying in Sections 11, 14, 22, 23, 25, 26, 27, 35, 36, Township 25 South, Range 17 East, Pasco County, Florida, being a portion of lands described in Official Record Book 1832, Page 1209 through 1213 of the Public Records of Pasco County, Florida, being more completely described as: Commence at the Southeast corner of Section 36, Township 25 South, Range 17 East; thence N 00°19'26" E along the East line of said Section 36 and the West line of Section 31, Township 25 South, Range 18 East, 95.00 feet to the POINT OF BEGINNING, said point being on the arc of a curve concave Southwesterly having a radius of 4,850.00 feet and a central angle of 74°50'01"; thence Northwesterly along the arc of said curve to the left, a distance of 6334.56 feet, said arc subtended by a chord that bears N 37°05'16" W a distance of 5,893.81 feet to the P.T. of said curve; thence N 74°30'17" W a distance of 3,014.84 feet to the P.C. of a curve, concave Northerly, having a radius of 3015.00 feet and a central angle of 20°00'00"; thence Westerly along the arc of said curve to the right, a distance of 1,052.44 feet, said arc subtended by a chord that bears N 64°30'17" W a distance of 1,047.10 feet to the P.T. of said curve; thence N 54°30'17" W a distance of 2,585.93 feet to the P.C. of a curve concave Northeasterly having a radius of 3,650.00 feet and a central angle of 68°52'52"; thence Northwesterly along the arc of said curve to the right, a distance of 4,388.05 feet, said arc subtended by a chord that bears N 20°03'51" W 4,128.53 feet to the P.T. of said curve, also being a point on the Easterly line of the Florida Power Corporation right-of-way (295 feet wide) recorded in Official Record Book 286, Pages 34 and 35 of the Public Records of Pasco County, Florida; thence N 14°22'35" E along said Easterly right-of-way line 14,559.08 feet to a point on the Southerly right-of-way line of State Road No. 52 (100 feet wide); thence N 83°26'20" E along said Southerly right-of-way line 321.22 feet to a point 300.00 feet from, when measured at right angles to, the said Easterly line of the Florida Power Corporation right-of-way; thence S 14°22'35" W parallel with said Easterly line of the Florida Power Corporation right-of-way, a distance of 14,673.87 feet to the P.C. of a curve concave Northeasterly having a radius of 3,350.00 feet and a central angle of 68°52'52", said point being 300.00 feet from, when measured at right angles to, the said Easterly line of the Florida Power Corporation right-of-way; thence along the arc of said curve to the left, a distance of 4,027.38 feet, said arc subtended by a chord that bears S 20°03'51" E a distance of 3,789.19 feet to the P.T. of said curve; thence S 54°30'17" E a distance of 2,585.93 feet to the P.C. of a curve concave Northerly having a radius of 2,715.00 feet and a central angle of 20°00'00"; thence Easterly along the arc of said curve to the left, a distance of 947.71 feet, said arc subtended by a chord that bears S 64°30'17" E a distance of 942.91 feet to the P.T. of said curve; thence S 74°30'17" E a distance of 3014.84 feet to the P.C. of a curve concave Southwesterly having a radius of 5,150.00 feet and a central angle of 55°10'32"; thence Southeasterly along the arc of said curve to the right, a distance of 4,959.42 feet, said arc subtended by a chord that bears S 46°55'01" E a distance of 4,770.00 feet to a point on the East line of said Section 36, also being the West line of said Section 31; thence S 00°19'26" W along said East line of Section 36, also being the said West line of Section 31, a distance of 1,732.51 feet to the POINT OF BEGINNING.



Marcus Ashman

P.S.M. No. 5186

NOT VALID UNLESS SIGNED & SEALED



March 27, 1998

AGREEMENT
BETWEEN
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
RELATING TO
PRESERVATION/MITIGATION PROPERTY

THIS AGREEMENT is made and entered into this 29th day of April, 1998, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("SWFWMD"), a Public Corporation created by Chapter 61-691, Laws of Florida as amended, 2379 Broad Street, Brooksville, Florida 34609-6899, and the FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, ("Department"), its successors and assigns, M.S. 98, 605 Suwannee Street, Tallahassee, FL 32399.

WHEREAS, the Department has commenced production of the Suncoast Parkway, Project I, a statutorily approved Turnpike project at section 338.2275 (3) (h), Florida Statutes (1995) (hereinafter "Suncoast Project I"), having commenced acquisition of right of way; and

WHEREAS, the Department has submitted, pursuant to Chapters 403 and 373, Florida Statutes, and Rule 40D-4, Florida Administrative Code, Environmental Resource Permit Applications to SWFWMD for Environmental Resource Permits for sections 1A, 1B, 2A, 2B, 3, 4, 5, 6 and Mitigation (such permits hereinafter referred to as "Environmental Resource Permits") and to date has received permits for Sections 1A, 1B, 2A, 2B, 3, 4, 5, 6 and Mitigation. The issuance of the Environmental Resource Permits is a precondition of commencing construction in the respective sections of the Suncoast Project I. The Environmental Resource Permit for impact mitigation, issued by SWFWMD on November 18, 1997, SWFWMD Permit No. 4315724.00, is incorporated by reference and made a part hereof; and,

WHEREAS, a settlement agreement was executed between the SWFWMD, FDOT and Florida Audubon Society ("Audubon") wherein, Audubon agreed to voluntarily dismiss with prejudice all challenges to Suncoast I for certain considerations by the

March 27, 1998

SWFWMD and the Department, in the stipulated settlement agreement signed on November 19, 1997, and which is incorporated by reference and made a part hereof ,

WHEREAS, in accordance with Section 404 of the Clean Water Act, 33 C.F.R., the Department must also apply for and receive a federal Department of the Army permit, from the United States Army Corps of Engineers ("Corps") (hereinafter referred to as "Corps" Permit), as a precondition of commencing construction of the Suncoast Project I. The issuance of the state Environmental Resource Permits, is a condition precedent of issuance of a "Corps" permit and compliance with the state Environmental Resource Permits may become a condition of the "Corps" permit; and,

WHEREAS, the Environmental Resource Permit Application Rule 40D-4, F.A.C. provides that an Environmental Resource Permit applicant may provide mitigation for the impacts of a project by preserving wetlands, other surface water and uplands, among other measures; and the Mitigation Permit No. 4315724.00 allows for that, and

WHEREAS, the SWFWMD and the "Corps," through quarterly "partnering" meetings with the Department, SWFWMD, the "Corps," Florida Game and Fresh Water Fish Commission, Florida Department of Environmental Protection, the United States Fish and Wildlife Service and the United States Environmental Protection Agency, since August of 1993, and numerous pre-application meetings, have agreed that the Department may, pursuant to state and federal regulations, offset upland and wetland impacts of the Suncoast Project I through the acquisition for public preservation of two major land parcels for preservation; and,

WHEREAS, with the conceptual approval of all of the above-mentioned agencies and with the advice and consent of SWFWMD, the Department, pursuant to sections 337.25 and 337.27 (1), F.S., on February 2, 1996, did purchase land, consisting of 3,635 acres of the Anclote River Ranch from The Trust for Public Land, as recorded in the Official Records of Pasco County at O.R. Book 3529 and Page 940, and on August 14, 1996 did purchase approximately 6802 acres from Serenova, Ltd. as recorded in the Official Records of Pasco County at O.R. Book 3615 and Page 1115 et seq., and along with certain retained rights and reversionary interests described at and recorded in the Official Records of Pasco County at O.R. Book 3615 and Page 1126. The Trust for Public Land property and 6532.58 acres of the Serenova property (specifically excluding 235 acres in sections 10 and 11, Township 25 South, Range 17 East), the retained rights and reversionary interests are hereinafter referred to collectively as "the PRESERVATION/MITIGATION PROPERTY"; and

March 27, 1998

WHEREAS, in recognition that one of the Environmental Resource Permit conditions requires the conveyance of the PRESERVATION/MITIGATION PROPERTY to SWFWMD for SWFWMD's maintenance of the land for preservation purposes, the Department and SWFWMD wish to provide for the orderly transfer of the PRESERVATION/MITIGATION Property to SWFWMD upon such conditions as are acceptable to SWFWMD and the Department; and,

WHEREAS, the Governing Board of SWFWMD, at a meeting duly called and held on 26TH day of FEBRUARY, 1997, officially approved the terms of this agreement and authorized its Land Resources Director to execute this agreement on behalf of SWFWMD; and pursuant to section 20.23(4), the Turnpike District Secretary is the chief administrative Department official within the Department's Turnpike District; and

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is acknowledged hereto by the parties, the parties agree as follows:

Section 1. DEMOLITION/REMOVAL.

The Department has removed, in the northern section of the Serenova Property that was previously used as a plant nursery area, trailers, car hulks and an abandoned fuel tank which remained after the current lessee removed his personal property.

Section 2. SERENOVA WESTERN BOUNDARY ENCROACHMENTS.

Prior to conveyance, the Department agrees to remedy the encroachments located on the western boundary of the Serenova property, either by prosecution of the removal of the encroachment or by quit claim of the encroached property to the encroacher. In the event the Department finds it necessary to quit claim the encroached property, the Department will provide SWFWMD with a survey of the affected area. The Department will fence the western boundary of the Serenova property and the part of the northern Serenova property boundary from the western boundary proceeding east and stopping near the Florida Power Corporation right-of-way, after disposing of the encroachments. A sketch of the fence site is attached as **Exhibit A**.

Section 3. PRECONVEYANCE LEASE TO SWFWMD.

Within 60 days of, the execution of this agreement, the parties agree to negotiate a lease agreement, for the lease of the PRESERVATION/MITIGATION PROPERTY to SWFWMD for the period prior to the conveyance of the property to SWFWMD, with a right of entry and use to the Department for purposes of inspection, access to the

landlocked parcel (see Section 10), mitigation construction activities, and other related activities. The consideration for the lease shall be SWFWMD's maintenance and preservation of the PRESERVATION/MITIGATION PROPERTY during the term of the lease. The lease shall be terminable upon 2 months notice.

Section 4. MANAGEMENT PLAN.

Prior to the conveyance of the PRESERVATION/MITIGATION property to SWFWMD, SWFWMD will, within 90 days of the date of this agreement, prepare a Management Plan for the preservation and management of the PRESERVATION/MITIGATION PROPERTY. The Management Plan shall have written approval of the Florida Game and Freshwater Fish Commission (FGFWFC), The United States Fish and Wildlife Service (USFWS), The U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency ("EPA"), the Florida Department of Environmental Protection, and the Department. In the event that any agency does not respond within 30 days of SWFWMD's receipted notice to an agency of its 1) a right to participate and 2) that a failure of an agency to respond within 30 days will waive that agency's participation in the Management Plan, then that agency's approval shall not be required. The parties agree to seek mediation of any issues which unreasonably delay approval of the Management Plan. The Management Plan shall state a mechanism for amendment as needed from time to time. The Management Plan and any subsequent amendments shall be on file with SWFWMD.

Section 5. CONSERVATION EASEMENT

In accordance with the Stipulation of Settlement with Audubon, and prior to the conveyance to SWFWMD of the PRESERVATION/MITIGATION property, the Department shall grant a conservation easement to a government agency other than the Department of Transportation or the Southwest Florida Water Management District substantially in accordance with section 704.06, Florida Statutes. The easement shall be recorded in the official records of Pasco County.

The conservation easement shall provide an exception for such land located within the PRESERVATION/MITIGATION property as is needed for the future construction of an arterial 4 lane collector roadway, currently known as Ridge Road, to be constructed in an approximate east-west alignment across the PRESERVATION/MITIGATION property. Provided that, in such event of use of the PRESERVATION/MITIGATION property for the proposed Ridge Road, that permission of the U.S. Army Corps of Engineers, United States Fish and Wildlife Service, United States Environmental Protection Agency, the Florida Game and Freshwater Fish Commission and SWFWMD, shall be obtained by the entity requesting the exception of the Conservation Easement, and provided that no

landlocked parcel (see Section 10), mitigation construction activities, and other related activities. The consideration for the lease shall be SWFWMD's maintenance and preservation of the PRESERVATION/MITIGATION PROPERTY during the term of the lease. The lease shall be terminable upon 2 months notice.

Section 4. MANAGEMENT PLAN.

Prior to the conveyance of the PRESERVATION/MITIGATION property to SWFWMD, SWFWMD will, within 90 days of the date of this agreement, prepare a Management Plan for the preservation and management of the PRESERVATION/MITIGATION PROPERTY. The Management Plan shall have written approval of the Florida Game and Freshwater Fish Commission (FGFWFC), The United States Fish and Wildlife Service (USFWS), The U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency ("EPA"), the Florida Department of Environmental Protection, and the Department. In the event that any agency does not respond within 30 days of SWFWMD's receipted notice to an agency of its 1) a right to participate and 2) that a failure of an agency to respond within 30 days will waive that agency's participation in the Management Plan, then that agency's approval shall not be required. The parties agree to seek mediation of any issues which unreasonably delay approval of the Management Plan. The Management Plan shall state a mechanism for amendment as needed from time to time. The Management Plan and any subsequent amendments shall be on file with SWFWMD.

Section 5. CONSERVATION EASEMENT

In accordance with the Stipulation of Settlement with Audubon, and prior to the conveyance to SWFWMD of the PRESERVATION/MITIGATION property, the Department shall grant a conservation easement to a government agency other than the Department of Transportation or the Southwest Florida Water Management District substantially in accordance with section 704.06, Florida Statutes. The easement shall be recorded in the official records of Pasco County.

The conservation easement shall provide an exception for such land located within the PRESERVATION/MITIGATION property as is needed for the future construction of an arterial 4 lane collector roadway, currently known as Ridge Road, to be constructed in an approximate east-west alignment across the PRESERVATION/MITIGATION property. Provided that, in such event of use of the PRESERVATION/MITIGATION property for the proposed Ridge Road, that permission of the U.S. Army Corps of Engineers, United States Fish and Wildlife Service, United States Environmental Protection Agency, the Florida Game and Freshwater Fish Commission and SWFWMD, shall be obtained by the entity requesting the exception of the Conservation Easement, and provided that no

additional requirements shall be incurred by the Department as a result of the modifications to the Environmental Resource Permit No. 4315724.00 or the U.S. Army Corps of Engineers Permit No. 199604305 (IP-MN) for the construction and maintenance of the Suncoast Project I.

Section 6. CONVEYANCE.

Upon issuance of all of the Environmental Resource Permits and the U.S. Army Corps of Engineers Permits approving the Department's application for impact mitigation and upon satisfaction of the conditions provided for herein, including but not limited to, delivery of the approved Management Plan (Section 4), recording of the conservation easement (Section 5) and upon a final determination to construct the Suncoast project, the Department pursuant to s.337.26, F.S. shall convey marketable record title to the PRESERVATION/MITIGATION PROPERTY by quit claim deed to SWFWMD, free and clear of all liens, restrictions, encumbrances, easements, encroachments, tenancies and rights of third parties, subject only to the matters shown on attached **Exhibit B** and such other matters as are reasonably acceptable to SWFWMD, subject to the requirement that the Department or its successors in interest issue a noncompensable access permit through the eastern Serenova property boundary of 25 feet, which access shall be for permissive use only and revocable upon final acceptance of the construction segment of the construction segment of the Suncoast Project I, as set forth in clause 4.c) of the June 4, 1996 Purchase and Sale Agreement, a summary of said Agreement is at Official Record Book 3615 pages 1136-1140 of the Official Records of Pasco County.

Section 7. DEPARTMENT ENTRY.

Within 120 days of issuance of the Environmental Resource Permit No. 4315724.00, the parties agree to negotiate a license from the SWFWMD, for the Department and its Contractors and assigns, to access flood plain and mitigation construction sites and perform mitigation work as described in the Department's Environmental Resource Permit mitigation application in SWFWMD's Starkey wilderness area. The Department's mitigation work is an integral part of the Floodplain Compensation Plan for the Suncoast Project I.

Section 8. DEPARTMENT OWNED LANDS/ S.R.52.

The Department owns approximately 235 acres more or less, located in Sections 10 and 11 Township 25 South, Range 17 East, which acres are located to the northwest of the PRESERVATION/MITIGATION PROPERTY, along the south side of State Road 52 ("235 acres excluded parcel"). The 235 acre parcel is excluded from the mitigation application and is anticipated to be used by the Department for various purposes, including but not limited to mitigation for other Department projects such as the proposed

Department interchange of the Suncoast Project I with the proposed future extension of Ridge Road, a county road.

In the event that it determines to dispose of the parcel, the Department agrees to notify SWFWMD of the manner of disposal and intent to dispose of the property, in accordance with the requirements of the Turnpike bond indentures and applicable statutes.

Section 9. PASCO CO. REQUESTS FOR ENVIRONMENTAL RESOURCE PERMIT MODIFICATION.

It is anticipated that Pasco County will in the future construct an east to west 4 lane collector roadway which will extend Ridge Road through and across the PRESERVATION/MITIGATION PROPERTY. The Department has advised Pasco County and SWFWMD that it will not object to the use of the PRESERVATION/MITIGATION PROPERTY for the construction of Ridge Road, provided that such action will not cause or result in the imposition of any further "Corps" permit or Environmental Resource Permit requirements or conditions being imposed upon the Department or cause the Department additional expense.

Section 10. SERENOVA. LTD. LANDLOCKED PARCEL.

In the Department's original purchase of the PRESERVATION/MITIGATION PROPERTY, a 92 acre more or less parcel in Section 25, T25S, R17E, close to and adjacent to the proposed Suncoast Project I alignment was kept by the Seller, Serenova, Ltd. The landlocked parcel is subject to various contractual and Department commitments. In the event that the landlocked parcel is donated to the Department, the Department intends to transfer the property to SWFWMD, if allowed by law. In the event that the Department acquires the property for compensation, and determines to surplus the property then the Department shall follow the procedures stated in Section 8, Department owned lands/State Road 52, Parcel, above, for disposing of surplus Turnpike property and provide SWFWMD notice of opportunity to acquire the surplus property in accordance with bond indenture and statutory requirements.

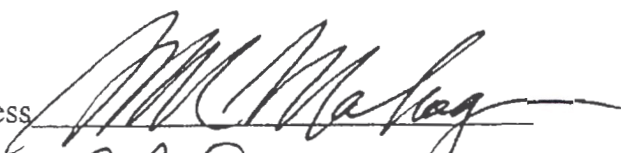
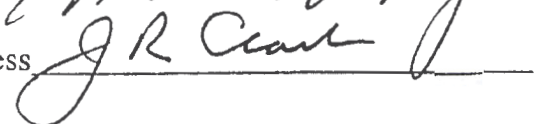
Section 11. MISCELLANEOUS.

(A) This agreement shall not be assigned without the written consent of the parties hereto.

(B) Venue of any litigation arising out of this agreement is consented to and stipulated by the parties hereto to be LEON COUNTY or HERNANDO COUNTY, at the option of the initiating party.

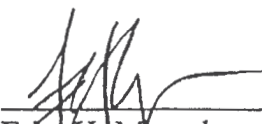
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective the day and date set forth above.

"SWFWMD"

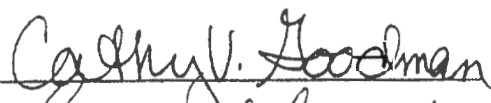
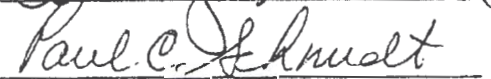
Witness 
Witness 

By

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT,

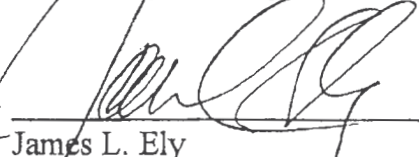

Fritz H. Musselmann
Land Resources Director

"DEPARTMENT"

Witness 
Witness 

By

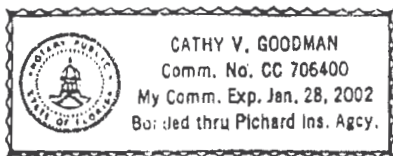
FLORIDA DEPARTMENT OF
TRANSPORTATION


James L. Ely
Turnpike District Secretary

STATE OF FLORIDA
COUNTY OF Leon

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida aforesaid and in the County aforesaid to take acknowledgments, personally appeared JAMES L. ELY, well known to me to be the District Secretary, Turnpike District of the FLORIDA DEPARTMENT OF TRANSPORTATION, who ☒ is personally known to me, or ☐
provided _____ as identification, and that he acknowledged executing the same on behalf of the FLORIDA DEPARTMENT OF TRANSPORTATION, in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said Department.

WITNESS my hand and official seal in the County and State last aforesaid this 29th day of April, 1998.



Signature of Notary

Cathy V. Goodman

Name of Notary: *Cathy V. Goodman*

Commission Number: *CC 706400*

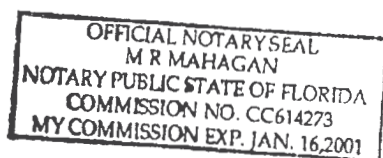
My Commission expires: *1/28/02*

STATE OF FLORIDA
COUNTY OF HERNANDO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida aforesaid and in the County aforesaid to take acknowledgments, personally appeared FRITZ H. MUSSELMAN, well known to me to be the Land Resources Director of Southwest Florida Water Management District (SWFWMD), who ☒ is personally known to me, or ☐ provided _____ as identification, and that he acknowledged executing the same on behalf of SWFWMD, in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him/her by said SWFWMD.

WITNESS my hand and official seal in the County and State last aforesaid this 22ND day of APRIL, 1998.

Signature of Notary



Name of Notary:

M.R. MAHAGAN

Commission Number:

CC 614273

My Commission Expires:

JAN. 16, 2001

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT "A"

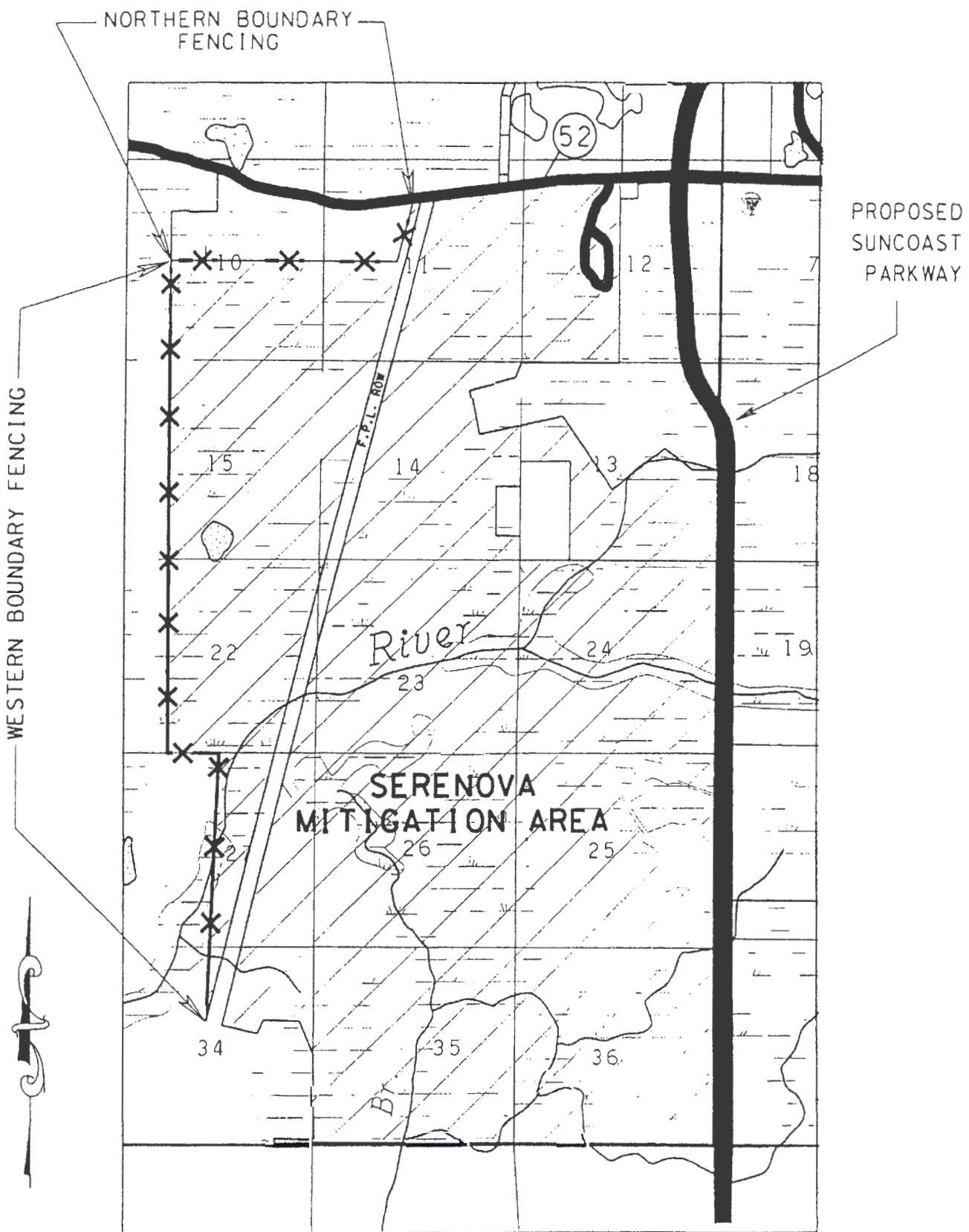


EXHIBIT "B"

1. North Pasco Regional Wellfield Water Supply Contract by and between the WEST COAST REGIONAL WATER SUPPLY AUTHORITY, to the CITY OF NEW PORT RICHEY, FLORIDA, and PASCO COUNTY, FLORIDA, recorded March 2, 1990, in Official Records Book 1886, page 281, of the Public Records of Pasco County, Florida.
2. Terms, conditions and easements recited in that certain Transmission Main and Temporary Construction Easement Agreement between ALRIC C.T. POTTBERG, AND CITIZENS NATIONAL BANK AND TRUST COMPANY, as Co-Trustees of the Otto Pottberg Trust, and the WEST COAST REGIONAL WATER SUPPLY AUTHORITY, recorded June 24, 1991, in Official Records Book 2022, page 1784, of the Public Records of Pasco County, Florida.
3. Agreement for Monitor Well Construction Site and Access Easements by and between ALRIC C.T. POTTBERG, as Trustee of the Otto Pottberg Trust, and PASCO COUNTY, a political subdivision of the State of Florida, recorded February 7, 1992, in Official Records Book 2091, page 960; Assignment of Monitor Well Construction Site and Access Easements recorded November 25, 1991, in Official Records Book 2069, page 221, of the Public Records of Pasco County, Florida.
4. Terms, conditions and easements recited in that certain Pipeline Easement executed by SERENOVA, LTD., to FLORIDA GAS TRANSMISSION COMPANY, a Delaware corporation, recorded January 31, 1994, in Official Records Book 3251, page 932, of the Public Records of Pasco County, Florida as amended by that certain Amendment to Easement Grant, recorded January 24, 1996, in Official Records Book 3524, Page 1129, of the Public Records of Pasco County, Florida.
5. Easement across captioned land for ingress and egress to and from the following described property: The West 1/2 of the Southwest 1/4 of Section 13, Township 25 South, Range 17 East as described in that Quit Claim Deed recorded November 14, 1994, in Official Records Book 3361, Page 1123, and the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 14, Township 25 South, Range 17 East as described in that certain Quit Claim Deed recorded in Official Records Book 3361, page 1125, and Affidavit recorded November 14, 1994, in Official Records Book 3361, page 1131, of the Public Records of Pasco County, Florida.

6. Terms and conditions of that certain Ordinance recorded January 3, 1995, in Official Records Book 3379, page 1057, of the Public Records of Pasco County, Florida.
7. Water, Sewer, Reclaimed Water and General Purpose Utility Easement dated August 9, 1994, recorded August 11, 1994, in Official Records Book 3328, page 211, of the Public Records of Pasco County, Florida.
8. Terms and conditions of that certain Pipeline Easement granted to FLORIDA GAS TRANSMISSION COMPANY, Delaware corporation, recorded March 28, 1994, in O.R. Book 3273, page 1332, of the Public Records of Pasco County, Florida.
9. All such matters shown on that certain survey prepared by Berryman & Henegar, dated July 31, 1996, and marked as WPI No. 7150055.
10. Subject to a right of Serenova Ltd. to apply for a non-compensable access permit through the eastern Property boundary of 25 feet to access Serenova, Ltd.'s landlocked parcel, which permit shall be for permissive use only and revocable by the Florida Department of Transportation (FDOT) or SWFWMD upon final acceptance by FDOT of the construction segment of the Suncoast Parkway adjacent to the landlocked parcel.
11. Riparian or littoral rights.
12. Rights, if any, of the State of Florida in and to the beds of any streams and/or rivers affecting subject property.
13. Easement Agreement by and between Pasco County, Florida and Withlacoochee River Electric Cooperation, dated April, 21, 1992, recorded April 27, 1992 in Official Records Book 3019, Page 104, of the Public Records of Pasco County, Florida.
14. Resolution of the Secretary of Transportation, recorded January 24, 1996 in Official Records Book 3524, Page 1045, of the Public Records of Pasco County, Florida.
15. Grant of Easement by and between Pasco County, Florida and Serenova, Ltd., a Florida Limited Partnership, recorded May 24, 1995 in Official Records Book 3429, Page 1891; as recorded June 7, 1995 in Official Records Book 3435, Page 840, of the Public Records of Pasco County, Florida. (As to the rights conveyed by Quit Claim Deed at Official Records Book 3585, Page 941, Public Records of Pasco County, Florida.)

16. Right, title and interests of Pasco County, a political subdivision of the State of Florida, its successors and/or assigns, pursuant to Trustee's Deed recorded August 15, 1989 in Official Records Book 1832, Page 1209, of the Public Records of Pasco County, Florida. (As to the rights conveyed by Quit Claim Deed at Official Records Book 3585, Page 941, Public Records of Pasco County, Florida.)
17. Terms and conditions of unrecorded Antenna Site License, dated May of 1990, by and between The Otto Pottberg Trust and/or its heirs, assigns, legal representation or successors, as Licensor and Motorola, Inc., as Licensee, and any extensions thereof.
18. Subject to the condition that if the land is not used for the public purposes of the Southwest Florida Water Management District, or for the purposes identified in section 373.016, Florida Statutes (1995), or if used and subsequently its use for such purpose is abandoned, the grant/conveyance of the land shall cease as to the Southwest Florida Water Management District and shall automatically revert to the State of Florida, Department of Transportation.

97-261

APPROVED

MAR 04 1997

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUMTO: Honorable Chairman and
Members of the Board of
County Commissioners

DATE: 2/20/97

FILE: DS97-047

SUBJECT: Agreement with Southwest Florida
Water Management District
Relating to Ridge Road ExtensionFROM: Bipin Parikh, P.E.
Assistant County Administrator
(Development Services)
OK M. [Signature]

REFERENCES: Comm. Dist. 2

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners.

DESCRIPTION AND CONDITIONS:

The Turnpike District of the Florida Department of Transportation (FDOT) has acquired Serenova Development of Regional Impact (DRI) property in Pasco County for environmental preservation and mitigation in connection with its proposed construction of the Suncoast Parkway.

The Turnpike District's acquisition of Serenova property will be transferred to the Southwest Florida Water Management District (SWFWMD) for the mitigation enhancement, maintenance, and preservation. Additionally, SWFWMD will acquire a portion of Crockett Ranch west of the Serenova DRI.

The County owns right-of-way of the old alignment of the Suncoast Parkway, certain well sites and pipelines within Serenova, and a water treatment plant site adjacent to Serenova.

In order to protect the County's interest for its proposed Ridge Road Extension through Serenova and Crockett Ranch, and for existing and future well sites and other development sites, this agreement is entered into with SWFWMD, which defines the terms and conditions of exchange of properties. It is presented to the Board for appropriate action. The Governing Board of SWFWMD has approved the agreement.

ALTERNATIVES AND ANALYSIS:

1. Approve the agreement.
2. Modify the agreement.
3. Do not approve the agreement.

RECOMMENDATION AND FUNDING:

The Development Services Branch recommends that the Board approve the agreement, authorize the Chairman to execute the original agreements, and direct Secretarial Services to distribute the agreements as follows: one original to be retained by Secretarial Services; one original to OMB, New Port Richey; one original to the Development Services Branch; and one original to be mailed to:

Fritz H. Musselmann
Land Resources Director
Southwest Florida Water
Management District
2379 Broad Street
Brooksville, FL 34609-6899

No funding is required for this action.

ATTACHMENTS:

Agreements (Four)

BP/b021702:ai

1997001766

APPROVED AGENDA ITEM FOR

DATE ~~MAR 03 1997~~ MAR 04 1997

BY *[Signature]*

1997-001766

03/04/97

1 of 15

Jed Pittman
Clerk of the Circuit Court
Pasco County, Florida

9B2

97-261

AGREEMENT
BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT AND PASCO COUNTY RELATING
TO RIDGE ROAD

THIS AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("District") and PASCO COUNTY, a political subdivision of the State of Florida ("County"), by and through its Board of County Commissioners.

W I T N E S S E T H:

WHEREAS, the Florida Department of Transportation (Turnpike District) has purchased or acquired for environmental preservation and mitigation purposes, a certain tract of land hereinafter known as the Serenova property, and generally depicted in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the District has proposed to purchase or acquire for environmental preservation and mitigation purposes a certain tract of land known as the Crockett property and generally depicted in Exhibit "B" attached hereto and incorporated herein; and

WHEREAS, such acquisitions by the District impose significant effects upon the County's tax base, comprehensive planning efforts and economic development potential; and

WHEREAS, the County, in accordance with its Comprehensive Plan, intends to construct a four-lane thoroughfare roadway known as Ridge Road Extension; and

WHEREAS, the purposes of this Agreement are:

1) to provide assurance to the County that its interests will be fully and appropriately considered by the District in the District's permitting evaluation and mitigation requirements with

a:\swf\wd.rdg

1997-001766

03/04/97

02/17/97

2 of 15

9B2

Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

respect to the proposed extension of Ridge Road from DeCubellis Road to the proposed Suncoast Parkway and the proposed purchase or acquisition of the Serenova tract described herein, it being understood by both parties that the District's permitting criteria will not change because of the existence of this Agreement;

2) to set forth the related commitments and understandings of the District and the County;

3) to secure the District's support for the utilization of the various tracts of land including Serenova and Crockett property for compatible mitigation areas; and

WHEREAS, pursuant to that certain Trustees' Deed recorded in Book 1832, Page 1209, Official Records of Pasco County, Florida, the County on July 18, 1989, obtained certain ownership rights in the real property referred to herein as the Pasco County Acres Property, a portion of which is described in Exhibit "C", attached and incorporated herein, subject to certain reservations in favor of the Grantor; and

WHEREAS, the County has acquired, in fee simple, a parcel of land described in Exhibit "D" which is known as the Water Treatment Plant Site located on the south side of the Serenova property; and

WHEREAS, the District has permitted and the County and the District have jointly funded the construction of a 20" pipeline within the above referenced Serenova tract.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1997-001766

03/04/97

3 of 15

2

a:\erfund.rdg

02/17/97

Section 1. Recitals. The foregoing recitals are true and correct, and are incorporated herein.

Section 2. Construction of Ridge Road from DeCubellis east to the proposed Suncoast Parkway.

A. The County shall, at its sole cost, procure all necessary regulatory permits, design, and construct a four-lane collector roadway in Pasco County. Construction may be performed in phases and may be initially designed and constructed as a two-lane roadway. This roadway shall connect the existing intersection at Ridge Road and Moon Lake Road to the proposed inter-change at Ridge Road and the North Suncoast Parkway.

B. The County shall provide the District with periodic status updates of the final design of the Ridge Road Extension.

Section 3. Conveyance of District Property to County (Serenova). Contingent upon the acquisition of the Serenova property generally depicted in Exhibit "A" by the District, the District shall:

A. Convey, in fee simple to the County, that portion of the Serenova property necessary for construction of the proposed Ridge Road Extension as a four-lane collector roadway facility including a full interchange with the North Suncoast Parkway within the Serenova property. The minimum right-of-way shall be two hundred and fifty feet (250') unless otherwise agreed upon. The exact limits of the needed right-of-way shown in Exhibit "E" will be determined only after all design has been completed and all permit requirements determined.

B. Convey, by instruments suitable to both parties, all easements necessary for the operation and maintenance of the existing jointly funded reclaimed water transmission main and the existing potable

1997-001766

03/04/97

4 of 15

3

a:\swfsmnd.rdg

02/17/97

Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

water transmission main within the Serenova property as shown in Exhibit "E".

C. Convey, by an instrument suitable to both parties, all easements necessary for the construction, operation and maintenance of potable water pipelines shown in Exhibit "E" proposed to connect the County's existing well sites to the County's existing potable water transmission pipelines within the Serenova property. The exact location and limits of the needed easements shown in Exhibit "E" will be determined only after all design has been completed and all permit requirements determined.

Section 4. Conveyance of District Property to County (Crockett). In the event that the District purchases or acquires the Crockett property generally depicted in Exhibit "B" by the District, the District shall convey, in fee simple to the County, that portion of the said property needed for construction of the proposed Ridge Road Extension (as shown on Exhibit "E") as an ultimate four-lane collector roadway facility within the Crockett property. The minimum right-of-way width shall be two hundred and fifty feet (250') unless otherwise agreed upon. The exact limits of the right-of-way needed will be determined only after all design has been completed and all permit requirements determined.

Section 5. Conveyance of County Property to SWFWMD. Simultaneous with SWFWMD's conveyance to the County contemplated in Section 3(a) above, the County shall convey by County Deed pursuant to Sections 125.411 and 125.37, Florida Statutes, to SWFWMD all of its rights to the Pasco County Acres Property described in Exhibit "C".

1997-001766

03/04/97

5 of 15

4

a:\swfwmd.rdg

02/17/97

Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

Section 6. Exchange of Water Plant Site . The County shall convey, in fee simple to the District, the Water Treatment Plant Site depicted in exhibit "D" which property includes approximately 105 acres of non-jurisdictional uplands and approximately 76 acres of jurisdictional wetlands. Simultaneously, the District shall convey, in fee simple to the County, a mutually acceptable portion of the Serenova property which site shall contain at least 105 acres of contiguous, non-jurisdictional, buildable land; or, in the event the proposed exchange site does not include contiguous lands suitable for the County's purposes, the District shall purchase the Water Treatment Plant site upon terms mutually acceptable to both parties. Applications for any necessary regulatory permit modifications for the North Suncoast Parkway shall be prepared for the Turnpike District by the County.

Section 7. Use of District Lands for Drainage and Mitigation Purposes. The County and the District agree that the District shall provide any and all lands other than the Ridge Road right-of-way conveyed to the County as described above needed for the roadway drainage systems and for any other District ERP permit requirements within the Serenova and Crockett properties, respectively. Surface water treatment and attenuation systems within Serenova shall only be utilized for the Ridge Road Extension within Serenova. Any such systems shall comply with all District permitting rules and regulations. Wetland creation solely for mitigation purposes shall not be permitted within the Serenova property. In addition, so far as such uses are consistent with the District's rules and regulations, the District shall provide any additional lands needed by the County to meet the permitting and/or mitigation requirements of other agencies. Such

s:\sufund.rdg

5
1997-001766 03/04/97

02/17/97

6 of 15

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

lands shall be provided, at no cost to the County, through easements, licenses, deed or other instrument acceptable to both parties.

Section 8. Timing of Conveyances.

A. Conveyances for the Ridge Road Extension described in Sections 3(A), 4, and 5 shall occur immediately upon the issuance of all necessary regulatory permits for the construction of Ridge Road Extension.

B. Conveyances for the Ridge Road Interchange described in Section 3(A) shall occur immediately upon the issuance of all necessary regulatory permits for the construction of Ridge Road Interchange.

C. Conveyances described in Sections 3(B) and 6 shall occur upon acquisition of the Serenova property by the District.

D. Conveyances described in Section 3(C) shall occur immediately upon the issuance of all necessary regulatory permits for the proposed potable water pipelines, including any necessary water withdrawal permits.

Section 9. District to Assist County. The District shall cooperate with the County in the project development and environmental permitting activities associated with the County's gaining necessary approvals for the alignment and construction of the proposed extension of Ridge Road.

Section 10. County Notifications to District and Time of Performance. Upon notification by the County to the District that design and construction of the extension of Ridge Road has been programmed and approved by the Board of County Commissioners, and that all conditions precedent to the road's construction have been met, or will be met upon completion of the conveyances described above, and that all other contingencies required by this Agreement have been

met, the District and the County agree the conveyances described above shall be completed within 90 days of such notification by the County.

Section 11. Budgetary Provisions Governing County. County's obligation to construct the Ridge Road Extension described in this Agreement shall be contingent upon a suitable appropriation by the Board of County Commissioners of Pasco County.

Section 12. Budgetary Provisions Governing District. The District's obligations pursuant to this Agreement shall be contingent upon a suitable appropriation by the District's Governing Board.

Section 13. Notices. Notices required to be given pursuant to this Agreement shall be provided via certified mail, return receipt requested, to each of the parties at the following addresses:

COUNTY

John J. Gallagher
Pasco County Administrator
7530 Little Road
New Port Richey, Florida 34654

DISTRICT

Fritz H. Musselmann
Land Resources Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34609-6899

Section 14. Modification. No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality, and of equal dignity herewith.

Section 15. Entire Agreement. This Agreement embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein. If any provision is invalid,

a:\awfund.rdg

7
1997-001766

03/04/97

02/17/97

8 of 15

Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

it shall be considered deleted therefrom, and shall not invalidate the remaining provisions.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: COUNTY through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the ____ day of _____, 199__, and DISTRICT, signing by and through its _____, authorized to execute same.



By: Dorelea Schmidt/dc
JED PITTMAN, CLERK

03/04/97

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: David H. Clark, Jr.
DAVID H. CLARK, JR. CHAIRMAN

DATE: 03/04/97

WITNESSES:

M. R. Mahajan
M. R. MAHAJAN
Print or Type

J. R. Clark
J. R. CLARK
Print or Type

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: [Signature]

Title: LAND RESOURCES DIRECTOR

DATE: FEB. 27, 1997

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

By: [Signature]
Attorney

.1997-001766

03/04/97

9 of 15

8

s:\swfund.rdg

02/17/97

LIST OF EXHIBITS

EXHIBIT "A"	SKETCH OF SERENOVA PROPERTY
EXHIBIT "B"	SKETCH OF CROCKETT PROPERTY
EXHIBIT "C"	OLD SUNCOAST ALIGNMENT (PASCO COUNTY ACRES PROPERTY)
EXHIBIT "D"	UTILITY SITE (WATER TREATMENT SITE)
EXHIBIT "E"	WATER TRANSMISSION PIPELINES (SERENOVA PROPERTY), RIDGE ROAD EXTENSION, RIDGE ROAD INTERCHANGE

1997-001766

03/04/97

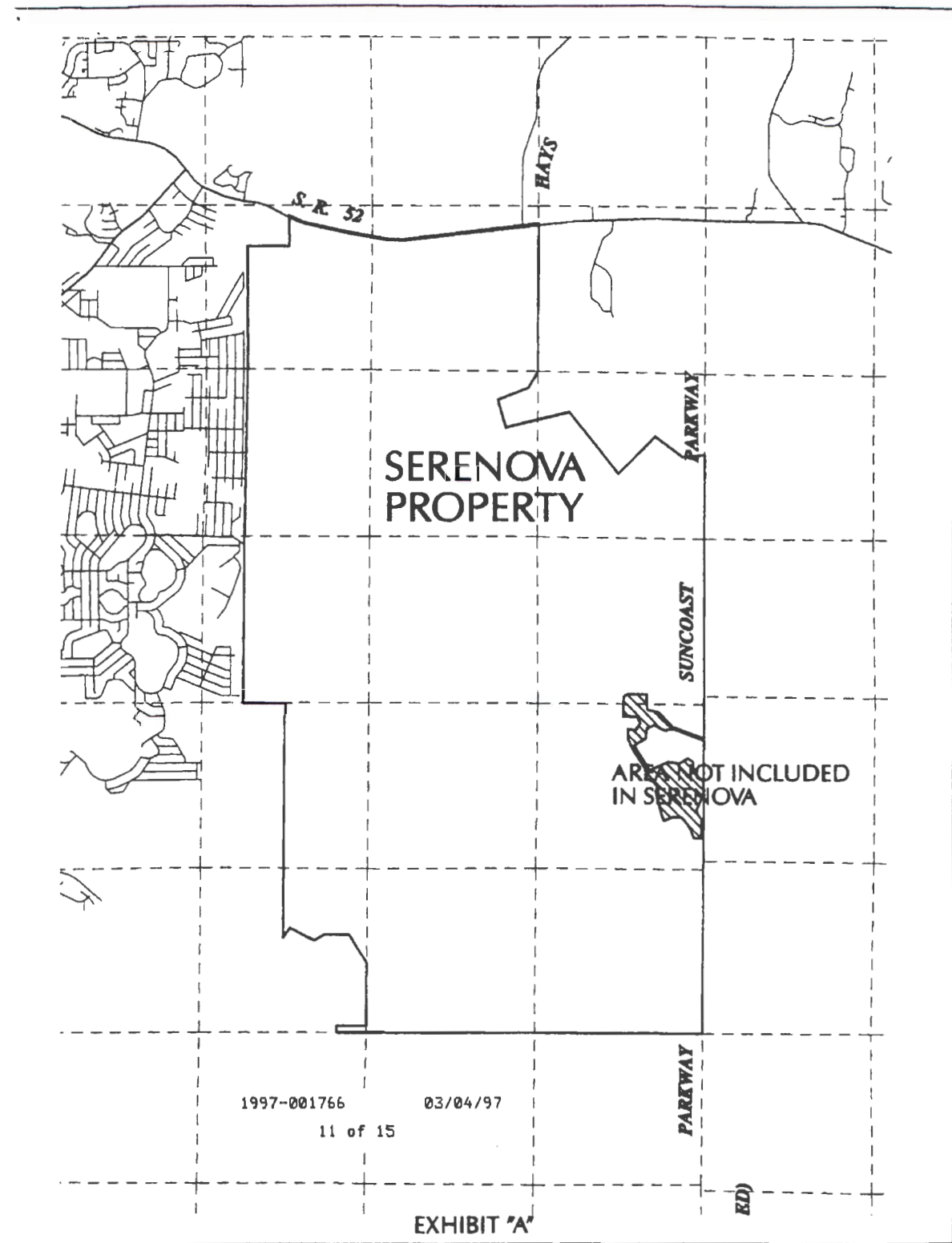
10 of 15

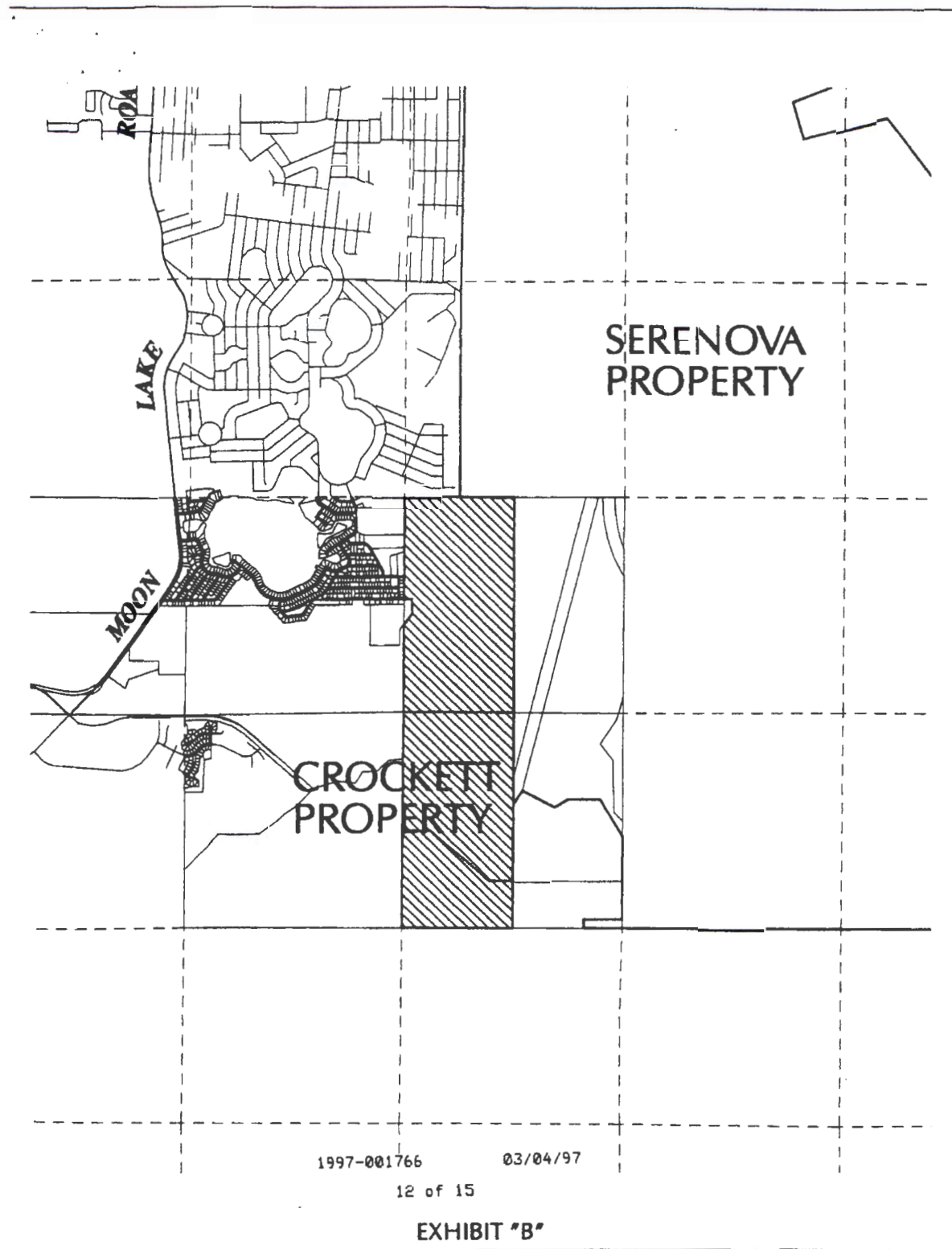
9

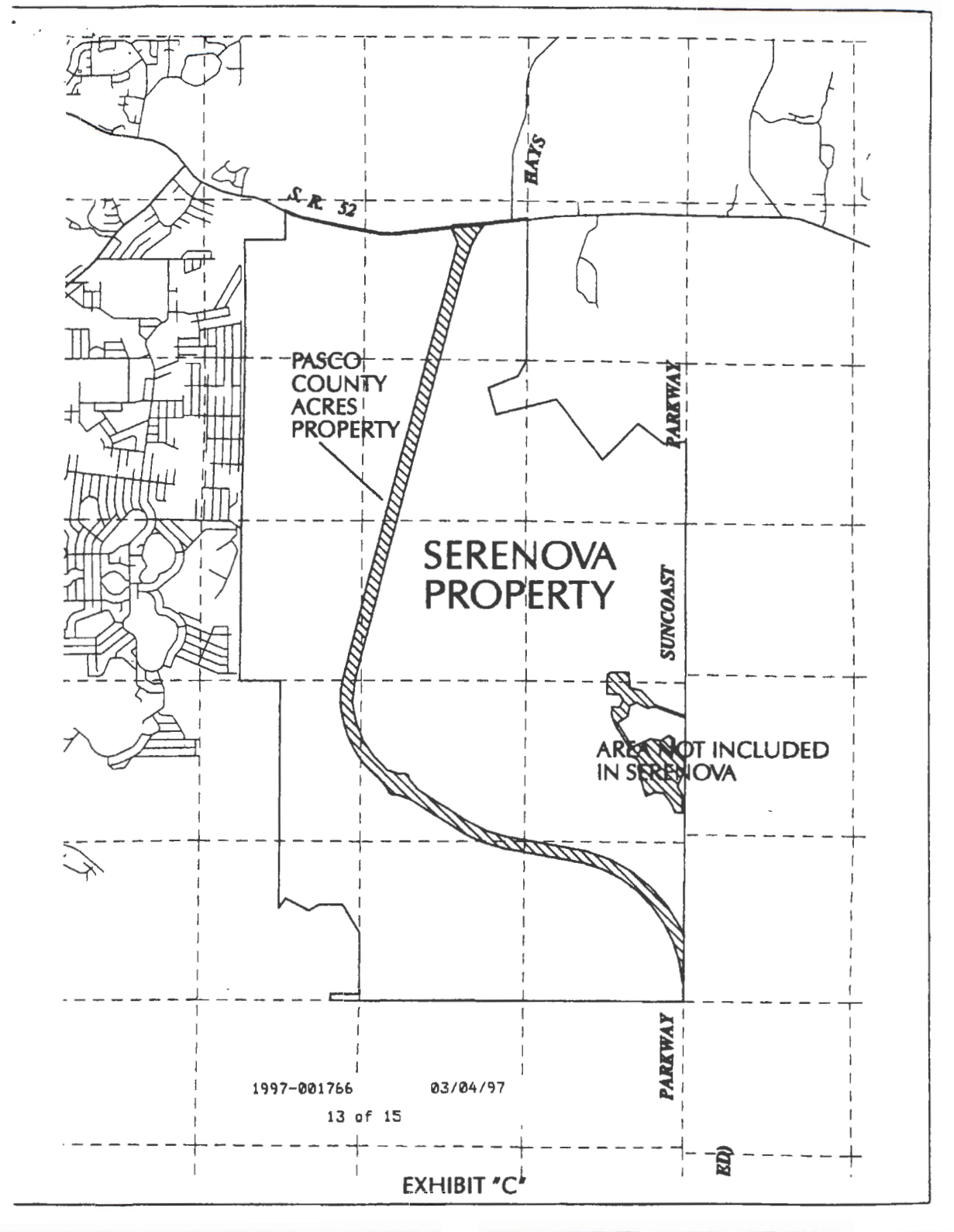
a:\surfmd.rdg

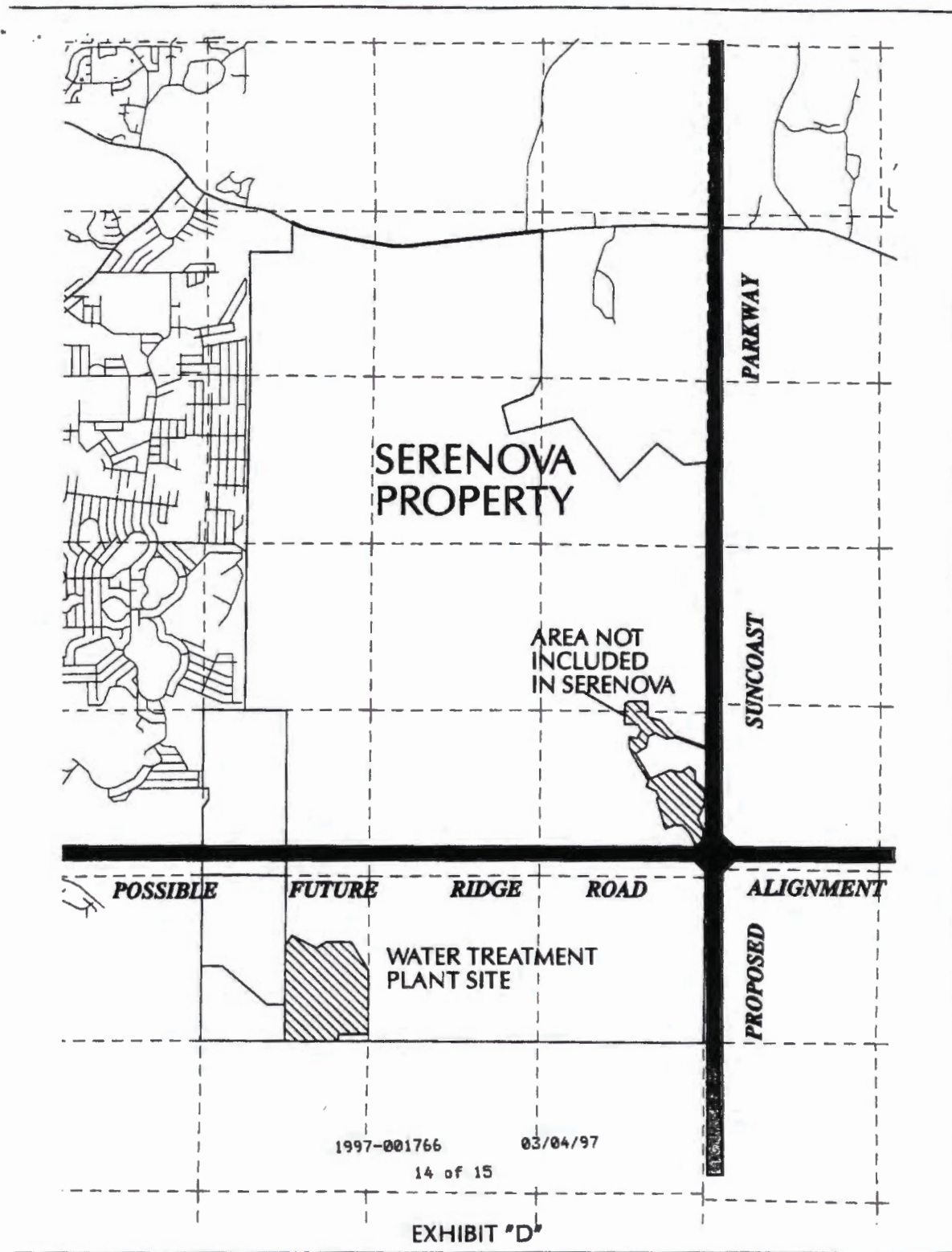
02/04/97

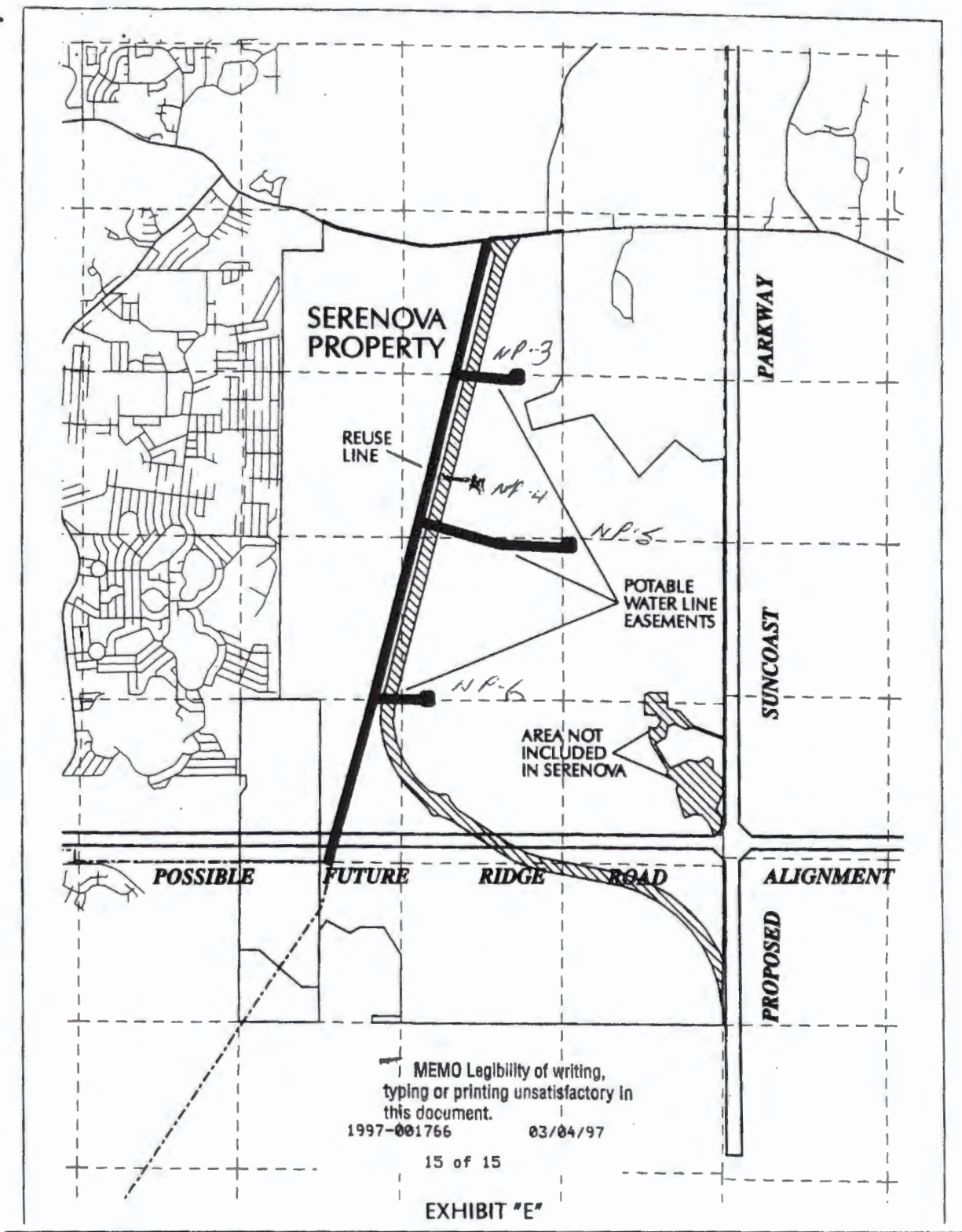
Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)











**ACCESS AND MAINTENANCE AGREEMENT BETWEEN
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
PASCO COUNTY RELATING TO THE RIDGE ROAD EXTENSION RIGHT-OF-WAY**

THIS AGREEMENT, (Agreement), is made and entered into by and between the Southwest Florida Water Management District, a public corporation (District), having an address of 2379 Broad Street, Brooksville, FL 34604-6899, and Pasco County, Florida, a political subdivision of the State of Florida, through its Board of County Commissioners, (County), having an address of 37918 Meridian Avenue, Dade City, Florida 33525, individually referred to as "Party" or collectively "Parties".

