

Governing Board Meeting

Agenda and Meeting Information

August 27, 2024

9:00 a.m.

Brooksville Office

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



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

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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); 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

**AUGUST 27, 2024
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 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
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:** Knowledge Management: Governing Board Policy, Capital Assets
- 2.2 **Finance/Outreach and Planning Committee:** Authorization to Dispose of Equipment
- 2.3 **Resource Management Committee:** FARMS – Berry Red Farms, LLC (H825), Manatee County
- 2.4 **Resource Management Committee:** FARMS – FD Berries USA LLC – Twitty Road South (H826), Highlands County
- 2.5 **Resource Management Committee:** FARMS – Cameron Dakin – Dairy Heifer Farm (H827) Manatee County
- 2.6 **Regulation Committee:** Consider Modification of Water Shortage Order(s) as Necessary
- 2.7 **Regulation Committee:** Modification of Emergency Order No. SWF 24-002 – Tampa Bay Water – Alafia River Withdrawal Facility
- 2.8 **General Counsel's Report:** Approval of Consent Order – Environmental Resource Violations; Unauthorized Construction and Permit Condition Violations – S&S Money Auto Repair, Inc. – Environmental Resource Permit Number 31357.002 – Charlotte County
- 2.9 **General Counsel's Report:** Approval of Emergency Order No. SWF 24-022 – Emergency Measures Due to Tropical Depression Four
- 2.10 **Executive Director's Report:** Approve Calendar for Fiscal Year 2025 Meeting Dates
- 2.11 **Executive Director's Report:** Approve Governing Board Minutes – July 23, 2024

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Consent Item(s) Moved to Discussion
- 3.2 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Action Item: Tampa Bay Water – Southern Hillsborough County Transmission Expansion – Third-Party Review (Q241)
- 4.3 **Discussion:** Action Item: Kracker Avenue Restoration – Project Lead Change (W368)

- 4.4 **Submit & File:** Information Item: Lower Hillsborough River Recovery Strategy Implementation – Annual Update
- 4.5 **Submit & File:** Information Item: Minimum Flows and Minimum Water Levels Priority List and Schedule Update
- 5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**
 - 5.1 **Discussion:** Consent Item(s) Moved to Discussion
 - 5.2 **Discussion:** Information Item: Hydrologic Conditions Report
 - 5.3 **Discussion:** Information Item: Overview of Land Management Plan Updates
- 6. REGULATION COMMITTEE**
 - 6.1 **Discussion:** 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:** Consent Item(s) Moved to Discussion
 - 7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions
- 8. COMMITTEE/LIAISON REPORTS**
 - 8.1 **Discussion:** Information Item: Environmental 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
- 11. Time Certain Closed Door Attorney-Client Session**
 - 11.1 Closed Door Attorney-Client Session Pursuant to Section 286.011(8), Florida Statutes – SWFWMD v. Citrus County, Case No. 2023-CA-000135, 5th Judicial Circuit, Citrus County – Mediation and Strategy Discussion – 10:30 a.m.

ADJOURNMENT



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Tampa, Florida 33637-6759
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Michelle Williamson

Chair, Hillsborough

John Mitten

Vice Chair, Hernando, Marion

Jack Bispham

Secretary, Manatee

Ashley Bell Barnett

Treasurer, Polk

Ed Armstrong

Former Chair, Pinellas

Kelly S. Rice

Former Chair, Citrus, Lake,
Levy, Sumter

Joel Schleicher

Former Chair, Charlotte,
Sarasota

John Hall

Polk

James Holton

Pinellas

Dustin Rowland

Pasco

Robert Stern

Hillsborough

Nancy Watkins

Hillsborough, Pinellas

Brian J. Armstrong, P.G.

Executive Director

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved June 24, 2024

OFFICERS	
Chair	Michelle Williamson
Vice Chair	John Mitten
Secretary	Jack Bispham
Treasurer	Ashley Bell Barnett

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Chair Robert Stern

RESOURCE MANAGEMENT COMMITTEE
Chair Dustin Rowland

REGULATION COMMITTEE
Chair James Holton

FINANCE/OUTREACH AND PLANNING COMMITTEE
Chair Ashley Bell Barnett*

All Governing Board members are a member of each committee.

** Board policy requires the Governing Board Treasurer to chair the Finance/Outreach and Planning Committee.*

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Dustin Rowland
Environmental Advisory Committee	John Mitten
Industrial Advisory Committee	James Holton
Public Supply Advisory Committee	Robert Stern

OTHER LIAISONS	
Central Florida Water Initiative	Ashley Bell Barnett
Spring Coast Steering Committee	Kelly Rice
Coastal & Heartland National Estuary Partnership Policy Committee	John Hall
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Nancy Watkins
Tampa Bay Regional Planning Council	Vacant

Southwest Florida Water Management District Schedule of Meetings Fiscal Year 2024

Governing Board Meeting

October 24, 2023 – 9:00 a.m., Tampa Office
November 14, 2023 – 9:00 a.m., Tampa Office
December 12, 2023 – 9:00 a.m., Tampa Office
January 23, 2024 – 9:00 a.m., Tampa Office
February 27, 2024 – 9:00 a.m., Tampa Office
March 26, 2024 – 9:00 a.m., Tampa Office
April 23, 2024 – 9:00 a.m., Tampa Office
May 21, 2024 – 9:00 a.m., Brooksville Office
June 25, 2024 – 9:00 a.m., Brooksville Office
July 23, 2024 – 9:00 a.m., Tampa Office
August 27, 2024 – 9:00 a.m., Brooksville Office
September 24, 2024 – 3:00 p.m., Tampa Office

Governing Board Tour

March 15, 2024 – 9:00 a.m., The Villages

Governing Board Workshop

November 14, 2023 – 9:30 a.m., Tampa Office

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

2024 – September 10 & 24

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

2023 – December 5

2024 – March 12 (meeting replaced with March 8 field trip), June 11, September 10

Environmental Advisory Committee – 10:00 a.m.

2023 – October 10

2024 – January 9, April 9, July 9

Industrial Advisory Committee – 10:00 a.m.

2023 – November 7

2024 – February 13, May 7 (meeting replaced with May 10 field trip), August 6

Public Supply Advisory Committee – 1:00 p.m.

2023 – November 7

2024 – February 13, May 7 (meeting replaced with May 10 field trip), August 6

Springs Coast Management Committee – 1:30 p.m.

2023 – October 25, December 6

2024 – January 10 (meeting replaced with field trip), February 21, May 22, July 10

Springs Coast Steering Committee – 2:00 p.m.

2023 – November 8

2024 – January 24, March 6, July 24

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604

Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637

Governing Board Meeting
August 27, 2024

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CONVENE PUBLIC MEETING

August 27, 2024

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:

Michelle Williamson, Chair

CONVENE PUBLIC MEETING

August 27, 2024

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:

Michelle Williamson, Chair

CONVENE PUBLIC MEETING

August 27, 2024

Employee Recognition

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

Staff Recommendation:

- Deborah Ammendola
- Brian Armstrong
- Carole Estes

Presenter:

Michelle Williamson, Chair

CONVENE PUBLIC MEETING

August 27, 2024

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

August 27, 2024

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:

Michelle Williamson, Chair

Governing Board Meeting

August 27, 2024

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: Knowledge Management: Governing Board Policy, Capital Assets	12
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2.7	Regulation Committee: Modification of Emergency Order No. SWF 24-002 – Tampa Bay Water – Alafia River Withdrawal Facility	30
2.8	General Counsel's Report: Approval of Consent Order – Environmental Resource Violations; Unauthorized Construction and Permit Condition Violations – S&S Money Auto Repair, Inc. – Environmental Resource Permit Number 31357.002 – Charlotte County.....	38
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2.10	Executive Director's Report: Approve Calendar for Fiscal Year 2025 Meeting Dates	60
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CONSENT AGENDA

August 27, 2024

Finance/Outreach and Planning Committee: Knowledge Management: Governing Board Policy, Capital Assets

Purpose

Request approval of the revised Capital Assets Governing Board Policy.

Background/History

The District recognizes its fiduciary responsibility to manage and safeguard the District's capital assets, both tangible and intangible in nature, in accordance with all applicable Florida Statutes, Florida Administrative Code, and governmental accounting and financial reporting standards.

As discussed at the July 2024 Governing Board meeting, staff performed a review of Governing Board Policy, Capital Assets, and even though there were no substantive changes needed, staff deemed it would be beneficial to make some minor edits to the policy. The minor modifications include updating the current threshold for informational purposes only and adding language to define attractive items.

Benefits

By reviewing and updating the Capital Assets Policy, this will align the policy with the District's current practice and Chapter 274, Florida Statutes, Rule Chapter 69I-73 of the Florida Administrative Code, and governmental accounting and financial reporting standards.

Staff Recommendation:

Approve the Capital Assets Governing Board Policy as revised.

Presenter:

Melisa Lowe, Bureau Chief, Finance Bureau

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Capital Assets

Document Owner: Brian Armstrong, Executive Director

Approved By: Michelle Williamson, Chair

Effective Date: 08/27/2024

Supersedes: 08/27/2019

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PURPOSE

The Southwest Florida Water Management District recognizes its fiduciary responsibility to manage and safeguard the District's capital assets, both tangible and intangible in nature, in accordance with all applicable governmental accounting standards, Florida Statutes (F.S.) and the Florida Administrative Code (F.A.C.).

SCOPE

This policy applies to the District's capital assets, both tangible and intangible in nature.

AUTHORITY

Chapter 274, F.S., Tangible Personal Property Owned by Local Governments

Rule Chapter 69I-73, Tangible Personal Property Owned by Local Governments, F.A.C.

Governmental Accounting and Financial Reporting Standards

DEFINITIONS

Capital Assets – Tangible and intangible assets acquired or constructed for use in operations that will benefit the District for more than a single fiscal period. Examples include land, land improvements, construction-in-progress, infrastructure, buildings, furniture, vehicles/equipment, and software.

Tangible Personal Property – Fixtures or other tangible personal property with a value or cost threshold as established by Rule 69I-73.002, F.A.C. (current threshold \$5,000), and a projected useful life of one year or more. This definition is expanded to include attractive items, regardless

GOVERNING BOARD POLICY

Title: Capital Assets

Effective Date: 08/27/24

Page 2 of 4

of costs and disposals of land-based renewable resources such as timber and other silvicultural products and native seed.

Attractive Items – Tangible personal property used in operations that has a cost less than an established capitalization threshold and that requires special attention to ensure legal compliance, protect public safety and avoid potential liability, or to compensate heightened risk of theft.

Intangible Assets – Assets with a projected useful life of one year or more that lack physical substance and that are neither financial in nature (neither a monetary asset nor a claim to a monetary asset) nor primarily held for the purpose of directly obtaining income or profit.

STANDARDS

All applicable Governmental Accounting and Financial Reporting Standards

Rule Chapter 69I-73, Tangible Personal Property Owned by Local Governments, F.A.C.

POLICY

The Governing Board authorizes the Executive Director or respective designees to develop and implement all practices and procedures necessary to effectively acquire, record, account for, mark, inventory and dispose of the District's capital assets. The District's practices and procedures will follow the applicable Governmental Accounting and Financial Reporting Standards, Chapter 274, F.S., Tangible Personal Property Owned by Local Governments, Rule Chapter 69I-73, Tangible Personal Property Owned by Local Governments, F.A.C., as applicable, and this Board Policy.

Land-Based Renewable Resources. The Governing Board authorizes the Executive Director or respective designees to solicit written quotes as a means of determining the current fair market value of land-based renewal resources such as timber, pine straw and native seed, and to dispose of the same by way of a work order or written agreement as part of the District's land management program. Land-based renewable resources will include, but not be limited to, timber, other silvicultural products, and native seed.

The Governing Board authorizes execution of agreements for the sale of District-owned land-based renewable resources such as timber, pine straw, and native seed, by the Executive Director for agreements for sale of resources with a current market value of \$250,000 or less and by the Governing Board Chair for agreements with a current market value greater than \$250,000.

The District Governing Board authorizes the Executive Director or respective designees to declare tangible personal property as surplus property, and to dispose of any item with a current market value of \$25,000 or less, in compliance with Rule 69I-73.005, F.A.C. The Governing Board will approve the disposition of any surplus tangible property item with a current market value greater than \$25,000, with authorization recorded in the minutes of the meeting.

Disposal of real property is governed by Board Policy, Sale, Exchange or Conveyance of Interests in Land by the District.

DISTRIBUTION

This Policy will be stored in the designated Governing Board Policy Repository. The Finance Bureau Chief will be notified if any changes to the Policy are necessary.

GOVERNING BOARD POLICY

Title: Capital Assets

Effective Date: 08/27/24

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REFERENCES

Chapter 274, F.S., Tangible Personal Property Owned by Local Governments

Rule Chapter 69I-73, Tangible Personal Property Owned by Local Governments, F.A.C.

Governmental Accounting and Financial Reporting Standards

Board Policy, Sale, Exchange or Conveyance of Interests in Land by the District

Board Policy, Procurement (in reference to Chapter 274.07)

REVIEW PERIOD

This Policy will be reviewed every five years.

GOVERNING BOARD POLICY

Title: Capital Assets

Effective Date: 08/27/24

Page 4 of 4

DOCUMENT DETAILS

Document Name	Capital Assets
Formerly Known As	District Tangible Personal Property
Document Type	Policy
Author(s)	Finance Bureau Chief, Accounting Manager and Property Administrator
Reviewing Stakeholder(s)	Office of General Counsel, Senior staff, and Executive staff
Document Owner Name	Brian Armstrong
Document Owner Title	Executive Director
Review Period (in days)	1825
Span of Control	Governing Board
Supersedes Date	08/27/2019
Effective Date	08/27/2024

APPROVAL

Michelle Williamson
Chair

08/27/2024

Date

CONSENT AGENDA

August 27, 2024

Finance/Outreach and Planning Committee: Authorization to Dispose of Equipment

Purpose

The purpose of this item is to request authorization to dispose of surplus tangible personal property (one John Deere 7130 tractor with slope mower attachment) pursuant to the Capital Assets Governing Board Policy.

Background/History

The John Deere 7130 tractor with slope mower attachment (Unit 2114) was purchased in 2012 for maintaining District conservation lands and levies, specifically to mow vegetation on slopes from properties within the District.

Benefits/Costs

The District anticipates receiving the replacement for Unit 2114 in September 2024. This was a scheduled replacement due to the hours, age, and increase in maintenance cost. Staff recommends sending the John Deere 7130 tractor with slope mower attachment to auction with an estimated sale price of more than \$25,000. In compliance with the Capital Assets Governing Board Policy, tangible personal property with a current market value in excess of \$25,000 requires Board approval.

