

Governing Board Meeting

Agenda and Meeting Information

April 26, 2022

9:00 a.m.

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211 • 1-800-423-1476

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



2379 Broad Street, Brooksville, Florida 34604
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

An Equal
Opportunity
Employer

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 who 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 the Human Resources Office Chief, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4747; or email 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 26, 2022
9:00 AM**

**2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

All meetings are open to the public

- › Viewing of the Board meeting will be available through the District's website at www.WaterMatters.org.
- › 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 available at 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

1. CONVENE PUBLIC MEETING

- 1.1 Call to Order
- 1.2 Invocation and Pledge of Allegiance
- 1.3 Employee Recognition
- 1.4 Additions/Deletions to Agenda
- 1.5 Public Input for Issues Not Listed on the Published Agenda

2. CONSENT AGENDA

- 2.1 **Finance/Outreach and Planning Committee:** Springs Protection Awareness Month Resolution
- 2.2 **Finance/Outreach and Planning Committee:** Water Reuse Week Resolution
- 2.3 **Finance/Outreach and Planning Committee:** Resolution No. 22-03, Commending Rebecca Smith for Her Service as a Member of the Southwest Florida Water Management District Governing Board
- 2.4 **Finance/Outreach and Planning Committee:** FY2022 Budget Amendment – State Appropriations for Springs Restoration
- 2.5 **Finance/Outreach and Planning Committee:** District Tractor Replacement
- 2.6 **Resource Management Committee:** Recommend FY2023 Springs Projects for FDEP Funding Consideration
- 2.7 **Resource Management Committee:** Approve the Nichols Pond Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Sumter County (P283)
- 2.8 **Resource Management Committee:** FARMS – Budget Transfer for the Mini-FARMS Program (H529)
- 2.9 **Operations, Lands and Resource Monitoring Committee:** Acceptance of Access Easement from Heron's Cove HOA for Access to ROMP-10 Well, SWF Parcel No. 20-020-178
- 2.10 **Operations, Lands and Resource Monitoring Committee:** Donation of Utility Easement to TECO – Tampa Bypass Canal, SWF Parcel No. 13-001-752X
- 2.11 **Regulation Committee:** Water Use Permit No. 20007670.008 - 734 LMC Groves / 734 LMC Groves, LLC. - Polk County
- 2.12 **General Counsel's Report:** Knowledge Management: Governing Board Policy Update - District Legal Services
- 2.13 **General Counsel's Report:** Authorization to Issue Administrative Complaint and Order - Well Construction Violations - Derek Langley, Langley Well Drilling and Pump Service, LLC - Unlicensed - CT Number 418074 - Citrus County
- 2.14 **General Counsel's Report:** Memorandum of Agreement Between the Southwest Florida Water Management District, the St. Johns River Water Management District, and the South Florida Water Management District - Coordinated Review of Permits Within Central Florida Water Initiative Area

- 2.15 **General Counsel's Report:** Interagency Agreement Between SJRWMD and SWFWMD - Designation of Regulatory Responsibility to Southwest Florida Water Management District - The Villages - Sumter and Lake Counties
- 2.16 **General Counsel's Report:** Governing Board Concurrence - Authorization to Intervene in Rule Challenge Administrative Hearing - Jacaranda at Central Park Master Association, Inc. v. South Florida Water Management District - Division of Administrative Hearings Case No. 22-0849RX
- 2.17 **Executive Director's Report:** Approve Governing Board Minutes - March 22, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Discussion:** Action Item: Investment Strategy Quarterly Update
- 3.3 **Discussion:** Action Item: Salary Requests to Address Inflation, Staff Recruitment and Retention
- 3.4 **Submit & File:** Information Item: Budget Transfer Report
- 3.5 **Submit & File:** Information Item: Office of Inspector General – January 1, 2022 to March 31, 2022 Quarterly Update

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Action Item: Polk Regional Water Cooperative Southeast Wellfield Project – Third Party Review of Preliminary Design (N905)
- 4.3 **Discussion:** Action Item: Polk Regional Water Cooperative West Polk Wellfield Project – Third Party Review of Preliminary Design (N882)
- 4.4 **Discussion:** Action Item: Dona Bay Surface Water Storage Facility Phase 2 - Third Party Review (N786)

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

- 5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 5.2 **Discussion:** Information Item: Hydrologic Conditions Report
- 5.3 **Discussion:** Action Item: Sale of Property to City of Dunedin – Jerry Lake, SWF Parcel 16-296-107S

6. REGULATION COMMITTEE

- 6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 6.2 **Discussion:** Action Item: Denials Referred to the Governing Board

7. GENERAL COUNSEL'S REPORT

- 7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion

8. COMMITTEE/LIAISON REPORTS

8.1 **Discussion:** Information Item: Agricultural and Green Industry Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

9.1 **Discussion:** Information Item: Executive Director's Report

10. CHAIR'S REPORT

10.1 **Discussion:** Information Item: Chair's Report

10.2 **Discussion:** Information Item: Employee Milestones

ADJOURNMENT

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective October 4, 2021

OFFICERS	
Chair	Kelly S. Rice
Vice Chair	Joel Schleicher
Secretary	Michelle Williamson
Treasurer	Ed Armstrong

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Jack Bispham
Seth Weightman
John Mitten
John Hall

RESOURCE MANAGEMENT COMMITTEE
Seth Weightman
Jack Bispham
Michelle Williamson
William Hogarth

REGULATION COMMITTEE
Joel Schleicher

FINANCE/OUTREACH AND PLANNING COMMITTEE
Ed Armstrong
Ashley Bell Barnett
William Hogarth

** 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	John Mitten
Industrial Advisory Committee	John Hall
Public Supply Advisory Committee	Ed Armstrong
Well Drillers Advisory Committee	Seth Weightman

OTHER LIAISONS	
Central Florida Water Initiative	Ashley Bell Barnett
Spring Coast Steering Committee	John Mitten
Coastal & Heartland National Estuary Partnership Policy Committee	Jack Bispham
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	William Hogarth
Tampa Bay Regional Planning Council	Vacant

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2022**

4/14/2022

Governing Board Meeting

October 19, 2021 – 9:00 a.m., Brooksville Office
November 16, 2021 – 9:00 a.m., Tampa Office
December 14, 2021 – 9:00 a.m., Brooksville Office
January 25, 2022 – 9:00 a.m., Tampa Office
February 22, 2022 – 9:00 a.m., Brooksville Office
March 22, 2022 – 9:00 a.m., Tampa Office
April 26, 2022 – 9:00 a.m., Brooksville Office
May 24, 2022 – 9:00 a.m., Tampa Office
June 21, 2022 – 9:00 a.m., Brooksville Office
July 26, 2022 – 9:00 a.m., Tampa Office
August 23, 2022 – 9:00 a.m., Brooksville Office
September 20, 2022 – 3:00 p.m., Tampa Office

Governing Board Public Budget Hearing – 5:01 p.m., Tampa Office
2022 – September 6 & 20

Agricultural & Green Industry Advisory Committee – 10:00 a.m.
2021 – December 7
2022 – March 8, June 7, September 13

Environmental Advisory Committee – 10:00 a.m.
2021 – October 12
2022 – January 11, April 12, July 12

Industrial Advisory Committee – 10:00 a.m.
2021 – November 9
2022 – February 8, May 10, August 9

Public Supply Advisory Committee – 1:00 p.m.
2021 – November 9
2022 – February 8, May 10, August 9

Springs Coast Management Committee – 1:30 p.m.
2021 – October 20, December 8
2022 – January 5, February 23, May 25, July 13

Springs Coast Steering Committee – 2:00 p.m.
2021 – November 10
2022 – January 26, March 9, July 27

Well Drillers Advisory Committee – 1:30 p.m., Tampa Office
2021 – October 6
2022 – January 12, April 6, July 13

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

2022 – February 2 – Northern Region, Brooksville Office (Audio Visual Communication)
2022 – February 3 – Southern Region, Sarasota County Commission Chambers (Audio Visual Communication)
2022 – February 9 – Heartland Region, Bartow City Hall
2022 – February 10 – Tampa Bay Region, Tampa Office (Audio Visual Communication)
2022 – April 6 – Northern Region, Brooksville Office
2022 – April 7 – Southern Region, Sarasota County Commission Chambers
2022 – April 13 – Heartland Region, Bartow City Hall (Audio Visual Communication)
2022 – April 14 – Tampa Bay Region, Tampa Office

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637
Sarasota County Commission Chambers – 1660 Ringling Blvd., Sarasota, FL 34236
Bartow City Hall – 450 N. Wilson Ave., Bartow, FL 33830

Governing Board Meeting
April 26, 2022

1. CONVENE PUBLIC MEETING

1.1 Call to Order.....5

1.2 Invocation and Pledge of Allegiance.....6

1.3 Employee Recognition7

1.4 Additions/Deletions to Agenda8

1.5 Public Input for Issues Not Listed on the Agenda9

CONVENE PUBLIC MEETING

April 26, 2022

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.

Presenter:

Kelly S. Rice, Chair

CONVENE PUBLIC MEETING

April 26, 2022

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.

Presenter:

Kelly S. Rice, Chair

CONVENE PUBLIC MEETING

April 26, 2022

Employee Recognition

Staff that have reached 20 or more years of service at the District will be recognized.

Staff Recommendation:

- Nam Nguyen
- Steven Clardy

Presenter:

Kelly S. Rice, Chair

CONVENE PUBLIC MEETING

April 26, 2022

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

CONVENE PUBLIC MEETING

April 26, 2022

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:

Kelly S. Rice, Chair

Governing Board Meeting

April 26, 2022

2. 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.

2.1	Finance/Outreach and Planning Committee: Springs Protection Awareness Month Resolution	10
2.2	Finance/Outreach and Planning Committee: Water Reuse Week Resolution	12
2.3	Finance/Outreach and Planning Committee: Resolution No. 22-03, Commending Rebecca Smith for Her Service as a Member of the Southwest Florida Water Management District Governing Board	14
2.4	Finance/Outreach and Planning Committee: FY2022 Budget Amendment – State Appropriations for Springs Restoration.....	16
2.5	Finance/Outreach and Planning Committee: District Tractor Replacement	27
2.6	Resource Management Committee: Recommend FY2023 Springs Projects for FDEP Funding Consideration	29
2.7	Resource Management Committee: Approve the Nichols Pond Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Sumter County (P283).....	39
2.8	Resource Management Committee: FARMS – Budget Transfer for the Mini-FARMS Program (H529)	41
2.9	Operations, Lands and Resource Monitoring Committee: Acceptance of Access Easement from Heron’s Cove HOA for Access to ROMP-10 Well, SWF Parcel No. 20-020-178	42
2.10	Operations, Lands and Resource Monitoring Committee: Donation of Utility Easement to TECO – Tampa Bypass Canal, SWF Parcel No. 13-001-752X	51
2.11	Regulation Committee: Water Use Permit No. 20007670.008 - 734 LMC Groves / 734 LMC Groves, LLC. - Polk County	57
2.12	General Counsel's Report: Knowledge Management: Governing Board Policy Update – District Legal Services	69
2.13	General Counsel's Report: Authorization to Issue Administrative Complaint and Order – Well Construction Violations - Derek Langley, Langley Well Drilling and Pump Service, LLC - Unlicensed - CT Number 418074 - Citrus County	76

2.14	General Counsel's Report: Memorandum of Agreement Between the Southwest Florida Water Management District, the St. Johns River Water Management District, and the South Florida Water Management District - Coordinated Review of Permits Within Central Florida Water initiative Area	77
2.15	General Counsel's Report: Interagency Agreement Between SJRWMD and SWFWMD - Designation of Regulatory Responsibility to Southwest Florida Water Management District – The Villages - Sumter and Lake Counties	87
2.16	General Counsel's Report: Governing Board Concurrence - Authorization to Intervene in Rule Challenge Administrative Hearing - Jacaranda at Central Park Master Association, Inc. v. South Florida Water Management District - Division of Administrative Hearings Case No. 22-0849RX.....	91
2.17	Executive Director's Report: Approve Governing Board Minutes - March 22, 2022	92

CONSENT AGENDA

April 26, 2022

Finance/Outreach and Planning Committee: Springs Protection Awareness Month Resolution

Purpose

To request that the Governing Board approve a resolution declaring April 2022 as “Springs Protection Awareness Month.”

Background/History

There are more than 150 documented springs as well as thousands of undocumented springs and seeps in the District. The District has five first-magnitude spring groups that collectively discharge more than one billion gallons of water per day. These springs are important for their ecological value and their economic impact on local communities.

The District, in partnership with various stakeholders, is committed to implementing studies, projects and programs to conserve and improve the ecological balance of these spring systems, thereby supporting regional economies and quality of life. The District has been a lead technical agency in springs protection and improvement for more than a decade and has taken a comprehensive approach to protect the region’s springs, which includes water conservation, restoration, planning, communication and education, monitoring, research and development, regulation, and land acquisition and management.

“Springs Protection Awareness Month” – The Florida House of Representatives filed a resolution declaring April 2022 “Springs Protection Awareness Month” as they have done in years past. Our local springs, and the state’s springs, are essential to the environment, economy, citizens and visitors of the state. Staff support a Governing Board resolution to recognize the importance of our springs. The resolution for the Committee’s consideration and recommendation for approval is provided as an exhibit.

Staff Recommendation:

Approve and execute Resolution No. 22-07 declaring April 2022 as “Springs Protection Awareness Month.”

Presenter:

Melissa Gulvin, Communications Manager

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 22-07

**PROCLAIMING APRIL 2022 as
“SPRINGS PROTECTION AWARENESS MONTH”**

WHEREAS, Florida's springs are essential to the environment, economy, residents and visitors of the state; and

WHEREAS, there are more than 150 documented springs as well as thousands of undocumented springs and seeps in the Southwest Florida Water Management District; and

WHEREAS, the District has five first-magnitude spring groups that collectively discharge more than one billion gallons of water per day; and

WHEREAS, these groups are important not only for their ecological value but also for their economic impact on the communities that call these areas home; and

WHEREAS, the District, in partnership with the various stakeholders, is committed to implementing projects to conserve and restore the ecological balance of these spring systems, thereby supporting regional economies and quality of life.

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims the month of April 2022 as “SPRINGS PROTECTION AWARENESS MONTH.”

BE IT FURTHER RESOLVED that the Southwest Florida Water Management District shall continue to implement an adaptive management strategy to protect the region's springs through restoration, planning, communication and education, monitoring, research and development, regulation, conservation, and land acquisition and management.

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 twenty sixth day of April 2022.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Kelly S. Rice, Chair

Attest: _____
Michelle Williamson, Secretary

CONSENT AGENDA

April 26, 2022

Finance/Outreach and Planning Committee: Water Reuse Week Resolution

Purpose

To request that the Governing Board sign a resolution declaring May 15-21, 2022, as “Water Reuse Week” to focus the public on the benefits of expanding this important water resource.

Background/History

Since 2007, the State of Florida, the Florida Department of Environmental Protection (DEP), water management districts, water utilities, local governments, and water-related organizations such as the WaterReuse Association have declared the third week in May as “Water Reuse Week” to promote and encourage efficient use of reclaimed water.

The largest use for reclaimed water is irrigation and May is typically the month when irrigation demands peak due to hot and dry conditions. Reclaimed water provides a means for conserving and augmenting Florida’s precious water resources and is key to meeting future demands.

Three decades of Governing Board support (\$417 million District cooperative funding for 393 projects, worth over \$1 billion) has enabled utilities within the District to progressively increase beneficial reclaimed water use to 197 million gallons per day in 2020. This represents a 55 percent beneficial utilization of all wastewater treatment plant flows within the District and is well on the way to achieving the District’s 2040 goal of 75 percent beneficial utilization.

Water Reuse Week will also highlight potable reuse as the District’s Governing Board identified potable reuse as a priority in achieving the District’s long-term strategic goals. The District is also a partner in DEP’s One Water Florida initiative to educate the public and stakeholders on potable reuse as a safe, future water supply in Florida.

Approval of this resolution demonstrates the District’s continued support of the use and expansion of reclaimed water. This item supports the District’s mission and strategic initiatives through maximizing the beneficial use of reclaimed water to offset potable water supplies, create new potable sources and restore water levels and natural systems.

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

Staff Recommendation:

Approve and execute Resolution No. 22-09 declaring May 15-21, 2022 as “Water Reuse Week.”

Presenter:

Cara Martin, Office Chief, Government and Community Affairs

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 22-09

PROCLAIMING MAY 15-21, 2022 as “WATER REUSE WEEK” in FLORIDA

WHEREAS, safe, clean, and sustainable water resources are essential to Florida’s environment, economy, citizens, and visitors; and

WHEREAS, water reuse provides a means for conserving and augmenting Florida’s precious water resources; and

WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes; and

WHEREAS, the Southwest Florida Water Management District has joined with the State of Florida, the Florida Department of Environmental Protection (DEP), and other municipalities in encouraging and promoting water reuse and conservation; and

WHEREAS, the District has invested more than \$417 million in 393 reclaimed water projects since 1987, which has resulted in more than \$1 billion in partnering entities reclaimed water infrastructure.

WHEREAS, the District’s Governing Board identified potable reuse as a priority for the District to achieve its goal of 75% reuse utilization by 2040; and

WHEREAS, the District is a partner in DEP’s One Water Florida initiative to educate the public and stakeholders on potable reuse as a safe, future water supply in Florida.

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims May 15-21 as “WATER REUSE WEEK” in Florida.

BE IT FURTHER RESOLVED the Southwest Florida Water Management District urges every citizen and visitor to become more aware of the need to save our precious water supply and take appropriate steps to conserve and protect this vital resource.

BE IT FURTHER RESOLVED 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 Hernando County, Florida, on this 26 day of April 2022.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Kelly Rice, Chair

Attest: _____
Michelle Williamson, Secretary

CONSENT AGENDA

April 26, 2022

Finance/Outreach and Planning Committee: Resolution No. 22-03, Commending Rebecca Smith for Her Service as a Member of the Southwest Florida Water Management District Governing Board

To honor Ms. Rebecca Smith for her term as a Governing Board member, District staff have prepared this resolution to commemorate her service. Ms. Smith was appointed by Governor Rick Scott in May 2017 and served until August 2021.

Staff Recommendation:

Approve Resolution No. 22-03 commending Rebecca Smith for her service as a member of the Southwest Florida Water Management District Governing Board.

Presenter:

Virginia Singer, Board and Executive Services Manager

RESOLUTION NO. 22-03

COMMENDING
REBECCA SMITH
FOR HER SERVICE AS A MEMBER OF THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT GOVERNING BOARD

WHEREAS, **REBECCA SMITH** was appointed by Governor Rick Scott to the Southwest Florida Water Management District Governing Board on May 12, 2017 and served through August 28, 2021; and

WHEREAS, **REBECCA SMITH** was elected and served as the Governing Board's Secretary from September 2020 through August 2021; she served on Governing Board Committees and served as liaison to the Tampa Bay Regional Planning Council and the Tampa Bay National Estuary Program Policy Board; and

WHEREAS, **REBECCA SMITH** provided leadership and guidance in the development of the Polk Regional Water Cooperative and Central Florida Water Initiative, including development of the Regional Water Supply Plan and Water Resources Protection and Water Supply Strategies Plan; and

WHEREAS, **REBECCA SMITH** supported development of alternative water supplies and regional pipeline interconnections in partnership with water supply authorities, local governments and private utilities to help achieve reductions in groundwater pumping and supported regional cooperative projects, including the Tampa Bay Water Southern Hillsborough County Booster Pump Station and the Tampa Bay Water Regional Facility Site Pump Station Expansion; and

WHEREAS, **REBECCA SMITH** worked to meet the needs in the Southern Water Use Caution Area, while reducing groundwater use, improving river flows and aquifer levels; and

WHEREAS, **REBECCA SMITH** supported the successful 20-year environmental recovery efforts of the Northern Tampa Bay Water Use Caution Area, which included reducing the amount of groundwater withdrawals in the area and developing alternative water sources for the residents of Tampa Bay; and

WHEREAS, **REBECCA SMITH** was an advocate of environmental restoration and water quality improvement projects including the Tampa Bay Environmental Restoration Fund, McIntosh Park Integrated Master Plan, Clearwater Harbor/St. Joseph Sound Nitrogen Source Identification, Weedon Island Tidal Marsh Restoration and Kracker Avenue Habitat Restoration; and

WHEREAS, **REBECCA SMITH** supported the acquisition of public lands to protect Florida's first- and second-magnitude springs, including Weeki Wachee, Kings Bay, Three Sisters, Boat and Rainbow springs; and

WHEREAS, **REBECCA SMITH** stressed the importance of flood protection and public safety by supporting technological upgrades and refurbishments to the District's flood and water control structures, and

WHEREAS, **REBECCA SMITH** championed the surplus lands program through the sale of less beneficial District parcels, easements and rights of way equaling 2,700 acres for a total of \$29.6 million; and

WHEREAS, **REBECCA SMITH** championed the protection of water resources through the acquisition of both fee simple and easement interests in 2,850 acres of conservation lands for a total of \$7 million; and

WHEREAS, **REBECCA SMITH** was a visionary leader in beneficial reuse of reclaimed water, setting a goal of 75 percent beneficial reuse, creating innovative approaches using reclaimed water to restore natural systems and help create a sustainable water supply; and

WHEREAS, the Governing Board of the Southwest Florida Water Management District wishes to express its appreciation of these outstanding contributions, as well as those that are not mentioned but which will long be attributed to the service of **REBECCA SMITH**.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT that this Board honors **REBECCA SMITH** by adopting this resolution, expressing its appreciation for her commitment to the mission of the District, her outstanding work, and her dedication to public service; and

BE IT FURTHER RESOLVED that this resolution be incorporated into the minutes of this District, permanently honoring the service of **REBECCA SMITH** to this District, and that this resolution be presented to her.

PASSED and ADOPTED this 26th day of April 2022.

GOVERNING BOARD OF THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BY _____
Kelly Rice, Chair

ATTEST _____
Michelle Williamson, Secretary

CONSENT AGENDA**April 26, 2022****Finance/Outreach and Planning Committee: FY2022 Budget Amendment – State Appropriations for Springs Restoration***Purpose*

- a. Request approval to apply 2018 and 2021 state appropriations from the Land Acquisition Trust Fund (LATF) for Springs Restoration to projects selected by the Department of Environmental Protection (DEP).
- b. Request approval of Resolution No. 22-08 *First Amendment of the Fiscal Year 2022 Annual Service Budget* for the inclusion of 2018 and 2021 state appropriations, as well as District fund balance, for the selected projects in the amount of \$4,034,697.

Background and History

During the 2018 and 2021 legislative session, the Florida Legislature appropriated dollars to the LATF for Springs Restoration to protect springs and the quality and quantity of water that flow from springs. After reviewing the project proposals and ranking recommendations by each of the water management districts, the DEP made their final selections. The following are the four projects selected within the District for funding, as well as the impact to the FY2022 budget if the proposed budget amendment is approved by the board.

- **Citrus County Cambridge Greens Septic to Sewer (W432):** Cooperatively-funded with Citrus County for the construction of a regional wastewater collection system necessary for connection of existing septic tanks in the Cambridge Greens area of the Crystal River/Kings Bay Priority Focus Area (PFA).

In November 2021, the board approved continuation of the project and modification of the Cooperative Funding Agreement (CFA) to increase the total project cost from \$6,500,000 to \$10,243,000, with only Citrus County's share being revised to cover the \$3,743,000 increase. Subsequently, the project has been selected to receive \$2,500,000 from the 2018 LATF state appropriation for Springs Restoration to offset the cost increase; thereby reducing Citrus County's share to \$2,693,500 and increasing DEP's share to \$5,750,000. The District share of \$1,450,500 and a legislative appropriation of \$349,000 remain at their original funding levels. The District will be reimbursing the County with the state appropriation as approved expenditures are incurred. The net effect to the FY2022 budget for the project is an increase of \$2,500,000.

- **Citrus County Old Homosassa Downtown North Septic to Sewer (WH06):** Cooperatively-funded with Citrus County for the construction of a regional wastewater collection system necessary for connection of existing residential homes in the Old Homosassa Downtown North area of the Homosassa-Chassahowitzka PFA.

In May 2021, the board approved the project for a total of \$12,035,000, contingent upon DEP approval, with \$3,008,750 District share, \$3,008,750 Citrus County share, and \$6,017,500 DEP share. DEP approval was not received before the FY2022 budget was adopted; therefore, the project was excluded from the budget. The project has been

selected to receive \$500,000 from the 2021 LATF state appropriation for Springs Restoration, which the District will share equally with Citrus County. The proposed FY2022 budget amendment includes the full \$500,000 in LATF as the District will be reimbursing the County's share of the state appropriation as approved expenditures are incurred, and \$250,000 of Fund Balance for the District's match. The net effect to the FY2022 budget for the project is an increase of \$750,000.

- **Marion County State Road 200 Septic to Sewer (WR11):** Cooperatively-funded with Marion County for the construction of municipal sewer system connections located within the Rainbow River Basin Management Action Plan.

In May 2021, the board approved the project for a total of \$712,929, contingent upon DEP approval, with \$178,232 District share, \$178,232 Marion County share, and \$356,465 DEP share. DEP approval was not received before the FY2022 budget was adopted; therefore, the project was excluded from the budget. The project has been selected to receive \$356,465 from the 2021 LATF state appropriation for Springs Restoration, which the District will share equally with Marion County. The proposed FY2022 budget amendment includes the full \$356,465 in LATF as the District will be reimbursing the County's share of the state appropriation as approved expenditures are incurred, and \$178,232 of Fund Balance for the District's match. The net effect to the FY2022 budget for the project is an increase of \$534,697.

- **Hernando County Septic to Sewer District A Phase 1B (WW10):** Cooperatively-funded with Hernando County for the construction of a regional wastewater collection system necessary for connection of existing residential homes in the Weeki Wachee PFA. All state awarded funds for this project are being provided directly to the cooperator.

In May 2021, the board approved the project for a total of \$11,500,000, contingent upon DEP approval, with \$1,725,000 District share, \$1,725,000 Hernando County share, and \$8,050,000 DEP share. DEP approval was not received before the FY2022 budget was adopted; therefore, the project was excluded from the budget. The project has been selected by DEP to receive a total of \$8,050,000 from the 2021 Federal Springs and Federal Wastewater appropriations, which will be received by Hernando County and shared equally with the District. The proposed FY2022 budget amendment includes \$250,000 of Fund Balance for the District's first year match requirement. The remaining \$1,475,000 District match will be requested in future years. The net effect to the FY2022 budget for the project is an increase of \$250,000.

Benefits/Costs

The following table summarizes the impact of the proposed FY2022 budget amendment for \$4,034,697 after applying the 2018 and 2021 state appropriations to the selected projects.

FY2022 Budget Amendment:

Project	Cooperator	Title	State	District	Net Change
W432	Citrus County	Cambridge Greens Septic to Sewer	\$2,500,000	\$0	\$2,500,000
WH06	Citrus County	Old Homosassa Downtown North Septic to Sewer	\$500,000	\$250,000	\$750,000
WR11	Marion County	State Road 200 Septic to Sewer	\$356,465	\$178,232	\$534,697
WW10	Hernando County	Septic to Sewer District A Phase 1B	\$0	\$250,000	\$250,000
Total			\$3,356,465	\$678,232	\$4,034,697

Exhibits to this item include:

- CFI project evaluations for the four selected projects.
- Resolution No. 22-08 *First Amendment of the Fiscal Year 2022 Annual Service Budget*.

Staff Recommendation:

- a. Approve to apply 2018 and 2021 state appropriations from the LATF for Springs Restoration to projects W432, WH06, and WR11.
- b. Approve Resolution No. 22-08 *First Amendment of the Fiscal Year 2022 Annual Service Budget* for the inclusion of 2018 and 2021 state appropriations, as well as District fund balance, for the selected projects in the amount of \$4,034,697.