WHEREAS, the District holds fee title to certain real property located within Pasco County, Florida, referred to as the Serenova Tract and depicted in Exhibit A, attached hereto; and

WHEREAS, the County, in accordance with its Comprehensive Plan and existing agreements, intends to and has begun construction of a roadway known as the Ridge Road Extension; and

WHEREAS, the Ridge Road Extension bisects the Serenova Tract as shown in Exhibit B, attached hereto; and

WHEREAS, in 1997 the District and the County entered into an agreement entitled AGREEMENT BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND PASCO COUNTY RELATING TO RIDGE ROAD (1997 Agreement); and

WHEREAS, Section 10 of the 1997 Agreement provides that upon notification by the County to the District that design and construction of the extension of Ridge Road has been programmed and approved by the Board of County Commissioners, that all conditions precedent to the road's construction have been met, and that all other contingencies required by the 1997 Agreement have been met, among other things, that the District will convey the necessary right-of-way to the County within 90 days of such notification by the County; and

WHEREAS, the County notified the District by letter dated February 18, 2020, received by the District February 24, 2020, that the conditions of the 1997 Agreement have been met and requesting that District staff recommend to the Governing Board

within the next 90 days the execution and delivery of a deed(s) to the County of the road right-of-way; and

WHEREAS, the District has proceeded in compliance with the 1997 Agreement and conveyed the road right-of-way to the County at the April 28, 2010 meeting of its Governing Board; and

WHEREAS, the District must conduct land management activities, including but not limited to prescribed burning, on the Serenova Tract, north and south of the road right-of-way, during and after construction requiring access across and along the road right-of-way; and

WHEREAS, the District and the County have agreed to establish certain access and maintenance responsibilities regarding the transfer of the road right-of-way to the County and wish to memorialize their agreement.

NOW THEREFORE, in consideration of the mutual terms, covenants, and conditions set forth herein, the Parties hereby agree as follows:

1. **Recitals**. The above recitals are true and correct and incorporated herein by this reference, including the referenced Exhibits.
2. **District Access**. The Parties have agreed to certain permanent locations and improvements to provide the District access to conduct management activities on its conservation and mitigation lands north and south of the road right-of-way. The County will be responsible for maintaining all improvements at each location within the road right-of-way unless otherwise stated. The individual locations are set forth below (Access Points):

2.1 **Access Points:**

- a. **Duke Transmission Corridor (STA 137)**: The County will provide and maintain adequate turnouts in the vicinity of Stations 136+68 and 131+03 and aprons to allow the safe and proper use of this Access Point as shown on the construction plan sheets attached hereto and incorporated herein as Exhibit C. The County will provide and maintain slide gates at least 24 feet in width at this Access Point. The County will operate as the lead agency in requesting and obtaining any licenses, variances or other necessary approvals from Duke Energy to maintain this Access Point for both the County and the District.

- b. STA 158: The County will provide and maintain a minimum clearance of 10 feet high by 12 feet wide this Access Point as shown on the construction plan sheets attached hereto and incorporated herein as Exhibit D;
- c. STA 214: The County will provide and maintain a minimum clearance width of 48 feet and a minimum distance of 15 feet between the ground surface and the lowest beam at this Access Point as shown on the construction plan sheets attached hereto and incorporated herein as Exhibit E. The Access Point STA 214 is located under the roadway and the Ridge Road Extension plans appear to accommodate the minimum requirements for District vehicles and land management equipment. If it is determined that modification or realignment of the Access Point is necessary to accommodate access by District vehicles and land management equipment, the County will work with the District to modify or realign the Access Point to ensure District access at this Access Point.
- d. STA 237 (Cone Pit): The County will provide and maintain 24-foot wide turnouts at Stations 237+25 and 238+60 to allow the safe and proper use of this Access Point as shown on the construction plan sheets attached hereto and incorporated herein as Exhibit F.
- 2.2 Load. The District and the County agree that any and all Access Points specifically identified herein or as may be additionally set forth in the Ridge Road Extension plans and this Agreement, will be a minimum of HS-20 load weight, or Equivalent Single Axle Load (ESAL) set forth by the Florida Department of Transportation (FDOT) in measurements equivalent or superior to HS-20 load weight, which load weight is sufficient to accommodate District vehicles and District land management equipment.
- 2.3 Relocation. If the County or the Florida Department of Transportation, (FDOT) requires any of the Access Points identified herein to be relocated, or if the road right-of-way is widened or relocated, the Access Points will be established at locations acceptable to the District. The relocations must be agreed to in writing by the Parties. The relocated Access Points and turnouts will be constructed in accordance with the same load requirements or equivalent ESAL set forth in subparagraph 2.2, above.
- 2.4 Access Easements. The County agrees to prepare and deliver to the District, either prior to execution of this Agreement or simultaneously herewith, adequate easements to ensure the District's access to and unencumbered use of the Access Points at STA 158 and STA 214. The easement at STA 158 will ensure District access to and unencumbered use of the road network on the south side of the right-of-way in the vicinity of Station 158+00 and Pond 8.

2.5 Existing Roads. The County specifically acknowledges and agrees herein that the District shall have continued use and unlimited access to the road network located at the south side of the Access Point STA 158 as set forth in Condition 2.4, above.

3. **Fencing**. At the County's sole cost and expense, the County agrees to install and perpetually maintain, adequate chain link fence along the District's property boundary on both the north and south sides of the road right-of-way that include gates at the Access Point described in subparagraph 2.1. The County agrees to consult with the District's Land Management staff to develop a fence layout that is mutually acceptable the Parties. Upon completion of installation of the fence, the Parties will jointly inspect the installation. The County agrees to repair or replace any portions of the fence found during the inspection to be inadequately installed.
4. **Fire Lines**. At the County's sole cost and expense, the County agrees to clear a distance 30 feet in width and disc new fire lines a minimum of 15 feet in width, outside of the road right-of-way, along the District's property boundary on both the north and south sides of the road right-of-way. The District will provide the County the necessary right of access to conduct these activities. The District will maintain the fire lines following the County's initial clearing and discing.
5. **Landscaping**. The County agrees that any and all landscaping installed as part of the Ridge Road Extension will be native to the area will not include species on the current Florida Exotic Pest Plant Council's category 1 or 2 Invasive Plant Species Lists, or any similar list promulgated by a successor to the Council, to prevent the encroachment of invasive, exotic plant species into the District's Serenova Tract. At the County's sole cost and expense, the County agrees to regularly maintain the road right-of-way, including mowing, and the treatment and removal of any invasive, exotic plant species growing within the road right-of-way.
6. **Stormwater Pond Gates**. At the County's sole cost and expense, the County will install and maintain 16-foot wide gates at each stormwater pond location that will allow occasional access to the Serenova Tract to conduct activities such as emergency wildfire response. The County agrees to allow the District to place its own locks on the stormwater pond access gates.
7. **District Costs**. The County will be responsible for any costs incurred by the District as a result of the County's activities conducted pursuant to this Agreement. The District will invoice the County for any such costs and the County will pay the District within 30 days of the invoice date. If the District has determined that the County has adversely impacted District property not included in the road right-of-way the County will restore the property impacted by its activities to the same condition as existed prior to the impact. All restoration will be completed at the County's sole cost and expense. If construction of the Ridge Road Extension is

permanently terminated, halted or abandoned for any reason whatsoever, this Agreement will immediately terminate, and the County will restore the property impacted by its activities to the same condition as existed prior to this Agreement and record documents necessary to convey the property to the District.

8. **Construction.** The County and its Contractor will be responsible for their own equipment and supplies during construction of the Ridge Road Extension. The County will provide vehicle and heavy equipment crossings and related signage at the crossings indicating that the location is a construction area. The County will ensure that silt screen will be installed in a manner that allows vehicle access to occur without damage to the silt screen. The County will ensure that AECOM, its engineering contractor for the Ridge Road Extension, or its successor, supplies the District's Land Manager and Field Operations Manager with weekly construction updates including a Gantt Chart and timeline updates during construction.
9. **Liability Insurance.** The County is a political subdivision of the State of Florida. It may be fully insured or self-insured for liability coverage. The County must maintain in force during the entire term of this Agreement, general liability and vehicle liability coverage, and workers' compensation benefits in accordance with Chapter 440, Florida Statutes, (F.S.).
 - 9.2 The County agrees to provide documentation to the District from its insurance carrier, or on County letterhead, that the above insurance is in effect for the full term of this Agreement.
 - 9.3 The District must receive 30 days prior written notice of any material change, cancellation or claim that would affect the required coverage.
 - 9.4 Certificates of insurance verifying general liability, vehicle liability and workers' compensation and any other line of coverage specifically relevant to the Agreement are required from any contractor or subcontractor who performs services for the County pursuant to this Agreement.
10. **Emergency Response Activities.** The District, together with the Florida Forest Service, must have access across and along the road right-of-way to respond to wildfires or other emergency situations. Remediation of impacts to the County's construction schedule, to the County's improvements located within the road right-of-way, or facilities for which the County is responsible for maintaining, from damage or destruction resulting from emergency response activities will not be the responsibility of the District or other agencies assisting in the response.

11. **Trail Access.** The District will close recreational trails impacted by the Ridge Road Extension during and after construction, and post notifications of the trail closures at kiosks and on the District's recreational webpage for the Serenova Preserve. The District and its contractors will retain access during construction activities and continue along existing land management roads and the established Access Points.
12. **Liability.** The County and the District agree to indemnify and hold the other harmless, to the extent allowed under Section 768.28, F.S., from all claims, loss, damage and expense, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of the indemnifying party's officers, employees, contractors and agents related to its performance under this Agreement. Each Party will have the right to approve counsel selected by the other. This provision does not constitute a waiver of either party's sovereign immunity or extend either Party's sovereign immunity or extend either Party's liability beyond the limits established in Section 768.28, F.S. Additionally, this provision will not be construed to impose contractual liability on either Party for underlying tort claims as described above beyond the limits specified in Section 768.28, F.S. This provision will survive the expiration or termination of this Agreement.
13. **Notices.** All notices required by this Agreement will be deemed to have been properly given (i) upon delivery, if delivered in person or by facsimile transmission with receipt acknowledged by the recipient thereof, (ii) one business day after having been deposited for overnight delivery with any reputable overnight courier service, or (iii) three business days after having been deposited in any post office or mail depository regularly maintained by the U.S. Postal Service and sent by certified mail, postage prepaid, return receipt requested, addressed as follows:

As to the County:

Attn: Dan Biles
Pasco County Administrator
8731 Citizens Drive
New Port Richey, FL 34654
pcadmin@pascocountyfl.net

Sam Beneck
Senior Project Manager
5418 Sunset Road
New Port Richey, FL 34652
sbeneck@pascocountyfl.net

As to the District:

Attn: Jerry Mallams
(352)796-7211
Operations and Land Management Bureau Chief
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899
jerry.mallams@swfwmd.state.fl.us

This provision shall survive the termination or expiration of this Agreement.

14. **Term of Agreement.** This Agreement will be effective when the last party has executed the Agreement (Effective Date) and will continue in effect for so long as the District is required to maintain the Serenova Tract for conservation or mitigation purposes. If the County fails to perform any of its obligations under this Agreement the District will provide the County written notice stating the nature of the deficiency and the period of time in which the County may cure the deficiency. If the County fails to cure the deficiency within the specified timeframe the District may remediate the deficiency or perform such activities as may be necessary to correct the deficiency. The County will be liable for all costs incurred by the District in remediating or correcting the deficiency. The District will invoice the County for any such costs and the County will pay the District within 30 days of the invoice date. This provision is intended to apply to each instance in which the County may fail to perform an obligation under this Agreement and the District's failure to enforce any individual failure to perform by the County does not constitute a waiver of the District's right to enforce any subsequent failure to perform by the County. This provision is supplemental to any other remedies available to the District either at law or in equity as a result of the County's failure to perform under this Agreement. This provision will survive the expiration or termination of this Agreement.
15. **Attorneys' Fees.** Should either party employ an attorney or attorneys to enforce

any of the provisions of this Agreement, or to protect its interest in any matter arising under this Agreement, or to recover damages for breach of this Agreement, the party prevailing is entitled to receive from the other party all reasonable costs, charges and expenses, including attorneys' fees, expert witness fees, fees and costs on appeal, and the cost of paraprofessionals working under the supervision of an attorney, expended or incurred in connection therewith, whether resolved by out-of-court settlement, arbitration, pre-trial settlement, trial or appellate proceedings.

16. **Assignment.** The County may not assign any of its rights or delegate any of its obligations under this Agreement without the prior written consent of the District. If the County assigns its rights or delegates its obligations under this Agreement without the District's prior written consent, such attempted assignment or delegation is void.
17. **Governing Law.** This Agreement is governed by Florida law and venue for resolving disputes under this Agreement shall be in Hernando County, Florida. This provision shall survive the termination or expiration of this Agreement.
18. **Severability.** If any provision or provisions of this Agreement are held to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions will not in any way be affected or impaired thereby. This provision will survive the termination or expiration of this Agreement.
19. **Amendments.** Amendments to this Agreement may only be made by a writing signed by both Parties. No amendment or waiver of any provision of this Agreement, nor consent to any departure therefrom will in any event be effective unless the same is in writing and signed by both Parties, and then such waiver or consent will be effective only in the specific instance and for the specific purpose for which given.
20. **Public Records Requirements.** The Parties acknowledge that this Agreement and any files, papers, materials, publications, presentations, electronic material, computer discs or information stored in any other data storage medium or developed during the performance of this Agreement may be subject to the Public Records Act unless exempt under the Act.
21. **Headings.** Paragraph headings are provided as an organizational convenience and are not meant to be construed as material provisions of this Agreement.

22. **Entire Agreement.** This Agreement and the attached exhibit(s) constitute the entire understanding between the Parties.

23. **Exhibits.** The following documents are attached and made a part of this Agreement.

- Exhibit A - Serenova Tract
- Exhibit B - Right-of-Way Depiction
- Exhibit C - Duke Transmission Corridor (STA 137)
- Exhibit D - STA 158 Access
- Exhibit E - STA 214 Access
- Exhibit F - Cone Pit (STA 237)

[SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties hereto, or their lawful representatives,
executed this Agreement on the day and year set forth above.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Brian Starford
Operations, Lands and Resource
Monitoring Director

Approved as to Legal Form and Content

Karen E. West, General Counsel

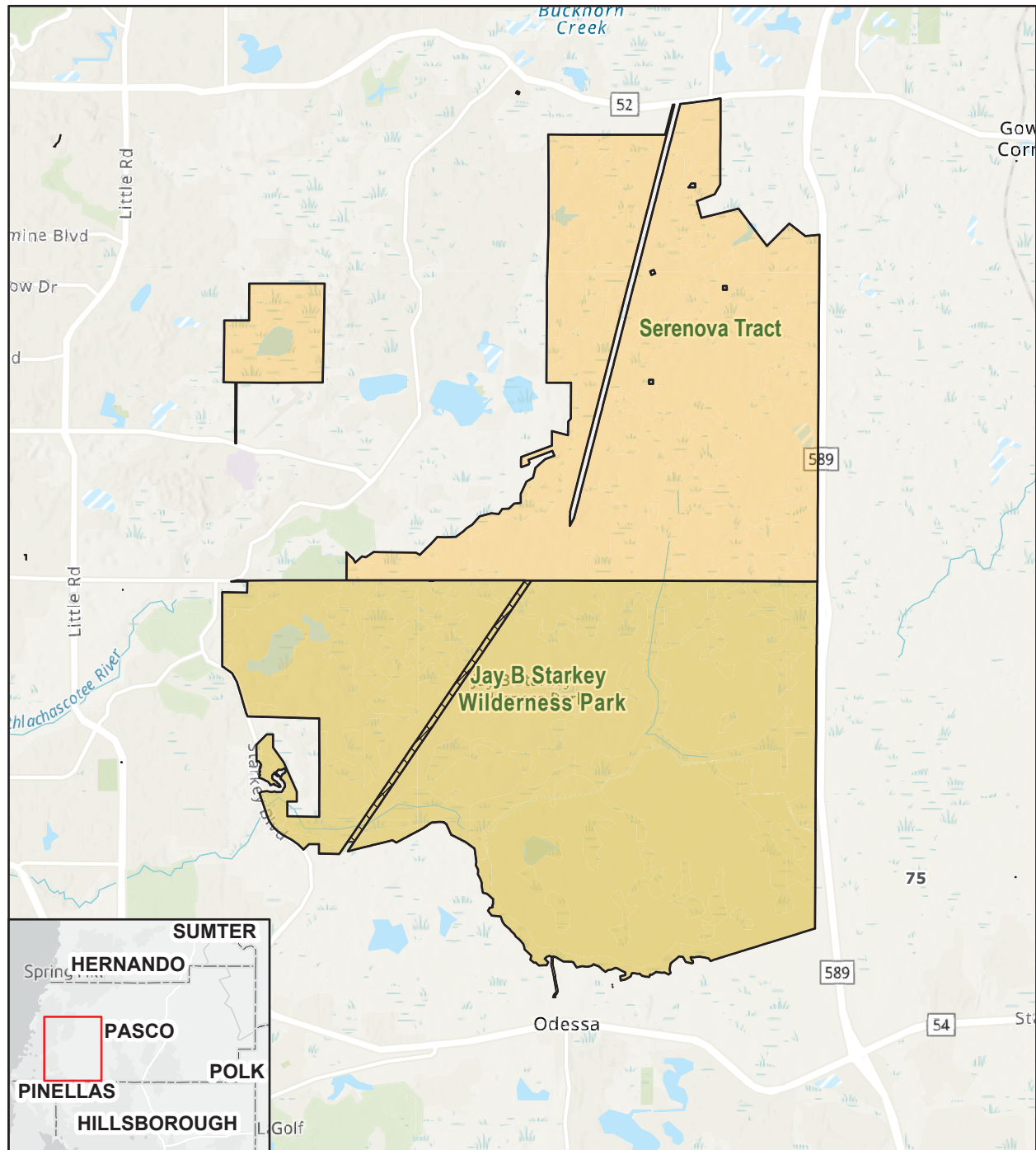
ON BEHALF OF THE
BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: _____
Dan Biles
Pasco County Administrator

Approved as to Legal Form and Content

Karen A. Lloyd, Assistant County
Attorney

Exhibit A
 Conveyance of Fee Interest for the Ridge Road Right-of-way, Pasco County, FL, SWF Parcel
 Numbers 15-705-107S and 15-705-108P



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- District-owned Fee Simple
- District Easements

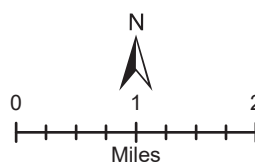
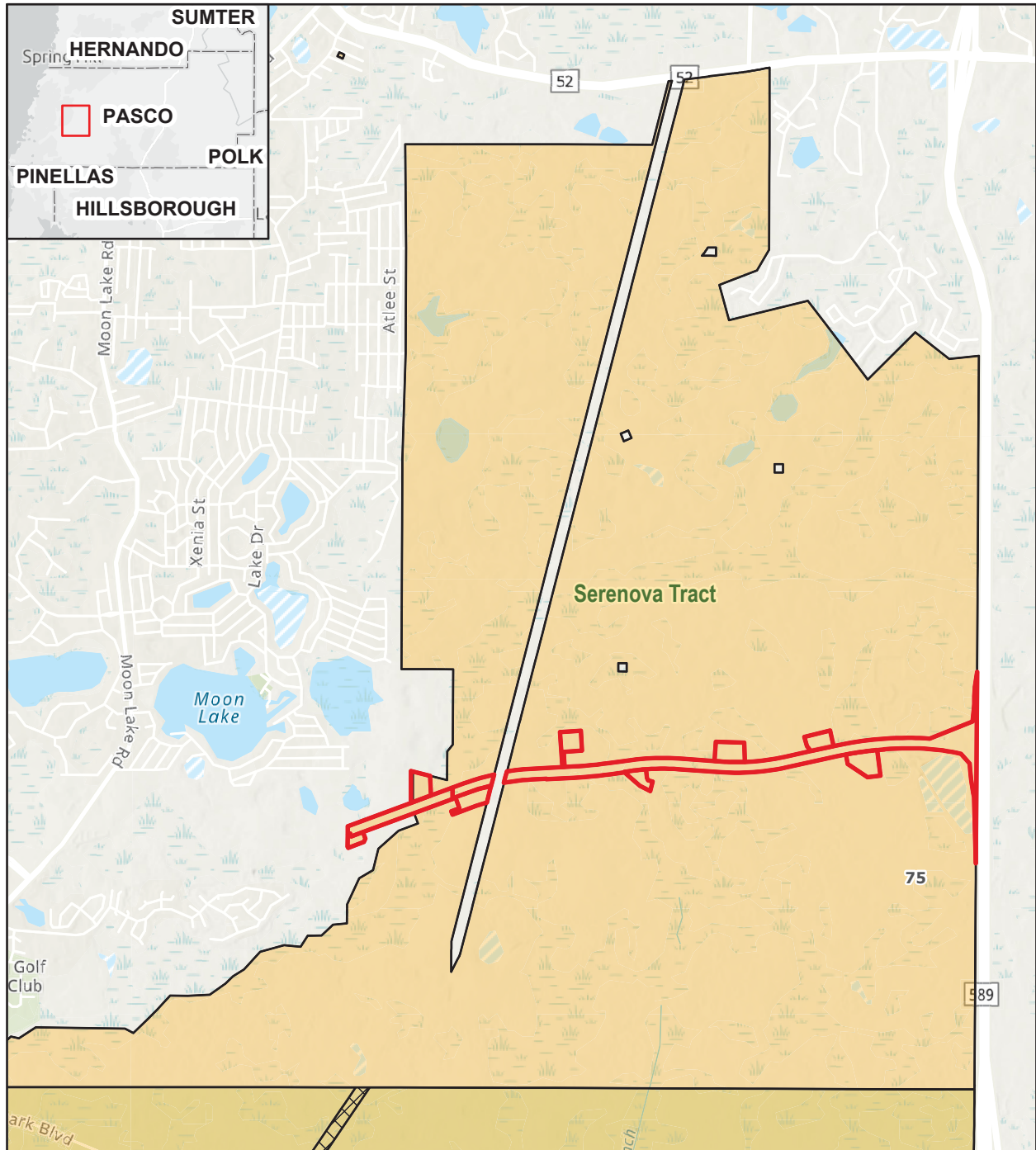


Exhibit B
Ridge Road Extension
Right-of-Way Depiction



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- Ridge Road Extension Right-of-Way
- District-owned Fee Simple
- District Easements

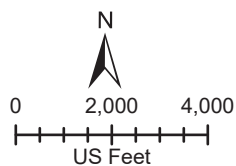
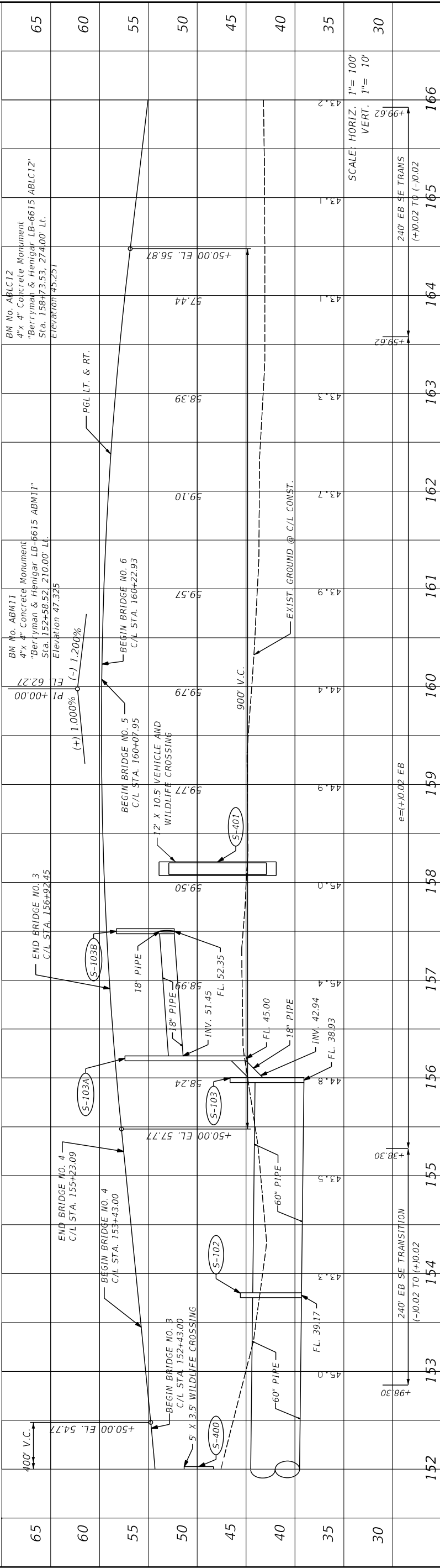
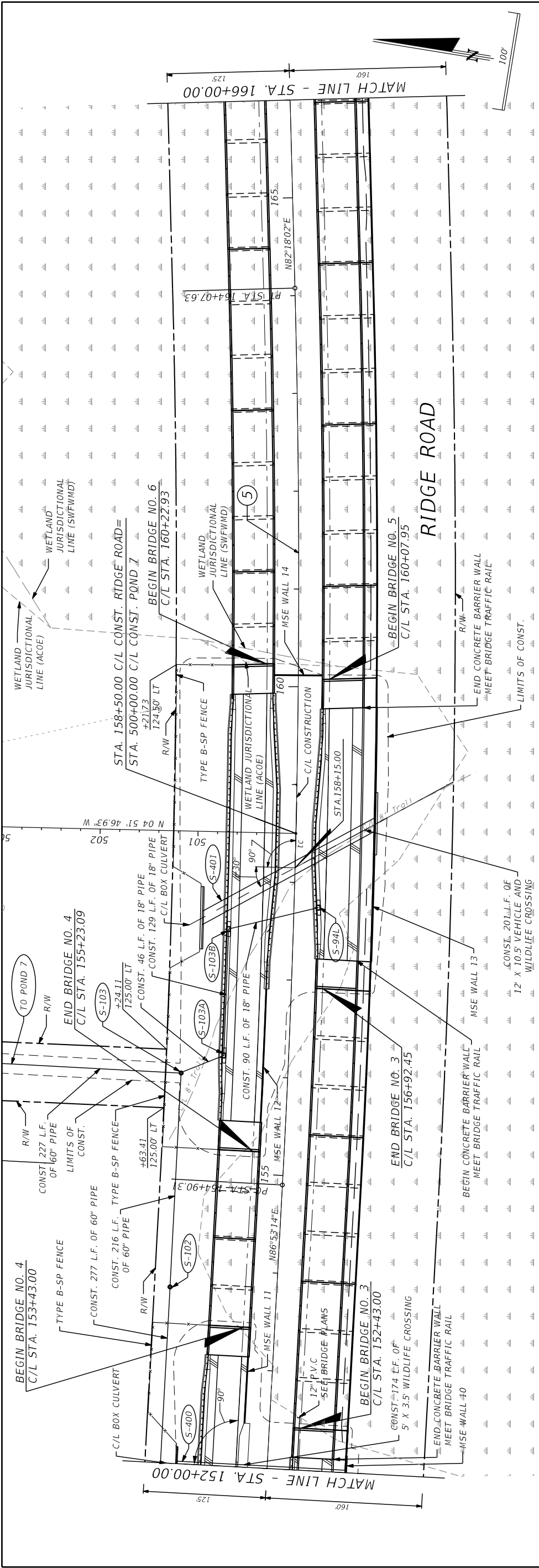




Exhibit D
Ridge Road Extension
STA 158 Access

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.005, F.A.C.



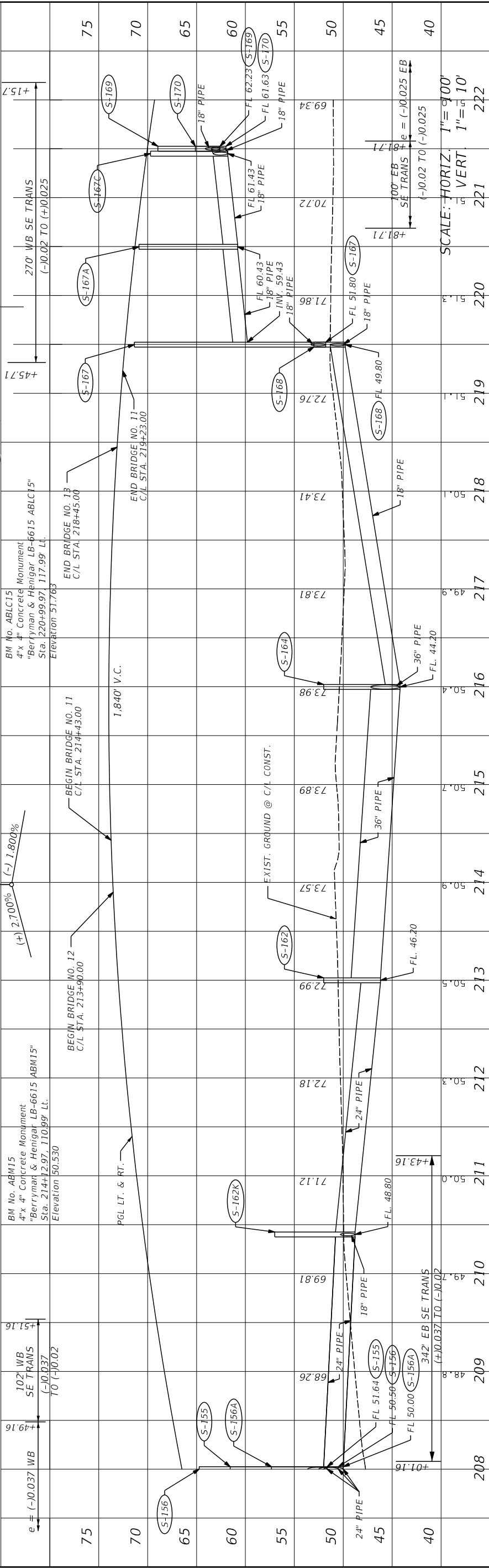
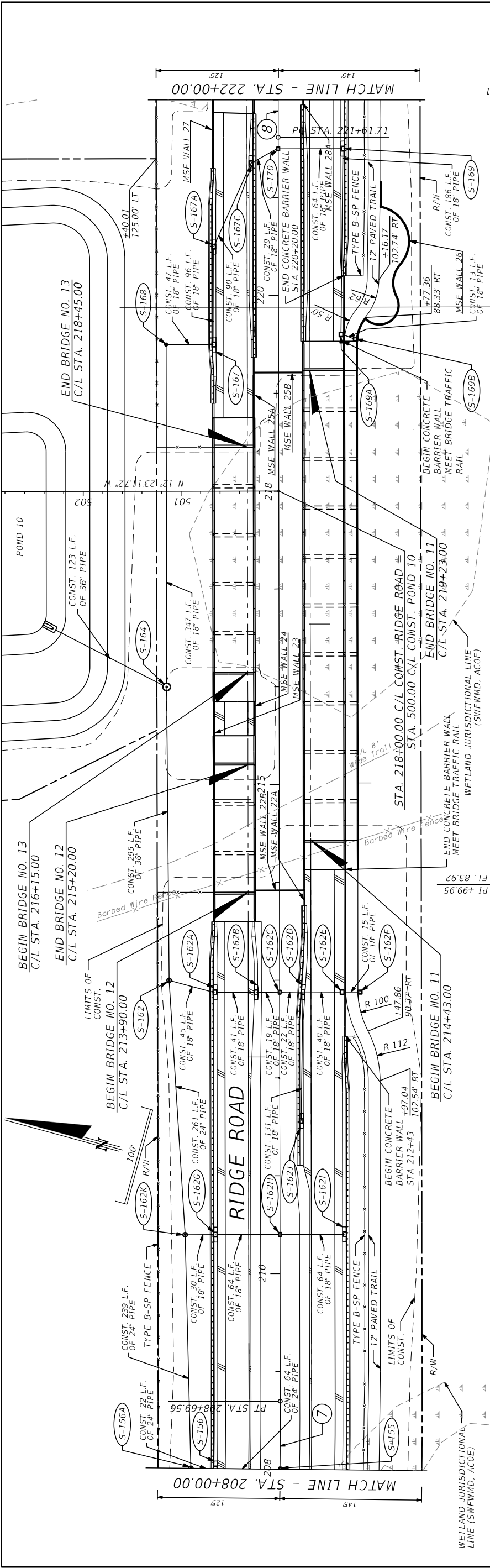
PLAN / PROFILE				SHEET NO.	
(22)					
PASCO COUNTY, FLORIDA					
ROAD NO. CR-524					
COUNTY PROJECT NUMBER C 6686.20					

1/24/2019 1:46:52 PM n:\06724_2017\Phase 1\Roadway\Plan122.dwg

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

Exhibit E
Ridge Road Extension
STA 214 Access

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.005, F.A.C.



REVISIONS				PLAN / PROFILE (26)				SHEET NO.
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	DESCRIPTION	
Thomas J Montgomery, PE No. 35008 NW5 Inc 1713 S. Kings Ave. Brandon, FL 33511 Certificate of Authorization No. 29065				PASCO COUNTY, FLORIDA ROAD NO. CR-524 COUNTY PROJECT NUMBER C 6686.20				

4/24/2019 1:47:06 PM Q:\9624_2017\Phase 1\Roadway\Plp126.dgn patten.som

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



Exhibit 4

AMENDMENT TO TEMPORARY LICENSE AGREEMENT BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND PASCO COUNTY

THIS AMENDMENT TO TEMPORARY LICENSE AGREEMENT, (Amendment), is made and entered into by and between the Southwest Florida Water Management District, a public corporation (District), having an address of 2379 Broad Street, Brooksville, FL 34604-6899, and Pasco County, Florida, a political subdivision of the State of Florida, through its Board of County Commissioners,(County), having an address of 37918 Meridian Avenue, Dade City, Florida 33525, collectively referred to as the "Parties".

WHEREAS, the District and the County entered into a Temporary License Agreement (Agreement) authorizing certain clearing and grubbing activities to occur within a limited portion of the Ridge Road Extension right-of-way on the District's Serenova Tract; and

WHEREAS, pursuant to paragraph 9., of the Agreement the original term of the Agreement will expire on March 24, 2020; and

WHEREAS, the District and the County wish to amend the Agreement to extend the term of the Agreement and to allow the clearing and grubbing activities to occur within the entire Ridge Road Extension right-of-way.

NOW THEREFORE, in consideration of the mutual terms, covenants, and conditions set forth herein, the Parties hereby agree as follows:

1. **Recitals**. The above recitals are true and correct and incorporated herein by this reference, including the referenced Exhibits.
2. Paragraph 2. of the Agreement, **District Responsibilities**, is hereby amended to allow the County and its Contractor access to the entire Ridge Road Extension right-of-way, owned by the District, as shown on the construction plan sheets attached to and incorporated in the Agreement as Exhibit D to conduct clearing and grubbing activities. All other provisions of Paragraph 2. of the Agreement remain in full force and effect.

3. Paragraph 9. of the Agreement, **Term of Agreement; Termination**, is hereby amended to extend the term of the Agreement until April 28, 2020. All other provisions of Paragraph 9. of the Agreement remain in full force and effect.
4. The District and the County agree that all other terms and conditions of the TEMPORARY LICENSE AGREEMENT BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND PASCO COUNTY not modified by this Amendment will remain full force and effect and binding upon the Parties.

IN WITNESS WHEREOF, the Parties hereto, or their lawful representatives, executed this Agreement on the day and year set forth above.


SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: 
Brian Starford
Operations, Lands and Resource
Monitoring Director
Date: 3/24/2020


Approved as to Legal Form and Content


Karen E. West, General Counsel

ON BEHALF OF THE
BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: 
Dan Biles
Pasco County Administrator
Date: 3-24-2020

Approved as to Legal Form and Content


Karen A. Lloyd, Assistant County
Attorney

**TEMPORARY LICENSE AGREEMENT
BETWEEN
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
PASCO COUNTY**

THIS TEMPORARY LICENSE AGREEMENT, (Agreement), is made and entered into by and between the Southwest Florida Water Management District, a public corporation (District), having an address of 2379 Broad Street, Brooksville, FL 34604-6899, and Pasco County, Florida, a political subdivision of the State of Florida, through its Board of County Commissioners,(County), having an address of 37918 Meridian Avenue, Dade City, Florida 33525, collectively referred to as the "Parties".

WHEREAS, the District holds fee title to certain real property located within Pasco County, Florida, referred to as the Serenova Tract and depicted in Exhibit A, attached hereto; and

WHEREAS, the County, in accordance with its Comprehensive Plan and existing agreements, intends to construct a roadway known as the Ridge Road Extension; and

WHEREAS, the Ridge Road Extension bisects the Serenova Tract as shown in Exhibit B, attached hereto; and

WHEREAS, in 1997 the District and the County entered into an agreement entitled AGREEMENT BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND PASCO COUNTY RELATING TO RIDGE ROAD, attached hereto as Exhibit C, (1997 Agreement); and

WHEREAS, Section 10 of the 1997 Agreement provides that upon notification by the County to the District that design and construction of the extension of Ridge Road has been programmed and approved by the Board of County Commissioners, that all conditions precedent to the road's construction have been met, and that all other contingencies required by the 1997 Agreement have been met, among other things, that the District will convey the necessary right-of-way to the County within 90 days of such notification by the County; and

WHEREAS, the County notified the District by letter dated February 18, 2020, received by the District February 24, 2020, that the conditions of the 1997 Agreement have been met and requesting that District staff recommend to the Governing Board within the next 90 days the execution and delivery of a deed(s) to the County of the road right-of-way; and

WHEREAS, the District intends to proceed in compliance with the 1997 Agreement; and

WHEREAS, the County subsequently notified the District that its contractor has completed clearing and grubbing work on portions of the Ridge Road Extension right-of-way that abut the District's property ahead of schedule; and

WHEREAS, the County wishes to avoid the expense associated with its Contractor sitting idle and has requested this Agreement to allow its Contractor to proceed with clearing and grubbing activities on the District's property within the road right-of-way to be conveyed to the County pursuant to the 1997 Agreement prior to completion of the conveyance; and

WHEREAS, the District must conduct land management activities on the Serenova Tract, north and south of the road right-of-way, during construction requiring access across and along the road right-of-way; and

WHEREAS, the District agrees to assist the County by granting this request.

NOW THEREFORE, in consideration of the mutual terms, covenants, and conditions set forth herein, the Parties hereby agree as follows:

1. **Recitals**. The above recitals are true and correct and incorporated herein by this reference, including the referenced Exhibits.
2. **District Responsibilities**. The District agrees to allow the County and its Contractor access to the Ridge Road Extension right-of-way, west of the Duke Energy transmission line corridor, as shown on the construction plan sheets attached hereto and incorporated herein as Exhibit D to conduct clearing and grubbing activities. The District will close recreational trails impacted by the construction activities and post notifications of the trail closures at kiosks and on the District's recreational webpage for the Serenova Preserve. The District and its contractors will retain access during the activities authorized by this Agreement. District access will continue along existing land management roads and the transmission line corridor.
3. **Emergency Response Activities**. The District, together with the Florida Forest Service, must have access across and along the road right-of-way to respond to wildfires or other emergency situations. Remediation of impacts to the County's

construction schedule or activities resulting from emergency response activities will not be the responsibility of the District or other agencies assisting in the response.

4. **County Responsibilities.** The County and its Contractor will be responsible for their own equipment and supplies. The County will provide vehicle and heavy equipment crossings and related signage at the crossings identified in Exhibit E, attached hereto and incorporated herein by this reference, indicating that the location is a construction area. The County will ensure that silt screen will be installed in a manner that allows vehicle access to occur without damage to the silt screen. The County will ensure that AECOM, its engineering contractor for the Ridge Road Extension, supplies the District's Land Manager and Field Operations Manager with weekly construction updates and a Gantt Chart and timeline updates during construction. The County will ensure compliance with all applicable permits and related conditions during the terms of this Agreement.

5. **Liability Insurance.** The County is a political subdivision of the State of Florida. It may be fully insured or self-insured for liability coverage. The County must maintain in force during the entire term of this Agreement, general liability and vehicle liability coverage, and workers' compensation benefits, with coverages as follows:

5.1 Liability insurance on forms no more restrictive than the latest edition of the Commercial General Liability policy (CG 00 01) of the Insurance Services Office without restrictive endorsements, or equivalent, with the following minimum limits and coverage:

Per occurrence.....\$1,000,000

5.2 Vehicle liability insurance, including owned, non-owned and hired autos with the following minimum limits and coverage:

Bodily Injury Liability per Person..... \$100,000
 Bodily Injury Liability per Occurrence..... \$300,000
 Property Damage Liability..... \$100,000

- or -

Combined Single Limit..... \$500,000

5.3 Workers' Compensation insurance in accordance with Chapter 440, Florida Statutes.

- 5.4 The County agrees to provide documentation to the District from its insurance carrier, or on County letterhead, that the above insurance is in effect for the full term of this Temporary License Agreement.
- 5.5 The District must receive 5 days prior written notice of any material change, cancellation or claim that would affect the required coverage.
- 5.6 Certificates of insurance verifying general liability, vehicle liability and workers' compensation and any other line of coverage specifically relevant to the Agreement are required from any contractor or subcontractor who performs services for the County pursuant to this Agreement.
6. **Cost.** The County will be responsible for any costs incurred by the District as a result of the County's activities conducted pursuant to this Agreement. The District will invoice the County for any such costs and the County will pay the District within 30 days of the invoice date. This provision will survive the termination or expiration of this Agreement.
7. **Liability.** The County agrees to indemnify and hold the District harmless, to the extent allowed under Section 768.28, F.S., from all claims, loss, damage and expense, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of the indemnifying party's officers, employees, contractors and agents related to its performance under this Agreement. The District will have the right to approve counsel selected by the County. This provision does not constitute a waiver of either party's sovereign immunity or extend either party's sovereign immunity or extend either party's liability beyond the limits established in Section 768.28, F.S. Additionally, this provision will not be construed to impose contractual liability on either party for underlying tort claims as described above beyond the limits specified in Section 768.28, F.S. This provision will survive the expiration or termination of this Agreement.
8. **Notices.** All notices required by this Agreement will be deemed to have been properly given (i) upon delivery, if delivered in person or by facsimile transmission with receipt acknowledged by the recipient thereof, (ii) one business day after having been deposited for overnight delivery with any reputable overnight courier service, or (iii) three business days after having been deposited in any post office or mail depository regularly maintained by the U.S. Postal Service and sent by certified mail, postage prepaid, return receipt requested, addressed as follows:

As to the County:

Attn: Dan Biles
Pasco County Administrator
8731 Citizens Drive
New Port Richey, FL 34654
pcadmin@pascocountyfl.net

Sam Beneck
Senior Project Manager
5418 Sunset Road
New Port Richey, FL 34652
sbenck@pascocountyfl.net

As to the District:

Attn: Jerry Mallams
(352)796-7211
Operations and Land Management Bureau Chief
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899
jerry.mallams@swfwmd.state.fl.us

This provision shall survive the termination or expiration of this Agreement.

9. **Term of Agreement; Termination.** This Agreement will be effective when the last party has executed the Agreement (Effective Date) and will continue in effect until March 24, 2020 unless sooner terminated by either party giving 5 days prior written notice to the other party. The District may immediately terminate this Agreement or revoke access to the property at any time if it determines that the County or its Contractor has violated any of the terms of this Agreement, exceeded the scope of work authorized herein, or adversely impacted District property not included in the road right-of-way. If the District terminates this Agreement because it has determined that the County has adversely impacted District property not included in the road right-of-way the County will restore the property impacted by its activities to the same condition as existed prior to this Agreement. Such restoration will be completed at the County's sole cost and expense. If construction of the Ridge Road Extension is permanently terminated, halted or abandoned for any reason whatsoever, this Agreement will immediately terminate, and the County will restore the property impacted by its activities to the same condition as existed prior to this Agreement. Such restoration will be completed at the County's sole cost and expense.
10. **Assignment.** The County may not assign any of its rights or delegate any of its obligations under this Agreement without the prior written consent of the District. If the County assigns its rights or delegates its obligations under this Agreement

without the District's prior written consent, such attempted assignment or delegation is void and the District is entitled to terminate this Agreement. If the District terminates this Agreement in accordance with this paragraph, the termination is effective as of the date of the assignment or delegation and the County will restore the property impacted by its activities to the same condition as existed prior to this Agreement. Such restoration will be completed at the County's sole cost and expense. Any termination is without prejudice to the District's claim for damages.

11. **Governing Law.** This Agreement is governed by Florida law and venue for resolving disputes under this Agreement shall be in Hernando County, Florida. This provision shall survive the termination or expiration of this Agreement.
12. **Severability.** If any provision or provisions of this Agreement are held to be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions will not in any way be affected or impaired thereby. This provision will survive the termination or expiration of this Agreement.
13. **Amendments.** Amendments to this Agreement may only be made by a writing signed by both Parties. No amendment or waiver of any provision of this Agreement, nor consent to any departure therefrom will in any event be effective unless the same is in writing and signed by both Parties, and then such waiver or consent will be effective only in the specific instance and for the specific purpose for which given.
14. **Public Records Requirements.** The Parties acknowledge that this Agreement and any files, papers, materials, publications, presentations, electronic material, computer discs or information stored in any other data storage medium or developed during the performance of this Agreement may be subject to the Public Records Act unless exempt under the Act.
15. **Headings.** Paragraph headings are provided as an organizational convenience and are not meant to be construed as material provisions of this Agreement.
16. **Entire Agreement.** This Agreement and the attached exhibit(s) constitute the entire understanding between the Parties.

[SPACE INTENTIONALLY LEFT BLANK]

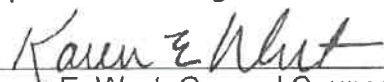
IN WITNESS WHEREOF, the Parties hereto, or their lawful representatives,
executed this Agreement on the day and year set forth above.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: 

Brian Starford
Operations, Lands and Resource
Monitoring Director

Approved as to Legal Form and Content


Karen E. West, General Counsel

ON BEHALF OF THE
BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: 

Dan Biles
Pasco County Administrator

Approved as to Legal Form and Content


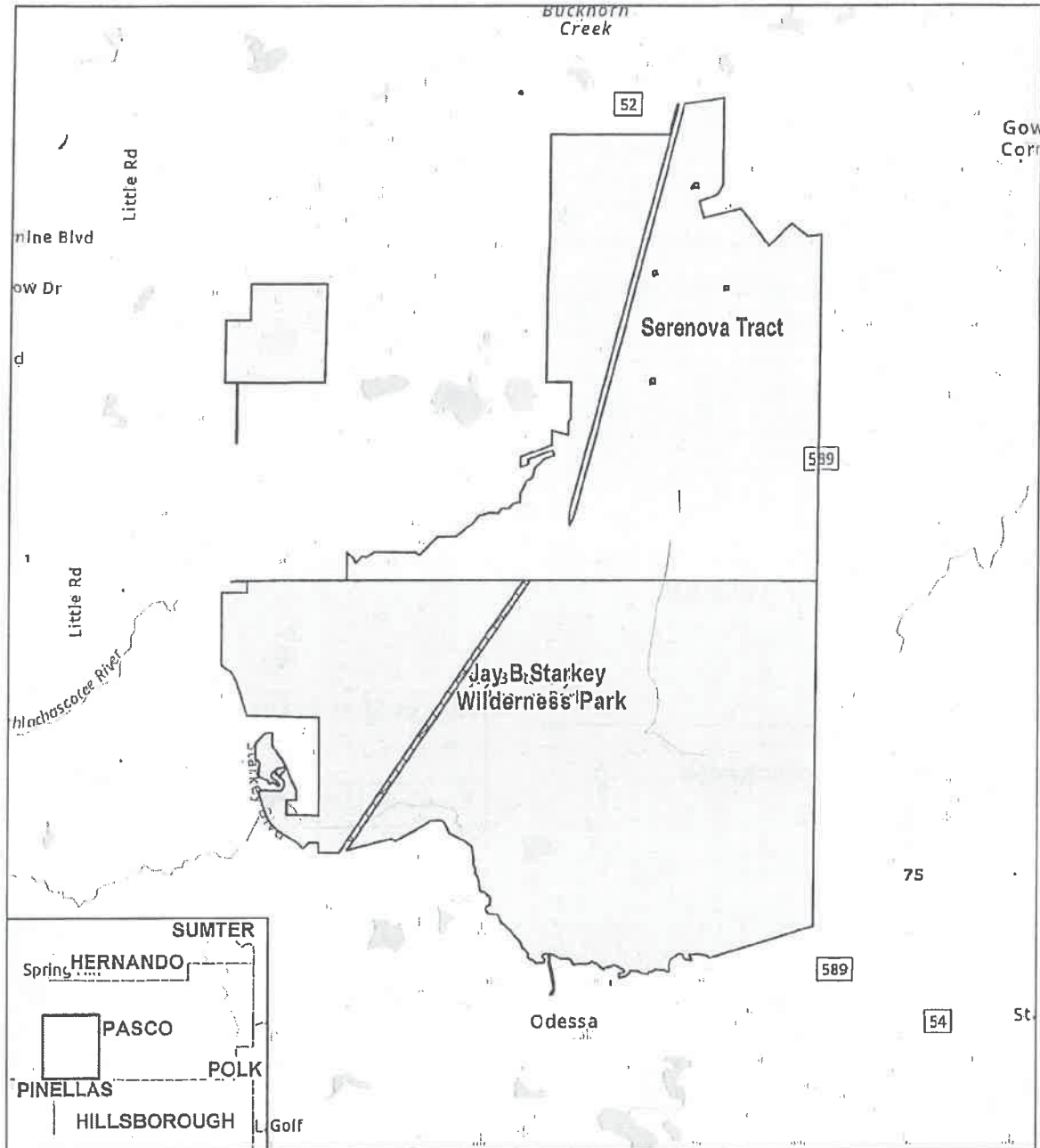
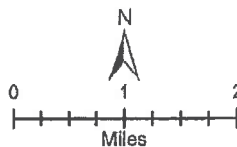

Karen A. Lloyd, Assistant County
Attorney *Senior*

Exhibit A
Ridge Road Extension Temporary License Agreement



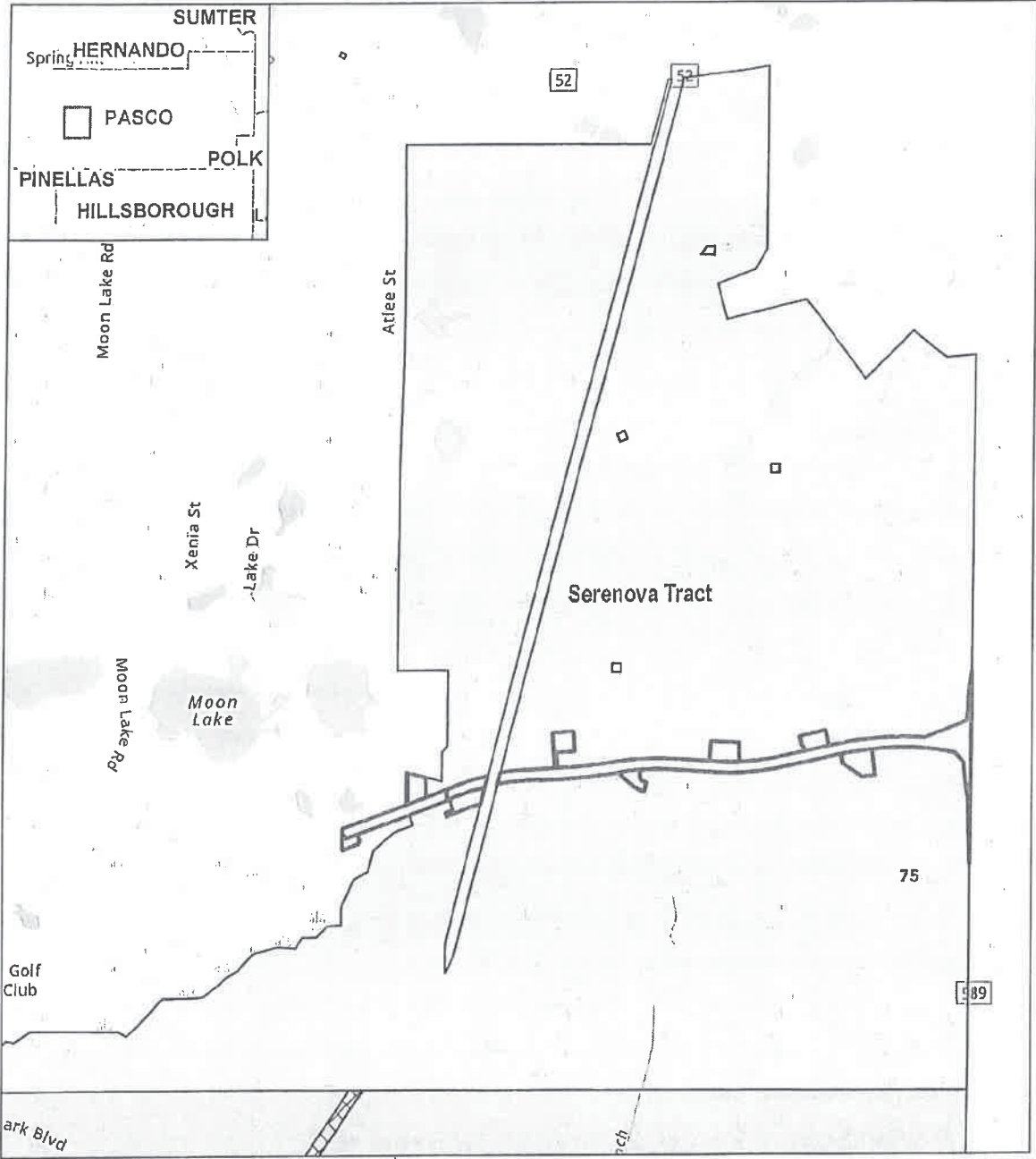
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NIMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- District-owned Fee Simple
- District Easements



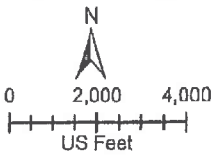
Southwest Florida
Water Management District

Exhibit B
Ridge Road Extension Temporary License Agreement



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodalestyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- Ridge Road Extension Right-of-Way
- District-owned Fee Simple
- District Easements



*Southwest Florida
 Water Management District*

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

Exhibit C
Ridge Road Extension Temporary License Agreement

AGREEMENT

BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT AND PASCO COUNTY RELATING
TO RIDGE ROAD

THIS AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("District") and PASCO COUNTY, a political subdivision of the State of Florida ("County"), by and through its Board of County Commissioners.