Staff Recommendation:

Staff recommends the Governing Board approve the disposition of one John Deere 7130 tractor with slope mower attachment (Unit 2114) through the auction process.

Presenter:

Dave Dickens, Bureau Chief, General Services Bureau

CONSENT AGENDA

August 27, 2024

Resource Management Committee: FARMS – Berry Red Farms, LLC (H825), Manatee County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Berry Red Farms, LLC, and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$164,640 (75 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$219,521.

Project Proposal

The District received a project proposal from Berry Red Farms, LLC for their 379-acre property located 17 miles west of Wauchula in northeast Manatee County, within the Southern Water Use Caution Area (SWUCA). The proposal is for an alternative water supply project and will involve the utilization of a 3-acre reservoir to collect tailwater and surface water from the property and surrounding watershed to offset Upper Floridan aquifer groundwater used for the irrigation of 202 acres of strawberries. The Water Use Permit (WUP) authorizes annual average groundwater withdrawals of 531,500 gallons per day (gpd) for the strawberry crop. FARMS project components consist of one surface water pump station, filtration, a fertigation system, valves, mainline piping necessary to tie into the existing irrigation system, two weather stations with soil moisture probes, and automation of two groundwater wells.

Benefits/Costs

The proposed project involves water quantity and water quality best management practices (BMPs) for supplemental irrigation and qualifies for a 75 percent cost-share reimbursement rate under the FARMS program. The project is expected to reduce groundwater use by approximately 11 percent, or 60,000 gpd for crop establishment, bed preparation and supplemental irrigation, and expected to reduce 364 pounds of nitrogen per year. The conservation components are integrated with the nutrient reduction components to maximize nutrient reduction. Based on the estimated groundwater offset, a reduction of nitrogen application, and a proposed five-year contract term, the cost per thousand gallons of water saved is \$2.18 and the cost per pound of nitrogen reduced per year is \$7.60 (based on the fertigation components). These values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative water supplies, improved irrigation techniques, and nutrient reduction BMPs for row crop operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$1,547,358 remaining in its FARMS Program budget.

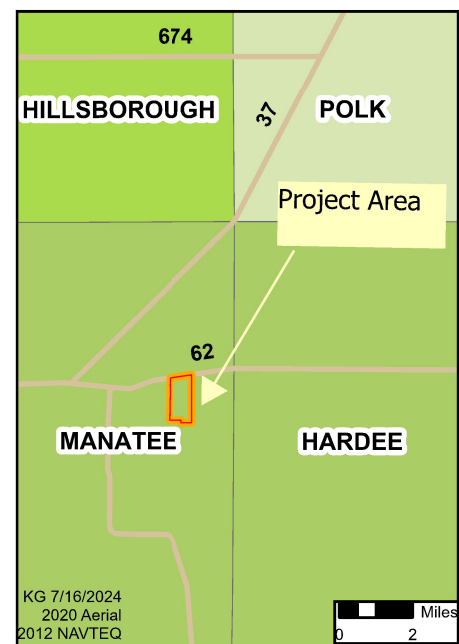
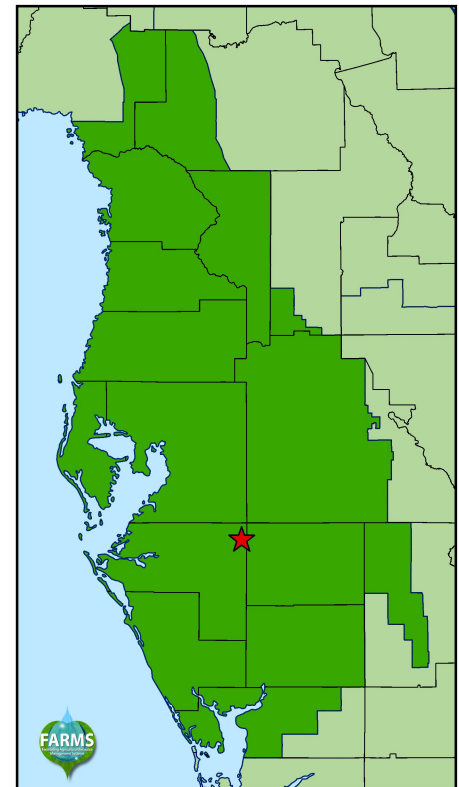
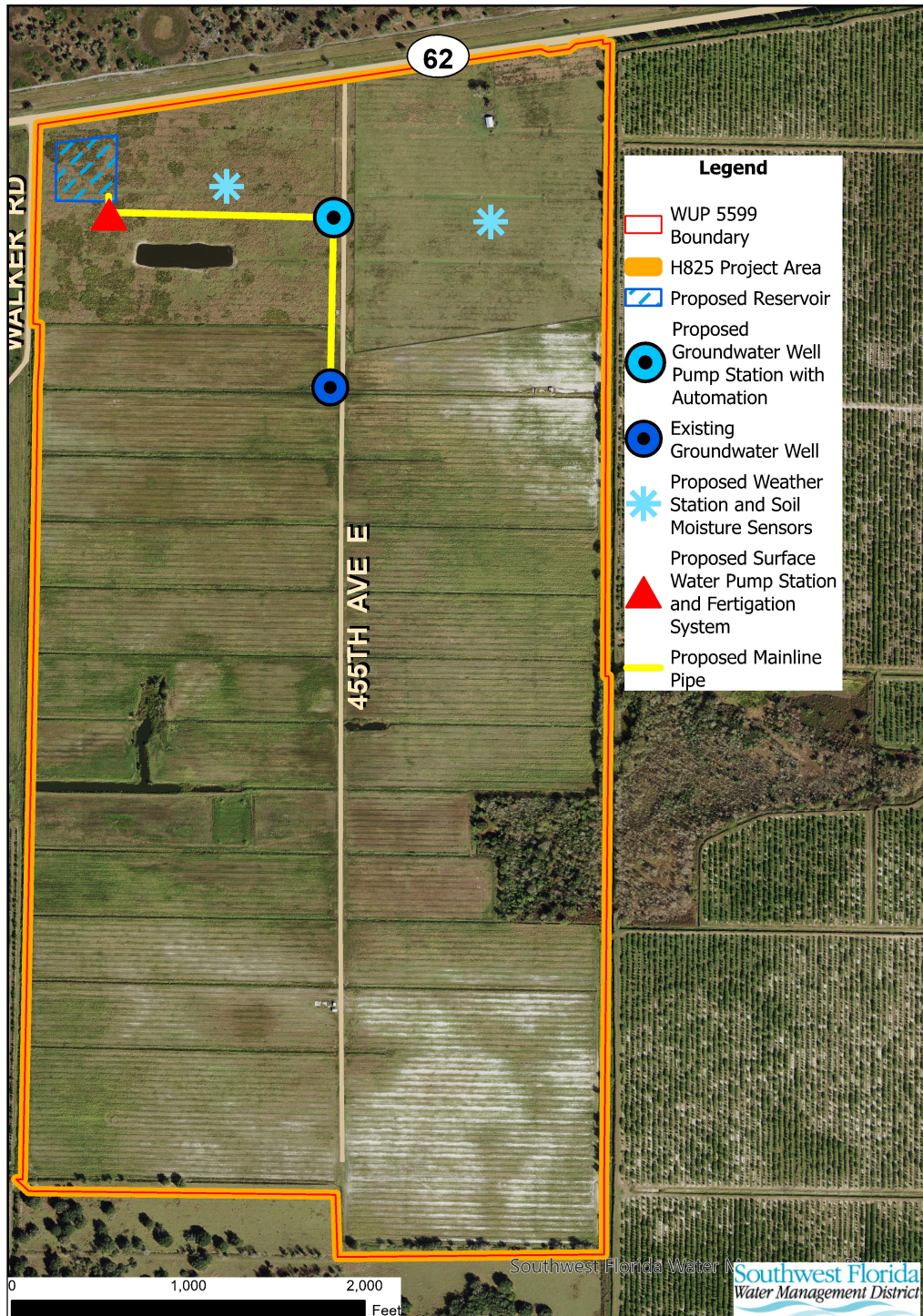
Staff Recommendation:

1. Approve the Berry Red Farms, LLC project for a not-to-exceed project reimbursement of \$164,640 provided by the Governing Board;
2. Authorize the transfer of \$164,640 from fund 010 H017 Governing Board FARMS Fund to the H825 Berry Red Farms, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Presenter:

Carole J. Estes, P.G., FARMS Program Manager, Water Resources Bureau

Location Map Berry Red Farms FARMS Project H825



CONSENT AGENDA

August 27, 2024

Resource Management Committee: FARMS – FD Berries USA LLC – Twitty Road South (H826), Highlands County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with FD Berries USA, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$119,129 (70 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$171,129.

Project Proposal

The District received a project proposal from FD Berries USA, LLC for their 79-acre property located six miles southeast of Sebring, in eastern Highlands County within the Southern Water Use Caution Area (SWUCA). The proposal is for a precision irrigation project and will involve the automation of three groundwater irrigation pump stations to reduce Upper Floridan groundwater used for the supplemental irrigation of 40 acres of strawberries and melons, and 39 acres of blueberries. The Water Use Permit (WUP) authorizes annual average groundwater withdrawals of 284,300 gallons per day (gpd). FARMS project components consist of automation of three irrigation pump stations, one weather station, six soil moisture sensors and a fertigation system.

Benefits/Costs

The proposed project involves water quantity, and water quality best management practices (BMPs) for supplemental irrigation and qualifies for a 75 percent cost-share reimbursement rate under the FARMS program. The project is expected to reduce groundwater use by approximately nine percent, or 25,000 gpd for supplemental irrigation, and to reduce 178 pounds of nitrogen per year. The conservation components are integrated with the nutrient reduction components to maximize nutrient reduction. Based on the estimated groundwater offset, a reduction of nitrogen application, and a proposed six-year contract term, the cost per thousand gallons of water saved is \$3.46 and the cost per pound of nitrogen reduced per year is \$23.02 (based on the fertigation components). These values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques, and nutrient reduction BMPs for row crop operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$1,547,358 remaining in its FARMS Program budget.

Staff Recommendation:

1. Approve the FD Berries USA, LLC project for a not-to-exceed project reimbursement of \$119,129 provided by the Governing Board;
2. Authorize the transfer of \$119,129 from fund 010 H017 Governing Board FARMS Fund to the H826 FD Berries USA, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Presenter:

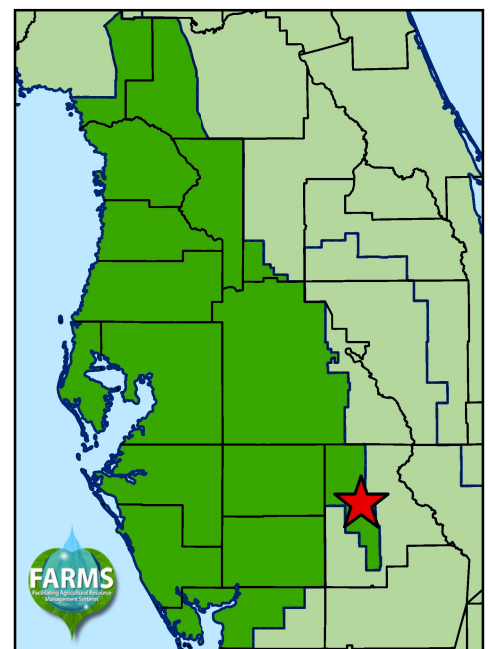
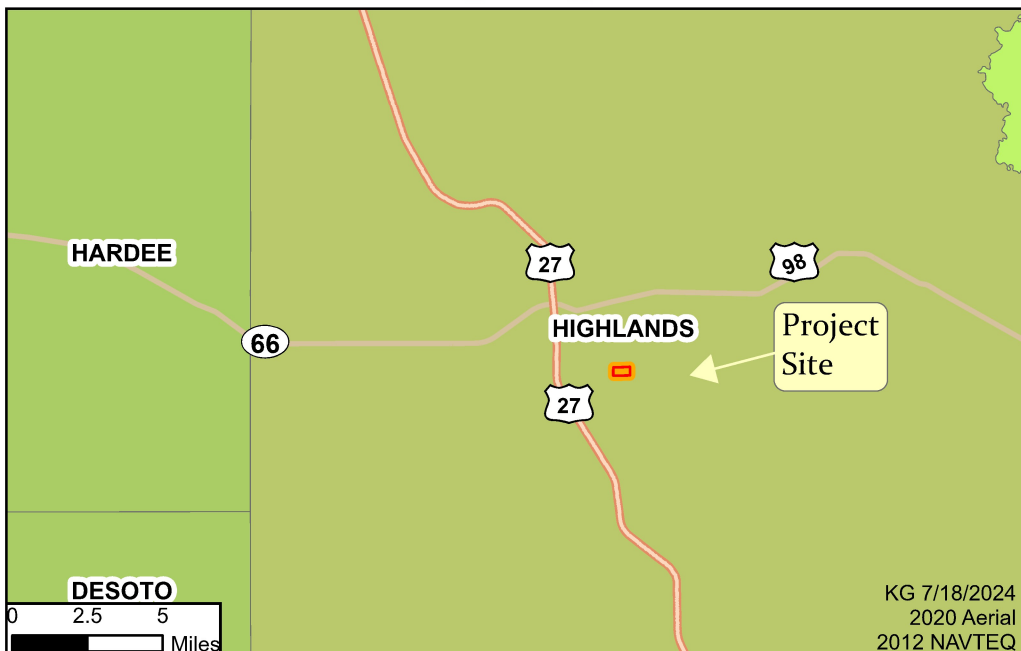
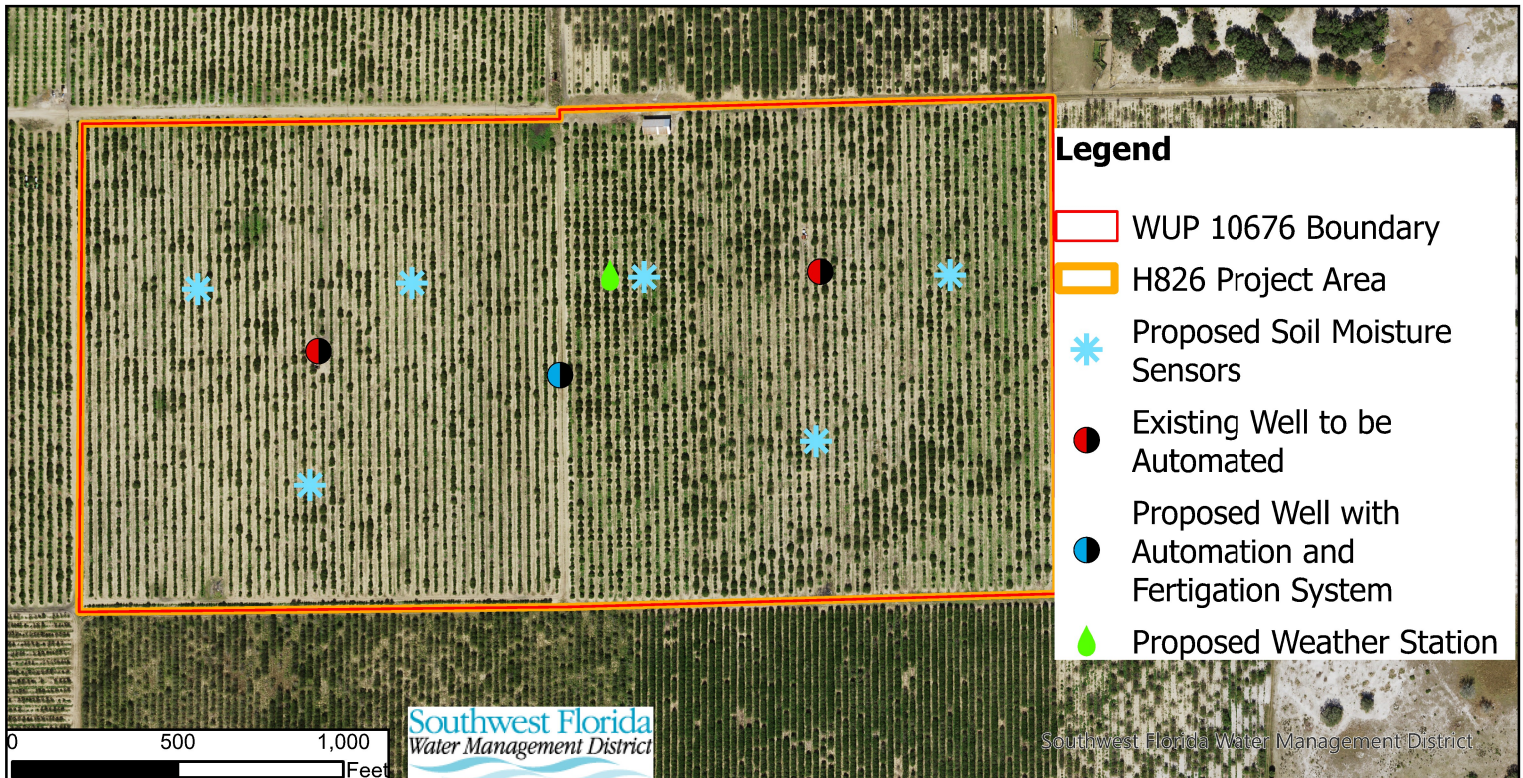
Carole J. Estes, P.G., FARMS Program Manager, Water Resources Bureau