Presenters:

Jay Hoecker, PMP, Bureau Chief, Water Resources
Andrea Shamblin, Budget Manager, Finance

Project No. W432	Springs – Citrus County Cambridge Green Septic to Sewer Project			
Citrus County	FY2022			
Risk Level:	Type 2	Multi-Year Contract: No		
Description				
Description:	30% design, third-party review (TPR), final design, permitting, and construction of a regional wastewater collection system necessary for connection of existing septic tanks in the Cambridge Greens area of the Crystal River/Kings Bay Priority Focus Area (PFA).			
Measurable Benefit:	The contractual Measurable Benefit will be the construction of a regional wastewater collection system that will result in the connection of a minimum of 312 existing septic tanks. Construction will be done in accordance with the permitted plans.			
Costs:	Total Project Costs: \$10,243,000 (design, third-party review, permitting, and construction) Citrus County: \$2,693,500 District: \$1,450,500 FDEP: \$5,750,000 Legislative Appropriation: \$349,000			
Evaluation				
Application Quality:	Medium	Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperator to obtain remaining required information.		
Project Benefit:	High	The benefit of this water quality project is the reduction of pollutant loads by an estimated 3,211 lbs/yr TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Crystal River/Kings Bay basin management action plan (BMAP), a SWIM priority water body.		
Cost Effectiveness:	Medium	For wastewater projects, the estimated cost/lb of TN (\$106) removal is higher than what would be considered a highly cost-effective project of \$100/lb		
Past Performance:	High	Based upon an assessment of the schedule and budget for the 2 ongoing projects.		
Complementary Efforts:	Medium	The Cooperator has an ordinance in line with Section 381.00655, Florida Statutes, to require sewage hookup within 365 days of availability.		
Project Readiness:	High	Project is ongoing and on schedule.		
Strategic Goals				
Strategic Goals:	High	Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality. Strategic Initiative - Conservation and Restoration: Restoration and maintenance of natural ecosystem for the benefit of water and water-related resources. Northern Region Priority: Improve northern coastal spring systems.		
Overall Ranking and Recommendation				
Fund as High Priority.	30% design and TPR were completed, with Governing Board approval provided in November 2021 to proceed with final design, permitting, and construction. This project is located within the Crystal River/Kings Bay PFA, a SWIM Priority water body, and will continue efforts by the County to improve water quality.			
Funding				
Funding Source	Prior	FY2022	Future	Total
District	\$1,450,500	\$0	\$0	\$1,450,500
Citrus County	\$1,450,500	\$0	\$1,243,000	\$2,693,500
FDEP	\$3,250,000	\$2,500,000	\$0	\$5,750,000
Legislative Appropriation	\$349,000	\$0	\$0	\$349,000
Total	\$6,500,000	\$2,500,000	\$1,243,000	\$10,243,000

Project No. WH06	Springs – Citrus County Old Homosassa Downtown North Septic to Sewer Project			
Citrus County	FY2022			
Risk Level:	Type 2	Multi-Year Contract: No		
Description				
Description:	30% design and third-party review (TPR) of a regional wastewater collection system necessary for connection of existing septic tanks in the Old Homosassa North area of the Chassahowitzka/ Homosassa Priority Focus Area (PFA). If constructed, a minimum of 75 existing septic systems will convert to sewer. District funding is for 30% design and TPR as this project has an estimate greater than \$5 Million dollars.			
Measurable Benefit:	The contractual Measurable Benefit of this project will be the completion of 30% design of this proposed project to construct a regional wastewater collection system.			
Costs:	Total Project Costs: \$1,000,000 (30% design, third-party review, and additional design) Citrus County: \$250,000 District: \$250,000; the conceptual estimate for total project costs, including design completion, permitting, and construction is \$12,035,000. It is anticipated the County will request funding to complete design, permitting and construction in future years. FDEP share: \$500,000 (additional design); \$5,517,500 anticipated to be budgeted in future years.			
Evaluation				
Application Quality:	Medium	Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with County to obtain remaining required information.		
Project Benefit:	Medium	The benefit of this water quality project, if constructed, is the reduction of pollutant loads by an estimated 847 lbs/yr TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Chassahowitzka/Homosassa Springs basin management action plan (BMAP), a SWIM priority water body. This benefit calculation differs from standard FDEP methodology as this project will impact the Homosassa River instead of the nearby springs vent.		
Cost Effectiveness:	Low	For wastewater projects, the estimated cost/lb of TN (\$474/lb) removal is higher than the cost of \$176/lb for District funded water quality projects. On average, this project allocates approximately \$160,466 for each septic tank removed.		
Past Performance:	High	Based upon an assessment of the schedule and budget for the 6 ongoing projects.		
Complementary Efforts:	Medium	The Cooperator has an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability.		
Project Readiness:	High	Project is ongoing and on schedule.		
Strategic Goals				
Strategic Goals:	High	Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality. Northern Region Priority: Improve northern coastal spring systems.		
Overall Ranking and Recommendation				
Fund as Medium Priority.	Requested funds are to complete 30% design and TPR. The results will provide the District with better information to confirm the cost effectiveness of the project. This project is located within the Chassahowizka-Homosassa PFA and continues the County’s efforts to improve water quality. The project’s lower cost effectiveness is primarily due to increased costs of construction within the unique karst geology of the project area. Given the proximity of the project within the Homosassa Springs complex and Homosassa River, and the ability to further reduce nutrient loading to these systems, the overall project is ranked as Medium. If selected for funding, the District will only fund the project if FDEP also contributes funds and the Cooperator demonstrates appropriate controls are in place.			
Funding				
Funding Source	Prior	FY2022	Future	Total
District	\$0	\$250,000	\$2,758,750	\$3,008,750
Citrus County	\$0	\$250,000	\$2,758,750	\$3,008,750
FDEP	\$0	\$500,000	\$5,517,500	\$6,017,500
Total	\$0	\$1,000,000	\$11,035,000	\$12,035,000

Project No. WR11	Springs – Marion County State Road 200 Septic to Sewer Project			
Marion County	FY2022			
Risk Level:	Type 2	Multi-Year Contract: No		
Description				
Description:	Design, permitting and construction of municipal sewer system connections including connection and impact fees, tank abandonment, and necessary components located within the Rainbow River Basin Management Action Plan (BMAP).			
Measurable Benefit:	The contractual Measurable Benefit will be the proper abandonment of 5 commercial septic tanks and the connection of the 4 associated parcels to an existing force main. Construction will be done in accordance with the permitted plans.			
Costs:	Total Project Cost: \$712,929 (Design, Permitting, Construction, Connection Fees and Impact Fees) FDEP Springs Funding: \$356,465 District: \$178,232 Marion County: \$178,232 (including connection and impact fees to be used as Cooperator Match)			
Evaluation				
Application Quality:	Medium	Application included most of the required information in the CFI Guidelines. District PM/CM had to work with the County to obtain remaining information.		
Project Benefit:	Medium	The resource benefit, if constructed, is the reduction of pollutant loads by an estimated 367 lbs./yr TN. There will be no monitoring or performance testing requirements. The project is located within the Rainbow River BMAP		
Cost Effectiveness:	High	For wastewater projects, the estimated cost/lb of TN (\$64.78) is lower than the cost of \$176/lb for District funded water quality projects. On average, this project allocates approximately \$142,585.80 for each commercial septic tank removed.		
Past Performance:	High	Based upon an assessment of the schedule and budget for the 2 ongoing projects.		
Complementary Efforts:	Low	The Cooperator does not have an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability or in line with the District's other controls.		
Project Readiness:	High	Project is ready to begin on or before December 1, 2021.		
Strategic Goals				
Strategic Goals:	High	Strategic Initiative – Water Quality Maintenance and Improvement: Develop and implement programs, projects, and regulations to maintain and improve water quality. Northern Region Priority: Improve northern coastal springs systems.		
Overall Ranking and Recommendation				
Fund as High Priority.	The project is located within the Rainbow River BMAP, but is outside the Priority Focus Area (PFA). The project includes connection and impact fees which will not be a reimbursable item, but can be used as the County's match. Based on direction at the March 23, 2021 Governing Board meeting, CFI eligibility for septic to sewer projects was expanded to the entire BMAP for the Rainbow River Springshed. An ordinance will be required preventing new conventional septic systems on lots less than 1 acre within the BMAP along with other ordinances outlined in the District's CFI Guidelines. If selected for funding, the District will only fund the project if FDEP also contributes funds and the Cooperator demonstrates appropriate controls are in place.			
Funding				
Funding Source	Prior	FY2022	Future	Total
District	\$0	\$178,232	\$0	\$178,232
Marion County	\$0	\$178,232	\$0	\$178,232
FDEP Springs	\$0	\$356,465	\$0	\$356,465
Total	\$0	\$712,929	\$0	\$712,929

Project No. WW10	Springs – Hernando County District A, Phase 1b Septic to Sewer Project			
Hernando County	FY2022			
Risk Level:	Type 2	Multi-Year Contract: No		
Description				
Description:	30% design and third-party review (TPR) of a regional wastewater collection system necessary for connection of existing properties within the Weeki Wachee Priority Focus Area (PFA). If constructed, a minimum of 224 existing septic systems will convert to sanitary sewer. The FY2022 funding request is for completion of 30% design and TPR as this project has an estimated cost greater than \$5 million dollars. Governing Board approval of the TPR is required prior to initiating final design and construction.			
Measurable Benefit:	The contractual Measurable Benefit will be the completion of 30% design of the proposed project for construction of a regional wastewater collection system.			
Costs:	Total project cost: \$1,666,667 (30% design, third-party review, and additional design) Hernando County share: \$250,000 District share: \$250,000; The conceptual estimate for total project cost, including design completion, permitting and construction is \$11,500,000. It is anticipated the County will request funding to complete design, permitting, and construction in future years. FDEP share: \$1,166,667 (additional design); \$6,883,333 anticipated to be budgeted in future years.			
Evaluation				
Application Quality:	Medium	Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperator to obtain remaining required information.		
Project Benefit:	High	The Resource Benefit of this water quality project is the reduction of pollutant loads by an estimated 2,305 lbs/year TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Weeki Wachee basin management action plan (BMAP), a SWIM priority water body.		
Cost Effectiveness:	Medium	For wastewater projects, the estimated cost/lb of TN (\$166) is lower than the average cost of \$176/lb for District funded water quality projects and is above what would be considered a highly effective project of \$100/lb TN. On average, this project allocates approximately \$51,339 for each residential septic tank removed.		
Past Performance:	Medium	Based upon an assessment of the schedule and budget for the 2 ongoing projects.		
Complementary Efforts:	Low	This project does not have a local ordinance in place in line with Section 381.0065, Florida Statutes, requiring sewage hookup within 365 days of availability.		
Project Readiness:	High	Project is ready to begin on or before December 1, 2021.		
Strategic Goals				
Strategic Goals:	High	Strategic Initiative – Water Quality Maintenance and Improvement: Develop and implement programs, projects, and regulations to maintain and improve water quality. Northern Region Priority: Improve Northern coastal springs systems.		
Overall Ranking and Recommendation				
Fund as High Priority	The requested funds are to complete 30% design and TPR. The results will provide the District with better information to confirm the cost effectiveness of the project. The project is located within the Weeki Wachee PFA, a SWIM priority water body, and continues the County’s efforts to improve water quality. Contractually, Citrus County will need Governing Board approval to proceed beyond 30% design and TPR.			
Funding				
Funding Source	Prior	FY2022	Future	Total
District	\$0	\$250,000	\$1,475,000	\$1,725,000
Hernando County	\$0	\$250,000	\$1,475,000	\$1,725,000
FDEP	\$0	\$1,166,667	\$6,883,333	\$8,050,000
Total	\$0	\$1,666,667	\$9,833,333	\$11,500,000

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 22-08

FIRST AMENDMENT OF THE FISCAL YEAR 2022 ANNUAL SERVICE BUDGET

WHEREAS, the Governing Board of the Southwest Florida Water Management District (District), as required by Chapters 200 and 373, Florida Statutes (F.S.), as amended, approved Resolution No. 21-12 adopting the fiscal year (FY) 2022 total budget of \$198,049,447 on September 28, 2021; and

WHEREAS, the Governing Board reappropriated and incorporated into the final FY2022 budget funds committed under contract for goods and services which remained uncompleted as of September 30, 2021, funds carried forward as designated by the Governing Board as of September 30, 2021, and funds carried forward as designated by management in accordance with the Governing Board Fund Balance Policy as of September 30, 2021, totaling \$210,596,497; for a total original modified budget of \$408,645,944; and

WHEREAS, the Governing Board of the District is authorized to amend the budget pursuant to Section 373.536(4), F.S.; and

WHEREAS, the General Fund will receive three million three hundred fifty-six thousand four hundred sixty-five dollars (\$3,356,465) in additional revenue from the State of Florida's Department of Environmental Protection (DEP) for selected projects from 2018 and 2021 state appropriations of Land Acquisition Trust Fund for Springs Restoration; and

WHEREAS, the District will appropriate six hundred seventy-eight two hundred thirty-two dollars (\$678,232) of the assigned General Fund balance for the match requirements for the additional revenue from the DEP, for a combined FY2022 General Fund budget increase of four million thirty-four thousand six hundred ninety-seven dollars (\$4,034,697), from \$372,413,690 to \$376,448,387; and

WHEREAS, the District has complied with the notice requirement and all other requirements of Section 373.536(4), F.S.; and

WHEREAS, the District will post the adopted amendment on its official website within five days after its adoption in accordance with Section 189.016(7), F.S.

THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District, effective upon approval by the Executive Office of the Governor, that the District's FY2022 modified budget is amended by an increase of \$4,034,697 from \$408,645,944 to \$412,680,641, as attached hereto as Exhibit "A".

APPROVED and ADOPTED in Brooksville, Hernando County, Florida on this twenty-sixth day of April 2022.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

By: _____
Kelly Rice, Chair

Attest:

Michelle Williamson, Secretary

Exhibit A

Southwest Florida Water Management District Proposed Fiscal Year 2022 First Budget Amendment

FY2022 budget amendment to increase the General Fund by \$4,034,697 for receipt of additional revenue from the Florida Department of Environmental Protection for selected projects from 2018 and 2021 state appropriations from the Land Acquisition Trust Fund for Springs Restoration.

The proposed budget amendment will not impact the District's millage rate or ad valorem property taxes.

	FY2022 Adopted Budget	Prior Year Encumbrances Re-appropriated for FY2022	FY2022 Original Modified Budget	Proposed First Budget Amendment	FY2022 Proposed Modified Budget As Amended April 26, 2022
Revenues:					
General Fund	\$165,142,530	\$207,271,160	\$372,413,690	\$4,034,697	\$376,448,387
Special Revenue Funds					
FDOT Mitigation	\$693,017	\$639,512	\$1,332,529	\$0	\$1,332,529
Total Special Revenue Funds	<u>\$693,017</u>	<u>\$639,512</u>	<u>\$1,332,529</u>	<u>\$0</u>	<u>\$1,332,529</u>
Capital Projects Funds					
Facilities Fund	\$963,900	\$1,890,345	\$2,854,245	\$0	\$2,854,245
Structures Fund	4,000,000	782,980	4,782,980	0	4,782,980
Florida Forever Fund	27,250,000	12,500	27,262,500	0	27,262,500
Total Capital Projects Funds	<u>\$32,213,900</u>	<u>\$2,685,825</u>	<u>\$34,899,725</u>	<u>\$0</u>	<u>\$34,899,725</u>
Total Revenues	<u><u>\$198,049,447</u></u>	<u><u>\$210,596,497</u></u>	<u><u>\$408,645,944</u></u>	<u><u>\$4,034,697</u></u>	<u><u>\$412,680,641</u></u>
Expenditures:					
General Fund	\$165,142,530	\$207,271,160	\$372,413,690	\$4,034,697	\$376,448,387
Special Revenue Funds					
FDOT Mitigation	\$693,017	\$639,512	\$1,332,529	\$0	\$1,332,529
Total Special Revenue Funds	<u>\$693,017</u>	<u>\$639,512</u>	<u>\$1,332,529</u>	<u>\$0</u>	<u>\$1,332,529</u>
Capital Projects Funds					
Facilities Fund	\$963,900	\$1,890,345	\$2,854,245	\$0	\$2,854,245
Structures Fund	4,000,000	782,980	4,782,980	0	4,782,980
Florida Forever Fund	27,250,000	12,500	27,262,500	0	27,262,500
Total Capital Projects Funds	<u>\$32,213,900</u>	<u>\$2,685,825</u>	<u>\$34,899,725</u>	<u>\$0</u>	<u>\$34,899,725</u>
Total Expenditures	<u><u>\$198,049,447</u></u>	<u><u>\$210,596,497</u></u>	<u><u>\$408,645,944</u></u>	<u><u>\$4,034,697</u></u>	<u><u>\$412,680,641</u></u>

CERTIFICATE AS TO RESOLUTION NO. 22-08

STATE OF FLORIDA
COUNTY OF HERNANDO

We, the undersigned, hereby certify that we are, Chair and Secretary, respectively, of the Southwest Florida Water Management District, organized and existing under and by virtue of the Laws of the State of Florida, and having its office and place of business at 2379 Broad Street, Brooksville, Hernando County, Florida, and that, on the twenty-sixth day of April 2022, at a duly called and properly held hearing of the Governing Board of the Southwest Florida Water Management District, at the Brooksville Office, at 2379 Broad Street, Brooksville, Hernando County, Florida, at which hearing a majority of the members of the Governing Board were present in person or via communications media technology, the resolution, which is attached hereto and which this certificate is a part thereof, was adopted and incorporated in the minutes of that hearing.

Dated at Brooksville, Florida, this twenty-sixth day of April 2022.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

By: _____
Kelly Rice, Chair

Attest:

Michelle Williamson, Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this twenty-sixth day of April 2022, by Kelly Rice and Michelle Williamson, Chair and Secretary, respectively, of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation. They are personally known to me.

WITNESS my hand and official seal on this twenty-sixth day of April 2022.

Notary Public
State of Florida at Large
My Commission Expires:

CONSENT AGENDA

April 26, 2022

Finance/Outreach and Planning Committee: District Tractor Replacement

Purpose

Request Governing Board approval to utilize budgeted funds from the Capital Field Equipment Fund (CFEF) to replace unit 2092.

Background/History

The District purchased a Challenger MT54B tractor in 2008 (unit 2092). It is used by the Field Operations Section for maintenance of District properties. Unit 2092 is 14 years old and has reached the end of its useful life. It was purchased for \$103,485.65 and has life-to-date maintenance costs of \$44,019.65. Currently, the unit has a failing transmission and its front tires need replacement. Further financial investments into this unit would not be financially prudent. There is still a need for a tractor of similar functionality.

To qualify as a CFEF expenditure, the field equipment must be rolling stock (excluding vehicles less than 1.5 ton), have a total estimated cost equal to or greater than \$5,000 including delivery, and have an anticipated useful life of at least five years.

Although this tractor qualifies as a CFEF expenditure, it was not included in the FY2022 Annual Service Budget as a planned expenditure as it was slated for replacement in FY2023. Unplanned expenditures from the CFEF are subject to adhering to the Budget Authority Transfer of Funds Governing Board Policy.

Benefits/Costs

The current CFEF for FY2022 has an allocation for a dump truck for \$140,000 (unit 2100) and a loader for \$185,000 (unit 2077). These two units were anticipated to reach their end-of-life in FY2022. However, based on current condition and anticipated maintenance costs, the priority for equipment replacement is unit 2092. Units 2100 and 2700 will be delayed to FY2024. This reprioritization ensures Field Operations has the essential heavy equipment, downtimes are minimized, and the best decisions are made to minimize future maintenance costs.

The replacement cost for the tractor is expected not to exceed \$120,000. Canceling the purchases for units 2100 and 2077 frees up \$325,000 to the CFEF fund balance to afford this purchase and allows for a \$200,000 reduction in the proposed FY2023 CFEF.

Staff Recommendation:

- Approve cancelation of the purchase for replacements of units 2100 and 2077, allowing the units to be budgeted for replacement in FY2024.
- Approve repurposing funds for units 2100 and 2077 to replace unit 2092 at a cost not to exceed \$120,000.

Presenter:

Michelle Weaver, P.E., General Services Bureau Chief

This Page Intentionally Left Blank

CONSENT AGENDA

April 26, 2022

Resource Management Committee: Recommend FY2023 Springs Projects for FDEP Funding Consideration

Purpose

The purpose of this item is to approve a list of five 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 2022 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 FY2023 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 9, 2022 meeting, the SCSC approved forwarding five projects to the FDEP for further review and State funding consideration, subject to the approval by the District's Governing Board. Attached are two Exhibits, the FY2023 Springs Funding Final Evaluations approved by the SCSC and Table 1 which includes the five projects recommended by the SCSC.

Staff Recommendation:

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

Presenter:

Vivianna Bendixson, Manager, Surface Water Improvement and Management Section



FDEP Springs Funding Final Evaluations and Rankings

March 9, 2022

**My Home.
My Springs.**

Southwest Florida
Water Management District

#MySprings

FY2023 FDEP Springs Funding Final Evaluations											
Unit Number	Ranking	Applicant	Project	BMAP	Nitrogen Reduction (lbs/yr)	Land Acquisition (acres)	FDEP Request	WMD Request	Local Match	Other Funding	Total
APP01	MEDIUM	Citrus County	Imperial Gardens Plant Interconnection	Crystal River/Kings Bay	20		\$ 450,000	\$ -	\$ -	\$ -	\$ 450,000
APP02	MEDIUM	Alachua Conservation Trust	GHC Farms, Inc.	Rainbow		197	\$ 173,288	\$ -	\$ 17,907	\$ 156,000	\$ 347,195
APP04	HIGH	City of Inverness	South Highlands Septic to Sewer Project - Phase 1*	Chassahowitzka/Homosassa	695		\$ 2,613,600	\$ -	\$ 653,400	\$ -	\$ 3,267,000
APP06	MEDIUM	Marion County	NW 44th Avenue Innovative Stormwater Retrofit	Rainbow	23		\$ 377,381	\$ -	\$ 377,381	\$ -	\$ 754,761
APP08	HIGH	Florida Governmental Utility Authority	Chatmire Septic to Sewer Florida Governmental Utility Authority*	Rainbow	1,068		\$ 1,500,000	\$ -	\$ -	\$ -	\$ 1,500,000
			* Indicates multiyear funding request, only FY23 request listed								
		Application Count: 5			1,792	TOTAL	\$ 5,114,269	\$ -	\$ 1,048,688	\$ 156,000	\$ 6,318,956

Project No.	APP01	Imperial Gardens Plant Interconnection			FY2023
Citrus County					
Project Type:	Wastewater Collection & Treatment	Multiyear Contract:	No		
DESCRIPTION					
Description:	Design, permitting, and construction of a lift station and approximately 1000 ft of wastewater force main and necessary appurtenances to remove and demolish an underperforming privately owned wastewater treatment facility. Funding is also requested for connection fees				
Costs:	Total project cost: \$450,000 (Design, permitting, construction, connection fees) Applicant share: \$0 DEP request: \$450,000 all in FY23 Other share: \$0 District request: \$0				
PROJECT INFORMATION					
Spring Information:	High	Benefitting spring: Crystal River/Kings Bay Yes Benefitting spring is an OFS? Yes Project located within the BMAP? Yes Project located within the PFA? The spring is approximately <u>2.5</u> miles from the project location.			
Project Benefit:	Low	The benefit of this water quality project is the reduction of pollutant loads by an estimated 20 lbs/yr TN.			
Cost Effectiveness:	Low	The estimated cost of this project is \$736 lb of TN.			
Related Strategies:	High	Yes Project is listed in the BMAP list of projects or is anticipated to be listed in the BMAP in the next update? Yes Benefitting spring has an MFL? No Project is part of a specific water quality or water quantity improvement plan? <i>Notes:</i>			
Local Match:	Low	Percent match is: None <i>Notes:</i> The project includes a local match in the amount of \$0, which is 0% of the total project cost.			
Project Readiness:	Medium	Design is ongoing or will start before Dec 31 of the fiscal year funding is being requested <i>Notes:</i> The project is expected to begin in 2022 and end in 2024.			
OVERALL RANKING					
	Medium	This project is recommended to be forwarded to FDEP for FY2023 springs funding consideration.			
FUNDING					
Funding Source	Prior	FY2023	Future	Total	
FDEP	\$ -	\$ 450,000	\$ -	\$ 450,000	
Total	\$ -	\$ 450,000	\$ -	\$ 450,000	

Project No.	APP02			
Alachua Conservation Trust	GHC Farms, Inc			FY2023
Project Type:	Land Acquisition	Multiyear Contract:	No	
DESCRIPTION				
Description:	Less-than-fee simple acquisition of approximately 197 acres of intact sandhill natural community, hardwood forest, and non-irrigated pasture. The property is currently under contract for a conservation easement with the NRCS covering approximately 50% of the costs with the applicant as the easement holder. Project consists of one parcel owned by one entity and all required acquisition costs to complete transactions.			
Costs:	Total project cost: \$397,195 Applicant share: \$27,907 DEP request: \$173,288 all in FY23 Other share: \$196,000 with \$156,000 from NRCS for CE and \$40,000 in kind match from NRCS and Florida Fish and Wildlife Conservation Commission District request: \$0			
PROJECT INFORMATION				
Spring Information:	Medium	Benefitting spring: Rainbow Yes Benefitting spring is an OFS? Yes Project located within the BMAP? No Project located within the PFA? The spring is approximately <u>27</u> miles from the project location.		
Project Benefit:	High	The benefit of this project will be the preservation/restoration of approximately 197 acres of land.		
Cost Effectiveness:	Low	Appraisal has not been completed.		
Related Strategies:	High	No Project is listed in the BMAP list of projects or is anticipated to be listed in the BMAP in the next update? Yes Benefitting spring has an MFL? No Project is part of a specific water quality or water quantity improvement plan? Yes Land will be held in conservation in perpetuity? Yes Managment plan is in place or will be in place at time of acquisition? No Acquired land will have public access and/or public ed?		
Local Match:	Medium	Percent match is: Up to 25% Notes: The project includes a local match in the amount of \$27,907, which is 7% of the total project cost.		
Project Readiness:	High	Acquisition is ongoing or will start before Dec 31 of the fiscal year funding is being requested. Notes: The project is expected to begin in 2020 and end in 2023.		
OVERALL RANKING				
	Medium	This project is recommended to be forwarded to FDEP for FY2023 springs funding consideration.		
FUNDING				
Funding Source	Prior	FY2023	Future	Total
FDEP	\$ -	\$ 173,288	\$ -	\$ 173,288
Alachua Conservation Trust	\$ 10,000	\$ 17,907	\$ -	\$ 27,907
Other (NRCS & FWC)	\$ 40,000	\$ 156,000	\$ -	\$ 196,000
Total	\$ 50,000	\$ 347,195	\$ -	\$ 397,195

Project No.	APP04	South Highlands Septic to Sewer Project			FY2023
City of Inverness					
Project Type:	Wastewater Collection & Treatment	Multiyear Contract:	Yes		
DESCRIPTION					
Description:	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.				
Costs:	Total project cost: \$3,267,000 (design, permitting, construction and connection fees) City of Inverness share: \$653,400 all in FY2023 DEP request: \$2,613,600 all in FY2023 Other share: \$0 District share: \$0				
PROJECT INFORMATION					
Spring Information:	Medium	Benefitting spring: Chassahowitzka/Homosassa Yes Benefitting spring is an OFS? Yes Project located within the BMAP? No Project located within the PFA? The spring is approximately <u>16</u> miles from the project location.			
Project Benefit:	Medium	The benefit of this project is the reduction of pollutant loads by an estimated 695 lbs/yr TN.			
Cost Effectiveness:	High	The estimated cost for this project is \$157 per lb of TN.			
Related Strategies:	High	Yes Project is listed in the BMAP list of projects or is anticipated to be listed in the BMAP in the next update? Yes Benefitting spring has an MFL? Yes Project is part of a specific water quality or water quantity improvement plan? Notes:			
Local Match:	Medium	Percent match is: Up to 25% Notes: The project includes a local match in the amount of \$653,400, which is 20% of the total project cost.			
Project Readiness:	Medium	Design is ongoing or will start before Dec 31 of the fiscal year funding is being requested. Notes: The project is expected to begin in 2023 and end in 2025.			
OVERALL RANKING					
	High	This project is recommended to be forwarded to FDEP for FY2023 springs funding consideration.			
FUNDING					
Funding Source	Prior	FY2023	Future	Total	
FDEP	\$ -	\$ 2,613,600	\$ -	\$ 2,613,600	
City of Inverness	\$ -	\$ 653,400	\$ -	\$ 653,400	
Total	\$ -	\$ 3,267,000	\$ -	\$ 3,267,000	

Project No.	APP06	NW 44th Avenue Innovative Stormwater Retrofit			FY2023
Marion County					
Project Type:		Stormwater	Multiyear Contract:	No	
DESCRIPTION					
Description:		Construction of a stormwater retrofit in an existing retention pond by constructing a treatment cell with bioabsorption material such as Bold and Gold soil amendment developed by the University of Central Florida Stormwater Academy.			
Costs:		Total project cost: \$754,761.00 (construction) Applicant share: \$377,380.50 DEP share: \$377,380.50 all in FY23 Other share: \$0 District share: \$0			
PROJECT INFORMATION					
Spring Information:		Medium	Benefitting spring: Rainbow Yes Benefitting spring is an OFS? Yes Project located within the BMAP? No Project located within the PFA? The spring is approximately <u>16.88</u> miles from the project location.		
Project Benefit:		Low	The benefit of this project will be the reduction of pollutant loads by an estimated 23 lbs/yr TN.		
Cost Effectiveness:		Low	The estimated cost for this project is \$ 1,094/lb of TN.		
Related Strategies:		High	Yes Project is listed in the BMAP list of projects or is anticipated to be listed in the BMAP in the next update? Yes Benefitting spring has an MFL? Yes Project is part of a specific water quality or water quantity improvement plan? <i>Project identified in the West Ocala Watershed Management Plan as a Best Management Practice project to decrease nutrient loading to the springs.</i>		
Local Match:		High	Percent match is: Greater than 25% <i>Notes:</i> The project includes a local match in the amount of \$377,380.50, which is 50% of the total project cost.		
Project Readiness:		Medium	Design is ongoing or will start before Dec 31 of the fiscal year funding is being requested <i>Notes:</i> The project is expected to begin in 2023 and end in 2023.		
OVERALL RANKING					
		Medium	This project is recommended to be forwarded to FDEP for FY2023 springs funding consideration.		
FUNDING					
Funding Source		Prior	FY2023	Future	Total
FDEP		\$ -	\$ 377,381	\$ -	\$ 377,381
Marion County		\$ -	\$ 377,381	\$ -	\$ 377,381
Total		\$ -	\$ 754,761	\$ -	\$ 754,761

Project No.	APP 08				
Florida Governmental Utility Authority		Chatmire Septic to Sewer			FY2023
Project Type:		Wastewater Collection & Treatment	Multiyear Contract:	Yes	
DESCRIPTION					
Description:		Construction of a sanitary sewer collection system which will remove from service a minimum of 117 existing septic tanks with the ability to service 93 undeveloped parcels existing in the City of Dunnellon. Connection fees are included in the funding request.			
Costs:		Total Project Cost: \$11,200,000 (construction) Applicant share: \$0 DEP request: \$1,500,000 Other share: \$0 District request: \$0.00			
PROJECT INFORMATION					
Spring Information:		High	Benefitting spring: Rainbow Yes Benefitting spring is an OFS? Yes Project located within the BMAP? Yes Project located within the PFA? The spring is approximately <u>2.5</u> miles from the project location.		
Project Benefit:		High	The benefit of this project will be the reduction of pollutant loads by an estimated 1068 lbs/yr TN.		
Cost Effectiveness:		Medium	The estimated cost for this project is \$350/lb of TN.		
Related Strategies:		High	Yes Project is listed in the BMAP list of projects or is anticipated to be listed in the BMAP in the next update? Yes Benefitting spring has an MFL? Yes Project is part of a specific water quality or water quantity improvement plan? <i>Notes:</i> Project R102 in BMAP Project List and Project LPS0020 in SWIM Plan.		
Local Match:		Low	Percent match is: None <i>Notes:</i> The project includes a local match in the amount of \$0 which is 0% of the total project cost.		
Project Readiness:		High	Construction is ongoing or will start before Dec 31 of the fiscal year funding is being requested. <i>Notes:</i> The project is expected to begin in 2023 and end in 2025.		
OVERALL RANKING					
		High	This project is recommended to be forwarded to FDEP for FY2023 springs funding consideration.		
FUNDING					
Funding Source		Prior	FY2023	Future	Total
FDEP		\$ 3,700,000	\$ 1,500,000	\$ 6,000,000	\$ 11,200,000
Total		\$ 3,700,000	\$ 1,500,000	\$ 6,000,000	\$ 11,200,000

Table 3
FY2023 FDEP Springs Funding Project Information

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
#	Lead Water Management District Name	WMD Project Manager Name, Phone and Email	Local Government	Local Government Contact Name, Phone and Email	Spring Name	Does the Spring have an Impairment?	If Spring does have a BMAP, list the BMAP Name.	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)?	If Project is in BMAP, list the BMAP Project Number and Name	Is the Project Listed in a Recovery/Prevention Strategy or Identified in a Regional Water Supply Plan as Benefiting an MFL?	If the Project is in a Regional Water Supply Plan, list the project Number and Name	Does this Project Have Water Quality Benefits?	N Reduced (lb/yr)	Sediment reduced (lb lb/yr)	Does this Project Have Water Quantity Benefits?	Quantity of Water Made Available (MGD)	Acres to be Acquired	State Funding Requested	Local Contribution	WMD Contribution	Third Party Contribution	Anticipated Start Date	Anticipated End Date	Is this a multi-year project?	Additional Information
1	SWFWMD	Brent White 352-796-7211 x4214 brent.white@watermatters.org	Florida Governmental Utility Authority	Rob Dickson 407-629-6900 rdickson@govmserv.com	Rainbow	BMAP or RAP	Rainbow Springs Basin	MFL - Meeting	Chatmire Septic to Sewer	Citrus	29.06	-82.45	Wastewater Collection & Treatment	Construction of a sanitary sewer collection system which will remove from service a minimum of 117 existing septic tanks with the ability to service 93 undeveloped parcels existing in the City of Dunnellon. Connection fees are included in the funding request.	Yes	R102	Yes	LPS0020 in SWIM Plan	Yes	1,068	0	No	0	0	\$ 1,500,000.00	\$ -	\$ -	\$ -	10/1/2022	10/1/2027	Yes	Ranking: High This project was selected for funding (LPS0020) and is reapplying for funding due to cost increases.
2	SWFWMD	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	City of Inverness	Cory Dilmore 352-726-2611 cdilmore@inverness-fl.com	Chassahowitzka-Homosassa	BMAP or RAP	Homosassa and Chassahowitzka Springs Groups	MFL - Meeting	South Highlands Septic to Sewer	Citrus	28.83	-82.33	Wastewater 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	No	No	695	0	No	0	0	\$ 2,613,600.00	\$ 653,400.00	\$ -	\$ -	1/1/2023	1/1/2025	Yes	Ranking: High This project was selected for funding in FY22 and both the city and DEP have requested to keep their application for consideration until the match that is required by the grant that they will be receiving is secured.
3	SWFWMD	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	Alachua Conservation Trust	Erica Hernandez 352-373-1078 erica@alachuaconservationtrust.org	Rainbow	BMAP or RAP	Rainbow Springs Basin	MFL - Meeting	GHC Farms, Inc.	Marion	29.47	-82.54	Land Acquisition	Less-than-fee simple acquisition of approximately 197 acres of intact sandhill natural community, hardwood forest, and non-irrigated pasture. The property is currently under contract for a conservation easement with the NRCS covering approximately 50% of the costs with the applicant as the easement holder. Project consists of one parcel owned by one entity and all required acquisition costs to complete transactions.	No		No	No	No	0	0	No	0	197	\$ 173,288.00	\$ 17,907.00	\$ -	\$ 156,000.00	9/18/2020	3/31/2023	No	Ranking: Medium A draft land management plan coordinated with the NRCS was submitted with the application.
4	SWFWMD	Josh Madden 352-796-7211 x4197 Josh.Madden@watermatters.org	Citrus County	Christina Malmberg 352-527-7616 christina.malmbeg@citrusbocc.com	Crystal River/Kings Bay	BMAP or RAP	Crystal River / Kings Bay Basin	MFL - Meeting	Imperial Gardens Plant Interconnection	Citrus	28.85	-82.58	Wastewater Collection & Treatment	Design, permitting, and construction of a lift station and approximately 1000 ft of wastewater force main and necessary appurtenances to remove and demolish an underperforming privately owned wastewater treatment facility. Funding is also requested for connection fees.	No		No	No	Yes	20	0	No	0	0	\$ 450,000.00	\$ -	\$ -	\$ -	10/1/2022	12/30/2024	No	Ranking: Medium
5	SWFWMD	Vivianna Bendixson 352-796-7211 x4230 Vivianna.Bendixson@watermatters.org	Marion County	Christine Vrabic 352-671-8686 x8365 Christine.Vrabic@marionfl.org	Rainbow	BMAP or RAP	Rainbow Springs Basin	MFL - Meeting	NW 44th Avenue Innovative Stormwater Retrofit	Citrus	29.22	-82.19	Stormwater	Construction of stormwater retrofit of existing retention pond by constructing a treatment cell with the Bold and Gold soil amendment developed by the University of Central Florida Stormwater Academy.	No, but intended to be incorporated in next BMAP Annual Update		Yes	Q207 in West Ocala Watershed Management Plan	Yes	9	0	No	0	0	\$ 377,381.00	\$ 377,381.00	\$ -	\$ -	2/27/2023	6/2/2023	No	Ranking: Medium
																										\$ 5,114,269.00		\$ 1,048,688.00	\$ -	\$ 156,000.00		

I. TOTAL PROJECT COST						II. Year 1 - Project Funding Breakout											II. Year 2 - Project Funding Breakout											III. Year 3 - Project Funding Breakout					III. Year 4 - Project Funding Breakout					III. Year 5 - Project Funding Breakout						
#	DEP/State Funding Amount	Local Contribution Amount	WMD Contribution Amount	Third Party Contribution	TOTAL Project Cost	DEP/State Funding Amount	Local Contribution-Cash	Local Contribution- In-kind Efforts	Local Contribution- Companion Projects	Local Contribution- Other	WMD Contribution- Cash	WMD Contribution- In-kind Efforts	WMD Contribution- Companion Projects	WMD Contribution- Other	Third Party Contribution	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	DEP/State Funding Amount	Local Contribution Amount	WMD Contribution Amount	Third Party Contribution	TOTAL Year 3 Funding	DEP/State Funding Amount	Local Contribution Amount	WMD Contribution Amount	Third Party Contribution	TOTAL Year 4 Funding	DEP/State Funding Amount	Local Contribution Amount	WMD Contribution Amount	Third Party Contribution	TOTAL Year 5 Funding		
1	\$7,500,000	\$-	\$-	\$-	\$7,500,000	\$1,500,000										\$1,500,000	\$1,500,000										\$1,500,000	\$1,500,000	\$1,500,000			\$1,500,000	\$1,500,000			\$1,500,000	\$1,500,000			\$1,500,000	\$1,500,000			\$1,500,000
2	\$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	\$2,672,000	\$668,000			\$3,340,000	\$4,128,800	\$1,032,200			\$5,161,000	\$2,988,800	\$747,200			\$3,736,000	
3																																												
4																																												
5																																												

CONSENT AGENDA**April 26, 2022****Resource Management Committee: Approve the Nichols Pond Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Sumter County (P283)***Purpose*

Request the Board's approval to use the Nichols Pond Watershed Management Plan (WMP) floodplain information for regulatory purposes and to update Flood Insurance Rate Maps (FIRMs) in Sumter County (County). The WMP evaluates the capacity of the watershed in achieving flood protection primarily through computer modeling. The watershed model and floodplain information have gone through the District's process that includes internal review and external peer review by experienced licensed professional engineers. The WMP floodplain information serves as the basis for updating the FIRMs for the Federal Emergency Management Agency (FEMA). The County may coordinate with FEMA to produce the preliminary FIRMs at a future date. This coordination may include additional public meetings to present the preliminary floodplain information, provide an opportunity for additional comments, and incorporate this information into FEMA's mapping specifications.