W I T N E S S E T H:

WHEREAS, the Florida Department of Transportation (Turnpike District) has purchased or acquired for environmental preservation and mitigation purposes, a certain tract of land hereinafter known as the Serenova property, and generally depicted in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the District has proposed to purchase or acquire for environmental preservation and mitigation purposes a certain tract of land known as the Crockett property and generally depicted in Exhibit "B" attached hereto and incorporated herein; and

WHEREAS, such acquisitions by the District impose significant effects upon the County's tax base, comprehensive planning efforts; and economic development potential; and

WHEREAS, the County, in accordance with its Comprehensive Plan, intends to construct a four-lane thoroughfare roadway known as Ridge Road Extension; and

WHEREAS, the purposes of this Agreement are;

1) to provide assurance to the County that its interests will be fully and appropriately considered by the District in the District's permitting evaluation and mitigation requirements with

at\swf\wmd.rdg

02/17/97

Attachment: Ridge Road Exhibit MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)

Exhibit C
Ridge Road Extension Temporary License Agreement

respect to the proposed extension of Ridge Road from DeCubellis Road to the proposed Suncoast Parkway and the proposed purchase or acquisition of the Serenova tract described herein, it being understood by both parties that the District's permitting criteria will not change because of the existence of this Agreement;

2) to set forth the related commitments and understandings of the District and the County;

3) to secure the District's support for the utilization of the various tracts of land including Serenova and Crockett property for compatible mitigation areas; and

WHEREAS, pursuant to that certain Trustees' Deed recorded in Book 1812, Page 1209, Official Records of Pasco County, Florida, the County on July 18, 1989, obtained certain ownership rights in the real property referred to herein as the Pasco County Acres Property, a portion of which is described in Exhibit "C", attached and incorporated herein, subject to certain reservations in favor of the Grantor; and

WHEREAS, the County has acquired, in fee simple, a parcel of land described in Exhibit "D" which is known as the Water Treatment Plant Site located on the south side of the Serenova property; and

WHEREAS, the District has permitted and the County and the District have jointly funded the construction of a 20" pipeline within the above referenced Serenova tract.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Exhibit C
Ridge Road Extension Temporary License Agreement

Section 1. Recitals. The foregoing recitals are true and correct, and are incorporated herein.

Section 2. Construction of Ridge Road from DeCubellis east to the proposed Suncoast Parkway.

A. The County shall, at its sole cost, procure all necessary regulatory permits, design, and construct a four-lane collector roadway in Pasco County. Construction may be performed in phases and may be initially designed and constructed as a two-lane roadway. This roadway shall connect the existing intersection at Ridge Road and Moon Lake Road to the proposed inter-change at Ridge Road and the North Suncoast Parkway.

B. The County shall provide the District with periodic status updates of the final design of the Ridge Road Extension.

Section 3. Conveyance of District Property to County (Serenova). Contingent upon the acquisition of the Serenova property generally depicted in Exhibit "A" by the District, the District shall:

A. Convey, in fee simple to the County, that portion of the Serenova property necessary for construction of the proposed Ridge Road Extension as a four-lane collector roadway facility including a full interchange with the North Suncoast Parkway within the Serenova property. The minimum right-of-way shall be two hundred and fifty feet (250') unless otherwise agreed upon. The exact limits of the needed right-of-way shown in Exhibit "E" will be determined only after all design has been completed and all permit requirements determined.

B. Convey, by instruments suitable to both parties, all easements necessary for the operation and maintenance of the existing jointly funded reclaimed water transmission main and the existing potable

Exhibit C
Ridge Road Extension Temporary License Agreement

water transmission main within the Serenova property as shown in Exhibit "E".

C. Convey, by an instrument suitable to both parties, all easements necessary for the construction, operation and maintenance of potable water pipelines shown in Exhibit "E" proposed to connect the County's existing well sites to the County's existing potable water transmission pipelines within the Serenova property. The exact location and limits of the needed easements shown in Exhibit "E" will be determined only after all design has been completed and all permit requirements determined.

Section 4. Conveyance of District Property to County (Crockett). In the event that the District purchases or acquires the Crockett property generally depicted in Exhibit "B" by the District, the District shall convey, in fee simple to the County, that portion of the said property needed for construction of the proposed Ridge Road Extension (as shown on Exhibit "E") as an ultimate four-lane collector roadway facility within the Crockett property. The minimum right-of-way width shall be two hundred and fifty feet (250') unless otherwise agreed upon. The exact limits of the right-of-way needed will be determined only after all design has been completed and all permit requirements determined.

Section 5. Conveyance of County Property to SWFWMD. Simultaneous with SWFWMD's conveyance to the County contemplated in Section 3(a) above, the County shall convey by County Deed pursuant to Sections 125.411 and 125.37, Florida Statutes, to SWFWMD all of its rights to the Pasco County Acres Property described in Exhibit "C".

Exhibit C
Ridge Road Extension Temporary License Agreement

Section 6. Exchange of Water Plant Site. The County shall convey, in fee simple to the District, the Water Treatment Plant Site depicted in exhibit "D" which property includes approximately 105 acres of non-jurisdictional uplands and approximately 76 acres of jurisdictional wetlands. Simultaneously, the District shall convey, in fee simple to the County, a mutually acceptable portion of the Serenova property which site shall contain at least 105 acres of contiguous, non-jurisdictional, buildable land; or, in the event the proposed exchange site does not include contiguous lands suitable for the County's purposes, the District shall purchase the Water Treatment Plant site upon terms mutually acceptable to both parties. Applications for any necessary regulatory permit modifications for the North Suncoast Parkway shall be prepared for the Turnpike District by the County.

Section 7. Use of District Lands for Drainage and Mitigation Purposes. The County and the District agree that the District shall provide any and all lands other than the Ridge Road right-of-way conveyed to the County as described above needed for the roadway drainage systems and for any other District ERP permit requirements within the Serenova and Crockett properties, respectively. Surface water treatment and attenuation systems within Serenova shall only be utilized for the Ridge Road Extension within Serenova. Any such systems shall comply with all District permitting rules and regulations. Wetland creation solely for mitigation purposes shall not be permitted within the Serenova property. In addition, so far as such uses are consistent with the District's rules and regulations, the District shall provide any additional lands needed by the County to meet the permitting and/or mitigation requirements of other agencies. Such

Exhibit C
Ridge Road Extension Temporary License Agreement

lands shall be provided, at no cost to the County, through easements, licenses, deed or other instrument acceptable to both parties.

Section 8. Timing of Conveyances.

A. Conveyances for the Ridge Road Extension described in Sections 3(A), 4, and 5 shall occur immediately upon the issuance of all necessary regulatory permits for the construction of Ridge Road Extension.

B. Conveyances for the Ridge Road Interchange described in Section 3(A) shall occur immediately upon the issuance of all necessary regulatory permits for the construction of Ridge Road Interchange.

C. Conveyances described in Sections 3(B) and 6 shall occur upon acquisition of the Serenova property by the District.

D. Conveyances described in Section 3(C) shall occur immediately upon the issuance of all necessary regulatory permits for the proposed potable water pipelines, including any necessary water withdrawal permits.

Section 9. District to Assist County. The District shall cooperate with the County in the project development and environmental permitting activities associated with the County's gaining necessary approvals for the alignment and construction of the proposed extension of Ridge Road.

Section 10. County Notifications to District and Time of Performance. Upon notification by the County to the District that design and construction of the extension of Ridge Road has been programmed and approved by the Board of County Commissioners, and that all conditions precedent to the road's construction have been met, or will be met upon completion of the conveyances described above, and that all other contingencies required by this Agreement have been

Exhibit C
Ridge Road Extension Temporary License Agreement

met, the District and the County agree the conveyances described above shall be completed within 90 days of such notification by the County.

Section 11. Budgetary Provisions Governing County. County's obligation to construct the Ridge Road Extension described in this Agreement shall be contingent upon a suitable appropriation by the Board of County Commissioners of Pasco County.

Section 12. Budgetary Provisions Governing District. The District's obligations pursuant to this Agreement shall be contingent upon a suitable appropriation by the District's Governing Board.

Section 13. Notices. Notices required to be given pursuant to this Agreement shall be provided via certified mail, return receipt requested, to each of the parties at the following addresses:

COUNTY

John J. Gallagher
Pasco County Administrator
7530 Little Road
New Port Richey, Florida 34654

DISTRICT

Fritz H. Musselmann
Land Resources Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34609-6899

Section 14. Modification. No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality, and of equal dignity herewith.

Section 15. Entire Agreement. This Agreement embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein. If any provision is invalid,

Exhibit C
Ridge Road Extension Temporary License Agreement

it shall be considered deleted therefrom, and shall not invalidate the remaining provisions.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: COUNTY through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the ____ day of _____, 199__, and DISTRICT, signing by and through its _____, authorized to execute same.

(S E A L)

ATTEST:

By: *Doreen Schmitt*
JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: *David H. Clark, Jr.*
DAVID H. CLARK, JR., CHAIRMAN

DATE: 03/04/97

WITNESSES:

M. R. Mahajan
M. R. MAHAJAN
Print or Type

J. R. Clark
J. R. CLARK
Print or Type

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: *JR*

Title: LAND RESOURCES DIRECTOR

DATE: FEB. 27, 1997

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

By: *[Signature]*
Attorney

Exhibit C
Ridge Road Extension Temporary License Agreement

LIST OF EXHIBITS

EXHIBIT "A"	SKETCH OF SERENOVA PROPERTY
EXHIBIT "B"	SKETCH OF CROCKETT PROPERTY
EXHIBIT "C"	OLD SUNCOAST ALIGNMENT (PASCO COUNTY ACRES PROPERTY)
EXHIBIT "D"	UTILITY SITE (WATER TREATMENT SITE)
EXHIBIT "E"	WATER TRANSMISSION PIPELINES (SERENOVA PROPERTY), RIDGE ROAD EXTENSION, RIDGE ROAD INTERCHANGE

Exhibit C
Ridge Road Extension Temporary License Agreement

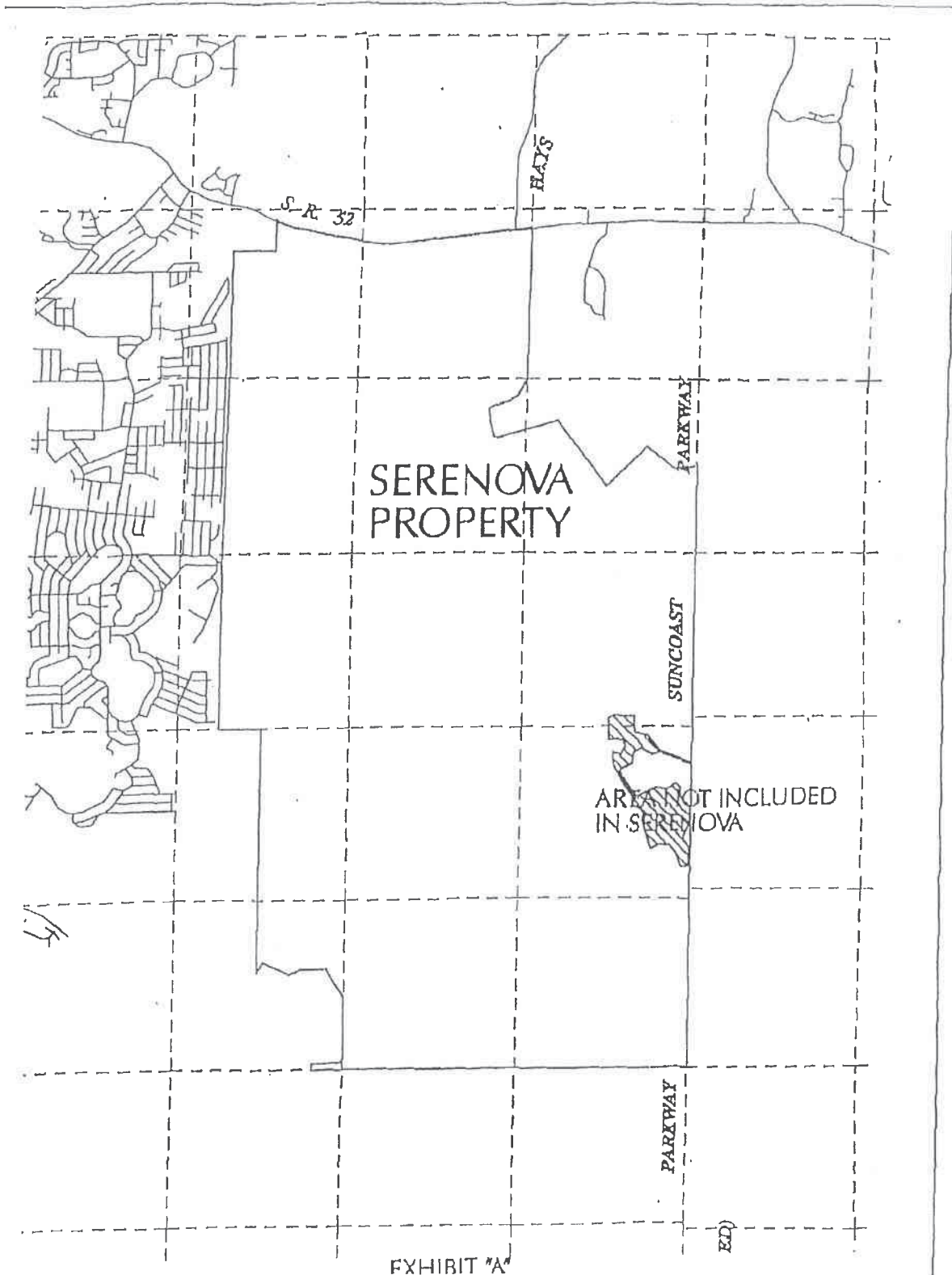


Exhibit C
Ridge Road Extension Temporary License Agreement

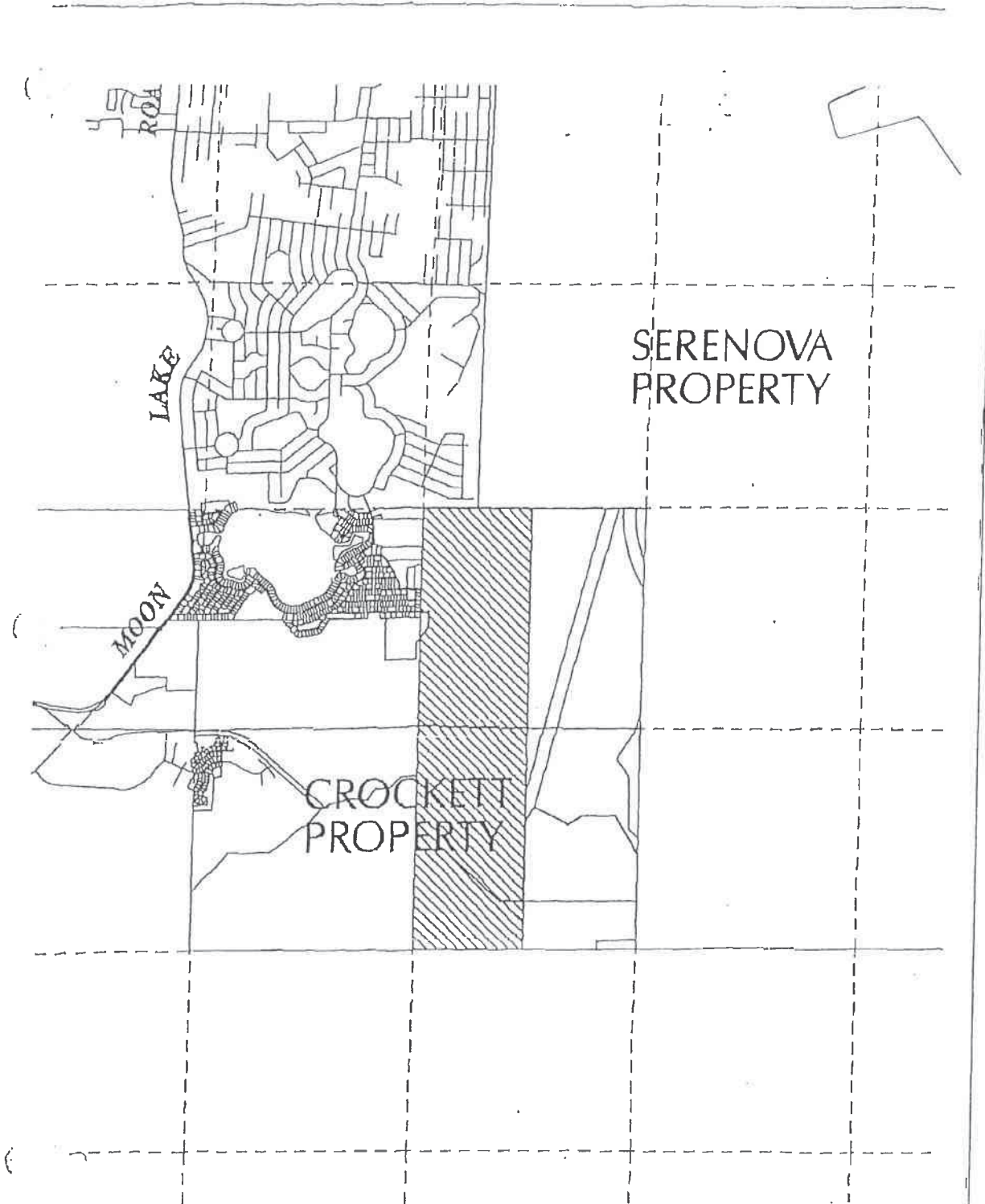


EXHIBIT "B"

The map displays a large central area labeled "SERENOVA PROPERTY". To its west is a hatched area labeled "PASCO COUNTY ACRES PROPERTY". A road labeled "HAYS" runs vertically through the center-right. Another road labeled "C.R. 52" runs horizontally across the top. Two areas are labeled "PARKWAY": one near the top right and another near the bottom right. A small hatched area in the lower right is labeled "AREA NOT INCLUDED IN SERENOVA". The entire map is overlaid with a dashed grid.

Exhibit C
Ridge Road Extension Temporary License Agreement

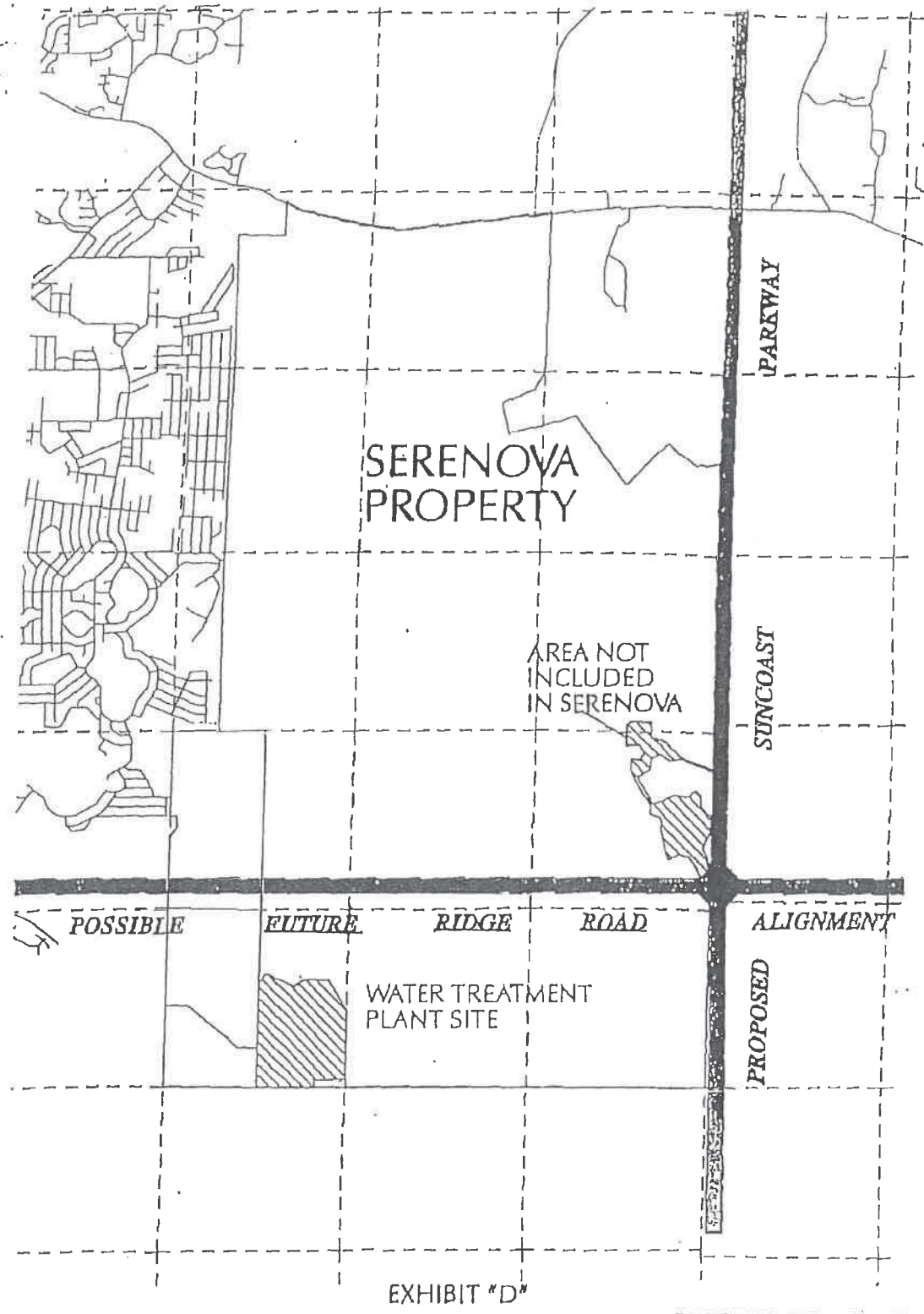


Exhibit C
Ridge Road Extension Temporary License Agreement

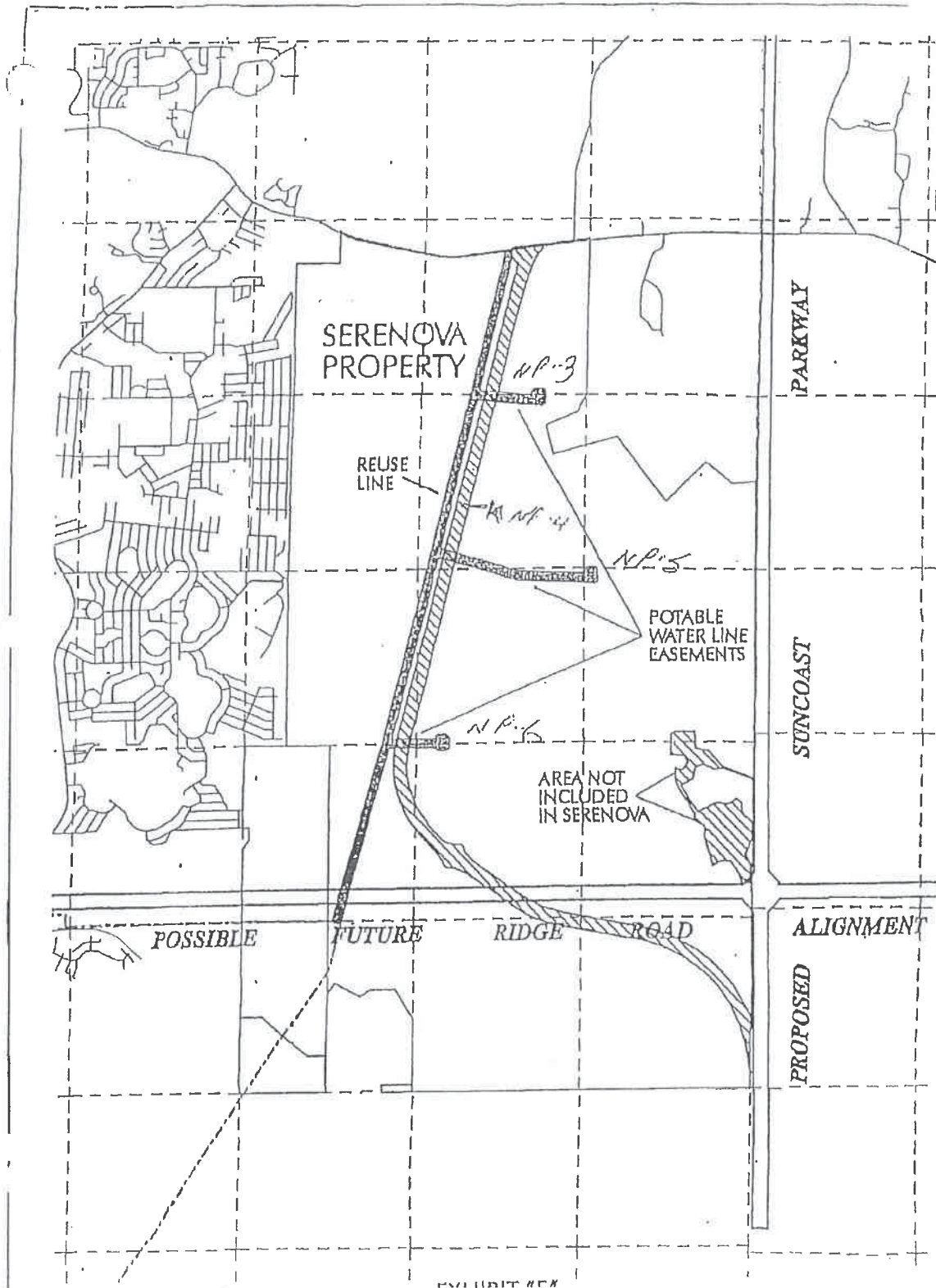


EXHIBIT C

Exhibit D
Ridge Road Extension Temporary License Agreement

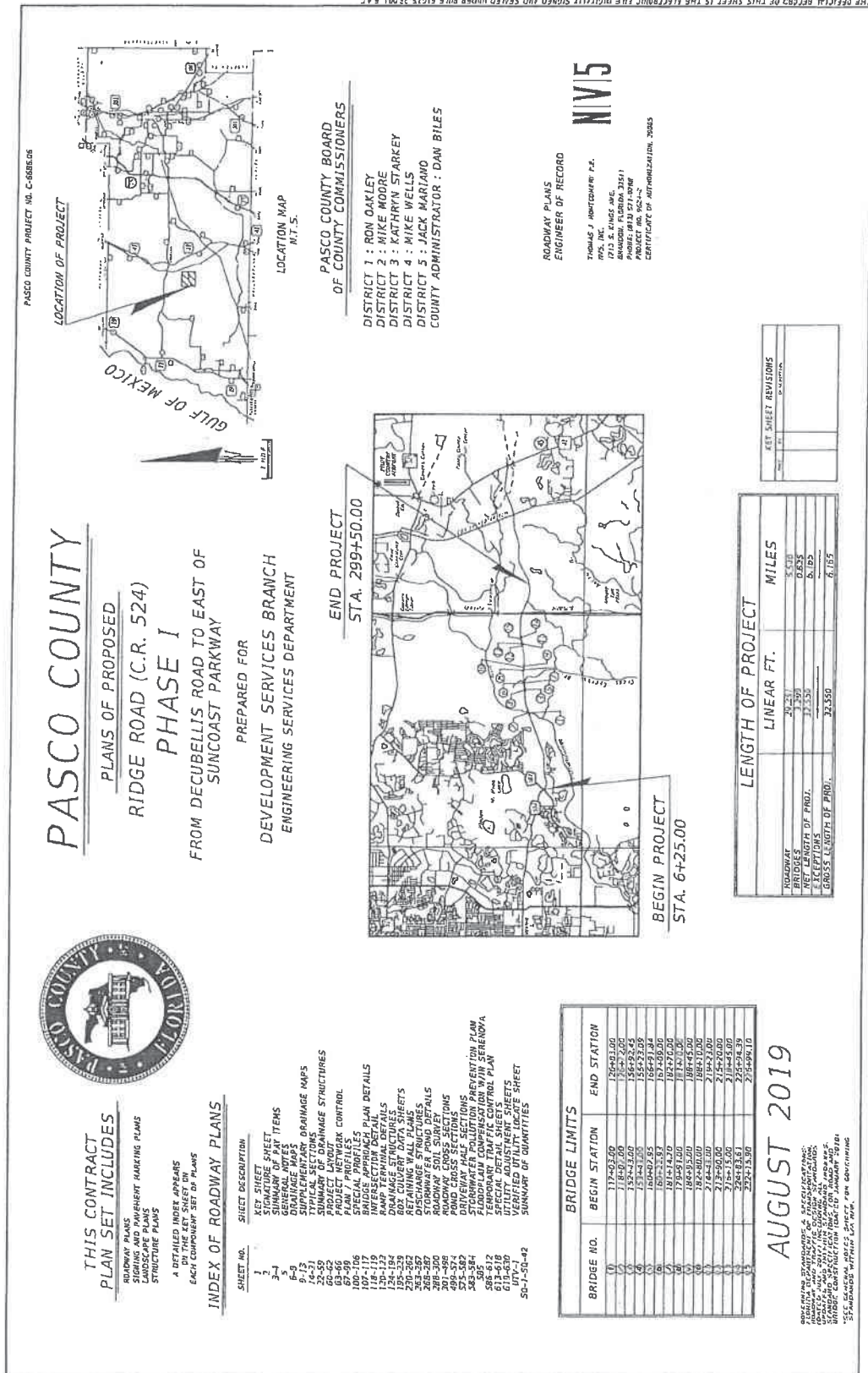


Exhibit D
Ridge Road Extension Temporary License Agreement

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

THIS DOCUMENT HAS BEEN DIGITALLY SIGNED AND SEALED BY:

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE SIGNATURE MUST BE VERIFIED ON THE ELECTRONIC DOCUMENTS.

PKA, INC.
1715 S. KING AVE. BOCA RATON, FL 33431
THOMAS J. MONTGOMERY, P.E. NO. 35008

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 6005-23.004, F.A.C.

Exhibit D
Ridge Road Extension Temporary License Agreement

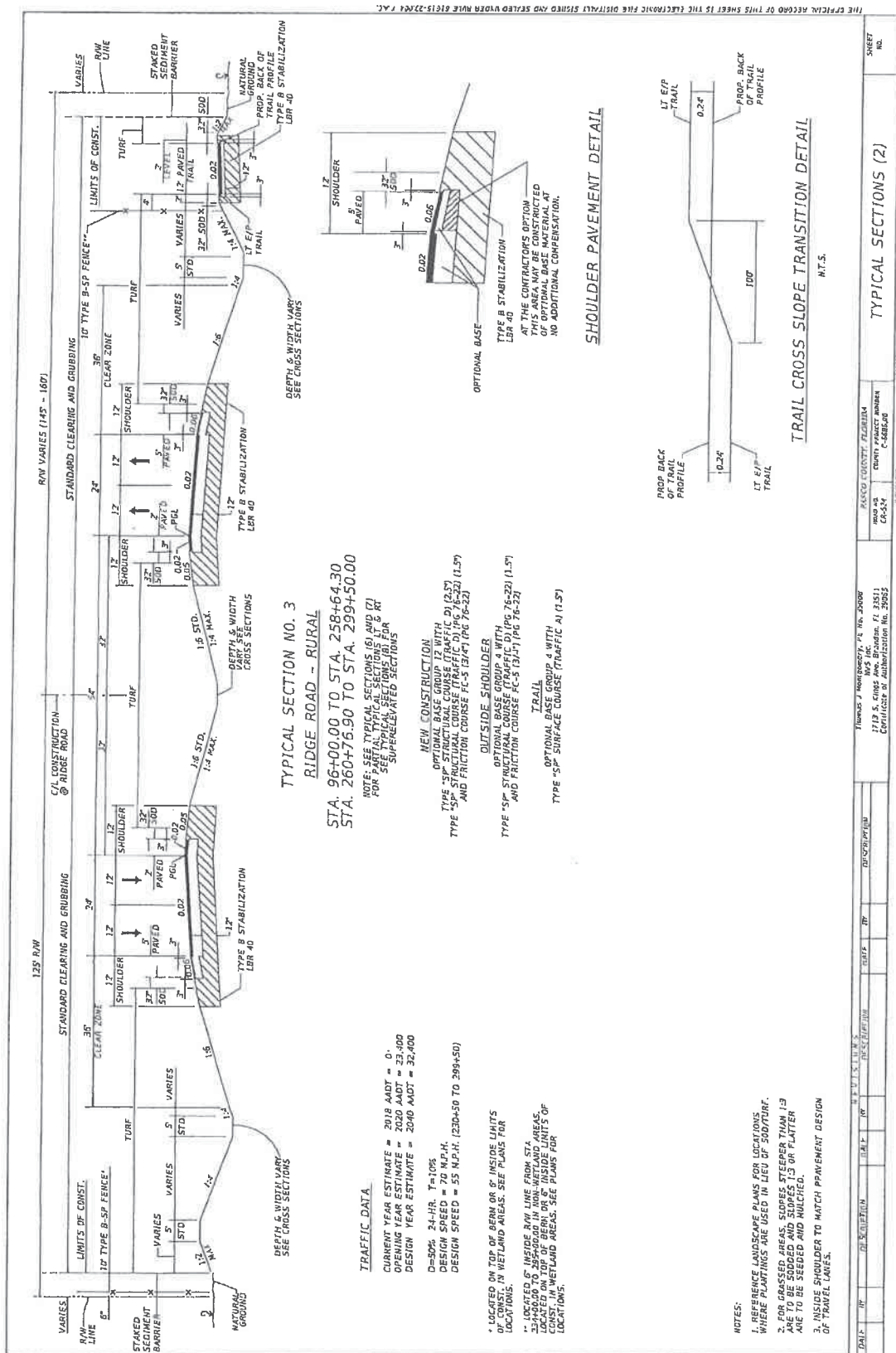


Exhibit D
Ridge Road Extension Temporary License Agreement

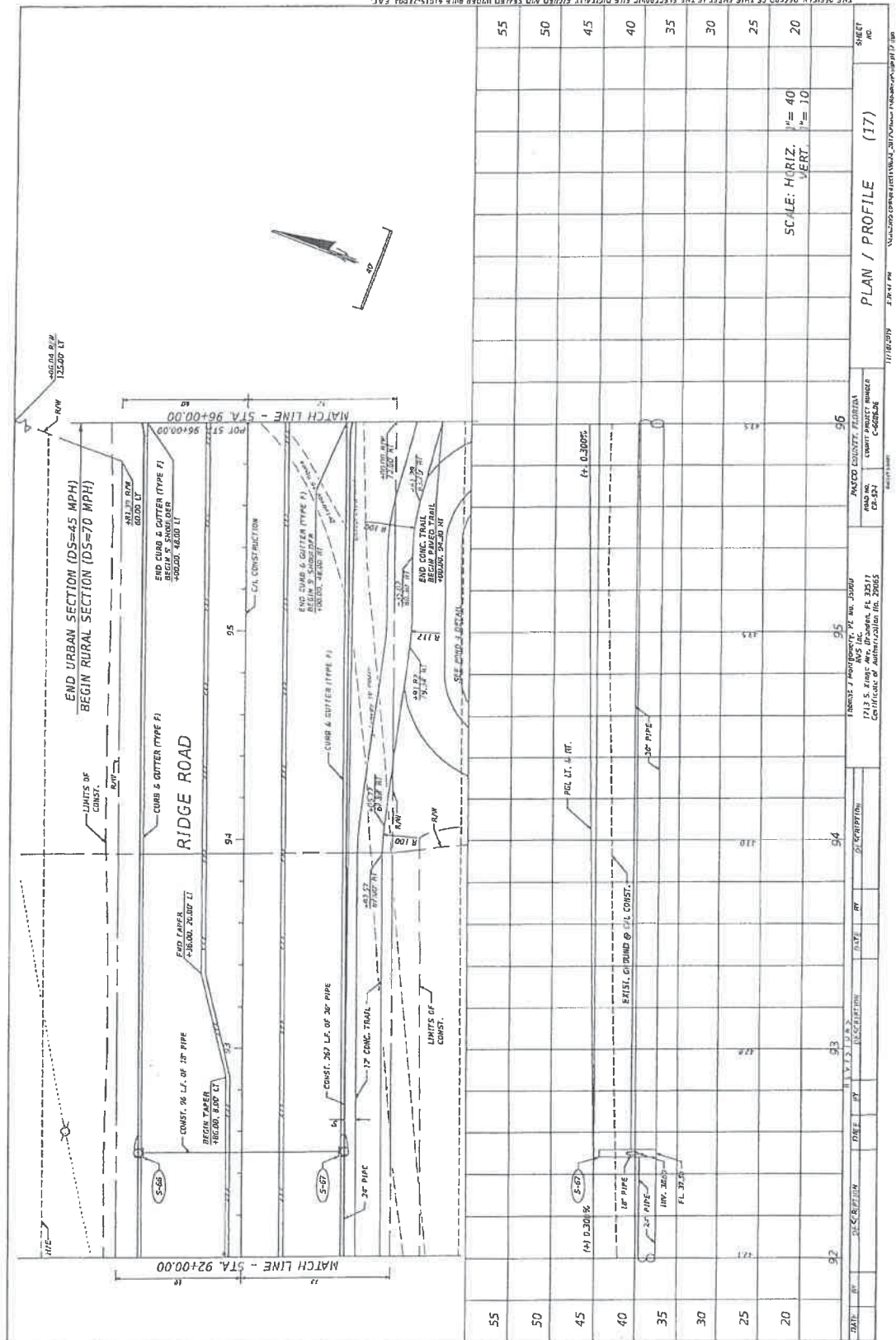


Exhibit D
Ridge Road Extension Temporary License Agreement

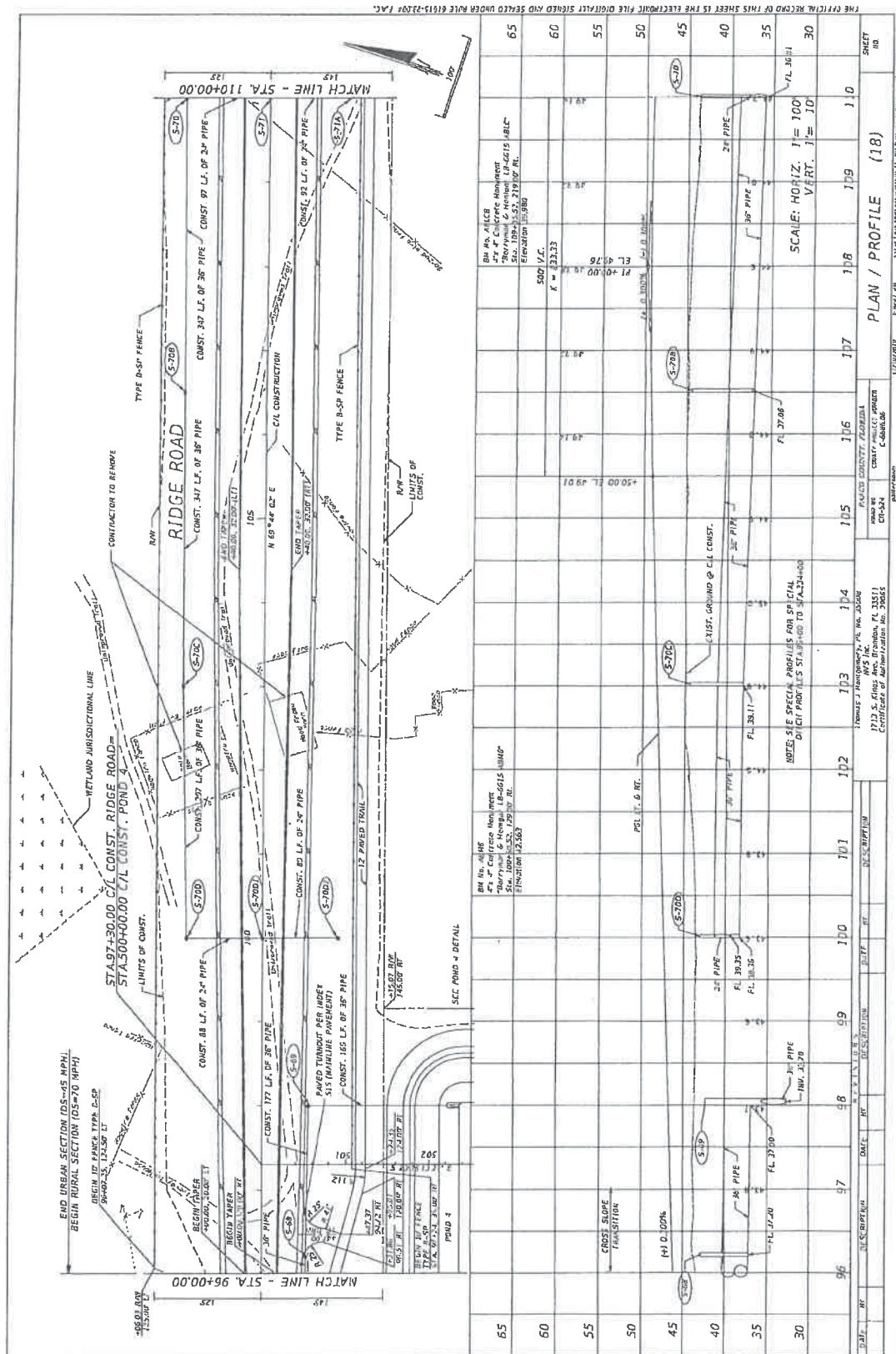
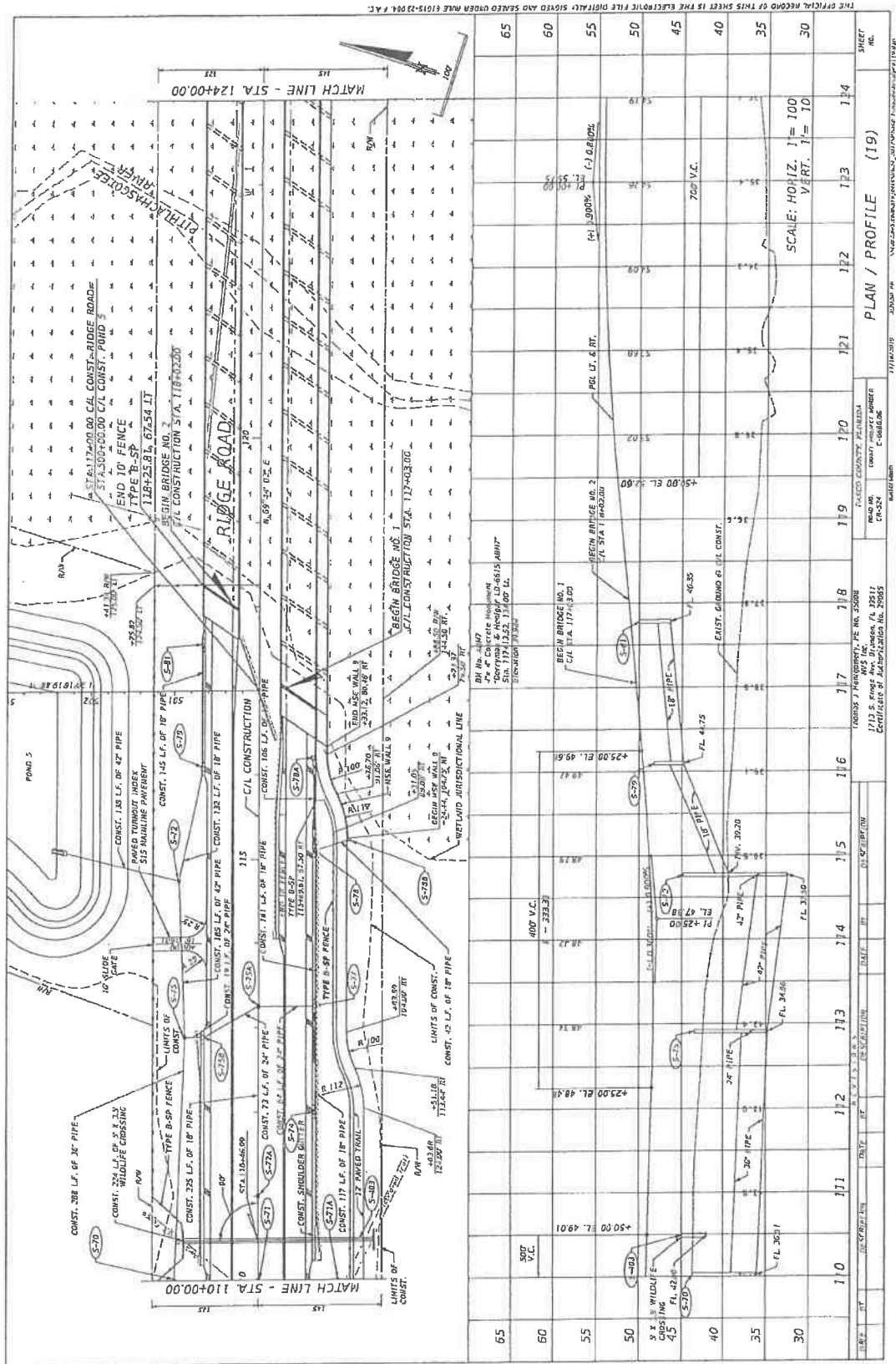


Exhibit D
Ridge Road Extension Temporary License Agreement



Packet Pg. 197



Attachment: Ridge Road Exhib MinTrac (5011 : Ridge Road Extension SWF Parcel 15-705-107S and 15-705-108P)



October 1, 2019

Re: Pasco County Certificate of Insurance – Fiscal year 2019/2020

To Whom It May Concern:

Please be advised that Pasco County Board of County Commissioners has elected to self-insure our Workers' Compensation, Public Liability, Automobile Liability (including physical damage) and the deductible on our Property coverage. The election applies to rented/leased equipment/property as well as owned. Said election is undertaken with the authority granted to any county, municipality or political subdivision under Florida Statutes 111.072. We are identified by employer number 59-6000793. The election to self-insure workers' compensation and the property coverage deductible extends to include the Pasco County Sheriff, Clerk of Court, Property Appraiser, Tax Collector and Supervisor of Elections.

Insofar as there is not an insurance policy, coverage for workers' compensation is provided in accordance with Florida Statutes 440. Our limits of liability for general and automobile liability are as set forth in Florida Statutes 768.28. This statutory cap applies to Tort Claims only; property claims would not be subject to the same limits. We, Pasco County, have established a special insurance fund from which we intend to pay future claims. Accordingly, we are unable to furnish a certificate of insurance. Self-Insured Public Entities do not have the ability to name another party as an additional insured.

Should we require anything additional, or if I may offer any other information to assist you, please do not hesitate to contact me.

Sincerely,



Steven Whitaker
Risk Manager

SW:ds

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Consent Agenda

Non-Exclusive Utility Easement to Duke Energy Florida, LLC for the Sawgrass Lake Water Control Structure – SWF Parcel No. 16-560-144X

Purpose:

Request approval of a Non-Exclusive Utility Easement for Duke Energy Florida, LLC, (Duke) to extend existing electric service to the District's Sawgrass Lake water control structure within Sawgrass Lake Park, providing the District a more resilient means to operate the structure remotely. General location maps of the property are included as Exhibits 1 and 2.

Background:

In 1972, the Southwest Florida Water Management District (District), Pinellas County (County), and the City of Pinellas Park (City), entered into a cooperative agreement to explore options to protect against recurrence of severe flooding of the City. A water management study was completed in 1973 that resulted in the construction of a water control structure, and various other modifications, including an entrance road and public parking area through the Sawgrass Lake property owned in fee simple by the District. In August 1976, the District, County and the Pinellas County School Board (School Board) entered into a management agreement designating the property a park. Under the agreement, the County and School Board operate and manage the property as a nature park and education center. The District retains operation and maintenance of the water control structure.

The District has operated the water control structure manually with the assistance of County staff since 1976. Providing electric service to the water control structure was explored and deemed not cost-effective on multiple occasions. In 2007 the District installed a gas generator on site to operate the site remotely.

In 2015 Pinellas County expanded electric service within the park for construction of an air monitoring station to participate in a federal air quality monitoring program. The expansion of the electric service within the park has provided the District a more cost-effective alternative to extend electric service to the water control structure. The District utilized in-house expertise and negotiated a reduced construction cost with Duke to construct electric service to the water control structure. A 3,000-foot by 10-foot corridor has been delineated for an underground electric service line.

Duke requires a utility easement for the new service. An easement has been prepared and is included as Exhibit 3. The easement contains standard conditions for construction and maintenance of an underground utility corridor. Those conditions include but are not limited to the following:

- Permission to enter upon, over, on, under and across the designated easement area.
- Duke granted right to construct the underground electric line and associated equipment.
- Duke granted right to increase/decrease voltage
- Duke granted right of ingress and egress to operate, maintain and repair the line and associated equipment.

Item 14

- District reserves the right to continue to use the Property.
- Duke granted right to trim vegetation/trees as needed.
- Duke will indemnify the District pursuant to the District's standard requirements.
- Reversion conditions in the event Duke abandons.

Benefits/Costs:

District will be able to convert the generator to a standby source resulting in a cost savings of about \$400 dollars per month in fuel costs. Remote operation will be more resilient than the current onsite generator single mode of operation.

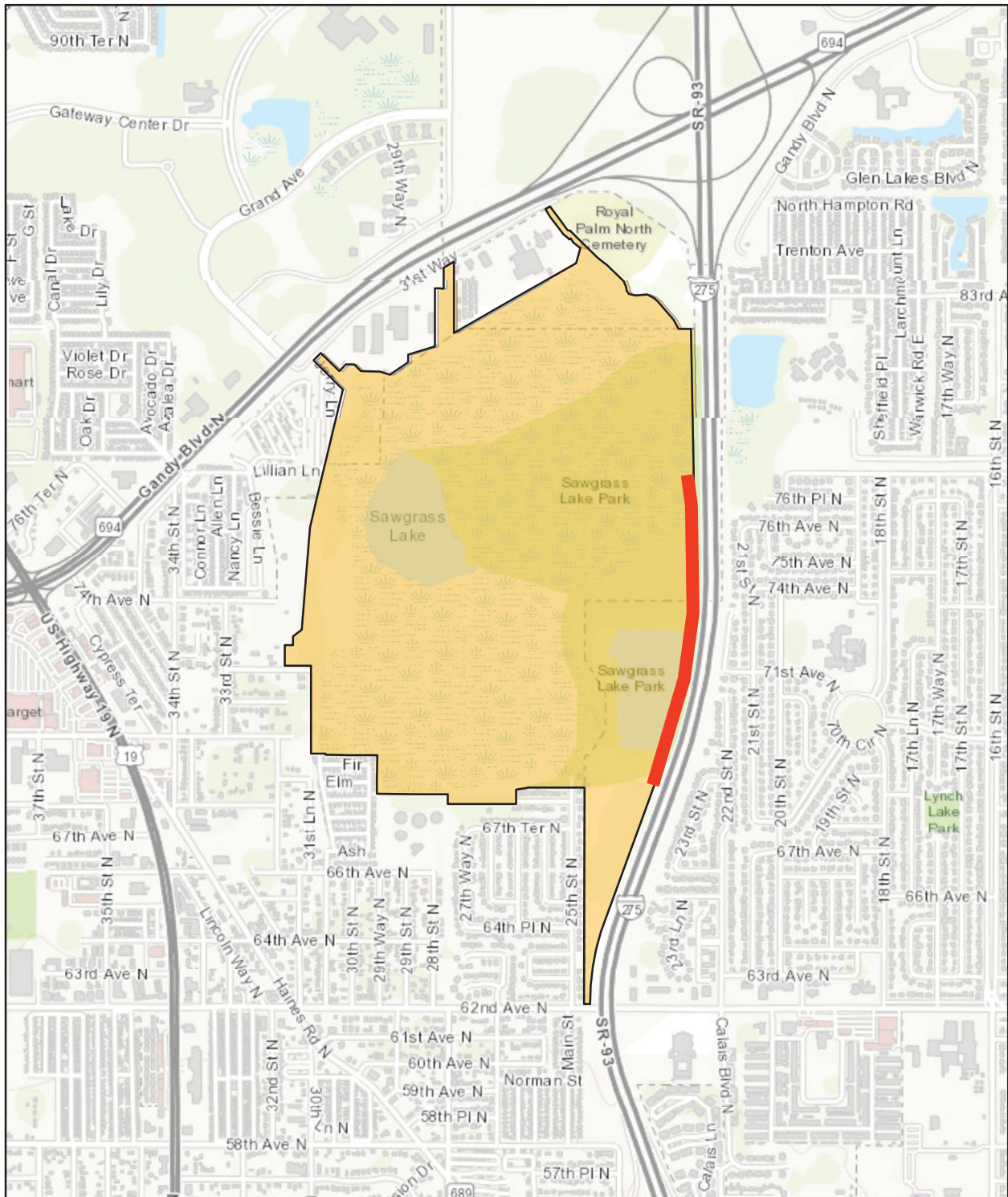
Staff Recommendation:

- Approve the conveyance of a Non-Exclusive Perpetual Easement to Duke Energy Florida, LLC; and
- Authorize the Governing Board Chair and Secretary to execute the utility easement.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Presenters: Jerry Mallams, P.G., Operationa and Land Management Bureau Chief and
Ellen Morrison, Operations and Land Management Assistant Bureau Chief

Exhibit 1

Non-Exclusive Utility Easement to Duke Energy Florida, LLC for the Sawgrass Lake Water Control
Structure – SWF Parcel No. 16-560-144X
Location Map



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

- Easement SWF Parcel No.
- 16-560-144X Sawgrass Lake Project



0 750 1,500
Feet

Attachment: Sawgrass Lk Duke Energy MinTrac Exhibit (5012 : Duke Energy Sawgrass Lake SWF Parcel 16-560-144X)

Exhibit 2

Non-Exclusive Utility Easement to Duke Energy Florida, LLC for the Sawgrass Lake Water Control Structure – SWF Parcel No. 16-560-144X
Location Map



Exhibit 3

Return to Grantee's Address:
Duke Energy
Land Services
2401 25th Street North (SP-15)
St. Petersburg, Florida 33713

SWF Parcel No. 16-560-144X
WO # SP-19-31985943
Sawgrass Lake Park
Project Address: 7400 25th Street North, St. Petersburg, FL
Pinellas County, Florida, STR: 35-30S-16E and 26-30S-16E

UTILITY EASEMENT

THIS UTILITY EASEMENT ("Easement") is made this _____ day of _____, 2020 ("Effective Date"), by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation, having an address of 2379 Broad Street (U.S. Highway 41 South), Brooksville, Florida, 34604-6899 ("GRANTOR," whether one or more) and DUKE ENERGY FLORIDA, LLC, a Florida Limited Liability Company, d/b/a Duke Energy ("GRANTEE"), 3300 Exchange Place, Lake Mary, FL 32746, and its successors, lessees, and assigns ("GRANTEE");

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto GRANTEE, the perpetual right, privilege, and non-exclusive easement to install, operate and maintain in perpetuity, such underground facilities as may be necessary or desirable for providing electric energy and for internal communication purposes over, under, upon, across, through and within the following described lands in Pinellas County, Florida, and referred to hereinafter as the Easement Area to wit:

A 10.00-foot-wide Easement Area lying 5.00 feet on each side of GRANTEE's facilities to be installed at mutually agreeable locations over, under, across and through the following described property to accommodate the flood control system in Sawgrass Lake Park.

See legal description on the accompanying Exhibit "A" attached hereto and incorporated herein by this reference.

The rights herein granted to GRANTEE by GRANTOR specifically include the right: (a) for GRANTEE to patrol, inspect, alter, improve, add to, repair, rebuild, and remove said facilities; (b) for GRANTEE to increase or decrease the voltage; (c) ingress and egress over the Easement Area and over portions of GRANTOR's adjoining property for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of GRANTEE, might interfere with or fall upon the Facilities; (f) and all other rights and privileges reasonably necessary or convenient for GRANTEE's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement for the purposes described herein.

Exhibit 3

GRANTOR shall have the right to use the Easement Area in any manner that is consistent with the rights granted to GRANTEE herein; provided however, without the prior written consent of GRANTEE, GRANTOR shall not; (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof; if obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to GRANTEE's facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area. GRANTEE shall have the right to remove any such obstruction(s) at GRANTOR's expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or GRANTOR's adjoining property caused by GRANTEE or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and GRANTOR reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to GRANTEE herein.

GRANTEE agrees to defend, indemnify, and hold harmless the GRANTOR, its agents, employees and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorney fees and cost and attorney fees and cost on appeal, caused or incurred, in whole or in part, as a result of any negligent act or omission by the GRANTEE, its agents, employees, subcontractors, assigns, heirs or anyone for whose acts or omissions any these persons or entities may be liable during the construction, reconstruction, operation or maintenance of GRANTEE'S facilities located on the above described Easement.

Within ninety (90) days after written notice by Grantee to Grantor that this Easement is no longer necessary for the foregoing purposes, Grantee will remove all its facilities and fixtures from the Easement Area and this Easement will automatically terminate and revert to Grantor. Following termination of this Easement, upon request by Grantor, Grantee will execute a release of easement document conveying all right, title and interest in this Easement to Grantor.

GRANTOR hereby warrants and covenants; (a) that GRANTOR is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that GRANTOR has full right and lawful authority to grant and convey this easement to GRANTEE, and (c) that GRANTEE shall have quiet and peaceful possession, use and enjoyment of this easement. All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the successors, lessees and assigns of the respective parties hereto.

Exhibit 3

IN WITNESS WHEREOF, this Utility Easement has been executed by Grantor on this _____ day of _____, 2020, and is effective as of the Effective Date herein.

ATTEST:

GRANTOR: SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

Joel Schleicher, Secretary

Mark Taylor, Chairman

DISTRICT SEAL

Approved as to legal form and content

SWFWMD Attorney

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing Utility Easement was acknowledged before me this ____ day of _____, 2020, by Mark Taylor and Joel Schleicher, its Chairman and its Secretary, respectively, of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation who are personally known to me or have produced _____ as identification.