Location Map

FD Berries USA LLC

Twitty Road South

FARMS Project H826



CONSENT AGENDA

August 27, 2024

Resource Management Committee: FARMS – Cameron Dakin – Dairy Heifer Farm (H827) Manatee County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Cameron Dakin – Dairy Heifer Farm and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$736,000 (67 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$1,100,000.

Project Proposal

The District received a project proposal from Cameron Dakin for their 517-acre heifer farm operation located five miles southeast of Myakka City in southern Manatee County, within the Southern Water Use Caution Area. The proposal is for an alternative water supply project and will involve the utilization of a 4-acre reservoir to collect tailwater and surface water from the property and surrounding watershed to offset Upper Floridan aquifer groundwater used to irrigate 220 acres of silage corn, and grains for dairy cattle feed. This portion of the property is permitted to use an annual average daily quantity of 412,800 gallons per day (gpd) for supplemental irrigation. FARMS project components consist of two surface water pump stations with GPS telemetry, automation, fertigation, control structures, valves, and the piping necessary to connect to linear overhead irrigation systems.

Benefits/Costs

The proposed project involves water quantity and water quality best management practices for supplemental irrigation and qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce groundwater use by approximately 30 percent or 125,000 gpd and reduce nitrogen use by approximately 396 pounds per year. Based on the groundwater offset, the reduction of nitrogen application, and a proposed seven-year contract term, the cost per thousand gallons of water saved is \$3.87 and the cost per pound of nitrogen reduced is \$12.09 (based on cost of fertigation components). These values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative water supplies, improved irrigation techniques, and nutrient reduction BMPs for similar operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$1,547,358 remaining in its FARMS Program budget.

Staff Recommendation:

1. Approve the Cameron Dakin – Dairy Heifer Farm project for a not-to-exceed project reimbursement of \$736,000 provided by the Governing Board;
2. Authorize the transfer of \$736,000 from fund 010 H017 Governing Board FARMS Fund to the H827 Cameron Dakin – Dairy Heifer Farm project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

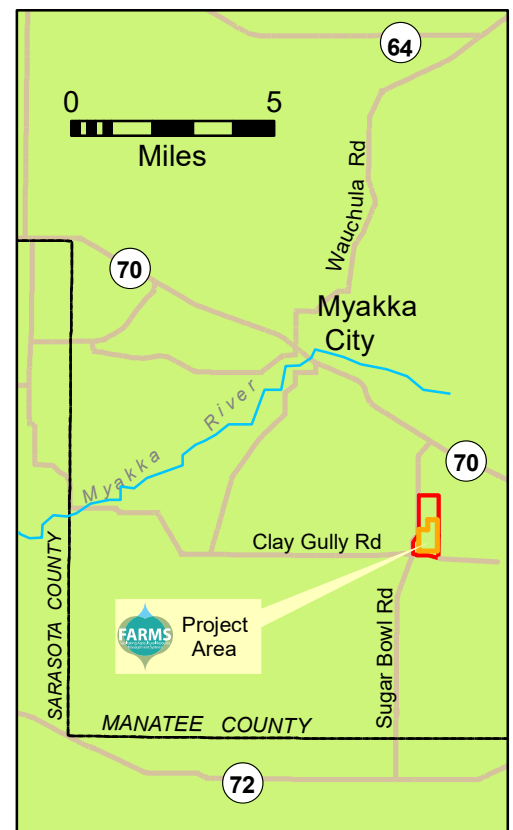
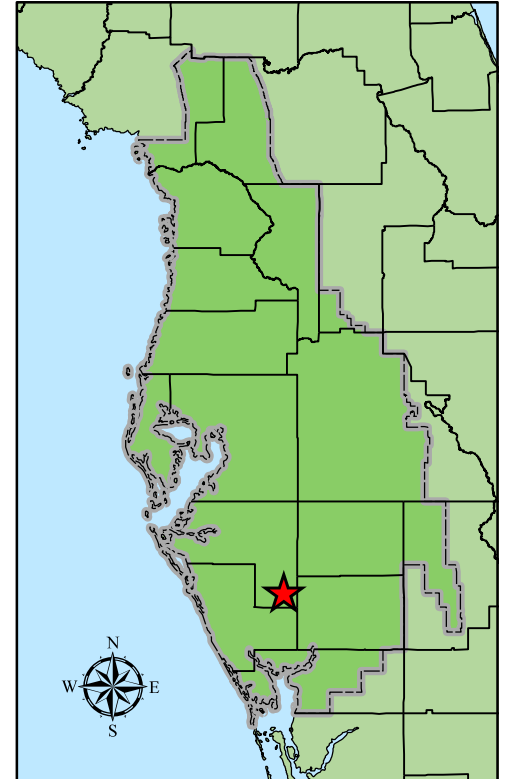
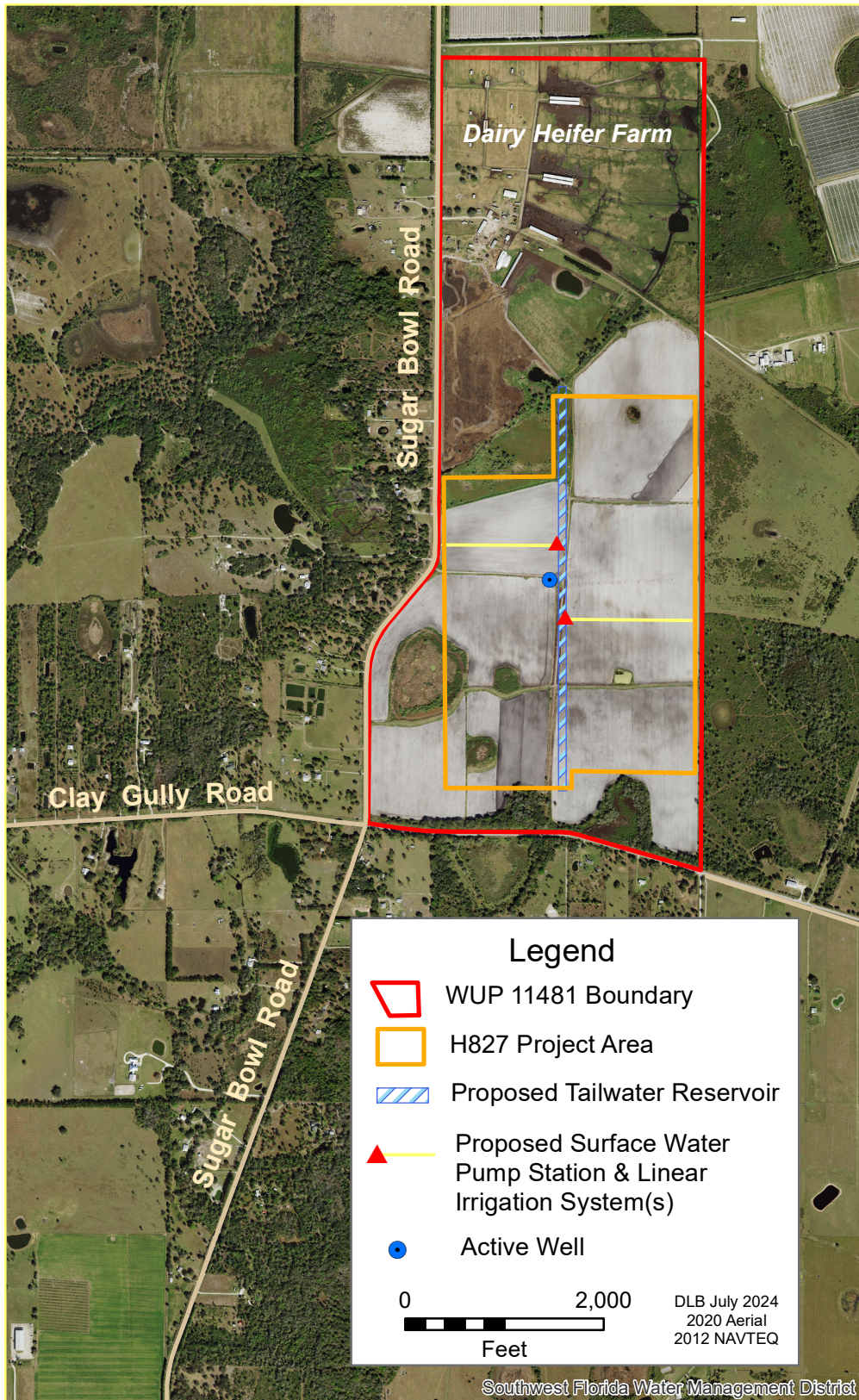
Presenter:

Carole Estes, P.G., FARMS Program Manager, Water Resources Bureau

Location Map

Cameron Dakin - Dairy Heifer Farm

FARMS Project H827



CONSENT AGENDA

August 27, 2024

Regulation Committee: Consider Modification of Water Shortage Order(s) as Necessary

On November 14, 2023, the Governing Board issued Water Shortage Order No. SWF 23-041, declaring a modified Phase I water shortage for the portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter counties located within the District. A copy of that Order is attached hereto as "Attachment A." According to its terms, Water Shortage Order No. SWF 23-041 will remain in effect through July 1, 2024 unless extended, modified, or rescinded by the Governing Board prior to that date. Notably, Water Shortage Order No. SWF 23-041 provided that Phase II Water Shortage Lawn and Landscaping irrigation restrictions provided in Rule 40D-21.631(6)(c), F.A.C., would go into effect for all water users in areas subject to District restrictions in Hillsborough, Pinellas, and Pasco counties. Rule 40D-21.631(6)(c)2.b, F.A.C., provides for one-day-per-week watering during the months of December-February, and twice-per-week watering the rest of the year.

On February 27, 2024, the Governing Board extended the Phase II Water Shortage Lawn and Landscaping irrigation restrictions for all water users in areas subject to District restrictions in Hillsborough, Pinellas, and Pasco counties until July 1, 2024.

On June 25, 2024, the Governing Board extended the Phase II Water Shortage Lawn and Landscaping irrigation restrictions for all water users in areas subject to District restrictions in Hillsborough, Pinellas, and Pasco counties until September 1, 2024.

Since the issuance of Water Shortage Order No. SWF 23-041, the District has continued to monitor conditions according to the Water Shortage Plan. The factors the District uses to evaluate hydrologic conditions are anticipated to improve across the District's Northern, Southern, and Polk County region of the District next month based on impacts from Hurricane Debby. As of August 6, 2024, the storage volume of the C.W. Bill Young Regional Reservoir was only at 4.76 billion gallons or approximately 30% of its full volume.

As a result of the conditions described above, staff recommends that SWF Order No. 23-041, as modified on June 25, 2024, be extended through December 31, 2024 for Hillsborough, Pasco, and Pinellas counties, unless extended, modified, or rescinded by the Governing Board prior to that date. The remaining portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Lake, Levy, Manatee, Marion, Polk, Sarasota, and Sumter counties located within the District would return to the District's Year-Round Water Conservation Measures as of September 2, 2024.

Staff Recommendation:

Approve the third Modification to Water Shortage Order No. SWF 23-041.