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for 90 watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2021-2025. Upon the Governing Board's approval, WMP floodplain information for these watersheds is used as best information available by the ERP program.

Floodplain information for the Nichols Pond watershed was prepared by an internal District team, reviewed by District staff who were not a part of the development team, and then reviewed by the District's independent peer review consultant, Wood Environment Infrastructure Solutions Inc. Floodplain information for the watershed was presented virtually for review and comment through a public engagement website hosted by the District. During the outreach period the website received more than 600 unique pageviews and thirty-eight residents submitted comments. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent most accurate floodplain information available for the watershed.

Staff Recommendation:

Approve use of the Nichols Pond Watershed Management Plan floodplain information for best information available by the District ERP program and to update Flood Insurance Rate Maps in Sumter County.

Presenter:

Terese Power, P.E., CFM, Engineering & Watershed Management Section Manager

This Page Intentionally Left Blank

CONSENT AGENDA**April 26, 2022****Resource Management Committee: FARMS – Budget Transfer for the Mini-FARMS Program (H529)***Purpose*

To request approval to transfer \$150,000 in Facilitating Agricultural Resource Management Systems (FARMS) Program funds (H017) to the Mini-FARMS fund (H529). The Governing Board approved budget for fiscal year 2022 provided \$250,000 for the Mini-FARMS Program. This funding has been fully allocated to projects and there is still additional interest in Mini-FARMS funding in FY2022.

Background History

The Mini-FARMS Program was started as a cost-share reimbursement program that assists smaller agricultural operations to conserve groundwater and protect water quality within the District's 16 counties. Founded in partnership with the Florida Department of Agriculture and Consumer Services (FDACS), the Mini-FARMS Program also provides an incentive for enrollment in the FDACS adopted agricultural Best Management Practices (BMPs) program. The Mini-FARMS Program reimburses growers for select agricultural practices that have water conservation potential and/or water quality improvement benefits. The District offers incentives up to 75% of total project cost, not to exceed \$8,000, towards eligible BMPs.

Benefits/Costs

The Mini-FARMS Program compliments the FARMS Program by assisting in the five FARMS goals: 1) Improve surface water quality which has been impacted by groundwater withdrawals, with priority given to projects located in Shell, Prairie, and Joshua Creek (SPJC) or Horse Creek watersheds; 2) Conserve, restore or augment the water resources and natural systems in the Upper Myakka River Watershed; 3) Reduce groundwater use in the Southern Water Use Caution Area; 4) Reduce groundwater use for Frost/Freeze Protection within the Dover/Plant City Water Use Caution Area; and 5) Reduce Upper Floridan aquifer groundwater use and implement nutrient reduction BMPs in the District. These goals are critical to the District's overall strategy to manage water resources. From 2007-2021 there have been 266 operational Mini-FARMS projects with a total project cost of \$1.59 million and an estimated offset of 1 mgd. This yields a cost benefit ratio of \$1.52 per thousand gallons saved for the required three-year maintenance period. So far in FY2022, 41 projects have been approved with a total project cost of \$363,492, and an estimated offset of 216,277 gpd yielding a cost benefit ratio of \$1.11 per thousand gallons saved. District staff recommend transferring \$150,000 from the Governing Board FARMS Fund to the Mini-FARMS Program fund to fund additional eligible Mini-FARMS projects in FY2022. If approved the Governing Board will have \$4,132,722 remaining in its FARMS Program budget.

Staff Recommendation:

Authorize the transfer of \$150,000 from fund 010 H017 Governing Board FARMS Fund to the H529 Mini-FARMS Program fund.

Presenter:

Matt Vinzant, Project Manager, FARMS Program

CONSENT AGENDA

April 26, 2022

Operations, Lands and Resource Monitoring Committee: Acceptance of Access Easement from Heron's Cove HOA for Access to ROMP-10 Well, SWF Parcel No. 20-020-178

Purpose

The purpose of this item is to recommend the Governing Board accept a donation of a perpetual easement (HOA Easement) from the Heron's Cove Home Owners Association (HOA) for use of the private road owned and maintained by the HOA to reach the existing access easement (Existing Easement) on the adjacent property. A general location map, site map and Easement are included as Exhibits 1, 2 and 3, respectively.

Background/History

In 1990 the District was granted the Existing Easement by Punta Gorda Isles, Inc. for access and installation of the ROMP 10 Data Collection Site. The Existing Easement was never cleared or used by the District, who instead used a private lot within the Heron's Cove subdivision to access the site in lieu of clearing the legal access. The private lot was subsequently sold last year and District Staff began evaluating costs and methods to clear the Existing Easement. While District Staff was conducting the evaluation, the Heron's Cove HOA approached the District about donating the HOA Easement in lieu of clearing the entire southerly portion of the Existing Easement due to HOA members' concerns about the clearing and removal of existing trees. District Staff then negotiated an agreement with the Heron's Cove HOA to include language leaving the southerly portion of the access in a natural state, which also eliminates the need to remove a large oak tree and relocate a gopher tortoise that was found during the cost evaluation completed by District staff.

Benefit/Costs

Acceptance of this donation will allow a portion of the Existing Easement to remain in a natural state, reduces the environmental impact to a sensitive area, and allows the District to immediately access and clear the remaining portion of the Existing Easement to reach the ROMP 10 well at this location. The District's transactional costs for this donation have been estimated to be less than \$2,000.

Deliverables

Grantor shall deliver executed Easement to the District for recording.

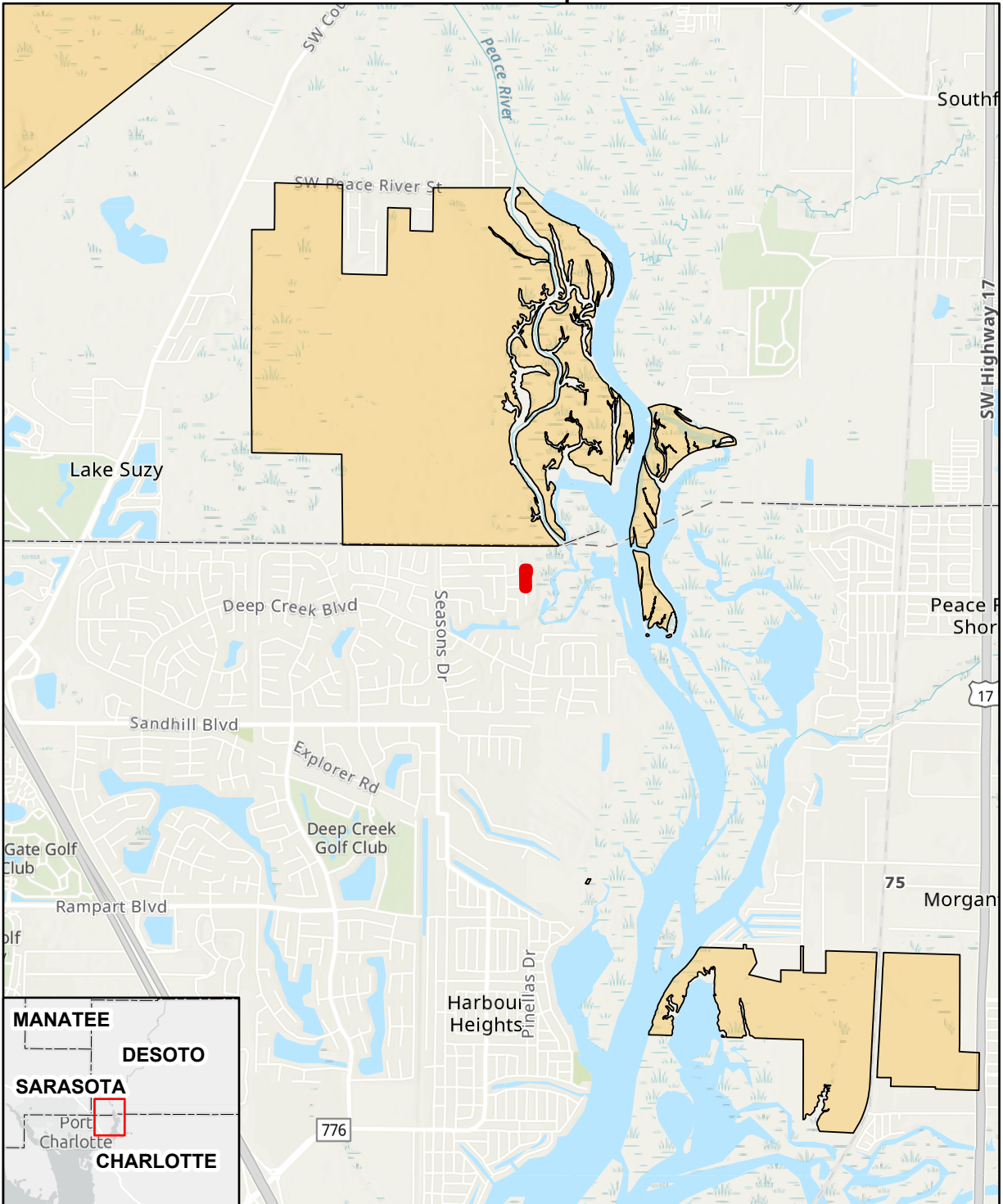
Staff Recommendation:

Approve, accept, and authorize the Executive Director to sign the HOA Easement on behalf of the District.

Presenter:

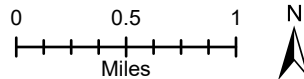
Ellen Morrison, Land Resources Bureau Chief

Exhibit 1
ROMP 10 - SWF Parcel No. 20-020-178
Location Map



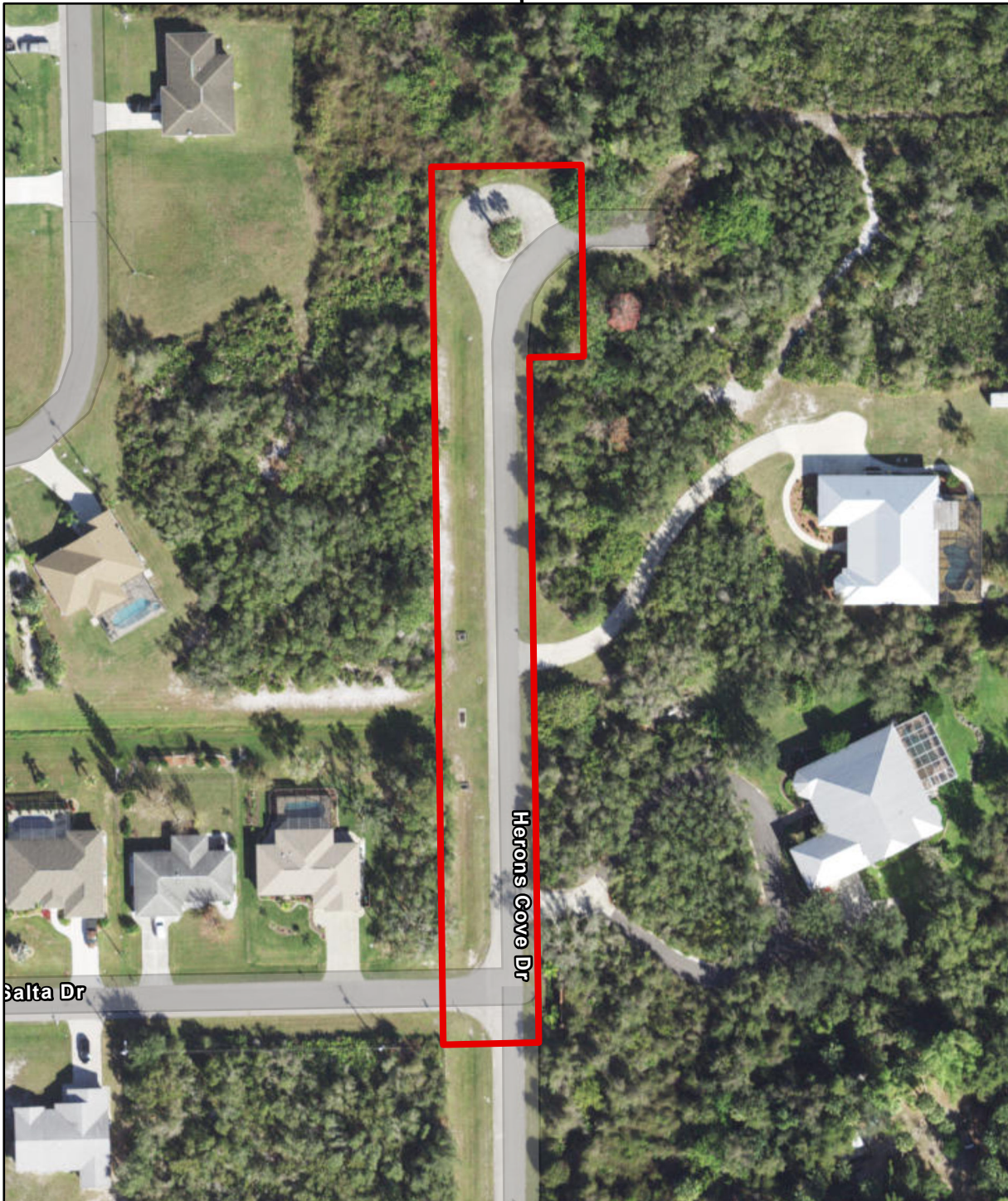
University of South Florida, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA, University of South Florida, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

- SWF Parcel No. 20-020-178
- District Owned Lands Fee Simple



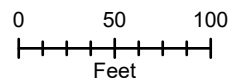
Southwest Florida
 Water Management District

Exhibit 2
ROMP 10 - SWF Parcel No. 20-020-178
Site Map



Esri Community Maps Contributors, University of South Florida, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, State of Florida, Maxar, Microsoft

- SWF Parcel No. 20-020-178
- District Owned Lands Fee Simple



Southwest Florida
Water Management District

This document prepared by:
Ernest W. Sturges, Jr., Esq.
Goldman, Tiseo & Sturges, P.A.
701 JC Center Court, Suite 3
Port Charlotte, Florida 33954
File No: 12573.001
SWF Parcel No.

NON-EXCLUSIVE EASEMENT AGREEMENT

THIS NON-EXCLUSIVE EASEMENT AGREEMENT (Easement Agreement), is entered into this _____ day of _____ 2022, by and between Heron's Cove Property Owners Association, having an address of c/o Palmer Property Management, Inc., 6210 Scott Street, Suite 214, Punta Gorda, Florida 33950, hereinafter referred to as the "Grantor," and the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "Grantee."

WITNESSETH:

That Grantor, for and in consideration of ten dollars and no cents (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, grants, bargains, sells, and conveys to Grantee a non-exclusive perpetual easement for ingress and egress at any time by the Grantee and its agents, employees, invitees, successors, and assigns upon, over, and across the lands situated in Charlotte County, Florida, as described in Exhibit "A" attached hereto (Easement), without further consent of Grantor, subject to the following terms and conditions:

1. **RESERVED RIGHTS:** The Grantor reserves the right to use the land encumbered by this Easement described herein for any purpose that will not interfere or conflict in any manner with use thereof by the Grantee for the foregoing purposes.
2. **LIABILITY:** To the extent permitted by law the Grantee agrees to indemnify and hold harmless the Grantor and all 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 costs and attorney fees and costs on appeal, caused or incurred, in whole or in part, as a result of any negligent act or omission by the Grantor, its agents, employees, invitees, successors, and assigns, or anyone for whose acts or omissions Grantee may be liable as a result of the Grantee's rights under the Easement. Nothing contained herein will be constitute a waiver of the Grantee's sovereign immunity under Section 768.28 Florida Statutes, or to extend the limits of liability or recovery under Section 768.28, Florida Statutes.
3. **VEGETATION REMOVAL:** As a material inducement for Grantor to enter into this Easement Agreement, Grantee agrees not to clear, remove, or otherwise disturb any vegetation located in that strip of land located within the adjacent forty feet (40') westerly to the right-of-way known as Heron's Cove lands described in Exhibit "A", without the express written consent of Grantor. A sketch of this area is attached hereto as Exhibit "B".

This, however, shall not prohibit Grantee from performing any invasive vegetation species management required within the aforementioned property.

4. **DAMAGES**: Grantee will be responsible for the repair of any damage caused by Grantee's use of the Easement. Upon written notice by Grantor to Grantee of any such damage, Grantee will promptly repair the damage at its sole expense within a reasonable time frame as specified by Grantor. The time frame specified by the Grantor will take into consideration the extent of the damage and the estimated time needed to complete the necessary repairs. If Grantee fails or refuses to make the required repairs, Grantor will have the right to make the repairs at Grantee's expense.
5. **BINDING EFFECT**: The terms, conditions, and provisions contained in this Easement Agreement will run with the land and apply to, bind, and inure to the benefit of the Grantor, Grantee, and their respective successors, legal representatives, and assigns.
6. **ATTORNEYS' FEES**: In connection with any litigation arising out of this Easement Agreement the prevailing party will be entitled to recover reasonable attorneys' fees and costs, including on appeal.
7. **GOVERNING LAW**: This Easement Agreement shall be governed by, construed, and interpreted in accordance with the laws of the State of Florida.
8. **VENUE**: Grantor and Grantee agree that venue for any dispute arising out of this Easement Agreement will be in the courts located in Charlotte County, Florida.
9. **ENTIRE AGREEMENT**: This Easement Agreement contains the entire understanding of the parties hereto and supersedes any prior agreement. Neither party will be bound by any terms, conditions, statements, or representations, oral or written, which are not contained in this Easement Agreement. The parties hereby acknowledge they have not been induced, persuaded, or motivated by any promise or representation made by the other party in entering into this Easement Agreement unless expressly set forth herein.
10. **SEVERABILITY**: The illegality, invalidity, or unenforceability of any provision of this Easement Agreement shall not affect the remainder of this Easement Agreement.
11. **TIME**: Time is of the essence of each provision of this Easement Agreement.
12. **AMENDMENT**: Except as otherwise provided herein, this Easement Agreement may not be amended, altered, or modified unless in a writing executed by both parties hereto.
13. **SECTION HEADINGS**: The section headings and captions in this Easement Agreement are intended for convenience only and will not be considered in construing or interpreting this Easement Agreement or any of its provisions.
14. **NOTICES**: Any notice required or permitted to be delivered hereunder will be deemed received when personally delivered or when mailed by United States Mail, postage prepaid, certified mail, return receipt requested, or overnight delivery, addressed as follows:

If intended for Grantor:
Heron's Cove Property Owners Association
c/o Palmer Property Management Inc.
6210 Scott Street, Suite 214
Punta Gorda, Florida 33950

If intended for Grantee:
Southwest Florida Water Management District
Attention: Assistant Bureau Chief, Operations, Lands and Resource Monitoring Division
2379 Broad Street
Brooksville, Florida 34604

(This space left intentionally blank)

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on the day and year first above written.

Signed, sealed and delivered
In the presence of:

HERON'S COVE PROPERTY OWNERS'
ASSOCIATION, INC.

Signature of Witness #1

(Typed/Printed Name of Witness #1)

BY: _____
TERESA PALMER, President

Signature of Witness #2

(Typed/Printed Name of Witness #2)

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization on this ____ day of _____, 20, by _____, who is personally known to me or has produced _____ as identification.

Notary Public

(Name of Notary typed, printed or stamped)
Commission No. _____
My Commission Expires _____

EXHIBIT “A”

Legal Description

COPY

EXHIBIT “B”

Sketch

COPY

CONSENT AGENDA**April 26, 2022****Operations, Lands and Resource Monitoring Committee: Donation of Utility Easement to TECO – Tampa Bypass Canal, SWF Parcel No. 13-001-752X***Purpose*

Recommend the Governing Board authorize a donation of a perpetual utility easement (Easement) interest for removal of existing overhead utility service and installation of underground utility lines to a structure located on a parcel of land owned by the District at the Tampa Bypass Canal. The easement is necessary for the removal of the existing overhead utility lines and installation and long-term maintenance of underground utility lines. A general location map, site map and Easement are included as Exhibit 1, 2 and 3 respectively.

Background/History

In 1972 the District became the local sponsor for the Tampa Bypass Canal (TBC) which was constructed by the United States Army Corps of Engineers. The TBC is used to route excess water around the cities of Temple Terrace and Tampa to help prevent flooding. Once constructed, the TBC was used for recreational purposes including use as a high-school rowing racecourse, and the District, the County, and the Tampa Bypass Canal Rowing Council (TBCRC) entered into an agreement for the management of rowing activities, events, and the development of a rowing shell boathouse (Boathouse) and floating boat docks to support rowing events. As part of the construction of the Boathouse, overhead electrical service was routed to the Boathouse.

TECO, along with many other power companies in Florida, has partnered with the State to construct underground powerlines statewide to reduce power outages in severe weather events via a program known as the Storm Secure Program, or Storm Protection Plan. While removal of the overhead powerlines and construction of the new underground service is state funded there is no compensation slated for the easement under this program.

Benefits/Costs

Installation of the new underground service will create management efficiencies such as removal of the existing poles for the overhead power service will allow for easier mowing and maintenance, create a better aesthetic appearance on the Tampa Bypass Canal, and improve electrical service to the Boathouse. There is no cost to the District other than staff time to process the donation of the easement.

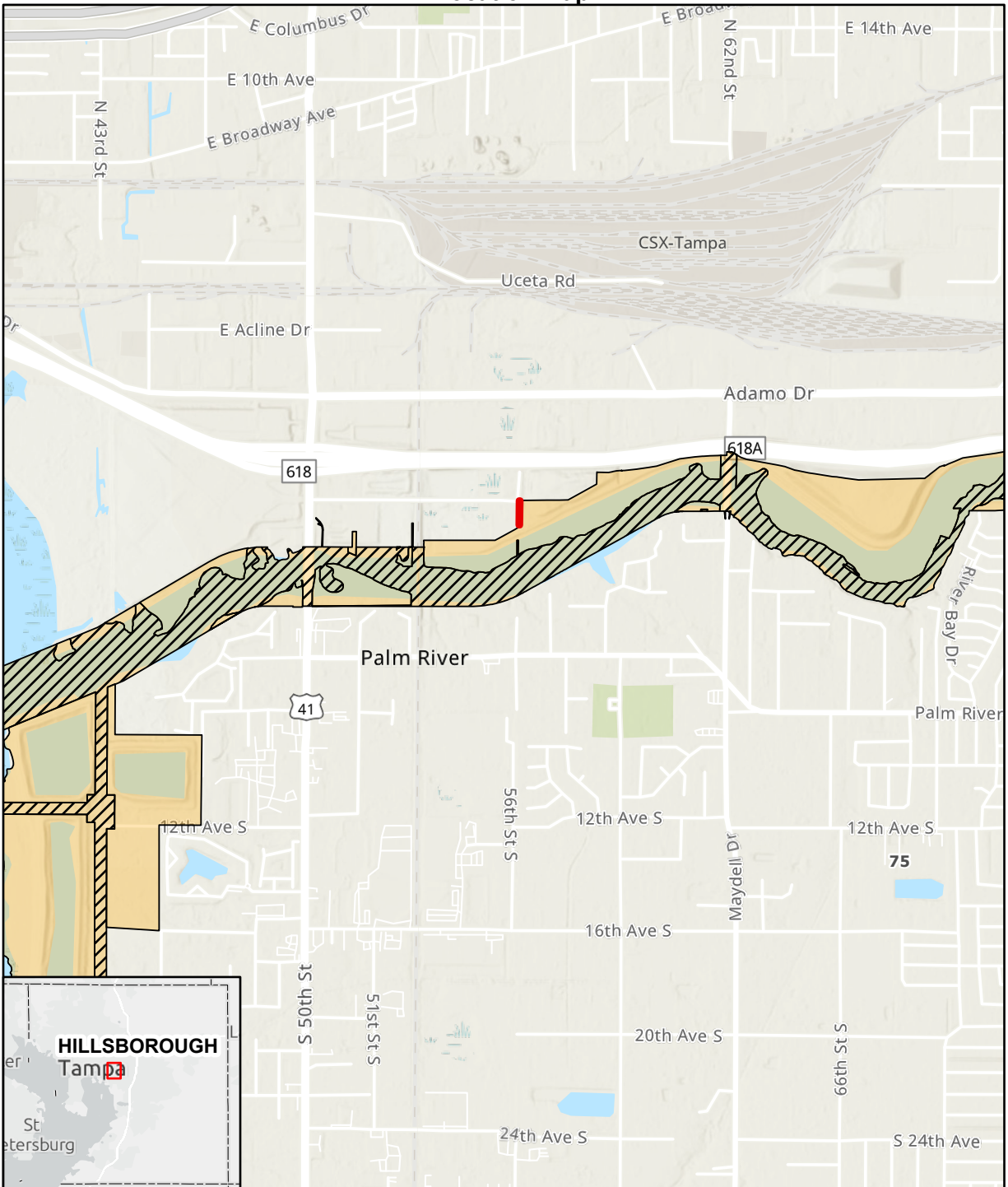
Staff Recommendation:

Approve, accept, and authorize the Executive Director to sign the Easement on the behalf of the District.

Presenter:

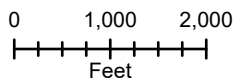
Ellen Morrison, Land Resources Bureau Chief

Exhibit 1
Tampa Bypass Canal
SWF Parcel No. 13-001-752X
Location Map



University of South Florida, City of Tampa, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Esri, NASA, NGA, USGS, FEMA, University of South Florida, City of Tampa, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

- SWF Parcel No. 13-001-752X
- District Owned Lands Fee Simple
- District Perpetual Easement



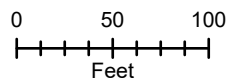
Southwest Florida
 Water Management District

**Exhibit 2
Tampa Bypass Canal
SWF Parcel No. 13-001-752X
Site Map**



Esri Community Maps Contributors, University of South Florida, City of Tampa, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, State of Florida, Maxar, Microsoft

- SWF Parcel No. 13-001-752X
- District Owned Lands Fee Simple



Southwest Florida
Water Management District

SEC. 22 TWP. 29S. RGE. 19E.
FOLIO/PARCEL ID NO. 160869-0000
W.O. NO. 2277425

PREPARED BY
AND RETURN TO:

Beth E. Rosebrooks
ORC Utility & Infrastructure Land Services
2202 N West Shore Blvd. Suite 200
Tampa, FL 33607

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Southwest Florida Water Management District, whose address is: 2379 Broad St, Brooksville, FL 34604, hereinafter called the "Grantor", in consideration of One Dollar and other valuable considerations paid to Grantor by **TAMPA ELECTRIC COMPANY**, a Florida corporation, P.O. Box 111, Tampa, Florida 33601 ("Company"), receipt whereof is hereby acknowledged, has given and granted unto the Company, its successors and assigns, a perpetual easement over and the right to enter upon the land in Hillsborough County, Florida, described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof ("Easement parcel")

together with the right of ingress and egress to and from the same, and all rights therein and all privileges thereon which are or may be necessary or convenient for the full use and enjoyment of such easement, which is for the purposes of placing, constructing, operating, maintaining, repairing, replacing on and removing from said land, installations described as follows:

Aboveground and underground lines of wires, cables, data transmission and communication facilities, supporting structures, and necessary appurtenances ("Facilities").