NOTARY SEAL

Name:

Notary Public

Serial Number:

My Commission Expires: _____

Exhibit 3

COPY

Exhibit 3

Exhibit "A"

Being prepared by District Survey Team

COPY

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Consent Agenda

Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal - SWF Parcel Numbers 13-001-326

Purpose:

Request Governing Board approval to execute an amendment to a non-exclusive easement (easement) with Tampa Electric Company (TECO) to expand the District's rights to include the removal and maintenance of exotic plants with herbicide treatment for the District's Palm River Restoration Project Phase II. A general location map and aerial map is included as Exhibits 1 and 2.

Background/History:

In June 1984, TECO conveyed a perpetual easement for ingress and egress across 27 acres of its overhead electric transmission corridor for the District's Tampa Bypass Canal (Canal) project.

The District is doing a SWIM restoration project, the Palm River Restoration Project Phase II, which requires the removal and maintenance of exotic plants with herbicide treatment within the easement area. The current easement only allows ingress and egress activities. District staff have prepared an amendment to the perpetual easement (Exhibit 3) that allows the removal and maintenance of exotic plants with herbicide treatment in support of the District's SWIM restoration project. TECO staff have reviewed and approved the amendment.

Benefits/Costs:

The District will have the required rights to proceed with the Palm River Restoration Project Phase II at no additional cost to the District. The completion of this Project, including the removal and maintenance of exotic plants within the easement area, will result in a natural systems benefit for the region.

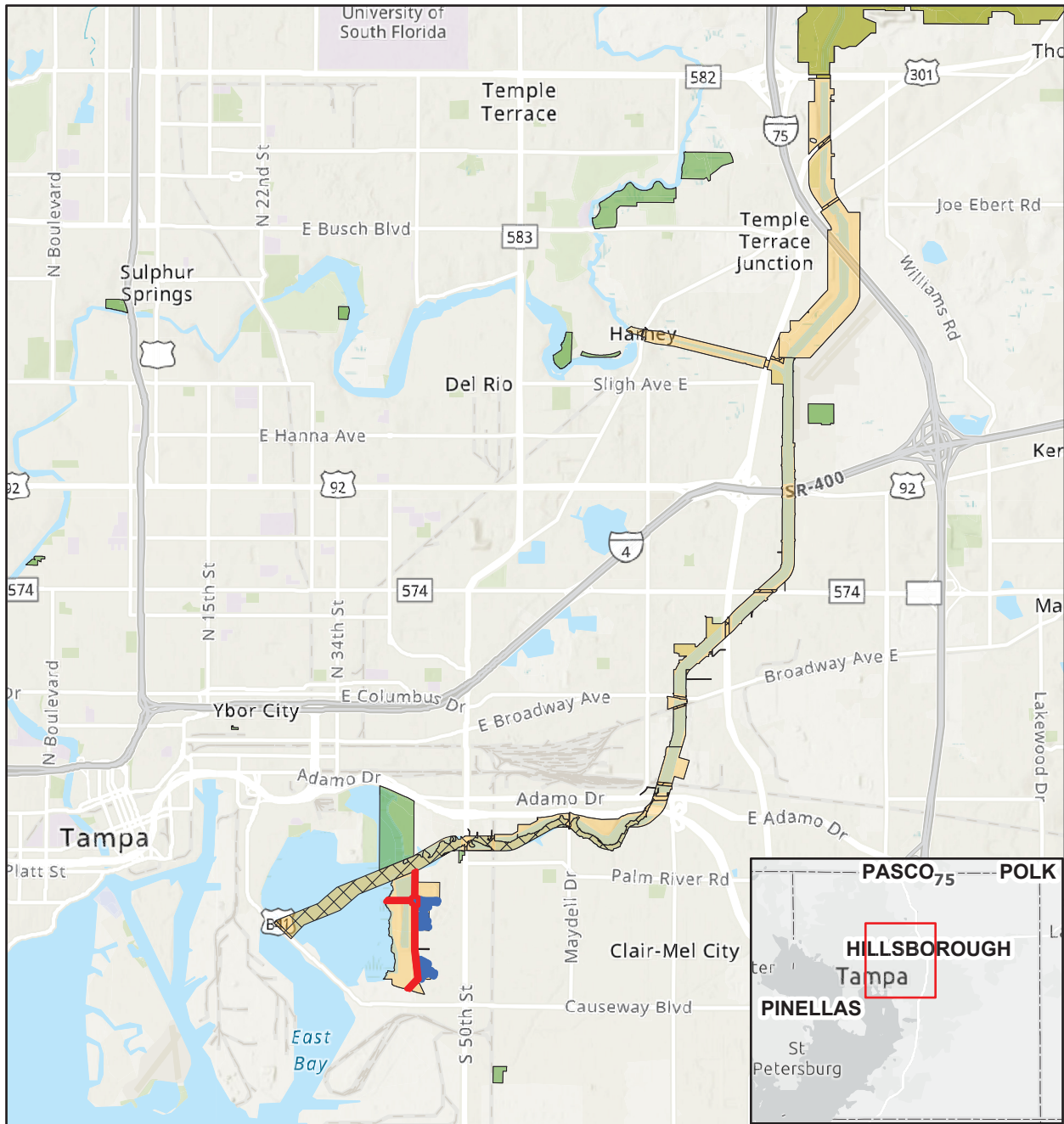
Staff Recommendation:

- Approve the Amendment to the Perpetual Easement; and
- Authorize the Governing Board Chair and Secretary to execute the Amendment.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Presenters: Jerry Mallams, P.G., Operations and Land Management Bureau Chief and
Ellen Morrison, Operations and Land Management Assistant Bureau Chief

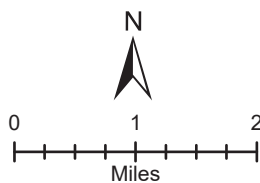
Exhibit 1

Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal - SWF Parcel No. 13-001-326



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- Easement with Tampa Electric Company
- SWIM Areas
- District-owned Fee Simple
- District Perpetual Easement
- Other Conservation Lands



Southwest Florida
Water Management District

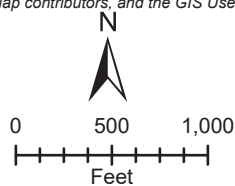
Attachment: TECO Amendment MinTrac Exhibit (5013 : TECO TBC SWF Parcel 13-001-326)

Exhibit 2

Amendment of Perpetual Easement with Tampa Electric Company for the Tampa Bypass Canal - SWF Parcel No. 13-001-326



- Easement with Tampa Electric Company
- SWIM Areas
- District-owned Fee Simple
- District Perpetual Easement
- Other Conservation Lands



Southwest Florida
Water Management District

Exhibit 3

Prepared by and return recorded
document to:
Attn: Office of General Counsel
Southwest Florida
Water Management District
7601 U.S. Highway 301 North
Tampa, Florida 33637

AMENDMENT TO EASEMENT

THIS AMENDMENT TO EASEMENT is made and entered into this ____ day of _____ 2020, by and between Tampa Electric Company, a Florida corporation having an address of Post Office Box 111, Tampa, Florida 33601 (Grantor), and the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604 (Grantee).

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property located in Hillsborough County, Florida, more particularly described in Exhibit "A" and attached hereto (Property); and

WHEREAS, Grantor and Grantee executed a perpetual Easement (Easement) over the subject Property, recorded in the Public Records of Hillsborough County, Florida on June 7, 1984, as Instrument Number 4447751 in Official Records Book 4351, page 582; and

WHEREAS, the perpetual Easement provided for the Grantee, its agents, successors and assigns the right to enter onto the Property for ingress and egress by vehicles over, on and across the lands; and

WHEREAS, the Grantee wishes to amend the Easement (Amendment) to include the removal of exotic plant treatments using herbicides and the Grantor agrees to the Amendment.

NOW THEREFORE, in consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, the Grantor hereby amends the Conservation Easement as follows:

1. Grantee shall have a perpetual right to enter onto the Property for the purposes of removal and maintenance of exotic plant species using herbicidal treatment.
2. The covenants, terms and conditions of this Amendment shall be binding upon, and inure to the benefit of the Grantor and Grantee, their personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

3. Except as expressly modified in this Amendment, the original Easement shall continue in full force and effect according to its terms and conditions, and the Grantor and Grantee hereby ratify and affirm all their respective rights and obligations under the original Easement.

4. This Amendment shall be recorded in the Official Records of Hillsborough County, Florida.

IN WITNESS WHEREOF, the Grantor has by their duly authorized representatives executed this Amendment to Easement as of the effective date.

GRANTOR:

Signed, sealed, and delivered in
in the presence of:

Tampa Electric Company, a Florida
corporation

By: _____

Print Name

Print Name & Title

Print Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or
☐ online notarization this _____ day of _____, 2020, by
_____, as _____ of Tampa Electric Company,
a Florida corporation, organized under the laws of the State of Florida. He/She is ☐ personally
known to me, or ☐ produced _____ as identification.

NOTARY PUBLIC-STATE OF FLORIDA

Printed Name:

My commission expires:

GRANTEE:

Executed by Southwest Florida Water Management District this ____ day of _____, 2020.

Southwest Florida Water Management District

By: _____
Mark Taylor, Chair

By: _____
Joel Schleicher, Secretary

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2020, by _____, as _____ of SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, personally known to me.

NOTARY PUBLIC-STATE OF FLORIDA

Printed Name:

My commission expires:

Approved as to Form and Legality

By: *A. Witherup*

Anne Witherup, Esq.

Office of General Counsel

EXHIBIT "A"

Southwest Florida Water Management District
HILLSBOROUGH RIVER BASIN
Tampa Bypass Canal

SWF Parcel No. 13-001-326.5
Easement

October 11, 1982
Revised March 12, 1984

The East 25 feet and the South 150 feet of Government Lot 8, and the West 125 feet of Government Lot 7, in SECTION 21, TOWNSHIP 29 SOUTH, RANGE 19 EAST, Hillsborough County, Florida, lying South of the Southerly Right-of-Way line of the Tampa Bypass Canal.

AND

A strip of land 150 feet wide through Government Lots 1, 2, 3, and 4, and through the West 1/2 of the East 1/2 of SECTION 28, TOWNSHIP 29 SOUTH, RANGE 19 EAST, the Easterly boundary of said 150 foot strip being described as follows:

Beginning at a point 125 feet East of the Northwest corner of the NW 1/4 of the NE 1/4 of said Section 28, run thence South to a point 125 feet East and 255 feet North of the Southwest corner of the SW 1/4 of the NE 1/4 of said Section 28, thence run Southerly and Easterly to a point 300 feet East of the Southwest corner of the NW 1/4 of the SE 1/4 of said Section 28, thence run Southwesterly to a point 520 feet West of and 450 feet North of the Southwest corner of the SW 1/4 of the SE 1/4 of said Section 28, thence run South to a point on the North side of Causeway Boulevard, said point being located 50 feet North of and 520 feet West of the said Southwest corner of the SW 1/4 of the SE 1/4 of Section 28, Township 29 South, Range 19 East, Hillsborough County, Florida.

LESS

That part of aforesaid 150 feet wide strip of land through Government Lot 4, lying South of the Southerly bank of existing canal in the Northeast portion of said Government Lot 4.

AND ALSO

Beginning at a point located 150 feet North of and 25 feet West of the Southeast corner of said Government Lot 8, SECTION 21, TOWNSHIP 29 SOUTH, RANGE 19 EAST, run thence North 100 feet, thence West 100 feet, thence South 100 feet, thence East 100 feet to the POINT OF BEGINNING, being situate in Hillsborough County, Florida.

Easement
From
Tampa Electric Company
To
Southwest Florida Water Management District
Page 1

Attachment: TECO Amendment MinTrac Exhibit (5013 : TECO TBC SWF Parcel 13-001-326)

AND

Beginning at a point located 25 feet West of the Northeast corner of Government Lot 1, SECTION 28, TOWNSHIP 29 SOUTH, RANGE 19 EAST, Hillsborough County, Florida, run thence West 100 feet, thence South 100 feet, thence East 100 feet, thence North 100 feet to the POINT OF BEGINNING.

AND

Beginning at a point 125 feet East of the Northwest corner of the NW 1/4 of the NE 1/4 of SECTION 28, TOWNSHIP 29 SOUTH, RANGE 19 EAST, Hillsborough County, Florida, run thence South 180 feet, thence East 100 feet, thence North 430 feet, thence West 100 feet, thence South 250 feet to the POINT OF BEGINNING.

All lying in and being part of Hillsborough County, Florida.

Parcel contains 27.8 acres, more or less.

Easement
From
Tampa Electric Company
To
Southwest Florida Water Management District
Page 2

Attachment: TECO Amendment MinTrac Exhibit (5013 : TECO TBC SWF Parcel 13-001-326)

REGULATION COMMITTEE

April 28, 2020

Consent Agenda

WUP No. 2005789.013 – Wiscon Maintenance Compound/Hernando County Water System/Hernando County BOCC (Hernando County)

This is a modification of an existing water use permit for public supply use. The total authorized quantities remain the same as the previous permit. The annual average remains at 23,299,000 gallons per day (gpd). The peak month average remains at 28,657,800 gpd. There is no change in use type from the previous permit. The modifications to the permit include activating and relocating District ID (DID) No. 8, plugging DID Nos. 2, 16, 44, and 45; reallocating quantities from plugged wells to DID Nos. 6, 7, 8, and 68; and removing DID Nos. 52, 54, 56, 60, 66, and 67 from water level monitoring conditions.

Special conditions include those that require the Permittee to continue to: record and report monthly meter readings from all withdrawal points, submit Public Supply Annual Report by April 1 of each year on water use during the previous calendar year, submit the Annual Report on Water Rate Billing and Meter Reading Practices by October 1 of each year, continue to have a water conserving rate structure, continue to implement the District-approved water conservation plan and submit a report on implementation of new components in the Public Supply Annual Report, and continue with reporting water levels from staff gages and monitor wells.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 005789.013**

PERMIT ISSUE DATE: April 28, 2020

EXPIRATION DATE: August 26, 2035

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: Modification

GRANTED TO: Hernando Co. BOCC,
Wiscon Maintenance Compound
15400 Wiscon Road
Brooksville, FL 34601

PROJECT NAME: Hernando County Water System

WATER USE CAUTION AREA(S): Not in a WUCA

COUNTY: Hernando, Pasco

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)

ANNUAL AVERAGE	23,299,000 gpd
PEAK MONTH ¹	28,657,800 gpd

¹ Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a modification of an existing water use permit for public supply use. The total authorized quantities remain the same as the previous permit. The annual average remains at 23,299,000 gallons per day (gpd). The peak month average remains at 28,657,800 gpd. There is no change in use type from the previous permit. The modifications to the permit include activating and relocating District ID (DID) No. 8, plugging DID Nos. 2, 16, 44, and 45; reallocating quantities from plugged wells to DID Nos. 6, 7, 8, and 68; and removing DID Nos. 52, 54, 56, 60, 66, and 67 from water level monitoring conditions.

Special conditions include those that require the Permittee to continue to: record and report monthly meter readings from all withdrawal points, submit Public Supply Annual Report by April 1 of each year on water use during the previous calendar year, submit the Annual Report on Water Rate Billing and Meter Reading Practices by October 1 of each year, continue to have a water conserving rate structure, continue to implement the District-approved water conservation plan and submit a report on implementation of new components in the Public Supply Annual Report, and continue with reporting water levels from staff gages and monitor wells.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Public Supply	23,299,000	28,657,800

USE TYPE

Personal Sanitary Use

Residential Single Family

PUBLIC SUPPLY:

Population Served: 173,199
 Per Capita Rate: 132 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
RM-SOUTH / 1	6	300 / 50	Public Supply	78,000	96,000
RM-WEST-1 / 4	16	602 / 202	Public Supply	400,000	492,000
LR-1 / 6	16	600 / 200	Public Supply	300,000	369,000
LR-2 / 7	16	600 / 200	Public Supply	179,500	220,700
LR-3 / 8	16	600 / 200	Public Supply	300,000	369,000
RA-1 / 10	6	354 / UNK	Public Supply	68,700	84,500
HD-1 / 13	8	110 / UNK	Public Supply	93,300	112,600
HD-2 / 14	10	400 / 97	Public Supply	93,300	112,600
RM-West 2R / 34	16	600 / 200	Public Supply	500,000	615,000
Standby					
WH1 / 35	10	250 / 125	Public Supply	300,000	369,000
WH2 / 36	10	218 / 115	Public Supply	300,000	369,000
WH3 / 37	12	400 / 135	Public Supply	200,000	246,000
WH4 / 38	10	293 / 97	Public Supply	750,000	922,500
WH5 / 39	12	200 / 155	Public Supply	600,000	738,000
RH1 / 40	10	250 / 220	Public Supply	200,000	246,000
SW3 / 41	12	535 / 205	Public Supply	787,000	968,000
SW2 / 42	12	461 / 205	Public Supply	697,200	857,600
SW1 / 43	12	535 / 210	Public Supply	687,000	845,000
SW6 / 46	16	508 / 253	Public Supply	1,000,000	1,230,000
SW7 / 47	16	530 / 252	Public Supply	700,000	861,000
SW5 / 48	16	480 / 253	Public Supply	1,000,000	1,230,000
SW4 / 49	16	450 / 253	Public Supply	860,000	1,057,000
HR-1 / 50	16	320 / 150	Public Supply	1,000,000	1,230,000
HR-2 / 51	16	400 / 150	Public Supply	1,000,000	1,230,000
JA-1 / 52	10	373 / 209	Public Supply	150,000	184,500
AB-1 / 53	10	322 / 159	Public Supply	400,000	492,000
CK-1 / 54	10	418 / 213	Public Supply	250,000	307,500
JA-2 / 55	10	350 / 223	Public Supply	300,000	369,000
EL-1 / 56	10	395 / 125	Public Supply	500,000	615,000

CK-2 / 57	10	484 / 242	Public Supply	250,000	307,500
LD-1 / 58	10	290 / 70	Public Supply	300,000	369,000
LD-2 / 59	12	273 / 80	Public Supply	650,000	799,500
KI-3 / 60	12	590 / 147	Public Supply	900,000	1,107,000
AB-2 / 61	12	425 / 143	Public Supply	750,000	922,500
LD-3 / 62	12	463 / 140	Public Supply	1,000,000	1,230,000
CK-3 / 63	12	500 / 127	Public Supply	500,000	615,000
KI-4 / 64	12	570 / 143	Public Supply	750,000	922,500
GR-1 / 65	10	585 / 140	Public Supply	1,000,000	1,230,000
GR-2 / 66	12	520 / 250	Public Supply	1,000,000	1,230,000
GR-3 / 67	12	450 / 255	Public Supply	1,000,000	1,230,000
EL-4 / 68	16	500 / 123	Public Supply	1,098,000	1,350,600
KI-5 / 69	16	500 / 200	Public Supply	600,000	738,000
DW-3 / 71	8	300 / 180	Public Supply	60,000	73,800
SV-1 / 72	8	160 / 90	Public Supply	104,000	127,900
SV-2 / 73	8	140 / 78	Public Supply	104,000	127,900
SV-5 / 74	16	250 / 150	Public Supply	208,000	255,800
Standby					
ROAK / 75	6	250 / 100	Public Supply	30,000	36,900
CL-1 / 76	10	445 / 100	Public Supply	40,000	49,200
CL-2 / 77	6	400 / 131	Public Supply	40,000	49,200
Standby					
LF / 78	6	200 / 20	Industrial-Commercial	2,300	5,000
DW-4 / 166	12	300 / 200	Public Supply	60,000	73,800

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	28° 29' 55.98"/82° 10' 41.32"
4	28° 31' 31.50"/82° 13' 48.30"
6	28° 30' 46.90"/82° 15' 15.70"
7	28° 30' 45.66"/82° 15' 18.85"
8	28° 30' 29.36"/82° 15' 10.76"
10	28° 31' 11.90"/82° 17' 58.80"
13	28° 31' 26.89"/82° 17' 37.95"
14	28° 31' 30.22"/82° 17' 39.60"
34	28° 31' 32.81"/82° 13' 59.29"
35	28° 32' 28.10"/82° 32' 32.69"
36	28° 32' 36.30"/82° 32' 30.70"
37	28° 32' 50.20"/82° 32' 27.50"
38	28° 33' 00.60"/82° 32' 24.90"
39	28° 33' 14.89"/82° 32' 21.47"
40	28° 32' 28.90"/82° 33' 58.30"
41	28° 30' 27.72"/82° 30' 33.85"
42	28° 30' 39.58"/82° 30' 27.72"
43	28° 30' 47.50"/82° 30' 23.99"
46	28° 29' 55.10"/82° 30' 49.40"
47	28° 29' 50.70"/82° 30' 51.40"
48	28° 39' 59.60"/82° 30' 46.30"
49	28° 30' 07.90"/82° 30' 41.70"
50	28° 35' 02.76"/82° 31' 27.48"
51	28° 35' 02.80"/82° 31' 30.20"
52	28° 27' 26.90"/82° 36' 35.70"
53	28° 27' 47.30"/82° 30' 40.00"
54	28° 29' 36.90"/82° 33' 16.70"
55	28° 27' 27.10"/82° 36' 41.00"
56	28° 27' 08.60"/82° 33' 52.80"
57	28° 29' 35.40"/82° 33' 17.90"
58	28° 28' 19.20"/82° 33' 00.60"
59	28° 28' 22.99"/82° 33' 58.39"
60	28° 30' 40.40"/82° 31' 03.30"
61	28° 27' 49.80"/82° 30' 40.60"
62	28° 28' 22.40"/82° 33' 02.30"
63	28° 29' 33.50"/82° 33' 16.20"
64	28° 30' 42.50"/82° 31' 02.90"
65	28° 29' 07.10"/82° 31' 23.70"
66	28° 29' 07.80"/82° 31' 26.90"
67	28° 29' 08.30"/82° 31' 30.10"
68	28° 27' 09.60"/82° 33' 50.60"

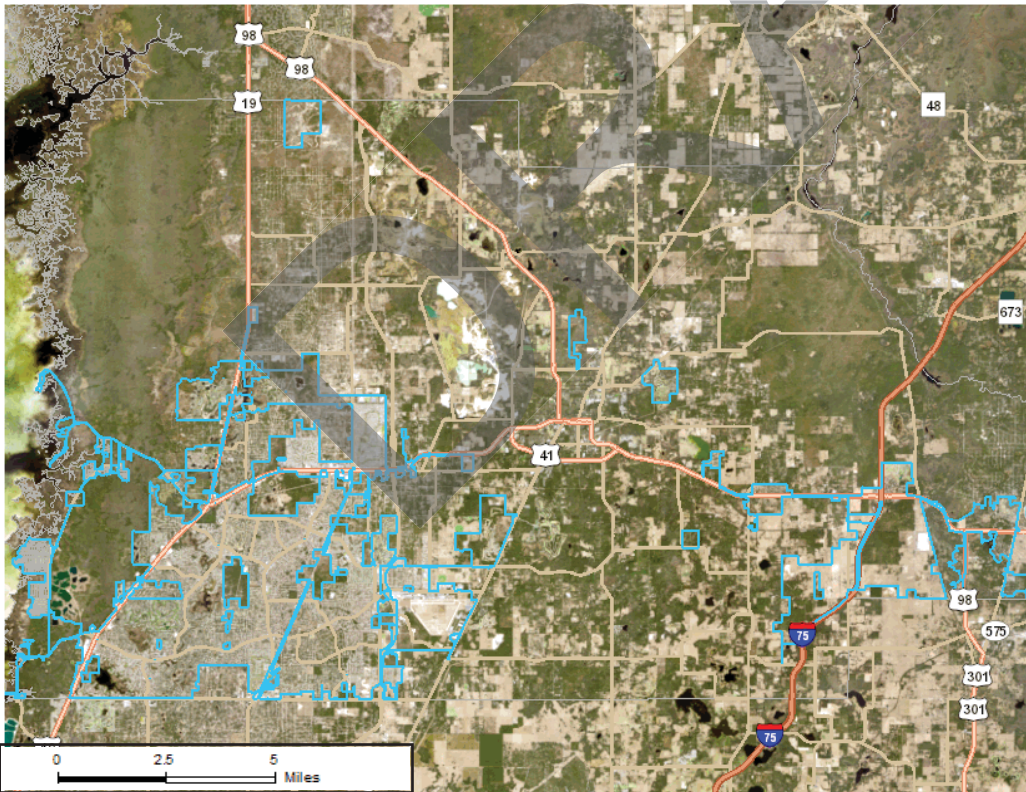
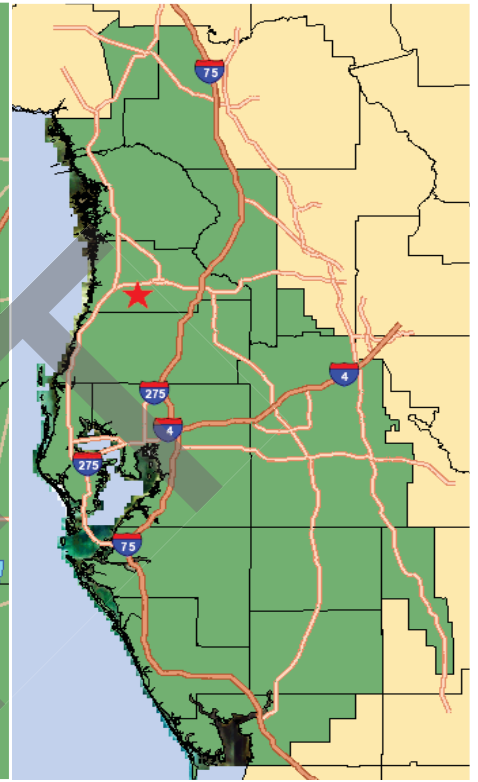
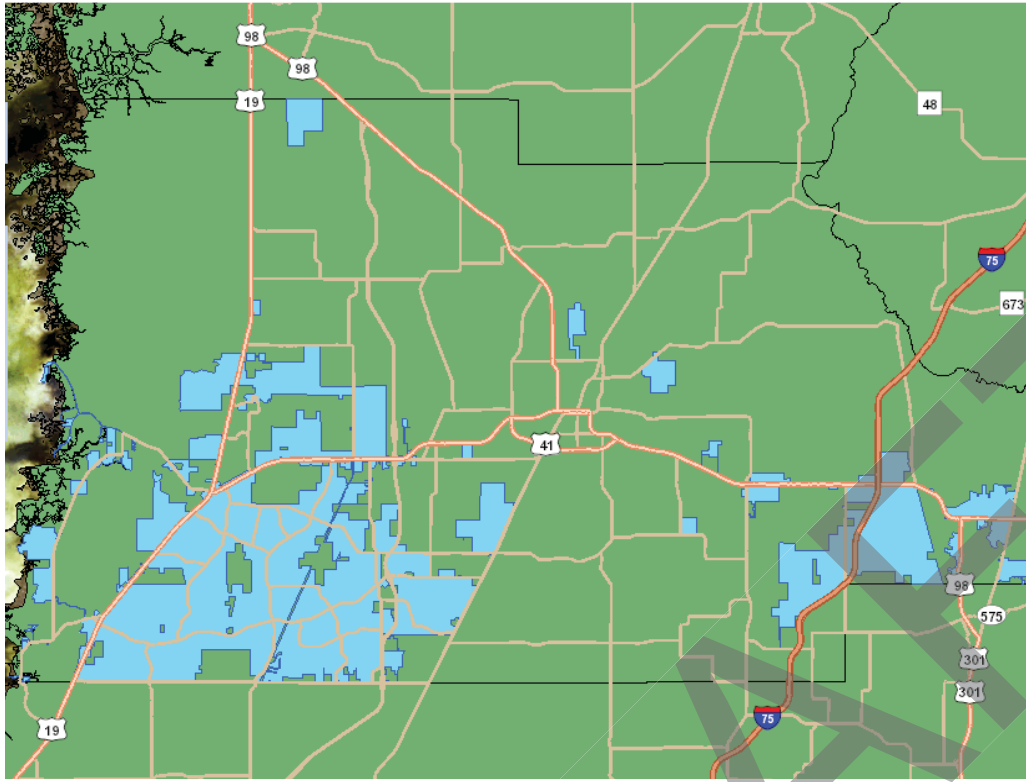
Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

69	28° 30' 43.41"/82° 31' 05.68"
71	28° 34' 24.92"/82° 20' 38.06"
72	28° 41' 01.90"/82° 31' 00.00"
73	28° 41' 06.90"/82° 31' 00.10"
74	28° 41' 04.51"/82° 31' 00.13"
75	28° 35' 51.76"/82° 23' 15.76"
76	28° 30' 28.30"/82° 20' 08.10"
77	28° 30' 28.20"/82° 20' 06.70"
78	28° 40' 20.33"/82° 29' 06.57"
166	28° 34' 25.28"/82° 20' 38.60"

DRAFT

Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

Location Map
Hernando Co. BOCC, Wiscon Maintenance Compound WUP
No. 20 005789.013



Legend

- DIDs
- WUP Boundary

2017 Natural Color Imagery

**HERNANDO, PASCO
COUNTY**

Southwest Florida
Water Management District

Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. 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.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

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.
(499)

2. The quantities included in the permit are based on an average per capita rate of 132. By rule, the per capita rate in any given year shall not exceed 150 gpd. However, failure to maintain, on average, the per capita rate on which the permitted quantity is based could result in noncompliance with the terms of the permit. The per capita rate will be monitored via the Annual Report and the Reclaimed Water Supplier Report that are required to be submitted by April 1 of each year for the term of the permit.(67)
3. The Permittee shall construct the proposed well according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID No. 8, Permittee ID No. LR-3, with a surface diameter of 16 inches and a minimum casing depth of 200 feet, drilled to an estimated total depth of 600 feet.
(240)

4. The Permittee shall maintain two rain gages with continuous recorders at District ID No. 130/Permittee ID No. WWPRG, Weeki Wachee Prairie (latitude/longitude 28°28'39.23"/82°33'57.03") and District ID No. 132/Permittee ID No. HLRG at Hunters Lake (latitude/longitude 28°26'37.36"/82°37'01.19").

Rainfall quantities shall be recorded based on the following timetable of recording frequency:

<u>Recording Frequency</u>	<u>Recording Time</u>
Daily	Same time of each day

The daily rainfall quantities shall be reported on a monthly basis.

Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

(255)

5. The District reserves the right to set chloride, sulfate, or TDS concentration limits on any production well in the future, based on data collected and after a sufficient data base has been established to determine limits. These limits shall be required after discussions with the Permittee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Permittee shall take appropriate action to reduce concentrations to below those set for the particular well. If the District determines that long-term upward trends or other significant water quality changes are occurring, the District may reconsider the quantities permitted.(276)
6. The Permittee shall continue implementation of the Environmental Management Plan, Revised (EMP) dated April 29, 2008, amended on July 15, 2015, and included in Water Use Permit File of Record No.20005789.009, with the additions and changes itemized below. The Permittee shall submit an Environmental Assessment Report by March 1st of each year for the preceding water year (October 1 -September 30).

The Environmental Assessment Report shall be prepared based on the following general guidelines.

- A. Essential graphs, tables, and text shall be presented, as well as monitoring progress at each site.
- B. Interpretive sections of wetland environmental conditions shall incorporate relations between water-level fluctuations, well pumpage, atmospheric conditions, and drainage factors related to the environmental condition of the wetlands and lakes in the vicinity of the permit area.
- C. Pumpage data, wetland, water-level data collected from each aquifer and for the region, and environmental parameters collected at the wellfield and in the region shall be used for the interpretive report results.
- D. Appropriate statistical trends shall be performed to analyze the interactions of rainfall and pumpage on surficial aquifer water levels, potentiometric levels in the semi-confined aquifers, lake and wetland water levels. Evidence of abnormal plant succession will be evaluated qualitatively.
- E. Data shall be obtained through field measurements, aerial photo interpretation, and other appropriate methods.
- F. A brief summary of any recommended changes to the monitoring requirements shall be provided.
- G. The Permittee shall submit three copies of the report (three Compact Disks in pdf format is acceptable).

Changes to EMP During Permit Term Wetlands

The Permittee will include in the annual report the continued appropriateness of the referenced wetlands. If a non-climatic change to any referenced wetland results in the wetlands no longer being appropriate as references, the Permittee will submit an alternate referenced wetland to the District. The Permittee must identify alternative sites where legal access can be obtained and submit within 30 days a written request to the District to modify the EMP. Within 90 days of District staff approval of the EMP network modification, the Permittee must implement the approved change(s).

Water Levels

If the Permittee is unable to obtain or maintain legal access to any of the proposed monitoring sites, the Permittee must notify the District in writing within 15 days of concluding that access to any specific site is not possible. Within 30 days of such notification, the Permittee must identify alternative sites where legal access can be obtained and submit a written request to the Bureau Chief, Water Use Permit Bureau, to modify the EMP. Within 90 days of District approval of the EMP modification, the Permittee must implement the approved change(s).

(287)

7. The Permittee shall 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 improvement(s) or conversion when determined to be operationally and economically feasible.(296)
8. The Permittee shall 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.(309)

9. The Permittee shall 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.(312)
10. The Permittee shall 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. (331)
11. 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 place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
12. The Permittee shall immediately implement the District-approved water conservation plan submitted on January 21, 2015 in support of the application for permit 20005789.009. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan.(449)
13. The Permittee shall investigate the feasibility of using reclaimed water as a water source and submit a report describing the feasibility to the Water Use Permit Bureau, by **September 1, 2025**. 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(s) 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. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)
14. 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, F.A.C.(568)
15. By September 1, 2020, District ID Nos. 82 and 83, Permittee Nos. SP1 and AP1, shall be properly abandoned (plugged bottom to top) by a licensed water well contractor in accordance with Chapter 62-532.500(4), F.A.C., under a Well Abandonment Permit issued by the District unless an extension of time is granted by the Water Use Permit Bureau Chief. (580)
16. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
17. The Permittee shall comply with the following requirements:
 - A. Customer billing period usage shall be placed on each utility-metered, customer's bill.
 - B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
 - C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
 1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
 - a. Fixed and variable charges,
 - b. Minimum charges and the quantity of water covered by such charges,
 - c. Price block quantity thresholds and prices,
 - d. Seasonal rate information and the months to which they apply, and
 - e. Usage surcharges
 2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use

and that shall include one or more of the following:

- a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
- b. A means to calculate an efficient billing period use based on the customer's characteristics, or
- c. A means to calculate an efficient billing period use based on the service area's characteristics.

D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.

1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C 1 & 2 above).

(592)

18. The Permittee shall maintain a water conserving rate structure for the duration of the permit term. Any changes to the water conserving rate structure described in the application shall be described in detail as a component of the next Annual Report on Water Rate, Billing and Meter Reading Practices of the year following the change.(659)
19. The Permittee shall submit a "Water Use Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.047.00 (09/09)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Instructions for Completion of the Water Use Annual Report" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.

Per Capita Use Rate

A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report," shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

Residential Use

Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

Non-Residential Use

Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

Water Conservation

In an attachment to the Form, the Permittee shall describe the following:

1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, identification of which measures and programs, if any, were derived from the Conserve Florida Water

Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

Water Audit

If the current water loss rate is greater than 10% of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

Alternative Water Supplied Other Than Reclaimed Water

If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:

The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.

2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:

a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above, or

b. Provide information on reclaimed water supplied to customers on Part E of the Form as described in the "Instructions for Completion of the Water Use Annual Report".

Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system. (660)

20. The following proposed withdrawal facility shall be metered within 90 days of completion of construction of the facility: District ID No. 8, Permittee ID No. LR-3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
21. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 1, 4, 6, 7, 10, 13, 14, 35, 36, 37, 38, 39, 40, 41, 42, 43, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 75, and 76 Permittee ID No(s). RM-SOUTH, RM-WEST-1, LR-1, LR-2, RA-1, HD-1, HD-2, WH1, WH2, WH3, WH4, WH5, RH1, SW3, SW2, SW1, SW6, SW7, SW5, SW4, HR-1, HR-2, JA-1, AB-1, CK-1, JA-2, EL-1, CK-2, LD-1, LD-2, KI-3, AB-2, LD-3, CK-3, KI-4, GR-1, GR-2, GR-3, EL-4, KI-5, DW-3, SV-1, SV-2, ROAK, and CL-1. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
22. The following existing, but previously un-metered withdrawal facilities shall be metered upon permit issuance: District ID No(s). 166, Permittee ID No(s). DW-4. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(720)
23. The following existing standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall continue to be metered: District ID No(s). 34, 74, and 77 Permittee ID No(s). RM-West 2R, SV-5, and CL-2. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(722)

24. Water quality samples from the monitor sites listed below shall be collected and analyzed for the parameter(s) specified at the frequency indicated. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part to this permit. Existing District ID Nos. 79 /Permittee ID No. MM4 for Chloride, Sulfate and TDS, on a quarterly basis, after a minimum pumping time of 20 minutes with first analyzed sample due on September 10, 2015. (750)
25. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples 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 or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.
- Existing District ID Nos. 1, 6, 13, 38, 42, 48, 50, 55, 61, 63, 64, and 68/Permittee ID Nos. RM-South, RM-West, HD-1, WH-4, SW-2, SW5, HR-1, JA-2, AB-2, CK-3, KI-4, and EL-4 for Chlorides, Sulfates, and Total Dissolved Solids after a minimum pumping time of 20 minutes, on a quarterly basis, with the first sample due date on September 10, 2015. (752)
26. The Permittee shall continue to maintain the monitor well(s) or piezometer(s) listed below, monitor water levels, and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. Water levels shall be recorded relative to North American Vertical Datum 1988 and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watmatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.
- Daily Recording Frequency/Monthly Reporting Frequency: District ID Nos. 79, 80, 85, 94, 95, 96, 104, 126, 129, and 131/Permittee ID Nos. MM4, MWSF1, MWSF3, MWSF5, MWSF5S, SHMW3, SHMW2, HRMW1, WWP-ufas, and HUNT-ufas.
- Monthly Recording Frequency/Monthly Reporting Frequency: District ID No. 103/Permittee ID No. SHMW1. (756)
27. The Permittee shall continue to maintain the District-approved staff gauges, shallow monitor wells and wetland transects in the water bodies and at the location(s) specified by latitude and longitude below and report measurements of water levels referenced to NAVD 88 at the frequency indicated. The staff gauges and shallow monitor wells shall be recorded bi-weekly and reported monthly.
- DID 17/ PID BP-sg on Banshee Pond at 28° 32'38.58" / 82° 13'19.30" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 18/PID CRI-sg on Croom Rital Marsh at 28° 32'13.48" / 82° 13'04.76" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 19/PID CRI- mw on Croom Rital Marsh at 28° 32'13.46" / 82° 13'04.74" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 20/PID CRO-mw on Croom Road Marsh at 28° 35'53.61" / 82° 14'58.45" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 21/PID CRO-sg on Croom Road Marsh at 28° 35'53.61" / 82° 14'58.49" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 22/PID CL-sg on Cypress Lake at 28° 30'50.64" / 82° 12'15.51" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 23/PID CL-mw on Cypress Lake at 28° 30'50.66" / 82° 12'15.54" Wetland Type: Treatment; Reporting Frequency: Monthly
- DID 24/ PID NM-sg on Norman Marsh at 28° 31'12.56" / 82° 11'34.37" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 25/PID NM-mw on Norman Marsh at 28° 31'12.54" / 82° 11'34.36" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 28/PID SPP-sg on Sand Point Pond at 28° 36'24.11" / 82° 17'16.88" Wetland Type: Reference; Reporting Frequency: Monthly

DID 29/PID SPP-mw on Sand Point Pond at 28° 36'24.06" / 82° 17'16.88" Wetland Type: Reference; Reporting Frequency: Monthly

DID 30/PID SOP-sg on String of Pearls Marsh at 28° 40'26.31" / 82° 25'13.22" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 31/PID SOP-mw on String of Pearls Marsh at 28° 40'26.34" / 82° 25'13.18" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 32/PID TOP-sg on Townsend Prairie at 28° 38'56.33" / 82° 17'00.67" Wetland Type: Reference; Reporting Frequency: Monthly

DID 33/PID TOP-mw on Townsend Prairie at 28° 38'56.30" / 82° 17'00.67" Wetland Type: Reference; Reporting Frequency: Monthly

DID 89/PID WS-sg on Willow Sink at 28° 31' 20.51" / 82° 32' 29.30" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 90/PID GA-sg on Golden Ave DRA at 28° 33' 33.42" / 82° 32' 48.19" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 91/PID SS-sg on Shoemaker Sink at 28° 33' 37.15" / 82° 31' 59.65" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 106/PID MERE-sg on Lake Meredith at 28° 27' 9.36" / 82° 34' 3.36" Wetland Type: Treatment; Reporting Frequency: Monthly*

DID 107/PID DIAN-sg on Lake Diana at 28° 27' 9.17" / 82° 34' 40.61" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 108/PID ESP-sg on Eagle Scout Pond at 28° 31' 29.8" / 82° 32' 21.2" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 109/PID R9-mw on Wetland 9 at 28° 35' 21.37" / 82° 33' 59.02" Wetland Type: Reference; Reporting Frequency: Monthly

DID 110/PID CHAP-sg on Chapel Pond at 28° 30' 55.80" / 82° 28' 17.16" Wetland Type: Treatment; Reporting Frequency: Monthly*

DID 111/PID CENT-sg on Lake Century at Monthly 28° 30' 6.41" / 82° 34' 38.77" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 112/ PID CRES-sg on Lake Crescent at 28° 29' 38.8" / 82° 34' 21.7" Wetland Type: Treatment; Reporting Frequency: Monthly*

DID 115/PID REGA-sg on Lake Regatta at 28° 29' 29.93" / 82° 33' 50.67" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 116/PID R3-sg on Wetland 3 at 28° 41' 37.75" / 82° 32' 54.62" Wetland Type: Reference; Reporting Frequency: Monthly

DID 117/PID R4-sg on Wetland 4 at 28° 38' 18.13" / 82° 33' 41.67" Wetland Type: Reference; Reporting Frequency: Monthly

DID 118/PID R5-sg on Wetland 5 at 28° 37' 56.46" / 82° 33' 21.79" Wetland Type: Reference; Reporting Frequency: Monthly

DID 119/PID THP-sg on Thaxton Pond at 28° 32' 23.97" / 82° 33' 29.71" Wetland Type: Treatment; Reporting Frequency: Monthly*

DID 120/PID CAP-sg on Capuchin Pond at 28° 25' 6.5" / 82° 35' 45.3" Wetland Type: Treatment; Reporting Frequency: Monthly*

DID 121/PID MM-sg on Morgan Marsh at 28° 33' 19.08" / 82° 33' 5.87" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 122/PID R8-sg on Wetland 8 at 28° 37' 35.91" / 82° 33' 19.78" Wetland Type: Reference; Reporting Frequency: Monthly

DID 123/PID R9-sg on Wetland 9 at 28° 35' 21.38" / 82° 33' 58.99" Wetland Type: Reference; Reporting Frequency: Monthly

DID 133/PID CENT-mw on Lake Century at Monthly 28° 30' 6.44" / 82° 34' 38.55" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 134/PID DIAN-mw on Lake Diana at 28° 27' 9.79" / 82° 34' 41.44" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 135/PID REGA-mw on Lake Regatta at 28° 29' 34.41" / 82° 33' 49.72" Wetland Type: Treatment; Reporting Frequency: Monthly

DID 136/PID MM-mw on Morgan Marsh at 28° 33' 19.07" / 82° 33' 6.00" Wetland Type: Treatment;

Reporting Frequency: Monthly
DID 137/PID SS-mw on Shoemaker Sink at 28° 33' 37.15" / 82° 31' 59.60" Wetland Type: Treatment;
Reporting Frequency: Monthly
DID 138/PID WS-mw on Willow Sink at 28° 31' 20.81" / 82° 32' 29.32" Wetland Type: Treatment;
Reporting Frequency: Monthly
DID 139/PID R3-mw on Wetland 3 at 28° 41' 37.75" / 82° 32' 54.54" Wetland Type: Reference;
Reporting Frequency: Monthly
DID 140/PID R4-mw on Wetland 4 at 28° 38' 18.10" / 82° 33' 41.68" Wetland Type: Reference;
Reporting Frequency: Monthly
DID 141/PID R5-mw on Wetland 5 at 28° 37' 56.43" / 82° 33' 21.82" Wetland Type: Reference;
Reporting Frequency: Monthly
DID 142/PID R8-mw on Wetland 8 at 28° 37' 35.93" / 82° 33' 19.77" Wetland Type: Reference;
Reporting Frequency: Monthly
DID 143/PID BP-hwe on Banshee Pond at 28° 32'37.16" / 82° 13'19.35" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 144/ PID CRI-hwe on Croom Rital Marsh at 28° 32'13.40" 82° 13'04.40" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 145/ PID CRO-hwe on Croom Road Marsh at 28° 35'53.77" 82° 14'56.53" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 146/ PID NM-hwe on Norman Marsh at 28° 31'11.44" 82° 11'33.82" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 147/ PID SOP-hwe on String of Pearls Marsh at 28° 40'28.44" 82° 25'12.66" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 148/ PID SPP-hwe on Sand Point Pond at 28° 36'22.87" 82° 17'16.11" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 149/ PID TOP-hwe on Townsend Prairie at 28° 38'55.28" 82° 17'03.37" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 150/ PID CAP-hwe on Capuchin Pond at 28° 25' 7.82" 82° 35' 43.01" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 151/ PID CHAP-hwe on Chapel Pond at 28° 30' 55.08" 82° 28' 15.72" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 153/ PID ESP-hwe on Eagle Scout Pond at 28° 31'32.88" 82° 32' 21.60" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 155/ PID REGA-hwe on Lake Regatta at 28° 29'29.69" 82° 33' 49.13" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 156/ PID MM-hwe on Morgan Marsh at 28° 33' 19.30" 82° 33' 3.65" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 157/ PID SS-hwe on Shoemaker Sink at 28° 33' 34.10" 82° 31' 59.66" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 158/ PID WWP1-hwe on Weeki Wachee Prairie 1 at 28° 28' 35.52" 82° 34' 37.29" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 159/ PID WWP2-hwe on Weeki Wachee Prairie 2 at 28° 28' 39.23" 82° 33' 57.03" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 160/ PID WS-hwe on Willow Sink at 28° 31' 22.55" 82° 32' 28.26" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 161/ PID R3-hwe on Ref 3 at 28° 41' 38.82" 82° 32' 53.92" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 162/ PID R4-hwe on Ref 4 at 28° 38' 19.02" 82° 33' 42.82" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 163/ PID R5-hwe on Ref 5 at 28° 37' 57.18" 82° 33' 23.17" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 164/ PID R8-hwe on Ref 8 at 28° 37' 37.08" 82° 33' 19.41" WAP Transect on wetland edge; Reporting Frequency: Annually
DID 165/ PID R9-hwe on Ref 9 at 28° 35' 19.60" 82° 33' 59.40" WAP Transect on wetland edge; Reporting Frequency: Annually

* = due to staff gauge locations, these sites do not require piezometers DID = District Identification number

PID = Permittee ID

To the maximum extent possible, water levels shall be recorded on the same day of each week and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District- provided forms on or before the tenth day of the following month. The frequency of Reporting may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

DRAFT

Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. 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.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. 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. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a 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 an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. 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.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. 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.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. 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.
13. 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.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. 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 a statement in the application and in the supporting data are found to be untrue and inaccurate, 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, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

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 reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) 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 device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. 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.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, 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.
 - C. 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.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. 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.
6. 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.
7. Broken or malfunctioning meter:
 - A. 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.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. 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.
8. 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.

9. 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.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. 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."
7. 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).
8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

Frequency

Weekly
Quarterly
Semi-annually
Monthly

Timetable

Same day of each week
Same week of **February, May, August, November**
Same week of **May, November**
Same week of each month

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
2. The proposed well(s) 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.
3. 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.
4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
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 Water Use Permit Bureau Chief, or the Well Construction Section Manager.

ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

1. **Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in the Water Use Permit Applicant's Handbook Part B. Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019 shall submit this same report in the Annual Report due April 1, 2020.
2. **Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:
 - A. Number of dwelling units per category,
 - B. Number of domestic metered connections per category,
 - C. Number of metered irrigation connections,
 - D. Annual average quantities in gallons per day provided to each category, and
 - E. Percentage of the total residential water use provided apportioned to each category.
3. **Non-Residential Use** - Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:
 - A. Industrial/commercial uses, including associated lawn and landscape irrigation use,

- B. Agricultural uses (e.g., irrigation of a nursery),
 - C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums and school yards,
 - D. Golf course irrigation,
 - E. Fire fighting, system testing and other accounted uses,-
 - F. K-through-12 schools that do not serve any of the service area population, and
 - G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.
4. **Water Audit** - The water audit report that is done because water losses are greater than 10% of the total distribution quantities shall include the following items:
- A. Evaluation of:
 - 1) leakage associated with transmission and distribution mains,
 - 2) overflow and leakage from storage tanks,
 - 3) leakage near service connections,
 - 4) illegal connections,
 - 5) description and explanations for excessive distribution line flushing (greater than 1% of the treated water volume delivered to the distribution system) for potability,
 - 6) fire suppression,
 - 7) un-metered system testing,
 - 8) under-registration of meters, and
 - 9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and
 - B. A schedule for a remedial action-plan to reduce the water losses to below 10%.
5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:
- A. Description of the type of Alternative Water Supply provided,
 - B. County where service is provided,
 - C. Customer name and contact information,
 - D. Customer's Water Use Permit number (if any),
 - E. Customer's meter location latitude and longitude,
 - F. Meter ownership information,
 - G. General customer use category,
 - H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
 - I. Customer cost per 1,000 gallons or flat rate information,
 - J. Delivery mode (e.g., pressurized or non-pressurized),
 - K. Interruptible Service Agreement (Y/N),
 - L. Month/year service began, and
 - M. Totals of monthly quantities supplied.
6. **Suppliers of Reclaimed Water** - Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:
- A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in the Water Use Permit Applicant's Handbook Part B.
 - B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:
 - 1) Bulk customer information:
 - a) Name, address, telephone number,

- b) WUP number (if any),
 - c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
 - d) Month/year first served,
 - e) Line size,
 - f) Meter information, including the ownership and latitude and longitude location,
 - g) Delivery mode (pressurized, non-pressurized).
- 2) Monthly flow in gallons per bulk customer.
 - 3) Total gallons per day (gpd) provided for metered residential irrigation.
 - 4) Disposal information:
 - a) Site name and location (latitude and longitude or as a reference to the service area map),
 - b) Contact name and telephone,
 - c) Disposal method, and
 - d) Annual average gpd disposed.

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. The 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.

Attachment: Apr20 WUP 20005789.013 Recap Permit (5004 : WUP No. 2005789.013)

REGULATION COMMITTEE

April 28, 2020

Consent Agenda

WUP No. 20020883.000 – Sarasota National Community Development District/WCI Communities, LLC (Sarasota County)

This is a new permit for landscape and recreational use. This permit authorizes an annual average quantity of 718,800 gallons per day (gpd) and a peak month quantity of 2,202,100 gpd. Quantities are based on the District's irrigation allotment calculation program, AGMOD, for 300 acres of landscape irrigation and 43.85 of golf course irrigation. The main irrigation source is reclaimed water from Sarasota County. During times when reclaimed water is unavailable or insufficient to meet the total irrigation demand, the permit allows the use of seven interconnected surface water ponds to meet the irrigation demand. The permit does not authorize the use of any groundwater. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee notify District staff upon installation of surface water withdrawals, report monthly meter readings, perform meter accuracy checks every five years, implement water conservation and best management practices, update to the Conservation Plan at permit midterm, provide an over pump age report upon request, and comply with the SWUCA recovery strategy.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 020883.000**

PERMIT ISSUE DATE: April 28, 2020

EXPIRATION DATE: April 28, 2040

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: Sarasota National Community Development District
10481 Ben C Spratt/6 Mile Cypress Pkwy
Fort Myers, FL 33966

WCI Communities, LLC
10481 Ben C Spratt/6 Mile Cypress Pkwy
Fort Myers, FL 33966

PROJECT NAME: Sarasota National
WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Sarasota

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	718,800 gpd
PEAK MONTH ¹	2,202,100 gpd
DROUGHT ANNUAL AVERAGE ²	826,600 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.

ABSTRACT:

This is a new permit for landscape and recreational use. This permit authorizes an annual average quantity of 718,800 gallons per day (gpd) and a peak month quantity of 2,202,100 gpd. Quantities are based on the District's irrigation allotment calculation program, AGMOD, for 300 acres of landscape irrigation and 43.85 of golf course irrigation. The main irrigation source is reclaimed water from Sarasota County. During times when reclaimed water is unavailable or insufficient to meet the total irrigation demand, the permit allows the use of seven interconnected surface water ponds to meet the irrigation demand. The permit does not authorize the use of any groundwater. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee notify District staff upon installation of surface water withdrawals, report monthly meter readings, perform meter accuracy checks every five years, implement water conservation and best management practices, update to the Conservation Plan at permit midterm, provide an over pump age report upon request, and comply with the SWUCA recovery strategy.

Attachment: Apr20 WUP 200020883.000 Recap Permit (5005 : WUP No. 20020883.000)

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>
Landscape/Recreation	718,800	2,202,100	826,600

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Golf Course	43.85	Sprinkler Over Plant	35.00"/yr.	38.17"/yr.
Lawn & Landscape	300.09	Sprinkler Over Plant	27.10"/yr.	31.45"/yr.

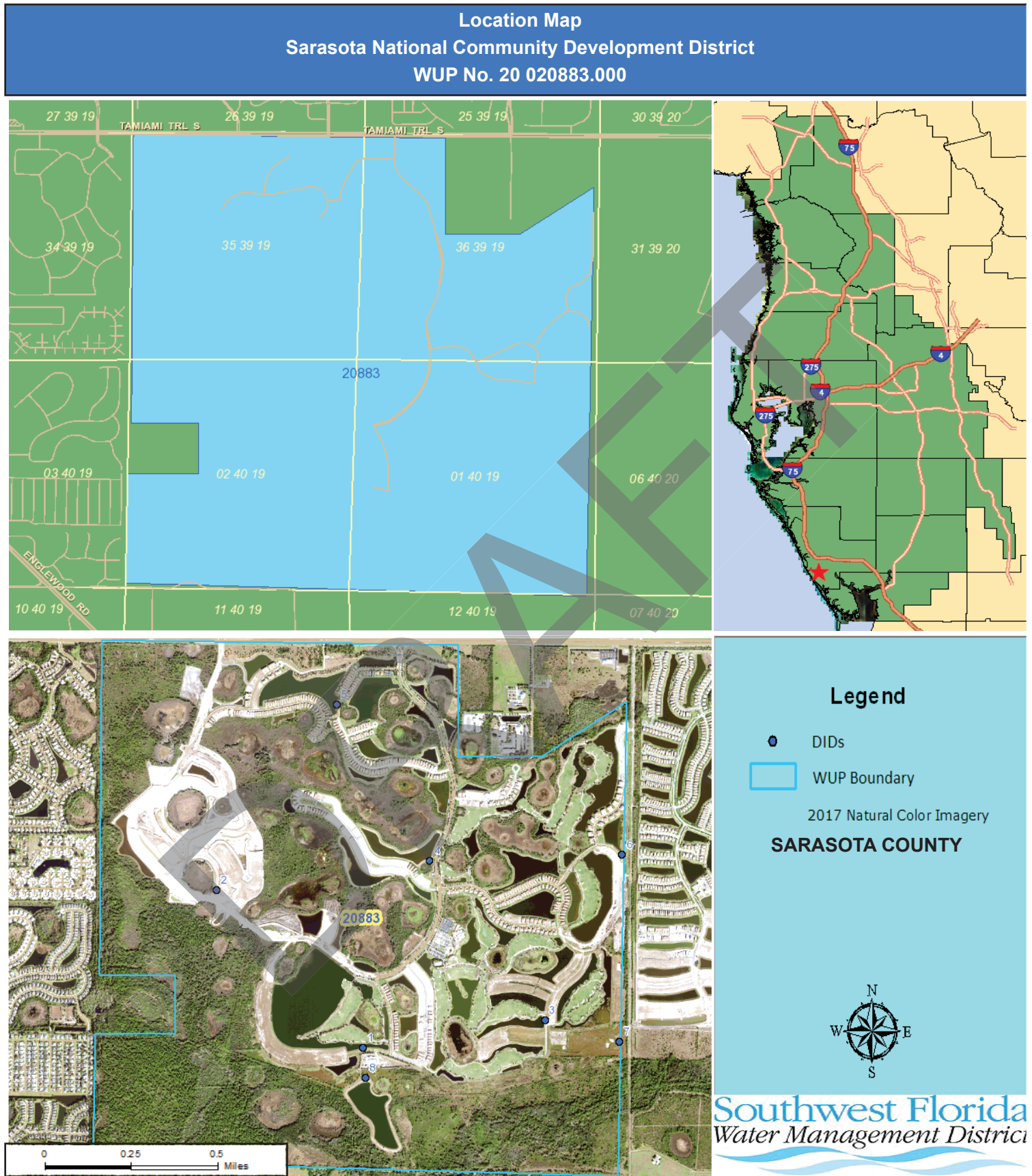
WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
SW-1 / 1	12	N/A / N/A	Irrigation	200,400	559,900
SW-2 / 2	8	N/A / N/A	Irrigation	86,400	273,700
SW-3 / 3	8	N/A / N/A	Irrigation	86,400	273,700
SW-4 / 4	8	N/A / N/A	Irrigation	86,400	273,700
SW-5 / 5	8	N/A / N/A	Irrigation	86,400	273,700
SW-6 / 6	8	N/A / N/A	Irrigation	86,400	273,700
SW-7 / 7	8	N/A / N/A	Irrigation	86,400	273,700
RW-1 / 8	8	N/A / N/A	Irrigation	718,800	2,202,100

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 01' 38.63"/82° 22' 07.26"
2	27° 02' 09.59"/82° 22' 39.76"
3	27° 01' 44.16"/82° 21' 27.10"
4	27° 02' 15.43"/82° 21' 52.68"
5	27° 02' 46.08"/82° 22' 13.43"
6	27° 02' 16.67"/82° 21' 10.10"
7	27° 01' 40.00"/82° 21' 10.60"
8	27° 01' 32.65"/82° 22' 06.83"



Attachment: Apr20 WUP 200020883.000 Recap Permit (5005 : WUP No. 20020883.000)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. 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.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

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.
(499)

2. The annual average and peak month quantities for District ID Nos. 1, 2, 3, 4, 5, 6, 7, Permittee ID Nos. SW-1, SW-2, SW-3, SW-4, SW-5, SW-6, SW-7, shown in the withdrawal point quantity table are estimates based projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed 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 718,800 gallons per day on an annual average basis and up to 2,202,100 gallons per day on a peak month basis for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal and the total peak month daily withdrawal are limited to the quantities set forth above.(221)
3. The Permittee shall 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 improvement(s) or conversion when determined to be operationally and economically feasible.(296)
4. The Permittee shall 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.(309)
5. The Permittee shall 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.(312)
6. Within 90 days of construction of the withdrawal facility, the Permittee shall install and/or properly maintain a District approved shut off elevation for the withdrawals pumping from the surface water bodies indicated in the table below and provide the District with documentation of installation. The system shall be installed such that pumping does not take place when the water level is at or below the specified water-level elevation in National Geodetic Vertical Datum 1929 for the particular water body. Provisions shall be made by the Permittee in the pumping schedule to allow for the maximum possible runoff/rainfall capture. The regulatory elevation may be modified by the Water Use

Permit Bureau Chief, as necessary to protect environmental and water resources of the District.