Presenter:

Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

DECLARATION OF MODIFIED PHASE I WATER SHORTAGE
IN CHARLOTTE, CITRUS, DESOTO, HARDEE, HERNANDO, HIGHLANDS,
HILLSBOROUGH, LAKE, LEVY, MANATEE, MARION, PASCO, PINELLAS,
POLK, SARASOTA, AND SUMTER COUNTIES

THIRD MODIFICATION TO WATER SHORTAGE ORDER NO. SWF 23-041

During a public hearing held at its regularly scheduled meeting on August 27, 2024, at the Southwest Florida Water Management District's (District) Tampa Service Office in Tampa, Florida, the District's Governing Board received data and recommendations from District staff and provided an opportunity for public comment regarding hydrologic conditions and other pertinent facts regarding a water shortage within the District. Based upon testimony, data, staff recommendations, and public comment, the Governing Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On November 14, 2023, the Governing Board issued Water Shortage Order No. SWF 23-041, declaring a modified Phase I water shortage for the portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter Counties located within the District. According to its terms, Water Shortage Order No. SWF 23-041 will remain in effect through July 1, 2024, unless extended, modified, or rescinded by the Governing Board prior to that date.
2. On February 27, 2024, the Governing Board issued a Modification to Water Shortage Order No. SWF 23-041, extending the Phase II Water Shortage Lawn and Landscaping irrigation restrictions provided in Rule 40D-21.631(6)(c), F.A.C., for Hillsborough, Pinellas, and Pasco Counties, notwithstanding the month-based restrictions provided in that rule.
3. On June 25, 2024, the Governing Board issued its Second Modification to Water Shortage Order No. SWF 23-041, extending the terms of Water Shortage Order No. SWF 23-041, as modified on February 27, 2024, through September 1, 2024.
4. The District's Water Shortage Plan (Plan), adopted as Chapter 40D-21, Florida Administrative Code (F.A.C.), specifies that the District will collect water resource data and water demand data to evaluate Drought Indicators, current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status.

5. Since the issuance of the June 25, 2024, Second Modification to Water Shortage Order No. SWF 23-041, the District has continued to monitor conditions according to the Plan. The factors the District uses to evaluate hydrologic conditions are anticipated to improve across the District's Northern, Southern, and Heartland regions of the Central areas of the District.

6. As of August 7, 2024, the storage volume of the C.W. Bill Young Regional Reservoir was only at 4.76 billion gallons or approximately 30.7% of its full volume.

7. The above-described circumstances warrant that the District requires the general public, local governments, water utilities, and other water users within the affected areas to take prudent actions and minimize water use.

CONCLUSIONS OF LAW

8. Pursuant to Section 373.246(2), Florida Statutes (F.S.), the Board by order may declare the existence of a Water Shortage within all or part of the District when insufficient water is or will be available to meet the present and anticipated requirements of the users or when conditions are such as to require temporary reduction in total use within the area to protect water resources from serious harm.

9. Section 373.246(3), F.S., provides that, in accordance with the Plan, the Governing Board may impose such restrictions as may be necessary to protect the water resources of the area from serious harm and to restore them to their previous condition.

10. The Plan requires the District to assign a Water Shortage Phase based upon consideration of the following factors:

- a. Drought Indicators and Drought Condition Levels;
- b. Current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status;
- c. Seasonal characterizations of collected data;
- d. The relative impact of withdrawals used to supply various categories of water uses on the affected Source Class(es) and any specific water body for which the shortage is declared;
- e. The availability and practicality of alternative sources for each category of water user;
- f. To the degree practical, how the District can implement phased restrictions and other required actions in a manner that distributes the burden of the required actions equitably among water users, relative to their impact on the affected Source Class(es) and specific water bodies experiencing the Water Shortage;
- g. The potential for serious harm to natural systems as a result of the drought or other Water Shortage;
- h. The appropriate geographic scope of potential water use restrictions and other required actions, relative to the affected source;

- i. The effectiveness of current and potential water use restrictions and other required actions in containing or reducing water use to protect the affected source; and
- j. Any adverse impact of current and potential water use restrictions and other required actions on public health, safety and welfare.

11. Based upon consideration of all relevant information, a modified Phase I Water Shortage continues to exist within Hillsborough, Pasco, and Pinellas Counties located within the District.

Based upon the foregoing, it is hereby **ORDERED**:

12. As to Hillsborough, Pasco, and Pinellas Counties, SWF Order No. 23-041, as modified on June 25, 2024, is hereby extended and shall remain in full force and effect in accordance with its terms, through December 31, 2024, unless extended, modified, or rescinded by the Governing Board prior to that date.

13. All counties within the District's jurisdiction other than Hillsborough, Pasco, and Pinellas, shall return to the District's Year-Round Water Conservation Measures as of September 2, 2024.

14. Any variances issued concerning Order No. SWF 23-041 or the modifications thereto in Hillsborough, Pasco, or Pinellas Counties shall remain in effect according to their terms. Any variances issued concerning Order No. SWF 23-041 or the modifications thereto in counties other than Hillsborough, Pasco, or Pinellas shall expire at the end of September 1, 2024.

15. Except as modified herein, all other provisions of the District's Year-Round Water Conservation Measures provided in Chapter 40D-22, F.A.C., shall remain in full force and effect.

16. Water shortage declarations and restrictions enacted prior to this Order by county and city officials affecting their local jurisdictions (Local Action) that are at least as restrictive as this Order are hereby ratified and are authorized to continue in effect according to their terms. In the event a Local Action is less restrictive than this Order, this Order shall supersede the Local Action, unless the county or city officials obtain a variance or waiver from this Order from the District.

17. Pursuant to Section 373.609, F.S., and Rule 40D-21.421, F.A.C., county and city officials and all law enforcement authorities shall assist the Governing Board in the enforcement of the provisions of this Order.

DONE AND ORDERED in Hillsborough County, Florida, on this 27th day of August, 2024.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Michelle Williamson, Chair

(Seal)

Approved as to Legal Form & Content

Attorney

Filed this _____ day of
_____, 2024.

Deputy Agency Clerk

NOTICE OF RIGHTS

Persons whose substantial interests are affected may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, Florida Administrative Code (F.A.C.). A request for a hearing must: 1) explain how the petitioner's or other person's substantial interests will be affected by the District's action; 2) state all material facts disputed by the petitioner or other person, or state that there are no disputed facts; and 3) otherwise comply with Chapter 28-106, F.A.C.

A request for hearing must be filed with and received by the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9788, within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available.

A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

CONSENT AGENDA

August 27, 2024

Regulation Committee: Modification of Emergency Order No. SWF 24-002 – Tampa Bay Water – Alafia River Withdrawal Facility

Section 373.119(2), Florida Statutes (“F.S.”), provides that whenever the Executive Director, with the concurrence and advice of the Governing Board, finds that an emergency exists requiring immediate action to protect the public health, safety, or welfare; the health of animals, fish or aquatic life; a public water supply; or recreational commercial, industrial, agricultural or other reasonable uses, the Executive Director may, without prior notice, issue an order reciting the existence of such an emergency and requiring that such action be taken as the Executive Director deems necessary to meet the emergency.

On July 25, 2024, Tampa Bay Water requested a modification of the Emergency Order SWF 24-002 for authorization from the District to allow Tampa Bay Water to temporarily increase the maximum day withdrawal limit from 60 million gallons per day (mgd) to 75 mgd when additional flow is available above the minimum flow in the Alafia River and extend the Order to March 31, 2025. Tampa Bay Water typically stores water from its surface water sources in the Reservoir during periods of high flow for later use during the annual dry season or when other supplies are not sufficient to meet potable water demand. However, since 2023, the District has been experiencing drought conditions and the District entered Water Shortage Order No. 23-041 to ensure current and future needs of water users within the District continue to be met and to protect the water resources of the area from serious harm.

Tampa Bay Water states that the Tampa Bay region remains in a Stage I Water Shortage under Tampa Bay Water’s own Water Shortage Mitigation Plan with a 5.87-inch rainfall deficit and a 2.9 mgd median flow surplus in the Hillsborough River for the past 12 months. Tampa Bay Water delivered an average of 201.14 mgd of water during October 2023 through June 2024, an increase of 3.44 mgd above the delivery it anticipated for Fiscal Year 2024. The once-per-week outdoor watering restrictions in the current water shortage order and local enforcement have helped to reduce water demands. However, high demands during the hot, dry months of October and November 2023 and April and May 2024 resulted in higher water delivery than anticipated. The Tampa Bay Desalination Facility is offline for emergency renovations until at least the early fall of 2024. Tampa Bay Water has used water stored in the Reservoir to sustain flow to its Surface Water Treatment Plant to meet regional demand and comply with its Consolidated Water Use Permit limit. The storage volume of the Reservoir was 3.06 billion gallons as of July 24, 2024, which represents 19.7% of its full volume. Due to continued low flow in the Hillsborough and Alafia Rivers through mid-July, Tampa Bay Water was unable to add water to the Reservoir until July 14, whereas it typically begins refilling the Reservoir in mid to late June. Tampa Bay Water states that 19.7% is a low storage volume and that Tampa Bay Water must harvest all possible water to try to fill the Reservoir before the summer rainy season ends. Tampa Bay Water states that the La Nina climate condition forecast expected to begin later in 2024 and that the warmer and drier than normal long-range forecasts mean that Tampa Bay Water needs to store as much water as possible in the Reservoir to remain below its Water Use Permit limits in 2025. As a result of Emergency Order SWF 24-002, Tampa Bay Water has harvested an additional 1.361 billion gallons from the Alafia River. Tampa

Bay Water calculated this volume of water as the difference between 19% and 10% of actual flow in the river above the established minimum flow.

As a result of the conditions provided above, the modification of Emergency Order No. SWF-24-002 allows Tampa Bay Water to increase the maximum day withdrawal limit from 60 mgd to 75 mgd when additional flow is available above the minimum flow in the Alafia River and extends the order to March 31, 2025. This Order continues to authorize Tampa Bay Water to increase withdrawals from the Alafia River from the current 10% to 19% above the calculated baseline flow in the Alafia River as specified in Special Condition 7 of the Permit for the purpose of allowing the harvest of additional water for regional water use and/or storage in the Reservoir for use in the coming spring dry season. The total will be consistent with the adopted MFL for the Alafia River. This order will help ensure that Tampa Bay Water is able to meet the public health and safety needs of the six Tampa Bay Water member governments under potentially challenging conditions and will offset an equal amount of pumping from the Consolidated Permit Wellfields and/or the South-Central Hillsborough Regional Wellfield. This Order shall expire on March 31, 2025, unless rescinded or extended by the Governing Board or Executive Director action on or before that date.

Staff Recommendation:

Approve Modification to Emergency Order No. SWF 24-002 attached as an exhibit.

Presenters:

Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

Mike Bray, Assistant General Counsel, Office of General Counsel

BEFORE THE SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY REGARDING USE OF
THE ALAFIA RIVER

MODIFICATION TO EMERGENCY ORDER NO. SWF 24-002

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District (“District”), at the Tampa Office, 7601 US Highway 301 North, Tampa, Florida 33637, received evidence and information from District staff and representatives of Tampa Bay Water, a Regional Water Supply Authority, regarding emergency conditions due to continued drought conditions in the Tampa Bay region, record high water demands, current reduced storage volume in the C.W. Bill Young Regional Reservoir (the “Reservoir”), and the current off-line status of the Tampa Bay Desalination Facility for emergency renovations. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.119(2), Florida Statutes (“F.S.”), provides that whenever the executive director, with the concurrence and advice of the governing board, finds that an emergency exists requiring immediate action to protect the public health, safety, or welfare; the health of animals, fish or aquatic life; a public water supply; or recreational, commercial, industrial, agricultural or other reasonable uses, the executive director may, without prior notice, issue an order reciting the existence of such an emergency and requiring that such action be taken as the executive director deems necessary to meet the emergency.

2. Tampa Bay Water holds Water Use Permit No. 20011794.002 (the “Permit”) for the Alafia River Withdrawal Facility. The Permit authorizes withdrawals of 18.7 million gallons per day (“mgd”) on an annual average basis, and 60 mgd on a peak month basis, from the Alafia River for public supply.

3. Tampa Bay Water typically stores water from its surface water sources in the Reservoir during periods of high flow for later use during the annual dry season or when other supplies are insufficient to meet potable water demand.

4. Since 2023, the District has been experiencing drought conditions. On November 14, 2023, the District entered Water Shortage Order No. 23-041 to help ensure current and future needs of water users within the District can

continue to be met, and to protect the water resources of the area from serious harm.

5. On February 27, 2024, the Governing Board issued a Modification to Water Shortage Order No. SWF 23-041, extending the original order and specifically extending the Phase II Water Shortage Lawn and Landscaping irrigation restrictions provided in Rule 40D-21.631(6)(c), F.A.C., for Hillsborough, Pinellas, and Pasco Counties through July 1, 2024.

6. On June 25, 2024, the Governing Board issued the Second Modification to Water Shortage Order No. SWF 23-041, extending the existing order through September 1, 2024.

7. Tampa Bay Water states that the Tampa Bay region remains in a Stage I Water Shortage under Tampa Bay Water's own Water Shortage Mitigation Plan with a 5.87-inch rainfall deficit and a 2.9 mgd median flow surplus in the Hillsborough River for the past 12 months.

8. The U.S. Drought Monitor shows Hillsborough, Pasco, and Pinellas Counties in an abnormally dry condition through July 9, 2024. That condition began to recede on that date, despite the Tampa Bay area receiving only half the expected rainfall in April and May 2024, and one inch less than normal in June 2024.

9. Tampa Bay Water delivered an average of 201.14 mgd of water during October 2023 through June 2024, an increase of 3.44 mgd above the delivery it anticipated for Fiscal Year 2024. The once-per-week outdoor watering restrictions in the current water shortage order and local enforcement have helped to reduce water demands. However, high demands during the hot, dry months of October and November 2023 and April and May 2024 resulted in higher water delivery than anticipated.

10. The Tampa Bay Desalination Facility is offline for emergency renovations until at least the early fall of 2024.

11. Tampa Bay Water has used water stored in the Reservoir to sustain flow to its Surface Water Treatment Plant to meet regional demand and comply with its Consolidated Water Use Permit limit. The storage volume of the Reservoir was 3.06 billion gallons as of July 24, 2024, which represents 19.7% of its full volume. Due to continued low flow in the Hillsborough and Alafia Rivers through mid-July, Tampa Bay Water was unable to add water to the Reservoir until July 14, whereas it typically begins refilling the Reservoir in mid to late June. Tampa Bay Water states that 19.7% is a low storage volume and that Tampa Bay Water must harvest all possible water to try to fill the Reservoir before the summer rainy season ends. Tampa Bay Water states that the La Nina climate condition forecast expected to begin later in 2024 and that the warmer and drier than normal long range forecasts mean that Tampa Bay Water needs to store as

much water as possible in the Reservoir to remain below its Water Use Permit limits in 2025.

12. The Consolidated Permit wellfields 12-month running average pumping rate was 89.82 mgd at the end of June 2024 compared to the 90 mgd permit limit.

13. The South-Central Hillsborough Regional Wellfield 12-month running average pumping rate was 25.52 mgd at the end of June 2024 compared to the 24.95 mgd permit limit.