The aforesaid rights and privileges granted shall include the right and privilege to trim or remove any and all trees or shrubs upon said land, and the Company shall also have the right and privilege to trim or remove any and all trees or shrubs upon the Grantor's lands adjacent to said land, wherever the Company may deem it necessary or desirable to do so for the protection of said installations.

The Grantor may use said land for any purpose which will not interfere or conflict in any manner with the use of the same by the Company for the purposes enumerated above and which will not endanger any person or property, except that in no event shall any improvement or structure be installed or constructed thereon, grade changed, or water impounded thereon.

With respect to underground Facilities, Grantor acknowledges that under the "Underground Facility Damage Prevention and Safety Act" (ch. 556 Fla. Stat.), that Grantor is obligated to notify "Sunshine State One-Call of Florida, Inc." of its intent to engage in excavation or demolition prior to commencing any work, and Grantor may be held responsible for costs and expenses incurred due to damage of Company's Facilities in the event Grantor fails to so notify.

The Company agrees, at the sole expense of Grantor, to relocate its Facilities, over, under and upon subject parcel upon the request of Grantor, and the vacated portion of this easement being released and conveyed back to Grantor and the site of the relocated Facilities being conveyed and included in this easement grant as though it had been included ab initio.

The terms "Grantor" and "Company" herein employed shall be construed to include the words "heirs, executors, administrators and assigns" and "successors and assigns" of the respective parties hereto, wherever the context so admits or requires. This Grant of Easement constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. This Grant of Easement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought. This Grant of Easement shall be binding upon the parties hereto and their respective successors and assigns.

Grantor warrants to Company that it is duly formed, validly existing and in good standing under the laws of its state of formation, and Grantor has all requisite right, power, and authority to enter into this Easement, Grantor owns the Easement Parcel, and no consent of any other person is required to render this Easement a valid and binding instrument.

IN WITNESS WHEREOF, the Grantor has executed this Grant of Easement this __ day of _____, 20__.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF WITNESSES TO EXECUTION BY GRANTOR:

GRANTOR:

Signature

By: _____

Print or Type Name

Print name

Signature

Print or Type Name

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____ by means of ☐ physical presence or ☐ online notarization who is personally known to me or has produced _____ as identification.

Witness my hand and official seal the date aforesaid.

Notary Public, State of _____ at Large

Notary: Print or Type Name

My Commission Expires:

EXHIBIT "A"
(Legal Description)

The North 310.00 feet of the West 15.00 feet of a parcel of land identified as Folio Number 160869.0000 per Hillsborough County Property Appraiser, lying in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida. Said Parcel being more particularly described as follows:

Lot 4 of WELL'S C W Subdivision, as recorded in Plat Book 1, Page 96 of the Public Records of Hillsborough County, Florida.

COPY

CONSENT AGENDA

April 26, 2022

Regulation Committee: Water Use Permit No. 20007670.008 - 734 LMC Groves / 734 LMC Groves, LLC. - Polk County

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have increased from those previously permitted. The annual average quantity has increased from 906,400 gallons per day (gpd) to 1,021,100 gpd, and the peak month quantity has increased from 4,723,300 gpd to 5,337,000 gpd. The crop protection quantity remains unchanged at 22,865,500 gpd. The change in quantities is the result of adjustments to site specific modeling parameters to better reflect the Polk Ridge area soil conditions. The quantities are based on the District's water use calculation program, AGMOD, for 755 acres of ridge citrus using low volume spray.

This permit is located in the Southern Water Use Caution Area and the Central Florida Water Initiative area. The permit uses groundwater as alternative water sources are not currently available.

Special conditions include those that require the Permittee to report monthly meter readings, report quantities used for crop protection, perform meter accuracy checks every five years, submit annual crop reports, implement water conservation and best management practices, provide an update to the Conservation Plan at permit midterm, evaluate the feasibility of using reclaimed water upon request, modify the permit upon incorporation of alternative water sources, comply with the permitted quantities, provide an overpumpage report upon request, maintain an Annual Conservation Goal Implementation Plan (ACGIP), 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 W. Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 007670.008**

PERMIT ISSUE DATE: April 26, 2022

EXPIRATION DATE: April 26, 2032

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

TYPE OF APPLICATION: Renewal

GRANTED TO: 734 LMC Groves, LLC/Attn. Clayton Wilson
181 Hwy 630 East
Frostproof, FL 33843

PROJECT NAME: 734 LMC Groves

WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Polk

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)

ANNUAL AVERAGE	1,021,100 gpd
PEAK MONTH ¹	5,337,000 gpd
DROUGHT ANNUAL AVERAGE ²	1,316,100 gpd
CROP PROTECTION/MAXIMUM ³	22,865,500 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.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

ABSTRACT:

This is a renewal with modification of a permit for agricultural use. The total permitted annual average increases from 906,400 gallons per day (gpd) to 1,021,100 gpd, the drought annual average increases from 1,174,600 gpd to 1,316,100 gpd, and the peak month increases from 4,723,300 gpd to 5,337,000 gpd. The crop protection remains unchanged at 22,865,500 gpd. The increase is due to adjustment in allocation as calculated by the District's irrigation demand model AGMOD for irrigation of 755 acres of ridge citrus using low volume spray. The permit site does not use alternative water sources as none are currently available. The permit is located in the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative area.

Special conditions of the permit require the Permittee to meter and report pumpage on a monthly basis, report crops irrigated annually, implement a water conservation plan, investigate feasibility of using alternative water source when directed by the District, conduct meter accuracy testing every 5 years, develop and maintain an Annual Conservation Goal Implementation Plan (ACGIP), and be subject to 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>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	1,021,100	5,337,000	1,316,100	22,865,500

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>
Citrus	755.00	Low Volume Spray	18.20"/yr.	26.21"/yr.
Spray Mix For Crops				
Spray Mix For Crops				

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>	<u>CROP PROTECTION (gpd)</u>
BRIGGS / 1	12	970 / 597	Irrigation	108,700	559,700	3,888,000
STORY / 3	10	900 / 585	General Agricultural	5,000	6,000	N/A
3NW-200430 29 / 4	16	875 / 846	Irrigation	136,000	702,000	2,819,500
2NW-901096 / 5	16	780 / 170	Irrigation	102,700	528,600	2,819,500
2SE-901090 / 6	16	958 / 188	Irrigation	68,800	354,500	2,819,500
3SW-901202 / 7	12	580 / 198	Irrigation	136,000	702,000	2,448,000
BIK1-901217 / 8	12	580 / 225	Irrigation	102,700	528,600	2,160,000
3NE-901225 / 9	12	630 / 240	Irrigation	68,800	354,500	2,448,000
3SE-901198 / 10	12	905 / 344	Irrigation	102,700	528,600	2,448,000
BIK3-8"WELL / 11	8	100 / 60	General Agricultural	1,000	1,400	N/A
STORY NEW / 12	12	1,100 / 375	Irrigation	188,700	1,071,100	1,015,000

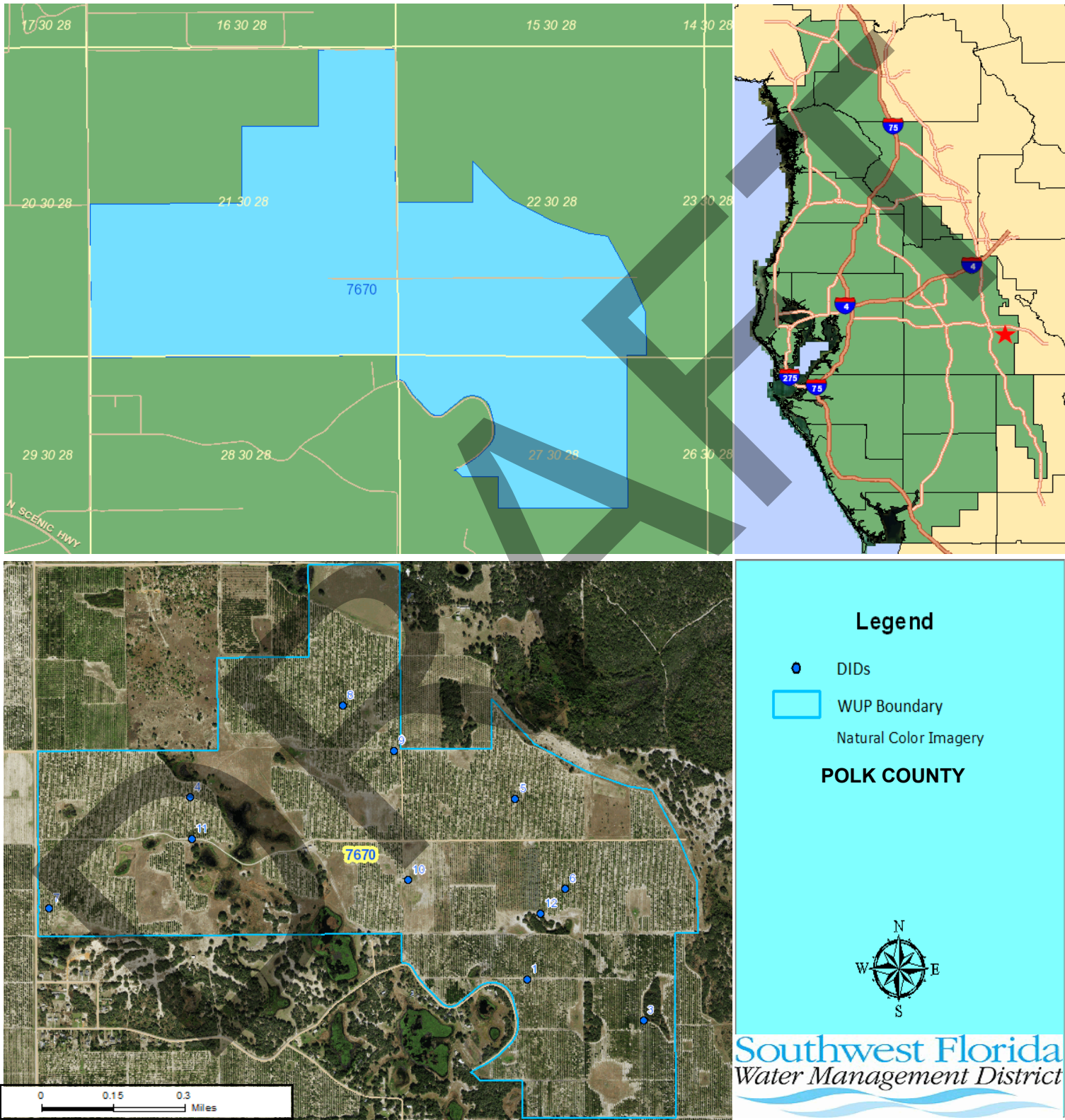
WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 50' 54.65"/81° 30' 32.83"
3	27° 50' 48.72"/81° 30' 14.04"
4	27° 51' 20.73"/81° 31' 27.26"
5	27° 51' 20.41"/81° 30' 34.63"
6	27° 51' 07.48"/81° 30' 26.62"
7	27° 51' 05.03"/81° 31' 50.05"
8	27° 51' 33.79"/81° 31' 02.44"
9	27° 51' 27.33"/81° 30' 54.16"
10	27° 51' 08.83"/81° 30' 52.05"
11	27° 51' 14.84"/81° 31' 27.00"
12	27° 51' 04.04"/81° 30' 30.62"

Location Map

734 LMC Groves, LLC/Attn. Clayton Wilson

WUP No. 20 007670.008



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 Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.
(1)
3. The permittee shall develop and maintain an Annual Conservation Goal Implementation Plan (ACGIP) pursuant to section 2.7 of the CFWI Supplemental Applicant's Handbook for Consumptive Use Permitting. The ACGIP shall outline conservation goals for no less than 5 years. Agricultural permittees implementing BMPs in lieu of an ACGIP must maintain documentation supporting the enrollment and implementation of selected BMPs. The permittee shall submit the ACGIP upon request by the District, during a 10-year compliance report, and with an application for permit renewal or modification except for a public water supply permittee with an annual average daily quantity of 100,000 gpd or greater and whose commercial use equals or exceeds 30 percent of its total water use, shall report its progress toward achieving the conservation goals within the ACGIP annually.(92)
4. The Permittee shall construct the proposed wells 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. 12, Permittee ID No. STORY NEW, having a surface diameter of 12 inches, with a minimum casing depth of 375 feet, drilled to an estimated total depth of 1,100 feet.
(240)

5. 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)
6. 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)
7. 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)
8. 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)
9. 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)
10. 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)

11. The Permittee shall immediately implement the District-approved water conservation plan 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 May 1, 2034.(449)
12. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. 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)

13. 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. 1, 4, 5, 6, 7, 8, 9, 10 and 12, Permittee ID Nos. BRIGGS, 3NW-20043029, 2NW-901906, 2SE-901090, 3SW-901202, BIK1-901217, 3NE-901225, 3SE-901198 AND STORY NEW:
 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)
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. 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)
16. 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)
17. 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)
18. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 12, Permittee ID No. STORY NEW. 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)
19. 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 Nos. 1, 4, 5, 6, 7, 8, 9, and 10, Permittee ID Nos. BRIGGS, 3NW-20043029, 2NW-901906, 2SE-901090, 3SW-901202, BIK1-901217, 3NE-901225 and 3SE-901198. 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)

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.

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.

CONSENT AGENDA

April 26, 2022

General Counsel's Report: Knowledge Management: Governing Board Policy Update - District Legal Services

The Office of General Counsel is responsible for periodically reviewing the Governing Board's policies concerning legal matters. The existing Governing Board policy, entitled "District Legal Services" (Policy), sets forth standards and procedures for utilizing legal services to represent and advise the Governing Board and the District. The Office of General Counsel conducted a review of the Policy and suggests minor changes to conform with the new District Knowledge Management format and update citations as needed.

The proposed formatting and citation revisions are illustrated in attached Exhibit A. The new proposed policy, which incorporates those changes, is attached as Exhibit B.

Staff Recommendation:

Approve the proposed changes to the Policy.

Presenter:

Elizabeth Fernandez, Assistant General Counsel

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Legal – District Legal Services

Document Owner: Office of General Counsel

Approved By: Board Chair

Effective Date: 04/26/2022

Supersedes: 09/24/2013

CONTENTS

PURPOSE	1
SCOPE	1
AUTHORITY	1
POLICY	1
DISTRIBUTION.....	2
REFERENCES	2
REVIEW PERIOD	2
DOCUMENT DETAILS	3
APPROVAL.....	3

PURPOSE

The purpose of this Governing Board Policy (“Policy”) is to set forth standards and procedures for utilizing legal services to represent and advise the Governing Board and the District.

SCOPE

This Policy applies to all District officers and employees.

AUTHORITY

Sections 373.079 and 373.083, Florida Statutes

POLICY

Prior to filing a lawsuit on behalf of the Governing Board or the District, the Governing Board shall be fully advised. Notwithstanding, the Executive Director, with the written concurrence of the General Counsel and the Governing Board Chair or, in the Chair's absence the Vice Chair, may cause a lawsuit to be filed, or enforcement action initiated (other than those contemplated in Board Policy **160-6**, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders, and **160-7**, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders Involving Water Use Permits) in advance of Governing Board approval if the Chair and the Executive Director find it necessary and in the best interest of the District. The General Counsel shall advise the Governing Board of such action and seek its concurrence no later than the next regularly scheduled Governing Board meeting. Suits against the Governing Board or the District shall be defended by the Office of General Counsel or referred to insurance counsel as appropriate without the necessity of obtaining prior Governing Board approval. The

GOVERNING BOARD POLICY

Title: Legal – District Legal Services

Effective Date: 04/26/2022

Page 2 of 3

General Counsel shall advise the Governing Board of such suits and any appeals taken no later than the next regularly scheduled Governing Board meeting.

For the hiring of outside counsel in the defense of litigation against the District, to initiate litigation on behalf of the District, or to provide a legal opinion, the following procedures shall apply:

- a) The General Counsel, in consultation with the Executive Director and the Governing Board Chair or, in the Chair's absence the Vice Chair, may procure consultant legal services necessary to adequately represent the Governing Board and the District.
- b) Fee arrangements for consultant legal services shall be set forth in writing and shall be procured in accordance with ~~Board Policy 150-1~~, Procurement Governing Board Policy, unless such provisions conflict with this policy.
- c) The General Counsel shall first ensure that the full capabilities of the Office of General Counsel are being utilized.

For the hiring of outside counsel to assist the General Counsel in the development of policy or agreements that would commit the District to long-term financial obligations or intergovernmental agreements, the following procedures shall apply:

- a) The General Counsel, in consultation with the Executive Director and the Governing Board Chair or, in the Chair's absence the Vice Chair, shall bring a list of three candidates for counsel to the Governing Board for discussion. The Governing Board shall select a candidate to provide representation for the specific matter and direct the General Counsel to contract with and oversee the representation provided by such counsel.
- b) Fee arrangements for consultant legal services shall be set forth in writing and shall be procured in accordance with ~~Board Policy 150-01~~, Procurement Governing Board Policy, unless such provisions conflict with this policy.
- c) The General Counsel shall first ensure that the full capabilities of the Office of General Counsel are being utilized.

DISTRIBUTION

This document will be stored in the Governing Document Repository.

REFERENCES

Board Policy ~~150-1~~, Procurement

Board Policy ~~160-6~~, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders

Board Policy ~~160-7~~, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders Involving Water Use Permits

REVIEW PERIOD

This Governing Document will be reviewed every two years.

DOCUMENT DETAILS

<u>Document Name</u>	<u>Legal – District</u> Legal Services
<u>Formerly Known As</u>	<u>N/A</u>
<u>Document Type</u>	<u>Policy</u>
<u>Author(s)</u>	<u>General Counsel</u>
<u>Reviewing Stakeholder(s)</u>	<u>Office of General Counsel, Governing Board</u>
<u>Document Owner Name</u>	<u>Chris Tumminia</u>
<u>Document Owner Title</u>	<u>General Counsel</u>
<u>Review Period (in days)</u>	<u>730</u>
<u>Span of Control</u>	<u>Governing Board</u>
<u>Supersedes Date</u>	<u>09/24/2013</u>
<u>Effective Date</u>	<u>04/26/2022</u>

APPROVAL

<u>Kelly Rice</u>	<u>Date</u>
<u>Chair</u>	

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Legal – District Legal Services

Document Owner: Office of General Counsel

Approved By: Board Chair

Effective Date: 04/26/2022

Supersedes: 09/24/2013

CONTENTS

PURPOSE	1
SCOPE	1
AUTHORITY	1
POLICY	1
DISTRIBUTION.....	2
REFERENCES	2
REVIEW PERIOD	2
DOCUMENT DETAILS	3
APPROVAL.....	3

PURPOSE

The purpose of this Governing Board Policy ("Policy") is to set forth standards and procedures for utilizing legal services to represent and advise the Governing Board and the District.

SCOPE

This Policy applies to all District officers and employees.

AUTHORITY

Sections 373.079 and 373.083, Florida Statutes

POLICY

Prior to filing a lawsuit on behalf of the Governing Board or the District, the Governing Board shall be fully advised. Notwithstanding, the Executive Director, with the written concurrence of the General Counsel and the Governing Board Chair or, in the Chair's absence the Vice Chair, may cause a lawsuit to be filed, or enforcement action initiated (other than those contemplated in Board Policy - Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders, and Board Policy - Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders Involving Water Use Permits) in advance of Governing Board approval if the Chair and the Executive Director find it necessary and in the best interest of the District. The General Counsel shall advise the Governing Board of such action and seek its concurrence no later than the next regularly scheduled Governing Board meeting. Suits against the Governing Board or the District shall be defended by the Office of General Counsel or referred to insurance counsel as appropriate without the necessity of obtaining prior Governing Board approval. The

GOVERNING BOARD POLICY

Title: Legal – District Legal Services

Effective Date: 04/26/2022

Page 2 of 3

General Counsel shall advise the Governing Board of such suits and any appeals taken no later than the next regularly scheduled Governing Board meeting.

For the hiring of outside counsel in the defense of litigation against the District, to initiate litigation on behalf of the District, or to provide a legal opinion, the following procedures shall apply:

- a) The General Counsel, in consultation with the Executive Director and the Governing Board Chair or, in the Chair's absence the Vice Chair, may procure consultant legal services necessary to adequately represent the Governing Board and the District.
- b) Fee arrangements for consultant legal services shall be set forth in writing and shall be procured in accordance with Procurement Governing Board Policy, unless such provisions conflict with this policy.
- c) The General Counsel shall first ensure that the full capabilities of the Office of General Counsel are being utilized.

For the hiring of outside counsel to assist the General Counsel in the development of policy or agreements that would commit the District to long-term financial obligations or intergovernmental agreements, the following procedures shall apply:

- a) The General Counsel, in consultation with the Executive Director and the Governing Board Chair or, in the Chair's absence the Vice Chair, shall bring a list of three candidates for counsel to the Governing Board for discussion. The Governing Board shall select a candidate to provide representation for the specific matter and direct the General Counsel to contract with and oversee the representation provided by such counsel.
- b) Fee arrangements for consultant legal services shall be set forth in writing and shall be procured in accordance with Procurement Governing Board Policy, unless such provisions conflict with this policy.
- c) The General Counsel shall first ensure that the full capabilities of the Office of General Counsel are being utilized.

DISTRIBUTION

This document will be stored in the Governing Document Repository.

REFERENCES

Board Policy - Procurement

Board Policy - Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders

Board Policy - Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders Involving Water Use Permits

REVIEW PERIOD

This Governing Document will be reviewed every two years.

DOCUMENT DETAILS

Document Name	Legal – District Legal Services
Formerly Known As	N/A
Document Type	Policy
Author(s)	General Counsel
Reviewing Stakeholder(s)	Office of General Counsel, Governing Board
Document Owner Name	Chris Tumminia
Document Owner Title	General Counsel
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	09/24/2013
Effective Date	04/26/2022

APPROVAL

Kelly Rice
Chair

Date

CONSENT AGENDA

April 26, 2022

General Counsel's Report: Authorization to Issue Administrative Complaint and Order - Well Construction Violations - Derek Langley, Langley Well Drilling and Pump Service, LLC - Unlicensed - CT Number 418074 - Citrus County

Derek Langley is an unlicensed water well contractor whose mailing address is 1000 South Line Rd., Lecanto, Florida 34461. Mr. Langley conducts business under Langley Well Drilling and Pump Service, LLC.

On October 15, 2021, District staff received a complaint regarding incomplete well construction at a residential property located at 5219 E. Tenison St., in Inverness (Property). On October 25, 2021, during an inspection by District staff, the Property owner identified Mr. Langley as the individual responsible for construction of the incomplete domestic water well. District staff also observed that the incomplete well had been buried below the ground and had not been capped or sealed in accordance with District rules. Through further investigation, District staff determined that no permits were obtained for the construction or abandonment of the well. Staff also determined that Mr. Langley is not licensed as a water well contractor in the State of Florida. The foregoing facts demonstrate violations of Section 373.323, Florida Statutes, as well as Rules 40D-3.041 and 62-532.500(5) of the Florida Administrative Code.

On February 22, 2022, the Office of General Counsel (OGC) issued a Notice of Violation, Notice to Cease and Desist, and proposed Consent Order to Mr. Langley that provided for \$6,000.00 in fines and required each well to be properly repaired or abandoned by a licensed water well contractor. Subsequently, OGC staff contacted Mr. Langley to discuss the Notice and Consent Order, and to inform him that formal enforcement action would be commenced if he failed to agree to the Consent Order. As of this date, Mr. Langley has not agreed to the Consent Order and has failed to respond to any additional communications from OGC to resolve this matter.

Staff Recommendation:

1. Authorize District staff to issue an Administrative Complaint and Order to Derek Langley 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.

Presenter:

Ryan M. Edmiston, Staff Attorney

CONSENT AGENDA**April 26, 2022****General Counsel's Report: Memorandum of Agreement Between the Southwest Florida Water Management District, the St. Johns River Water Management District, and the South Florida Water Management District - Coordinated Review of Permits Within Central Florida Water Initiative Area***Purpose*

The purpose of this item is to request Governing Board approval of a Memorandum of Agreement (MOA) between the Southwest Florida Water Management District (SWFWMD), the St. Johns River Water Management District (SJRWMD), and the South Florida Water Management District (SFWMD) (collectively, the Districts) providing for the procedural requirements of a coordinated review of permits within the Central Florida Water Initiative (CFWI) Area.

Background/History

The CFWI is a collaborative water supply planning effort among SWFWMD, SJRWMD, SFWMD, the Florida Department of Environmental Protection (FDEP), the Florida Department of Agriculture and Consumer Services (FDACS), regional utilities, business organizations, environmental groups, agricultural interests and other stakeholders. As set forth in the Central Florida Water Initiative Guiding Document of January 30, 2015, the initiative has developed a framework for a unified process to address the current and long-term water supply needs of Central Florida without causing harm to the water resources and associated natural systems. The CFWI Area includes all of Orange, Osceola, Polk and Seminole counties and southern Lake County. Each of the three water management districts share common boundaries within the CFWI Area.

Section 373.0465(2)(d), Florida Statutes, required the Department of Environmental Protection to adopt uniform rules for application within the CFWI Area for consumptive water use permitting. In June 2021, those rules became effective. These rules are codified at Chapter 62-41.300-305, Florida Administrative Code (F.A.C.), and the Central Florida Water Initiative Supplemental Applicant's Handbook. These rules are one component of a comprehensive joint water management strategy for regional water resource management that also includes regional water supply planning, alternative water supply project funding, and water resource investigations and analyses. These rules apply to consumptive use permit applicants in the CFWI Area.

Discussion

Rule 62-41.300(8), F.A.C., provides that "[t]he water management districts shall develop and execute a memorandum of agreement providing for the procedural requirements of a coordinated review of permits within the CFWI Area." The Districts propose to enter into the attached MOA for the purpose of meeting that requirement.

The MOA provides for enhanced coordination of permit applications that propose groundwater withdrawals from the Floridan aquifer greater than 1,000,000 gallons per day (mgd) on an annual average basis. The enhanced coordination procedures provide for notification, commenting, and modeling coordination between the districts. The geographic area to be considered for such enhanced coordination includes the CFWI Area and those areas within 10 miles of the boundary of the CFWI Area.

Coordination on these issues will be accomplished by a team of personnel from the districts, which will meet at least annually to review the progress of these efforts.

Staff Recommendation:

Approve the MOA providing for coordinated review of permits within the CFWI Area.

Presenter:

Christopher A. Tumminia, General Counsel

MEMORANDUM OF AGREEMENT BETWEEN
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT,
THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This Memorandum of Agreement (“MOA”) is entered into by and between the St. Johns River Water Management District (“SJRWMD”), the South Florida Water Management District (“SFWMD”), and the Southwest Florida Water Management District (“SWFWMD”), collectively referred to herein as the “Districts.”

WHEREAS, SJRWMD, SFWMD, and SWFWMD are legislatively created independent special districts with abutting geographic boundaries; and

WHEREAS, SJRWMD, SFWMD, and SWFWMD each implement a program for the issuance of permits authorizing the consumptive use of water (hereinafter referred to as “consumptive use permits,” “water use permits,” or “permits”) through Florida Administrative Code Chapters 40C-2, 40E-2, and 40D-2, respectively; and

WHEREAS, the Central Florida Water Initiative (“CFWI”) is a collaborative process for data collection, water resource assessments, water supply planning, and consumptive water use regulation involving the Department of Environmental Protection, SJRWMD, SFWMD, SWFWMD, the Department of Agriculture and Consumer Services, regional public water supply utilities, and other stakeholders; and

WHEREAS, Section 373.0465(2)(d), F.S., directs the Department of Environmental Protection to adopt uniform rules for issuing permits within the CFWI Area, as defined in Section 373.0465(2)(a), F.S.; and

WHEREAS, the Department of Environmental Protection has adopted Rules 62-41.300 through 62-41.305, F.A.C., to establish a uniform permitting process for the CFWI Area; and

WHEREAS, Rule 62-41.300(8), F.A.C., provides that “[t]he water management districts shall develop and execute a memorandum of agreement providing for the procedural requirements of a coordinated review of permits within the CFWI Area;” and

WHEREAS, the Districts have an existing Memorandum of Understanding, dated October 24, 2000, which provides for the coordination of various water management efforts in areas located near joint jurisdictional boundaries; and

WHEREAS, in light of the foregoing, the Districts acknowledge that the provisions of this MOA shall govern the coordinated review of permits within the CFWI Area.

NOW THEREFORE, the Districts agree as follows:

I. General Provisions

- a. Each District shall designate a primary point of contact for any coordination activity described in this MOA.
- b. The Districts shall meet in July of each year to re-assess this MOA. Any amendment or termination of this MOA shall be in writing and agreed to by each of the three Districts.
- c. The responsibility for the meeting arrangements shall be rotated annually amongst the Districts beginning with SWFWMD, followed by SJRWMD and SFWMD.
- d. Nothing herein shall be construed to conflict with any provision of Chapter 373, F.S., or any District rule. In the event of a conflict, the statute or rule shall prevail.
- e. The term "Geographic Area" for purposes of this MOA means the entire CFWI Area and any location within ten miles of the boundary of the CFWI Area.
- f. This MOA may be amended in writing by mutual agreement of the Districts. The Governing Boards of SJRWMD and SWFWMD herein delegate to their respective Executive Directors the authority to execute any and all amendments to this MOA.
- g. To the extent any provisions of this MOA conflict with the Memorandum of Understanding between SJRWMD, SFWMD and SWFWMD dated October 24, 2000, this MOA shall supersede.
- h. This MOA is not intended to create any third-party beneficiaries.

II. Regulatory Coordination

- a. Permit Application Review
 1. A coordinated review of permit applications with proposed withdrawal points located within the Geographic Area will be accomplished by staff members selected by each respective District. The names and contact information of the staff members should be circulated among the Districts to facilitate coordination.
 2. The Districts shall perform a coordinated review of permit applications located within the Geographic Area that propose groundwater withdrawals from the Floridan aquifer greater than 1,000,000 gallons per

day (mgd) on an annual average basis. The coordinated review of these permit applications shall include the following:

- i. Upon receipt of a request for a pre-application meeting, the reviewing District shall provide notice of the request to the other Districts. The reviewing District may coordinate a joint pre-application meeting if requested by the other District(s) or the applicant.
- ii. Upon receipt of a permit application, the reviewing District shall provide an electronic copy of the application and supporting technical information, including modeling data and results, together with the name, email address, and phone number of the reviewing hydrologist or staff contact person to the other Districts as soon as practicable.
- iii. The other Districts shall notify the reviewing District whether further coordination is required no later than 5 days following receipt of the application materials from the reviewing District. If the other District(s) request additional coordination, comments on the application shall be provided to the reviewing District no later than 10 days following receipt of the application materials from the reviewing District.
- iv. Comments shall indicate whether the other District(s) requests to receive copies of correspondence between the reviewing District and the applicant. If the other District(s) request to be copied on future correspondence, the reviewing District shall be notified of any additional comments as soon as practicable. The other District(s) should consider the reviewing District's response timeframes when providing any additional comments.
- v. The reviewing District should consider any comments received from the other Districts when requesting additional information and preparing the staff report or permit, as appropriate and consistent with the reviewing District's rules.
- vi. A copy of the Notice of Intended or Proposed Agency Action, whichever is appropriate to the reviewing District, should be provided to the other District(s) contemporaneously with its provision to the applicant.

b. Modification of Existing Permits

1. Section 1.2 of the CFWI Supplemental Applicant's Handbook requires the Districts to modify all applicable existing consumptive water use permits with withdrawal points within the CFWI Area. At a minimum, each permit must be modified to incorporate the applicable measures and conditions contained in the CFWI Supplemental Applicant's Handbook.
2. In order to promote efficient implementation of the CFWI uniform rules, the Districts agree to prioritize processing applications for renewal or modification of existing permits within the CFWI Area.
3. The Districts shall work collaboratively in implementing the permit modifications contemplated by section 1.2 of the CFWI Supplemental Applicant's Handbook. A status update on the progress of modifying existing permits and any changes to the plan shall be provided at the annual meeting described above.