District ID No. 1, Permittee ID No. SW-1, Lake: 56 shall cease pumping at 12.8 feet.

District ID No. 2, Permittee ID No. SW-2, Lake: 73 shall cease pumping at 12.5 feet.

District ID No. 3, Permittee ID No. SW-3, Lake: 38 shall cease pumping at 11.8 feet.

District ID No. 4, Permittee ID No. SW-4, Lake: 50 shall cease pumping at 13.1 feet.

District ID No. 5, Permittee ID No. SW-5, Lake: 4 shall cease pumping at 13.3 feet.

District ID No. 6, Permittee ID No. SW-6, Lake: 25 shall cease pumping at 12.0 feet.

District ID No. 7, Permittee ID No. SW-7, Lake: 40 shall cease pumping at 12.0 feet.

(314)

7. The Permittee shall 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.

(331)

8. 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.

(427)

9. The Permittee shall immediately implement the District-approved water conservation plan dated March 13, 2020 that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted January 1, 2030. (449)

10. The permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for recreation/aesthetic/golf irrigation use for each permitted irrigation withdrawal point, District ID. No(s). 1, 2, 3, 4, 5, 6, 7, 8, Permittee ID No(s). SW-1, SW-2, SW-3, SW-4, SW-5, SW-6, SW-7, RW-1:

1. Irrigated plant type,
2. Total Acres per plant type,
3. Acres shrubs and/or trees,
4. Number of acres of tees and greens, and
5. Dominant soil type or acres by dominant soil type.

This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.

(475)

11. The Permittee shall use Alternative Water Supplies in lieu of non-Alternative Water Supplies to the

greatest extent practical, based on economic, environmental and technical feasibility.(551)

12. The Permittee shall not irrigate golf course roughs with non-alternative water supplies unless such water supplies are derived from a portion of the quantities permitted for the tees, greens, and fairways. The amount of permitted ground or surface water plus alternative water supply applied to the entire golf course shall not exceed reasonable-beneficial quantities for tees, greens and fairways alone. Further, during any single month, alternative water supply sources shall not be used to irrigated the roughs if any non-alternative water supplies are withdrawn for the purpose of irrigation during the same month. However, with prior District approval, during wet weather, the permittee may use roughs as reclaimed water disposal sites.(594)
13. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. 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. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
14. 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.(652)
15. The Permittee shall notify the District in writing of the installation of all surface water withdrawal points within 30 days of installation. The Permittee shall confirm the intake pipe diameter, pump capacity and location in the notification.(663)
16. The following existing, but previously un-metered reclaimed water inflow lines shall be metered upon permit issuance: District ID No(s). 8, Permittee ID No(s). RW-1. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(702)
17. The following proposed withdrawal flexibility facilities (those that provide back-up water for an alternative water supply in the event the alternative water supply becomes unavailable or unusable) shall be metered within 90 days of construction: District ID No(s). 1, 2, 3, 4, 5, 6, 7, Permittee ID No(s). SW-1, SW-2, SW-3, SW-4, SW-5, SW-6, SW-7. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(725)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. 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.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. 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. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a 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 an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. 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.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. 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.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. 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.
13. 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.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. 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 a statement in the application and in the supporting data are found to be untrue and inaccurate, 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, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. 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 District, 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.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

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 reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) 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 device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. 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.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, 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.
 - C. 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.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. 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.
6. 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.
7. Broken or malfunctioning meter:
 - A. 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.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. 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.
8. 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.

9. 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.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

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. The 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.

Attachment: Apr20 WUP 200020883.000 Recap Permit (5005 : WUP No. 20020883.000)

REGULATION COMMITTEE

April 28, 2020

Consent Agenda

WUP No. 20003872.020 – West Villages Improvement District/The Ranch Land Operations, LLC, West Villages Improvement District (Sarasota County)

This is a modification of an existing water use permit for agricultural and landscape/recreation use. The authorized groundwater and total demand authorized by this permit have increased. The authorized groundwater annual average has increased from 2,313,700 gallons per day (gpd) to 2,489,800 gpd, the authorized groundwater drought annual average has increased from 2,686,000 gpd to 2,890,400 gpd, and the authorized groundwater peak month quantity has increased from 6,179,800 gpd to 6,735,900 gpd. The increase in demand is due to an addition of approximately 87 acres of lawn and landscape. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This water use permit is located within the Southern Water Use Caution Area (SWUCA) in Sarasota County. The Permittee is utilizing reclaimed water as well as surface water to the greatest extent practicable to meet the current demand and will primarily rely on Alternative Water Sources (AWS).

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, perform meter accuracy tests every five years and submit meter accuracy test reports, comply with the allocated quantities, limit groundwater withdrawals to no more than 2,489,800 gpd on an annual average basis, implement conservation and best management practices, implement the approved Water Conservation Plan and provide an update every 10 years (next due April 1, 2029), preferentially use AWS, construct the proposed wells according to the approved specifications and submit well completion reports, submit an environmental monitoring report annually by January 1 each year, install backflow prevention and augmentation control devices, submit updates on Environmental Resource Permitting annually by April 1 each year, record and report annual and seasonal crop reports for all withdrawals, submit a comprehensive Permit Transition and Expansion Summary Report every 10 years (next due April 1, 2029), collect water quality samples quarterly from the specified wells and record water levels weekly at the designated stations, and comply with the SWUCA Recovery Strategy.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 003872.020**

PERMIT ISSUE DATE: April 28, 2020

EXPIRATION DATE: August 24, 2068

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: Modification

GRANTED TO: The Ranch Land Operations, LLLP
19503 S. West Village Parkway
Venice, FL 34293

West Villages Improvement District
2501A West Burns Road
Palm Beach Gardens, FL 33410

PROJECT NAME: West Villages Improvement District

WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Sarasota

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)

ANNUAL AVERAGE	2,489,800 gpd
PEAK MONTH ¹	6,735,900 gpd
DROUGHT ANNUAL AVERAGE ²	2,890,400 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.

ABSTRACT:

This is a modification of an existing water use permit for agricultural and landscape/recreation use. The authorized groundwater and total demand authorized by this permit have increased. The authorized groundwater annual average has increased from 2,313,700 gallons per day (gpd) to 2,489,800 gpd, the authorized groundwater drought annual average has increased from 2,686,000 gpd to 2,890,400 gpd, and the authorized groundwater peak month quantity has increased from 6,179,800 gpd to 6,735,900 gpd. The increase in demand is due to an addition of approximately 87 acres of lawn and landscape. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This water use permit is located within the Southern Water Use Caution Area (SWUCA) in Sarasota County. The Permittee is utilizing reclaimed water as well as surface water to the greatest extent practicable to meet the current demand and will primarily rely on Alternative Water Sources (AWS).

Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, perform meter accuracy tests every five years and submit meter accuracy test reports, comply with the allocated quantities, limit groundwater withdrawals to no more than 2,489,800 gpd on an annual average basis, implement conservation and best management practices, implement the approved Water Conservation Plan and provide an update every 10 years (next due April 1, 2029), preferentially use AWS, construct the proposed wells according to the approved specifications and submit well completion reports, submit an environmental monitoring report annually by January 1 each year, install backflow prevention and augmentation control devices, submit updates on Environmental Resource Permitting annually by April 1 each year, record and report annual and seasonal crop reports for all withdrawals, submit a comprehensive Permit Transition and Expansion Summary Report every 10 years (next due April 1, 2029), collect water quality samples quarterly from the specified wells and record water levels weekly at the designated stations, and comply with the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>
Landscape/Recreation	3,088,700	9,775,100	3,585,000

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Hay, Commercial	572.00	Seepage Without Plastic	8.72"/yr.	9.68"/yr.
Lawn & Landscape	1,510.93	Sprinkler Over Plant	27.08"/yr.	31.45"/yr.
Melons	196.00	Seepage Without Plastic	18.21"/yr.	19.03"/yr.
Nursery, Container	23.00	Seepage Without Plastic	62.42"/yr.	67.10"/yr.
Sod	707.00	Seepage Without Plastic	32.43"/yr.	36.10"/yr.
Sports Playing Fields	20.00	Sprinkler Over Plant	29.60"/yr.	33.14"/yr.
Animals				
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
74 / 74	12	320 / 240	Irrigation	160,900	430,400
75 / 75	12	322 / 240	Irrigation	160,900	430,400
76 / 76	8	360 / 240	Irrigation	168,900	451,800
77 / 77	8	600 / 300	Irrigation	161,300	138,500
78 / 78	12	360 / 240	Irrigation	102,500	567,300
79 / 79	12	360 / 240	Irrigation	165,900	443,800
80 / 80	16	450 / 240	Irrigation	341,000	998,900
81 / 81	12	320 / 240	Irrigation	119,800	424,800
82 / 82	12	320 / 240	Irrigation	207,900	451,800
83 / 83	8	600 / 300	Irrigation	152,100	406,900
84 / 84	16	450 / 240	Irrigation	33,600	90,000
85 / 85	16	450 / 240	Irrigation	33,600	90,000
86 / 86	16	500 / 240	Irrigation	33,700	90,000
87 / 87	16	450 / 240	Irrigation	33,600	90,100
88 / 88	16	450 / 240	Irrigation	33,600	90,000
89 / 89	16	450 / 240	Irrigation	33,700	90,000
90 / 90	16	450 / 240	Irrigation	26,100	69,900
91 / 91	16	286 / 230	Irrigation	33,600	90,000
96 / 96	16	500 / 240	Irrigation	20,100	53,900
97 / 97	16	500 / 240	Irrigation	12,100	32,500
98 / 98	16	500 / 240	Irrigation	12,100	32,500
99 / 99	16	337 / 220	Irrigation	20,100	53,900
100 / 100	4	500 / 240	Irrigation	50,000	133,800
101 / 101	4	500 / 240	Irrigation	50,000	133,800
128 / 128	16	500 / 240	Irrigation	12,200	32,500
129 / 129	16	500 / 240	Irrigation	20,200	53,900
130 / 130	16	500 / 240	Irrigation	20,100	53,900
131 / 131	16	500 / 240	Irrigation	20,100	53,900
132 / 132	16	500 / 240	Irrigation	20,200	53,900
133 / 133	16	500 / 240	Irrigation	20,100	53,900
134 / 134	16	500 / 240	Irrigation	12,100	32,500
135 / 135	16	500 / 240	Irrigation	12,100	32,500
136 / 136	16	500 / 240	Irrigation	20,100	53,900
137 / 137	16	500 / 240	Irrigation	154,900	414,600
138 / 138	4	157 / 58	Irrigation	9,600	14,400
RCW-1 / 174	24	N/A / N/A	Re-Use	250,000	250,000
RCW-2 / 175	24	N/A / N/A	Re-Use	600,000	600,000
RCW-3 / 176	24	N/A / N/A	Re-Use	4,000,000	4,000,000
PIL1-SW1 / 177	24	N/A / N/A	Re-Pump	1,279,000	4,041,700
PIL2-SW2 / 178	24	N/A / N/A	Re-Pump	1,215,500	3,852,500
PIL3-SW3 / 179	24	N/A / N/A	Re-Pump	593,200	1,879,900
IL-2 / 184	6	N/A / N/A	Re-Pump	120,200	381,000
IL-3 / 185	4	N/A / N/A	Re-Pump	54,900	174,100
186 / 186	4	300 / 220	Personal Sanitary	1,000	1,000

Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
74	27° 03' 29.71"/82° 20' 40.68"
75	27° 03' 00.37"/82° 20' 41.21"
76	27° 03' 24.82"/82° 20' 10.01"
77	27° 03' 01.02"/82° 20' 06.83"
78	27° 03' 22.20"/82° 19' 48.26"
79	27° 03' 00.66"/82° 19' 46.84"
80	27° 03' 09.87"/82° 19' 11.93"
81	27° 02' 27.28"/82° 20' 37.61"
82	27° 01' 30.59"/82° 20' 32.43"
83	27° 01' 14.70"/82° 20' 58.17"
84	27° 02' 30.33"/82° 22' 20.24"
85	27° 02' 33.03"/82° 21' 57.22"
86	27° 02' 32.26"/82° 21' 33.15"
87	27° 02' 29.00"/82° 21' 08.78"
88	27° 02' 07.32"/82° 22' 11.97"
89	27° 02' 06.57"/82° 21' 52.20"
90	27° 02' 13.15"/82° 21' 09.19"
91	27° 01' 31.74"/82° 18' 59.57"
96	27° 00' 19.53"/82° 19' 09.88"
97	27° 00' 19.31"/82° 18' 43.07"
98	27° 00' 19.04"/82° 18' 12.74"
99	26° 59' 53.85"/82° 19' 35.96"
100	27° 00' 19.35"/82° 21' 08.42"
101	27° 01' 27.83"/82° 20' 59.65"
128	26° 59' 53.15"/82° 19' 13.38"
129	26° 59' 51.82"/82° 18' 13.14"
130	26° 59' 52.02"/82° 17' 46.19"
131	26° 59' 37.15"/82° 19' 51.04"
132	26° 59' 06.11"/82° 20' 39.31"
133	26° 59' 17.18"/82° 20' 17.04"
134	26° 59' 04.51"/82° 19' 55.89"
135	26° 59' 09.05"/82° 19' 15.08"
136	27° 01' 52.83"/82° 21' 39.61"
137	27° 01' 55.20"/82° 21' 09.39"
138	27° 01' 11.03"/82° 18' 36.69"
174	27° 03' 02.32"/82° 21' 03.80"
175	27° 03' 06.00"/82° 21' 03.90"
176	27° 02' 17.67"/82° 20' 00.68"
177	27° 02' 13.54"/82° 20' 02.11"
178	27° 01' 10.34"/82° 18' 34.09"
179	27° 03' 04.09"/82° 21' 02.41"

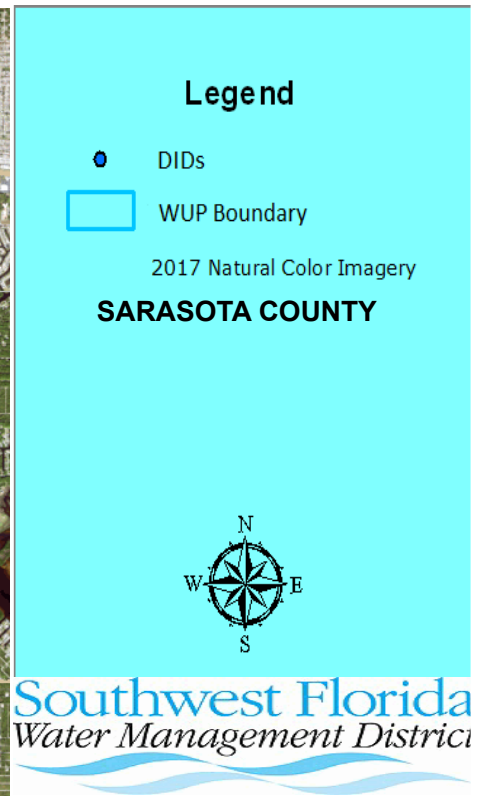
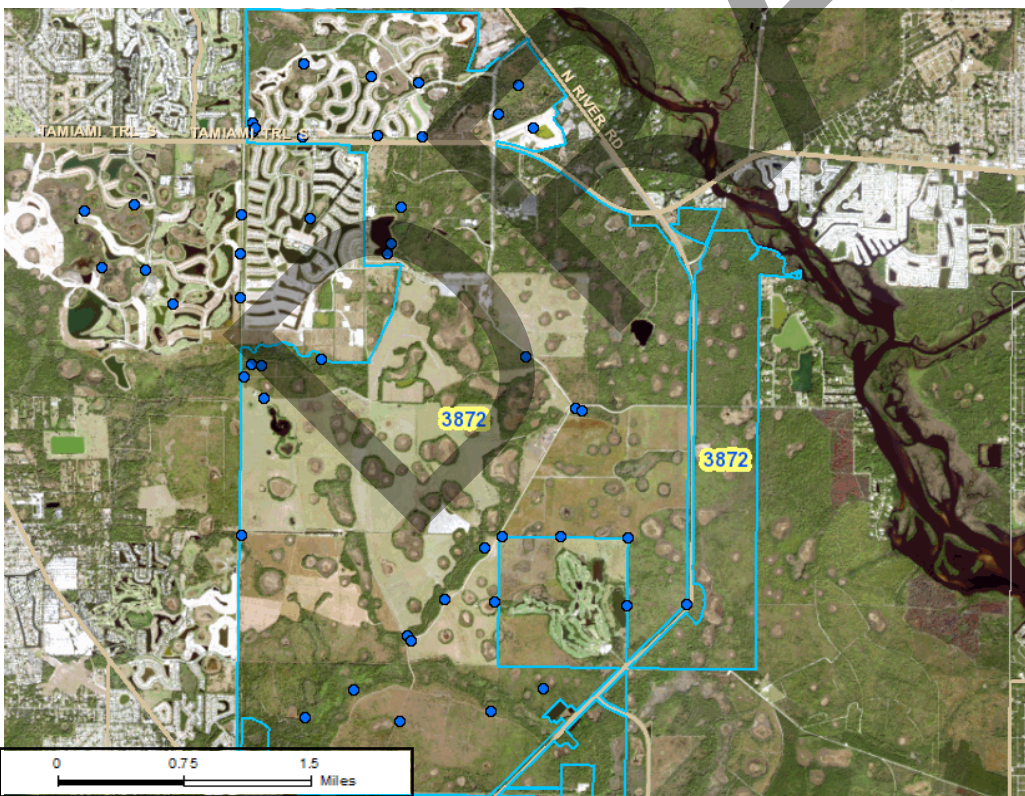
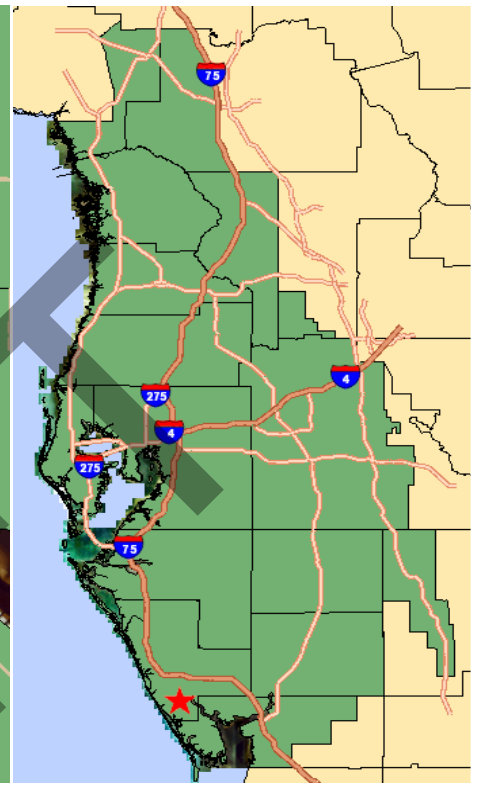
Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

184	27° 03' 21.29"/82° 19' 02.84"
185	27° 03' 04.04"/82° 18' 56.19"
186	26° 59' 18.00"/82° 18' 51.27"

DRAFT

Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

Location Map
The Ranch Land Operations, LLLP
WUP No. 20 003872.020



Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. 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.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

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.
(499)

2. The annual average and peak month quantities for groundwater withdrawals District ID Nos. 74-91, 96-101, and 128-138 shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed 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 so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total groundwater withdrawal from these wells is limited to 2,489,800 gallons per day (gpd) on an annual average basis, and 6,735,900 gpd on a peak month basis.

The reclaimed water quantities associated with DID Nos. 174, 175 and 176 shown in the withdrawal point quantity table are also estimates only and are not intended to limit the use of this alternative water source should additional quantities of reclaimed water become available to the Permittee.(221)

3. The Permittee shall construct the proposed wells according to the surface diameter, casing depth, and total depth specifications below. The casing shall be continuous from land surface to the minimum depth stated, and both the casing depth and total depth are specified to prevent the unauthorized interchange of water between different water bearing zones. The maximum total depth listed below is an estimate, based on best available information, of the depth to the bottom of the Intermediate aquifer. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID Nos. 80, 84-85, and 87-90, Permittee ID Nos. 80, 84-85, and 87-90, having a surface diameter of 16 inches, with a minimum casing depth of 240 feet, drilled to a maximum total depth of 450

feet.

District ID Nos. 86, 97-98, 100-101, and 128-137, Permittee ID Nos. 86, 97-98, 100-101, and 128-137, having a surface diameter of 16 inches, with a minimum casing depth of 240 feet, drilled to a maximum total depth of 500 feet.

District ID No. 186, Permittee ID No. 186, having a surface diameter of 4 inches, with a minimum casing depth of 220 feet, drilled to a maximum depth of 300 feet. (223)

4. The District reserves the right to set chloride concentration limits on any production well in the future, based on data collected and after a sufficient data base has been established to determine limits. These limits shall be required after discussions with the Permittee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Permittee shall take appropriate action to reduce concentrations to below those set for the particular well. If the District determines that long-term upward trends or other significant water quality changes are occurring, the District may reconsider the quantities permitted.(276)
5. By January 1 of each year of the permit term, for the preceding water year (October 1 - September 30), the Permittee shall submit a summary report of environmental monitoring data collected during the reporting period and since permit issuance. Reports shall be submitted to the Water Use Permit Bureau and shall include appropriate tables and figures. Any color part of the report that is scanned shall be scanned in color. The report shall include the Permittee's analyses and interpretation of the relationship between pumpage, water table elevation, and water quality data collected pursuant to Special Conditions of this permit. (287)
6. The Permittee shall 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 improvement(s) or conversion when determined to be operationally and economically feasible.(296)
7. The Permittee shall 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.(309)
8. The Permittee shall 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.(312)
9. Prior to the use of any well for augmentation, the Permittee shall install and properly maintain a District approved automated augmentation control system for the wells augmenting the surface water bodies indicated in the table below. The system shall be installed such that augmentation does not take place when the water level is at or above the specified water-level elevation for the particular water body. Provisions shall be made by the Permittee in the augmentation schedule to allow for the maximum possible runoff/rainfall capture. The regulatory elevation may be modified by the Water Use Permit Bureau Chief, as necessary to protect environmental and water resources of the District.

District ID Nos. 78-80, 82, 84-90, and 136-137, Permittee ID Nos. 78-80, 82, 84-90, and 136-137, augmenting Primary Irrigation Lake 1 (PIL 1), shall cease augmentation at 0.5 feet below the control elevation.

District ID Nos. 81, 83, 91, 96-101, 128-135, and 138, Permittee ID Nos. 81, 83, 91, 96-101, 128-135, and 138, augmenting Primary Irrigation Lake 2 (PIL 2), shall cease augmentation at 0.5 feet below the control elevation.

District ID Nos. 74-77, Permittee ID Nos. 74-77, augmenting Primary Irrigation Lake 3 (PIL 3), shall cease augmentation at 0.5 ft below the control elevation.

District ID No. 177, Permittee ID PIL1-SW1, augmenting the Renaissance Lakes, shall cease augmentation at 0.5 ft below the control elevation.(314)

10. Prior to augmentation of Primary Irrigation Lake 1 (PIL 1), the Permittee shall install a backflow prevention system on District ID Nos. 78-80, 82, 84-90, and 136-137, Permittee ID Nos. 78-80, 82, 84-90, and 136-137.

Prior to augmentation of Primary Irrigation Lake 2 (PIL 2), the Permittee shall install backflow prevention system on District ID Nos. 81, 83, 91, 96-101, 128-135, and 138, Permittee ID Nos. 81, 83, 91, 96-101, 128-135, and 138.

Prior to augmentation of Primary Irrigation Lake 3 (PIL 3), the Permittee shall install backflow prevention system on District ID Nos. 74-77, Permittee ID Nos. 74-77.

(315)

11. The Permittee shall 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. (331)
12. 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 place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available. (363)
13. The Permittee shall provide an annual ERP report beginning April 1, 2020 with subsequent reports due thereafter on April 1 of each year. The reports shall provide an update of all Environmental Resource Permit (ERP) applications submitted to the District during the previous calendar year. The information to be provided should include a detailed description of the land and water use changes associated with the associated ERPs including: 1. the name and number of the ERP associated with the area subject to the land use change; 2. a map and description of the land use change, including the number of acres, crop type, and quantities of the existing agricultural lands versus those for the landscape/recreational use associated with the ERP; and 3. a summary of changes in withdrawal distribution for all sources. If the land use change results in a significant redistribution of groundwater quantities; the need for additional withdrawals not evaluated as part of this permit; an increase in total irrigation demand; or if the allocated quantities are no longer needed for landscape/recreation or agricultural irrigation, then an application for permit modification will be required. (385)
14. 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.

(427)

15. The Permittee shall immediately implement the District-approved water conservation plan that was submitted on May 9, 2018 in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted as part of the Permit Transition and Expansion Summary Report every ten years. (449)
16. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. Nos. 74-91, 96-101, and 128-137, Permittee ID Nos. 74-91, 96-101, and 128-137:
 1. Crop type,
 2. Irrigated acres,

3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.
- This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(474)

17. The permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for recreation/aesthetic/golf irrigation use for each permitted irrigation withdrawal point, District ID. Nos. 74-91, 96-101, and 128-137, Permittee ID Nos. 74-91, 96-101, and 128-137:

1. Irrigated plant type,
2. Total Acres per plant type,
3. Acres shrubs and/or trees,
4. Number of acres of tees and greens, and
5. Dominant soil type or acres by dominant soil type.

This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(475)

18. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. Nos. 74-91, 96-101, and 128-137, Permittee ID Nos. 74-91, 96-101, and 128-137:

1. Crop type
2. Irrigated acres per crop for the appropriate season,
3. Dominant soil type or acres by dominant soil type,
4. Irrigation method (NTBWUCA only),
5. Use or non-use of plastic mulch,
6. Planting dates, and
7. Season length.

This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop.(476)

19. The Permittee shall submit a copy of all well completion reports as filed with Sarasota County Health Department to the Water Use Permit Bureau within 30 days of each well completion.(508)

20. The Permittee shall submit a Permit Transition and Expansion Summary Report for the preceding 10 years by April 1, 2029 (January 2019 thru December 2028); April 1, 2039 (January 2029 thru December 2038); April 1, 2049 (January 2039 thru December 2038); April 1, 2059 (January 2049 thru December 2058); and April 1, 2069 (January 2059 thru December 2068). The report shall include the following: A. An analysis of the total water use from each source (groundwater, stormwater, and reclaimed water) on an annual average basis, in table and graphic format, for both the 10-year reporting period and since issuance of the WUP. The report shall summarize all the activities used for the expansion of alternative water supplies (AWS) employed during the reporting period, and quantify the volume of groundwater that was offset by these activities . The report shall also provide a description of conservation measures implemented during the reporting period, and any conservations measures to be implemented over the next reporting period. B. An analysis of projected demand during the next reporting period for both agricultural and landscape/recreational Use Types, on an annual average basis and with each source quantified (groundwater, stormwater, and reclaimed water). Aerial photos or scaled maps depicting both the current and projected extent of each use type at the end of the next reporting period should also be provided. Within each use type category, identifiable water uses such as residential lawn/landscape and agricultural crop type should be depicted. A map and table documenting Environmental Resource Permits received during the reporting period should also be provided.
(524)

21. 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, F.A.C.(568)

22. The Permittee shall prioritize the sources for landscape irrigation and maximize the use of reclaimed water and stormwater before utilizing ground water for augmentation of the irrigation lakes. The permitted quantities for the groundwater withdrawals associated with landscape irrigation may only be accessed when reclaimed water is unavailable; the quantity of reclaimed water is insufficient to meet

the irrigation demand; or if the use of reclaimed water is no longer economically, technically, or environmentally feasible. If the quantity of reclaimed water available is insufficient to meet the irrigation demand, only that quantity necessary to make up the insufficiency may be accessed from the groundwater withdrawals, not to exceed the authorized groundwater allocation. Augmentation for aesthetic purposes only is strictly prohibited.(648)

23. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. 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. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
24. 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.(652)
25. The Permittee shall notify the District in writing of the installation of all surface water withdrawal points within 30 days of installation. The Permittee shall confirm the intake pipe diameter, pump capacity and location in the notification.(663)
26. The following proposed reclaimed water inflow lines shall be metered within 90 days of completion of construction of the reclaimed water delivery system: District ID No. 176, Permittee ID No. RCW-3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(700)
27. The following existing, reclaimed water inflow lines shall continue to be maintained and operated with non-resettable, totalizing flow meter(s) or other flow measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 174 and 175, Permittee ID Nos. RCW-1 and RCW-2. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(701)
28. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 80, 84-90, 97-98, 100-101, 128-137, and 178, Permittee ID Nos. 80, 84-90, 97-98, 100-101, 128-137, and PIL2-SW2. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
29. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meters or other measuring devices as approved by the Water Use Permit Bureau Chief: District ID Nos. 74-79, 81-83, 91, 96, 99, 177, 179, 184, and 185, Permittee ID Nos. 74-79, 81-83, 91, 96, 99, PIL-SW1, PIL-SW3, IL-2, and IL-3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
30. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples 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 or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID Nos. 74-79, 81-83, 91, 96, and 99, Permittee ID Nos. 74-79, 81-83, 91, 96, and 99, for chloride, sulfate, and TDS on a quarterly basis (February, May, August and November).

Proposed District ID Nos. 80, 84-90, 97-98, 100-101, and 128-137, Permittee ID Nos. 80, 84-90, 97-98, 100-101, and 128-137, for chloride, sulfate, and TDS, on a quarterly basis (February, May, August and November).
(752)

31. Within the timeframes noted below for the following proposed piezometers, the Permittee shall record water levels to North American Vertical Datum 1988 (NAVD88) and report them to the District at the frequency listed below. The piezometers shall be surveyed by a surveyor licensed in the State of Florida and referenced to NAVD88, and a certified survey indicating the datum reference shall be submitted with the first water level data report. To the maximum extent possible, water levels shall be recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the Permit Information Center at the District website, (www.watermatters.org/permits/epermitting), or mailed in hardcopy on District-provided forms to the address given in this permit for mailing data and reports on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

District ID Nos. 180 and 181, Permittee ID Nos. MW-1 and MW-2, to monitor the elevation of the water table on a weekly basis. Water level reporting shall begin within 90 days of groundwater withdrawals associated with Primary Irrigation Lake 1 (DID Nos. 77, 79, 80, 82, 84-90, and 136-137) attaining a combined total of 550,000 gpd on an annual average basis; this quantity represents approximately one-half of the total groundwater authorization for augmentation of PIL 1.

District ID No. 182, Permittee ID No. 2, to monitor the elevation of the water table on a weekly basis. Water level reporting shall begin at least 12 months prior to the use of Primary Irrigation Lake 2.(755)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. 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.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. 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. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a 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 an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. 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.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. 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.

Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. 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.
13. 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.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. 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 a statement in the application and in the supporting data are found to be untrue and inaccurate, 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, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. 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 District, 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.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

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 reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) 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 device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. 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.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, 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.
 - C. 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.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. 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.
6. 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.
7. Broken or malfunctioning meter:
 - A. 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.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. 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.
8. 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.

9. 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.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. 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."
7. 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).
8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

Frequency

Weekly
Quarterly
Semi-annually
Monthly

Timetable

Same day of each week
Same week of **February, May, August, November**
Same week of **May, November**
Same week of each month

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
2. The proposed well(s) 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.
3. 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.
4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
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 Water Use Permit Bureau Chief, or the Well Construction Section Manager.

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. The 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.

Attachment: Apr20 WUP 20003872.020 Recap Permit (5006 : WUP No. 20003872.020)

GENERAL COUNSEL'S REPORT

April 28, 2020

Consent Agenda

Governing Board Concurrence – Emergency Order No. SWF 20-014 – Emergency Measures Made Necessary by COVID-19

On March 9, 2020, the Governor issued an Executive Order declaring a state of emergency exists in Florida due to the Novel Coronavirus Disease 2019 (COVID-19). The Executive Order and Section 373.119, Florida Statutes, authorize local agencies and governments to take actions necessary to meet the emergency. Such actions may include, among others, waiving the procedures and formalities otherwise required to perform public work as necessary to ensure the health, safety, and welfare of the community.

The District's Executive Director and staff have found that immediate action is necessary to meet the ongoing public health emergency. In accordance with the Governor's Executive Order, the Executive Director issued Emergency Order No. SWF 20-014 on April 2, 2020 (Emergency Order) consistent with emergency orders issued by the Department of Environmental Protection and the other water management districts. The Emergency Order provides for the following narrowly tailored measures to assist the immediate need for action:

- Extension of permitting deadlines.
- Temporary closure of public buildings and facilities.
- Provision for conducting public meetings exclusively through audio/visual technology.

Section 373.119 also requires the District's Governing Board to concur with the findings and conclusions in the Emergency Order. If approved, the Emergency Order would remain in effect until May 8, 2020, unless terminated or extended by further order.

Staff Recommendation:

Approve Emergency Order No. SWF 20-014 and concur with the Executive Director's determinations regarding the state of emergency and the actions necessary to meet the emergency.

Presenter: Christopher A. Tumminia, Deputy General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

EMERGENCY ORDER DUE TO
THE EFFECTS OF COVID-19

EMERGENCY ORDER NO. SWF 20-014

Under the authority of Sections 120.569(2)(n), 252.36, 252.46, and 373.119(2), Florida Statutes (F.S.), and upon consideration of State of Florida Executive Order No. 20-52 and Florida Department of Environmental Protection Emergency Final Order No. 20-0239, and the following findings of fact, the Southwest Florida Water Management District (District) enters this Emergency Order (Order), including Findings of Fact and Conclusions of Law, in response to the imminent or immediate danger to the public health, safety, and welfare of the citizens residing within the District caused by the Novel Coronavirus Disease 2019 (COVID-19):

FINDINGS OF FACT

1. The District is a public corporation charged with the responsibility to conserve, protect, manage, and control the water resources within the 16 counties designated within its geographic boundaries (Emergency Area), and to administer and enforce Chapter 373, F.S. The District issues authorizations for use of sovereign submerged lands pursuant to Chapters 253 and 373, F.S., and permits in accordance with the various procedures and deadlines set forth in Chapters 120, 373, and 403, F.S., and rules promulgated thereunder in Chapters 18-20, 18-21, 28, 40D, and 62-330, Florida Administrative Code.

2. COVID-19 is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza.

3. In late 2019, a new and significant outbreak of COVID-19 emerged in China. Since the initial outbreak, COVID-19 has now been detected in more than 100 locations internationally, including the United States. As a result, the World Health Organization has declared COVID-19 a pandemic.

4. Positive cases of COVID-19 have been detected in the state of Florida. On March 1, 2020, pursuant to the Governor's Executive Order No. 20-51, the State of Florida's Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19. The Governor also directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 1 to provide a coordinated response to the COVID-19 emergency.

5. By State of Florida Executive Order No. 20-52 (Executive Order), the Governor declared that a state of emergency exists throughout the state of Florida. Subsequently, the Florida Department of Environmental Protection issued Emergency Final Order No. 20-0239 providing certain measures to be taken to implement the Governor's Executive Order and meet the exigencies of the public health emergency.

6. The District's Executive Director finds that the effects of COVID-19 create an ongoing state of emergency threatening the public health, safety, welfare, and property throughout the Emergency Area. As a result of the emergency, immediate action is necessary.

7. In accordance with recommendations from the Centers for Disease Control and Prevention (CDC) and other health organizations, many employees of companies and government entities are working remotely to minimize the risk of spreading COVID-19. On March 16, 2020, President Trump and the CDC issued the 15 days to Slow the Spread guidance advising individuals to adopt far reaching social distancing measures such as working from home and avoiding gatherings of more than 10 people.

8. COVID-19 may cause disruption in supply chains and the labor force, thereby impacting the ability of many regulated entities to meet certain regulatory deadlines. Therefore, the District's Executive Director finds that it is appropriate to extend certain regulatory deadlines by 30 days to accommodate disruptions. This Order does not provide relief from any other regulatory requirements, including those of other federal, state, or local agencies. This Order likewise does not provide relief from the District's compliance and enforcement activities. The District will continue to carry out all inspections, testing, data and file reviews, and other compliance verification activities to ensure full compliance with regulatory requirements. In the event of noncompliance with any such requirements, the District will continue to fully execute its compliance and enforcement duties to the extent required by law.

9. The District's Executive Director finds that in-person public meetings and hearings pose a potential risk and should not be held during the term of this Order. Instead, public meetings and hearings held by electronic means is a safe method to encourage public engagement while protecting public health.

10. Section 373.119(2), F.S., provides that whenever the executive director, with the concurrence and advice of the governing board, finds that an emergency exists

requiring immediate action to protect the public health, safety, or welfare of the citizens of the state of Florida, the executive director may, without prior notice, issue an order reciting the existence of such an emergency and require that such action be taken as the executive director deems necessary to meet the emergency.

11. The District's Executive Director finds that immediate, strict compliance with the provisions of the statutes, rules, or orders noted within this Order would prevent, hinder, or delay necessary action in coping with the emergency, and that the actions authorized under this Order are narrowly tailored to address the immediate need for action and are procedurally appropriate under the circumstances.

CONCLUSIONS OF LAW

12. Based on the findings recited above, it is hereby concluded that the emergency caused by COVID-19 poses an immediate danger to the public health, safety, or welfare and requires an immediate order of the District.

13. This Order is issued to carry out the directives in the Executive Order, which was issued under the authority of article IV, section 1(a) of the Florida Constitution, and in concert with the Florida Department of Environmental Protection Emergency Final Order No. 20-0239. Additionally, under the Executive Order and Sections 120.569(2)(n), 252.36, 252.46, and 373.119(2), F.S., the District's Executive Director is authorized to issue this Emergency Order.

14. Suspension of statutes and rules as noted within this Order is required so as not to prevent, hinder, or delay necessary action in coping with the emergency. However, this Order is limited to the items specified below and does not provide relief from the District's compliance and enforcement activities. The District will continue to carry out all inspections,

testing, data and file reviews, and other compliance verification activities to ensure full compliance with regulatory requirements. In the event of noncompliance with any such requirements, the District will continue to fully execute its compliance and enforcement duties to the extent required by law.

THEREFORE, it is hereby **ORDERED**:

Within the Emergency Area, the requirements and effects of statutes, rules, agreements, or District orders which conflict with the provisions of this Order are suspended to the extent necessary to implement this Order.

15. **Extension of Time to Comply with Specified Deadlines**. For facilities and activities regulated by the District within the Emergency Area, this Order extends by 30 days the time to comply with the following specified deadlines that occur between the date of issuance of this Order and the expiration of this Order (a.-f. below). However, as specified above, this Order does not provide relief from any other regulatory requirements including those of other federal, state, or local agencies. This Order likewise does not provide relief from the District's compliance and enforcement activities. The District will continue to carry out all inspections, testing, data and file reviews, and other compliance verification activities to ensure full compliance with regulatory requirements. In the event of noncompliance with any such requirements, the District will continue to fully execute its compliance and enforcement duties to the extent required by law.

a. The time deadlines to conduct or report periodic monitoring or any other similar monitoring that is required by a permit, lease, easement, consent of use, letter of consent, consent order, consent agreement, administrative order, or

other authorization under Chapters 161, 253, 258, 373, 376, or 403, F.S., and rules adopted thereunder.

b. The time deadlines to file an application for an extension of permit duration or renewal of an existing permit, lease, easement, consent of use, letter of consent, or other authorization under Chapters 161, 253, 258, 373, 376, or 403, F.S., and rules adopted thereunder.

c. The time deadlines to file an application for an operation permit under Chapters 161, 253, 258, 373, 376 or 403, F.S, and rules adopted thereunder.

d. The expiration date for an existing permit, lease, consent of use, or other authorization under Chapters 161, 253, 258, 373, 376 or 403, F.S., and rules adopted thereunder.

e. The time deadlines to obtain a permit for and commence construction of the initial phase of a system for which a conceptual permit was issued pursuant to Part IV of Chapter 373, F.S., and rules adopted thereunder.

16. **Public Meetings and Hearings.** The District shall conduct all public meetings or hearings during the term of this Order only by electronic means, including, but not limited to, the use of webinar or telephone to encourage public engagement while protecting public health. The District shall not hold any in-person public meetings or hearings during the term of this Order.

17. **Expiration Date.** This Order shall take effect immediately upon execution by the Executive Director or his designee, and shall expire on May 8, 2020, unless modified or extended by further order.

DONE AND ORDERED in Hillsborough County, Florida, on this 2nd day of April, 2020.

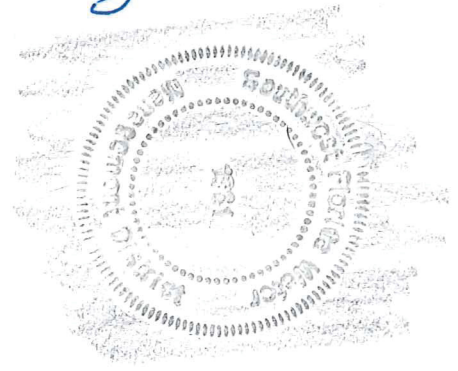
**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

By: [Signature]
Brian Armstrong, Executive Director

Filed this 2nd day of April, 2020.

[Signature]
Deputy Agency Clerk

[SEAL]



NOTICE OF RIGHTS

Pursuant to Section 120.569(2)(n), Florida Statutes, any party adversely affected by this Order has the right to seek an injunction of this Order in circuit court or judicial review under Section 120.68, Florida Statutes. Judicial review must be sought by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the District at 7601 U.S. Highway 301 North, Tampa, Florida 33637-6759, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the District.

GENERAL COUNSEL'S REPORT

April 28, 2020

Consent Agenda

Governing Board Resolution – Temporary Delegation of Authority to the Executive Director

On March 9, 2020, the Governor issued an Executive Order declaring a state of emergency exists in Florida due to the Novel Coronavirus Disease 2019 (COVID-19). In accordance with state and federal guidance, District staff have been working diligently to implement measures to minimize the disruption by COVID-19 on the District's continuity of operation. These measures include, among other things, closing District buildings to the public and limiting meetings to those which can be conducted electronically. In addition, many District employees are working remotely to perform their duties and meet compressed timelines for operational and financial decisions.

District staff will continue responsibly performing their ordinary job responsibilities during the current public health emergency. However, changing circumstances may require implementation of additional protective measures to ensure public health, safety, and welfare. In order to ensure the District's continuity of operation in these uncertain times, District staff recommend that the Governing Board temporarily delegate additional authority to the Executive Director by Governing Board Resolution. In effect, this limited delegation would:

- Temporarily delegate all powers, duties, and functions of the Governing Board to the Executive Director, but only during the period of time when the Governing Board is not able to timely take action at a regular public meeting.
- Automatically sunset after six months unless terminated earlier by the Governing Board.
- Require Governing Board Chair concurrence with any action taken by the Executive Director under the limited, temporary delegation.

Staff Recommendation:

Approve Governing Board Resolution No. SWF 20-05.

Presenter: Christopher A. Tumminia, Deputy General Counsel

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 20-05
TEMPORARY DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR**

WHEREAS, on March 9, 2020, the Governor issued Executive Order No. 20-52 declaring a state of emergency throughout the state of Florida due to the effects of the Novel Coronavirus Disease 2019 (COVID-19); and

WHEREAS, Executive Order 20-52 recognizes that special duties and responsibilities of state, regional, and local governmental bodies in responding to the emergency may require waiver or deviation from the statutes, rules, ordinances, and orders those agencies and bodies administer; and

WHEREAS, on April 1, 2020, the Governor issued Executive Order No. 20-91 directing all Floridians to limit movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, Executive Order No. 20-91 recognizes that continuity of government operation is an essential function and should be carried out to the fullest extent possible while still adhering to state and federal COVID-19 prevention guidelines and social distancing requirements; and

WHEREAS, on April 1, 2020, the Florida Department of Environmental Protection issued Emergency Final Order No. 20-0239 suspending the effect of certain statutes, rules, and orders that provide for specified regulatory deadlines, and requiring all public meetings or hearings to be held only by electronic means during the term of the public health emergency; and

WHEREAS, on April 2, 2020, the District's Executive Director entered Emergency Order No. SWF 20-014, adopting the findings and conclusions in the Governor's Executive Orders and the emergency measures in the Department of Environmental Protection's Emergency Final Order No. 20-0239; and

WHEREAS, District staff have been working diligently to implement measures to minimize the disruption caused by COVID-19 on the District's continuity of operation, including closing District buildings to the public, limiting meetings to those which can be conducted electronically, and working remotely to perform ordinary duties and meet compressed timelines for operational and financial decisions; and

WHEREAS, District staff will continue responsibly performing their ordinary job responsibilities during the current public health emergency; and

WHEREAS, the Governing Board desires to be proactive in addressing the changing circumstances and uncertainty surrounding the public health emergency by providing for a contingency plan to ensure the District's continuity of operation.

NOW, THEREFORE, BE IT RESOLVED that pursuant and subject to the limitations of section 373.083(5) and 373.079(4)(a), Florida Statutes, the Governing Board of the Southwest Florida Water Management District hereby temporarily delegates to the Executive Director all of its powers, duties, and functions during any period when the Governing Board is not able to timely take action at a regular meeting. This delegation expires the earlier of six months from the date of this Order or upon the Governing Board's withdrawal of this delegation.

This delegation is additionally subject to the following conditions:

1. Transactions pursuant to this authority must be in line with the Governing Board approved and adopted 2019-20 Final Budget, as duly amended and consistent with all applicable Governing Board Policies.

2. To the extent possible, actions taken pursuant to this authority must be reported to the Chair contemporaneously and reported to the full Governing Board at the next regular meeting.

PASSED and ADOPTED this 28th day of April 2020, by the Governing Board of the Southwest Florida Water Management District.

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

By: _____
Mark Taylor, Chair

Approved as to Legal Form and Content
_____ Karen E. West, General Counsel

[SEAL]

Filed this ___ day of _____, 2020.

Deputy Agency Clerk

GENERAL COUNSEL'S REPORT

April 28, 2020

Consent Agenda

Approval of Consent Order Between SWFWMD and Panther Trails, CDD – Overpumpage – WUP No. 20001854.008 – CT No. 400313 – Hillsborough County

On December 13, 2017, the District issued Water Use Permit (WUP) Number 20001854.008 (Permit) to Panther Trails, CDD (Permittee) authorizing water withdrawals in the amount of 4,600 gallons per day (gpd) on an annual average basis. The water withdrawals service approximately 2 acres of common area within a residential subdivision located in Hillsborough County, Florida, and in the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA).

On March 28, 2019, the District notified the Permittee that it was pumping quantities over the permitted annual average quantity authorized in the Permit. During a site visit on June 5, 2019, District staff observed a newly built residential subdivision with common areas that appeared to be planted and healthy. For the 12-month period ending December 2019, District staff concluded that the Permittee was pumping quantities as high as 105.5% over the permitted annual average quantity of 4,600 gpd.

The Permittee submitted a formal written response to District staff letters detailing the overpumpage violation. In the response, the Permittee explained that new plantings, water loss attributable to broken irrigation lines, and an increase in overall irrigated acres had contributed to the overpumpage. As a result, District staff issued the Permittee a Notice of Violation and proposed Consent Order on February 28, 2020, to bring the project into compliance by implementing a District-approved Corrective Action Plan.

On March 12, 2020, the Permittee agreed to the District's proposed Consent Order which assessed penalties totaling \$3,442.00 to be paid to the District. The Consent Order further required that the Permittee submit a written Compliance Plan to the District within thirty (30) days of the approval of the Consent Order, and that full compliance with the Permit be achieved within one hundred eighty (180) days of the District's approval of the proposed Compliance Plan.

Staff Recommendation:

- 1) Approve the Consent Order
- 2) Authorize the District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Consent Order, including filing any appropriate actions in circuit court, if necessary.

Presenter: Megan Albrecht, Staff Attorney

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO. SWF 20 –

IN RE: PANTHER TRAILS, CDD
CT NO. 400313
WATER USE PERMIT NO. 20001854.008
HILLSBOROUGH COUNTY, FLORIDA

CONSENT ORDER

Pursuant to Sections 120.57(4) and 373.083, Florida Statutes (F.S.), this Consent Order is entered into by and between the Southwest Florida Water Management District (District), and Panther Trails, CDD (Permittee), collectively referred to as "the Parties," to settle certain matters at issue between the Parties. The Parties hereby voluntarily agree to the following findings of fact, conclusions of law, and corrective actions.

FINDINGS OF FACT

1. The District is the administrative agency charged with the responsibility to conserve, protect, manage, and control the water resources within its geographic boundaries, and to administer and enforce Chapter 373, F.S., and rules promulgated thereunder as Chapter 40D-2, Florida Administrative Code (F.A.C.).

2. Permittee is a community development district having a principal place of business and mailing address of 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614. Permittee is responsible for approximately 135 acres of residential real property located within Section 36, Township 30, Range 19, in Hillsborough County, Florida (Property).

3. On May 16, 2017, the District issued Water Use Permit (WUP) No. 20001854.007 to Panther Trails, CDD, and Eisenhower Property Group, LLC, authorizing

groundwater withdrawals in the amount of 4,600 gallons per day ("gpd") on an annual average basis for residential lawn and landscape irrigation of approximately 2.0 acres.

4. On December 13, 2017, the District issued WUP No. 20001854.008 (Permit) as an ownership transfer to Panther Trails, CDD (Permittee), exclusively; there were no other changes with this modification.

5. On March 28, 2019, the District issued a Notice of Potential Non-Compliance/Overpumpage letter (First Notice) to the Permittee advising that an annual average quantity of 13,745 gpd had been pumped under the Permit for the 12-month period ending in January 2019. The First Notice further advised the Permittee of potential options for bringing the Permit into compliance without the need for further enforcement action.

6. On June 6, 2019, the District issued a Notice of Potential Non-Compliance/Overpumpage letter (Second Notice) to the Permittee advising that an annual average quantity of 11,378 gpd had been pumped under the Permit for the 12-month period ending in April 2019. The Second Notice further advised the Permittee of potential options for bringing the Permit into compliance without the need for further enforcement action.

7. For the period from June 1, 2018, through January 2020, the Permittee has exceeded the total annual average withdrawals authorized by the Permit by the following amounts:

12-MONTH PERIOD ENDING		AVERAGE ANNUAL (DAILY PUMPAGE - GPD)	PERCENTAGE OVER PUMPED
YEAR	MONTH		
2018	6	4,865	5.76%

2018	7	5,807	26.24%
2018	8	7,110	54.57%
2018	9	8,099	76.07%
2018	10	9,422	104.83%
2018	11	10,611	130.67%
2018	12	11,341	146.54%
2019	1	11,341	146.54%
2019	2	11,573	151.59%
2019	3	11,401	147.85%
2019	4	11,378	147.35%
2019	5	11,876	158.17%
2019	6	11,286	145.35%
2019	7	11,214	143.78%
2019	8	9,961	116.54%
2019	9	9,710	111.09%
2019	10	9,698	110.83%
2019	11	9,606	108.83%
2019	12	9,453	105.50%
2020	1	10,089	119.33%

8. As of the date this Consent Order was prepared, the Permittee continues to exceed the authorized withdrawals by significant amounts. The Parties herein have agreed to resolve all disputed issues regarding the violations set forth above, as described in this Consent Order.

CONCLUSIONS OF LAW

9. The District has jurisdiction over this matter pursuant to Chapter 373, Part II, F.S., and Chapter 40D-2, F.A.C.

10. Pursuant to Section 373.219, F.S., and Rule 40D-2.381, F.A.C., WUPs shall be conditioned, as necessary, to ensure that the permitted withdrawal continues to meet the conditions for issuance of a WUP in Rule 40D-2.301, F.A.C.

11. The activities described in Paragraphs 5 through 8 constitute a violation of Section 373.219, F.S., and Rule 40D-2.381, F.A.C., and the terms of the Permit in that the withdrawals of water exceeded the quantity of water authorized to be withdrawn by the Permit.

CORRECTIVE ACTIONS

12. The Permittee shall pay to the District a penalty in the amount of One Thousand Four Hundred and Forty-Two Dollars (\$1,442.00), and enforcement costs in the amount of Two Thousand Dollars (\$2,000.00), for a total of Three Thousand Four Hundred and Forty-Two Dollars (\$3,442.00), within thirty (30) days of approval of this Consent Order by the District's Governing Board. If mailed, the address for payment is:

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

13. Within thirty (30) days of approval of this Consent Order by the District's Governing Board, the Permittee shall submit to the District for approval an acceptable written Compliance Plan demonstrating how and when they will come into full compliance and remain in compliance with state statutes, District rules, and the terms of the Permit. The Permittee shall respond to any District staff requests for additional information within the timeframes specified. The Permittee shall achieve full compliance with state statutes, District rules, and the terms of the Permit within one hundred eighty (180) days of District approval of the Compliance Plan. Any failure of the Permittee to comply with any

provision of the approved Compliance Plan shall constitute a violation of this Consent Order.

14. The Permittee may apply in writing to the District for an extension of the time limits contained in this Consent Order no later than five (5) days prior to the expiration of such time limit. The District may grant an extension of time in writing for good cause shown.

15. For each day of delay beyond any due date specified in this Consent Order, the Permittee shall pay to the District an additional sum of Five Hundred Dollars (\$500.00) per day. This additional sum shall be paid by the Permittee upon the District's mailing of a demand letter to the Permittee for payment. This provision shall not be construed to preclude the District's right to undertake other administrative, civil, or criminal action as appropriate in the event any due date is not met.

16. The Permittee hereby waives any right to an administrative hearing or judicial review of the terms of this Consent Order. The Permittee reserves the right to dispute any allegation of noncompliance with the Consent Order, or any permit or approval issued hereunder.

17. For and in consideration of the complete and timely performance by the Permittee of the obligations under this Consent Order, the District waives its right to pursue civil or administrative action for any violation described herein. If the Permittee fails to completely and timely perform the obligations under this Consent Order, the District retains its right to pursue civil or administrative action for any violations described herein.

18. The District hereby expressly reserves and retains the right to initiate appropriate legal action against the Permittee to prevent or prohibit the future violation of any applicable statutes, rules, or orders, except as specifically addressed in this Consent Order. The Permittee acknowledges by the execution of this Consent Order that any future violation of Chapter 373, F.S., District rules, or the terms of any permit (including such as may be modified) may subject the Permittee to administrative or civil suit in which penalties of up to Ten Thousand Dollars (\$10,000.00) per day for each offense may be imposed, as provided in Section 373.129(5), F.S.

19. Entry of this Consent Order shall not relieve the Permittee of the duty to comply with all applicable federal, state, and local laws, regulations, and ordinances.

20. The Permittee shall allow authorized District representatives to access the Property at all reasonable times without prior notice to determine compliance with this Consent Order, Chapter 373, F.S., and District rules.

21. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69, 373.083(1), and 373.129, F.S.

22. The Permittee acknowledges by the execution of this Consent Order that any future violation of Chapter 373, F.S., or District rules may result in any or all of the following: criminal prosecution, administrative action, or civil suit in which additional civil penalties and costs may be imposed.

23. The effectiveness of this Consent Order is subject to review and approval by the District's Governing Board. In the event the District's Governing Board does not approve this Consent Order, this Consent Order shall be null, void, and of no legal effect.

24. No modifications of the terms of this Consent Order are effective unless reduced to writing and executed by all Parties.

25. Any person, who is not a party to this Consent Order, whose substantial interests are affected by the District's action in this Consent Order may request an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, F.A.C. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the Consent Order number; (4) the name, address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, contain the same information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776 or (813) 367-9772, within twenty-one (21) days of receipt of this notice. If this Consent Order is mailed, receipt is deemed to be the fifth day

after the date on which the Consent Order is deposited in the United States mail. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Any person who is not a party to this Consent Order whose substantial interests will be affected by any such final action of the District has the right to request a hearing in accordance with the requirements set forth above. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., 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.

PANTHER TRAILS, CDD

Signature

Printed Name

Date

Approved by the Governing Board of the Southwest Florida Water Management
District this _____ day of _____, 2020.

By: _____
Mark Taylor, Chair

Attest: _____
Joel Schleicher, Secretary

Approved as to Legal Form and Content
_____ Attorney

Filed this ____ day of
_____, 2020.

Deputy Agency Clerk

CONSENT ORDER
PANTHER TRAILS, CDD
CT NO. 400313
HILLSBOROUGH COUNTY, FLORIDA

Attachment: Exhibit - April 2020 - Panther Trails CDD_CO (5017 : SWFWMD V. Panther Trails, CDD - Overpumpage)

EXECUTIVE DIRECTOR'S REPORT

April 28, 2020

Consent Agenda

Approve Governing Board Minutes – March 24, 2020

Staff Recommendation:

Staff recommends the Board approve the minutes as presented.