14. Tampa Bay Water requests an extension of Emergency Order SWF 24-002 to allow Tampa Bay Water to continue to temporarily increase the permitted percentage withdrawal from the Alafia River from the current 10% to 19% above the calculated baseline flow in the Alafia River as specified in Special Condition 7 of the Permit for the purpose of allowing the harvest of additional water for regional water use and/or storage in the Reservoir for use in the coming spring dry season. This order will help ensure that Tampa Bay Water is able to meet the public health and safety needs of the six Tampa Bay Water member governments under potentially challenging conditions, and will offset an equal amount of pumping from the Consolidated Permit Wellfields and/or the South-Central Hillsborough Regional Wellfield.

15. As a result of Emergency Order SWF 24-002, Tampa Bay Water has harvested an additional 1.361 billion gallons from the Alafia River. Tampa Bay Water calculated this volume of water as the difference between 19% and 10% of actual flow in the river above the established minimum flow.

16. Tampa Bay Water also requests authorization to temporarily increase the maximum day limit in the Permit from 60 mgd to 75 mgd when additional flow is available above the minimum flow in the Alafia River. Tampa Bay Water states that the current daily maximum withdrawal limit of 60 mgd is based on the initial design capacity of the pumps at the pumping station that will be used. However, Tampa Bay Water's operating experience has shown that it can harvest up to 75 mgd when sufficient water is available. The ability to harvest up to 75 mgd would assist Tampa Bay Water in storing as much water as possible in advance of the 2025 dry season.

17. Tampa Bay Water states that the additional water requested to be harvested by Tampa Bay Water under an extension of Emergency Order SWF 24-002 will be used to sustain flow to its Regional Surface Water Treatment Plant for regional use and/or storage in the Reservoir for use in the coming dry seasons. Tampa Bay Water further states that this additional water will be used to meet the public health and safety needs of the six Tampa Bay Water member governments and will offset an equal amount of pumping from the Consolidated Permit Wellfields and/ or the South-Central Hillsborough Regional Wellfield. Tampa Bay Water states that this additional water will help it to remain in compliance with its Consolidated Permit limit in the coming year and reduce its

pumping rate from the South-Central Hillsborough Regional Wellfield. Given the low storage volume currently in the Reservoir and forecast warmer and drier conditions next spring, Tampa Bay Water anticipates remaining just below the 90 mgd limit of the Consolidated Permit through spring 2025.

18. The exercise of emergency powers under Section 373.119, F.S., is necessary to protect the public health, safety, or welfare, and the public water supply of customers who depend upon Tampa Bay Water.

CONCLUSIONS OF LAW

19. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), F.S., to declare an emergency and to issue an emergency order reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

WHEREFORE, it is hereby **ORDERED** that:

20. An emergency continues to exist for Tampa Bay Water. Emergency Order SWF 24-002 is hereby extended through March 31, 2025.

21. The Permit is further temporarily modified to increase the maximum day withdrawal limit from 60 mgd to 75 mgd when additional flow is available above the minimum flow in the Alafia River.

22. This Order shall expire on March 31, 2025, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

23. Except as provided herein, all other terms and conditions of the Permit shall remain in full force and effect.

DONE AND ORDERED in Hillsborough County, Florida, this 31st day of July, 2024.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Filed this 31st day
of July, 2024.



Agency Clerk

By: 

Brian Armstrong, P.G.
Executive Director

The Governing Board of the Southwest Florida Water Management District concurred with the action taken by the District's Executive Director.

Acknowledged this ____ day of August, 2024.

Approved as to Legal Form & Content

By: _____
Michelle Williamson, Chair

Attest: _____
Jack Bispham, Secretary

NOTICE OF RIGHTS

Persons whose substantial interests are affected may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, Florida Administrative Code ("F.A.C."). A request for a hearing must: 1) explain how the petitioner's or other person's substantial interests will be affected by the District's action; 2) state all material facts disputed by the petitioner or other person, or state that there are no disputed facts; and 3) otherwise comply with Chapter 28-106, F.A.C. A request for hearing must be filed with and received by the Agency Clerk of the District at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL 33637-6759, within twenty-one (21) days of receipt of this notice. Documents should be addressed and sent or delivered to the District Agency Clerk at the Tampa Service Office, and may be filed by hand delivery, U.S. Mail, or other delivery service, or sent by facsimile transmission (fax) to the Agency Clerk at (813) 367-9776. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available. In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

PURSUANT TO SUBSECTION 373.119(3), F.S., AND NOTWITHSTANDING ANY OTHER PROVISION UNDER CHAPTER 120, F.S., PERSONS TO WHOM THE ORDER IS DIRECTED SHALL COMPLY THEREWITH IMMEDIATELY, AND THE TIMELY FILING OF A PETITION SHALL NOT STAY SUCH PERSON'S OBLIGATION TO MAINTAIN SUCH COMPLIANCE DURING THE PENDENCY OF ANY ADMINISTRATIVE PROCEEDING.

CONSENT AGENDA

August 27, 2024

General Counsel's Report: Approval of Consent Order – Environmental Resource Violations; Unauthorized Construction and Permit Condition Violations – S&S Money Auto Repair, Inc. – Environmental Resource Permit Number 31357.002 – Charlotte County

S & S Money Auto Repair, Inc. ("Permittee") owns real property located at 23371 Harborview Road, Port Charlotte, Florida 33980 ("Property"). The District issued Environmental Resource Permit No. 46031357.000 ("ERP") for the Property on August 2, 2006. The ERP authorized the construction of .747 acres of impervious area and required a stormwater management system to include two connected dry ponds.

After the permitted construction was completed, District staff observed additional unpermitted construction of a parking lot expansion, which impacted the stormwater management system. On January 28, 2019, the Permittee applied for a modification of the ERP to address the unpermitted expansion but failed to address deficiencies in the application, leading to its denial on July 24, 2019. Subsequently, District staff sent several Notices of Unauthorized Activities in an attempt to resolve this matter. On January 5, 2024, District staff conducted a site visit for the 5-year stormwater system recertification and observed additional land had been cleared at the Property without the appropriate permit.

On May 6, 2024, the District's Office of General Counsel ("OGC") sent a Notice of Violation letter and a proposed Consent Order addressing the violations above. Since May 15, 2024, District staff and OGC have been in communication with the Permittee's counsel regarding the violations on the Property.

To resolve these above-described deviations, the Permittee has agreed to the terms of the attached Consent Order, which includes payment of \$21,297.00 in penalties and \$1,500 in costs to the District for a total payment of \$22,797.00 to be paid in installments within 12 months of the approval of the Consent Order by the Governing Board. The Permittee shall submit a restoration plan or ERP modification, obtain District approval of the restoration plan or secure a modified ERP, and complete all remedial construction within 9 months of the approval of the Consent Order by the Governing Board. Within 12 months of approval, the Permittee shall apply for and obtain a transfer of the ERP to the operation and maintenance phase for the stormwater management system.

Staff Recommendation:

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

Presenter:

Andrew B. Thornquest, Senior Attorney, Office of General Counsel

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO. SWF 24-_____

IN RE: S & S MONEY AUTO REPAIR, INC.
CT NO. 395601
23371 HARBORVIEW ROAD
PORT CHARLOTTE, FL 33980

CONSENT ORDER

Pursuant to Sections 120.57(4) and 373.083, Florida Statutes (F.S.), this Consent Order is entered into by and between the Southwest Florida Water Management District (District) and S & S Money Auto Repair, Inc. (Respondent), collectively referred to as the "Parties," to settle certain matters at issue between the Parties. The Parties hereby voluntarily agree to the following findings of fact, conclusions of law, and corrective actions:

FINDINGS OF FACT

1. The District is the administrative agency charged with the responsibility to conserve, protect, manage, and control the water resources within its geographic boundaries and to administer and enforce Chapter 373, F.S., and the rules promulgated thereunder as Rule 62-330, Florida Administrative Code (F.A.C.).

2. The Parties have agreed to the foregoing findings of fact and will resolve all issues regarding disputed facts as described in this Consent Order.

3. Respondent owns the real property located at 23371 Harborview Road in Port Charlotte, Charlotte County, Florida, further identified by the Charlotte County Property Appraiser as Parcel ID 402225408004 ("Property"). Abdool Z. Sattar, an individual, is Respondent's President and Director, and is authorized to execute this Consent Order on Respondent's behalf.

4. On August 2, 2006, the District issued Environmental Resource Permit No. 46031357.000 ("Permit") to Respondent, which allowed for the construction on the Property of .747 acres of impervious area to include parking/drives, sidewalks, covered loading zone, and building area dedicated to retail, automotive service, and warehouse storage. The Permit also

required the construction of a stormwater management system to include two connected dry ponds.

5. On October 20, 2017, District staff observed the unauthorized construction of a parking lot expansion on the Property, which also impacted the permitted stormwater management system.

6. On December 19, 2017, the District sent a letter notifying Respondent that unauthorized activities were occurring on the Property and that a permit modification would be needed. The letter also noted that while a 10-2 Self-Certification had been obtained for this construction from the Florida Department of Environmental Protection, the parking lot expansion did not meet the requirements of self-certification as it was part of the larger, previously permitted plan of development and caused adverse water resource impacts to the existing stormwater management system.

7. The engineer of record on the Permit, James Herston, requested an extension to apply for a permit modification on March 15, 2018. On March 20, 2018, the District granted the request via email and told Mr. Herston the permit modification application would be due on April 14, 2018.

8. On May 25, 2018, District staff contacted Mr. Herston via email to request an update on the permit modification due on April 14, 2018; however, Mr. Herston failed to respond.

9. On October 11, 2018, District staff sent Respondent the Final Notice of Unauthorized Activities.

10. On January 28, 2019, the District received a permit modification application, and sent Respondent a Request for Additional Information on February 20, 2019, a Notice of Incomplete Application - Reminder Letter on April 24, 2019, and a Notice of Incomplete Application – Intent to Deny on May 22, 2019.

11. Respondent failed to address the deficiencies in the application, and it was ultimately denied on July 24, 2019.

12. On February 28, 2020, District staff emailed Respondent to advise that the issues on the Property remained outstanding. District staff also sent additional Notice of Unauthorized Activities letters on August 7, 2023, and October 26, 2023, and an email to Respondent on November 16, 2023, attempting to resolve this matter.

13. On January 5, 2024, District staff conducted a site visit for a general inspection and observed additional land had been cleared at the Property.

14. To date, no modification of the Permit has been issued by the District concerning the above-described unauthorized activities, and the Property remains in non-compliance with Florida law and District rules.

CONCLUSIONS OF LAW

15. The District has jurisdiction over this matter pursuant to Chapter 373, Part IV, F.S., and Rule 62-330, F.A.C.

16. Pursuant to Section 373.413, and Subsection 373.430(1)(b), F.S., and Rule 62-330.020, F.A.C., a permit is required prior to the construction, alteration, operation, maintenance, or abandonment of any regulated activity described in Chapter 373, Part IV, F.S., or Rule 62-330, F.A.C., that is not otherwise exempt from permitting requirements. Section 373.430(1)(b), F.S., also prohibits the violation of any rule, regulation, or permit adopted or issued pursuant to Chapter 373, Part IV, F.S.

17. The activities described in paragraphs 4-14 constitute violations of Permit Special Condition 8 and General Conditions 1,2,4,9, and 15, as well as Sections 373.413 and 373.430(1)(b), F.S., and Rule 62-330.020, F.A.C.

CORRECTIVE ACTIONS

18. In resolution of the violations above, Respondent agrees to pay the District a civil penalty in the amount of \$21,297.00 and regulatory enforcement costs in the amount of \$1,500.00 for a total amount of \$22,797.00 for the violations described herein.

19. Respondent agrees to pay the \$22,797.00 in penalties and enforcement costs by certified check or money order pursuant to the timelines below:

- a. Within thirty (30) days of approval of this Consent Order by the District's Governing Board, Respondent shall pay \$7,500.
- b. Beginning sixty (60) days after the approval of this Consent Order by the District's Governing Board, Respondent shall, on a monthly basis, pay \$1,500 toward the balance until the entirety of the \$22,797.00 is paid in full except that the last payment shall be in the amount of \$297.00.

20. If mailed, the address for payment is:

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

21. In addition, Respondent agrees to:

- a. Immediately cease all unauthorized activities under Chapter 373, F.S., on the Property;
- b. Within ninety (90) days of the Governing Board's approval of this Consent Order, submit either a plan for restoring the site to its original condition OR an application for modification of the Permit.
- c. Within the timeframes indicated in the District's requests, comply with and respond to all requests from the District for updates and any additional information or clarification;
- d. Within one hundred eighty (180) days of the Governing Board's approval of this Consent Order, obtain either the District's approval of a restoration plan OR the District's approval of the application for modification of the Permit.

- e. Within two hundred seventy (270) days of the Governing Board's approval of this Consent Order, complete all actions outlined in the approved restoration plan or the approved modified Permit, whichever has been approved.
- f. Within three hundred sixty (360) days of the Governing Board's approval of this Consent Order, apply for and obtain a transfer to operation and maintenance phase for the site.

GENERAL PROVISIONS AND NOTICE OF RIGHTS

22. For each day of delay beyond any due date specified in this Consent Order, Respondent will pay to the District an additional sum of \$200 per day. This additional sum shall be paid by certified check or money order within three days of receipt of the District's written demand for payment. This provision shall not be construed to preclude the District's right to undertake other civil, administrative, or criminal action as appropriate in the event Respondent violates this Consent Order or any other statute, rule, or order.

23. Respondent hereby waives any right to an administrative hearing or judicial review of the terms of this Consent Order.

24. For and in consideration of the complete and timely performance by Respondent of the obligations described in this Consent Order, the District waives its right to pursue civil, administrative, or criminal action for any violation described herein. If Respondent fails to completely and timely perform the obligations described in this Consent Order, the District retains its right in full to pursue any civil, administrative, or criminal action to obtain relief. The District may seek a penalty of up to \$15,000.00 per day for each of the violations listed above for each date of the violation, and is further authorized to recover its investigative costs, court costs, and reasonable attorney fees.

25. The District hereby expressly reserves and retains the right to initiate additional civil, administrative, or criminal proceedings against Respondent to prevent, prohibit, or correct

the violation of any statute, rule, or order, not specifically described in this Consent Order. Respondent acknowledges by the execution of this Consent Order that any presently existing or future violation of Chapter 373, F.S., District rule, or the terms of any authorization (including such as may be modified) may subject Respondent to civil, administrative, or criminal proceedings in which penalties of up to \$15,000.00 per day per offense may be imposed, as provided in Section 373.129(5), F.S.

26. This Consent Order is not a license or a permit. Respondent shall not undertake any activities not described herein without the necessary authorizations.

27. Execution of this Consent Order shall not relieve Respondent of the duty to comply with all applicable federal, state, and local laws, regulations, and ordinances.

28. Respondent will allow authorized District representatives to access the Property at all reasonable times without prior notice to determine compliance with this Consent Order or any applicable statute, rule, or order.

29. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69, 373.083(1), and 373.129, F.S.

30. The effectiveness of this Consent Order is subject to review and approval by the District's Governing Board or Executive Director. In the event this Consent Order is not approved, it will be null, void, and of no legal effect.

31. No modification of the terms of this Consent Order is effective unless reduced to writing and executed by all Parties. Respondent may apply to the District for an extension of the time limits contained in this Consent Order. A request for an extension of time must be made in writing and must be submitted to District staff and to the Office of General Counsel, simultaneously, no later than five (5) days prior to the expiration of such time limit. Only the Office of General Counsel may approve a request for an extension of time. Any purported approval of an extension of time that does not have the prior authorization of the Office of General Counsel will not constitute compliance with this provision of the Consent Order.

32. This Consent Order may be signed in two or more counterparts, including by way of electronic signature (PDF formats included), each of which will be deemed an original but all of which together will constitute one and the same instrument. This Consent Order shall become effective when counterparts have been signed by each party and delivered to the other party. Each person signing this Consent Order warrants that he or she is duly authorized to do so and to bind the respective party to this Agreement.

33. In accordance with the Florida Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, electronic mail, or other transmission method, may be used and will have the same force and effect as a written signature.

34. Any person who is not a party to this Consent Order and whose substantial interests may be affected by the District's action in this Consent Order has the right to request an administrative hearing in accordance with Sections 120.569 and 120.57(1), F.S., and to be represented by counsel or other qualified representative. Any request for a hearing must comply with the requirements set forth in Rules 28-106.104 and 28-106.201, F.A.C. Mediation under Section 120.573, F.S. is not available. A request for a hearing must be filed with (received by) the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, no later than twenty-one (21) days after receipt of this notice. A request for a hearing is deemed filed upon receipt of the complete request by the Agency Clerk at the District's Service Office in Tampa, Florida. A request for a hearing received by the Agency Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. These requirements are set forth in Rule 28-106, F.A.C., and in the District's Statement of Agency Organization and Operation, which is available for viewing at www.swfwmd.state.fl.us/about/agency-statement-organization-and-operation. Failure to file a request for a hearing within the specified time period constitutes a waiver of the right to an administrative hearing.

S & S MONEY AUTO REPAIR, INC.

Abdool Zaheer Sattar

Signature

Abdool Zaheer Sattar, President

Print Name and Title

June 27, 2024

Date

Approved by the Governing Board of the Southwest Florida Water Management District
this ____ day of _____, 2024.

By: _____
Michelle Williamson, Chair

Approved as to Legal Form and Content

Rachael Johnson, Esq.
Office of General Counsel

Filed this ____ day of _____, 2024.

Deputy Agency Clerk

CONSENT ORDER
S & S MONEY AUTO REPAIR, INC.
CT NO. 395601
CHARLOTTE COUNTY, FLORIDA

CONSENT AGENDA**August 27, 2024****General Counsel's Report: Approval of Emergency Order No. SWF 24-022 – Emergency Measures Due to Tropical Depression Four**

Section 373.119, Florida Statutes (F.S.), authorizes the Executive Director to take actions necessary to address an emergency that poses a threat to the public health, safety, welfare, or environment. Such actions may include, among other things, issuing an emergency order to waive the procedures and formalities otherwise required to conduct public business. If the Executive Director issues an emergency order without prior notice, the Governing Board must affirm the emergency order at the next regularly scheduled Governing Board meeting.

On August 1, 2024, Governor Ron DeSantis issued Executive Orders 24-156 and 24-157 (Executive Orders) declaring a state of emergency in parts of Florida, including all 16 counties within the District's boundaries, based upon the serious threat to the public health, safety, and welfare posed by Hurricane Debby (formerly identified as Tropical Depression Four). The Department of Environmental Protection issued Emergency Final Order No. 24-2222 on August 2, 2024, suspending certain permitting, procurement, and travel provisions contained in Chapters 373 and 403, F.S., and associated rules.

District staff have spent extensive time addressing permitting and regulatory matters resulting from Hurricane Debby. District emergency activities in response to the storm have included, and will continue to include, re-assignment of staff for various emergency operation functions. District office operations have been adjusted to effectively address all storm-related impacts while at the same time meeting all existing and new permit application review timelines for projects not related to the Hurricane. Additionally, the effects of the storm may prevent or hinder a permit applicant, permittee, or property owner from strictly complying with the statutes, rules, or orders that the District administers and enforces. As a result, the Executive Director issued Emergency Order No. SWF 24-022 on August 3, 2024, suspending certain permitting, procurement, and travel provisions contained in Chapter 373, F.S., if necessary to address the emergency.

Emergency Order No. SWF 24-022 will remain in effect until the Governor's Executive Order expires on September 30, 2024. At that time, District staff will reassess the emergency measures provided for in the Emergency Order and determine whether an extension is warranted.

Staff Recommendation:

1. Approve Emergency Order No. SWF 24-022.

Presenter:

Christopher A. Tumminia, General Counsel, Office of General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
IN RE:

EMERGENCY AUTHORIZATION FOR
REPAIRS, REPLACEMENT,
RESTORATION, AND CERTAIN
OTHER MEASURES MADE NECESSARY
BY TROPICAL DEPRESSION 4

EMERGENCY ORDER NO. SWF 24-022

Under the authority of Sections 120.569(2)(n), 252.36, 252.46, and 373.119(2), Florida Statutes ("F.S."), and upon consideration of State of Florida Executive Order No. 24-156, and the following findings of fact, the Southwest Florida Water Management District ("District") enters this Emergency Order ("Order"), including Findings of Fact and Conclusions of Law, in response to the imminent or immediate danger to the public health, safety, and welfare of the citizens residing within the District caused by a tropical wave currently identified as Tropical Depression 4 (hereinafter, "the Storm"):

FINDINGS OF FACT

1. The District is an agency charged with the responsibility to conserve, protect, manage, and control the water resources within all or part of sixteen (16) counties designated in its geographic boundaries, including Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter counties (hereinafter referred to as the "Emergency Area"), and to administer and enforce Chapter 373, F.S., and the rules adopted thereunder as Chapters 18-20, 18-21, 40D, and 62, Florida Administrative Code ("F.A.C."). The District issues authorizations for use of sovereign submerged lands pursuant to Chapters 253 and 373,

F.S., and permits in accordance with the various procedures and deadlines set forth in Chapters 120, 373, and 403, F.S., and rules promulgated thereunder as Chapters 18-20, 18-21, 28, 40D, and 62, F.A.C.

2. By State of Florida Executive Order No. 24-156 and 24-157 (hereinafter referred to collectively as the “Executive Order”), the Governor declared that a state of emergency exists throughout the Emergency Area, based upon the serious threat to the public health, safety, and welfare posed by the Storm.

3. The Executive Order recognizes that special duties and responsibilities resting upon state, regional, and local agencies and other governmental bodies in responding to the emergency may require waiver or deviation from the statutes, rules, ordinances, and orders those agencies and bodies administer. Pursuant to the Executive Order, each state agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the order or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the effects of the Storm.

4. Section 373.119(2), F.S., provides that whenever the District’s executive director, with the concurrence and advice of the governing board, finds that an emergency exists requiring immediate action to protect the public health, safety, or welfare of the citizens of the State of Florida, the executive director may, without prior notice, issue an order reciting the existence of such an emergency and require that such action be taken as the executive director deems necessary to meet the emergency.

5. The District finds that effects of the Storm created an ongoing state of emergency threatening the public health, safety, welfare, and property throughout the Emergency Area. As a result of the emergency, immediate action by Florida's citizens and government may be necessary to repair, replace, and restore structures, equipment, surface water management systems, works, and other systems damaged by the Storm.

6. The District finds that an emergency authorization is required to address the need for immediate action because the normal procedures for obtaining the necessary authorizations would not result in sufficiently timely action to address the emergency.

7. The District finds that immediate, strict compliance with the provisions of the statutes, rules, or orders noted within this Order would prevent, hinder, or delay necessary action in coping with the emergency, and that the actions authorized under this order are narrowly tailored to address the immediate need for action and are procedurally appropriate under the circumstances.

CONCLUSIONS OF LAW

8. Based on the findings recited above, it is hereby concluded that the emergency caused by the Storm poses an immediate danger to the public health, safety, or welfare and requires an immediate order of the District.

9. Under the Executive Order, and Sections 120.569(2)(n), 252.36, and 252.46, and 373.119(2), F.S., the District's Executive Director, or designee, is authorized to issue this Final Order.

10. Suspension of statutes and rules as noted within this Order is required so as not to prevent, hinder, or delay necessary action in coping with the emergency.

THEREFORE, it is hereby ORDERED that within the Emergency Area, the following apply:

GENERAL PROVISIONS

11. Authorized Representatives

The Executive Director hereby appoints the following representatives and delegates to them the authority to issue authorizations, permits, and execute any emergency functions in accordance with this Order: The Assistant Executive Director, Director of Regulation, Director of Operations Lands & Resource Monitoring, Director of Resource Management, and the Regulation Bureau Chiefs.

12. Limitations

The District issues this Emergency Order solely to address the emergency created by the Storm within the Emergency Area, as described herein. This Emergency Order shall not be construed to authorize any activity within the jurisdiction of the District except in accordance with the express terms of this Emergency Order. Under no circumstances shall anything contained in this Order be construed to authorize the repair, replacement, or reconstruction of any type of unauthorized or illegal structure, habitable or otherwise. This Order does not convey any property rights or any rights or privileges other than those specified in this Order.

13. Expiration Date

This Emergency Order shall take effect retroactively to August 1, 2024, and expire upon the expiration or rescission of Executive Order No. 24-156, as modified or extended.

14. Other Authorizations Required

Nothing in this Emergency Order shall eliminate the necessity for obtaining any other federal, state, or local permits, or other authorizations that may be required.

15. **Extension of Time to Comply with Specified Deadlines**

For facilities and activities regulated by the District within the Emergency Area, this Order extends by thirty days the time to comply with the following specified deadlines that occur between the date of issuance of this Order and the expiration of this Order:

a. The time deadlines to conduct or report periodic monitoring or any other similar monitoring that is required by a permit, lease, easement, consent of use, letter of consent, consent order, consent agreement, administrative order, or other authorization under Chapters 161, 253, 258, 373, 376, or 403, F.S., and rules adopted thereunder;

b. The time deadlines to file an application for an extension of permit duration or renewal of an existing permit, lease, easement, consent of use, letter of consent, or other authorization under Chapters 161, 253, 258, 373, 376, or 403, F.S., and rules adopted thereunder;

c. The time deadlines to file an application for an operation permit under Chapters 161, 253, 258, 373, 376 or 403, F.S., and rules adopted thereunder;

d. The expiration date for an existing permit, lease, consent of use, or other authorization under Chapters 161, 253, 258, 373, 376 or 403, F.S., and rules adopted thereunder; and

e. The time deadlines to obtain a permit for and commence construction of the initial phase of a system for which a conceptual permit was issued pursuant to Part IV of Chapter 373, F.S., and rules adopted thereunder.

f. The extension of time to comply with specified deadlines set forth in this Section does not apply to the following:

- i. The time deadlines for filing a petition for administrative hearing pursuant to Chapter 120, F.S.;
- ii. The time deadlines for providing notice of the intent to exercise the tolling and extension granted under Section 252.363(1)(a), F.S.; or
- iii. The time or expiration of any other deadline not specifically set forth in this Order.

16. **Deadlines for Agency Actions**

Any deadlines specified in statutes, rules, agreements, or District orders, under which the District is required by law to take action within a specified time period, and under which failure by the District to timely take such action could result in any type of default binding on the District (including the time to request additional information on permit applications), are hereby suspended and tolled for a period of 30 days, provided such deadline had not expired as of the effective date this Order

17. **Suspension of Fees**

a. All application fee requirements set forth in Chapter 373, F.S., and the rules adopted thereunder, shall be suspended for the duration of this Order, and shall recommence on the date immediately following the expiration of this Order set forth in Paragraph 13 herein, unless this Order is extended or terminated by further order.

b. All lease fee and easement fee requirements set forth in Chapter 373, F.S., and the rules adopted thereunder, shall be suspended for the duration of this Order, except that lease fee and easement fee requirements shall be suspended only in proportion to the percentage loss of functionality of the total are under lease or easement. All lease fee and easement fee requirements shall recommence on the date immediately following the

expiration of this Order set forth in Paragraph 13 herein, unless this Order is extended or terminated by further order. However, the duration of the suspension of lease and easement fees may be extended beyond the duration of this Order (including subsequent extensions thereof) or beyond the date specified in a field authorization issued pursuant to this Order, upon a written request by the lessee to extend the suspension of the lease or easement fees. Such request must be received by the District before the expiration of this Order (or extensions thereof) or before the date specified in the field authorization (whichever date it later).

18. **Procurement**

To ensure the District is able to meet emergency response functions and provide for continuity of operation, the Executive Director hereby suspends, to the extent necessary, the effect of any statute, rule, or order that provides for the District's ability to procure necessary supplies, commodities, services, temporary premises, and other resources, to include, without limiting the generality of the foregoing, any and all statutes, rules, and orders that affect budgeting, leasing, printing, purchasing, travel, the conditions of employment, and the compensation of employees.

CONSUMPTIVE USES OF WATER

19. **General Conditions**

All activities authorized under this Section are subject to the following conditions:

a. All activities shall be performed in a manner that minimizes adverse water quality and water quantity impacts. This includes properly installed and maintained erosion and turbidity control devices to prevent erosions and shoaling and to control turbidity, nutrient loading, and sedimentation in off-site receiving waters.

b. Entities operating under this Order shall immediately correct any erosion, shoaling, or water quality problems that result from the activities authorized under this order.

c. This Order is temporary in nature and shall not relieve the any obligation to obtain necessary federal, state, local, or District permits or approvals.

d. This Order does not convey any property rights or any rights or privileges other than those specified in this Order.

e. This Order only serves as relief for the duration of the Order from the regulatory requirements of the District only and does not provide relief from the requirements of other federal, state, water management districts, and local agencies. This Order therefore does not negate the need to obtain any other required permits or authorizations, nor does it negate the need to comply with all the requirements of those agencies.

20. **Authorized Temporary Consumptive Uses**

a. The following temporary consumptive uses of water—including pumping or diverting water—are hereby authorized to address emergency conditions created by the Storm:

i. **On-Site Discharge – No Notice Required**

The internal movement of water from flooded areas within a project site to other areas within the same project site by the same owner. This authorization does not permit pumping or discharging water to off-site property, canals, or water bodies not completely on-site other than through permitted facilities.

ii. **Off-Site Discharge by Governmental Entity – No Notice Required**

The movement of water from a flooded area by a state, regional, or local government agency, regardless of whether water is discharged on or off-site,

provided that the movement of water is limited to measures necessary to address the emergency.

iii. **Off-Site Discharge by Private Landowner – Notice Required**

The movement of water from a flooded area by a private landowner to an off-site location, provided the following:

- A. The private landowner must provide notice of the activity to the District prior to the movement of water;
- B. An Authorized Representative, as set forth in paragraph 11 herein, authorizes the activity; and
- C. The activity is conducted in accordance with the conditions of the District's authorization.