III. Resource Assessment Coordination

- a. The CFWI Area continues to be an area of resource concern. Substantial technical work concerning groundwater availability in the CFWI Area has been performed, and ongoing water resource assessment efforts continue to generate new information.
- b. The Districts shall continue to work cooperatively toward the implementation and refinement of a single groundwater model for both planning and regulatory purposes within the CFWI Area. The Districts shall make the model and each iteration of the model documentation available to the public. The Districts shall also provide applicants with technical guidance for using the model.
- c. It is necessary for the Districts to continue coordinating joint hydrologic modeling efforts within the CFWI Area. Coordination and collaboration ensure consistency in model development, data sets, and results. In order to accomplish this goal, a team of staff members responsible for coordinating hydrologic modeling efforts shall be selected by each respective District. The names and contact information of the staff members should be circulated among the Districts to facilitate coordination. The team shall meet at least twice per year to identify planned improvements to the model, review progress on specific modeling efforts, and seek input from other District team members. This coordination is in addition to coordination that may be ongoing between respective District staff involved in other modeling efforts.

- d. Coordination will include development of a user interface tool, incorporation of additional data and regularly updating the permitted groundwater withdrawal database, as appropriate.
- e. The Districts shall perform a screening-level analysis on an annual basis to assess the cumulative effects of groundwater withdrawals on non-MFL waterbodies within the CFWI Area. Additional data analyses will be performed if the analysis predicts drawdowns of one foot or more in the Upper Floridan Aquifer (UFA) beneath a waterbody that is not hydraulically separated from the UFA by a low-permeability confining unit. Additional data analyses will include, but may not be limited to, using onsite and offsite monitoring data including water levels, rainfall, ecological assessments, land use factors, or other monitoring data as appropriate.

AGREED TO this _____ day of _____, 2022.

[SIGNATURES ON FOLLOWING PAGES]

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

By: _____
Rob Bradley, Chair

Attest: _____
J. Chris Peterson, Secretary

Date: _____

(SEAL)

Approved as to form and legality:

Mary Ellen Winkler, General Counsel

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Drew Bartlett
Executive Director

District Clerk/Secretary

Date:_____

(SEAL)

Legal Form Approved:

Savannah W. Middlebush
Attorney

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Kelly S. Rice, Chair

Date

Approved as to legal form and content

Christopher A. Tumminia, General
Counsel

(SEAL)

CONSENT AGENDA

April 26, 2022

General Counsel's Report: Interagency Agreement Between SJRWMD and SWFWMD - Designation of Regulatory Responsibility to Southwest Florida Water Management District - The Villages - Sumter and Lake Counties

The Villages is located in an area that crosses the jurisdictional boundaries of the Southwest Florida Water Management District ("SWFWMD") and the St. John's River Water Management District ("SJRWMD"). On January 21, 2022, The Villages requested that SWFWMD be the Environmental Resource Permit (ERP) reviewer for permit applications associated with property that straddles the boundary line between SWFWMD and SJRWMD ("Property") at the county line between Sumter and Lake Counties. Maps showing the property in question are attached hereto as Exhibits "A" and "B." Future development on the Property will continue the expansion of The Villages Age Restricted Development.

SWFWMD has previously issued multiple environmental resource permits to The Villages within Sumter and Lake Counties pursuant to the Interagency Agreement executed on January 25, 2005 between the SWFWMD and the SJRWMD for Designation of Regulatory Responsibility for The Villages District 9 and 10 Master Surface Water Management System in Lake County, the Interagency Agreement executed on January 28, 2014 between SWFWMD and SJRWMD for Designation of Regulatory Responsibility for Environmental Resource Permits for The Villages of Fruitland Park in Lake County, and the Interagency Agreement executed on August 1, 2019 for Designation of Regulatory Responsibility for Environmental Resource Permits for the Villages of West Lake in Lake County.

Section 373.046(6), Florida Statutes, authorizes water management districts to enter into interagency agreements to designate regulatory responsibility to another water management district for a project that crosses the jurisdictional boundaries of both districts. Water management districts typically consider regulatory efficiency and prior permitting history in determining which water management district is most appropriate to permit such projects. The interagency agreement designates the responsibility to receive, process, and take final agency action on all permit applications, and to take any compliance and enforcement action regarding a designated permit.

Both Districts agree that regulatory responsibility over the Property should be designated to SWFWMD. The SWFWMD has previously processed multiple permits for The Villages in Sumter and Lake Counties and designating SWFWMD with regulatory responsibility for the Property in Lake County would allow for more efficient processing of The Villages permit applications. Accordingly, an interagency agreement is attached hereto as Exhibit "C."

Staff Recommendation:

Approve the Interagency Agreement designating regulatory responsibility for the Property to the Southwest Florida Water Management District.

Presenter:

Christopher A. Tumminia, Deputy General Counsel

This Page Intentionally Left Blank

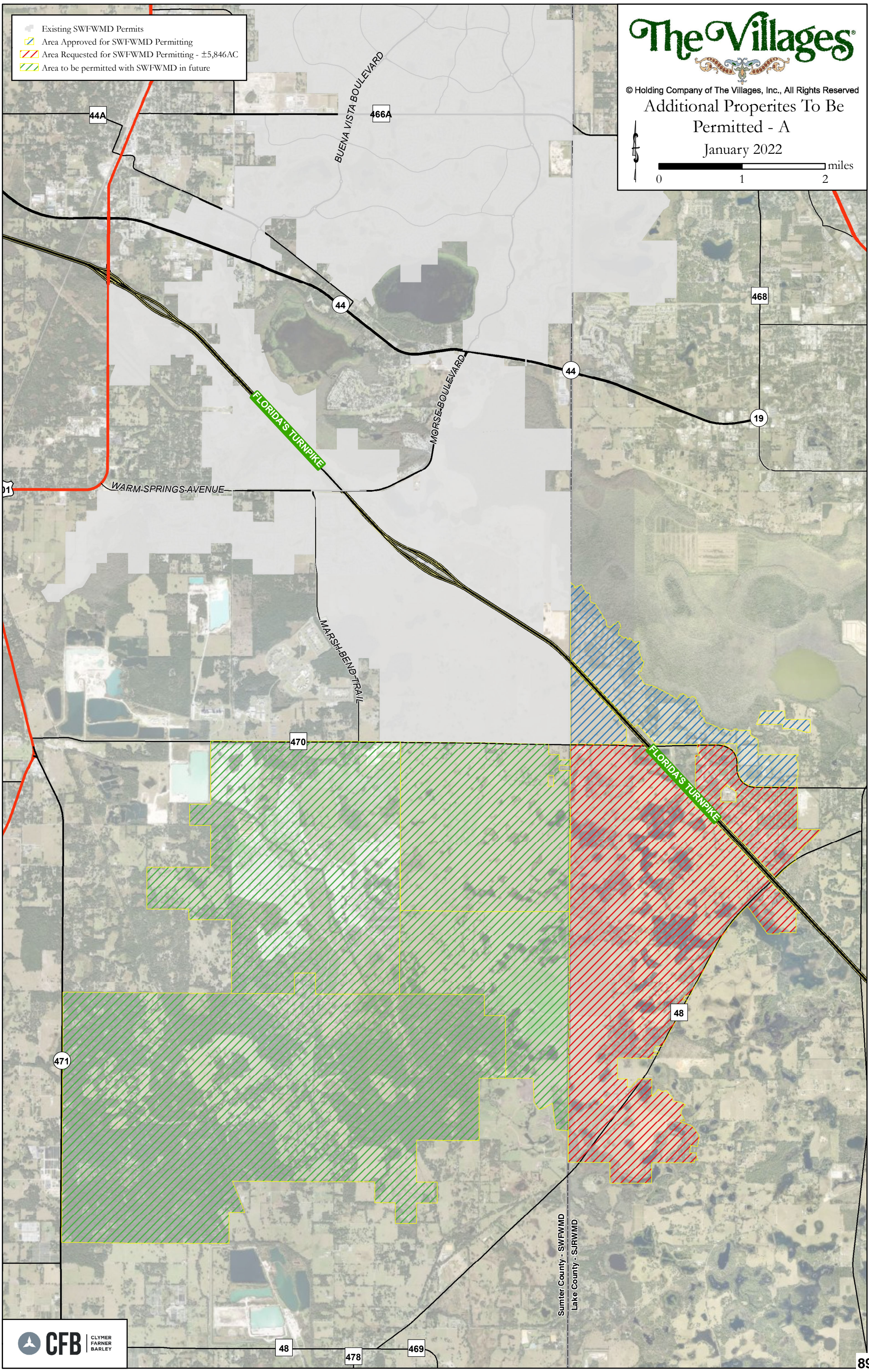
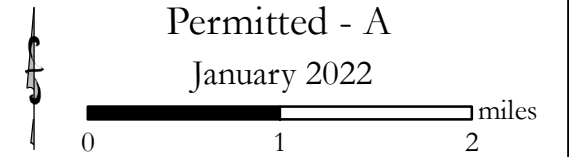
- Existing SWFWMD Permits
- Area Approved for SWFWMD Permitting
- Area Requested for SWFWMD Permitting - ±5,846AC
- Area to be permitted with SWFWMD in future



© Holding Company of The Villages, Inc., All Rights Reserved

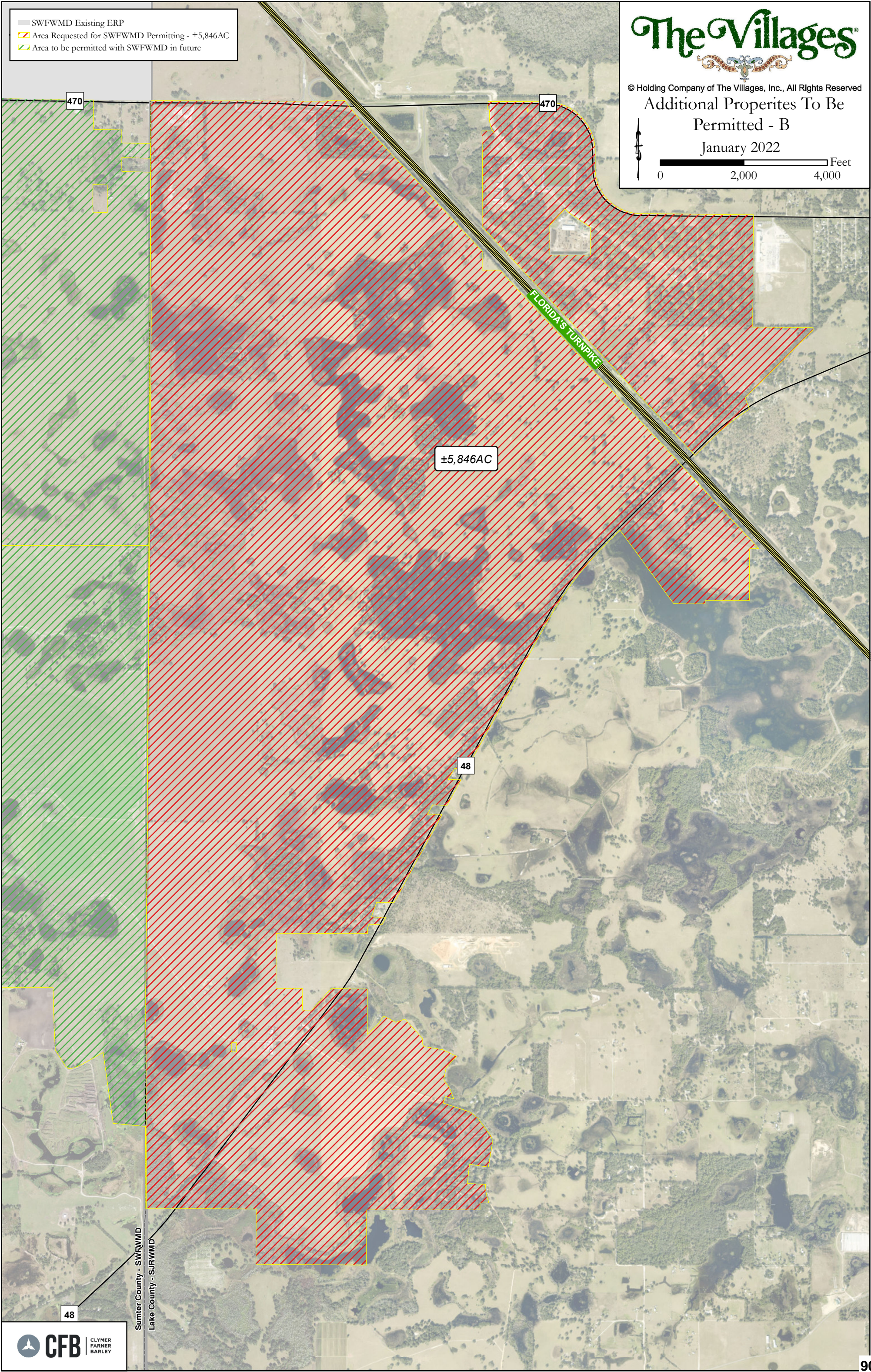
Additional Properites To Be Permitted - A

January 2022



SWFWMD Existing ERP
Area Requested for SWFWMD Permitting - ±5,846AC
Area to be permitted with SWFWMD in future

The Villages®
© Holding Company of The Villages, Inc., All Rights Reserved
Additional Properites To Be Permitted - B
January 2022
0 2,000 4,000 Feet



CONSENT AGENDA**April 26, 2022****General Counsel's Report: Governing Board Concurrence - Authorization to Intervene in Rule Challenge Administrative Hearing - Jacaranda at Central Park Master Association, Inc. v. South Florida Water Management District - Division of Administrative Hearings Case No. 22-0849RX**

Petitioner, Jacaranda at Central Park Master Association, Inc., initiated an administrative rule challenge against the South Florida Water Management District ("SFWMD"), involving requirements in the SFWMD Environmental Resource Permit ("ERP") Applicant's Handbook Volume II (the "Petition"). Specifically, the Petition challenges SFWMD's public safety factors for the design and permitting of stormwater ponds. The public safety factors in SFWMD's Applicant's Handbook include a presumption that the bank of a wet retention pond should not exceed a 4:1 (horizontal: vertical) slope. The Petition claims that the 4:1 slope design is not within SFWMD's legislatively delegated regulatory authority, is arbitrary, and is not the lowest cost regulatory alternative.

Section 373.4131, Florida Statutes, requires the Florida Department of Environmental Protection ("DEP") along with the State's water management districts to adopt ERP rules. In coordination with the water management districts, DEP developed the ERP Applicant's Handbooks to assist in the processing and review of ERP applications. SFWMD and SWFWMD share similarities in their respective Applicant's Handbooks in that both have provisions for the 4:1 side slope for wet retention ponds. Based on the similarities between SFWMD and SWFWMD's 4:1 side slope requirement, along with the collaborative nature of the development of the Applicant's Handbooks, DEP and the other water management districts have a substantial interest in the outcome of SFWMD's rule challenge. As a result, DEP, the Suwannee River Water Management District, and the St. Johns River Water Management District have intervened or have been authorized to intervene in the proceeding.

Pursuant to Governing Board Policy 160-1, District Legal Services, the Executive Director and Governing Board Chair may approve the initiation of legal action prior to Governing Board approval if such action is necessary and in the best interest of the District. Given the time sensitive nature of the rule challenge, motions to intervene must be filed prior to the next regularly scheduled meeting of the District's Governing Board. In order to protect the District's interest in the outcome of the proceeding, District staff obtained approval to intervene from the Executive Director and Governing Board Chair, and now seek the Governing Board's concurrence with that approval.

Staff Recommendation:

Concur with the approval to intervene in DOAH Case No. 22-0849RX and authorize the Office of General Counsel to defend the District's interests as needed.

Presenter:

Christopher A. Tumminia, General Counsel

CONSENT AGENDA

April 26, 2022

Executive Director's Report: Approve Governing Board Minutes - March 22, 2022

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING
TUESDAY, MARCH 22, 2022 - 9:00 AM
7601 US 301 NORTH, TAMPA, FLORIDA 33637
(813) 985-7481**

MINUTES

Board Members Present

Kelly Rice, Chair
Joel Schleicher, Vice Chair*
Ed Armstrong, Treasurer
Michelle Williamson, Secretary
Jack Bispham, Member
Seth Weightman, Member*
John Mitten, Member
Ashley Bell Barnett, Member*
William Hogarth, Member*
John E. Hall, Member

*attended via electronic media

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
John Campbell, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Barbara Matrone, Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., March 22, 2022, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair Rice called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Rice stated that 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 complete and submit a "Request to Speak" card. To assure that all participants have an opportunity to speak, members of the public may submit a Request to Speak card to comment on agenda items only during the meeting. If someone wishes to address the Board on an issue not on the agenda, a Request to Speak card may be submitted for comment during "Public Input." Chair Rice 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 topic designate a spokesperson.

Chair Rice introduced each member of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

1.2 Invocation and Pledge of Allegiance

Secretary Michelle Williamson led the invocation and the Pledge of Allegiance.

1.3 Employee Recognition

Chair Rice recognized staff who have reached at least 20 years of service. Brian S. Starford, Katherine L. Garcia, and Clifford J. Ondercin were recognized.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions, but item 3.1 was amended to recognize only Mr. Roger Germann. Mr. James Murphy regrets that he is unable to attend. His recognition will be presented at a future meeting.

Chair Rice stated there was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddes spoke against the use of reclaimed water.

Consent Agenda

Finance/Outreach and Planning Committee

2.1 Water Conservation Month

Staff recommended the Board approve and execute Resolution No. 22-05 declaring April 2022 as "Water Conservation Month."

Operations, Lands and Resource Monitoring Committee

**2.2 Sale of Easement to Duke Energy, Lake Henry Canal, SWF Parcel No. 20-005-117X
Operations, Lands and Resource Monitoring Committee**

Staff recommended the Board:

- Approve the conveyance of a no-cost, non-exclusive utility easement to Duke Energy.
- Authorize the Governing Board Chair and Secretary to execute the non-exclusive utility easement.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

**2.3 WUP No. 20006068.008 – Rolling Meadow / Rolling Meadow Ranch, Inc. (Polk County)
Regulation Committee**

Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report

2.4 Knowledge Management: Governing Board Policy Update - Defense of Civil Suits and Indemnification

Staff recommended the Board approve the proposed changes to the policy.

Executive Director's Report

2.5 Approve Governing Board Minutes - February 22, 2022

Staff recommended the Board approve minutes as presented.

Recognition of Former Governing Board Members

3.1.1 Recognition of Former Governing Board Members ~~James G. Murphy~~ and Roger Germann

Former Board Member Roger Germann was recognized for his service on the Governing Board.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (00:16:55)

Finance/Outreach and Planning Committee

Treasurer Ed Armstrong called the Committee to order. (Audio - 00:17:56)

4.1 Consent Item(s) Moved to Discussion - None

4.2 Legislative Update

Ms. Cara Martin, Government and Community Affairs Office Chief, provided a summary of the 2022 Legislative Session. She outlined the \$112.1 billion budget for Fiscal Year 2022-2023 that was passed by the legislature. Ms. Martin stated this was the largest budget in the state's history due to higher-than-expected state tax collection and funds received from the federal government. She reminded the Board that the Governor has 15 days to take action on the budget once he receives it. She highlighted the major budget items which included an overview of the funding allocated for the Florida Department of Environmental Protection. This portion of the budget totaled \$4.2 billion. Ms. Martin specifically addressed funding projects that will benefit the District. She addressed bills that both passed and failed to pass that were being monitored by the District.

Ms. Martin stated three Governing Board Members were successfully confirmed by the Senate

This was for information only. No action was required.

4.3 Budget Transfer Report

Resource Management Committee

Board Member Jack Bispham called the Committee to order. (Audio – (00:27:36)

5.1 Consent Item(s) Moved to Discussion - None

5.2 South Hillsborough Aquifer Recharge Program (SHARP) Phase 2 (N855) - Scope and Cost Change

Ms. Jennette Seachrist, Resource Management Director, provided information regarding the SHARP project scope and cost changes. She stated the total project cost is not changed but the District's share has been reduced. Ms. Seachrist provided historical information and provided an overview of the SHARP project outlining the phases of the project and the associated benefits. She stated the original proposed District funding has changed from \$4.85 million to \$4.8 million.

She stated the third-party review (TPR) is being removed because the recharge wells have been constructed. Ms. Seachrist recommended that the District perform an

Independent Performance Evaluation (IPE) for both wells. The County has agreed to assume 100 percent of the costs associated with this District-led IPE. The District will be responsible for selecting and hiring the consultant and leading the review process for each well site. Critical information will be gleaned for furthering the science of aquifer recharge and, potentially, indirect potable reuse within the area. With this recommendation, the Board would not be obligated to fund design, permitting, construction or testing. Following the IPE, staff would present the results and a funding recommendation to the Board. Ms. Seachrist stated that an agreement for Phase 3 has not been executed. Hillsborough County said it intends to move forward with construction on Phase 3 prior to an executed agreement with the District. Ms. Seachrist said she informed Hillsborough County that District staff would not recommend funding for any Phase 3 construction done prior to an executed agreement with the District. Staff recommended the Board approve the changes for the South Hillsborough Aquifer Recharge Program (SHARP) Phase 2 project (N855) to include:

1. Removing all references to third-party reviews.
2. Adding the IPEs of all available design, water use permitting impact evaluations, permitting, construction, and testing for each well site to be led by the District with the County responsible for 100% of the cost.
3. Decrease the total District share of the project cost from \$4,850,000 to \$4,800,000.

Board Member John Hall expressed concerns regarding approving the project prior to the IPEs for the wells being completed.

Board Member Ed Armstrong expressed support for the staff recommendation.

Secretary Michelle Williamson made a motion to approve staff's recommendation with the addition of putting Phase 3 on hold until the requirements for Phase 2 have been completed. (Audio – 00:37:57)

Board Member Hall requested clarification as to whether the motion included approval to fund Phase 2 prior to the IPEs for both wells being completed.

Secretary Williamson clarified her motion is to approve staff's recommendation, with the addition of the following: (4) requiring Board approval of the IPEs for both Phase 2 wells prior to moving forward with funding for Phase 2, and (5) requiring Board approval of the IPEs for both Phase 2 wells prior to moving forward with funding for Phase 3. (Audio 00:39:55)

Secretary Williamson's motion was seconded by Board Member Hall. (Audio - 00:39:58)

Ms. Seachrist clarified that staff's recommendation does not include obligation of any funding for design, permitting, construction, or testing. She stated that staff would likely bring back the IPE on RW-2 during the summer of 2022 along with a funding recommendation based on those results. She also stated that the IPE for the second well is not anticipated to be completed until the summer of 2023, and a recommendation for further funding would be brought back to the Board in the fall.

Mr. Tumminia clarified Ms. Williamson's motion.

Board Member Bispham asked a question regarding Phase 1 of the project. Ms. Seachrist stated that Phase 1 has been completed. She stated that \$4.85 million for Phase 2 is included in the District's budget. She also stated that funding for Phase 3 has been included in the District's budget and the County has requested additional funding for FY 23.

Mr. Weightman asked for clarification.

Ms. Williamson clarified her motion is to approve staff's recommendation, with the addition of the following: (4) requiring Board approval of the IPEs for both Phase 2 wells prior to reimbursing the County for costs associated with Phase 2, and (5) requiring Board approval of the IPEs for both Phase 2 wells prior to moving forward with funding for Phase 3. (Audio – 00:45:05)

Board Member John Mitten restated his understanding of Secretary Williamson's motion. Ms. Seachrist responded affirmatively.

Board Member Bispham asked about the timeline associated with the TPR communication between the District and the County. Ms. Seachrist responded that the District made it clear to the County that a TPR was required.

Board Member Joel Schleicher expressed concern about how Hillsborough County handled the project but expressed support for Secretary Williamson's motion.

Board Member Ashley Bell-Barnett supported the concerns expressed by the Board.

Board Member Mitten asked to hear from the County. Mr. George Cassidy, assistant county administrator for public utilities, representing Hillsborough County, stated the County project manager dropped the ball and accepted responsibility for the oversight. He invited the District to audit what was done and stated that if savings are found they can be deducted from the funding.

Board Member Mitten asked whether the County would ask for the same type of arrangement for Phase 3 and move forward with construction and IPEs prior to requesting reimbursement for Phase 3 costs.

Mr. Cassidy supported the request for IPEs on Phase 3.

Mr. Hall withdrew his second of the motion (Audio - 00:59:00)

Secretary Williamson made a motion to approve staff's recommendation with the addition of the following: (4) requiring Board approval of the IPEs for both Phase 2 wells prior to reimbursing the County for costs associated with Phase 2, and (5) requiring Board approval of the IPEs for both Phase 2 wells prior to including funding for Phase 3 in the District's FY 23 budget. (Audio – 00:59:41)

Mr. Brian Armstrong, Executive Director, assisted with verbiage to support the motion.

Treasurer Armstrong seconded the motion. (Audio 1:03:44)

Chair Rice asked Secretary Williamson if she concurred with the verbiage for the motion. Secretary Williamson responded in the affirmative.

Board Member Hall asked the County a question regarding the timeline for the project. Mr. Cassidy responded that the IPEs for Phase 2 could be completed in a few months and that the Phase 3 program is currently moving forward. Ms. Seachrist stated that Phase 3 has a third-party review requirement, and the County will likely proceed with construction of the Phase 3 well prior to completing a third-party review.

Chair Rice restated Secretary Williamson's motion. Ms. Seachrist clarified that the District will be leading the IPEs, and the IPE for the first well could be completed in two to three months. Ms. Seachrist stated that IPE for the second well would not be brought back to the Board for approval until next year.

Board Member Mitten concurred with Ms. Seachrist's remarks.

Board Member Bispham expressed that he would not support the motion and requested a vote on the motion.

The motion passed with eight in favor and two opposed. (Audio – 01:15:50)

5.3 Cooperative Funding Initiative Options

Mr. Scott Letasi, Engineering and Project Management Bureau Chief, provided historical information on the Cooperative Funding Initiatives (CFI). He outlined the three main challenges associated with the CFI process. Mr. Letasi stated the challenges included cooperator applications, third-party reviews and costs increases and provided an overview of each. He outlined the proposed recommendations that will affect applications for the upcoming FY24 cycle. This included eliminating District led Third-Party Reviews (TPRs), requiring cooperators to submit at least preliminary level design for all construction projects, requiring a cooperator led TPR for construction projects greater than \$5M, allowing design and TPR costs up to 10% of total project cost (after construction commences) to be used as cooperator match, and lastly eliminating budgeting or reimbursement for project cost increases. The intent of these recommendations is to gain consistency and provide better cost assurances. Mr. Letasi stated that with these changes, there will be better project certainty, more accountability for cooperators, and processes that reduce project delays.

Mr. Letasi stated that these recommendations will require CFI guideline updates and likely a CFI Policy update prior to the initiation of the FY24 funding cycle. Staff will continue to evaluate cost effectiveness metrics for the different project types, adjust the CFI scoring system and update the CFI overview document to explain the evaluation process and evaluation forms. Staff will be conducting outreach with cooperators to discuss these proposed changes for FY24.

This item was for information only. No action was required.

Operations, Lands and Resource Monitoring Committee

Board Member Jack Bispham called the Committee to order. (Audio – 01:33:36)

6.1 Consent Item(s) Moved to Discussion – None

6.2 Purchase of Conservation Easement, Lake Panasoffkee Project, Hamilton Ranch, SWF Parcel No. 19-528-158C

Ms. Ellen Morrison, Land Resources Bureau Chief, provided information explaining the request to purchase the conservation easement. This included location maps, the areas of responsibility associated with the Governing Board land acquisition policy, an overview of the property and details of the proposed purchase costs. Ms. Morrison responded to questions.

Staff recommended the Board:

- Accept the appraisals for the conservation easement.
- Approve the Purchase and Sale Agreement and authorize the Executive Director or Designee to sign on behalf of the District.
- Approve and adopt resolution 22-06 requesting funds from the Florida Forever Trust Fund.
- Authorize the Chair and Secretary to execute the conservation easement on behalf of the District.
- Designate SWF Parcel No. 19-528-158C as having been acquired for conservation purposes.
- Authorize staff to make minor changes or corrections that conform documents to correct scrivener errors in accordance with the approved terms; any substantive changes will be subject to Governing Board review and approval.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:40:55)

Regulation Committee

Chair Kelly Rice called the Committee to order. (Audio – 01:43:48)

7.1 Consent Item(s) Moved to Discussion - None

7.2 Denials Referred to the Governing Board

No denials were presented.

General Counsel's Report

8.1 Consent Item(s) Moved to Discussion - None

Mr. Chris Tumminia, General Counsel, informed the Board of a Petition for Administrative Hearing received on February 28 from the Lakes Region Lakes Management District in Polk County. The petition referenced the denial of exemption request for the Juanita Restoration project. The petition has been referred to the Division of Administrative Hearings for formal administrative proceedings.

Committee/Liaison Reports

9.1 Industrial Advisory Committee

A written summary of the February 4 field trip was provided.

9.2 Public Supply Advisory Committee

A written summary of the February 11 field trip was provided.

Executive Director's Report

10.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, informed the Board that the Polk Regional Water Cooperative (PRWC) revised implementation agreements were approved at the PRWC Board meeting. He outlined the ten additional project partners that have signed on to the agreement which totals 93 percent of the public water supply demand in the Polk County. Mr. Armstrong stated that the revised implementation agreements also addressed the remaining issues with which the District had concerns.

Chair's Report

11.1 Chair's Report

Chair Rice stated the next meeting is scheduled for April 26 in the Brooksville office. He also provided the dates for the upcoming Cooperative Funding Initiative meetings in April.

11.2 Employee Milestones

Chair Rice recognized staff member Scott Kinel for his milestone with the District.

Adjournment

The meeting adjourned at 10:50 a.m.

Governing Board Meeting

April 26, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

3.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	101
3.2	Discussion: Action Item: Investment Strategy Quarterly Update	102
3.3	Discussion: Action Item: Salary Requests to Address Inflation, Staff Recruitment and Retention	113
3.4	Submit & File: Information Item: Budget Transfer Report	115
3.5	Submit & File: Information Item: Office of Inspector General – January 1, 2022 to March 31, 2022 Quarterly Update	117

FINANCE/OUTREACH AND PLANNING COMMITTEE

April 26, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

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

Presenter:

Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH AND PLANNING COMMITTEE

April 26, 2022

Discussion: Action Item: Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

In accordance with Board Policy, Investments, a quarterly investment report 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, 2022.