Presenter: Brian J. Armstrong, P.G., Executive Director

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

MARCH 24, 2020

Due to the COVID-19 virus, this meeting was held through electronic media to reduce public gatherings and practice social distancing.

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 10:00 a.m., on March 24, 2020, at its Brooksville Office, 2379 Broad Street, Brooksville, Florida. The following persons were present:

Board Members Present

Mark Taylor, Chair
Michelle Williamson, Vice Chair *via Phone
Joel Schleicher, Secretary *via Phone
Rebecca Smith, Ph.D., Member *via phone
James G. Murphy, Member *via Phone
Roger Germann, Member *via Phone
Jack Bispham, Member *via Phone
Seth Weightman, Member*via phone

Board Members Absent

Kelly S. Rice, Treasurer

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
John J. Campbell, Division Director
Brian Starford, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director

Board Administrative Support

Lori Manuel, Administrative Coordinator

Approved minutes from previous meetings can be found on the District's website (www.WaterMatters.org).

PUBLIC HEARING (00:00)

1. Call to Order

Chair Mark Taylor called the meeting to order and opened the public hearing.

2. Invocation and Pledge of Allegiance

Chair Taylor offered the invocation and led the Pledge of Allegiance.

Chair Taylor introduced each member of the Governing Board, who attended remotely. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input was only taken during the meeting via telephone communication.

Chair Taylor provided a telephone number to any member of the public wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda. Chair Taylor stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

At this time, the meeting was recessed to receive the names of any members of the public who wanted to provide input via telephone. Audio: (00:04:50)

Chair Taylor reconvened the meeting at 10:14 a.m.

Attachment: GB 03242020 - Final (4976 : Approve Governing Board Minutes – March 24, 2020)

Ms. Lori Manuel called roll and stated a quorum was present.

Chair Taylor stated that the following agenda items were moved to the Consent Agenda. He stated that due to physical constraints imposed on other Board members, it was agreed that he would chair the various committees.

3. Recognition and Resolution No. 20-02, Commending John Henslick for His Service as a Member of the Southwest Florida Water Management District Governing Board
20. Fiscal Year 2018-19 Comprehensive Annual Financial Report
33. Offer for Surplus Lands – Cypress Creek Preserve (CC-1), SWF Parcel No. 13-500-396S
34. Offer for Surplus Lands – GUM Slough 1 (Gum-1), SWF Parcel No. 19-193-114S
- ~~3. Recognition and Resolution No. 20-02, Commending John Henslick for His Service as a Member of the Southwest Florida Water Management District Governing Board~~
4. Employee Recognition
Chair Taylor recognized employees who have reached at least 20 years of service with the District and thanked them. The following staff were recognized: Mike Bartlett and Terry Burrell.
5. Additions/Deletions to Agenda
Mr. Brian Armstrong, Executive director, stated the following items were deleted from the agenda:
 4. Employee Recognition
 17. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - c. Authorization to Issue Administrative Complaint and Order – Permit Condition Violations – Walden Pointe Homeowners Association, Inc. – ERP No. 44030339.000 – CT No. 404674 – Hillsborough County
 - d. Consideration of Final Order – Petition for Declaratory Statement – Shannon R. Turbeville – Hernando County
 - e. Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Mark James – License Number 11031 – CT Nos. 406326 & 406331 – Hillsborough County
 27. Peace River Manasota Regional Water Supply Authority Update
 35. Conveyance of Fee Interest for the Ridge Road Right of Way, Pasco County, FL, SWF Parcel Numbers 15-705-107S and 15-705-108P

Secretary Joel Schleicher requested the following items be moved to Discussion:

Resource Management

9. Modification of the Repayment of Funds for Lake Jackson Watershed Hydrology Investigation Project (N554)
10. Anna Maria North Island BMPs Phases H and J - Scope Change (W215)
11. FARMS – Tippen Bay Properties, LLLP – Doe Hill Citrus Phase 3 (H781), DeSoto County
6. Public Input for Issues Not Listed on the Published Agenda
No requests were submitted.

Chair Taylor stated there was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes. (00:11:05)

Consent Agenda

3. **Recognition and Resolution No. 20-02, Commending John Henslick for His Service as a Member of the Southwest Florida Water Management District Governing Board**

Finance/Outreach & Planning Committee

7. **Budget Transfer Report**

Staff recommended Board approval of the Budget Transfer Report covering all budget transfers for February 2020.

8. **Springs Protection Awareness Month Resolution**

Staff recommended the Board approve and execute Resolution No. 20-01 declaring April 2020 as "Springs Protection Awareness Month."

20. **Fiscal Year 2018-19 Comprehensive Annual Financial Report**

Staff recommended the Board accept and place on file the District's Comprehensive Annual Financial Report, including a Single Audit pursuant to Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2019.

Resource Management

9. **Modification of the Repayment of Funds for Lake Jackson Watershed Hydrology Investigation Project (N554)**

Staff recommended the Board approve waiving Highlands County's obligation to repay District costs of \$28,218.30 for the Lake Jackson Hydrology Investigation Project, Cooperative Funding Initiative project N554.

10. **Anna Maria North Island BMPs Phases H and J - Scope Change (W215)**

Staff recommended the Board approve the scope revision to decrease the TSS removal from 63,582 lbs./yr. to 15,800 lbs./yr. and reduce the TN removal from 1,468 lbs./yr. to 352 lbs./yr., which are the resource benefits in the cooperative funding agreement.

11. **FARMS – Tippen Bay Properties, LLLP – Doe Hill Citrus Phase 3 (H781), DeSoto County**

Staff recommended:

- 1) Approve the Tippen Bay Properties, LLLP project for a not to exceed reimbursement of \$42,000, with \$42,000 provided by the Governing Board;
- 2) Authorize the transfer of \$42,000 from fund 010 H017 Governing Board FARMS fund to the H781 Tippen Bay Properties, LLLP project fund; and
- 3) Authorize the division director to sign the agreement.

Operations, Lands and Resource Monitoring Committee

12. **Release and Acceptance of Conservation Easements Between the District, Hillsborough County and Lennar Homes for the Apollo Beach Boulevard Extension Project, SWF Parcels 11-118-145S and 11-118-146P**

Staff recommended:

- Accept the offer of a 5.921-acre conservation easement and \$225,000;
- Approve and authorize the Chairman and Secretary of the Governing Board to execute the First Amendment to Conservation Easement;
- Approve and authorize the Chairman and Secretary of the Governing Board to execute the Partial Release of Conservation Easement and Quit Claim;
- Approve the Agreement for Release of Easement with Hillsborough County and authorize the Executive Director to sign on behalf of the District after all other contingencies

- required by the First Amendment to the Conservation Easement have been satisfied; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

13. Purchase and Sale Agreement Between the District and Hillsborough County for Maydell Drive Bridge Replacement, SWF Parcel Numbers 13-001-749S and 13-001-750P Regulation Committee

Staff recommended:

- Accept the offer of \$108,094 for the additional 150-feet of right of way (approx. 2.48 acres) needed for the Maydell Drive Bridge replacement;
- Approve the Purchase Agreement and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon the request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

14. Monitor Well Purchase-South Hillsborough Aquifer Recharge Project-Phase II Sun City Well (SMWD-6), Hillsborough County

Staff recommended:

1. Authorize staff to transfer \$638,550 from the Zephyr Creek Drainage Improvements: Units 1 & 2 Project (N836) to the Water Quality Monitoring Program for the purchase of the County's SMWD-6 well (C008).
2. Approve entering into an agreement with the County for the purchase of the SMWD-6 well, contingent on FDEP funding, to be executed in accordance with the Signature Authority.

33. Offer for Surplus Lands – Cypress Creek Preserve (CC-1), SWF Parcel No. 13-500-396S

Staff recommended:

- Accept the offer of \$2,600,000;
- Approve the Contract for Sale and Purchase and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon the request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

34. Offer for Surplus Lands – GUM Slough 1 (Gum-1), SWF Parcel No. 19-193-114S

Staff recommended:

- Accept the offer of \$676,400;
- Approve the Contract for Sale and Purchase and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon the request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

15.. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20001512.014 - CHWA Public Water Supply/Charlotte Harbor Water Association (Charlotte)

Staff recommended the Board approve the proposed permit attached as an exhibit.

b. WUP No. 20008836.014 Sarasota County Utilities/Sarasota County BOCC (Sarasota)

Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report

16. Rulemaking

a. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, Minimum Flows, for the Crystal River/Kings Bay, Lower Pithlachascotee River, and Upper Pithlachascotee River Systems

Staff recommended the Board Initiate and approve rulemaking to amend Rule 40D-8.041, Florida Administrative Code, to modify the minimums flows for the Crystal River/Kings Bay, Lower Pithlachascotee River, and Upper Pithlachascotee River Systems, and authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process.

17. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval

a. Approval of Consent Order Between SWFWMD and Buckner Land Enterprises, Inc., and GatorWorld Parks of Florida, LLC – CT No. 395018 – Sumter County

Staff recommended the Board:

- 1) Approve the Consent Order.
- 2) Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Consent Order, including filing any appropriate actions in circuit court, if necessary.

b. Approval of Consent Order Between SWFWMD and Besim Enterprises, Inc. – CT No. 403162 – Pasco County

Staff recommended the Board:

- 1) Approve the Consent Order
- 2) Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Consent Order, including filing any appropriate actions in circuit court, if necessary.

c. Authorization to Issue Administrative Complaint and Order – Permit Condition Violations – Walden Pointe Homeowners Association, Inc. – ERP No. 44030339.000 – CT No. 404674 – Hillsborough County

Staff recommended the Board:

- 1) Authorize District staff to issue an Administrative Complaint and Order to Lawdevco and Walden Pointe and any other necessary parties to obtain compliance with District rules.
- 2) Authorize District staff to initiate an action in Circuit Court against Lawdevco and Walden Pointe and any other necessary parties to recover a civil penalty/administrative fine, enforcement costs, litigation costs, and attorney's fees, if appropriate.
- 3) Authorize District staff to initiate an action in Circuit Court to enforce the terms of the Administrative Complaint and Order, if necessary.

d. Consideration of Final Order – Petition for Declaratory Statement – Shannon R. Turbeville – Hernando County

Staff recommended the Board approve the Final Order denying the Petition for Declaratory Statement filed by Shannon R. Turbeville.

e. ~~Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Mark James – License Number 11031 – CT Nos. 406326 & 406331 – Hillsborough County~~

Staff recommended the Board:

- ~~1) Authorize District staff to issue an Administrative Complaint and Order to Mark James to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.~~
- ~~2) Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.~~

Executive Director's Report

18. Approve Governing Board Minutes – February 25, 2020

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (00:11:43)

Chair Taylor called the Finance/Outreach & Planning Committee to order. (00:12:58)

Finance/Outreach & Planning Committee

Discussion

19. Consent Item(s) Moved for Discussion - None

20. Fiscal Year 2018-19 Comprehensive Annual Financial Report

Staff recommended the Board:

~~Accept and place on file the District's Comprehensive Annual Financial Report, including a Single Audit pursuant to Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2019.~~

21. Legislative Wrap-Up

This item was provided for the Board's information; no action was required.

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information, and no action was required.

22. Treasurer's Report and Payment Register

23. Monthly Financial Statement

24. Monthly Cash Balances by Fiscal Year

25. Comprehensive Plan Amendment and Related Reviews Report

Chair Taylor adjourned the Committee and called the Resource Management Committee to order. (00:13:31)

Resource Management Committee

Discussion

26. Consent Item(s) Moved for Discussion

9. Modification of the Repayment of Funds for Lake Jackson Watershed Hydrology Investigation Project (N554)

Secretary Schleicher expressed his disapproval of the modification to the initial funding request with the cooperator.

Staff recommended the Board approve waiving Highlands County's obligation to repay District costs of \$28,218.30 for the Lake Jackson Hydrology Investigation Project, Cooperative Funding Initiative project N554.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (00:18:10)

10. Anna Maria North Island BMPs Phases H and J - Scope Change (W215)

Secretary Schleicher expressed his disapproval of the requested modifications to the scope of work that was initially agreed upon with the cooperator.

Staff recommended the Board approve the scope revision to decrease the TSS removal from 63,582 lbs./yr. to 15,800 lbs./yr. and reduce the TN removal from 1,468 lbs./yr. to 352 lbs./yr., which are the resource benefits in the cooperative funding agreement.

A motion was made and seconded to approve staff's recommendation. The motion carried with seven in favor and one opposed. Secretary Schleicher stated his opposition was due to the requested modification to the initial scope of work that was agreed upon with the cooperator. (00:19:52)

11. FARMS – Tippen Bay Properties, LLLP – Doe Hill Citrus Phase 3 (H781), DeSoto County

Secretary Schleicher asked if the project was meeting its objectives.

Ms. Seachrist responded that phases one and two of the Tippin Bay Properties are meeting their objectives.

Staff recommended:

- 1) Approve the Tippen Bay Properties, LLLP project for a not-to-exceed reimbursement of \$42,000, with \$42,000 provided by the Governing Board;
- 2) Authorize the transfer of \$42,000 from fund 010 H017 Governing Board FARMS fund to the H781 Tippen Bay Properties, LLLP project fund; and
- 3) Authorize the division director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (00:20:44)

27. Peace River Manasota Regional Water Supply Authority Update

This item was provided for the Board's information; no action was required.

Submit & File Reports

28. 2020 Status of the Dover/Plant City Water Use Caution Area Recovery Strategy

29. Proposed Minimum Flows for Lower Peace River and Lower Shell Creek Prior to Independent Scientific Peer Review

Routine Reports

The following items were provided for the Committee's information, and no action was required.

30. Minimum Flows and Levels Status Report

31. Significant Water Resource and Development Projects

Chair Taylor adjourned the Committee and called the Operations, Lands & Resource Monitoring Committee to order. (00:21:58)

Operations, Lands & Resource Monitoring Discussion

32. Consent Item(s) Moved for Discussion - None

33. Offer for Surplus Lands – Cypress Creek Preserve (CC-1), SWF Parcel No. 13-500-396S

Staff Recommended:

- Accept the offer of \$2,600,000;
- Approve the Contract for Sale and Purchase and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon the request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

34. Offer for Surplus Lands – GUM Slough 1 (Gum-1), SWF Parcel No. 19-193-114S

Staff recommended:

- Accept the offer of \$676,400;
- Approve the Contract for Sale and Purchase and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land upon the request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

35. Conveyance of Fee Interest for the Ridge Road Right of Way, Pasco County, FL, SWF Parcel Numbers 15-705-107S and 15-705-108P

Staff recommended:

- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the Executive Director to execute the agreement outlining access and other related responsibilities resulting from the transfer of the right of way;
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals and petroleum in or on or under the land; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

36. Hydrologic Conditions Report

This item was provided for the Board's information; no action was required.

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information, and no action was required.

37. Significant Activities

38. Structure Operations

39. Surplus Lands Update

Chair Taylor adjourned the Committee and called the Regulation Committee to order. (00:22:30)

Regulation Committee

Discussion

40. Consent Item(s) Moved for Discussion – None

41. Denials Referred to the Governing Board

None was presented.

Routine Reports

The following items were provided for the Committee's information, and no action was required.

42. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update

43. Overpumpage Report

44. Individual Permits Issued by District Staff

Chair Taylor adjourned the Committee (00:22:49)

General Counsel's Report

Discussion

45. Consent Item(s) Moved for Discussion - None

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information, and no action was required.

46. March 2020 Litigation Report

47. March 2020 Rulemaking Update

Committee Liaison Reports

48. Agricultural and Green Industry Advisory Committee

Vice Chair Williamson stated the members of the committee expressed their appreciation for how the District communicates information.

Executive Director's Report

49. Executive Director's Report

Mr. Armstrong provided an update regarding actions taken by the District as a result of COVID-19. He commended staff for their cooperation and patience during this difficult time.

Mr. Armstrong mentioned that Treasurer Rice was unable to attend due to the death of his father, Jerry Rice, who previously served as chair on the Governing Board.

Mr. Armstrong stated a Request to Speak card was received from Mr. Robert Cameron, who was unable to communicate his request due to technical difficulties at the appropriate time in the meeting. Mr. Cameron eventually joined the meeting and spoke in favor of item 17b and asked for additional information. Staff agreed to communicate with Mr. Cameron following the meeting.

Chair's Report

50. Chair's Report

51. Employee Milestones

The meeting was adjourned at 10:52 a.m.

Attest:

Chair

Secretary

**Governing Board Meeting
April 28, 2020**

FINANCE/OUTREACH & PLANNING COMMITTEE
--

Discussion Items

20. Consent Item(s) Moved for Discussion	304
21. Investment Strategy Quarterly Update.....	305

Submit and File

22. Office of Inspector General Quarterly Update – January 1, 2020 to March 31, 2020	318
23. Self-Funded Health Insurance Plan - 2019 Annual Update	322

Routine Reports

24. Treasurer's Report and Payment Register.....	325
25. Monthly Financial Statement.....	328
26. Monthly Cash Balances by Fiscal Year.....	333
27. Comprehensive Plan Amendment and Related Reviews Report.....	335

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Discussion Item

Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

The District's Investment Policy requires quarterly investment reports that shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period.
2. Percentage of available funds represented by each investment type.
3. Coupon, discount, or earning rate.
4. Average life or duration and final maturity of all investments.
5. Par value and market value.
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager.
7. A summary of District's investment strategy.
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended March 31, 2020.

Presenter: John F. Grady III, Managing Director, Public Trust Advisors, LLC

Quarterly Investment Report for Period Ended March 31, 2020

Southwest Florida
Water Management District



Southwest Florida Water Management District Investment Program Review

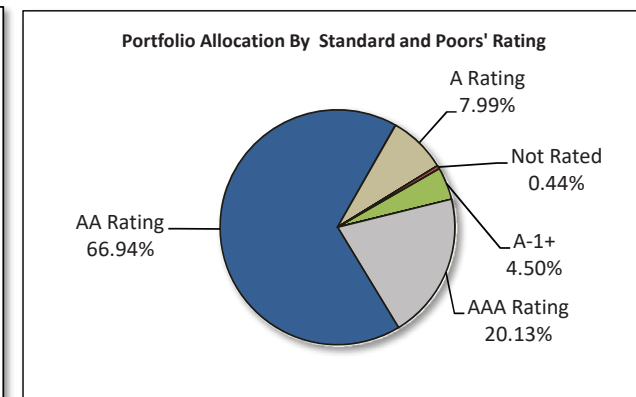
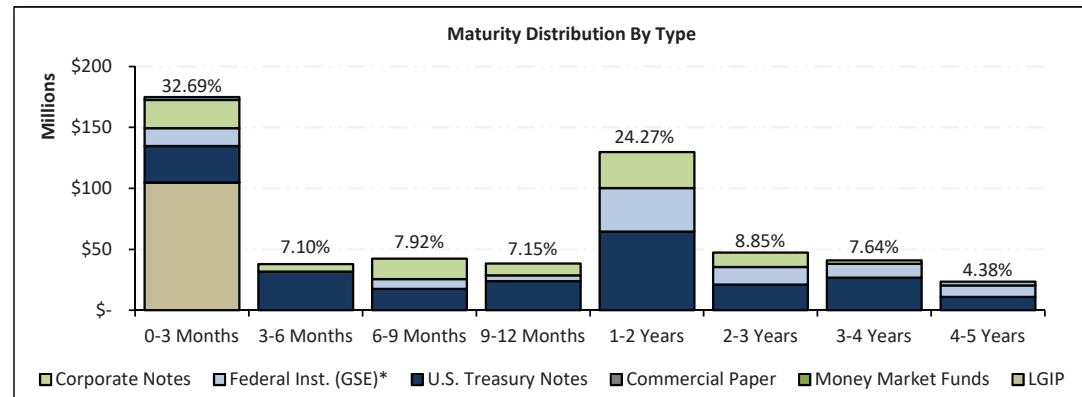
2379 Broad Street
Brooksville, FL 34604-6899

Public Trust Advisors LLC
201 E. Pine Street, Suite 750
Orlando, Florida 32801

Southwest Florida Water Management District All Assets Summary Comparison for the period January 1, 2020 to March 31, 2020

Southwest Florida Water Management District All Assets Portfolio	January 1, 2020 Beginning Balance	March 31, 2020 Ending Balance	Portfolio Characteristic	January 1, 2020 Beginning Balance	March 31, 2020 Ending Balance
Book Value Plus Accrued	\$ 533,493,382	\$ 528,390,884	Weighted Book Yield	1.94%	1.79%
Net Unrealized Gain/Loss	1,118,966	6,467,135	Weighted Duration	1.07 Years	1.14 Years
Net Pending Transactions	952	1,857			
Market Value Plus Accrued Net	\$ 534,613,300	\$ 534,859,876			

Individual Portfolio Characteristics	January 1, 2020 Beginning Balance	March 31, 2020 Ending Balance	March 31, 2020 Monthly Earnings	March 31, 2020 Quarterly Earnings	March 31, 2020 YTD Earnings
Liquid Portfolio (SBA-Florida Prime)	\$ 111,826,790	\$ 104,693,174	\$ 123,770	\$ 465,284	\$ 771,076
Enhanced Cash	166,270,842	168,075,801	268,234	803,279	1,664,655
Short Term 1-3 Year	256,515,668	262,090,901	408,402	1,228,745	2,464,014
Market Value Plus Accrued Net	\$ 534,613,300	\$ 534,859,876	\$ 800,406	\$ 2,497,308	\$ 4,899,745
		Less Advisory Fees:	\$ (10,651)	\$ (31,117)	\$ (62,464)
		Total Earnings Net of Fees	\$ 789,755	\$ 2,466,191	\$ 4,837,281
		Blended Basis Fee (Annualized)	0.02419%	0.02356%	0.02364%



See additional disclosures for footnotes.

Additional Disclosure

This statement is for general information purposes only and is not intended to provide specific advice or recommendations. Please review the contents of this statement carefully. Should you have any questions regarding the information presented, calculation methodology, investment portfolio or security detail, or any other facet of your statement, please feel free to contact us.

Public Trust Advisor's monthly statement is intended to detail our investment advisory activity as well as the activity of any accounts held by clients in pools that are managed by Public Trust Advisors. The custodian bank maintains the control of assets and executes and settles all investments transactions. The custodian statement is the official record of security and cash holdings transactions. Public Trust Advisors recognizes that clients may use these reports to facilitate record keeping; therefore the custodian bank statement and the Public Trust Advisors statement should be reconciled and differences resolved. Many custodians use a settlement date basis which may result in the need to reconcile due to a timing difference. Please contact your relationship manager or our toll free number 855-395-3954 with questions regarding your account.

Public Trust Advisors does not have the authority to withdraw funds from or deposit funds to the custodian. Our clients retain responsibility for their internal accounting policies; implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

Pricing sources from our reporting platform are provided by Clearwater reporting platform and are established by Clearwater's internal pricing procedures. Clearwater utilizes a hierarchical pricing model which starts with one of the industry's pricing sources, S&P Capital IQ. Securities with short maturities and infrequent secondary market trades are typically priced via mathematical calculations. The Securities in this investment portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by Public trust Advisors, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency, unless otherwise specifically stated. Investment in fixed income securities involves risks, including the possible loss of the amount invested.

Past performance is not an indication of future performance.

Beginning and Ending Balances based on Market Value plus Accrued Interest on a Trade Date basis.

Public Trust Advisors is an investment advisor registered with the Securities and Exchange Commission, and is required to maintain a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, privacy policy, or code of ethics please contact Service Operations at the address below.

Public Trust Advisors
717 17th Street, Suite 1850
Denver, CO 80202

Security Type GASB 40 Trade Date

As of 03/31/2020

[Return to Table of Contents](#)

SWFWMD Agg (70823)

Dated: 04/02/2020

Security Type

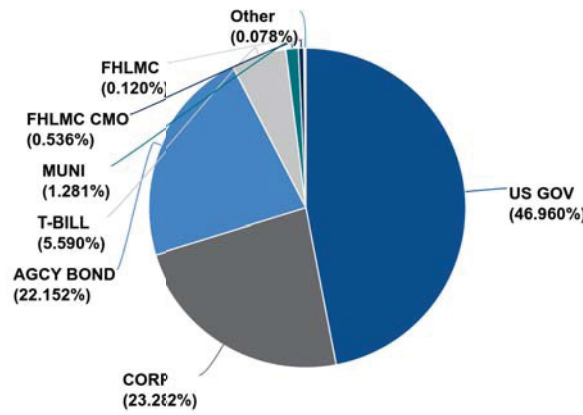


Chart calculated by: Ending Market Value + Accrued

AGCY BOND

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3137EAEF2 FREDDIE MAC AGCY BOND	0.819%	Fixed	N	0.053	AA+ Aaa	3,500,000.00	04/20/2020 04/20/2020	1.530 0.471	21,522.57	3,484,215.00	3,499,719.66 3,521,242.23	3,501,664.67 3,523,167.24
3137EAE7 FREDDIE MAC AGCY BOND	1.059%	Fixed	N	0.061	AA+ Aaa	4,500,000.00	04/23/2020 04/23/2020	2.723 0.363	49,375.00	4,483,035.00	4,499,404.51 4,548,779.51	4,505,863.63 4,555,238.63
3137EADR7 FREDDIE MAC AGCY BOND	0.410%	Fixed	N	0.083	AA+ Aaa	1,750,000.00	05/01/2020 05/01/2020	1.637 0.282	10,026.04	1,736,255.50	1,749,625.01 1,759,651.06	1,751,591.42 1,761,617.46
3133EHJA2 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.586%	Fixed	N	0.103	AA+ Aaa	2,500,000.00	05/08/2020 05/08/2020	1.659 0.150	15,392.36	2,492,075.00	2,499,725.20 2,515,117.56	2,503,593.48 2,518,985.84
313383HU8 FEDERAL HOME LOAN BANKS AGCY BOND	0.504%	Fixed	N	0.197	AA+ Aaa	2,150,000.00	06/12/2020 06/12/2020	1.564 0.350	11,392.01	2,161,545.50	2,150,779.95 2,162,171.96	2,155,923.04 2,167,315.05
3137EAEK1 FEDERAL HOME LOAN MORTGAGE CORP AGCY BOND	1.892%	Fixed	N	0.623	AA+ Aaa	8,000,000.00	11/17/2020 11/17/2020	2.011 0.213	55,833.33	7,969,040.00	7,993,274.97 8,049,108.30	8,083,368.08 8,139,201.41
3133EJCE7 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.332%	Fixed	N	0.857	AA+ Aaa	1,400,000.00	02/12/2021 02/12/2021	2.610 0.376	4,478.06	1,390,158.00	1,396,908.55 1,401,386.61	1,423,808.82 1,428,286.88
3137EAEI9 FEDERAL HOME LOAN MORTGAGE CORP AGCY BOND	0.296%	Fixed	N	0.867	AA+ Aaa	1,250,000.00	02/16/2021 02/16/2021	2.815 0.455	3,710.94	1,236,562.50	1,245,274.51 1,248,985.45	1,270,927.34 1,274,638.27

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 03/31/2020

[Return to Table of Contents](#)

Dated: 04/02/2020

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
3135G0U27 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.985%	Fixed	N	1.013	AA+ Aaa	4,100,000.00	04/13/2021 04/13/2021	2.820 0.338	47,833.33	4,065,970.00	4,086,728.03 4,134,561.37	4,191,359.40 4,239,192.73
3133EKJP2 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	1.259%	Fixed	N	1.058	AA+ Aaa	5,250,000.00	04/29/2021 04/29/2021	1.954 0.373	53,200.00	5,291,055.00	5,274,800.68 5,328,000.68	5,364,355.61 5,417,555.61
3135G0K69 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.235%	Fixed	N	1.085	AA+ Aaa	1,000,000.00	05/06/2021 05/06/2021	1.144 0.518	5,034.72	1,005,000.00	1,001,155.56 1,006,190.28	1,007,993.11 1,013,027.83
3130A1W95 FEDERAL HOME LOAN BANKS AGCY BOND	2.452%	Fixed	N	1.176	AA+ Aaa	10,250,000.00	06/11/2021 06/11/2021	1.910 0.399	70,468.75	10,316,112.50	10,290,958.81 10,361,427.56	10,475,794.38 10,546,263.13
3130AF5B9 FEDERAL HOME LOAN BANKS AGCY BOND	0.306%	Fixed	N	1.485	AA+ Aaa	1,250,000.00	10/12/2021 10/12/2021	3.023 0.371	17,604.17	1,249,187.50	1,249,576.53 1,267,180.70	1,300,109.15 1,317,713.32
3137EADB2 FREDDIE MAC AGCY BOND	1.390%	Fixed	N	1.746	AA+ Aaa	5,750,000.00	01/13/2022 01/13/2022	1.647 0.400	29,588.54	5,838,090.00	5,823,207.07 5,852,795.62	5,951,625.71 5,981,214.25
3133ELTN4 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.582%	Fixed	N	1.786	AA+ Aaa	2,500,000.00	01/18/2022 01/18/2022	0.601 0.494	478.47	2,496,750.00	2,496,817.30 2,497,295.77	2,501,604.88 2,502,083.35
3133ELTN4 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	1.047%	Fixed	N	1.786	AA+ Aaa	4,500,000.00	01/18/2022 01/18/2022	0.601 0.494	861.25	4,494,150.00	4,494,271.13 4,495,132.38	4,502,888.78 4,503,750.03
313379Q69 FEDERAL HOME LOAN BANKS AGCY BOND	1.142%	Fixed	N	2.137	AA+ Aaa	4,700,000.00	06/10/2022 06/10/2022	1.784 0.363	30,794.79	4,746,107.00	4,734,259.54 4,765,054.33	4,880,640.04 4,911,434.83
3133ELNW0 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.534%	Fixed	N	2.825	AA+ Aaa	2,250,000.00	02/21/2023 02/21/2023	1.447 0.761	3,625.00	2,250,202.50	2,250,195.22 2,253,820.22	2,294,192.07 2,297,817.07
313382AX1 FEDERAL HOME LOAN BANKS AGCY BOND	1.525%	Fixed	N	2.859	AA+ Aaa	6,250,000.00	03/10/2023 03/10/2023	0.995 0.478	7,747.40	6,459,375.00	6,454,142.24 6,461,889.64	6,550,303.25 6,558,050.65
3130A3DL5 FEDERAL HOME LOAN BANKS AGCY BOND	1.238%	Fixed	N	3.312	AA+ Aaa	5,000,000.00	09/08/2023 09/08/2023	1.578 0.496	7,586.81	5,153,450.00	5,132,700.94 5,140,287.75	5,319,677.25 5,327,264.06
3133EDBU5 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.232%	Fixed	N	3.487	AA+ Aaa	900,000.00	12/20/2023 12/20/2023	0.717 0.790	8,837.50	993,447.00	991,722.73 1,000,560.23	989,201.91 998,039.41
3135G0V34 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	1.129%	Fixed	N	3.674	AA+ Aaa	4,500,000.00	02/05/2024 02/05/2024	1.683 0.510	17,500.00	4,648,905.00	4,636,362.66 4,653,862.66	4,840,521.62 4,858,021.62
3130A1XJ2 FEDERAL HOME LOAN BANKS AGCY BOND	0.970%	Fixed	N	3.964	AA+ Aaa	3,750,000.00	06/14/2024 06/14/2024	1.596 0.363	32,044.27	3,968,737.50	3,944,152.66 3,976,196.93	4,142,510.29 4,174,554.56
3133EKWV4 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	1.227%	Fixed	N	4.150	AA+ Aaa	5,000,000.00	07/26/2024 07/26/2024	1.551 0.623	16,701.39	5,069,850.00	5,062,200.42 5,078,901.81	5,261,090.95 5,277,792.34
--- --- AGCY BOND	22.152%	Fixed	N	1.787	AA+ Aaa	92,000,000.00	02/03/2022 02/03/2022	1.726 0.417	521,636.70	92,999,275.49	92,957,963.89 93,479,600.59	94,770,608.83 95,292,245.53

Attachment: 04-20 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-2nd Qtr FY20 (4998 :

Security Type GASB 40 Trade Date

As of 03/31/2020

[Return to Table of Contents](#)

SWFWMD Agg (70823)

Dated: 04/02/2020

CORP

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
037833CS7 APPLE INC CORP	0.275%	Fixed	N	0.111	AA+ Aa1	1,175,000.00	05/11/2020 05/11/2020	1.835 1.136	8,225.00	1,173,801.50	1,174,955.09 1,183,180.09	1,175,855.62 1,184,080.62
037833CS7 APPLE INC CORP	0.088%	Fixed	N	0.111	AA+ Aa1	375,000.00	05/11/2020 05/11/2020	1.834 1.136	2,625.00	374,617.50	374,985.91 377,610.91	375,273.07 377,898.07
458140AZ3 INTEL CORP CORP	0.480%	Fixed	N	0.111	A+ A1	2,050,000.00	05/11/2020 05/11/2020	1.863 2.464	14,748.61	2,049,221.00	2,049,970.80 2,064,719.41	2,048,565.00 2,063,313.61
458140AZ3 INTEL CORP CORP	0.152%	Fixed	N	0.111	A+ A1	650,000.00	05/11/2020 05/11/2020	1.862 2.464	4,676.39	649,753.00	649,991.18 654,667.57	649,545.00 654,221.39
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.439%	Fixed	N	0.207	A A3	1,875,000.00	06/16/2020 06/16/2020	3.074 3.676	16,406.25	1,872,468.75	1,874,716.55 1,891,122.80	1,872,255.02 1,888,661.27
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.340%	Fixed	N	0.207	A A3	1,450,000.00	06/16/2020 06/16/2020	3.074 3.676	12,687.50	1,448,042.50	1,449,780.80 1,462,468.30	1,447,877.21 1,460,564.71
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.105%	Fixed	N	0.207	A A3	450,000.00	06/16/2020 06/16/2020	3.073 3.676	3,937.50	449,392.50	449,932.41 453,869.91	449,341.20 453,278.70
931142EG4 WALMART INC CORP	1.700%	Fixed	N	0.227	AA Aa2	7,250,000.00	06/23/2020 06/23/2020	2.866 2.398	56,247.92	7,247,752.50	7,249,736.44 7,305,984.36	7,257,119.21 7,313,367.13
931142EG4 WALMART INC CORP	1.360%	Fixed	N	0.227	AA Aa2	5,800,000.00	06/23/2020 06/23/2020	2.866 2.398	44,998.33	5,798,202.00	5,799,789.16 5,844,787.49	5,805,695.37 5,850,693.70
931142EG4 WALMART INC CORP	0.434%	Fixed	N	0.227	AA Aa2	1,850,000.00	06/23/2020 06/23/2020	2.865 2.398	14,352.92	1,849,426.50	1,849,936.21 1,864,289.13	1,851,816.63 1,866,169.54
375558BB8 GILEAD SCIENCES INC CORP	1.168%	Fixed	N	0.414	A A3	5,000,000.00	09/01/2020 09/01/2020	2.725 1.825	10,625.00	4,989,050.00	4,996,419.44 5,007,044.44	5,014,907.40 5,025,532.40
02665WAZ4 AMERICAN HONDA FINANCE CORP CORP	0.289%	Fixed	N	0.472	A A3	1,250,000.00	09/24/2020 09/24/2020	2.435 3.922	595.49	1,250,812.50	1,250,090.16 1,250,685.65	1,241,308.80 1,241,904.29
46625HNY2 JPMORGAN CHASE & CO CORP	1.170%	Floating	Y	0.080	A- A2	5,000,000.00	09/29/2020 10/29/2020	2.062 2.499	26,070.63	5,071,950.00	5,023,635.12 5,049,705.74	5,007,141.55 5,033,212.17
084664BZ3 BERKSHIRE HATHAWAY FINANCE CORP CORP	1.659%	Fixed	N	0.527	AA Aa2	7,000,000.00	10/15/2020 10/15/2020	1.721 1.796	93,605.56	7,062,720.00	7,044,035.19 7,137,640.75	7,041,244.49 7,134,850.05
06051GFT1 BANK OF AMERICA CORP CORP	0.942%	Fixed	N	0.537	A- A2	4,000,000.00	10/19/2020 10/19/2020	2.745 2.337	47,250.00	3,993,064.00	3,997,409.09 4,044,659.09	4,006,225.92 4,053,475.92
478160CH5 JOHNSON & JOHNSON CORP	0.104%	Fixed	N	0.603	AAA Aaa	440,000.00	11/10/2020 11/10/2020	1.987 0.225	3,360.50	439,529.20	439,901.37 443,261.87	444,612.38 447,972.88
478160CH5 JOHNSON & JOHNSON CORP	0.033%	Fixed	N	0.603	AAA Aaa	140,000.00	11/10/2020 11/10/2020	1.986 0.225	1,069.25	139,850.20	139,969.08 141,038.33	141,467.58 142,536.83
24422ETF6 JOHN DEERE CAPITAL CORP CORP	0.704%	Fixed	N	0.755	A A2	3,000,000.00	01/08/2021 01/08/2021	2.617 2.109	17,637.50	2,996,670.00	2,998,475.24 3,016,112.74	3,009,998.85 3,027,636.35
91159HHL7 U.S. BANCORP CORP	0.349%	Fixed	Y	0.810	A+ A1	1,500,000.00	01/29/2021 01/29/2021	2.317 2.704	6,070.83	1,500,739.92	1,500,367.53 1,506,438.36	1,495,657.29 1,501,728.12
91159HHL7 U.S. BANCORP CORP	0.815%	Fixed	Y	0.810	A+ A1	3,500,000.00	01/29/2021 01/29/2021	1.723 2.704	14,165.28	3,526,355.00	3,516,154.85 3,530,320.13	3,489,867.01 3,504,032.29

Attachment: 04-20 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-2nd Qtr FY20 (4998) :

Security Type GASB 40 Trade Date

As of 03/31/2020

[Return to Table of Contents](#)

SWFWMD Agg (70823)

Dated: 04/02/2020

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value Accrued
17275RBD3 CISCO SYSTEMS INC CORP	0.351%	Fixed	N	0.895	AA- A1	1,500,000.00	02/28/2021 02/28/2021	2.276 1.701	3,025.00	1,497,975.00	1,498,982.98 1,502,007.98	1,506,706.70 1,509,731.70
89236TEU5 TOYOTA MOTOR CREDIT CORP CORP	0.464%	Fixed	N	0.999	AA- A1	1,960,000.00	04/13/2021 04/13/2021	2.964 2.576	26,982.67	1,959,216.00	1,959,722.31 1,986,704.98	1,967,425.19 1,994,407.85
89236TEU5 TOYOTA MOTOR CREDIT CORP CORP	0.150%	Fixed	N	0.999	AA- A1	635,000.00	04/13/2021 04/13/2021	2.963 2.576	8,741.83	634,746.00	634,916.56 643,658.39	637,405.61 646,147.44
037833AR1 APPLE INC CORP	1.045%	Fixed	N	1.066	AA+ Aa1	4,400,000.00	05/06/2021 05/06/2021	1.748 1.938	50,508.33	4,469,740.00	4,452,379.31 4,502,887.64	4,443,309.42 4,493,817.75
857477AV5 STATE STREET CORP CORP	0.042%	Fixed	N	1.106	A A1	180,000.00	05/19/2021 05/19/2021	2.029 2.344	1,287.00	179,319.60	179,840.92 181,127.92	179,209.30 180,496.30
717081DX8 PFIZER INC CORP	1.178%	Fixed	N	1.150	AA- A1	5,000,000.00	06/03/2021 06/03/2021	1.851 1.325	31,958.33	5,007,850.00	5,005,695.59 5,037,653.92	5,036,169.35 5,068,127.68
89236TGS8 TOYOTA MOTOR CREDIT CORP CORP	0.669%	Floating	N	0.114	AA- A1	3,000,000.00	08/13/2021 08/13/2021	1.858 4.896	7,329.00	3,000,000.00	3,000,000.00 3,007,329.00	2,869,136.28 2,876,465.28
14913Q3D9 CATERPILLAR FINANCIAL SERVICES CORP CORP	0.210%	Floating	N	0.114	A A3	920,000.00	11/12/2021 11/12/2021	1.943 2.855	2,395.66	920,000.00	920,000.00 922,395.66	902,968.55 905,364.21
02665WCP4 AMERICAN HONDA FINANCE CORP CORP	0.768%	Fixed	N	1.619	A A3	3,250,000.00	12/10/2021 12/10/2021	3.392 2.980	33,820.31	3,248,440.00	3,249,090.98 3,282,911.29	3,270,904.78 3,304,725.09
166764AT7 CHEVRON CORP CORP	0.446%	Fixed	Y	1.713	AA Aa2	1,900,000.00	01/03/2022 03/03/2022	2.660 1.964	3,562.92	1,887,042.00	1,891,197.93 1,894,760.85	1,914,606.57 1,918,169.50
24422EUQ0 JOHN DEERE CAPITAL CORP CORP	0.953%	Fixed	N	1.713	A A2	3,975,000.00	01/10/2022 01/10/2022	1.826 1.814	28,620.00	4,081,768.50	4,069,905.85 4,098,525.85	4,070,738.23 4,099,358.23
037833AY6 APPLE INC CORP	0.954%	Fixed	N	1.816	AA+ Aa1	4,000,000.00	02/09/2022 02/09/2022	1.826 0.902	12,422.22	4,028,240.00	4,023,569.18 4,035,991.41	4,091,657.12 4,104,079.34
68389XBB0 ORACLE CORP CORP	0.481%	Fixed	Y	1.885	A+ A3	2,017,000.00	03/15/2022 05/15/2022	2.212 1.607	19,049.44	2,031,724.10	2,028,083.67 2,047,133.11	2,051,539.53 2,070,588.98
02665WCY5 AMERICAN HONDA FINANCE CORP CORP	0.350%	Fixed	N	2.152	A A3	1,525,000.00	06/27/2022 06/27/2022	1.941 3.021	8,760.28	1,535,034.50	1,533,622.63 1,542,382.91	1,498,062.40 1,506,822.68
30231GBB7 EXXON MOBIL CORP CORP	0.298%	Fixed	N	2.308	AA Aaa	1,275,000.00	08/16/2022 08/16/2022	1.902 1.754	3,031.31	1,275,000.00	1,275,000.00 1,278,031.31	1,279,352.94 1,282,384.25
478160BT0 JOHNSON & JOHNSON CORP	0.476%	Fixed	Y	2.671	AAA Aaa	2,000,000.00	01/01/2023 03/01/2023	1.794 1.218	3,416.67	2,016,360.00	2,013,690.47 2,017,107.13	2,044,885.88 2,048,302.55
89233P7F7 TOYOTA MOTOR CREDIT CORPORATION CORP	1.170%	Fixed	N	2.645	AA- A1	5,000,000.00	01/10/2023 01/10/2023	1.818 2.595	29,531.25	5,116,100.00	5,108,656.47 5,138,187.72	5,003,838.85 5,033,370.10
166764AH3 CHEVRON CORP CORP	0.490%	Fixed	Y	2.819	AA Aa2	2,000,000.00	03/24/2023 06/24/2023	1.899 1.626	17,195.94	2,087,900.00	2,074,530.12 2,091,726.06	2,090,706.34 2,107,902.28
02665WDH1 AMERICAN HONDA FINANCE CORP CORP	0.180%	Fixed	N	2.975	A A3	790,000.00	05/10/2023 05/10/2023	1.962 2.788	3,466.13	789,707.70	789,721.85 793,187.98	770,420.22 773,886.35
--- --- CORP	23.282%	---	---	0.957	A+ A1	99,082,000.00	04/23/2021 04/30/2021	2.269 2.250	694,459.75	99,649,581.98	99,538,858.43 100,233,318.18	99,454,817.86 100,149,277.61

Attachment: 04-20 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-2nd Qtr FY20 (4998 :

Security Type GASB 40 Trade Date

As of 03/31/2020

[Return to Table of Contents](#)

SWFWMD Agg (70823)

Dated: 04/02/2020

FHLMC

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3137B1BS0 FHMS K026 A2 FHLMC	0.120%	Fixed	Y	2.450	AA+ Aaa	500,000.00	10/15/2022 11/25/2022	2.458 1.278	1,045.83	500,214.85	499,960.12 501,005.95	514,569.05 515,614.88
3137B1BS0 FHMS K026 A2 FHLMC	0.120%	Fixed	Y	2.450	AA+ Aaa	500,000.00	10/15/2022 11/25/2022	2.458 1.278	1,045.83	500,214.85	499,960.12 501,005.95	514,569.05 515,614.88

FHLMC CMO

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3137AA4W0 FHMS K013 A2 FHLMC CMO	0.474%	Variable	Y	0.730	AA+ Aaa	2,000,000.00	12/29/2020 01/25/2021	2.565 1.347	6,623.33	2,037,812.50	2,015,613.27 2,022,236.60	2,033,476.80 2,040,100.13
3137B3N95 FHMS K030 A1 FHLMC CMO	0.062%	Fixed	Y	1.219	AA+ Aaa	260,015.45	06/27/2021 09/25/2022	3.013 0.924	602.15	258,370.03	258,835.75 259,437.90	265,463.06 266,065.21
--- --- FHLMC CMO	0.536%	---	Y	0.787	AA+ Aaa	2,260,015.45	01/19/2021 04/05/2021	2.616 1.298	7,225.49	2,296,182.53	2,274,449.02 2,281,674.50	2,298,939.86 2,306,165.35

MMFUND

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
60934N104 FEDERATED GOVT OBL INST MMFUND	0.031%	Fixed	N	0.000	AAAm Aaa	134,412.14	03/31/2020 03/31/2020	0.320 0.320	0.00	134,412.14	134,412.14 134,412.14	134,412.14 134,412.14
60934N104 FEDERATED GOVT OBL INST MMFUND	0.047%	Fixed	N	0.000	AAAm Aaa	202,787.14	03/31/2020 03/31/2020	0.320 0.320	0.00	202,787.14	202,787.14 202,787.14	202,787.14 202,787.14
60934N104 FEDERATED GOVT OBL INST MMFUND	0.078%	Fixed	N	0.000	AAAm Aaa	337,199.28	03/31/2020 03/31/2020	0.320 0.320	0.00	337,199.28	337,199.28 337,199.28	337,199.28 337,199.28

MUNI

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
91417K2R1 UNIVERSITY COLO ENTERPRISE SYS REV MUNI	0.553%	Fixed	N	0.166	NA Aa1	2,360,000.00	06/01/2020 06/01/2020	1.801 1.290	16,606.53	2,364,224.40	2,361,207.64 2,377,814.18	2,363,186.00 2,379,792.53
040654XU4 ARIZONA ST TRAN SN BRD HWY REV MUNI	0.728%	Fixed	N	4.053	AA+ Aa1	3,100,000.00	07/01/2024 07/01/2024	1.958 1.783	8,261.67	3,100,000.00	3,100,000.00 3,108,261.67	3,122,072.00 3,130,333.67
--- --- MUNI	1.281%	Fixed	N	2.374	AA+ Aa1	5,460,000.00	09/26/2022 09/26/2022	1.890 1.570	24,868.21	5,464,224.40	5,461,207.64 5,486,075.85	5,485,258.00 5,510,126.21

Attachment: 04-20 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-2nd Qtr FY20 (4998) :

Security Type GASB 40 Trade Date

As of 03/31/2020

[Return to Table of Contents](#)

SWFWMD Agg (70823)

Dated: 04/02/2020

T-BILL

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
912796TM1 UNITED STATES TREASURY T-BILL	1.616%	Zero Coupon	N	0.005	A-1+ P-1	6,950,000.00	04/02/2020 04/02/2020	1.742 0.000	0.00	6,890,649.22	6,949,672.10 6,949,672.10	6,950,000.00 6,950,000.00
912796SM2 UNITED STATES TREASURY T-BILL	1.209%	Zero Coupon	N	0.063	A-1+ P-1	5,200,000.00	04/23/2020 04/23/2020	2.400 0.030	0.00	5,079,695.09	5,192,627.56 5,192,627.56	5,199,901.20 5,199,901.20
912796SR1 UNITED STATES TREASURY T-BILL	1.116%	Zero Coupon	N	0.139	A-1+ P-1	4,800,000.00	05/21/2020 05/21/2020	2.124 0.065	0.00	4,703,960.02	4,786,280.00 4,786,280.00	4,799,568.00 4,799,568.00
912796SZ3 UNITED STATES TREASURY T-BILL	1.650%	Zero Coupon	N	0.292	A-1+ P-1	7,100,000.00	07/16/2020 07/16/2020	1.955 0.079	0.00	6,963,960.02	7,060,383.96 7,060,383.96	7,098,352.80 7,098,352.80
--- UNITED STATES TREASURY T-BILL	5.590%	Zero Coupon	N	0.129	A-1+ P-1	24,050,000.00	05/17/2020 05/17/2020	2.023 0.043	0.00	23,638,264.35	23,988,963.62 23,988,963.62	24,047,822.00 24,047,822.00

US GOV

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
912828X21 UNITED STATES TREASURY US GOV	1.663%	Fixed	N	0.041	AA+ Aaa	7,100,000.00	04/15/2020 04/15/2020	1.528 0.174	49,176.23	7,095,007.85	7,099,924.65 7,149,100.88	7,103,855.30 7,153,031.53
912828XU9 UNITED STATES TREASURY US GOV	1.323%	Fixed	N	0.208	AA+ Aaa	5,650,000.00	06/15/2020 06/15/2020	1.568 0.108	25,008.20	5,638,964.87	5,649,213.32 5,674,221.52	5,666,317.20 5,691,325.40
912828VJ6 UNITED STATES TREASURY US GOV	0.082%	Fixed	N	0.250	AA+ Aaa	350,000.00	06/30/2020 06/30/2020	1.889 0.110	1,658.65	349,876.95	349,988.26 351,646.91	351,543.85 353,202.50
912828XH8 UNITED STATES TREASURY US GOV	0.890%	Fixed	N	0.250	AA+ Aaa	3,800,000.00	06/30/2020 06/30/2020	1.549 0.107	15,607.14	3,808,460.93	3,800,705.03 3,816,312.18	3,814,417.20 3,830,024.34
912828VP2 UNITED STATES TREASURY US GOV	0.413%	Fixed	N	0.335	AA+ Aaa	1,760,000.00	07/31/2020 07/31/2020	1.582 -0.005	5,898.90	1,792,862.50	1,762,424.80 1,768,323.70	1,771,825.44 1,777,724.34
912828VP2 UNITED STATES TREASURY US GOV	0.414%	Fixed	N	0.335	AA+ Aaa	1,765,000.00	07/31/2020 07/31/2020	1.713 -0.005	5,915.66	1,787,269.36	1,766,672.30 1,772,587.96	1,776,859.03 1,782,774.69
912828VP2 UNITED STATES TREASURY US GOV	0.224%	Fixed	N	0.335	AA+ Aaa	955,000.00	07/31/2020 07/31/2020	1.304 -0.005	3,200.82	983,911.13	957,195.81 960,396.63	961,416.65 964,617.47
912828Q2 UNITED STATES TREASURY US GOV	1.054%	Fixed	N	0.376	AA+ Aaa	4,500,000.00	08/15/2020 08/15/2020	2.015 -0.056	8,530.22	4,473,281.25	4,491,431.78 4,499,962.00	4,526,365.50 4,534,895.72
912828Q2 UNITED STATES TREASURY US GOV	1.113%	Fixed	N	0.376	AA+ Aaa	4,750,000.00	08/15/2020 08/15/2020	1.492 -0.056	9,004.12	4,751,113.31	4,750,148.24 4,759,152.36	4,777,830.25 4,786,834.37
912828VV9 UNITED STATES TREASURY US GOV	0.704%	Fixed	N	0.416	AA+ Aaa	3,000,000.00	08/31/2020 08/31/2020	1.551 0.123	5,543.48	3,053,085.93	3,007,061.50 3,012,604.97	3,024,960.00 3,030,503.48
912828V1 UNITED STATES TREASURY US GOV	0.819%	Fixed	N	0.456	AA+ Aaa	3,500,000.00	09/15/2020 09/15/2020	1.528 0.100	2,223.17	3,484,414.08	3,497,588.89 3,499,812.05	3,520,370.00 3,522,593.17
912828VZ0 UNITED STATES TREASURY US GOV	0.469%	Fixed	N	0.500	AA+ Aaa	2,000,000.00	09/30/2020 09/30/2020	1.916 0.132	109.29	2,004,531.26	2,000,822.76 2,000,932.05	2,018,672.00 2,018,781.29
912828PC8 UNITED STATES TREASURY US GOV	1.073%	Fixed	N	0.617	AA+ Aaa	4,500,000.00	11/15/2020 11/15/2020	2.732 0.081	44,783.65	4,489,277.36	4,497,060.84 4,541,844.49	4,571,365.50 4,616,149.15

Attachment: 04-20 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-2nd Qtr FY20 (4998) :

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 03/31/2020

[Return to Table of Contents](#)

Dated: 04/02/2020

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value, Accrued
912828M98 UNITED STATES TREASURY US GOV	2.007%	Fixed	N	0.662	AA+ Aaa	8,500,000.00	46,419.06	8,495,019.53	8,497,501.09 8,543,920.15	8,587,852.00 8,634,071.06
912828A42 UNITED STATES TREASURY US GOV	0.213%	Fixed	N	0.662	AA+ Aaa	900,000.00	6,049.18	928,063.63	903,752.90 909,802.08	911,601.90 917,651.08
912828A42 UNITED STATES TREASURY US GOV	0.289%	Fixed	N	0.662	AA+ Aaa	1,220,000.00	8,200.00	1,262,271.09	1,226,289.00 1,234,489.00	1,235,727.02 1,243,927.02
912828N48 UNITED STATES TREASURY US GOV	1.915%	Fixed	N	0.746	AA+ Aaa	8,100,000.00	35,826.92	8,109,175.78	8,104,968.02 8,140,794.94	8,203,145.40 8,238,972.32
912828X36 UNITED STATES TREASURY US GOV	0.980%	Fixed	N	0.871	AA+ Aaa	4,125,000.00	11,729.05	4,095,512.69	4,115,688.05 4,127,417.11	4,203,309.00 4,215,038.05
912828B90 UNITED STATES TREASURY US GOV	0.058%	Fixed	N	0.910	AA+ Aaa	243,725.49	423.87	251,684.66	245,243.01 245,666.88	248,009.70 248,433.57
912828B90 UNITED STATES TREASURY US GOV	0.210%	Fixed	N	0.910	AA+ Aaa	886,274.51	1,541.35	912,724.26	891,491.99 893,033.34	901,853.44 903,394.79
912828B43 UNITED STATES TREASURY US GOV	0.869%	Fixed	N	0.950	AA+ Aaa	3,655,000.00	4,010.07	3,643,007.03	3,651,087.29 3,655,077.36	3,734,953.13 3,738,963.20
912828Q37 UNITED STATES TREASURY US GOV	1.540%	Fixed	N	0.996	AA+ Aaa	6,550,000.00	223.70	6,519,552.72	6,531,219.25 6,531,442.95	6,623,432.05 6,623,655.75
912828A32 UNITED STATES TREASURY US GOV	0.998%	Fixed	N	1.023	AA+ Aaa	4,150,000.00	45,511.10	4,132,167.99	4,143,657.58 4,189,168.68	4,246,130.60 4,291,641.70
912828WG1 UNITED STATES TREASURY US GOV	0.240%	Fixed	N	1.066	AA+ Aaa	1,000,000.00	9,457.42	1,050,039.06	1,011,759.96 1,021,217.38	1,023,203.00 1,032,660.42
912828R77 UNITED STATES TREASURY US GOV	1.837%	Fixed	N	1.156	AA+ Aaa	7,750,000.00	35,811.99	7,695,810.53	7,713,057.44 7,748,869.43	7,865,645.50 7,901,457.49
912828S27 UNITED STATES TREASURY US GOV	0.124%	Fixed	N	1.241	AA+ Aaa	525,000.00	1,492.79	524,077.14	524,759.06 526,231.85	531,695.35 533,178.14
912828W7 UNITED STATES TREASURY US GOV	0.240%	Fixed	N	1.234	AA+ Aaa	1,000,000.00	5,370.88	1,045,156.25	1,011,841.98 1,017,212.86	1,025,039.00 1,030,409.86
912828Y20 UNITED STATES TREASURY US GOV	0.301%	Fixed	N	1.271	AA+ Aaa	1,250,000.00	6,941.11	1,244,921.88	1,247,743.82 1,254,684.93	1,289,843.75 1,296,784.86
912828W2 UNITED STATES TREASURY US GOV	1.486%	Fixed	N	1.318	AA+ Aaa	6,200,000.00	23,377.75	6,262,483.60	6,245,611.61 6,268,989.35	6,370,983.60 6,394,361.35
912828RC6 UNITED STATES TREASURY US GOV	0.712%	Fixed	N	1.360	AA+ Aaa	2,975,000.00	7,989.18	2,911,781.25	2,944,288.45 2,952,277.64	3,055,185.17 3,063,174.36
912828T6 UNITED STATES TREASURY US GOV	0.819%	Fixed	N	1.406	AA+ Aaa	3,475,000.00	3,399.46	3,452,602.54	3,458,233.45 3,461,632.91	3,521,151.48 3,524,550.93
912828D72 UNITED STATES TREASURY US GOV	0.597%	Fixed	N	1.400	AA+ Aaa	2,500,000.00	4,347.83	2,581,250.00	2,524,033.48 2,528,381.30	2,563,867.50 2,568,215.33
912828T34 UNITED STATES TREASURY US GOV	0.754%	Fixed	N	1.490	AA+ Aaa	3,200,000.00	98.36	3,170,249.60	3,176,508.74 3,176,607.10	3,244,000.00 3,244,098.36
912828F21 UNITED STATES TREASURY US GOV	1.256%	Fixed	N	1.483	AA+ Aaa	5,250,000.00	304.82	5,171,455.07	5,206,986.63 5,207,291.44	5,401,756.50 5,402,061.32



Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 03/31/2020

[Return to Table of Contents](#)

Dated: 04/02/2020

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity	Book Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
9128285F3 UNITED STATES TREASURY US GOV	0.527%	Fixed	N	1.499	AA+ Aaa	2,150,000.00	10/15/2021 10/15/2021	1.592 0.205	28,541.84	2,197,367.19	2,191,758.13 2,220,299.97	2,238,288.25 2,266,810.09
9128285L0 UNITED STATES TREASURY US GOV	1.593%	Fixed	N	1.581	AA+ Aaa	6,500,000.00	11/15/2021 11/15/2021	2.698 0.201	70,848.21	6,531,738.28	6,518,071.77 6,588,919.98	6,781,580.00 6,852,428.21
912828U85 UNITED STATES TREASURY US GOV	0.365%	Fixed	N	1.640	AA+ Aaa	1,520,000.00	11/30/2021 11/30/2021	1.864 0.202	8,939.34	1,512,696.87	1,517,169.63 1,526,108.97	1,559,127.84 1,568,067.18
912828U81 UNITED STATES TREASURY US GOV	0.241%	Fixed	N	1.719	AA+ Aaa	1,000,000.00	12/31/2021 12/31/2021	1.989 0.219	5,054.95	1,000,507.81	1,000,191.57 1,005,246.51	1,031,094.00 1,036,148.95
912828V72 UNITED STATES TREASURY US GOV	1.922%	Fixed	N	1.806	AA+ Aaa	8,000,000.00	01/31/2022 01/31/2022	1.609 0.217	25,137.36	8,043,437.50	8,038,293.94 8,063,431.30	8,242,816.00 8,267,953.36
912828SF8 UNITED STATES TREASURY US GOV	0.241%	Fixed	N	1.845	AA+ Aaa	1,000,000.00	02/15/2022 02/15/2022	1.760 0.215	2,527.47	1,010,585.94	1,004,394.21 1,006,921.68	1,033,398.00 1,035,925.47
912828L43 UNITED STATES TREASURY US GOV	0.243%	Fixed	N	1.888	AA+ Aaa	1,015,000.00	02/28/2022 02/28/2022	1.834 0.221	1,544.57	1,011,352.34	1,013,397.07 1,014,941.64	1,044,657.29 1,046,201.65
912828W89 UNITED STATES TREASURY US GOV	0.480%	Fixed	N	1.971	AA+ Aaa	2,000,000.00	03/31/2022 03/31/2022	2.624 0.216	102.46	1,944,140.62	1,971,046.93 1,971,149.39	2,066,172.00 2,066,274.46
912828X47 UNITED STATES TREASURY US GOV	0.033%	Fixed	N	2.035	AA+ Aaa	135,000.00	04/30/2022 04/30/2022	1.934 0.227	1,063.96	134,620.31	134,837.75 135,901.71	139,619.57 140,683.52
912828SV3 UNITED STATES TREASURY US GOV	0.242%	Fixed	N	2.079	AA+ Aaa	1,000,000.00	05/15/2022 05/15/2022	1.799 0.203	6,634.62	997,695.31	988,981.61 1,005,616.23	1,032,773.00 1,039,407.62
912828XR6 UNITED STATES TREASURY US GOV	0.676%	Fixed	N	2.122	AA+ Aaa	2,800,000.00	05/31/2022 05/31/2022	1.842 0.236	16,467.21	2,792,890.63	2,794,557.52 2,811,024.74	2,891,546.00 2,908,013.21
912828XW5 UNITED STATES TREASURY US GOV	0.308%	Fixed	N	2.206	AA+ Aaa	1,275,000.00	06/30/2022 06/30/2022	1.944 0.218	5,639.42	1,263,345.71	1,269,593.91 1,275,233.33	1,318,828.13 1,324,467.55
912828XG0 UNITED STATES TREASURY US GOV	0.292%	Fixed	N	2.197	AA+ Aaa	1,200,000.00	06/30/2022 06/30/2022	1.912 0.206	6,445.05	1,211,484.37	1,205,585.52 1,212,030.57	1,251,656.40 1,258,101.45
912828TJ9 UNITED STATES TREASURY US GOV	0.361%	Fixed	N	2.334	AA+ Aaa	1,500,000.00	08/15/2022 08/15/2022	1.555 0.252	3,080.36	1,502,636.72	1,502,445.62 1,505,525.97	1,548,750.00 1,551,830.36
912828L24 UNITED STATES TREASURY US GOV	0.242%	Fixed	N	2.368	AA+ Aaa	1,000,000.00	08/31/2022 08/31/2022	1.822 0.247	1,630.43	1,002,500.00	1,001,252.57 1,002,883.00	1,039,180.00 1,040,810.43
912828W9 UNITED STATES TREASURY US GOV	0.242%	Fixed	N	2.452	AA+ Aaa	1,000,000.00	09/30/2022 09/30/2022	2.148 0.247	51.23	987,578.12	983,388.27 993,439.50	1,040,547.00 1,040,598.23
912828M49 UNITED STATES TREASURY US GOV	0.994%	Fixed	N	2.512	AA+ Aaa	4,075,000.00	10/31/2022 10/31/2022	1.500 0.264	32,115.81	4,120,843.75	4,113,566.34 4,145,682.16	4,243,888.38 4,276,004.19
912828M80 UNITED STATES TREASURY US GOV	0.306%	Fixed	N	2.592	AA+ Aaa	1,250,000.00	11/30/2022 11/30/2022	2.152 0.280	8,401.64	1,241,064.45	1,245,100.64 1,253,502.27	1,307,080.00 1,315,481.64
912828P28 UNITED STATES TREASURY US GOV	1.214%	Fixed	N	2.769	AA+ Aaa	5,000,000.00	01/31/2023 01/31/2023	1.512 0.280	14,663.46	5,035,062.50	5,032,858.51 5,047,521.97	5,207,420.00 5,222,083.46
912828P28 UNITED STATES TREASURY US GOV	1.218%	Fixed	N	2.997	AA+ Aaa	5,000,000.00	04/30/2023 04/30/2023	1.538 0.294	34,151.79	5,015,234.40	5,012,993.81 5,047,144.60	5,204,100.00 5,238,251.79
912828S35 UNITED STATES TREASURY US GOV	1.206%	Fixed	N	3.176	AA+ Aaa	5,000,000.00	06/30/2023 06/30/2023	1.511 0.309	17,376.37	4,975,000.00	4,978,571.99 4,995,946.36	5,172,205.00 5,169,641.37

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 03/31/2020

[Return to Table of Contents](#)

Dated: 04/02/2020

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
912828T26 UNITED STATES TREASURY US GOV	1.326%	Fixed	N	3.425	AA+ Aaa	5,500,000.00	09/30/2023 09/30/2023	0.885 0.308	206.63	5,594,531.25	5,592,548.88 5,592,755.50	5,704,099.50 5,704,306.13
912828T91 UNITED STATES TREASURY US GOV	1.225%	Fixed	N	3.469	AA+ Aaa	5,000,000.00	10/31/2023 10/31/2023	1.531 0.307	34,151.79	5,018,750.00	5,016,332.35 5,050,484.14	5,234,570.00 5,268,721.79
912828V80 UNITED STATES TREASURY US GOV	1.252%	Fixed	N	3.684	AA+ Aaa	5,000,000.00	01/31/2024 01/31/2024	1.527 0.325	18,853.02	5,152,734.40	5,134,117.42 5,152,970.44	5,366,600.00 5,385,453.02
912828X70 UNITED STATES TREASURY US GOV	1.250%	Fixed	N	3.909	AA+ Aaa	5,000,000.00	04/30/2024 04/30/2024	1.501 0.349	42,032.97	5,111,328.15	5,098,457.19 5,140,490.16	5,334,375.00 5,376,407.97
912828X70 UNITED STATES TREASURY US GOV	0.412%	Fixed	N	3.909	AA+ Aaa	1,650,000.00	04/30/2024 04/30/2024	1.640 0.349	13,870.88	1,674,556.64	1,673,324.20 1,687,195.08	1,760,343.75 1,774,214.63
912828YM6 UNITED STATES TREASURY US GOV	0.861%	Fixed	N	4.416	AA+ Aaa	3,500,000.00	10/31/2024 10/31/2024	1.667 0.362	22,067.31	3,472,519.54	3,474,308.72 3,496,376.02	3,680,880.00 3,702,947.31
--- UNITED STATES TREASURY US GOV	46.960%	Fixed	N	1.593	AA+ Aaa	196,155,000.00	11/16/2021 11/16/2021	1.774 0.173	856,785.56	196,729,265.89	196,533,086.02 197,389,871.58	201,149,608.09 202,006,393.65

Summary

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
--- --- ---	100.000%	---	---	1.412	AA Aa2	419,844,214.73	09/18/2021 09/20/2021	1.900 0.729	2,106,021.53	421,614,208.77	421,591,688.02 423,697,709.55	428,058,822.98 430,164,844.51

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Filtered By: Description ≠ "Payable" and Description ≠ "Receivable". * Weighted by: Ending Market Value + Accrued, except Book Yield by Base Book Value + Accrued.