21. **Permit Condition Deferral**

An Authorized Representative, as set forth in paragraph 11 herein, may authorize a permittee to defer compliance with any of the terms and conditions of a water use permit for such time as is necessary to address the emergency. The deferment may be conditioned as appropriate to protect public health, safety, and welfare, both during the emergency and for a period of time once normal operations under the permit resume.

22. **Permit Modifications**

An Authorized Representative, as set forth in paragraph 11 herein, may authorize a modification of any of the terms and conditions of a water use permit as necessary to address the emergency. The modification may be conditioned as appropriate to protect public health, safety, and welfare, both during the emergency and for a period of time once normal operations under the permit resume.

23. **Field Authorizations**

All District personnel are hereby authorized to issue temporary field authorizations for consumptive uses. A temporary field authorization may only be issued following a site inspection, and all District personnel are required to transmit the temporary field authorization to an Authorized Representative for final approval. An Authorized Representative may approve, modify, condition, or withdraw a temporary field authorization. District personnel must create and maintain all approvals, and provide copy to the permittee.

**ENVIRONMENTAL RESOURCE, DREDGE AND FILL, AND
SURFACE WATER MANAGEMENT ACTIVITIES**

24. **Terms and Conditions**

The terms and conditions of the Florida Department of Environmental Protection's Amended and Restated Emergency Final Order No. 24-2222 shall apply to any activity located in uplands and waters of the state, including wetlands, undertaken in response to the Emergency.

NOTICE OF RIGHTS

Pursuant to Section 120.569(2)(n), Florida Statutes, any party adversely affected by this Order has the right to seek an injunction of this Order in circuit court or judicial review of it under Section 120.68, Florida Statutes. Judicial review must be sought by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the District at 7601 U.S. Highway 301 North, Tampa, Florida 33637-6759, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the District.

DONE AND ORDERED in Hernando County, Florida, on August 3, 2024.

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

Approved as to legal form and content

Chris Tumminia

Chris Tumminia, General Counsel

By:

Brian J. Armstrong

Brian J. Armstrong, Executive Director

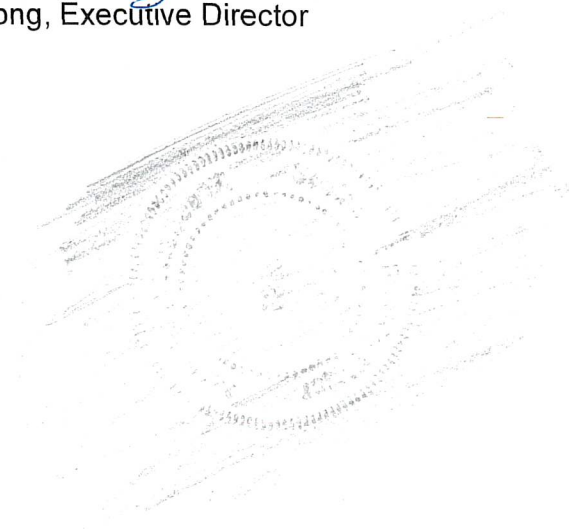
Filed this 3rd day of

August 2024.

[Signature]

Deputy Agency Clerk

[SEAL]



CONSENT AGENDA

August 27, 2024

Executive Director's Report: Approve Calendar for Fiscal Year 2025 Meeting Dates

Staff Recommendation:

Approve Fiscal Year 2025 meeting dates as presented.

Presenter:

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

Southwest Florida Water Management District Schedule of Meetings Fiscal Year 2025

Governing Board Meeting

October 22, 2024 – 9:00 a.m., Brooksville
November 19, 2024 – 9:00 a.m., Tampa
December 17, 2024 – 9:00 a.m., Brooksville
January 28, 2025 – 9:00 a.m., Tampa
February 25, 2025 – 9:00 a.m., Brooksville
March 25, 2025 – 9:00 a.m., Tampa
April 22, 2025 – 9:00 a.m., Brooksville
May 20, 2025 – 9:00 a.m., Tampa
June 24, 2025 – 9:00 a.m., Brooksville
July 22, 2025 – 9:00 a.m., Tampa
August 26, 2025 – 9:00 a.m., Brooksville
September 23, 2025 – 3:00 p.m., Tampa Office

Governing Board Workshop

November 19, 2024 – 9:30 a.m., Tampa Office

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

2025 – September 9 & 23

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

2024 – December 3
2025 – March 11, June 10, September 9

Environmental Advisory Committee – 10:00 a.m.

2024 – October 8
2025 – January 14, April 8, July 8

Industrial Advisory Committee – 10:00 a.m.

2024 – November 5
2025 – February 11, May 6, August 12

Public Supply Advisory Committee – 1:00 p.m.

2024 – November 5
2025 – February 11, May 6, August 12

Springs Coast Management Committee – 1:30 p.m.

2024 – October 23, December 4
2025 – January 8, February 19, May 21, July 9

Springs Coast Steering Committee – 2:00 p.m.

2024 – November 6
2025 – January 22, March 5, July 23

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637

CONSENT AGENDA

August 27, 2024

Executive Director's Report: Approve Governing Board Minutes – July 23, 2024

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING
TUESDAY, JULY 23 2024 – 9:00 AM
7601 U.S. HIGHWAY 301 NORTH, TAMPA, FLORIDA 33637
(813) 985-7481**

MINUTES

Board Members Present

Michelle Williamson, Chair
John Mitten, Vice Chair
Jack Bispham, Secretary
Ed Armstrong, Member
Kelly Rice, Member
Joel Schleicher, Member
John Hall, Member*
Dustin Rowland, Member
James Holton, Member
Robert Stern, Member
Nancy H. Watkins, Member

*Attended via electronic media

Board Members Absent

Ashley Bell Barnett, Treasurer

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Brandon Baldwin, Division Director
Michelle Weaver, Division Director

Board Administrative Support

Virginia Singer, Manager
Lori Manuel, 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., July 23, 2024, 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 Michelle Williamson called the meeting to order. She noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Williamson 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. She 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. Chair Williamson also requested that several individuals wishing to speak on the same topic designate a spokesperson. She 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

Board Member Joel Schleicher offered the invocation and the Pledge of Allegiance.

1.3 Employee Recognition

Chair Williamson recognized Ms. Robin McGill for 35 years of service, Mr. Adam Hange for 25 years of service and Mr. Ken Griner for 20 years of service.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was being added to the Consent Agenda:

General Counsel's Report

2.7 Approval of Emergency Order No. SWF 24-020 – Emergency Measures for Tsala Apopka Golf Course Control Structure

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 Geddis spoke regarding a “ready to serve zone” in Pinellas County.

Consent Agenda

Finance/Outreach and Planning Committee

2.1 Finance/Outreach and Planning Committee: Knowledge Management: Retirement of Governing Board Policy, District Commitment to Superior Environmental Stewardship

Staff recommended the Board approve retirement of the Governing Board Policy, District Commitment to Superior Environmental Stewardship.

2.2 Finance/Outreach and Planning Committee: Authorization to Surplus, Dispose & Replace Equipment

Staff recommended the Board:

- Approve the advancement of FY2025 CFEF funds for the purchase of replacement for Unit 2072.
- Approve the surplus and disposition through the auction process of Units 2065, 2072 and 2073.

Operations, Lands, and Resource Monitoring Committee

2.3 Operations, Lands and Resource Monitoring Committee: Amendment One to Easement – Thornhill Ranch, SWF Parcel No. 20-020-141

Staff recommended the Board approve Amendment One to Easement 33358 and authorize the Chair and Secretary to sign on behalf of the District.

2.4 Operations, Lands and Resource Monitoring Committee: Easement Agreement – Homeland DEP, SWF Parcel No. 20-020-187

Staff recommended the Board approve the Easement Agreement and authorize the Chair and Secretary to sign on behalf of the District.

2.5 Operations, Lands and Resource Monitoring Committee: Perpetual Easement – Masters Avenue at Wildwood, SWF Parcel No. 19-020-101

Staff recommended the Board approve the Easement and authorize the Chair and Secretary to execute on behalf of the District; and Authorize Staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Executive Director's Report

2.6 Executive Director's Report: Approve Governing Board Minutes – June 25, 2024

Staff recommended the Board approve the minutes as presented.

General Counsel's Report

2.7 Approval of Emergency Order No. SWF 24-020 – Emergency Measures for Tsala Apopka Golf Course Control Structure

Staff recommended the Board approve Emergency Order No. SWF 24-020

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:12:41)

Discussion

Finance/Outreach and Planning Committee

Chair Michelle Williamson called the committee to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Knowledge Management: Governing Board Policy, Capital Assets

Mr. Michael Attard, Administrative and Financial Systems Manager, presented a summary of the current policy and outlined the proposed revisions to the Knowledge Management policy based on Florida Administrative Code (F.A.C.). He stated that the policy will be updated to reflect the capitalization threshold of \$5,000 that the District has adhered to since the increase to the threshold went into effect in October 2020.

Board Member Joel Schleicher asked how the capitalization threshold amount was decided. Mr. Attard stated that it was determined by F.A.C.

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

3.3 Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisors, presented an overview of the District's portfolio strategy for the last quarter (April 1, 2024 through June 30, 2024). He highlighted changes that included the opening of a new long-term, three-to-five-year custody account that is part of the Capital Projects program that was outlined in Mr. Baldwin's presentation.

Mr. Brandon Baldwin, Business and Information Technology Services Director, presented information regarding the newly developed Cooperative Funding Initiative (CFI) Large-Scale Projects Investment Program. He provided an overview of the development of the program. He stated the scope of the CFI Large-Scale Projects Investment Program includes seven prioritized alternative water supply (AWS) projects. These projects have significant budgets that are expected to draw down reserves over the next several years. Based on direction from the Board, a Capital Project Program was developed to provide adequate liquidity while also optimizing returns.

Mr. Baldwin stated an asset-to-liability matching model to align sources and uses of funds was developed with information regarding project schedules and anticipated dates for reimbursement. He stated that funding sources for the Capital Project Program will come from a combination of maturing securities within existing long-term investment portfolios, annual contributions from ad valorem revenue, anticipated balances from prior years, and interest earnings. Mr. Baldwin summarized the new investment accounts that were created specifically for the Capital Projects Program. He presented a projected long-term funding plan and provided a breakdown of the seven large scale AWS projects and funding sources associated.

Board Member Schleicher asked if projects that were completed on time versus those that were delayed was being taken into account. Mr. Baldwin responded in the affirmative and stated an analysis was done and could be provided.

Mr. Grady outlined the goals and provided an overview of the development of the CFI Large-Scale Projects Investments program. Board Member Kelly Rice asked if any bonds were sold at a loss. Mr. Grady responded in the negative.

Mr. Baldwin provided an overview of an asset-to-liability matching model and outlined the portfolio principles and operating model.

Board Member James Holton asked if fiscal monitoring of this program should be more frequent than semi-annually and if the District is able to provide oversight of co-funding partnerships.

Mr. Baldwin stated that staff routinely assesses multiple portfolios, in addition to the Large-Scale Projects Investment Program. He stated that cooperators have budgeted for funding reimbursements their capital plans. Mr. Baldwin clarified that while the semi-annual reviews with the cooperators are on a more formal basis, staff maintain routine informal communications. Discussion ensued.

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2024.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 00:52:50)

3.4 Financial Systems Upgrade

Mr. Brandon Baldwin, Business and Information Technology Services Director, recapped information that was presented at the March 2023 Board meeting. He reminded the Board the current financial system would no longer be supported by the vendor. Mr. Baldwin stated that after an extensive investigative process it was determined that upgrading and migrating to the cloud with the current vendor was the best course of action. Mr. Baldwin outlined a timeline, requested changes and provided a budget summary. He stated that there was a 6.5 percent budget increase since the FY2025 tentative budget was presented in June. The request for additional funds will be used for critical data, process automation and an additional six months of customer service support. This increase was addressed under item 3.5, Proposed Millage Rate and Tentative Budget Update for FY2025.

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

3.5 Proposed Millage Rate and Tentative Budget Update for Fiscal Year 2025

Mr. Brandon Baldwin, Business and Information Technology Services Director, provided an overview of the Fiscal Year (FY) 2025 budget development calendar. He presented metrics for expenditure goals and outcomes, proposed millage rates and millage rate history, changes to revenues by source, changes to expenditures by category, and changes to expenditures by programs for FY2024 and FY2025. Mr. Baldwin stated the FY2025 budget meets all Governing Board metrics.

Mr. Baldwin outlined the changes to the proposed budget since the June Governing Board. He stated the total FY2025 budget is \$231.6 million. The proposed ad valorem totals \$129.8 million, which is a decrease of \$286,000 since presented in June. To offset the increase in existing property values, the proposed rollback-millage rate is 0.1909 mill. This represents a savings of approximately \$9.5 million for taxpayers. Mr. Baldwin stated the other change is a request of \$340,000 for the financial system upgrade as discussed in Item 3.4.

A Request to Speak Card was submitted for this item.

Mr. David Ballard Geddis, Jr., spoke regarding the billing structure associated with ad valorem and non-ad valorem on property taxes. Board Members Schleicher and Mitten stated that the property appraiser would be able to respond to concerns expressed by Mr. Geddis.

Staff recommended the Board:

1. Approve Resolution No. 24-04, Adoption of Proposed Millage Rate for Fiscal Year 2025.
2. Approve the budget changes presented, adjusted for any modifications made by the Governing Board on July 23, and authorize staff to submit the Tentative Budget Submission for FY2025.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 01:10:31)

3.6 Knowledge Management: Conduct of Board Meetings Policy

Ms. Robyn Felix, Communications and Board Services Bureau Chief, summarized the policy presented to the Board at the April meeting and outlined proposed changes. She stated this updated policy clarifies the conduct of Board meetings. The current policy defines a quorum as a majority of the appointed members, not filled seats. She explained the proposed change requires a majority of the filled seats to constitute a quorum, either in person or by media technology.

Board Member Schleicher expressed concerns regarding the proposed changes. He suggested that the majority of votes should be associated with the total board positions (13). This would require seven votes to pass an item.