Presenter:

John F. Grady III, Managing Director, Public Trust Advisors, LLC

Quarterly Investment Report for Period Ended March 31, 2022

Southwest Florida
Water Management District



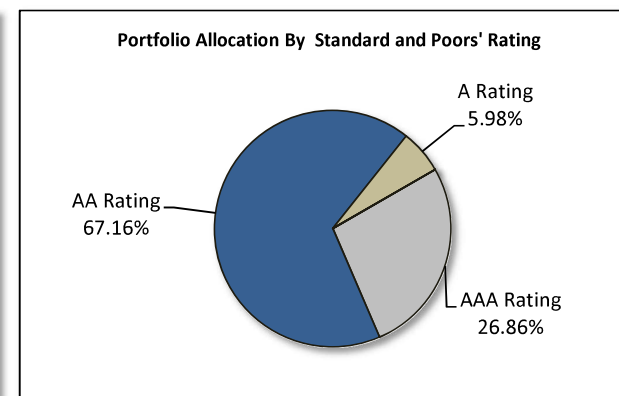
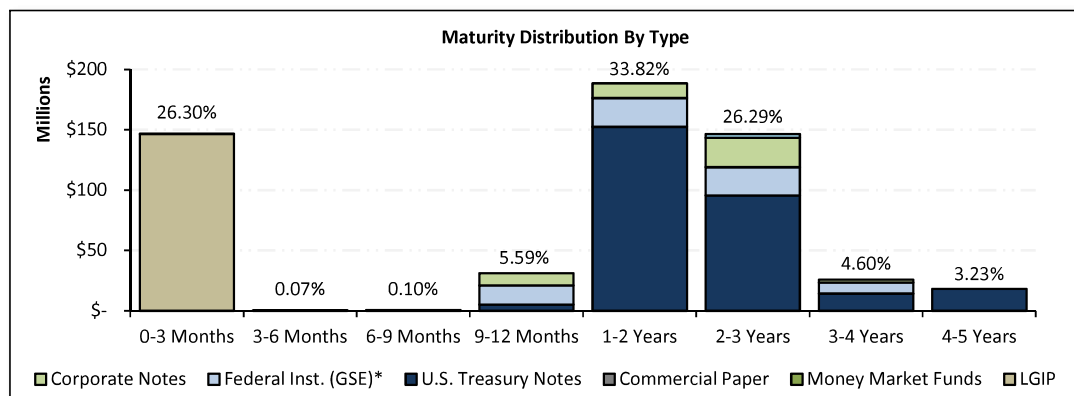
Southwest Florida Water Management District Investment Program Review
2379 Broad Street
Brooksville, FL 34604-6899

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, 2022 to March 31, 2022

Southwest Florida Water Management District All Assets Portfolio	January 1, 2022 Beginning Balance	March 31, 2022 Ending Balance	Portfolio Characteristic	January 1, 2022 Beginning Balance	March 31, 2022 Ending Balance
Book Value Plus Accrued	\$ 569,871,707	\$ 569,308,329	Weighted Book Yield	0.59%	0.69%
Net Unrealized Gain/Loss	(951,535)	(11,954,038)	Weighted Duration	1.53 Years	1.47 Years
Net Pending Transactions	5	18			
Market Value Plus Accrued Net	\$ 568,920,177	\$ 557,354,309			

Individual Portfolio Characteristics	January 1, 2022 Beginning Balance	March 31, 2022 Ending Balance	March 31, 2022 Monthly Earnings	March 31, 2022 Quarterly Earnings	March 31, 2022 YTD Earnings
Liquid Portfolio (SBA-Florida Prime)	\$ 147,497,572	\$ 146,485,839	\$ 36,883	\$ 73,767	\$ 100,229
Short Term 1-3 Year	312,805,347	305,726,633	(131,509)	286,488	937,965
Medium Term 1-5 Year	108,617,258	105,141,837	61,482	144,410	400,244
Market Value Plus Accrued Net	\$ 568,920,177	\$ 557,354,309	\$ (33,144)	\$ 504,665	\$ 1,438,438
		Less Advisory Fees:	\$ (10,418)	\$ (30,396)	\$ (61,761)
		Total Earnings Net of Fees	\$ (43,562)	\$ 474,269	\$ 1,376,677
		Blended Basis Fee (Annualized)	0.02196%	0.02136%	0.02170%



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

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
CASH								0.00%			
Receivable CCYUSD 0.00%	03/31/22 03/31/22 0.00	-- --	18.23	\$18.23 \$18.23	\$18.23 1.00	\$18.23 \$0.00	\$0.00	0.00%	N --	0.00% -- --	AAA Aaa
CASH TOTAL	03/31/22 03/31/22 0.00	-- --	18.23	\$18.23 \$18.23	\$18.23 1.00	\$18.23 \$0.00	\$0.00	0.00%	N --	0.00% -- --	AAA Aaa
MMFUND								0.00%			
FEDERATED HRMS GV O INST 60934N104 0.15%	03/31/22 03/31/22 0.00	-- --	118,971.24	\$118,971.24 \$118,971.24	\$118,971.24 1.00	\$118,971.24 \$0.00	\$0.00	0.03%	N --	0.15% -- --	AAAm Aaa
MMFUND TOTAL	03/31/22 03/31/22 0.00	-- --	118,971.24	\$118,971.24 \$118,971.24	\$118,971.24 1.00	\$118,971.24 \$0.00	\$0.00	0.03%	N --	0.15% -- --	AAAm Aaa
US GOV								0.00%			
UNITED STATES TREASURY 912828ZX1 0.12%	06/30/22 06/30/22 0.25	11/19/21 11/22/21	400,000.00	\$400,125.00 \$400,051.29	\$399,562.40 99.89	\$399,688.09 \$125.69	(\$488.89)	0.10%	N --	0.07% 0.56% --	AA+ Aaa
UNITED STATES TREASURY 912828ZD5 0.50%	03/15/23 03/15/23 0.95	10/27/21 10/28/21	5,225,000.00	5,239,082.99 5,234,732.30	5,168,669.28 98.92	5,169,876.14 1,206.86	(66,063.03)	1.26%	N --	0.30% 1.64% --	AA+ Aaa
UNITED STATES TREASURY 912828R28 1.62%	04/30/23 04/30/23 1.06	09/10/19 09/12/19	3,600,000.00	3,610,968.77 3,603,330.82	3,594,232.80 99.84	3,618,796.34 24,563.54	(9,098.02)	0.88%	N --	1.54% 1.77% --	AA+ Aaa
UNITED STATES TREASURY 912828ZU7 0.25%	06/15/23 06/15/23 1.20	10/27/21 10/28/21	16,500,000.00	16,465,839.89 16,474,727.51	16,183,530.00 98.08	16,195,655.69 12,125.69	(291,197.51)	3.94%	N --	0.38% 1.86% --	AA+ Aaa
UNITED STATES TREASURY 91282CCK5 0.12%	06/30/23 06/30/23 1.24	10/27/21 10/28/21	16,500,000.00	16,429,746.14 16,447,559.98	16,135,201.50 97.79	16,140,386.24 5,184.74	(312,358.48)	3.93%	N --	0.38% 1.92% --	AA+ Aaa
UNITED STATES TREASURY 912828S35 1.38%	06/30/23 06/30/23 1.23	09/09/19 09/12/19	5,000,000.00	4,975,000.00 4,991,638.39	4,965,820.00 99.32	4,983,102.46 17,282.46	(25,818.39)	1.21%	N --	1.51% 1.93% --	AA+ Aaa
UNITED STATES TREASURY 912828ZY9 0.12%	07/15/23 07/15/23 1.28	-- --	6,825,000.00	6,814,667.01 6,819,092.55	6,664,237.12 97.64	6,666,028.22 1,791.09	(154,855.42)	1.62%	N --	0.19% 1.98% --	AA+ Aaa
UNITED STATES TREASURY 91282CAF8 0.12%	08/15/23 08/15/23 1.36	10/27/21 10/28/21	16,500,000.00	16,411,054.77 16,431,926.22	16,073,326.50 97.41	16,075,890.38 2,563.88	(358,599.72)	3.91%	N --	0.43% 2.04% --	AA+ Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CCU3 0.12%	08/31/23 08/31/23 1.40	10/27/21 10/28/21	16,500,000.00	16,406,543.01 16,428,159.71	16,060,423.50 97.34	16,062,216.98 1,793.48	(367,736.21)	3.91%	N --	0.43% 2.04% --	AA+ Aaa
UNITED STATES TREASURY 91282T26 1.38%	09/30/23 09/30/23 1.47	03/02/20 03/04/20	5,500,000.00	5,594,531.25 5,539,972.65	5,441,777.00 98.94	5,441,983.63 206.63	(98,195.65)	1.32%	N --	0.89% 2.10% --	AA+ Aaa
UNITED STATES TREASURY 91282T91 1.62%	10/31/23 10/31/23 1.54	09/10/19 09/12/19	5,000,000.00	5,018,750.00 5,007,318.67	4,960,545.00 99.21	4,994,661.02 34,116.02	(46,773.67)	1.22%	N --	1.53% 2.13% --	AA+ Aaa
UNITED STATES TREASURY 91282CAW1 0.25%	11/15/23 11/15/23 1.60	10/27/21 10/28/21	19,125,000.00	19,027,133.75 19,047,471.66	18,542,280.38 96.95	18,560,375.16 18,094.79	(505,191.29)	4.52%	N --	0.50% 2.17% --	AA+ Aaa
UNITED STATES TREASURY 91282CBA8 0.12%	12/15/23 12/15/23 1.69	04/22/21 04/23/21	6,000,000.00	5,981,250.00 5,987,895.88	5,791,638.00 96.53	5,793,842.67 2,204.67	(196,257.88)	1.41%	N --	0.24% 2.21% --	AA+ Aaa
UNITED STATES TREASURY 91282CDR9 0.75%	12/31/23 12/31/23 1.72	02/10/22 02/11/22	4,725,000.00	4,650,433.59 4,655,730.56	4,605,027.52 97.46	4,613,935.85 8,908.32	(50,703.04)	1.12%	N --	1.60% 2.24% --	AA+ Aaa
UNITED STATES TREASURY 91282CBE0 0.12%	01/15/24 01/15/24 1.77	-- --	12,400,000.00	12,287,062.47 12,309,409.62	11,938,385.20 96.28	11,941,639.34 3,254.14	(371,024.42)	2.91%	N --	0.54% 2.26% --	AA+ Aaa
UNITED STATES TREASURY 91282BV80 2.25%	01/31/24 01/31/24 1.78	09/10/19 09/12/19	5,000,000.00	5,152,734.40 5,065,158.59	4,997,850.00 99.96	5,016,496.41 18,646.41	(67,308.59)	1.22%	N --	1.53% 2.27% --	AA+ Aaa
UNITED STATES TREASURY 91282CBM2 0.12%	02/15/24 02/15/24 1.86	-- --	16,950,000.00	16,810,724.62 16,838,085.20	16,287,221.10 96.09	16,289,854.91 2,633.81	(550,864.10)	3.96%	N --	0.48% 2.26% --	AA+ Aaa
UNITED STATES TREASURY 91282CBV2 0.38%	04/15/24 04/15/24 2.01	10/27/21 10/28/21	19,125,000.00	19,001,733.44 19,022,900.83	18,383,160.38 96.12	18,416,261.34 33,100.96	(639,740.46)	4.48%	N --	0.64% 2.33% --	AA+ Aaa
UNITED STATES TREASURY 91282CCG4 0.25%	06/15/24 06/15/24 2.18	10/27/21 10/28/21	4,925,000.00	4,868,247.06 4,877,352.82	4,700,488.95 95.44	4,704,108.28 3,619.33	(176,863.87)	1.14%	N --	0.69% 2.38% --	AA+ Aaa
UNITED STATES TREASURY 91282CCL3 0.38%	07/15/24 07/15/24 2.26	10/27/21 10/28/21	16,325,000.00	16,180,243.13 16,202,725.80	15,593,558.38 95.52	15,606,410.93 12,852.56	(609,167.43)	3.80%	N --	0.71% 2.39% --	AA+ Aaa
UNITED STATES TREASURY 91282U3 1.88%	08/31/24 08/31/24 2.34	-- --	11,275,000.00	11,698,518.58 11,613,247.01	11,126,136.18 98.68	11,144,519.33 18,383.15	(487,110.84)	2.71%	N --	0.62% 2.44% --	AA+ Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CCX7 0.38%	09/15/24 09/15/24 2.42	10/27/21 10/28/21	4,000,000.00	3,958,593.75 3,964,683.92	3,803,592.00 95.09	3,804,284.93 692.93	(161,091.92)	0.93%	N --	0.74% 2.45% --	AA+ Aaa
UNITED STATES TREASURY 91282CDH1 0.75%	11/15/24 11/15/24 2.56	-- --	7,165,000.00	7,026,572.28 7,034,457.13	6,854,332.76 95.66	6,874,669.89 20,337.12	(180,124.36)	1.67%	N --	1.46% 2.47% --	AA+ Aaa
UNITED STATES TREASURY 91282YY0 1.75%	12/31/24 12/31/24 2.65	-- --	16,650,000.00	16,711,796.89 16,682,313.48	16,331,302.35 98.09	16,404,548.55 73,246.20	(351,011.13)	3.99%	N --	1.68% 2.47% --	AA+ Aaa
UNITED STATES TREASURY 91282ZS2 1.38%	01/31/25 01/31/25 2.75	10/27/21 10/28/21	1,925,000.00	1,959,213.87 1,954,817.56	1,867,550.30 97.02	1,871,937.39 4,387.09	(87,267.26)	0.46%	N --	0.82% 2.47% --	AA+ Aaa
UNITED STATES TREASURY 91282CDZ1 1.50%	02/15/25 02/15/25 2.79	03/09/22 03/11/22	15,100,000.00	14,955,488.28 14,958,287.78	14,693,009.70 97.30	14,721,165.78 28,156.08	(265,278.08)	3.58%	N --	1.84% 2.48% --	AA+ Aaa
UNITED STATES TREASURY 91282ZC7 1.12%	02/28/25 02/28/25 2.84	10/27/21 10/28/21	2,090,000.00	2,109,348.83 2,106,910.59	2,010,972.92 96.22	2,013,017.49 2,044.57	(95,937.67)	0.49%	N --	0.84% 2.48% --	AA+ Aaa
UNITED STATES TREASURY 91282ZF0 0.50%	03/31/25 03/31/25 2.94	-- --	4,750,000.00	4,720,439.47 4,722,507.71	4,479,473.25 94.30	4,479,538.14 64.89	(243,034.46)	1.09%	N --	0.69% 2.48% --	AA+ Aaa
UNITED STATES TREASURY 91282ZW3 0.25%	06/30/25 06/30/25 3.20	-- --	3,490,000.00	3,432,191.02 3,439,948.02	3,245,563.89 93.00	3,247,757.19 2,193.30	(194,384.13)	0.79%	N --	0.70% 2.51% --	AA+ Aaa
UNITED STATES TREASURY 91282CBH3 0.38%	01/31/26 01/31/26 3.76	03/15/21 03/16/21	5,000,000.00	4,893,554.70 4,915,998.82	4,613,085.00 92.26	4,616,192.73 3,107.73	(302,913.82)	1.12%	N --	0.82% 2.50% --	AA+ Aaa
UNITED STATES TREASURY 91282CBQ3 0.50%	02/28/26 02/28/26 3.83	10/27/21 10/28/21	2,090,000.00	2,040,362.50 2,045,147.80	1,934,474.74 92.56	1,935,383.44 908.70	(110,673.06)	0.47%	N --	1.06% 2.51% --	AA+ Aaa
UNITED STATES TREASURY 91282CBT7 0.75%	03/31/26 03/31/26 3.90	04/22/21 04/23/21	6,000,000.00	5,987,578.14 5,989,913.59	5,601,798.00 93.36	5,601,920.95 122.95	(388,115.59)	1.36%	N --	0.79% 2.50% --	AA+ Aaa
UNITED STATES TREASURY 91282CBW0 0.75%	04/30/26 04/30/26 3.96	07/08/21 07/09/21	2,450,000.00	2,454,210.94 2,453,585.05	2,284,720.55 93.25	2,292,436.02 7,715.47	(168,864.50)	0.56%	N --	0.71% 2.50% --	AA+ Aaa
UNITED STATES TREASURY 91282CCJ8 0.88%	06/30/26 06/30/26 4.12	07/22/21 07/23/21	1,435,000.00	1,446,435.16 1,444,865.77	1,341,948.86 93.52	1,345,105.27 3,156.41	(102,916.91)	0.33%	N --	0.71% 2.49% --	AA+ Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CCW9 0.75%	08/31/26 08/31/26 4.29	10/27/21 10/28/21	5,225,000.00	5,131,317.38 5,139,388.31	4,849,453.12 92.81	4,852,860.73 3,407.61	(289,935.19)	1.18%	N --	1.13% 2.48% --	AA+ Aaa
UNITED STATES TREASURY 91282CCZ2 0.88%	09/30/26 09/30/26 4.36	10/27/21 10/28/21	2,090,000.00	2,063,303.51 2,065,557.00	1,947,944.79 93.20	1,947,994.76 49.97	(117,612.21)	0.47%	N --	1.14% 2.48% --	AA+ Aaa
UNITED STATES TREASURY 91282CEC1 1.88%	02/28/27 02/28/27 4.65	03/09/22 03/11/22	2,075,000.00	2,075,972.66 2,075,962.51	2,022,477.60 97.47	2,025,860.75 3,383.15	(53,484.91)	0.49%	N --	1.87% 2.42% --	AA+ Aaa
US GOV TOTAL	05/03/24 05/03/24 2.05	-- --	294,935,000.00	\$293,990,769.25 \$293,992,833.11	\$285,494,771.02 96.83	\$285,870,403.38 \$375,632.37	(\$8,498,062.09)	69.58%	N --	0.80% 2.23% --	AA+ Aaa
GSE								0.00%			
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133EMPH9 0.12%	02/03/23 02/03/23 0.83	01/26/21 02/03/21	2,400,000.00	\$2,398,656.00 \$2,399,433.34	\$2,371,237.08 98.80	\$2,371,720.41 \$483.33	(\$28,196.26)	0.58%	N --	0.15% 1.57% --	AA+ Aaa
FEDERAL HOME LOAN BANKS 3130AJ7E3 1.38%	02/17/23 02/17/23 0.87	04/21/20 04/23/20	4,950,000.00	5,087,164.50 4,993,070.58	4,941,064.90 99.82	4,949,383.65 8,318.75	(52,005.68)	1.20%	N --	0.38% 1.58% --	AA+ Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133ELNW0 1.45%	02/21/23 02/21/23 0.88	02/14/20 02/21/20	2,250,000.00	2,250,202.50 2,250,061.12	2,250,992.02 100.04	2,254,617.02 3,625.00	930.90	0.55%	N --	1.45% 1.40% --	AA+ Aaa
FEDERAL HOME LOAN BANKS 313382AX1 2.12%	03/10/23 03/10/23 0.93	03/02/20 03/04/20	6,250,000.00	6,459,375.00 6,315,923.03	6,274,319.25 100.39	6,282,066.65 7,747.40	(41,603.78)	1.53%	N --	0.99% 1.71% --	AA+ Aaa
FEDERAL HOME LOAN MORTGAGE CORP 3137EAES4 0.25%	06/26/23 06/26/23 1.22	06/24/20 06/26/20	3,645,000.00	3,634,356.60 3,640,600.92	3,569,583.78 97.93	3,571,988.47 2,404.69	(71,017.13)	0.87%	N --	0.35% 1.95% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G05G4 0.25%	07/10/23 07/10/23 1.26	07/08/20 07/10/20	4,645,000.00	4,635,013.25 4,640,740.04	4,544,964.03 97.85	4,547,576.84 2,612.81	(95,776.01)	1.11%	N --	0.32% 1.97% --	AA+ Aaa
FEDERAL HOME LOAN BANKS 3130A3DL5 2.38%	09/08/23 09/08/23 1.40	09/09/19 09/12/19	5,000,000.00	5,153,450.00 5,056,299.50	5,020,476.40 100.41	5,028,063.21 7,586.81	(35,823.10)	1.22%	N --	1.58% 2.08% --	AA+ Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
FEDERAL HOME LOAN BANKS 3130A3VC5 2.25%	12/08/23 12/08/23 1.63	04/21/20 04/23/20	5,290,000.00	5,629,618.00 5,448,733.89	5,292,183.87 100.04	5,329,544.50 37,360.62	(156,550.02)	1.30%	N --	0.46% 2.22% --	AA+ Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133EDBU5 3.50%	12/20/23 12/20/23 1.65	03/05/20 03/06/20	900,000.00	993,447.00 942,727.62	921,613.10 102.40	930,450.60 8,837.50	(21,114.52)	0.23%	N --	0.72% 2.07% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0V34 2.50%	02/05/24 02/05/24 1.79	11/15/19 11/18/19	4,500,000.00	4,648,905.00 4,566,611.03	4,522,597.34 100.50	4,540,097.34 17,500.00	(44,013.69)	1.11%	N --	1.68% 2.22% --	AA+ Aaa
FEDERAL HOME LOAN BANKS 3130A1XJ2 2.88%	06/14/24 06/14/24 2.11	09/10/19 09/12/19	3,750,000.00	3,968,737.50 3,853,404.14	3,787,941.60 101.01	3,819,985.87 32,044.27	(65,462.54)	0.93%	N --	1.60% 2.40% --	AA+ Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133EKVV4 1.85%	07/26/24 07/26/24 2.25	09/09/19 09/12/19	5,000,000.00	5,069,850.00 5,033,932.94	4,954,117.50 99.08	4,970,818.89 16,701.39	(79,815.44)	1.21%	N --	1.55% 2.26% --	AA+ Aaa
FEDERAL HOME LOAN BANKS 3130AJM22 0.44%	08/28/24 08/28/24 2.37	09/14/20 09/15/20	2,000,000.00	2,012,280.00 2,007,508.62	1,912,088.48 95.60	1,912,895.15 806.67	(95,420.14)	0.47%	N --	0.28% 2.33% --	AA+ Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133EK4Y9 1.65%	11/01/24 11/01/24 2.49	05/01/20 05/04/20	1,700,000.00	1,780,155.00 1,746,347.21	1,670,243.83 98.25	1,681,931.33 11,687.50	(76,103.38)	0.41%	N --	0.58% 2.35% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0X24 1.62%	01/07/25 01/07/25 2.67	-- --	11,250,000.00	11,833,764.00 11,632,024.71	10,994,738.51 97.73	11,037,394.76 42,656.25	(637,286.19)	2.69%	N --	0.39% 2.48% --	AA+ Aaa
FEDERAL HOME LOAN MORTGAGE CORP 3137EAEU9 0.38%	07/21/25 07/21/25 3.24	07/21/20 07/23/20	3,285,000.00	3,268,640.70 3,274,128.53	3,066,801.56 93.36	3,069,196.87 2,395.31	(207,326.96)	0.75%	N --	0.48% 2.48% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G05X7 0.38%	08/25/25 08/25/25 3.34	08/25/20 08/27/20	4,865,000.00	4,842,231.80 4,849,428.08	4,533,419.60 93.18	4,535,243.98 1,824.38	(316,008.48)	1.10%	N --	0.47% 2.48% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G06G3 0.50%	11/07/25 11/07/25 3.52	11/09/20 11/12/20	1,595,000.00	1,589,289.90 1,590,860.49	1,486,966.98 93.23	1,490,156.98 3,190.00	(103,893.51)	0.36%	N --	0.57% 2.48% --	AA+ Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
GSE TOTAL	03/14/24 03/14/24 1.90	-- --	73,275,000.00	\$75,255,136.74 \$74,241,835.78	\$72,115,349.84 98.48	\$72,323,132.52 \$207,782.67	(\$2,126,485.94)	17.60%	N --	0.79% 2.13% --	AA+ Aaa
GSE MBS								0.00%			
FHMS K-026 A2 3137B1BS0 2.51%	10/15/22 11/25/22 0.54	05/21/19 05/24/19	499,408.32	\$499,622.91 \$498,750.76	\$501,234.70 100.37	\$502,279.30 \$1,044.60	\$2,483.94	0.12%	Y --	2.46% -- --	AA+ Aaa
GSE MBS TOTAL	10/15/22 11/25/22 0.54	05/21/19 05/24/19	499,408.32	\$499,622.91 \$498,750.76	\$501,234.70 100.37	\$502,279.30 \$1,044.60	\$2,483.94	0.12%	Y --	2.46% -- --	AA+ Aaa
MUNI								0.00%			
ARIZONA ST TRANSN BRD HWY REV 040654XU4 1.96%	07/01/24 07/01/24 2.17	01/10/20 02/12/20	3,100,000.00	\$3,100,000.00 \$3,100,000.00	\$3,060,072.00 98.71	\$3,075,246.50 \$15,174.50	(\$39,928.00)	0.75%	N --	1.96% 2.55% --	AA+ Aa1
MUNI TOTAL	07/01/24 07/01/24 2.17	01/10/20 02/12/20	3,100,000.00	\$3,100,000.00 \$3,100,000.00	\$3,060,072.00 98.71	\$3,075,246.50 \$15,174.50	(\$39,928.00)	0.75%	N --	1.96% 2.55% --	AA+ Aa1
CORP								0.00%			
TOYOTA MOTOR CREDIT CORP 89233P7F7 2.62%	01/10/23 01/10/23 0.76	01/16/20 01/21/20	5,000,000.00	\$5,116,100.00 \$5,030,937.00	\$5,024,544.15 100.49	\$5,054,075.40 \$29,531.25	(\$6,392.85)	1.23%	N --	1.82% 1.98% --	A+ A1
APPLE INC 037833DE7 2.40%	12/13/22 01/13/23 0.74	05/11/20 05/13/20	3,000,000.00	3,132,210.00 3,036,112.34	3,019,134.00 100.64	3,034,734.00 15,600.00	(16,978.34)	0.74%	Y 12/13/22	0.68% 1.58% 1.48%	AA+ Aaa
JOHNSON & JOHNSON 478160BT0 2.05%	01/01/23 03/01/23 0.88	09/10/19 09/12/19	2,000,000.00	2,016,360.00 2,003,807.92	2,006,981.66 100.35	2,010,398.33 3,416.67	3,173.74	0.49%	Y 01/01/23	1.79% 1.66% 1.58%	AAA Aaa
APPLE INC 037833DV9 0.75%	05/11/23 05/11/23 1.10	05/05/20 05/11/20	1,700,000.00	1,695,376.00 1,698,275.03	1,678,837.06 98.76	1,683,795.39 4,958.33	(19,437.97)	0.41%	N --	0.84% 1.89% --	AA+ Aaa
CHEVRON CORP 166764AH3 3.19%	03/24/23 06/24/23 1.04	09/10/19 09/12/19	2,000,000.00	2,087,900.00 2,025,013.07	2,022,421.78 101.12	2,039,617.72 17,195.94	(2,591.29)	0.50%	Y 03/24/23	1.90% 2.26% 2.03%	AA- Aa2
MICROSOFT CORP 594918BQ6 2.00%	06/08/23 08/08/23 1.30	04/28/20 04/30/20	1,000,000.00	1,044,020.00 1,016,956.25	1,003,525.34 100.35	1,006,469.78 2,944.44	(13,430.91)	0.24%	Y 06/08/23	0.57% 1.73% 1.70%	AAA Aaa

Portfolio Holdings

03/01/2022 to 03/31/2022

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
PEPSICO INC 713448FB9 0.40%	10/07/23 10/07/23 1.50	10/06/20 10/07/20	2,530,000.00	2,528,557.90 2,529,268.77	2,472,428.96 97.72	2,477,320.30 4,891.33	(56,839.81)	0.60%	N --	0.42% 1.93% --	A+ A1
CATERPILLAR FINANCIAL SERVICES CORP 14913R2S5 0.95%	01/10/24 01/10/24 1.74	01/03/22 01/10/22	5,060,000.00	5,059,190.40 5,059,280.33	4,932,526.41 97.48	4,943,342.16 10,815.75	(126,753.92)	1.20%	N --	0.96% 2.41% --	A A2
AMAZON.COM INC 023135BW5 0.45%	05/12/24 05/12/24 2.08	05/11/21 05/12/21	4,225,000.00	4,218,831.50 4,220,645.42	4,074,086.17 96.43	4,081,427.11 7,340.94	(146,559.25)	0.99%	N --	0.50% 2.19% --	AA A1
WALMART INC 931142EL3 2.85%	06/08/24 07/08/24 2.14	05/07/20 05/11/20	1,750,000.00	1,889,597.50 1,825,536.31	1,771,071.52 101.20	1,782,570.48 11,498.96	(54,464.79)	0.43%	Y 06/08/24	0.85% 2.30% 2.28%	AA Aa2
PACCAR FINANCIAL CORP 69371RR40 0.50%	08/09/24 08/09/24 2.31	08/03/21 08/09/21	2,710,000.00	2,708,536.60 2,708,847.41	2,589,233.78 95.54	2,591,191.00 1,957.22	(119,613.63)	0.63%	N --	0.52% 2.46% --	A+ A1
CATERPILLAR FINANCIAL SERVICES CORP 14913R2P1 0.60%	09/13/24 09/13/24 2.40	09/08/21 09/14/21	5,045,000.00	5,038,138.80 5,039,385.39	4,812,191.66 95.39	4,813,705.16 1,513.50	(227,193.72)	1.17%	N --	0.65% 2.56% --	A A2
TOYOTA MOTOR CREDIT CORP 89236TJN6 0.62%	09/13/24 09/13/24 2.40	09/08/21 09/13/21	5,200,000.00	5,197,556.00 5,198,001.94	4,946,112.29 95.12	4,947,737.29 1,625.00	(251,889.65)	1.20%	N --	0.64% 2.70% --	A+ A1
PACCAR FINANCIAL CORP 69371RR57 0.90%	11/08/24 11/08/24 2.54	11/02/21 11/08/21	3,875,000.00	3,874,767.50 3,874,797.98	3,708,408.02 95.70	3,722,261.14 13,853.12	(166,389.97)	0.91%	N --	0.90% 2.62% --	A+ A1
TOYOTA MOTOR CREDIT CORP 89236TJT3 1.45%	01/13/25 01/13/25 2.69	01/10/22 01/13/22	2,595,000.00	2,591,522.70 2,591,767.82	2,502,910.66 96.45	2,511,063.29 8,152.62	(88,857.16)	0.61%	N --	1.50% 2.78% --	A+ A1
HOME DEPOT INC 437076CM2 2.70%	04/15/25 04/15/25 2.88	03/24/22 03/28/22	2,280,000.00	2,276,010.00 2,276,024.13	2,278,197.32 99.92	2,278,710.32 513.00	2,173.19	0.55%	Y 03/15/25	2.76% 2.73% 2.73%	A NA
CORP TOTAL	02/11/24 02/22/24 1.84	-- --	49,970,000.00	\$50,474,674.91 \$50,134,657.10	\$48,842,610.78 97.80	\$48,978,418.87 \$135,808.09	(\$1,292,046.32)	11.92%	--	1.03% 2.29% 1.96%	A+ A1
PORTFOLIO TOTAL	04/14/24 04/15/24 1.99	-- --	421,898,397.78	\$423,439,193.28 \$422,087,066.22	\$410,133,027.81 97.23	\$410,868,470.04 \$735,442.23	(\$11,954,038.41)	100.00%	--	0.83% 2.22% 1.96%	AA Aa1

FINANCE/OUTREACH AND PLANNING COMMITTEE**April 26, 2022****Discussion: Action Item: Salary Requests to Address Inflation, Staff Recruitment and Retention***Purpose*

Request approval to use the existing FY2022 salary budget to provide an across-the-board 5.38 percent salary increase for all District staff to address inflation, and to change the FY2023 budget assumption for performance-based merit increases from a fixed amount of \$1 million to 3 percent of the total salary budget.

Background

The Florida Legislature this year passed a \$112.1 billion state budget which included an across-the-board 5.38 percent salary increase for every state employee. The salary increase is intended to soften the impacts of inflation on state worker salaries. While District staff are not directly affected by this legislation because they are not state workers, they are similarly impacted by the effects of this inflation. The Consumer Price Index for the period Feb. 2021-Feb.2022 shows a national inflation rate of 7.91 percent and the Southern Region of the U.S. at 8.41 percent. In the Tampa-St. Petersburg-Clearwater area, the Jan. 2021-Jan. 2022 rate was 9.58 percent.

A 5.38 percent increase for District staff, consistent with what's proposed at the state level, would help offset some of the impacts from inflation, build goodwill with staff, and assist in retaining talented employees who might otherwise seek employment elsewhere for higher salaries. The state worker inflation adjustment still needs approval from the Governor before it can go into effect for the state budget year beginning on July 1. Any adjustment for District staff would be contingent on the Governor's approval for state staff.