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Submit and File Report

Office of Inspector General Quarterly Update – January 1, 2020 to March 31, 2020

Background and Purpose:

In accordance with the Office of Inspector General Charter Governing Board Policy, the Inspector General is required, on a quarterly basis, to update the Committee regarding work and other matters.

Staff Recommendation:

This item is for the Board's information; no action is needed.

Presenter: Brian Werthmiller, Inspector General



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Mark Taylor

Chair, Hernando, Marion

Michelle Williamson

Vice Chair, Hillsborough

Joel Schleicher

Secretary, Charlotte, Sarasota

Kelly S. Rice

Treasurer, Citrus, Lake, Levy,
Sumter

Jack Bispham

Manatee

Roger Germann

Hillsborough

James G. Murphy

Polk

Rebecca Smith

Hillsborough, Pinellas

Seth Weightman

Pasco

Brian J. Armstrong, P.G.

Executive Director

April 28, 2020

MEMORANDUM

TO: Finance/Outreach & Planning Committee
Remaining Governing Board members

FROM: Brian Werthmiller, CPA, CIG, Inspector General

SUBJECT: Office of Inspector General Quarterly Update – January 1, 2020 to March 31, 2020

The purpose of this memo is to satisfy the Office of Inspector General (OIG) Charter Governing Board Policy regarding updates with the Finance/Outreach and Planning Committee.

I am pleased to provide you the most recent quarterly update. During the quarter ending March 31, 2020:

- On January 13, 2020, the OIG partnered with the Finance Bureau to do a presentation on vendor fraud and ways to identify it.
- The OIG quarterly update for the quarter ending December 31, 2019 was submitted to the Governing Board on January 28, 2020.
- The OIG's annual audit plan was completed in accordance with Florida Statutes and the OIG Charter Governing Board Policy. It was submitted to the Governing Board on January 28, 2020. The audit plan is the result of a District-wide risk assessment and reflects individual audits planned over the next 12 months and long-term.
- The Florida Department of Highway Safety and Motor Vehicles (DHSMV) audit was completed in accordance with *Generally Accepted Government Auditing Standards* and submitted to the Governing Board on February 25, 2020. The audit disclosed controls over employee access privileges to DHSMV information need enhancement to ensure that assigned access privileges appropriately restrict employees to only those functions necessary for their assigned job responsibilities. In addition, District records did not always evidence signed acknowledgements were maintained.
- A peer review of the OIG's audit and investigative functions for FY 2019 was conducted by the Association of Inspectors General to ensure compliance with all applicable professional standards. The OIG received the highest rating of pass and it was the unanimous conclusion of the peer review team that all applicable *Generally Accepted Government Auditing Standards* and *Principles and Standards for Offices of Inspector General* were fully met. The peer review opinion letter was submitted to the Governing Board on February 25, 2020. This item brings the OIG in compliance with professional standards and the recommendation made by the Auditor General.

Attachment: Memo - 1.1.20 to 3.31.20 - OIG Quarterly Update (4991 : Office of Inspector General Quarterly Update – January 1, 2020 to March

- The OIG advised in the development of performance measures, standards, and procedures for the evaluation of District programs. A District performance measure was selected for each of the four general areas of responsibility in water supply, flood protection, water quality, and natural systems. The development included meeting with each board member individually prior to being submitted to the Governing Board on February 25, 2020. This item brings the OIG in compliance with Florida Statutes, the OIG Charter Governing Board Policy, and the recommendation made by the Auditor General.
- The OIG is coordinating efforts between the District and the Florida Department of Management Services on their audit of the Florida Retirement System. This audit is in progress. In addition, the OIG obtained the results of the most recent Florida Department of Management Services' peer review and noted no corrective actions were identified.
- The OIG is coordinating efforts between the District and the Auditor General's Office for their operational audit of the District during the period October 1, 2018 to December 31, 2019. This audit is in progress. In addition, the OIG obtained the results of the most recent Auditor General's peer review and noted no corrective actions were identified.
- Follow-up work on the Auditor General findings are as follows:
 - The Office of Inspector General:
 - The preparation and maintenance of records demonstrating the effective utilization of the OIG has been implemented.
 - As noted above, the OIG has completed and passed its peer review.
 - The audit plan contains a long-term component. In addition, the OIG Charter Governing Board Policy has been updated to require this.
 - The OIG performance measures are approved by the Board and reported at least semi-annually.
 - As noted above, the District-wide performance measures have been developed.
 - The Self-Insurance Programs follow-up audit is underway.
 - The IT Access Privileges follow-up audit is being submitted April 28, 2020.
- The OIG receives requests from the District to review reports, contracts, policies, procedures, and other information. The OIG will provide recommendations for the requestor's consideration. Reviews can also include external requests from another government agency such as the Office of the Chief Inspector General, coordinating external audits, and OIG projects that do not require a formal report to the Governing Board. During the quarter end March 31, 2020, the OIG had 24 reviews initiated.
- The progress of OIG performance measures are as follows:

Office of Inspector General			
Performance Measure	Frequency	Goal	Status Through 3/31/20
Audit Plan	Annual	Submit to the Board January 2020	Submitted January 2020
Appropriate Time Allocated to Board Reporting	N/A	75% of Chargeable Hours by September 2020	87%
OIG Annual Report	Annual	Submit to the Board September 2020	Open
Advise Board of District Performance Measures	N/A	Submit to the Board February 2020	Submitted February 2020
Updates to the Finance/Outreach & Planning Committee including IG Performance Measures	Quarterly	All quarters in FY	50% Complete
Meet with the Executive Director	Monthly	Every month in FY	50% Complete
External Peer Review	Once Every 3 Years	September 2020	Submitted February 2020
Continuing Professional Education for CPA license and professional standards	80 Hours Every Two Years	Completion of 80 hours by June 30, 2020	53 Hours
Attain Certified Fraud Examiner (CFE) or Certified Inspector General <u>Investigator</u> (CIGI)	N/A	September 2020	Open
Review OIG Charter Governing Board Policy	Annual	August 2020	Open

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Submit and File Report

Self-Funded Health Insurance Plan - 2019 Annual Update

Purpose

Provide update of the District's Self-funded Health Insurance Plan.

Background

The District moved to a "self-funded" Health Insurance Plan for calendar year 2016. On October 27, 2015, staff presented a recommendation to move to a "self-funded" Health Insurance Plan for calendar year 2016 and adopt a resolution to commit funds in the amount of \$1.7 million as a Health Insurance Reserve Fund. The Board approved this action and Resolution No. 15-19.

In a self-funded plan, the insurance company estimates the amount of claims it expects from the District for the upcoming year just as in the fully-funded scenario. The self-funded plan differs in that the District is responsible for paying the claims. If the claims are less than anticipated, the District has additional cash flow or savings to invest. If the claims are greater than anticipated, the District is responsible. To mitigate this risk the District purchased Stop Loss insurance that will cover higher-than-anticipated claims. The insurance company is paid to cover the costs of administering the plan, processing the claims, stop loss insurance, and some level of profit margin.

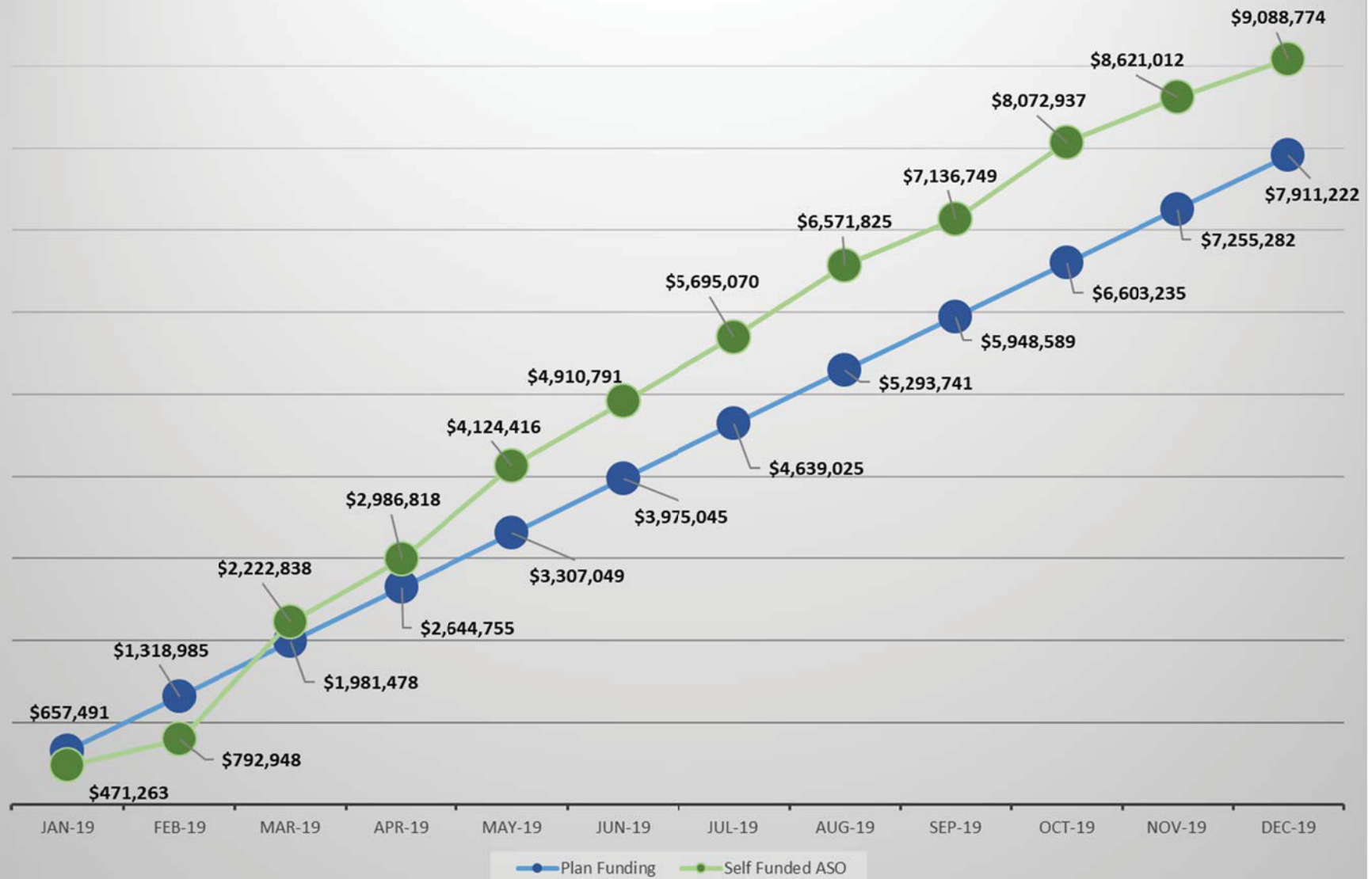
This item will provide updated data for the plan year ended December 2019 for the Self-funded Health Plan. Current plan year financial performance is not a guarantee of future financial performance.

Staff Recommendation:

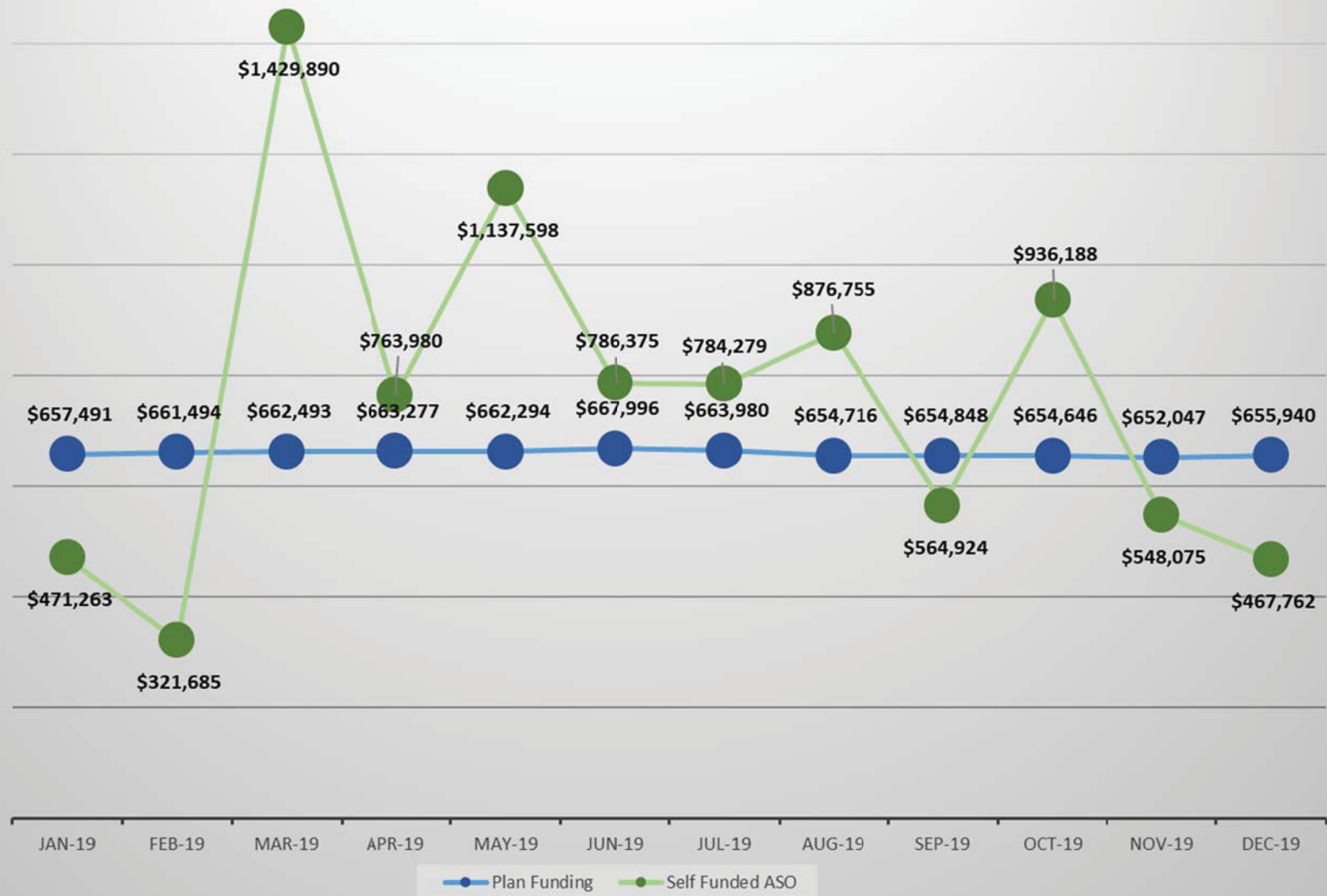
Presented for the Committee's information. No action required.

Presenter: John J. Campbell, Division Director, Management Services

YTD Health Benefits Cost



Monthly Health Benefits Cost



FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of March 31, 2020, reflects total cash and investments.

In accordance with Board Policy, *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 fund transfers (EFTs).

Staff Recommendation:

These items are presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
March 31, 2020

CUSTODIAN HELD INVESTMENTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	AMORTIZED COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
PUBLIC TRUST ADVISORS						
<u>SWFWMD-Enhanced Cash Portfolio</u>						
7951619	Investments	1.92	\$165,832,452	\$167,151,294	\$789,624	
7951619	Cash / Money Market Fund	0.32	134,412	134,412	0	
			Subtotal	\$165,966,864	\$167,285,706	\$789,624
7951619	Accounts Receivable-Trade date prior to 3/31/20, Settlement date after 3/31/20		471	471	0	
			Total	\$165,967,335	\$167,286,177	\$789,624
						31.54
<u>SWFWMD- 1-3 Year Portfolio</u>						
7951620	Investments	1.89	\$255,422,037	\$260,570,330	\$1,316,397	
7951620	Cash / Money Market Fund	0.32	202,787	202,787	0	
			Subtotal	\$255,624,824	\$260,773,117	\$1,316,397
7951620	Accounts Receivable-Trade date prior to 3/31/20, Settlement date after 3/31/20		1,386	1,386	0	
			Total	\$255,626,210	\$260,774,503	\$1,316,397
						48.57
TOTAL CUSTODIAN HELD INVESTMENTS			\$421,593,545	\$428,060,680	\$2,106,021	80.11

STATE BOARD OF ADMINISTRATION (SBA) INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
STATE BOARD OF ADMINISTRATION						
<u>Florida PRIME (Formerly Local Government Investment Pool)</u>						
271413	SBA General Investments	1.36	\$73,280,186	\$73,280,186		
271414	SBA Land Resources	1.36	18,141,879	18,141,879		
271415	SBA Advanced State Funding (Eco System Trust Fund)	1.36	168,690	168,690		
271416	SBA Advanced State Funding (FDOT)	1.36	13,101,580	13,101,580		
271418	SBA Advanced State Funding (WPSTF-AWS)	1.36	839	839		
	TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS		\$104,693,174	\$104,693,174		19.89
	TOTAL INVESTMENTS		\$526,286,719	\$532,753,854		100.00
	CASH, SUNTRUST DEMAND ACCOUNT		923,087	923,087		
	TOTAL CASH AND INVESTMENTS		\$527,209,806	\$533,676,941		

Weighted average yield on portfolio at March 31, 2020 is 1.79%.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
March 31, 2020

EQUITY - CASH AND INVESTMENTS

DISTRICT AND BASINS

District General Fund	\$478,674,096	90.79%
Restricted for Alafia River Basin	492,085	0.09%
Restricted for Hillsborough River Basin	8,160,624	1.55%
Restricted for Coastal Rivers Basin	321,488	0.06%
Restricted for Pinellas-Anclote River Basin	9,296,742	1.76%
Restricted for Withlacoochee River Basin	924,334	0.18%
Restricted for Peace River Basin	1,547,116	0.29%
Restricted for Manasota Basin	2,783,302	0.53%
Total District General Fund	<u>\$502,199,787</u>	<u>95.25%</u>
 FDOT Mitigation Program	 12,798,515	 2.43%
Florida Forever Program	12,211,504	2.32%
 TOTAL EQUITY IN CASH AND INVESTMENTS	 <u><u>\$527,209,806</u></u>	 <u><u>100.00%</u></u>

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Routine Report

Monthly Financial Statement

Purpose

Presentation of the March 31, 2020, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(11), Florida Statutes, relating to state financial information with certain financial transparency requirements, the District is submitting a "Statement of Sources and Uses of Funds for the Sixth Month Ended March 31, 2020."

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Statement of Sources and Uses of Funds For the Six Months Ended March 31, 2020

The attached “Statement of Sources and Uses of Funds” statement is provided for your review. This financial statement provides summary-level revenues (i.e., sources) and expenditures by program (i.e., uses). **This unaudited financial statement is provided as of March 31, 2020, with 50.0 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District’s FY2019-20 available budget of \$365.1 million. Encumbrances represent orders for goods and services which have not yet been received.

Revenues (Sources) Status:

- Overall, as of March 31, 2020, 85 percent of the District’s budgeted revenues/balances have been recognized.
- As of March 31, 2020, the District has received \$104,713,077 of ad valorem tax revenue representing 93 percent of the budget. This is in-line with the six months prior year collection rates of 92 percent for FY2018-19 and 93 percent for FY2017-18. The budget represents 96 percent of estimated proceeds based on the taxable property values as certified by the District’s sixteen counties multiplied by the Governing Board approved millage rate. Projections are based on historical collections.
- Intergovernmental Revenues are recognized as soon as they are both measurable and available. Revenues are considered available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For FY2019-20, \$2,126,660 revenues have been recognized, representing 5 percent of the budget. From year to year, the budgeted amount of intergovernmental revenue compared to the recognized amount can fluctuate for various reasons; projects can be in the planning stages and have not incurred a significant amount of expenditures, or anticipated projects may be canceled (e.g., cooperative funding projects).
- The FY2019-20 interest earnings budget was based on a 2.33 percent expected rate of return. The District’s investment portfolio at March 31, 2020 is earning a weighted average yield of 1.79 percent. For the six months ended March 31, 2020, the District has earned 1.92 percent yield on its investments. Interest earnings on invested funds in the amount of \$4,901,132 have been recognized representing 45 percent of the budgeted amount.
- License and Permit Fees consist of revenue from water use permits, environmental resource permits, water well construction permits, and water well construction licenses. Revenue recognized represents 50 percent of the budgeted amount as of March 31, 2020.
- As of March 31, 2020, other revenue earned is 812 percent of budget. Each year, items that fall within the “Other” revenue category are budgeted conservatively due to the uncertainty of the amounts to be collected. For example, revenues from timber sales, hog hunts, insurance recoveries and the sale of capital assets can vary significantly from year to year. The majority of the increase is due to sales of capital assets in the amount of \$4,751,511.

- Fund Balance consists of balance from prior years (budgeted for the current year) plus fund balance associated with the ad valorem funded encumbrances that rolled into the current year.

Expenditures (Uses) Status:

Overall, as of March 31, 2020, the District had obligated 65 percent of its total budget.

Summary of Expenditures by Program

This financial statement illustrates the effort to date for each of the District's six statutory program areas (Section 373.536(5)(e)4, Florida Statutes). A discussion of the expenditures by program follows.

- The **Water Resource Planning and Monitoring Program** includes all water management planning, including water supply planning, development of minimum flows and levels, and other water resource planning; research, data collection, analysis, and monitoring; and technical assistance (including local and regional plan and program review). Of the \$46.5 million budgeted for this program, the District has obligated 63 percent of the budget (22 percent expended, and 41 percent encumbered).
- The **Land Acquisition, Restoration and Public Works Program** includes the development and construction of all capital projects (except for those contained in the Operation and Maintenance of Works and Lands Program), including water resource development projects/water supply development assistance, water control projects, and support and administrative facilities construction, land acquisition (i.e., Florida Forever program), and the restoration of lands and water bodies. Of the \$252.2 million budgeted for this program, the District has obligated 70 percent of the budget (5 percent expended, and 65 percent encumbered).
- The **Operation and Maintenance of Works and Lands Program** includes all operation and maintenance of facilities, flood control and water conservation structures, lands, and other works authorized by Chapter 373, Florida Statutes. Of the \$29.2 million budgeted for this program, the District has obligated 45 percent of the budget (28 percent expended, and 17 percent encumbered).
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration, compliance and enforcement, and any delegated regulatory program. Of the \$21.5 million budgeted for this program, the District has obligated 49 percent of the budget (41 percent expended, and 8 percent encumbered).
- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resources education; public information activities; all lobbying activities relating to local, regional, state, and federal governmental affairs; and all public relations activities and advertising in any media. Of the \$3.1 million budgeted for this program, the District has obligated 51 percent of the budget (24 percent expended, and 27 percent encumbered).

- The **Management and Administration Program** includes executive management, executive support, governing board support, ombudsman, general counsel, inspector general, administrative support (general), procurement, finance, human resources, and risk management. Of the \$12.5 million budgeted for this program, the District has obligated 62 percent of the budget (54 percent expended, and 8 percent encumbered).

Based on the financial activities for the six months ended March 31, 2020, the financial condition of the District is positive and budget variances are generally favorable. There are no reported or identified major trends, conditions or variances that warrant additional management attention.

Southwest Florida Water Management District
Statement of Sources and Uses of Funds
For the Six Months Ended March 31, 2020
(Unaudited)

Sources	Current	Actuals	Variance	Actuals As A
	Budget	Through 3/31/2020	(under)/Over Budget	% of Budget (rounded)
\$	113,153,713	\$ 104,713,077	\$ (8,440,636)	93%
Ad Valorem Property Taxes	45,176,609	2,126,660	(43,049,949)	5%
Intergovernmental Revenues	11,000,000	4,901,132	(6,098,868)	45%
Interest on Invested Funds	2,029,700	1,017,045	(1,012,655)	50%
License and Permit Fees	690,250	5,604,769	4,914,519	812%
Other	193,034,811	193,034,811	-	100%
Fund Balance				
Total Sources	\$ 365,085,083	\$ 311,397,494	\$ (53,687,589)	85%

Uses	Current	Expenditures	Encumbrances¹	Available	% Expended	% Obligated²
	Budget			Budget	(rounded)	(rounded)
\$	46,545,914	\$ 10,417,584	\$ 18,795,937	\$ 17,332,393	22%	63%
Water Resource Planning and Monitoring	252,244,548	13,392,894	162,288,332	76,563,322	5%	70%
Land Acquisition, Restoration and Public Works	29,233,764	8,292,885	4,848,262	16,092,617	28%	45%
Operation and Maintenance of Works and Lands	21,503,217	8,764,421	1,843,523	10,895,273	41%	49%
Regulation	3,081,465	754,124	826,576	1,500,765	24%	51%
Outreach	12,476,175	6,689,246	993,643	4,793,286	54%	62%
Management and Administration						
Total Uses	\$ 365,085,083	\$ 48,311,154	\$ 189,596,273	\$ 127,177,656	13%	65%

¹ Encumbrances represent unexpended balances of open purchase orders and contracts.

² Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited preliminary financial statement is prepared as of March 31, 2020, and covers the interim period since the most recent audited financial statements.

FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Routine Report

Monthly Cash Balances by Fiscal Year

Purpose

To provide a schedule of monthly cash balances by fiscal year, updated to reflect the cash balance as of March 31, 2020.

Background

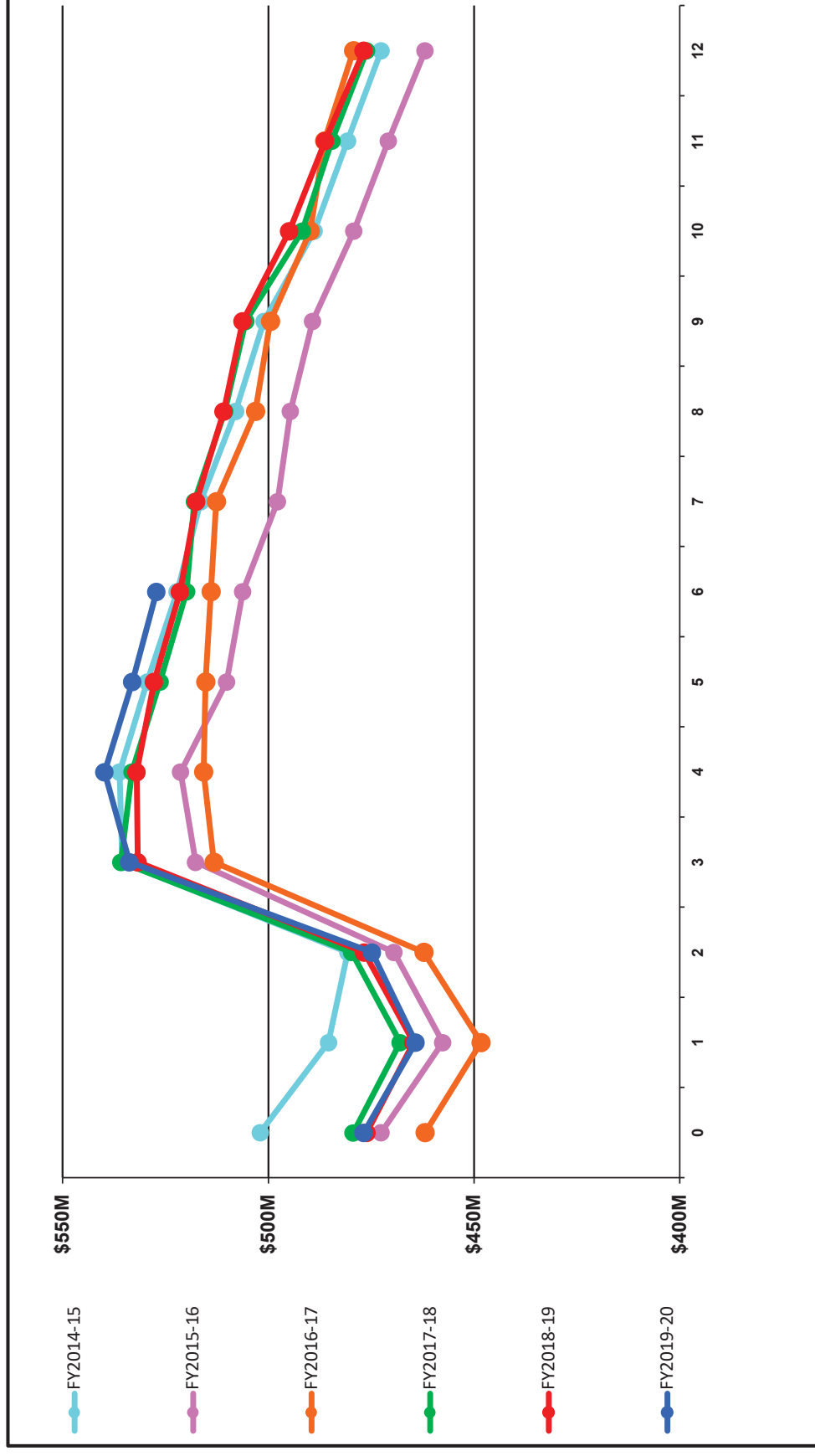
This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves are utilized for projects.

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Southwest Florida Water Management District
Monthly Cash Balances by Fiscal Year
(FY2014-15 - FY2018-19 and FY2019-20 To-Date)



FINANCE/OUTREACH & PLANNING COMMITTEE

April 28, 2020

Routine Report

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.

Background/History

The water management districts provide 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 various areas of water resource management, including water supply, flood protection and water quality, and is intended to support sound land use decisions. Statutory directives for this assistance include Section 373.711, Florida Statutes (F.S.), Technical Assistance to Local Governments, and Section 163.3184, F.S., Process for Adoption of Comprehensive Plan or Plan Amendments. Under Section 163, F.S., substantially revised in 2011, if important state resources and facilities are to be adversely impacted, the water management districts and other state reviewing agencies must state with specificity how the plan amendment will adversely impact the resource or facility and must include measures that the local government may take to eliminate, reduce, or mitigate the impacts. Any plan amendment comments provided by a water management district and/or other state agencies that are not resolved may be challenged by the Department of Economic Opportunity (DEO).

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:

This item is provided for the Committee's information and no action is required.

Presenter: Cara Martin, Government and Community Affairs Office Chief

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of April 08, 2020

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Bowling Green 20-1	ESR	3/20/2020		Text amendment.	<input type="checkbox"/>
Bradenton 20-1	ESR	2/3/2020	2/27/2020	Comments addressed statutory requirements for water supply planning and redevelopment opportunities for retrofitting stormwater systems.	<input type="checkbox"/>
Bushnell 20-1	ESR	2/27/2020	3/3/2020	No substantive comments.	<input type="checkbox"/>
Davenport 20-2	ESR	3/20/2020		Map amendment.	<input type="checkbox"/>
Eagle Lake 20-1	ESR	3/17/2020	3/24/2020	No substantive comments.	<input type="checkbox"/>
Haines City	ESR	2/28/2020	3/17/2020	Comments addressed statutory requirements for water supply planning.	<input type="checkbox"/>
Highlands 20-1	ESR	3/9/2020	3/17/2020	Comments addressed requirements for regional water supply planning, reuse, conservation, existing wells and encouraged early coordination with ERP staff.	<input type="checkbox"/>
Lake Wales 20-1	ESR	3/9/2020	3/16/2020	No substantive comments.	<input type="checkbox"/>
Manatee 20-1	ESR	2/25/2020	3/2/2020	No substantive comments.	<input type="checkbox"/>
New Port Richey 20-1	ESR	3/23/2020		Text amendments.	<input type="checkbox"/>
Pasco 20-4	ESR	2/25/2020	3/23/2020	Comments addressed regional water supply planning, water conservation and flood prone and wetland areas.	<input type="checkbox"/>
Pasco 20-5	ESR	2/25/2020	3/23/2020	No substantive comments.	<input type="checkbox"/>
Pasco 20-6	ESR	2/25/2020	3/23/2020	Comments addressed regional water supply planning, water conservation and flood prone areas.	<input type="checkbox"/>
Pasco 20-7	ESR	2/25/2020	3/23/2020	No substantive comments.	<input type="checkbox"/>
Punta Gorda 20-1	ESR	3/20/2020		Map amendment.	<input type="checkbox"/>
Sarasota 20-1	ESR	2/24/2020	3/3/2020	No substantive comments.	<input type="checkbox"/>
Sumter 20-1	ESR	3/5/2020	4/3/2020	Comment addressed regional water supply planning.	<input type="checkbox"/>
Tampa 20-1	ESR	2/18/2020	5/4/2020	No substantive comments.	<input type="checkbox"/>
Venice 20-1	ESR	3/20/2020		Map and text amendments.	<input type="checkbox"/>

Attachment: CPARR (4983 : Comprehensive Plan Amendment and Related Reviews Report)

**Governing Board Meeting
April 28, 2020**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

28. Consent Item(s) Moved for Discussion	337
29. 2020 Regional Water Supply Plan Update	338

Submit & File Reports – None

Routine Reports

30. Minimum Flows and Levels Status Report.....	340
31. Significant Water Resource and Development Projects	342

RESOURCE MANAGEMENT COMMITTEE

April 28, 2020

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Jennette M. Seachrist, P.E., Division Director, Resource Management

RESOURCE MANAGEMENT COMMITTEE**April 28, 2020*****Discussion Item*****2020 Regional Water Supply Plan Update*****Purpose***

The purpose of this item is to review the draft 2020 Regional Water Supply Plan with the Governing Board prior to release for public review and comment.

Background/History

The Regional Water Supply Plan (RWSP) is an assessment of projected water demands for all water use sectors and identifies potential sources to meet those demands over a 20-year planning period. Legislation passed in 1997 requires water management districts to complete a RWSP for areas where existing sources are not adequate to supply water for all existing and future uses while sustaining water resources and related natural systems through the planning period. The RWSP covers the entirety of the District's 16-county area and is required to be updated every five years. The current RWSP was completed in 2015, with this draft 2020 RWSP update to be made available for public for review and comment subsequent to the April Governing Board meeting.

The draft RWSP finds that there are sufficient sources available to meet projected water demands through 2040. These sources include fresh groundwater, reclaimed water, brackish groundwater, water conservation, surface water, stormwater, aquifer storage and recovery, and seawater desalination. The RWSP also identifies a variety of proposed and potential water resource and water supply project options for development to meet projected water demands.

In addition to the District's water supply planning activities, a number of important water supply planning efforts have been completed or are ongoing by Tampa Bay Water, the Peace River Manasota Regional Water Supply Authority, the Withlacoochee Regional Water Supply Authority and the Polk Regional Water Cooperative to address needs within their respective jurisdictions. The District has worked closely with these entities and, in some cases, provided cooperative funding resources to support these planning efforts. Information developed from these planning efforts has been incorporated into the District's draft 2020 RWSP.

The District has also engaged a variety of other stakeholders to date on development of the draft 2020 RWSP, including District advisory committees, local governments, public utilities, other water management districts, the Florida Department of Environmental Protection and Florida Department of Agriculture and Consumer Services. Release of the draft 2020 RWSP for public comment will afford additional outreach opportunities with the public and stakeholders to further refine and enhance the RWSP. The public comment period will begin once the draft RWSP is released and will extend for a minimum of 45 days. Given the current COVID-19 requirements for social distancing, staff are exploring a variety of options for hosting web-based audio/visual workshops to address restrictions on hosting or attending in-person workshops. Comments received will be evaluated and incorporated into the RWSP where appropriate, and staff will prepare a comments and responses document to accompany the final RWSP documents. It is anticipated the final 2020 RWSP will be submitted to the Governing Board for

Item 29

approval in late 2020. A link to the electronic version of the draft 2020 RWSP documents is provided under separate cover.

Staff Recommendation:

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

Presenter: Joseph P. Quinn, AICP, Senior Project Manager, Water Resources Bureau

RESOURCE MANAGEMENT COMMITTEE

April 28, 2020

Routine Report

Minimum Flows and Levels Status Report

Section 373.042 of the Florida Statutes requires the state water management districts or Department of Environmental Protection (DEP) to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses and other surface water bodies. MFLs are the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area and are used in District permitting programs and for water-supply planning.

Summary information concerning the status of five major tasks for water bodies scheduled for MFLs adoption by December 2020, based on the 2019 Priority List and Schedule that was approved by the Governing Board and DEP is summarized below. Data collection and analyses for priority water bodies scheduled for MFLs adoption in 2021 through 2029 is also ongoing but is not summarized in this status report.

MFLs Development Tasks

- Draft MFLs reports are completed for stakeholder review, and in some cases are subjected to independent scientific peer review.
- Independent, scientific peer review is voluntarily initiated and completed for draft reports addressing river, spring and aquifer MFLs. Draft reports for lake and wetland MFLs are not typically subjected to voluntary peer review. The methods used to establish lake and wetland MFLs were, however, peer reviewed prior to those methods being adopted in rule. Voluntary peer review for individual lakes and wetlands may be conducted based on requests from affected stakeholders or by District decision.
- Public workshops are completed to provide opportunities for stakeholders to learn about and provide input on proposed MFLs.
- Final MFLs reports that incorporate peer review findings and stakeholder input are prepared for Governing Board approval.
- Rulemaking for proposed MFLs and any necessary MFLs prevention or recovery strategies is approved by the Governing Board, initiated through legal noticing of rule development and proposed rules, and completed with adoption and incorporation of effective MFLs and necessary strategies into District rules.

Status for Water Bodies Scheduled for MFLs Establishment by December 2020 (Recent Status Changes Highlighted)

Water Body	Draft MFLs Report	Independent, Scientific Peer Review	Public Workshop	Final MFLs Report	Rulemaking
Calm Lake ^a	Completed	Completed ^b	Completed	Approved	Initiated
Charles, Lake ^a	Completed	Completed ^b	Completed	Approved	Initiated
Church Lake ^a	Completed	Completed ^b	Completed	Approved	Initiated
Echo Lake ^a	Completed	Completed ^b	Completed	Approved	Initiated

Item 30

Linda, Lake ^a	Completed	Completed ^b	Completed		
Sapphire, Lake ^a	Completed	Completed ^b	Completed	Approved	Initiated
41 Northern Tampa Bay Wetlands ^c	Completed	Completed ^b	Completed	Approved	Completed
Chassahowitzka River ^a	Completed	Completed	Completed	Approved	Completed
Chassahowitzka Spring Group ^a	Completed	Completed	Completed	Approved	Completed
Blind Spring ^a	Completed	Completed	Completed	Approved	Completed
Homosassa River ^a	Completed	Completed	Completed	Approved	Completed
Homosassa Spring Group ^a	Completed	Completed	Completed	Approved	Completed
Rainbow River ^a	Completed	Completed	Completed	Approved	Completed
Rainbow Spring Group ^a	Completed	Completed	Completed	Approved	Completed
Cypress, Lake ^e					
Garden, Lake ^e					
Halfmoon Lake ^e					
Jackson, Lake ^e					
Strawberry (North Crystal) Lake ^e					
Peace River (lower segment) ^e	Completed	Initiated			
Shell Creek (lower Segment) ^e	Completed	Initiated			

^a Scheduled for completion in 2019.

^b Peer review completed for lake and wetland MFLs methods.

^c 20 wetlands scheduled for completion in 2019 and 21 scheduled for completion in 2020.

^d Final MFLs report and rulemaking approved and initiated for 40 of 41 wetlands scheduled for completion in 2019 and 2020; further assessment of 1 wetland is ongoing.

^e Scheduled for completion in 2020.

Staff Recommendation:

This item is for the Board's information only; no action is required.

Presenter: Doug Leeper, MFLs Program Lead, Environmental Flows and Assessments Section

RESOURCE MANAGEMENT COMMITTEE**April 28, 2020*****Routine Report*****Significant Water Resource and Development Projects**

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen.

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates (JEA) team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. The recharge well and monitor wells are complete. Rowe has demobilized from the site. The drilling is complete. The project received its FDEP Environmental Resource Permit and US Army Corps of Engineers (USACE) Nationwide permit for the diversion infrastructure. The Project Team continues to develop the recharge testing project plan. Staff is developing a "simple" pilot study to determine quantities of sodium bisulfite (an oxygen scavenger to reduce formation of arsenic in the aquifer) for the testing portion. Request for Bid (RFB) for the diversion infrastructure was advertised on January 3, 2020. The mandatory pre-bid meeting and site visit took place on January 15, 2020. Bids were due to District Procurement on February 4, 2020. ***New Activities Since Last Meeting:*** TLC Diversified, Inc., was awarded the construction contract and staff are currently working with procurement to develop an agreement for the construction of the diversion infrastructure. Staff set transects in nearby Flatford Swamp wetlands to meet USACE permit conditions for diversion infrastructure construction. *Project Manager: Lisann Morris*

Lower Hillsborough River MFLs Recovery Strategy - Implementation

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned or completed under the recovery strategy, funded through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. All projects are constructed and are operating except for the Morris Bridge Sink project. In October 2017, the District completed design for the Morris Bridge Pumping facility, but construction has not begun pending the outcome of analysis the COT is performing associated with the Tampa Augmentation Project (TAP). In addition, the COT, with District co-funding, has completed the LHR Dam Control Gate Facilities (N492) project which constructed a new sluice gate in the dam to allow the city to pass the full quantity of water needed to meet minimum flows. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. The COT has received Water Use Permit (WUP) No. 20020802 from the District for the operation of these pump stations. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, LHR Dam Control Gate Facilities, and the TBC as recovery flow sources, and data results from recent years suggest that the desired goal of creating low salinity habitat below the dam can be sustained through minimum flows implementation. The annual LHR recovery strategy update was provided to the Governing Board in August 2019. The Five-Year Assessment Report draft has been reviewed internally, posted to the District website, and has been sent to various stakeholders. Agreement executed with Jones Edmunds and Associates to complete the permit required environmental monitoring for Morris Bridge Sink. ***New Activities Since Last Meeting:*** District staff have attended various stakeholder meetings to present the findings of the second five-year assessment. District has approved a request from stakeholders to delay the finalization of the second five-year assessment report until May 2020. Agreement has been executed to conduct the biological sampling needed for the third five-year assessment. *Project Manager: Danielle Rogers*

Pasco County - Restoration - Central Pasco Recharge Wetlands Facility Optimization Project

Pasco County, in partnership with the Southwest Florida Water Management District (District), has constructed a system of groundwater recharge wetlands on the 4G Ranch in central Pasco County to receive reclaimed water for groundwater recharge. The facility consists of 175 acres of constructed wetlands divided into fifteen (15) cells planted with native wetland vegetation. Each cell is operated independently through a valve manifold that includes flow control valves and flow meters and operated based on water elevation setpoints. These water level setpoints should change monthly based on recommendations defined in the Operation and Maintenance Manual to achieve a wetland hydroperiod that mimics natural Florida wetlands, with high levels in the summer wet season and lower levels in the winter dry season.

The Central Pasco Recharge Wetlands Facility Optimization project is a follow-up three-year project (N943) that began in 2018. The goal of the project is to compile and review available applicable operational data to evaluate impacts to the local groundwater system, optimize system performance, and estimate future operational trends. The total cost of this project is \$280,000, split equally between the County and the District. As part of this project, an

operational groundwater model of the site will be developed using the information from the consultant combined with the data that County staff is currently collecting. This operational groundwater model will be used to estimate potential future system infiltration rates, impacts and benefits to the Upper Floridan aquifer, and future operational conditions. Consultant scientists will perform biannual vegetation surveys of the 15 cells constructed on the 4G Ranch to assess the performance of the wetlands against the setpoints. The surveys will be completed through photo-interpretation of low-altitude, high resolution photography obtained by the County to determine wetland vegetation cover of each cell. A technical memorandum that includes the results of both the hydrogeologic review and the vegetation hydroperiod review will be provided. This technical memorandum will include recommendations for changes to the monthly water elevation setpoints that will both maximize groundwater recharge while maintaining healthy wetland vegetative communities. The County is funding the third and final year of the project at 100 percent. There have been some problems with the well monitoring equipment, which are to be resolved by the County. The County provided a plan to resolve the problems with the well monitoring equipment. Otherwise, the optimization effort (N943) is on schedule and moving forward in its third year. The District has received the first status report for the plan to correct the well monitoring issues, and that effort appears to be progressing in a reasonable manner. The District provided comments to the County on the second annual report for the project. A meeting will be held to discuss the report and comments. **New Activities Since Last Meeting:** No changes since last meeting. *Project Manager: Mike Hancock*

South Hillsborough County Aquifer Recharge Program (SHARP)

This is a direct aquifer recharge pilot project to evaluate directly recharging the non-potable zone of the UFA with up to 2 mgd of highly treated reclaimed water at the Hillsborough County's Big Bend facility near Apollo Beach in southern Hillsborough County (County). The goal of the project is to improve water levels within the Most Impacted Area of the Southern Water Use Caution Area and possibly slow the rate of inland movement of saltwater intrusion in the area. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, assessing aquifer characteristics, performing recharge testing, evaluating water level improvements, migration of the recharge water and metals mobilization, and conducting public outreach. The County's consultant submitted the well construction permit application for authorization to install the test recharge well and monitoring wells on December 20, 2011. Design and preparation of bid documents were completed in early July 2012; a request for bids was released the week of July 16, 2012, with responses received in August 2012. Construction contract with the contractor (A.C. Schultes of Florida, Inc.) was approved by the County on April 3, 2013. The recharge well was completed in December 2013 with an open-hole diameter of 14.75 inches, 780 feet of casing, and a total depth of 1,100 feet. The County received a letter from FDEP on July 13, 2015 authorizing recharge operations to begin. **New Activities Since Last Meeting:** Recharge testing and monitoring continued during the months of February and March at an average recharge rate of 2.4 mgd. Estimated injection volume for March was not available at the time this update was prepared. Total recharge volume through February is approximately 3,608 million gallons since the beginning of the project. The County submitted the Underground Injection Control operation permit application to the FDEP in October and FDEP is still evaluating it. *Project Manager: Don Ellison*

City of Tampa, Tampa Augmentation Project (TAP)

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant (HFCAWTP). The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in

the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase I Feasibility Study is complete and closed. Phase 2 Feasibility Study kick-off meeting was held on January 30, 2019. The Memorandum of Understanding with Tampa Bay Water was tabled until June 2020 when the Phase 2 TAP Feasibility Study is anticipated to have additional answers. Meanwhile, the City initiated recovery at the TAP-1 well collecting water quality samples. The City is working through the Rome Avenue Underground Injection Control permit with Florida Department of Environmental Protection that will use potable water in the test. A kick-off meeting was held on the Rome Avenue test well site on July 17, 2019. Testing will be done with potable water with data inputting into the SEAWAT model to predict disposition of the reclaimed water injection. **New Activities Since Last Meeting:** The contract period is extended from August 3, 2020 to April 30, 2021. Draft for the Revised Pipeline Route Analysis and TAP-1 operations report summarizing the water quality data collected for the 2018/2019 Woodland Terrace recharge and recovery cycles has been received. This report includes geochemical modeling which considers the mobilization of iron and arsenic. The information developed in this report will be added to the operations data from the Rome Avenue ASR system and the groundwater modeling of recharge/recovery with reclaimed water to estimate the operational requirements of a future TAP Indirect Potable Reuse system. *Project Manager: Mohamed Hersi*

Water Incentives Supporting Efficiency (WISE) Program

This is a cost-share program that supports and promotes water conservation with non-agricultural water users. It will provide a streamlined project implementation/application process and reach cooperators that might not otherwise implement smaller conservation projects. The program was presented to the Governing Board on November 13, 2018 and officially launched December 1, 2018. The \$50,000 that was budgeted for FY2019 has been committed to a total of six conservation projects. Total estimated water savings for all the FY2019 projects was approximately 10,400 gpd. Funds are still available for FY2020, and outreach is ongoing. Five additional projects have been approved for funding with FY2020 funds. Meetings and calls with potential applicants are ongoing. **New Activities Since Last Meeting:** The program handbook has undergone minor updates/clarification for use in FY2020 and is now available on the website. Program is on track to spend all FY2020 funds. *Project Manager: Josh Madden*

Polk County Regional Water Cooperative Southeast Wellfield Project

Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a regional water supply entity, the Polk Regional Water Cooperative (PRWC), to develop future alternative water supplies (AWS). The Southeast Wellfield project is one of four PRWC projects that are utilizing funds from District Resolution 15-07 for the feasibility and

Item 31

design of new AWS sources. The project consists of the development of a wellfield to supply brackish groundwater from the Lower Floridan aquifer (LFA), a reverse osmosis water treatment facility with capacity expandable to 30 mgd, and a regional transmission system to serve multiple municipalities in Polk County. The current CFI Agreement with the Polk Regional Water Cooperative (PRWC) includes the following tasks: an LFA test well study including exploratory drilling and groundwater modeling for anticipated aquifer yield and water quality, the conceptual designs of the water treatment facility and regional transmission system, a District-led third-party review of the test well study and conceptual designs, pilot water treatment testing, preliminary (30 percent) designs of the treatment facility and regional transmission system, a second District-led third-party review of the preliminary designs, and a preliminary water rate analysis for PRWC member customers. The preliminary designs and water rate analysis will assist the District and PRWC in determining member participation in the final design and construction, as well as developing funding plans and timelines for implementation. The CFI Agreement was executed in April 2017 with a total cost of \$11,800,000. The District's 50 percent share was provided by a transfer from funds reserved by Governing Board Resolution 15-07. In April 2019, the Governing Board approved reducing the project cost to \$11,117,916 to utilize savings from the testing program to transfer fund to the PRWC Peace River/Land Use Transition study. The exploratory drilling was conducted on a county-owned land parcel approximately 10 miles east of Lake Wales and was substantially completed in April 2019. The parcel is proposed as the future site for the water treatment facility. The water treatment facility and wellfield conceptual design was developed with a 7.5 mgd production capacity in its initial phase and six incremental expansions up to a total of 30 mgd, based on projected customer needs and practical components for the facility. The regional transmission conceptual design evaluated multiple routes to ten customer service areas by cost and nine other criteria. The report drafts from the testing program and the conceptual designs of the water treatment facility and regional transmission system were received in July 2019. The District's third-party review of the groundwater testing and conceptual designs was presented to the Governing Board at the September 2019 meeting, and the continuance with the preliminary design phase was approved. The PRWC continues to work on the preliminary design of the wellfield, brackish water treatment facility, and the regional transmission system. The District has received a \$1,424,000 State grant to apply to this project, which will reduce the District and PRWC shares equally. A CFI Amendment to apply the grant funds was drafted and is pending PRWC approval at their next Board meeting. ***New Activities Since Last Meeting:*** The PRWC continues preliminary design work on the facility and regional transmission system. The PWRC submitted an Underground Injection Control permit application for the facility's injection wells. *Project Manager: John Ferguson*

Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Jennette M. Seachrist, P.E., Director, Resource Management Division

**E. Operations,
Lands & Resource
Monitoring**

**Governing Board Meeting
April 28, 2020**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE
--

Discussion Items

32. Consent Item(s) Moved for Discussion	347
--	-----

Submit & File Reports - None

Routine Reports

33. Significant Activities	348
34. Structure Operations.....	351
35. Surplus Lands Update	355

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Brian S. Starford, P.G., Division Director, Operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

Routine Report

Significant Activities

Staff Recommendation:

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Significant Activities

This report provides monthly information through March 23, 2020 on significant Operations and Land Management projects and programs. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

In response to the COVID-19 pandemic, District campgrounds and campsites were closed on March 17th.