In addition to an inflation adjustment, staff is also proposing a change to how merit-based increases are budgeted starting in FY2023. The preliminary budget for FY2023 allocated \$1 million for merit-based salary increases, consistent with the amount spent annually over the last several years. The \$1 million amount was originally selected because at the time it amounted to about 3 percent of the overall salary budget. However, each year as the salary budget has grown, the \$1 million has diminished its overall value. Changing the amount budgeted for merit-based increases from a fixed amount to 3 percent of the overall salary budget would ensure adequate and consistent levels of funding for merit increases, which help in recruiting and retaining talented staff.

Benefits/Costs

The District must remain competitive in the job market to be able to recruit and retain talented staff. The District currently has sufficient funds in the FY2022 salary budget to implement a 5.38 percent salary increase because the change would only be in effect for a portion of this fiscal year. However, the change would also impact the FY2023 salary budget, increasing it approximately \$2.2 million. Furthermore, changing the FY2023 budget assumption for merit increases from \$1 million to 3 percent of the salary budget would result in an additional increase of approximately \$198,000 to the FY2023 salary budget for a combined estimated impact of \$2.4 million increase to the FY2023 budget.

Staff Recommendation:

1. Contingent on the Governor's approval of the Legislature's budget, approve the use of available FY2022 salary dollars to provide a 5.38 percent increase for every District employee.
2. Change the amount budgeted for merit increases in the FY2023 budget from a fixed amount of \$1 million to 3 percent of the total salary budget.

Presenter:

Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH AND PLANNING COMMITTEE

April 26, 2022

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of March 2022.

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 presented to the Finance/Outreach & Planning Committee of the Governing Board as a Submit and File Report at the next regular scheduled meeting. The exhibit for this item reflects all such transfers executed during the month of March 2022.

Staff Recommendation:

Present the Budget Transfer Report for the Board's information. No action required.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
March 2022

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Change from Original Budget Intent</u>				
<u>Consistent with Original Budget Intent</u>				Total Change from Original Budget Intent
				\$ -
1	Communications and Board Services Education Services	General Services Postage and Courier Services	Funds are needed for the original purpose budgeted for costs associated with the District's Conservation Education Program (CEP) that supports the development and implementation of CEP projects with participating utilities. The funds are being transferred to the Document Services section for the cost of postage for mailouts to Sarasota County, City of Auburndale, and Town of Dundee utility customers.	\$ 7,960.00
Total Consistent with Original Budget Intent				\$ 7,960.00
Total Amount Transferred				\$ 7,960.00

..... 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 to the Governing Board as a Submit and File Report. This Board Policy limits transfers made for a purpose other than the original budget intent to \$75,000. However, transfers made for accounting reallocation purposes consistent with original budget intent are not limited.

FINANCE/OUTREACH AND PLANNING COMMITTEE

April 26, 2022

**Submit & File: Information Item: Office of Inspector General – January 1, 2022 to March 31, 2022
Quarterly Update**

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, CPA, CIG, Inspector General, Office of 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

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(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)

Kelly S. Rice

Chair, Citrus, Lake, Levy, Sumter

Joel Schleicher

Vice Chair, Charlotte, Sarasota

Michelle Williamson

Secretary, Hillsborough

Ed Armstrong

Treasurer, Pinellas

Ashley Bell Barnett

Polk

Jack Bispham

Manatee

John Hall

Polk

William Hogarth

Pinellas

John Mitten

Hernando, Marion

Seth Weightman

Pasco

Brian J. Armstrong, P.G.

Executive Director

April 26, 2022

MEMORANDUM

TO: Finance/Outreach & Planning Committee
Remaining Governing Board members

FROM: Brian Werthmiller, CPA, Inspector General

SUBJECT: Office of Inspector General Quarterly Update 1/1/22 – 3/31/22

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, 2022:

- The OIG quarterly update for the quarter ending December 31, 2021 was submitted to the Governing Board on January 25, 2022.
- The OIG's 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 25, 2022. 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. A risk assessment takes into consideration factors that might influence the operational success of a component or activity within the District. To ensure the audit plan included the priorities of the Governing Board and the District, meetings with the Governing Board, District management, and District staff was included as part of the risk assessment to solicit their views on risk facing the District. In addition, District strategies, objectives and priorities, prior audits, budgets, and associated risks were considered in developing the audit plan.
- Four complaints were closed with no investigation considered necessary by the OIG.
- The OIG initiated 25 reviews per the requests of management and external government entities such as the South Florida Water Management District.
- Beginning in November 2021 and still continuing, the District has been subject to fraudulent transactions with the institution the District banks with. Investigations are being performed by the bank and also the local Sheriff's office. The District has added additional controls to mitigate its risk.

Office of Inspector General Performance Measures		
Performance Measure	Goal	Status Through 3/31/2022
Complete the audit plan.	Submit to the Board by January 2022	Completed 1/25/22
Allocate appropriate time to efforts resulting in reporting to the Board.	75% of Chargeable Hours	75%
Complete the OIG Annual Report.	Submit to the Board by September 2022	Open
Complete updates to the Finance/Outreach & Planning Committee including IG performance measures.	Submit to the Board the month following each quarter-end	50%
Complete the follow-up on four FY 2021 recommendations for use of fleet equipment, conflicts of interest, increase in pay requests, and use of district vehicles.	Complete follow-up by September 2022	Open
Complete the follow-up to the recommendation from the Florida Department of Management Services regarding the District's policies and procedures on reporting workers' compensation to the Florida Retirement System.	Complete follow-up by September 2022	Open

Governing Board Meeting

April 26, 2022

4. RESOURCE MANAGEMENT COMMITTEE

4.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	120
4.2	Discussion: Action Item: Polk Regional Water Cooperative Southeast Wellfield Project – Third Party Review of Preliminary Design (N905)	121
4.3	Discussion: Action Item: Polk Regional Water Cooperative West Polk Wellfield Project – Third Party Review of Preliminary Design (N882)	126
4.4	Discussion: Action Item: Dona Bay Surface Water Storage Facility Phase 2 - Third Party Review (N786)	130

RESOURCE MANAGEMENT COMMITTEE

April 26, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

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

Presenter:

Jennette M. Seachrist, P.E., Division Director, Resource Management

RESOURCE MANAGEMENT COMMITTEE**April 26, 2022****Discussion: Action Item: Polk Regional Water Cooperative Southeast Wellfield Project – Third Party Review of Preliminary Design (N905)***Purpose*

The purpose of this item is to provide the results of the Southeast Wellfield Project's third-party review (TPR) on the preliminary (30 Percent) design of a reverse osmosis (RO) facility, brackish water wellfield, concentrate disposal wells, and regional transmission system; and to request Governing Board approval to continue with the project through final design and construction. An update on the Polk Regional Water Cooperative's revisions to their implementation agreements to meet District cooperative funding requirements will also be provided.

Background/History

The Polk Regional Water Cooperative (PRWC) consists of Polk County and the municipalities within the county that have joined as a regional entity to develop alternative water supplies (AWS). The PRWC members are located within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional groundwater sources are nearing their sustainable limits and alternative water sources need to be developed to meet the members' projected demands. The Governing Board has approved two funding resolutions (15-07 and 18-06) to incentivize the formation of the PRWC and the development of AWS projects.

The Southeast Wellfield Project was identified as a water supply development option in the District's 2015 Regional Water Supply Plan and was selected by the PRWC in 2017 as one of two brackish groundwater projects for further investigation and potential development. In April 2017, the Governing Board approved funding for the PRWC Southeast Wellfield and its regional transmission system's conceptual and preliminary designs. The District's Cooperative Funding Agreement (CFA) required two TPRs, one at the conceptual design and the other at preliminary design stage. Governing Board authorization is required to proceed with the project following each TPR. The Southeast Wellfield conceptual design included a facility with a 30 million gallons per day (mgd) capacity at buildout. The conceptual design and TPR was presented to the Governing Board in September 2019 and the Board approved continuing through preliminary design.

At the May 2021 Governing Board meeting, PRWC staff presented a revised project capacity with a 5.0 mgd capacity at its initial phase and a 12.5 mgd capacity at buildout. The phased capacity and timing are based on the PRWC member's water demand projections and needs for meeting 20-year planning horizons. The 20-year phasing allows for a smaller RO process building, for the regional transmission piping to be installed in a single construction phase and alleviates equipment that would be oversized and underutilized if built for a longer planning horizon. The change also provides opportunity for a 20-year evaluation of wellfield performance before investing in future capacity expansions. Other design changes at the preliminary level included the addition of a RO concentrate desaturation system that will precipitate gypsum solids from the concentrate to prevent clogging in the injection wells, and the potential for fewer but deeper Class I injection wells necessary to address DEP permitting requirements.

The TPR of the preliminary design for the Southeast Wellfield project was completed in July 2021. The TPR included reviews of the 30% design drawings for the Southeast Lower Floridan Aquifer (LFA) Water

Production Facility and the Southeast Regional Transmission Main, including the hydraulic model and cost summaries. The transmission main design includes 66 miles of pipeline parallel to the US-27 and Highway-60 corridors. The system will be capable of providing a base water supply from the Southeast Production Facility to all participating PRWC municipalities. The TPR found that the transmission system design was reasonable and constructable. The TPR provided recommendations for material selections and suggested hydraulic modeling of surge events that can be addressed in the 60% design phase. The TPR report stated the RO treatment system design was typical of industry standards and utilized conservative measures to ensure reliability. The added desaturation system for concentrate disposal was noted as being innovative, and the precipitated gypsum solids may have market value, but were assumed to be disposed in landfills for conservative operational cost estimates. The TPR recommended further blending analysis with individual member water systems to ensure good water quality and prevent corrosion in distribution systems, which the PRWC intends to perform during final design. The TPR also recommended a third test well study between the two prior test locations along the wellfield. The PRWC has already expedited the Southeast Wellfield LFA Test Production Well No 3 Project (Q294), which the Governing Board approved at their June 2021 meeting.

The TPR recommended that the preliminary design reports include a detailed schedule that specifies time for design, land acquisition, permitting, construction, and commissioning. The PRWC's consultant team revised the reports to include a more comprehensive schedule. The schedule anticipates that 60% design work can be completed in approximately 12 months after the engineer's notice to proceed, final design can be completed in the following 12 months, and bidding and construction may take approximately 34 months, making the initial water supply available in 2027. Future phased expansions would increase the capacity to 12.5 mgd by 2040, at a pace determined by projected demands.

The TPR stated that methods and techniques used for the opinion of probable costs for the production facility and transmission were appropriate for the preliminary phase. The costs were presented in 2021 dollars, as forecast escalations are uncertain due to labor and material market conditions coupled with inflation. Being preliminary level estimates, they include a 20% design/risk contingency to account for potential increases as the project evolves, and costs will be refined as the project design is finalized. The estimated capital costs at the initial and buildout phases are shown in Table 1. The cost estimate excludes the LFA Test Production Well No 3 project budget of \$4,125,000 because the project was separately funded in FY2021. The cost estimate also excludes land costs because they would not be eligible for District cooperative funding. The additional land costs are estimated as \$21,229,000 for the 66-mile regional transmission system and \$150,000 for the treatment facility's raw water pipeline and wells.

TABLE 1. Southeast Wellfield Preliminary Design Level Cost Estimates

Project Component	Initial 5.0 mgd capacity	Buildout 12.5 mgd capacity (Cumulative)
Water Treatment Facility (Q184)	\$163,811,000	\$228,630,000
Regional Transmission System (Q216)	\$156,976,000	\$156,976,000
Combined Capital Cost	\$320,787,000	\$385,606,000

Costs are in 2021 dollars and exclude ineligible land costs and the separately funded Test Well no.3 study.

Benefits/Costs

The Southeast Wellfield is an alternative water supply project that will utilize the Lower Floridan aquifer

to provide a base supply of potable water for participating PRWC members to meet demands while avoiding impacts to the Upper Floridan aquifer, lakes, and wetlands. The TPR report concludes that the preliminary design is feasible, the cost is appropriate and the project will be able to provide 12.5 mgd of alternative water supply at buildout.

Based on the preliminary design and TPR findings, the PRWC has provided a total project cost estimate of \$385,606,000. This includes a total project cost of \$228,630,000 for the Southeast Wellfield LFA Water Production Facility (Q184) and \$156,976,000 for Southeast Regional Transmission System (Q216). To date, the Governing Board has approved transfers from the Polk Partnership fund (Resolutions 15-07 and 18-06) to provide \$3,375,000 for the Southeast Wellfield LFA Water Production Facility (Q184) and \$2,475,000 for the Southeast Regional Transmission System (Q216). Additionally, the DEP has awarded \$6,750,000 in AWS grant funding for the Southeast Wellfield LFA Water Production Facility (Q184) and \$4,950,000 in AWS grant funding for the Southeast Regional Transmission System (Q216). The PRWC requests that the Governing Board approve moving forward with final design, permitting, and construction of the Southeast Wellfield LFA Water Production Facility (Q184) at a total cost of \$228,630,000, with the District and the PRWC each contributing \$110,940,000. The PRWC also requests that the Governing Board approve moving forward with final design, permitting, and construction of the Southeast Regional Transmission System (Q216) at a total cost of \$156,976,000, with the District and PRWC each contributing \$76,013,000.

Staff Recommendation:

1. Authorize continuation of the final design, permitting, and construction of the Southeast Wellfield LFA Water Production Facility (Q184) project with a total project cost of \$228,630,000 and the District's share up to \$110,940,000.
2. Authorize continuation of the final design, permitting, and construction of the Southeast Regional Transmission System (Q216) project with a total project cost of \$156,976,000 and the District's share up to \$76,013,000.

Presenter:

Jay Hoecker, PMP, Water Resources Bureau Chief

Project No. Q184		Brackish – Polk Regional Water Cooperative Southeast Wellfield Implementation			
PRWC					FY2023
Risk Level: Type 2		Multi-Year Contract: Yes, Year 3 of 20			
Description					
Description:		Final design, permitting, and construction of the Southeast Wellfield Water Treatment Facility. Project components include a reverse osmosis facility, brackish water wellfield, and concentrate disposal wells located east of Lake Wales. The request includes multiple construction phases of the Southeast Wellfield Water Production Facility for an initial 5.0 mgd finished water capacity followed by incremental increases to 12.5 mgd capacity. The project will provide alternative water supply for participating members of the Polk Regional Water Cooperative, which will be delivered by a regional transmission system developed as a companion project (Q216).			
Measurable Benefit:		The contractual Measurable Benefit will be the construction of an alternative supply project capable of delivering 12.5 mgd at buildout for use by PRWC project partners to reduce stress on the Upper Floridan aquifer. Construction will be done in accordance with permitted plans.			
Costs:		Total conceptual project cost: \$228,630,000 (final design, permitting, and construction) PRWC: \$110,940,000 District: \$110,940,000 with \$3,375,000 budgeted in previous years, \$2,359,987 requested for FY2023, and \$105,205,013 anticipated to be requested in future years. FDEP: \$6,750,000			
Evaluation					
Initial Application Quality:	5	All information identified in the CFI Guidelines was provided at the time of application.			
Project Benefit:	25	Substantial resource benefit expected from the developing 12.5 mgd of regional alternative water supply to reduce stress on the Upper Floridan aquifer, lakes, and wetlands.			
Cost Effectiveness:	10	Cost Effectiveness is between \$15 and \$20 total capital cost per gallon capacity developed.			
Past Performance:	5	Based upon an assessment of the schedule and budget for the 10 ongoing projects.			
Complementary Efforts:	10	The Cooperative will be a wholesale supplier of potable water to the customers of Polk County. In addition, the Cooperative is promoting rates and tariffs. The Cooperative is partnered with IFAS to implement water conservation strategies.			
Project Readiness:	5	Project starts before December 1, 2022			
Strategic Goals					
Strategic Goals:	25	Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability Heartland Region Priority: Implement Southern Water Use Caution Area (SWUCA) Recovery Strategy			
Overall Ranking and Recommendation					
AWS	85	A TPR of preliminary design was conducted in the summer of 2021, and staff anticipate presenting the findings from the TPR to the Governing Board after the PRWC executes revised implementation agreements that align with the District’s Cooperative Funding Initiative Governing Board Policy. If constructed the project will provide additional 12.5 MGD of alternative water supply to support regional water supply demands.			
Funding					
Funding Source		Prior	FY2023	Future	Total*
District		\$3,375,000	\$2,359,987	\$105,205,013	\$110,940,000
PRWC		\$3,375,000	\$2,359,987	\$105,205,013	\$110,940,000
FDEP		\$6,750,000	\$0	\$0	\$6,750,000
Total		\$13,500,000	\$4,719,974	\$210,410,026	\$228,630,000

Project No. Q216	Interconnects – Polk Regional Water Cooperative Regional Transmission Southeast Phase 1				
PRWC					
Risk Level: Type 2		Multi- Year Contract: Yes, Year 3 of 7			
Description					
Description:	Final design, permitting, and construction of the Southeast Wellfield Regional Transmission System. Project components include a pipeline system extending from the Southeast Wellfield Water Treatment Facility located east of Lake Wales to multiple municipalities along the US-27 and Hwy-60 corridors. This project will deliver alternative water supply to members of the Polk Regional Water Cooperative, which will be developed through a companion project, the Southeast Wellfield Implementation Project (Q184).				
Measurable Benefit:	The contractual Measurable Benefit will be the construction of a regional transmission system capable of delivering 12.5 mgd of alternative water supplies, promoting regional resource management efforts, and supporting water supply goals within the SWUCA. Construction will be done in accordance with permitted plans.				
Costs:	Total conceptual project cost: \$156,976,000 (final design, permitting, and construction) PRWC: \$76,013,000 District: \$76,013,000 with \$2,475,000 budgeted in previous years, \$3,438,487 requested for FY2023, and \$70,099,513 anticipated to be requested in future years. FDEP: \$4,950,000				
Evaluation					
Initial Application Quality:	5	All information identified in the CFI Guidelines was provided at the time of application.			
Project Benefit:	25	Substantial resource benefit expected from the regional transmission of new alternative water supplies to reduce stress on the Upper Floridan aquifer, lakes, and wetlands.			
Cost Effectiveness:	25	The average cost per inch diameter per linear foot is within the District's historic range for transmission projects.			
Past Performance:	5	Based upon an assessment of the schedule and budget for the 10 ongoing projects.			
Complementary Efforts:	10	The Cooperative will be a wholesale supplier of potable water to the customers of Polk County. In addition, the Cooperative is promoting rates and tariffs. The Cooperative is partnered with IFAS to implement water conservation strategies.			
Project Readiness:	5	Project starts before December 1, 2022			
Strategic Goals					
Strategic Goals:	25	Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability Heartland Region Priority: Implement Southern Water Use Caution Area (SWUCA) Recovery Strategy			
Overall Ranking and Recommendation					
AWS	100	A TPR of preliminary design was conducted in the summer of 2021, and staff anticipate presenting the findings from the TPR to the Governing Board after the PRWC executes revised implementation agreements that align with the District's Cooperative Funding Initiative Governing Board Policy. If constructed the project will enable the regional transmission of alternative water supply to support regional water supply demands.			
Funding					
Funding Source		Prior	FY2023	Future	Total*
District		\$2,475,000	\$3,438,487	\$70,099,513	\$76,013,000
PRWC		\$2,475,000	\$3,438,487	\$70,099,513	\$76,013,000
FDEP		\$4,950,000	\$0	\$0	\$4,950,000
Total		\$9,900,000	\$6,876,974	\$140,199,026	\$156,976,000

*Preliminary cost estimate, subject to Governing Board Approval

RESOURCE MANAGEMENT COMMITTEE**April 26, 2022****Discussion: Action Item: Polk Regional Water Cooperative West Polk Wellfield Project – Third Party Review of Preliminary Design (N882)***Purpose*

The purpose of this item is to provide the results of the West Polk Wellfield Project's third-party review (TPR) on the preliminary (30 Percent) design of a reverse osmosis (RO) facility, brackish water wellfield, concentrate disposal wells, and transmission system; and to request Governing Board approval to continue with the project through final design and construction. An update on the Polk Regional Water Cooperative's revisions to their implementation agreements to meet District cooperative funding requirements will also be provided.

Background/History

The Polk Regional Water Cooperative (PRWC) consists of Polk County and the municipalities within the county that have joined as a regional entity to develop alternative water supplies (AWS). The PRWC members are located within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional groundwater sources are nearing their sustainable limits and alternative water sources need to be developed to meet the members' projected demands. The Governing Board has approved two funding resolutions (15-07 and 18-06) to incentivize the formation of the PRWC and the development of AWS projects.

The West Polk Wellfield Project was identified as a water supply development option in the District's 2015 Regional Water Supply Plan and was selected by the PRWC in 2017 as one of two brackish groundwater projects for further study and potential development. In April 2017, the Governing Board approved funding for the PRWC West Polk Wellfield conceptual and preliminary designs. The District's Cooperative Funding Agreement (CFA) required two TPRs, one at the conceptual design and the other at preliminary design stage. Governing Board authorization is required to proceed with the project following each TPR. The West Polk Wellfield conceptual design included a facility with a 15 million gallons per day (mgd) capacity at buildout. The conceptual design and TPR was presented to the Governing Board in August 2020 and the Board approved continuing through preliminary design.

At the May 2021 Governing Board meeting, PRWC staff presented a revised project capacity with a 2.5 mgd capacity at its initial phase and a 10 mgd capacity at buildout. The phased capacity and timing are based on the PRWC member's water demand projections and needs for meeting 20-year planning horizons. The 20-year phasing allows for a smaller RO process building, and alleviates equipment that would be oversized and underutilized if built for a longer planning horizon. The change also provides opportunity for a 20-year evaluation of wellfield performance before investing in future capacity expansions. Other design changes at the preliminary level included the addition of a RO concentrate desaturation system that will precipitate gypsum solids from the concentrate to prevent clogging in the injection wells, and fewer but deeper Class I injection wells necessary to address DEP permitting requirements.

The TPR of the preliminary design for the West Polk Wellfield project was completed in August 2021. The TPR included reviews of the 30% design drawings for the West Polk Lower Floridan Aquifer (LFA) Water Production Facility, including the hydraulic model and cost summaries. The West Polk Preliminary

Design included transfer stations, a booster pump station, and 0.8 miles of transmission. The system would be capable of providing a base water supply to the City of Lakeland's TB Williams WTP Facility for distribution to PRWC municipalities. The TPR found that the transmission system design was reasonable and constructable. The TPR provided recommendations for material selections and suggested hydraulic modeling of surge events that can be addressed in the 60% design phase. The TPR report stated the RO treatment system design was typical of industry standards and utilized conservative measures to ensure reliability. The added desaturation system for concentrate disposal was noted as being innovative, and the precipitated gypsum solids may have market value, but were assumed to be disposed in landfills for conservative operational cost estimates. The TPR recommended further blending analysis with individual member water systems to ensure good water quality and prevent corrosion in distribution systems, which the PRWC intends to perform during final design. The TPR also recommended a second test well study along the wellfield. The PRWC has requested FY2023 funding for the LFA Test Production Well No 2 Project (Q309).

The TPR recommended that the preliminary design reports include a detailed schedule that specifies time for design, land acquisition, permitting, construction, and commissioning. The PRWC's consultant team revised the reports to include a more comprehensive schedule. The schedule anticipates the initial water supply available in 2030. Future phased expansions would increase the capacity to 10.0 mgd by 2045, at a pace determined by projected demands.

The TPR stated that methods and techniques used for the opinion of probable costs for the production facility and transmission were appropriate for the preliminary phase. The costs were presented in 2021 dollars, as forecast escalations are uncertain due to labor and material market conditions coupled with inflation. Being preliminary level estimates, they include a 20% design/risk contingency to account for potential increases as the project evolves, and costs will be refined as the project design is finalized. The estimated capital costs at the initial and buildout phases are shown in Table 1. The Water Treatment Facility cost estimate excludes the LFA Test Production Well No 2 project budget of \$4,125,000 because the project has separately requested funding in FY2023. The capital costs also exclude land costs because they would not be eligible for District cooperative funding. The additional land costs are estimated as \$6,978,000 for the treatment facility, wells, and pipelines.

TABLE 1. West Polk Wellfield Preliminary Design Level Cost Estimates

Project Component	Initial 2.5 mgd capacity	Buildout 10.0 mgd capacity (Cumulative)
Water Treatment Facility (Q308)	\$118,880,000	\$214,104,000

Costs are in 2021 dollars and exclude ineligible land costs and the separated Test Well no.2 study.

Benefits/Costs

The West Polk Wellfield Facility is an alternative water supply project that will utilize the Lower Floridan aquifer to provide a base supply of potable water for participating PRWC members to meet demands while avoiding impacts to the Upper Floridan aquifer, lakes, and wetlands. The TPR report concludes that the preliminary design is feasible, the cost is appropriate, and the project will be able to provide 10 mgd of alternative water supply at buildout.

Based on the preliminary design and TPR findings, the PRWC has provided a total project cost estimate of \$214,104,000. The PRWC requests that the Governing Board approve moving forward with final design, permitting, and construction of the West Polk Wellfield Facility (Q308) at a total cost of \$214,104,000, with the District and the PRWC each contributing \$107,052,000.

Staff Recommendation:

1. Authorize continuation of the final design, permitting, and construction of the West Polk Wellfield Facility (Q308) project with a total project cost of \$214,104,000 and the District's share up to \$107,052,000.

Presenter:

Jay Hoecker, PMP, Water Resources Bureau Chief

Project No. Q308		Brackish - Polk Regional Water Cooperative West Polk Wellfield				
PRWC						FY2023
Risk Level:		Type 2		Multi-Year Contract: No		
Description						
Description:		Final design, permitting, and construction of a water production facility (WPF), wellfield and raw water transmission main to the WTP, concentrate disposal well(s), and finished water transmission mains. The WP preliminary design includes a 2.5 MGD reverse osmosis water production facility and transmission system to PRWC member utilities with a buildout capacity of 10 MGD.				
Measurable Benefit:		The contractual Measurable Benefit will be the construction of an alternative supply project providing 10.0 mgd for use by PRWC project partners to reduce stress on the Upper Floridan aquifer. Construction will be done in accordance with permitted plans.				
Costs:		Total project cost \$ 214,104,000. PRWC: \$107,052,000 District 107,052,000 with \$1,064,308 requested in FY2023 and \$105,987,692 anticipated to be requested in future years.				
Evaluation						
Initial Application Quality:		5	All information identified in the CFI guidelines was provided at the time of application.			
Project Benefit:		25	The benefit of this project is an estimated 10 mgd of alternative water supply is treated and conveyed through pipelines providing reliable water to customers in the PRWC region.			
Cost Effectiveness:		5	The cost effectiveness is between \$20 and \$25 total capital cost per gallon capacity developed.			
Past Performance:		5	Based upon an assessment of the schedule and budget for the 10 ongoing projects.			
Complementary Efforts:		10	Applicant has the complementary efforts of a demand management plan, an active conservation program, and promotes water conservation via education/outreach with the public and member governments.			
Project Readiness:		5	Project starts before December 1, 2022.			
Strategic Goals						
Strategic Goals:		25	Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability Heartland Region Priority: Implement Southern Water Use Caution Area (SWUCA) Recovery Strategy			
Overall Ranking and Recommendation						
AWS		80	A TPR of preliminary design was conducted in the fall of 2021, and staff anticipate presenting the findings from the TPR to the Governing Board once the PRWC executes revised implementation agreements that align with the District’s Cooperative Funding Initiative Governing Board Policy. If constructed the project will provide additional 10.0 MGD of alternative water supply to support regional water supply demands.			
Funding						
Funding Source			Prior	FY2023	Future	Total*
District			\$0	\$1,064,308	\$105,987,692	\$107,052,000
PRWC			\$0	\$1,064,308	\$105,987,692	\$107,052,000
Total			\$0	\$2,128,616	\$211,975,384	\$214,104,000

*Conceptual cost estimate, subject to Governing Board Approval. TPR being performed separately.

RESOURCE MANAGEMENT COMMITTEE**April 26, 2022****Discussion: Action Item: Dona Bay Surface Water Storage Facility Phase 2 - Third Party Review (N786)***Purpose*

The purpose of this item is to present the results of the third-party review (TPR) of Sarasota County's Dona Bay Surface Water Storage Facility Phase 2 Project and to request Governing Board approval to amend the Cooperative Funding Agreement to move forward with construction at a total project cost of \$11,828,568 with the District funding share remaining at \$4,000,000.

Background/History

Sarasota County (County) and the Southwest Florida Water Management District (District) entered into a Cooperative Funding Agreement in fiscal year (FY) 2018 for the Dona Bay Surface Water Storage Facility Phase 2 Project. The project consists of construction of a 380-acre surface water storage and treatment facility located in western Sarasota County. This project is the second phase of a regional initiative that furthers the implementation of Sarasota County's Dona Bay Watershed Management Plan (DBWMP), and the Coastal & Heartland National Estuary Program's (CHNEP) Comprehensive Conservation Management Plan (CCMP). The project involves the construction of a water storage facility that will store excess water from Cow Pen Slough and will provide attenuation and water quality treatment prior to discharging into the Myakka River.

The District's Governing Board approved FY2018 cooperative funding for this project to include a TPR of the final design and permitting documents and partial construction, with additional Governing Board approval required to proceed to construction. The County completed design and permitting using its own funds. The initial conceptual cost estimate for the project was \$8,000,000 and was developed in the early stages of the project.

The County provided the final design, updated construction cost estimate of \$9,659,956, and revised total nitrogen (TN) loading reductions in November. The District contracted with the TPR consultant who completed their review of the design in January 2022. The TPR included a review of the schedule, constructability, cost estimate, and ability to meet the proposed resource benefit. The TPR report concluded that the project design is reasonable and will meet the resource benefit of total nitrogen (TN) load reduction and improvement of saltwater habitats. The report also concluded that the project schedule and updated cost estimate are reasonable.

Benefits/Costs

The project will provide a more natural freshwater/saltwater regime in the tidal portions of Dona Bay by removing a portion of the excess surface water flow and a reduction TN loading. Based on final design and associated updated modeling, the TN loading reduction estimates have increased from 940 lbs/year of TN to 1,799 lbs/year of TN. The project is also estimated to provide a 10% improvement in saltwater habitat over 77 acres. The contractual Measurable Benefit will be the construction of a 380-acre storage and treatment facility.

The initial cost estimate for the project was \$8,000,000 and was based on conceptual design. The revised cost estimate at final design had increased to \$9,659,956. In anticipation of Board approval to

proceed with the project to construction the County advertised construction bids for the project and received bids in mid-March. The low bid received by the County was \$11,785,499 and they intend to award the project to the low bidder, pending Board approval to proceed to construction. The increased construction cost reflects the current trend of significant material and labor cost increases in the construction industry we have seen over the last several years. The County is not requesting additional funding from the District for the cost increase.

The District has approved a total of \$2,000,000 for the project in prior year funding. The County is requesting the final year of funding in the amount of \$2,000,000 in FY2023 to complete construction and is not seeking additional funds for the cost increase. The project has been evaluated based on the latest information and the evaluation form is provided as an exhibit to this recap.

The District's existing cooperative funding agreement with the County requires Governing Board approval to proceed to construction.

Staff Recommendation:

Authorize continuation of the project and approve amending the Cooperative Funding Agreement to include a total project cost of \$11,828,568, which includes the current construction low bid and the cost of the TPR, with the District's share to remain \$4,000,000 for the TPR and construction of the Dona Bay Surface Water Storage Facility Phase 2 Project (N786).

Presenter:

Randy Smith, PMP, Bureau Chief, Natural Systems & Restoration

Project No. N786	SW IMP – Dona Bay Surface Water Storage Facility Project			
Sarasota County				
Risk Level:	Type 3		Multi-Year Contract: 3 of 3	
Description				
Description:	Third-party review (TPR) and construction of a 380-acre surface water storage and treatment facility to improve water quality in Dona Bay. This Facility is in the second stage of the implementation plan for Dona Bay. The FY2023 funding request is to complete construction.			
Measurable Benefit:	The contractual Measurable Benefit will be the construction of a 380-acre storage and treatment facility in accordance with the permitted plans.			
Costs:	Total Project Costs: \$11,828,568 (TPR and Construction) Sarasota County: \$7,828,568 District: \$4,000,000, with \$2,000,000 budgeted in previous years, \$2,000,000 requested in FY2023.			
Evaluation				
Application Quality:	5	The application included all of the required information identified in the CFI Guidelines.		
Project Benefit:	25	The Resource Benefits of the project is the reduction of pollutant loads by an estimated 1,799 lbs/year of TN and a 10% improvement in saltwater habitat of over 77 acres. There will be no monitoring or performance testing requirements.		
Cost Effectiveness:	10	The estimated cost/lb of TN removed is between \$400 and \$250/lb. In addition to a significant nutrient reduction, the project will offer additional benefit related to improved saltwater habitat and increased salinity in Dona Bay.		
Past Performance:	5	Based upon an assessment of the schedule and budget for the 6 ongoing projects.		
Complementary Efforts:	10	The County has an active stormwater utility that collects fees.		
Project Readiness:	10	Project is ongoing and on schedule.		
Strategic Goals				
Strategic Goals:	25	Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality. Strategic Initiative - Conservation and Restoration: Identify critical environmentally sensitive ecosystems and implement plans for protection or restoration. Southern Region Priority: Improve Charlotte Harbor, Sarasota Bay and Shell/Prairie/Joshua creeks.		
Overall Ranking and Recommendation				
90	30% design and TPR are complete. Based on favorable information from the TPR and the County providing bids, staff recommends approval to proceed, including funding to complete construction. The County is not requesting any additional funding and will cover the additional costs. The project is designed to reduce pollutant loads to Charlotte Harbor, a SWIM priority water body.			
Funding				
Funding Source	Prior	FY2023	Future	Total
Sarasota County	\$2,000,000	\$5,785,500	\$0	\$7,828,568
District	\$2,000,000	\$2,000,000	\$0	\$4,000,000
Total	\$4,000,000	\$7,828,568	\$0	\$11,828,568

Governing Board Meeting

April 26, 2022

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

5.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	133
5.2	Discussion: Information Item: Hydrologic Conditions Report	134
5.3	Discussion: Action Item: Sale of Property to City of Dunedin – Jerry Lake, SWF Parcel 16-296-107S	135

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 26, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

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

Presenter:

Brian S. Starford, P.G., Division Director, Operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**April 26, 2022****Discussion: Information Item: Hydrologic Conditions Report**

- March is the sixth month of the eight-month dry season (October through May) and major hydrologic indicators throughout the District showed both regional improvements and declines during the month.
- **Rainfall:** Monthly rainfall totals were above normal in the northern counties, while within the normal range in the central and southern counties. The District-wide 12-month cumulative rainfall total improved, ending the month at a deficit of approximately 1.53 inches below the historical total. The 12-month cumulative rainfall deficit in the southern counties is 6.73 inches below the historical total.
- **Streamflow:** Monthly streamflow decreased at 8 of the 12 monitoring stations. Nine stations had flow within the normal range, while three had below-normal flow. Regional streamflow, based on three index rivers, was within the normal range in the northern and central counties, while below normal in the southern counties.
- **Groundwater:** Regional aquifer levels had statistical increases in all three regions of the District. The northern counties ended the month with above-normal levels, while the central and southern counties ended the month with levels within the normal range.
- **Lake Levels:** Regional lake levels declined in the Northern, Tampa Bay and Lake Wales Ridge regions, while they increased slightly in the Polk Uplands region. The Northern, Tampa Bay and Polk Uplands regions ended the month in the normal range, while the Lake Wales Ridge region ended the month below normal.
- **Overall:** Although regional rainfall totals for March were normal to above normal throughout the District, hydrologic indicator responses were mixed due to spatial variability of the rainfall and low February rainfall totals. Most regional hydrologic indicators remained within their normal historical ranges, except as noted. NOAA currently predicts equal chances for normal, above-normal or below-normal rainfall through June 2022.

Staff Recommendation:

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

Presenter:

Tamera McBride, Hydrologic Data Manager

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

April 26, 2022

Discussion: Action Item: Sale of Property to City of Dunedin – Jerry Lake, SWF Parcel 16-296-107S

Purpose

Recommend the Governing Board approve the Contract for Sale and Purchase, included as Exhibit 1, for SWF Parcel No. 16-296-107S (“Jerry Lake”). The District received a request from the City of Dunedin (“City”) to purchase Jerry Lake for \$495,000. The offer price is for the full appraised value of the property. A general location map and a site map are attached as Exhibits 2 and 3, respectively.

Background

The District acquired Jerry Lake with Basin Board funding beginning in 1985. Jerry Lake was identified as part of Pinellas County’s Stormwater Master Drainage Plan, and the acquisition of Jerry Lake was completed to preserve a natural stormwater detention area within this environmentally sensitive property. Nearly the entire parcel (97.4%) is within the effective 100-year FEMA floodplain. The District initially acquired an eighteen percent (18%) interest in 78.8 acres in 1985 and acquired the remaining eighty-two percent (82%) interest in the 78.8 acres in 1986. In 1991, an adjoining 1.59-acre wetland and drainage area was acquired, creating the total 80.4 acres that comprises Jerry Lake.

Certain access limitations that accompanied the initial acquisition of Jerry Lake limited the types of management techniques typically employed by the District on rural conservation lands. These access limitations necessitated the District obtain license agreements for access to Jerry Lake through private ownership to remove fallen trees, and the District’s Vegetation Management Section treats water hyacinths on Jerry Lake several times per year. The District also entered into a license agreement with Pinellas County for construction of a weir necessary for water control.

In May of 2021, the City acquired approximately 42 acres adjacent to Jerry Lake, and the City also owns other properties adjoining Jerry Lake. The sale of Jerry Lake to the City would allow the City to manage Jerry Lake as part of a combined 132-acre ownership.

Appraisal and Price

Jerry Lake was appraised with an effective date of September 23, 2021, determining its value at \$495,000. The appraisal recognizes that use of the property would be limited and that it would be best combined with adjoining property. The City has offered to purchase Jerry Lake for the appraised value of \$495,000. The complete appraisal is available upon request.

The District will convey all of its interest in Jerry Lake, including subsurface rights in accordance with Section 270.11(3), Florida Statutes, which states the District may release its interest in all phosphate, minerals, metals, and petroleum that may be in, on, or under the property. The contract details are summarized below:

Sale Terms

The District will deliver title to the buyer by Quit Claim Deed.

The purchase price is \$495,000.

The closing will occur no more than 90 days after the effective date of the Contract for Sale and Purchase. The buyer will bear all expenses of the transaction.

Benefits/Costs

The sale of Jerry Lake will remove a land management inefficiency, and the sale will allow the District to acquire additional lands that are environmentally significant. Funds derived from the sale of surplus land may only be used for the purchase of other lands meeting the criteria in Section 373.139, Florida Statutes, resulting in more effectively meeting the District's core mission.



Staff Recommendation:

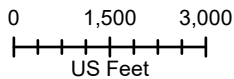
- Accept the offer of \$495,000;
- Approve the Contract for Sale and Purchase of Jerry Lake Parcel No. 16-296-107S and authorize the Executive Director to sign on the behalf of the District;
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed;
- Authorize the 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;
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Presenter:

Ellen Morrison, Land Resources Bureau Chief

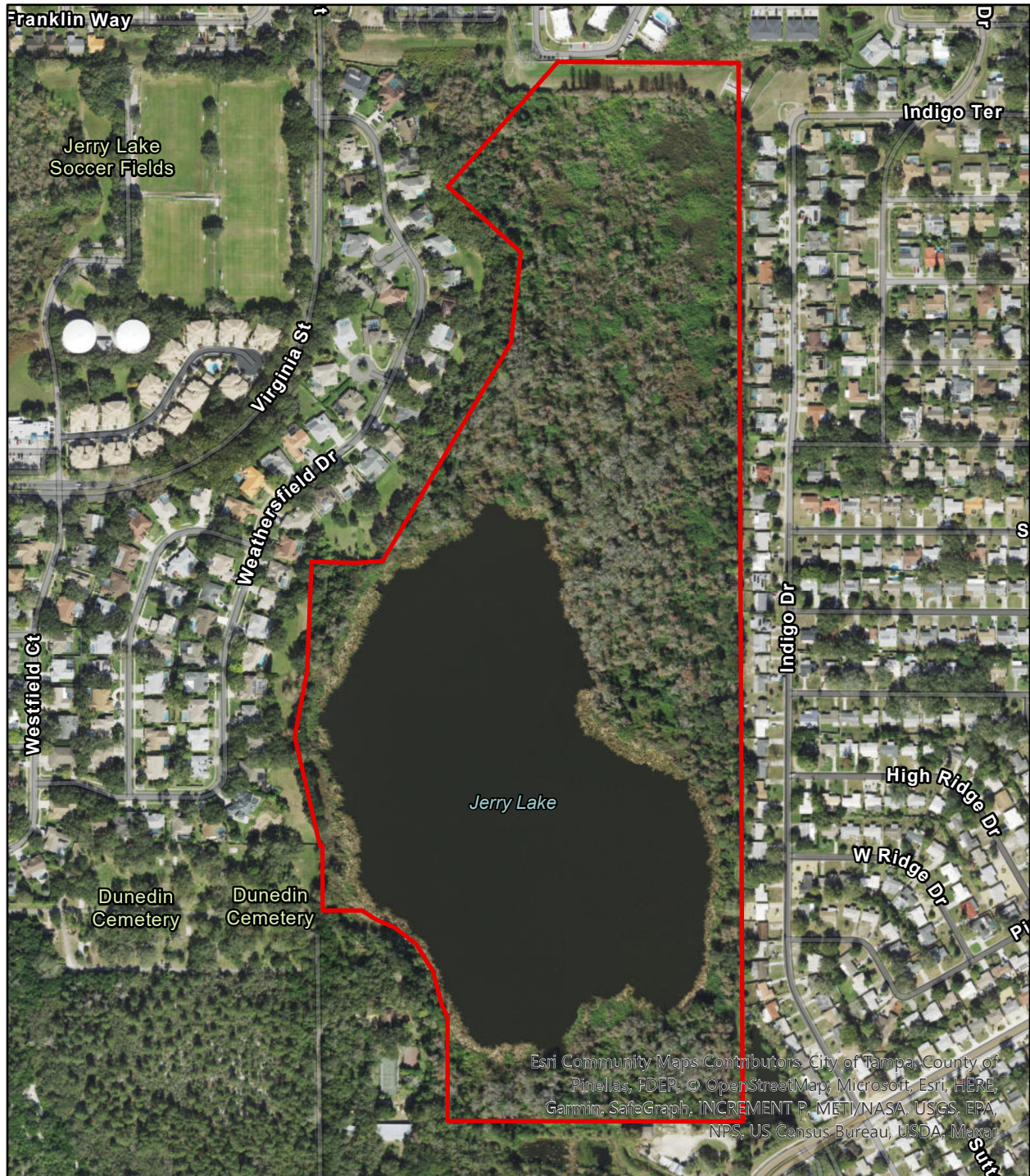
[illegible]

 Proposed Surplus Parcel
 District Owned Fee Simple



137

**Exhibit 3
Jerry Lake Site Map
SWF Parcel No. 16-296-107S**



Proposed Surplus Parcel

0 250 500
US Feet



Southwest Florida
Water Management District

Approved by Attorney: _____

CONTRACT FOR SALE AND PURCHASE

THIS Contract for Sale and Purchase (Contract) is made this _____ day of _____, 2022, by and between the Southwest Florida Water Management District, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604 (District), and The City of Dunedin, a municipal corporation, having an address of 542 Main Street, Dunedin, Florida 34698 (Buyer), as follows:

1. **AGREEMENT TO SELL:** The District hereby agrees to sell, and Buyer hereby agrees to buy, in accordance with this Contract, the real property that is more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference (Property).
2. **TIME FOR ACCEPTANCE:** Upon execution of this Contract by Buyer, Buyer's offer will be binding for Sixty (60) days after such execution by Buyer. If this Contract is not executed by the District on or before Sixty (60) days after execution of this Contract by Buyer, Buyer's offer contained in this Contract is withdrawn and this Contract will terminate.
3. **EFFECTIVE DATE:** The effective date of this Contract will be the date of execution by the District.
4. **APPROVAL:** This Contract is subject to approval by the District's Governing Board. If the District's Governing Board does not approve this Contract and all the terms and conditions hereof, the District will notify the Buyer in writing and this Agreement will terminate.
5. **PURCHASE PRICE:** The total purchase price for the Property will be Four Hundred Ninety-Five Thousand dollars (\$495,000).
6. **CLOSING, EXPENSE AND POSSESSION:** This Contract will be closed no later than Ninety (90) days from the effective date referenced in Paragraph 3, unless this Contract is terminated pursuant to Paragraphs 2, 4, 9, 13, or 14. The following are additional details of closing:
 - a. **Time and Place:** The date, time and place of closing will be set by the District.
 - b. **Conveyance:** At closing, the District will deliver to Buyer a fully executed quit claim deed, conveying the Property and improvements in "AS IS, WHERE IS CONDITION," without warranties or representations.
 - c. **Expenses:** Buyer shall be responsible for paying all closing costs associated with the Property including, but not limited to, Buyer's survey costs, documentary stamp tax on the deed, recording fees, abstract or title insurance fees, and Buyer's attorneys' fees. The District has designated Meridian Title Company Inc., having an address of 37837 Meridian Ave STE 100, Dade City, FL 33525, as the escrow agent for closing. The Buyer will pay any costs charged by such company or agent for this closing service. If Buyer obtains a survey of the Property, nothing contained therein will affect the purchase price or terms of this

Contract.

7. **REAL ESTATE TAXES, EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES:**

Buyer agrees to take title to the Property subject to any outstanding taxes, special liens or assessments including real estate taxes, if any; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; restrictions, qualifications and matters appearing on the plat or otherwise common to the subdivision, restrictive covenants, public utility easements and all outstanding easements, reservations and other interests.

8. **CONDITION OF THE PROPERTY:** Buyer agrees to accept the Property in "AS IS, WHERE IS CONDITION." The District makes no warranties or representations whatsoever as to the condition of the Property or the improvements located thereon, or the fitness of either for any particular use or purpose.

9. **DUE DILIGENCE PERIOD:** Buyer will, at Buyer's expense, determine whether the Property is suitable for the Buyer's intended use and development of the Property within Sixty (60) days from the effective date of this Contract (Due Diligence Period).

- a. During the Due Diligence Period, Buyer may conduct any tests, analyses, surveys, inspections, and investigations which Buyer deems necessary to determine to Buyer's satisfaction the suitability of the Property for Buyer's intended use and development. Buyer will deliver written notice to the District prior to the expiration of the Due Diligence Period of Buyer's determination of whether the Property is acceptable. If Buyer fails to comply with this notice requirement, Buyer will be deemed to have waived any objection to the suitability of the Property for the Buyer's intended use and development and to have accepted the Property in its present "as is" condition. The District will provide to Buyer any unrecorded leases, licenses, or other encumbrances that burden the Property within fifteen (15) days of the Effective Date.
- b. If Buyer determines that the Property is not acceptable, Buyer must include the specific reasons therefore in its notice to the District. The District will have thirty (30) days from receipt of Buyer's notice to cure the specified deficiencies. If the deficiencies are identified by a survey, the survey must meet the requirements for a **Certified Boundary Survey in accordance with Chapter 472, Florida Statutes**, and must be provided to the District for review. If the deficiencies are identified in a Title Insurance Commitment, the Title Insurance Commitment and supporting documentation must be provided to the District for review.

If the District fails to cure the deficiencies to the reasonable satisfaction of the Buyer, its attorney or the Buyer's title insurance company within the 30-day cure period, Buyer may either terminate this Contract or proceed to closing in the same manner as if no deficiencies had been found.

- c. Buyer may contact the District to arrange access to the Property for Buyer, its agents, contractors and assigns, for the purpose of conducting such tests, analyses, surveys, inspections, and investigations. Buyer will indemnify and hold the District harmless from losses, damages, costs, claims and expenses of any nature, including attorneys' fees at all levels, and from liability to any person, arising from the conduct of any and all inspections or any work authorized by Buyer. Provided that, nothing herein shall waive any of Buyer or Seller's respective limits or defenses to liability as to any third-parties, including those based on sovereign immunity or section 768.28, Florida Statutes. Buyer will not engage in any activity that could result in a mechanic's lien being filed against the Property.

10. **EVIDENCE OF TITLE:** Buyer may, at Buyer's expense, obtain evidence of title and determine insurability of title or waive insurable title, within the Due Diligence Period specified in paragraph 9 and subject to the same notices and waivers. Buyer understands that District may only convey title by Quit Claim Deed and Buyer agrees that this will not be an objection to title.

11. **SURVEY:** If the Buyer chooses to obtain a survey of the Property, the Buyer agrees to provide the District with a certified copy of the survey in meeting District requirements in Exhibit "B" attached hereto and incorporated herein by this reference.

12. **OPERATION OF PROPERTY DURING CONTRACT PERIOD:** Prior to closing, the District will continue to operate the Property and any business conducted on the Property in the manner operated prior to the date of the Contract and will take no action that would adversely impact the Property.

13. **RISK OF LOSS:** If substantial damage to the Property (more than \$5,000) occurs between the date of this Contract and the date of closing, the District will have the option of restoring the damaged Property to its condition immediately prior to the occurrence causing the damage, in which event, Buyer will complete the transaction as originally planned. If these repairs are not completed prior to the closing date, closing will be extended until such time as the repairs are completed. If the District elects not to restore the damaged Property, Buyer's sole remedy will be the right to terminate this Contract by giving written notice to the District or, alternatively, to proceed to closing on the Property, as damaged, without adjustment in the purchase price. If damage to the Property is \$5,000 or less, the parties will proceed to closing as though no damage had occurred.

14. **DEFAULT:** If Buyer fails to close within ninety (90) days from the effective date referenced in Paragraph 3, this Contract will terminate, and Buyer and the District will be relieved of all rights and obligations under this Contract. Notwithstanding the above, neither party shall be liable under this provision if the closing date is extended pursuant to Paragraph 13, Risk of Loss.

15. **ATTORNEYS' FEES AND COSTS:** Except as provided in Paragraph 9, Due Diligence Period, in any claim or controversy arising out of or relating to this Contract, each party agrees

to bear its own attorney fees and costs.

16. **NOTICES**: All notices will be in writing and may be delivered by mail, overnight courier, or personal delivery. The parties agree to send all notices to the addresses specified in the introductory clause; and as to the District, such notice will be sent to the attention of its Office of General Counsel. Notice is effective upon receipt.

17. **SUCCESSORS**: Upon execution of this Contract by Buyer, this Contract will be binding upon and inure to the benefit of Buyer, Buyer's heirs, successors, or assigns.

18. **RECORDING**: Neither this Contract nor any notice of it may be recorded in any county by any person.

19. **ASSIGNMENT**: This Contract may not be assigned by Buyer without the prior written consent of the District.

20. **TIME OF ESSENCE**: Time is of the essence in the performance of this Contract.

21. **AMENDMENTS**: This Contract contains the entire agreement and all representations of the parties. No amendment will be effective except when reduced to writing signed by all parties. Notwithstanding the foregoing, the parties acknowledge that the description of the Property is without the benefit of a current survey. The parties agree that if, in the opinion of the District, it becomes necessary to amend the description to correct errors, to more properly describe the Property, or to otherwise revise the description of the Property, the description to be used in the survey (if any) and in the closing instruments required by this Contract for the Property will be revised by or at the direction of the District and will be subject to the final approval of the District. Anything to the contrary hereinabove notwithstanding, such a revision of the description of the Property will not require a written amendment to this Contract. In such event, the District's execution and delivery of the closing instruments containing the revised description and the Buyer's acceptance of said instruments and of the final survey (if any) containing the revised description will constitute a full and complete ratification and acceptance of the revised description of the Property by the parties.

22. **SURVIVAL**: Paragraphs 6c, 7, 11 and 15 of this Contract will survive delivery and recording of deed and possession of the Property.

23. **COUNTERPARTS AND AUTHORITY TO SIGN**: The signatures of all parties need not appear on the same counterpart. In accordance with the Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, may be used and shall have the same force and effect as a written signature. Each person signing this Contract warrants that he or she is duly authorized to do so and to bind the respective party to the Contract.

24. **ASSIGNMENT OF LICENSE**. The District agrees to assign its interest in that certain Non-Exclusive License agreement between the District, as Licensor and Pinellas County, as Licensee, dated September 26, 1983 to the Buyer.

25. **DOCUMENTS:** The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority will first be given to the language in the body of this Agreement.

Exhibit "A"	Legal Description
Exhibit "B"	Survey Requirements

[Signatures Begin on Next Page]

COPY

IN WITNESS WHEREOF, the parties have caused the Contract to be executed on the day and year set forth below.

DISTRICT:
Southwest Florida Water Management District, a public corporation of the State of Florida

By: _____

Name: _____

Title: _____

Date: _____

BUYER:

By: _____

Name: _____

Title: _____

Date: _____

Attest:

City Clerk

Approved as to form:

City Attorney

Contract for Sale and Purchase
Parcel Name: Jerry Lake
SWF Parcel No.: 16-296-107S

Exhibit "A"
Legal Description

That part of the SE 1/4 of the SW 1/4 of SECTION 25, TOWNSHIP 28 SOUTH, RANGE 15 EAST and that part of the North 3/4 of the NW 1/4 of SECTION 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST, described as follows:

Commence at the northeast corner of the NW 1/4 of said Section 36, the POINT OF BEGINNING.

Thence on a grid bearing of S 00°08'23" E, along the east boundary line of said NW 1/4, a distance of 2013.43 feet to the southeast corner of the North 1/2 of the SE 1/4 of the NW 1/4 of said Section 36;

Thence N 89°56'38" W, along the south boundary line of said North 1/2 of the SE 1/4 of the NW 1/4, a distance of 937.97 feet to the southeast corner of the West 396 feet of the North 1/2 of the SE 1/4 of the NW 1/4 of said Section 36;

Thence N 00°05' 30" W, along the east boundary line of said West 396 feet of the North 1/2 of the SE 1/4 of the NW 1/4, a distance of 330 feet, more or less, to the water's edge of Jerry Lake;

Thence Northwesterly, along said water's edge of Jerry Lake (said waters excluding existing man made canal), a distance of 450 feet, more or less, to the north boundary line of said West 396 feet of the North 1/2 of the SE 1/4 of the NW 1/4;

Thence S 89°56'24" W, along said north boundary line, a distance of 125 feet, more or less, to the northwest corner of said West 396 feet of the North 1/2 of the SE 1/4 of the NW 1/4;

Thence N 00°00'53" W, along the west boundary line of the NE 1/4 of the NW 1/4 of said Section 36, a distance of 269.93 feet;

Thence N 16°50'08" w, a distance of 191.72 feet;
Thence N 08°11' 54" w, a distance of 101.03 feet;
Thence N 06°12' 59" E, a distance of 100.59 feet;
Thence N 18°53'01" E, a distance of 72.93 feet;
Thence N 30°48' 33" E, a distance of 1253.01 feet;
Thence N 06°12'34" E, a distance of 303.11 feet;
Thence N 49°11'41" w, a distance of 305.26 feet;

Thence N 41°17'00" E, a distance of 528.72 feet, to the north boundary line of the SE 1/4 of the SW 1/4 of said Section 25;

Contract for Sale and Purchase
Parcel Name: Jerry Lake
SWF Parcel No.: 16-296-107S

Exhibit "A"
Legal Description

Thence S 89°44'55" E, along said north boundary line, a distance of 564.81 feet to the northeast corner of said SE 1/4 of the SW 1/4;

Thence S 00°22'34" E, along the east boundary line of said SE 1/4 of the SW 1/4, a distance of 1350.62 feet, to the POINT OF BEGINNING:

Parcel contains 78.8 acres, more or less.

AND

That part of Lots 31 through 56, Weathersfield Subdivision, recorded in Plat Book 99, Pages 53 through 58 of the Public Records of Pinellas County, Florida, described as follows:

Commence at the northwest corner of SECTION 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST;

Run thence S 00°02'35" E, along the west boundary line of said Section 36, a distance of 1304.61 feet to the westerly extension of the south boundary line of said Weathersfield Subdivision;

Thence S 89°36'22" E, along said westerly extension of the south boundary line of Weathersfield Subdivision, a distance of 50.00 feet to the east right-of-way line of Keene Road (County Road No. 34), said point being the southwesterly most corner of said Weathersfield Subdivision;

Thence S 89°36'22" E, along the south boundary line of said Weathersfield Subdivision, a distance of 439.97 feet to the northwesterly boundary line of Dunedin Cemetery, recorded in Plat Book 20, Page 47, of the Public Records of Pinellas County, Florida;

Thence N 16°40'41" E, along said northwesterly boundary line of Dunedin Cemetery, a distance of 198.60 feet to the north boundary line of said Dunedin Cemetery;

Thence S 89°36'22" E, along said north boundary line of Dunedin Cemetery, a distance of 777.70 feet to the POINT OF BEGINNING.

Thence N 13°13'56" W, a distance of 352.30 feet;
Thence N 10°42'07" E, a distance of 216.89 feet;
Thence N 02°19'44" E, a distance of 346.28 feet;

Contract for Sale and Purchase
Parcel Name: Jerry Lake
SWF Parcel No.: 16-296-107S

Exhibit "A"
Legal Description

Thence S 88° 16' 47" E, a distance of 138.97 feet;
Thence N 84° 25' 14" E, a distance of 60.50 feet;
Thence N 88° 18' 44" E, a distance of 26.47 feet;
Thence N 30° 32' 22" E, a distance of 801.93 feet;
Thence N 06° 15' 23" E, a distance of 293.74 feet;
Thence N 48° 13' 46" W, a distance of 310.23 feet;

Thence N 41° 24' 33" E, a distance of 527.89 feet to north boundary line of the Southeast 1/4 of the Southwest 1/4 of SECTION 25, TOWNSHIP 28 SOUTH, RANGE 15 EAST;

Thence S 89° 44' 55" E, along said north boundary line of said Southeast 1/4 of the Southwest 1/4 of Section 25, a distance of 8.67 feet to the easterly boundary line of said Weathersfield Subdivision;

Thence along the easterly boundary line of said Weathersfield Subdivision, the following nine (9) courses:

(1) Thence S 41° 17' 00" W, a distance of 528.72 feet;
(2) Thence S 49° 11' 41" E, a distance of 305.26 feet;
(3) Thence S 06° 12' 34" W, a distance of 303.11 feet;
(4) Thence S 30° 48' 33" W, a distance of 1253.01 feet;
(5) Thence S 18° 53' 01" W, a distance of 72.93 feet;
(6) Thence S 06° 12' 59" W, a distance of 100.59 feet;
(7) Thence S 08° 11' 54" E, a distance of 101.03 feet;
(8) Thence S 16° 50' 08" E, a distance of 191.72 feet;
(9) Thence S 00° 05' 30" E, a distance of 63.00 feet to the easterly extension of the north boundary line of said Dunedin Cemetery;

Thence N 89° 36' 22" W, along said easterly extension of the north boundary line of Dunedin Cemetery, a distance of 3.65 feet to the northeast corner of said Dunedin Cemetery;

Thence N 89° 36' 22" W, along the north boundary line of said Dunedin Cemetery, a distance of 4.81 feet to the POINT OF BEGINNING.

All lying in and being part of the Southeast 1/4 of the Southwest 1/4 of SECTION 25, TOWNSHIP 28 SOUTH, RANGE 15 EAST and the Northwest 1/4 of SECTION 36, TOWNSHIP 28 SOUTH, RANGE 15 EAST, Pinellas County, Florida.

Parcel contains 1.59 acres more or less

Contract for Sale and Purchase
Parcel Name: Jerry Lake
SWF Parcel No.: 16-296-107S

Exhibit "B"

**Southwest Florida Water
Management District Requirements
for Surplus Boundary Surveys**

- ☐ All improvements within 10 feet of the boundary lines must be shown (including, but not limited to: wells, septic tanks, fencing, gates, and utilities). Visible evidence of underground installations or apparent cross rights uses will be located and noted.
- ☐ The survey will be certified to the Southwest Florida Water Management District
- ☐ The following certification will appear on the survey map:

THIS _____ SURVEY IS CERTIFIED TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AS MEETING OR EXCEEDING, IN QUALITY AND PRECISION, THE STANDARDS APPLICABLE FOR THIS WORK, AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

- ☐ Title Commitment exceptions must be addressed on the survey.
- ☐ When applicable, the existence of Sovereign Boundaries will be determined by coordinating with the Bureau of Survey and Mapping, Florida Department of Environmental Protection. The demarcation will be a part of this scope.
- ☐ When the question or establishment of mean high water, safe upland elevation or ordinary high-water lines is required, a scanned copy of the signed letter from DEP will be provided in PDF format (filename: DEP Sovereign Letter.pdf)
- ☐ All monumentation recovered outside the boundaries of the subject survey that was included in the analysis and resolution of the survey will be shown and dimensioned on the map of survey.
- ☐ The legal description of the parcel being surveyed will be shown on the map of survey.

Remainder of this page intentionally left blank.

Governing Board Meeting

April 26, 2022

6. REGULATION COMMITTEE

- 6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion149
- 6.2 **Discussion:** Action Item: Denials Referred to the Governing Board150

REGULATION COMMITTEE

April 26, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

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

Presenter:

Michelle Hopkins, P.E., Division Director, Regulation

REGULATION COMMITTEE

April 26, 2022

Discussion: Action 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

Governing Board Meeting
April 26, 2022

7. GENERAL COUNSEL'S REPORT

7.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	151
-----	--------------------------------------------------------------------------------	-----

GENERAL COUNSEL'S REPORT

April 26, 2022

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

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

Presenter:

Chris Tumminia, General Counsel

COMMITTEE/LIAISON REPORTS

April 26, 2022

Discussion: Information Item: Agricultural and Green Industry Advisory Committee

Staff Recommendation:

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

Presenter:

Michelle Williamson, Board Member

EXECUTIVE DIRECTOR'S REPORT

April 26, 2022

Discussion: Information Item: Executive Director's Report

Staff Recommendation:

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

Presenter:

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

CHAIR'S REPORT

April 26, 2022

Discussion: Information Item: Chair's Report

Staff Recommendation:

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

Presenter:

Kelly S. Rice, Chair

CHAIR'S REPORT

April 26, 2022

Discussion: Information Item: Employee Milestones

Presenter:

Kelly S. Rice, Governing Board Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	04/17/2017	Hunter Alexander	Staff Hydrologic Data Analyst	Brooksville	Data Collection	2022	04/17/2022
10	04/16/2012	James Thomas	Data Collection Field Technician	Tampa	Data Collection	2022	04/16/2022
10	04/16/2012	Valerie Jordan	Document Imaging Technician	Brooksville	General Services	2022	04/16/2022
15	04/02/2007	Everett Eldridge	Hydrologic Data Technician Supervisor	Brooksville	Data Collection	2022	04/02/2022
15	04/09/2007	Clinda Coalley	Business Process Analyst	Brooksville	General Services	2022	04/09/2022
15	04/23/2007	Ivy Harris	Administrative Coordinator	Tampa	Natural Systems & Restoration	2022	04/23/2022
20	04/03/2002	Nam Nguyen	Senior Professional Engineer	Brooksville	Engineering & Project Management	2022	04/03/2022
20	04/08/2002	Leigh Rogers	Regulatory Support Supervisor	Sarasota	Regulatory Support	2022	04/08/2022
20	04/22/2002	Steve Clardy	Staff GIS Analyst	Brooksville	Data Collection	2022	04/22/2022
30	04/27/1992	Keith Hilburn	Survey Party Chief	Brooksville	Data Collection	2022	04/27/2022