Land Management

- Applied prescribed fire to 16,276 acres of conservation lands.
- Removed 651 feral hogs from District lands.
- Treated invasive exotic vegetation on 13,619 acres.
- Land resource-based revenue totals \$88,633.

Land Resources/Land Use and Protection

Issued Special Use Authorization:

- University of South Florida for vehicle access to Lower Hillsborough, Cypress Creek, Green Swamp and Starkey to conduct research sampling for ecology students.
- Florida Natural Areas Inventory for vehicle access to evaluate various habitats across natural community types in Florida within Green Swamp, Starkey, Upper Hillsborough and Weekiwachee Preserves. Plot data will be provided upon project completion in Fall 2020.

Issued/canceled Special Use Authorization in response to COVID-19:

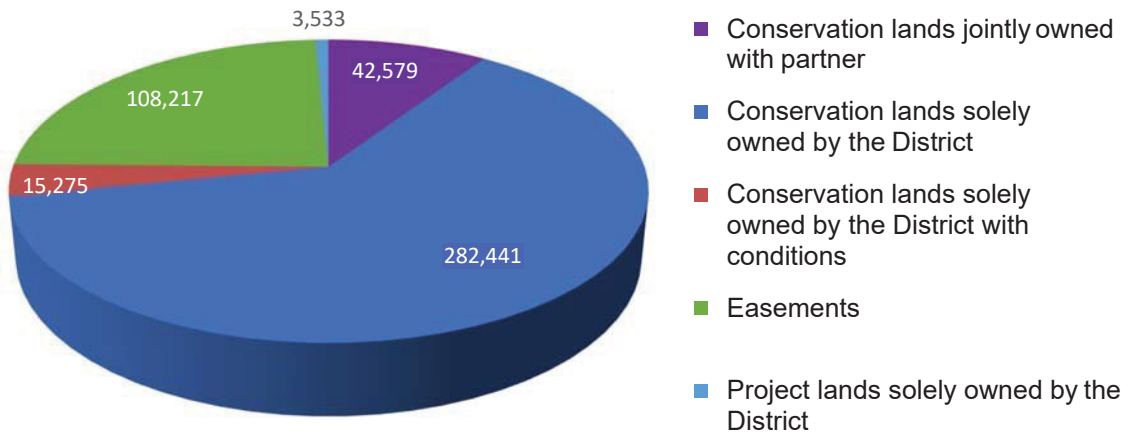
- Florida Cracker Trail Association for vehicle access to Edward W. Chance Reserve – Gilley Creek Tract to conduct an equestrian endurance ride and overnight camping for up to 50 participants.
- Florida Scholastic Rowing Association for vehicle and vessel access to the Tampa Service Office parking lot and the Tampa Bypass Canal to conduct a rowing regatta event.
- Hernando County Bar Association for vehicle access to Weekiwachee to conduct a charity race event. Up to 150 participants expected with proceeds benefitting The Boys and Girls Club of Hernando County and scholarships.
- The Lobster Tank, LLC on behalf of the Employee Committee for access to the District's Headquarters Office area to conduct a food truck event.
- Capital City Rowing for vehicle and vessel access to Harney Park Tampa Bypass Canal to conduct a rowing event.

All volunteer hours either occurred before the COVID-19 response or were conducted in a manner consistent with the direction of Governor Ron DeSantis to uphold the Centers for Disease Control and Prevention guidance on social distancing by avoiding gatherings larger than 10 people and distancing themselves a minimum of six feet from others. Volunteers provided 298 hours of service at a value of approximately \$7,020.88 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, mowing, and other miscellaneous tasks to assist in recreation and land management duties.

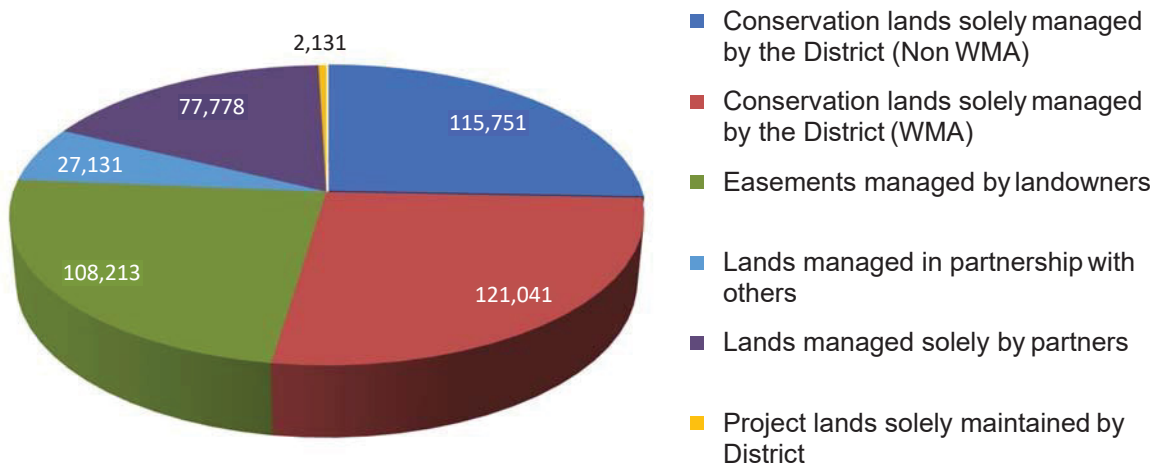
Processed 893 requests and provided 2,552 camping opportunities on District lands.

The following is a breakdown of District land interests:

District Land Ownership Total Acres: 452,045



Land Management and Maintenance Total Acres: 452,045



Staff Recommendation:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 28, 2020

*Routine Report***Structure Operations**

Summary of gate status and water levels for select water control structures on April 2, 2020.
Refer to Exhibit A for District Structure Sites Location Map.

Tampa Bypass Canal

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Hillsborough River	S-155	21.76	38.0	21.0	Open
Upper Pool	S-159	22.31	38.0	21.0	Closed
Middle Pool	S-161	12.07	15.0	12.0	Closed
Lower Pool	S-160	9.65	11.0	9.0	Closed

*Elevations above referenced to NGVD29 datum

Hillsborough River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Thonotosassa	Flint Creek	35.03	36.1	33.6	Closed

Lake June-in-Winter

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
June-in-Winter	G-90	72.80	74.4	72.1	Closed

North Winter Haven Chain of Lakes

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Smart	P-6	127.20	127.75	123.50	Closed
Lake Henry	P-5	124.58	125.50	123.00	Closed
Lake Fannie	P-7	124.08	124.75	122.50	Closed
Lake Hamilton	P-8	119.65	120.50	118.00	Closed

Peace River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Hancock	P-11	98.64	102.1	96.6	Open

Alafia River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Medard Reservoir	Medard	57.47	58.2	56.6	Closed

Rocky Creek System

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Pretty	Pretty	42.99	43.50	41.00	Closed
Lake Armistead	Armistead	40.55	43.20	39.70	Closed

Brooker Creek System

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Tarpon	S-155	2.37	3.10	1.50	Closed

Sawgrass Lake

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Sawgrass Lake	Sawgrass	3.13	3.20	3.00	Closed

Withlacoochee River Watershed

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Rousseau	Inglis Main	26.71	27.10	25.60	Closed
Lake Rousseau	Inglis Bypass	26.71	27.10	25.60	Open

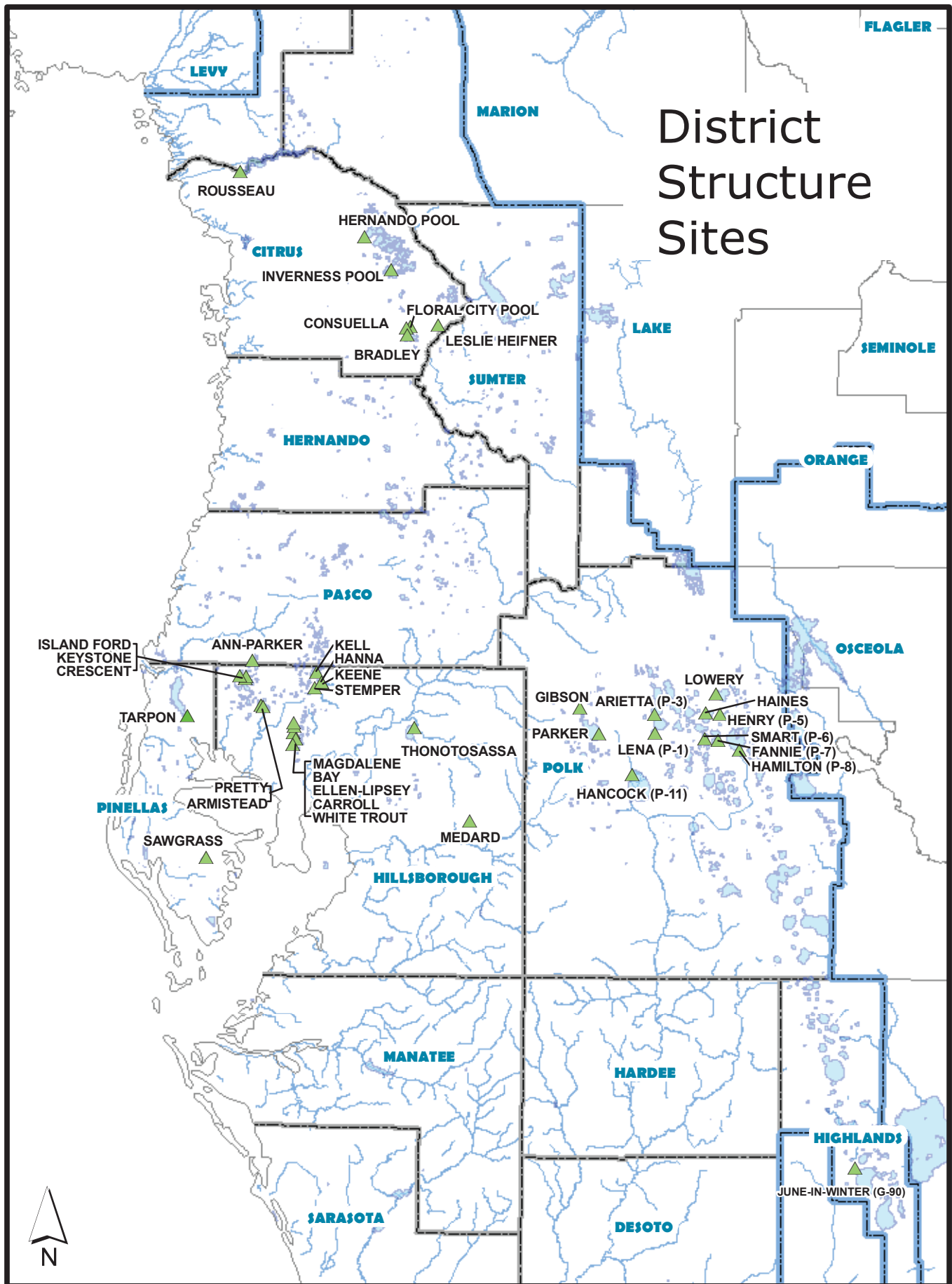
*Elevations above referenced to NAVD88 datum

Item 34

Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**April 28, 2020*****Routine Report*****Surplus Lands Update*****Purpose***

This report provides a status on the District's surplus lands program. Information is through April 2, 2020.

Background

In 2011, at the direction of the Governing Board, the District began a regular surplus lands assessment and sales of surplus lands program. The table below shows the status of the parcels declared surplus by the Governing Board.

Surplus Lands Status	Acres	Compensation
Sold, Exchanged or Transferred	1,761	\$8,745,719
Closing Pending		
Marketed by District (Annutteliga Hammock lots)	33	
Marketed by Broker	968	
Not Marketed	2,251	
Total	5,013	\$8,745,719

Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief and Ellen

Morrison, Operations and Land Management Assistant Bureau Chief

F. Regulation

Governing Board Meeting April 28, 2020

REGULATION COMMITTEE

Discussion Items

36. Consent Item(s) Moved for Discussion	356
37. Hydrologic Conditions Report and Consider Water Shortage Order(s) as Necessary	357
38. Denials Referred to the Governing Board	358

Submit & File Reports – None

Routine Reports

39. Overpumpage Report	362
40. Individual Permits Issued by District Staff	365

REGULATION COMMITTEE

April 28, 2020

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michelle Hopkins, P.E., Division Director, Regulation

REGULATION COMMITTEE

April 28, 2020

Discussion Item

Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action.

Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

Staff Recommendation:

If any denials are requested to be referred to the Governing Board, these will be presented at the meeting.

Presenter: Michelle Hopkins, P.E., Division Director, Regulation

REGULATION COMMITTEE

April 28, 2020

Routine Report

Overpumpage Report

Please see the attached report.

Staff Recommendation:

This item is provided for the Committee's information and no action is required.

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

Overpumpage Report

February 2020

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>New From Previous Report</i>						
N/A	N/A	N/A	N/A	N/A	N/A	N/A

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Overpumpage Report February 2020

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
Continuing From Previous Report						
7139.004	Buttonwood Bay Utilities ¹	Public Supply – Modular Home Community	203,000	9/1/2019 216,808 gpd 6.80%	02/01/2020 229,866 gpd 13.23%	Bartow
11017.006	QC Desoto Grove Ventures, LLC (QC Standby 5-2) ¹	Agriculture - Citrus	122,900	9/1/2019 206,597 gpd 68.00%	02/01/2020 207,192 gpd 68.59%	Sarasota
10923.001	Spruce Creek Golf, LLC. ³	Recreation – Golf Course	163,600	4/1/2019 513,085 gpd 213.62%	02/01/2020 582,685 gpd 256.14%	Brooksville
1854.008	Panther Trails CDD ³	Recreation - Lawn/Landscaping	4,600	02/01/2019 11,573 gpd 151.59%	02/01/2020 10,254 gpd 122.90%	Tampa
12900.002	Minto Bradenton LLC. (Perico Island Development) ³	Recreation - Lawn/Landscaping	130,500	11/01/2017 196,759 gpd 50.77%	02/01/2020 153,104 gpd 17.32%	Sarasota
1156.012	Bay Laurel Center Public Water Supply System ^{2&3}	Public Supply	2,555,000	09/01/2016 2,696,799 gpd 5.55%	02/01/2020 3,444,923 gpd 34.83%	Brooksville
2588.010	Kelly Family Holdings, LLC. (Kelly Farms) ^{2&3}	Agriculture – Potatoes, Corn and Pasture	1,043,600	11/01/2016 851,054 gpd 20.79%	02/01/2020 1,157,117 gpd 10.88%	Sarasota

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Attachment: Apr20 Routine Reports - Overpumpage Report - Feb 2020 (5007 : Overpumpage Report)

Overpumpage Report February 2020

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>Continuing From Previous Report</i>						
7002.004	MHC FR Utility Systems, LLC. ^{2&3}	Public Supply	97,100	04/01/2015 104,929 gpd 8.06%	02/01/2020 147,914 gpd 52.30%	Tampa

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

REGULATION COMMITTEE

April 28, 2020

Routine Report

Individual Permits Issued by District Staff

Please see the attached report.

Staff Recommendation:

This item is provided for the Committee's information and no action is required.

Presenter: Michelle Hopkins, P.E., Division Director, Regulation

INDIVIDUAL PERMITS ISSUED: ERPS – APRIL 2020

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43043465.001	Sorrento	Sarasota	Proposed construction of a stormwater management system to serve a 306-unit residential development	111.00	14.52	1.49	8.45
43024078.005	Aqui Esta	Charlotte	Proposed multi-family residential condominium complex that will also include a marina facility	150.55	48.86	7.46	41.76
43010798.006	State Road (SR) 93 (I-75) at SR 72 (Clark Road) (201277-3)	Sarasota	Intersection improvements for I-75 and Clark Road	167.12	9.16	7.30	0.00
43033629.002	Centerstate East – Phase 1	Polk	The proposed 164.5 acres of development comprises of 3 warehousing buildings along with required utilities and storm water management system	164.86	53.42	2.37	0.00
43044463.000	Belmond Reserve	Hillsborough	Construction of 333 single family residential development and associated infrastructure	188.50	21.68	1.55	0.00
43043530.004	Talon Preserve (6A) Mod	Sarasota	Development of a subdivision proposes 423 Single-Family Residential units on approximately 282 acres	282.00	73.10	5.16	29.38

Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.

INDIVIDUAL PERMITS ISSUED: WUPs – APRIL 2020

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
20006197.015	Hickory Grove	Highlands	Renewal with no change in quantities	Agricultural	5,191,000	5,191,000	20
20000985.012	Dunn Diehl Farm	Hillsborough	Modification to reduce quantities	Agricultural	2,725,000	2,497,900	15
20003206.015	Villages Operating Co. & Village CTR CDD	Sumter, Marion	Renewal and reduction of quantities	Landscape/ Recreation	616,300	399,800	20
20011961.007	Pacific Land LTD	Manatee	Renewal with no change in quantities	Agricultural	3,851,500	3,851,500	20
20001512.014	CHWA Public Water Supply	Charlotte	Modification to renew and increase quantities	Public Supply	712,000	910,200	20
20008836.014	Sarasota County Utilities Consolidated Permit	Sarasota	Modify the existing chloride trigger levels and caps on production wells and move them to monitoring wells	Public Supply	13,737,400	13,737,400	20
20005676.011	Lake Placid Grove	Highlands	Modification to install additional wells with no change in quantities	Agricultural	2,449,700	2,449,700	20

REGULATION COMMITTEE

April 28, 2020

Routine Report

Hydrologic Conditions Report and Consider Water Shortage Order(s) as Necessary

Staff continues to monitor water resource and supply conditions to determine if any actions would be prudent. Since Board-issued water shortage orders must be discussed in a noticed public meeting prior to implementation, this agenda item is included as a contingency provision. It allows the Governing Board to immediately consider any action that staff may recommend based on regional data to be reviewed on April 21, 2020.

Funding

Funding is available from the Zephyr Creek Drainage Improvements: Units 3 and 4 CFI Project (N990), which has been cancelled by Pasco County and replaced by an FY2021 CFI request to complete a feasibility study of the Zephyr Creek area. The feasibility study will evaluate cost effective solutions to the street and structure flooding along Zephyr Creek before proceeding with any improvement project. Funding is needed in the amount of \$9,600 to pay for advertising requirements associated with any proposed water shortage order as presented at the Governing Board meeting April 28, 2020.

Staff Recommendation:

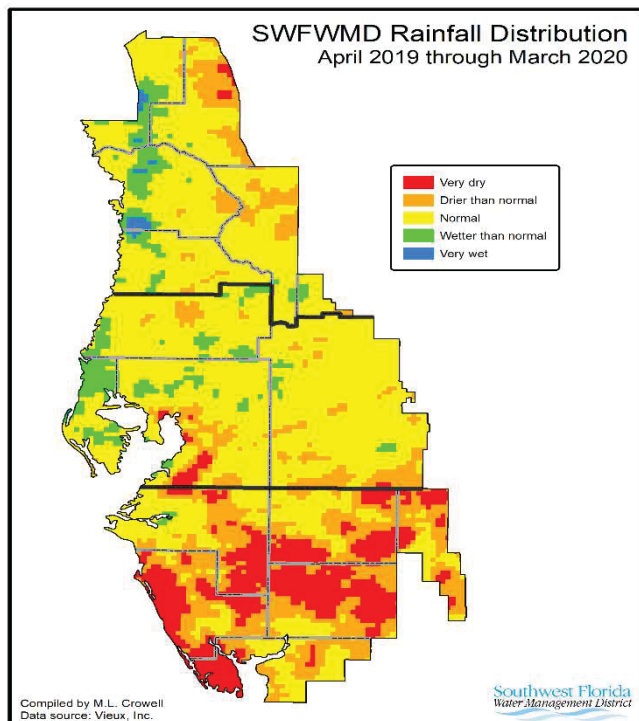
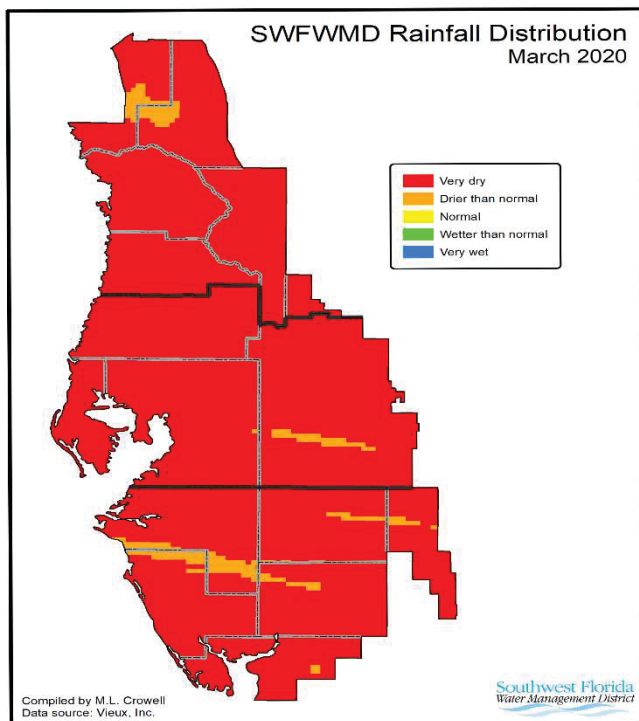
Recommendations will be presented at the Governing Board meeting April 28, 2020 based on then-current conditions and predictions. If a water shortage order is approved, also approve a budget transfer in the amount of \$9,600 from the canceled CFI project N990 Zephyr Creek Drainage Improvements: Units 3 and 4 CFI Project (N990) for advertising requirements associated with a water shortage order.

Presenters: Granville Kinsman, Manager, Hydrologic Data and
Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

SUMMARY OF CONDITIONS

- March historically marks the sixth month of the 8-month dry season (October through May) and all major hydrologic indicators throughout the District declined due to abnormally low rainfall amounts.
- **Rainfall:** The Districtwide March rainfall total was only 0.19 inches, a new record low, and the lowest total in 106 years of record. The District-wide 12-month cumulative rainfall totals decreased in March, ending the month at a deficit of approximately 2.9 inches below the long-term historical average.
- **Streamflow:** Monthly streamflow data indicates flow decreased at all 12 streamflow monitoring stations, compared to the previous month. Four stations ended the month below-normal, 8 within the normal range of historical values.
- **Groundwater:** Monthly aquifer level data indicates that regional levels have declined in all three regions of the District compared to last month. All three regions ended the month with levels within the normal range.
- **Lake Levels:** Water level data indicates that regional lake levels declined in all four lake regions of the District compared to February. The Tampa Bay and Polk Uplands regions ended the month with levels within the normal range, while the Northern and Lake Wales Ridge regions ended the month with “below-normal” levels.
- **Overall:** Rainfall totals for the month were much below normal in all three regions of the District. As a result, all major hydrologic indicators saw declines, with the southern counties showing the sharpest declines and the lowest overall conditions. Staff are closely monitoring conditions for further declines.

RAINFALL



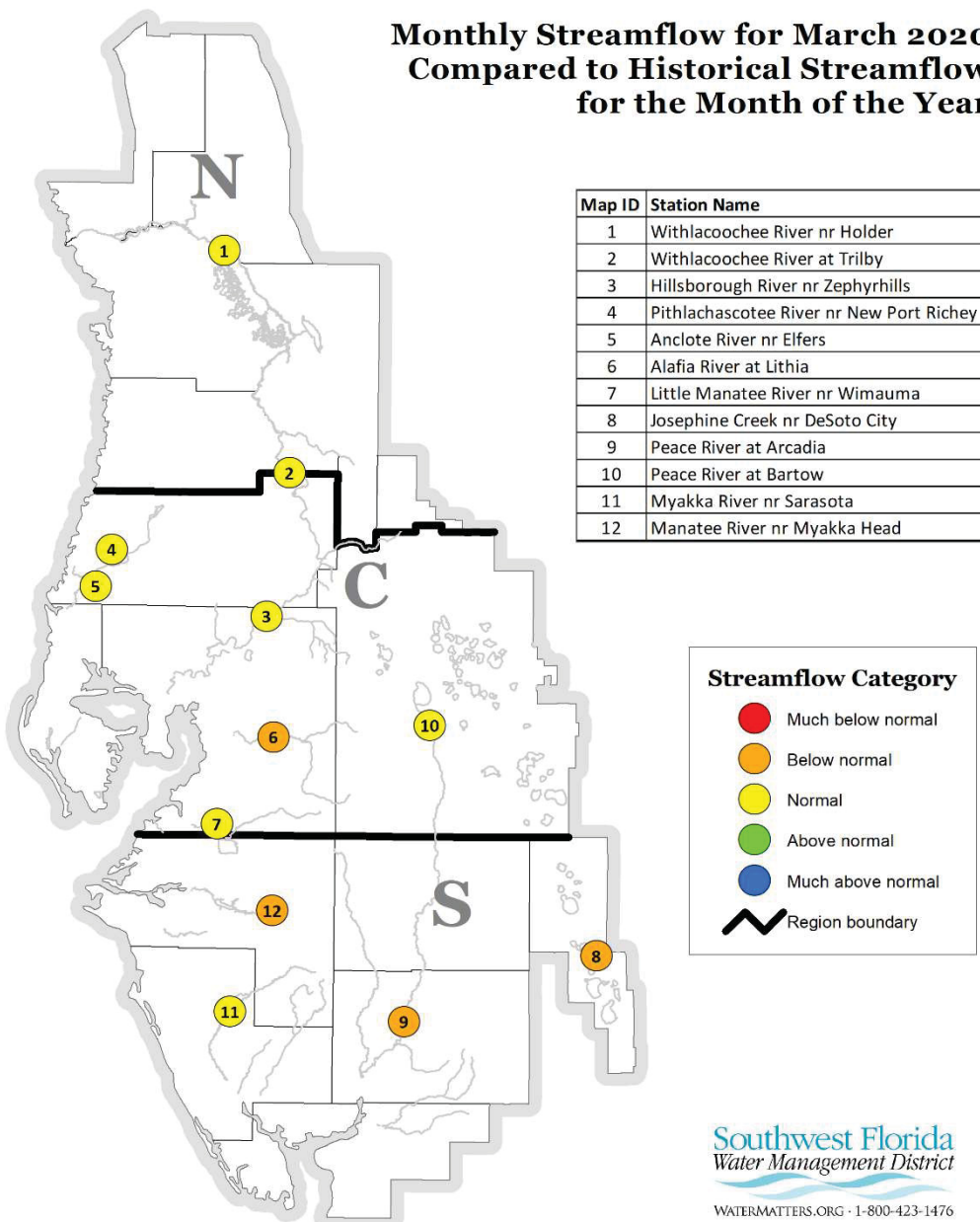
RELATIONSHIP OF MARCH 2020 RAINFALL TO HISTORICAL RAINFALL AVERAGE

Regional Summary (in inches):

Region	MAR 2020 Average Rainfall	Historical Average For MAR	Departure From Historical Average	Cumulative 12-month Rainfall APR 2019 – MAR 2020	Historical 12-month Cumulative Rainfall	Departure From Historical 12-month Cumulative
Northern Counties	0.30	3.78	-3.48	54.11	53.61	0.50
Central Counties	0.13	3.40	-3.27	51.81	52.43	-0.61
Southern Counties	0.17	2.94	-2.77	44.51	52.42	-7.91
District All Counties	0.19	3.34	-3.15	49.90	52.75	-2.85

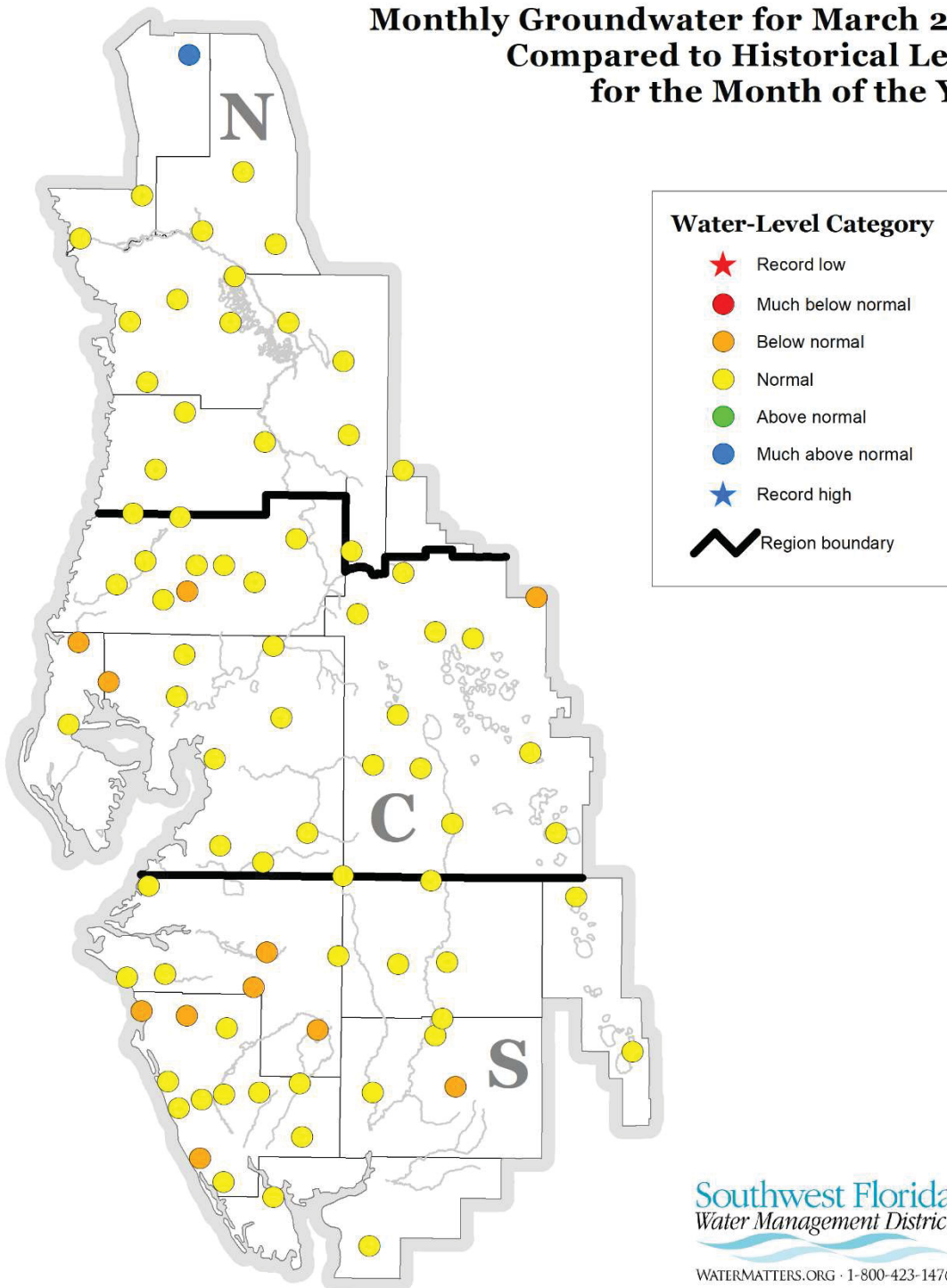
STREAMFLOW

Monthly Streamflow for March 2020 Compared to Historical Streamflow for the Month of the Year



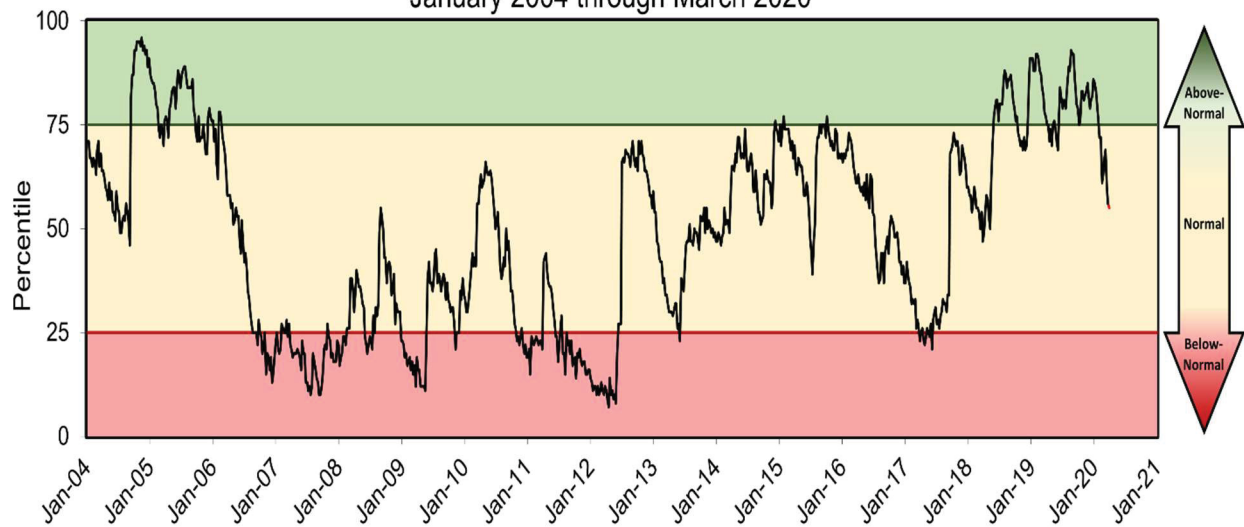
GROUNDWATER

Monthly Groundwater for March 2020 Compared to Historical Levels for the Month of the Year

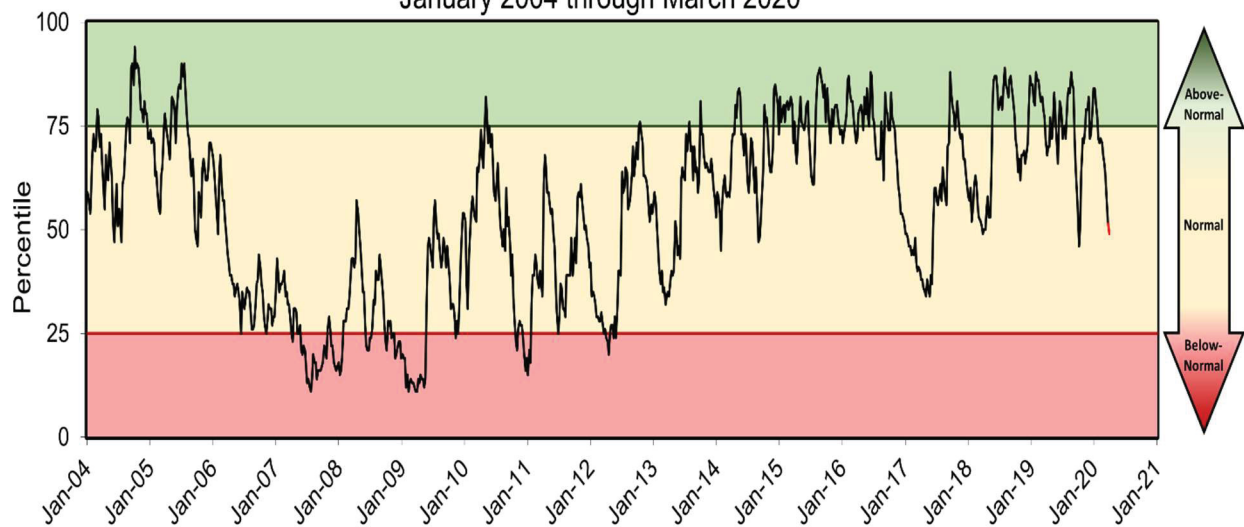


GROUNDWATER (Continued)

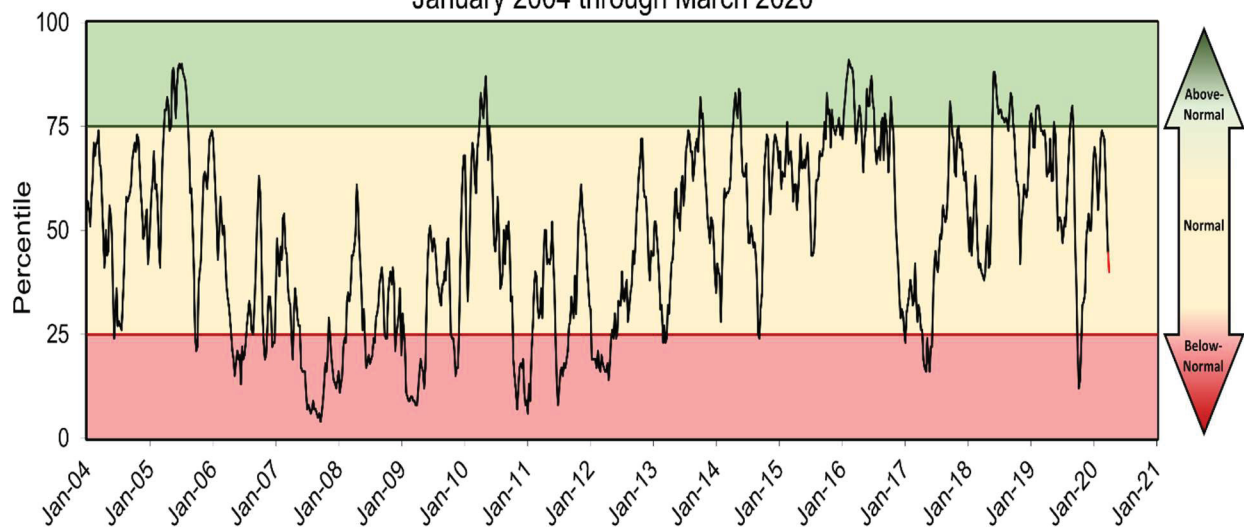
Groundwater Levels: Northern Counties
January 2004 through March 2020



Groundwater Levels: Central Counties
January 2004 through March 2020

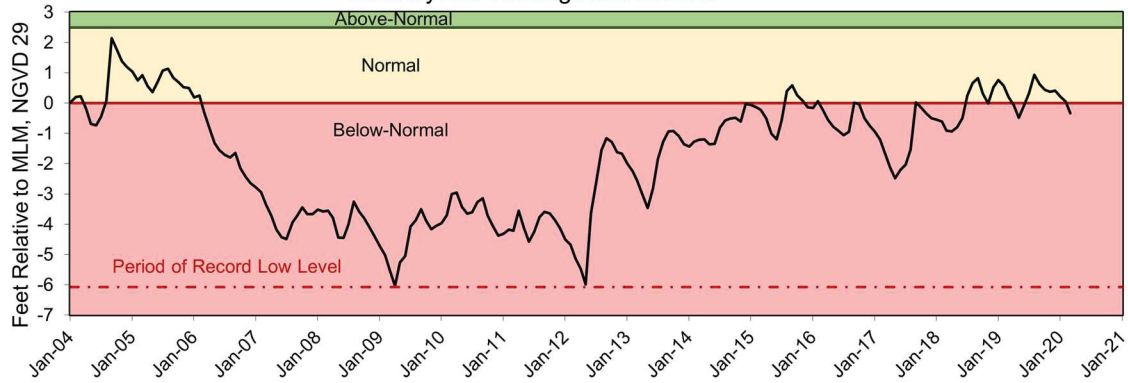


Groundwater Levels: Southern Counties
January 2004 through March 2020

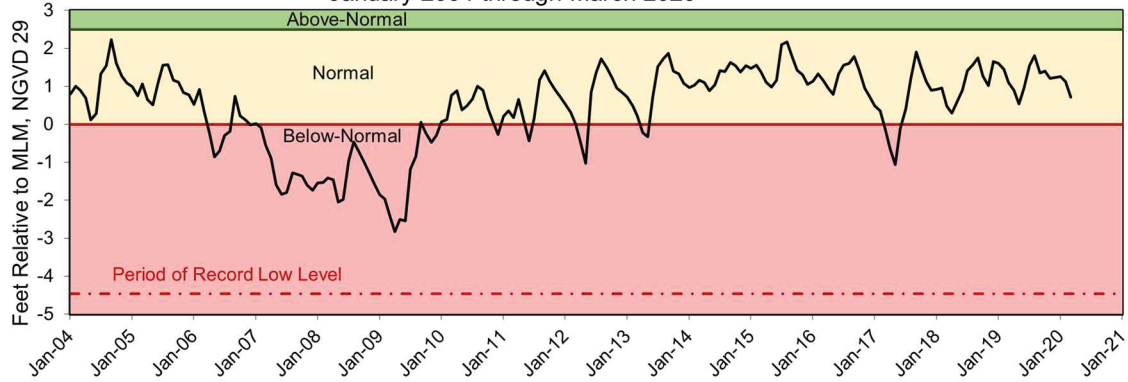


LAKES

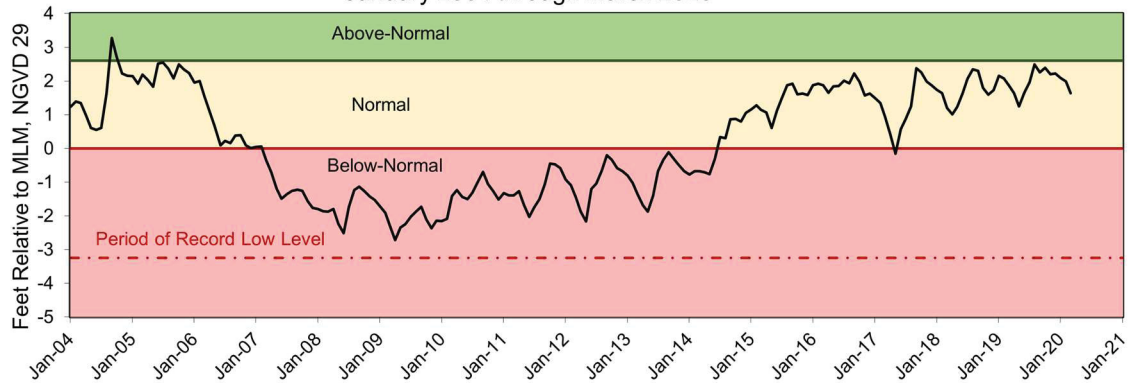
Surface Water Levels: Northern Lakes
January 2004 through March 2020



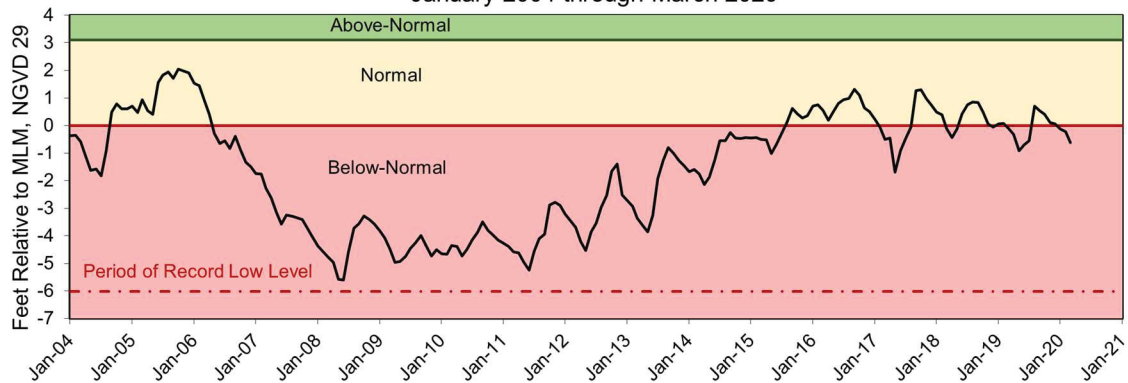
Surface Water Levels: Tampa Bay
January 2004 through March 2020



Surface Water Levels: Polk Uplands
January 2004 through March 2020

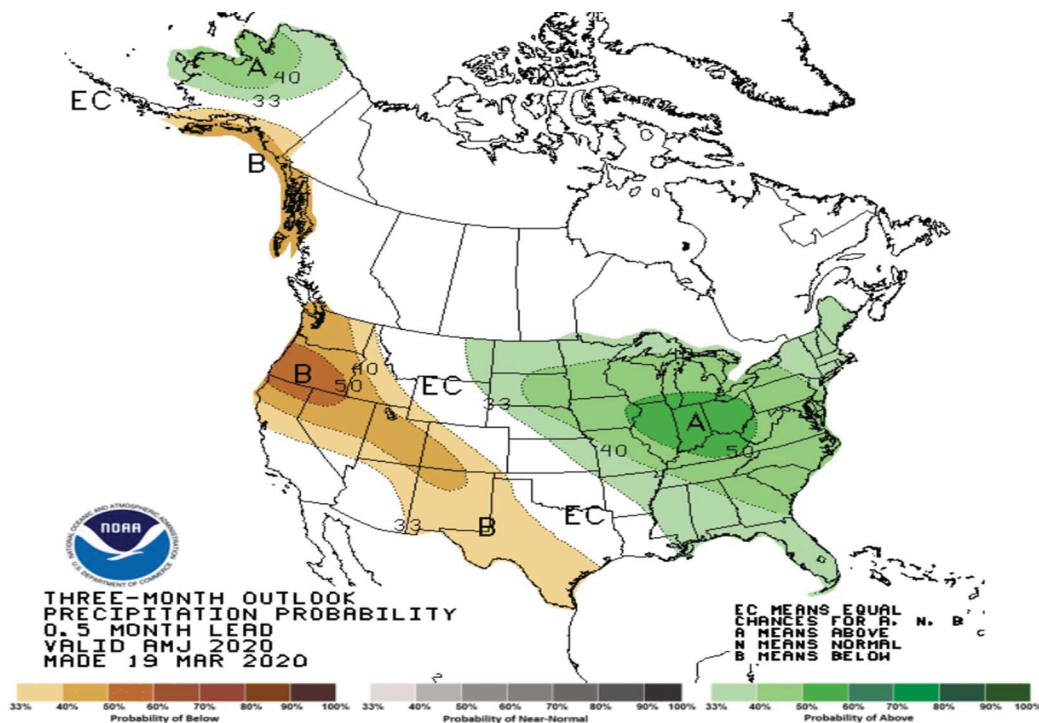


Surface Water Levels: Lake Wales Ridge Lakes
January 2004 through March 2020

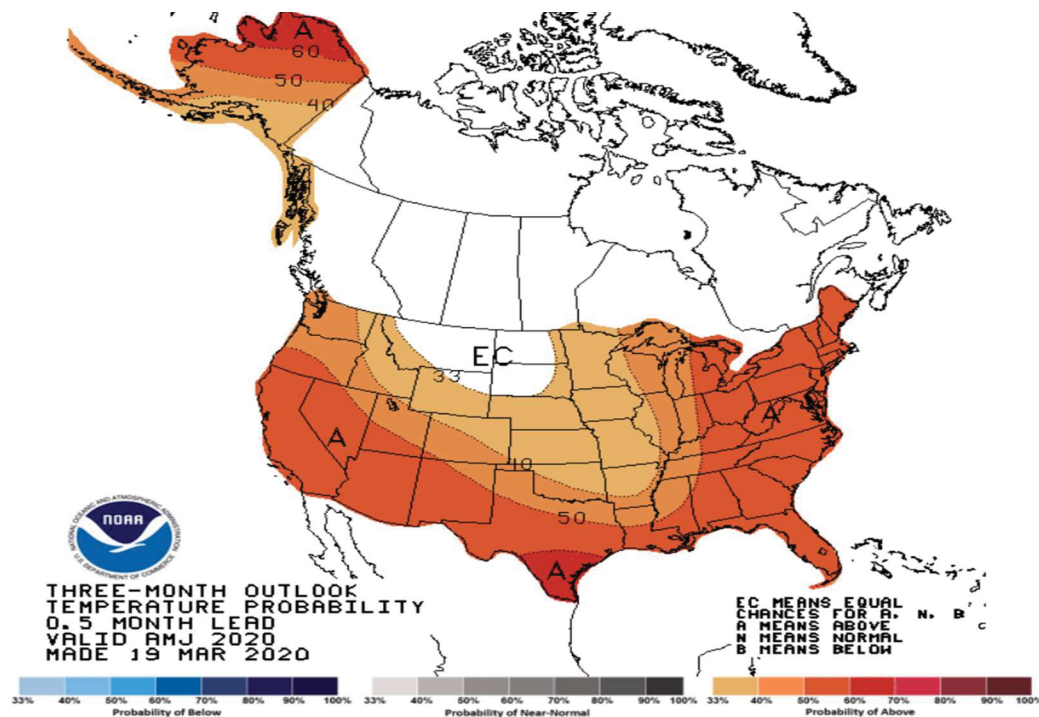


NOAA THREE-MONTH WEATHER FORECAST

Precipitation: Apr-May-Jun_2020



Temperatures: Apr-May-Jun_2020



NOAA Climate Prediction Center: Precipitation and Temperature Forecast

April through June: The three-month forecast, as of March 19, 2020, predicts above-normal rainfall throughout the District during the composite 3-month period of April through June 2020. The temperature forecast for this same time-period indicates above-normal temperatures in all three regions of the District. For more information log on to the CPC's website at: <https://www.cpc.ncep.noaa.gov/products/predictions/90day/>.

**G. General
Counsel's Report**

**Governing Board Meeting
April 28, 2020**

GENERAL COUNSEL'S REPORT

Discussion Items

41. Consent Item(s) Moved for Discussion	372
--	-----

Submit & File Reports – None

Routine Reports

42. April 2020 Litigation Report	373
43. April 2020 Rulemaking Update	377

GENERAL COUNSEL'S REPORT

April 28, 2020

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

April 28, 2020

Routine Report

April 2020 Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
April 2020

OPEN ENFORCEMENT CASES
54 Cases as of April 2, 2020

Case Style	Court/Case No.	Attorney	Description	Date Opened	Date Closed
Enforcement Cases in Active Litigation					
SWFWMD v. James Marcus Vernon, P.E., et al	DOAH 20-000580	E. Fernandez	Challenge to Administrative Complaint and Order	01/31/20	
Permit/Agency Action Challenges					
Denlinger v. Summit View, LLC, and SWFWMD	N/A	J. Fussell A. Witherup	Administrative Challenge – ERP	08/20/19	9/6/19 – Pending Appeal
HC Waterworks, Inc. v. SWFWMD	N/A	C. Tumminia	Administrative Challenge- WUP	1/27/20	
Walden Pointe HOA v. SWFWMD	DOAH 20-000896	J. Fussell A. Dhand	Administrative Challenge – ERP	2/4/20	
Circuit Court Litigation					
Uranowski v. SWFWMD	Hernando County Case No. 16-CA-976	T. Gonzalez (outside counsel)	Employment Discrimination	09/30/16	
Heritage Lake Park CDD v. SWFWMD, et al.	Charlotte County Case NO. 18-CA-1191	C. Tumminia	Foreclosure (delinquent ad valorem taxes)	12/21/18	
Cow Hammock, LLC v. Suggs & SWFWMD	Sumter County Case No. 19-CA-142	C. Tumminia	Quiet Title	04/22/19	
Gilberti v. DeSantis, SWFWMD, et al.	U.S. Middle Dist. Fl. 2:19-282-FtM	E. Fernandez C. Tumminia	R.I.C.O.	05/28/19	
SWFWMD v. Jacobs Engineering Group, Inc.	Hernando County Case No. 2019-CA-001105	M. McNeil	Complaint for Damages (Contracts and Indebtedness and professional malpractice)	09/27/19	

SWFWMD v. The Links at River Ridge	Pasco County Case No. 2019-CA-003331	C. Tumminia	Petition for Enforcement and Complaint for Civil Remedies – Unauthorized Water Use	10/8/19	
SWFWMD v. Kelly Family Holdings, LLC	Charlotte County Case No. 19001087CA	C. Tumminia	Petition for Enforcement and Complaint for Civil Remedies – WUP Overpumpage	10/15/19	
Duke Energy Florida, LLC v. SWFWMD, et al.	Pasco County Case No. 2019-CA-003821	J. Fussell	Petition in Eminent Domain	12/5/19	
Michael Lapham v. SWFWMD & FWC	US Middle Dist. FL. Case No. 5:19-cv-00579	A. Vining M. Bray	Civil Rights – Americans with Disabilities Act	01/10/2020	
SWFWMD v. Etcetera, Etc., Inc.	DeSoto County Case No. 2020-CA-000017	C. Tumminia M. Albrecht	Petition for Enforcement and Complaint for Civil Remedies - ERP	01/15/2020	
SWFWMD v. Carl Douglas Jr.	Charlotte County Case No. 20CA0112	E. Fernandez C. Tumminia	Petition for Enforcement and Complaint for Civil Remedies – Well Construction Violations	02/06/2020	
SWFWMD v. Holloway Park Foundation, Inc.	Polk County Case No. 20-CA-000632	A. Vining	Petition for Enforcement and Complaint for Civil Remedies - ERP	2/19/2020	

William Laslo and Kyong E. Laslo v. SWFWMD, et al.	Hillsborough County Case No. 20-CA-1008	E. Fernandez M. Albrecht	Complaint for Negligence, Trespass, Breach of Duty to Warn or Avert a Dangerous Condition, Inverse Condemnation and Nuisance	2/24/2020	
SWFWMD v. Waylon J. Howard	Hillsborough County Case No. 20CA-00230 Div. H	E. Fernandez M. Albrecht	Petition for Enforcement and Complaint for Civil Remedies – Well Construction Violations	03/12/2020	
SWFWMD v. MGM of West Florida, LLC	Manatee County Case No. 20CA-001336	E. Fernandez A. Dhand	Petition for Enforcement and Complaint for Civil Remedies – ERP violations	04/01/2020	
Appeals					
Harry and Janet Denlinger v. SWFWMD	Second District Court of Appeal Case No. 2D19-3835	M. Bray J. Fussell A. Witherup	Appeal of Final Order of Dismissal with Prejudice	10/4/19	
Delegated Consent Orders					
NONE					

GENERAL COUNSEL'S REPORT

April 28, 2020

Routine Report

April 2020 Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

RULEMAKING UPDATE
APRIL 2020
PROPOSED RULES & AMENDMENTS

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	Effective April 15, 2020	June 2017
2. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to adopt revised Minimum Flows for the Chassahowitzka and Homosassa River Systems in Citrus County	October 2019	Effective April 15, 2020	October 2019
3. Initiation and Approval of Rulemaking to Amend Rule 8.623, F.A.C. to Adopt revised Minimum Wetland Levels in Hillsborough, Pasco, and Pinellas Counties	November 2019	Effective April 6, 2020	November 2019
4. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lakes Church and Echo in Hillsborough County	December 2019	Effective Approx. April 2020	December 2019
5. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Charles in Hillsborough County	December 2019	Effective Approx. April 2020	December 2019
6. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Calm in Hillsborough County	December 2019	Effective Approx. April 2020	December 2019
7. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Sapphire Lake in Hillsborough County	December 2019	Effective Approx. April 2020	December 2019
8. Initiation and Approval of Rulemaking to Amend Rule 40D-2.302 to adopt a Reservation from Use for Lake Hancock in Polk County	February 2020	Effective Approx. May 2020	February 2020

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
9. Initiation and Approval of Rulemaking to Repeal existing FARMS Rule, Chapter 40D-26	February 2020	Effective Approx. May 2020	February 2020
10. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to Delete a Portion of the Minimum Flow Provisions for the Upper and Lower Pithlachascotee River	March 2020	Effective Approx. June 2020	March 2020
11. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to Delete a Portion of the Minimum Flow Provisions for the Crystal River/Kings Bay System	March 2020	Effective Approx. June 2020	March 2020
12. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Revised Minimum and Guidance Levels for Lake Marion in Levy County	April 2020	Initiation and Approval, April 2020 Governing Board meeting	April 2020
13. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Linda in Pasco County	May 2020	Initiation and Approval, May 2020 Governing Board meeting	May 2020

EXECUTIVE DIRECTOR'S REPORT

April 28, 2020

Discussion Item

Executive Director's Report

Staff Recommendation:

Presenter: Brian J. Armstrong, P.G., Executive Director

CHAIR'S REPORT

April 28, 2020

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Mark Taylor, Chair

CHAIR'S REPORT

April 28, 2020

Routine Report

Employee Milestones

Staff Recommendation:

Presenter: Mark Taylor, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year
5	04/20/2015	Rachelle Jones	Senior Procurement Specialist	Brooksville	Finance	2020
5	04/27/2015	Mark Maggard	Staff Land Management Specialist	Tampa	Operations and Land Management	2020
10	04/12/2010	April Breton	Water Use Permit Manager	Tampa	Water Use Permit	2020
10	04/12/2010	Edward Smith	Lead Tradesworker	Brooksville	Operations and Land Management	2020
20	04/03/2000	Steven Blaschka	Real Estate Program Specialist	Brooksville	Operations and Land Management	2020