Vice Chair John Mitten asked for clarification regarding the use and definition of the word quorum. Executive Director Brian Armstrong stated that the revised policy defines what constitutes a quorum would be the majority of filled seats. Board Member Nancy Watkins stated that once a quorum is established to conduct business, voting required to pass something is the majority those present. Discussion ensued.

Board Member Watkins expressed support for setting the quorum as proposed. She suggested that language can be added to require a proviso to address any concerns. Mr. Chris Tumminia, General Counsel, affirmed this suggestion.

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

A motion was made and seconded to approve staff's recommendation. The motion carried with eight in favor and three opposed. (Audio – 01:33:00)

3.7 Office of Inspector General Quarterly Update April 1 to June 30, 2024

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

3.8 Budget Transfer Report

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

Resource Management Committee

Board Member Dustin Rowland called the committee to order.

4.1 Consent Item(s) Moved to Discussion – None

Operations, Lands and Resource Monitoring Committee

Board Member Robert Stern called the committee to order.

5.1 Consent Item(s) Moved to Discussion - None

5.2 Summary of Fiscal Year 2024 Interagency Land Management Reviews

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

Regulation Committee

Board Member James Holton called the committee to order.

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

No denials were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion – None

Mr. Chris Tumminia provided a litigation update regarding ownership of the Chassahowitzka Boat Ramp. He reminded the Board that litigation was filed in February 2023. Mr. Tumminia stated that mediation has been ordered. He will keep the Board apprised.

7.2 Affirm Governing Board Committee Actions

Staff recommended the Board affirm the actions taken by the Governing Board Committees.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 01:35:52)

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

A written summary of the June 11 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, stated that as directed by Emergency Order 24-020, the District has taken control of the Tsala Apoka Golf Course Structure project. He thanked the Board for their support regarding this matter.

Chair's Report

10.1 Chair's Report

Chair Williamson stated that she and other Board Members attended the Florida Environmental Permitting School conference. She commended staff for their expertise and professionalism at the conference.

Chair Williamson stated the next meeting is scheduled for Tuesday, August 27 at 9:00 a.m. in the Brooksville office.

10.2 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 10:38 a.m.

Governing Board Meeting
August 27, 2024

3. FINANCE/OUTREACH & PLANNING COMMITTEE

3.1	Discussion: Consent Item(s) Moved to Discussion	69
3.2	Submit & File: Information Item: Budget Transfer Report	70

FINANCE/OUTREACH AND PLANNING COMMITTEE

August 27, 2024

Discussion: Consent Item(s) Moved to Discussion

Presenters:

Brandon Baldwin, Division Director, Business and Information Technology Services Division

Michelle Weaver, P.E., Division Director, Employee, Outreach and General Services Division

FINANCE/OUTREACH AND PLANNING COMMITTEE

August 27, 2024

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of July 2024.

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 July 2024.

Staff Recommendation:

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

Presenter:

Melisa J. Lowe, Bureau Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
July 2024

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		Reason for Transfer	Transfer Amount
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category			
<u>Change from Original Budget Intent</u>					
1	General Services Capital Field Equipment Fund	General Services Capital Field Equipment Fund	Transfer of funds originally budgeted for the Capital Field Equipment Fund (CFEF) for the replacement of assets as outlined within the adopted budget. Funds are still required for the replacement of equipment through the CFEF. The planned replacement of a tractor was approved for \$185,000 with the FY2024 budget. After competitive bidding, the cost came in at \$248,725. This transfer utilizes CFEF fund balance to cover the additional \$63,725.	\$	63,725.00
2	Natural Systems & Restoration Cooperative Program - USGS	Natural Systems & Restoration Equipment - Non-Capital Outlay	Transfer of funds originally budgeted to contract the U. S. Geological Survey (USGS) for minimum flow and minimum water level (MFL) surface water data collection. The funds are no longer required due to expenditures for the current year being less than anticipated. The funds will be used in addition to the \$8,545 transferred in April for the procurement and installation of five specific conductance sensors near existing USGS streamflow gauges in support of MFL development for the Gum Slough Springs, Upper Withlacoochee and Upper Peace River systems. This data collection effort helps the District verify baseflow calculations are appropriate and strengthen the defensibility of the MFLs on these critical systems.		1,051.50
3	Engineering and Project Management Grant - Financial Assistance	Communications and Board Services Grant - Education	Transfer of funds originally budgeted for the Regional Drainage Improvements at 56th and Hanna Avenue cooperative funding project with Hillsborough County. Funds are no longer required after termination by the County due to lack of feasibility as originally intended. The funds are required for the District's Youth Education Grant Program to assist school districts cover higher costs associated with the rise in population and inflation for the grade-level field trip programs.		75,000.00
4	Communications and Board Services Equipment - Non-Capital Outlay Parts and Supplies	Communications and Board Services Equipment - Inside	Transfer of funds originally budgeted for a replacement camera and accessories for the District's multimedia journalist and other parts and supplies for the Communications Section. Expenditures for parts and supplies have been less than anticipated. The cost of the replacement camera is more than anticipated and now exceeds the \$5,000 capital threshold. The higher cost is for enhanced features that will bring higher quality to the District's multimedia videos used to educate the public.		6,999.00
Total Change from Original Budget Intent					<u>146,775.50</u>
<u>Consistent with Original Budget Intent</u>					
1	Water Resources Other Contractual Services	Engineering and Project Management Other Contractual Services	Funds are needed for the original purpose budgeted for the Aquifer Recharge Testing at Flatford Swamp. The funds are being transferred from the Water Supply Section to the Design and Construction Management Section to manage the operations and maintenance phase.		296,710.70
2	Engineering and Project Management Consultant Services	Engineering and Project Management Capitalized - Contracted Construction	Funds are needed for the original purpose budgeted for engineering services associated with projects identified in the District's Capital Improvement Plan for water control structures. The funds are being transferred for appropriate accounting tracking of additional engineering services required in support of construction activities for the Tsala Apopka Golf Course Water Control Structure Gate Modification.		10,000.00

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
July 2024

Item No.	--- TRANSFERRED FROM ---	--- TRANSFERRED TO ---	Reason for Transfer	Transfer Amount
	Bureau / Expenditure Category	Bureau / Expenditure Category		
3	Engineering and Project Management Consultant Services	Engineering and Project Management Capitalized - Consultant Services	Funds are needed for the original purpose budgeted for engineering services associated with projects identified in the District's Capital Improvement Plan for water control structures. The funds are being transferred for appropriate accounting tracking of engineering services for design of the WC-2 Flood Control Structure Replacement.	250,000.00
4	Land Resources Other Contractual Services	Land Resources Other Contractual Services	Funds are needed for the original purpose budgeted for the Rainbow Springs and Halpata ground cover restoration projects on District-owned conservation lands. These projects were originally budgeted to be funded by District resources. Since there are residual dollars from prior year Land Acquisition Trust Fund (LATF) appropriations for land management, some expenditures associated with these projects will be funded with prior year LATF appropriations. The funds are being transferred for appropriate accounting tracking of the funding source.	33,839.14
5	Information Technology Other Contractual Services	Information Technology Other Contractual Services	Funds are needed for the original purpose budgeted for as-needed contractual services for Information Technology projects. These funds are needed for an enhancement to the Laboratory Information Management System which will allow the system to work with newer versions of instrument software.	10,800.00
Total Consistent with Original Budget Intent				601,349.84
Total Amount Transferred				\$ 748,125.34

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.

Governing Board Meeting
August 27, 2024

4. RESOURCE MANAGEMENT COMMITTEE

4.1	Discussion: Consent Item(s) Moved to Discussion	73
4.2	Discussion: Action Item: Tampa Bay Water – Southern Hillsborough County Transmission Expansion – Third-Party Review (Q241)	74
4.3	Discussion: Action Item: Kracker Avenue Restoration – Project Lead Change (W368).....	77
4.4	Submit & File: Information Item: Lower Hillsborough River Recovery Strategy Implementation – Annual Update.....	79
4.5	Submit & File: Information Item: Minimum Flows and Minimum Water Levels Priority List and Schedule Update	89

RESOURCE MANAGEMENT COMMITTEE

August 27, 2024

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

RESOURCE MANAGEMENT COMMITTEE**August 27, 2024****Discussion: Action Item: Tampa Bay Water – Southern Hillsborough County Transmission Expansion – Third-Party Review (Q241)***Purpose*

The purpose of this item is to present the results of the third-party review (TPR) for the Tampa Bay Water (TBW) Southern Hillsborough County Transmission Expansion project (Project) and to request Governing Board approval to amend the Cooperative Funding Agreement to move forward with final design, permitting, and construction at a total cost of \$438,709,630 with District funding of \$145,054,000 (50 percent of the initial Board-approved amount).

Background/History

In September 2021, the District's Governing Board approved FY2022 cooperative funding for the TPR and preliminary design of the Project with a total cost of \$8,918,414 with the District's share at 50 percent, or \$4,459,207. The initial conceptual project cost was estimated at \$290,108,000. The District entered into a Cooperative Funding Agreement with TBW for preliminary design and TPR for a potable water transmission interconnection to supply additional alternative water from TBW's High Service Pump Station to Hillsborough County. The transmission interconnection is approximately 26 miles long and expected to have a max day capacity of 65 million gallons per day (mgd). The pipeline will deliver only alternative water supplies under normal operating conditions. In October 2022, TBW provided the District with an increased total project cost estimate of \$426,000,000, which was reflected in the project's FY2024 cooperative funding evaluation.

Benefits/Costs

In September 2023, TBW provided the preliminary design package for the District's TPR with a total project cost of \$438,709,630. The District hired a consultant in February 2024 to perform the TPR of the Project and the work was completed in July 2024. The TPR found no fatal flaws with the proposed preliminary design and concluded that the proposed benefits can be achieved based on the analysis of the information provided. All assumptions and methods were deemed appropriate. Given the criticality of the project completion timeline to deliver water to Southern Hillsborough County, it is recommended that the design schedules be updated as design progresses. The current engineer's estimate of probable construction cost is appropriate for the level of design, and it is recommended that the cost be updated as design progresses as well. TBW is considering owner direct purchase and pursuing early procurement of project materials to take advantage of favorable pricing.

Since FY2023, the Governing Board has budgeted a total of \$7,900,000 for final design, permitting, and construction, with an additional \$3,500,000 pending adoption of the FY2025 budget in September. It is anticipated TBW will request the remaining \$129,194,793 in future years with the District's funding not to exceed \$145,054,000, which is 50 percent of the initial Board-approved project costs. The Project has also received \$2,900,000 from the Department of Environmental Protection from state appropriations for alternative water supply development. TBW will apply the state funding towards increases from the initial Board-approved project cost in accordance with the District's Cooperative Funding Initiative policy. The revised FY2025 evaluation form is attached as an exhibit. Governing Board authorization is needed to proceed with the project and to amend the Cooperative Funding Agreement to include final design, permitting, and construction.

Staff Recommendation:

Authorize continuation of the project to proceed with final design, permitting, and construction and approve amending the Cooperative Funding Agreement with TBW to include a project total cost of \$438,709,630 with the District's share not to exceed \$145,054,000 for the Southern Hillsborough County Transmission Expansion Project (Q241).

Presenter:

Jay Hoecker, PMP, Bureau Chief, Water Resources Bureau

Project No. Q241	Interconnects – TBW Southern Hillsborough County Transmission Expansion			
Tampa Bay Water	FY2025			
Risk Level:	Type 2	Multi-Year Contract: Yes, Year 4 of 8		
Description				
Description:	Third-party Review (TPR), design, permitting, and construction of a potable water transmission interconnection to supply additional alternative water from Tampa Bay Water's High Service Pump Station to Hillsborough County. The transmission interconnection will be approximately 26 miles long and is expected to have a max daily capacity of 65 million gallons per day (MGD). The pipeline will deliver only alternative water supplies under normal operating conditions. District funding in FY2022 included 30% design and TPR, as this project has a conceptual construction estimate greater than \$5 million dollars.			
Measurable Benefit:	The contractual measurable benefit is the construction of a potable water transmission interconnect to deliver an estimated 65 MGD maximum day capacity of alternative water supplies, promote regional resource management efforts, and support water supply goals within the Tampa Bay region.			
Costs:	Total project cost: \$438,709,630 (TPR, design, permitting, and construction), initial board-approved project amount: \$290,108,000 Tampa Bay Water: \$290,755,630 District: \$145,054,000 with \$12,359,207 budgeted in previous years, \$3,500,000 in FY2025, and \$129,194,793 anticipated to be requested in future years. FDEP: \$2,900,000 awarded in FY2023			
Evaluation				
Application Quality:	Application included all the required information identified in the CFI Guidelines.			
Project Benefit:	The benefit of this project, if constructed, will be to provide alternative water supplies to a high growth area of Tampa Bay Water.			
Cost Effectiveness:	The cost effectiveness for the project, based on staff evaluation and third-party review, is within the expected range for the design level and type of project. The total cost estimate for the project will be refined as the project moves through the final design phase.			
Past Performance:	Good, based upon an assessment of the schedule and budget for the 4 ongoing projects.			
Complementary Efforts:	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:	Project is ongoing and on schedule.			
Strategic Goals				
Strategic Goals:	Strategic Initiative - Alternative Water Supply: Increase development of alternative sources of water to ensure groundwater and surface water sustainability. Tampa Bay Region Priority: Implement Minimum Flow and Level (MFL) Recovery Strategies.			
Overall Ranking and Recommendation				
AWS	The preliminary design and TPR have been completed. The results of the TPR found the preliminary design to be appropriate in its assumptions and methods, and the cost estimates and development schedules are appropriate for this level of design. The TPR found no fatal flaws with the proposed preliminary design and concluded that the proposed benefits can be achieved based on its analysis of the information provided. Based on the TPR results, District staff recommend Governing Board authorization to proceed with final design, permitting and construction and approve modification of the Cooperative Funding Agreement to include a total project cost of \$438,709,630 with the District's share to remain at 50% of the initial board approved project amount of \$145,054,000 for the Southern Hillsborough County Transmission Expansion Project (Q241). This project will assist in meeting regional water supply demands.			
Funding				
Funding Source	Prior	FY2025	Future	Total
District	\$12,359,207	\$3,500,000	\$129,194,793	\$145,054,000
Tampa Bay Water	\$12,359,207	\$3,500,000	\$274,896,423	\$290,755,630
FDEP	\$2,900,000	\$0	\$0	\$2,900,000
Total	\$27,618,414	\$7,000,000	\$404,091,216	\$438,709,630

RESOURCE MANAGEMENT COMMITTEE**August 27, 2024****Discussion: Action Item: Kracker Avenue Restoration – Project Lead Change (W368)***Purpose*

The purpose of this item is to request approval to change the project lead from the District to Hillsborough County (County) for construction of the Kracker Avenue Restoration project (W368).

Background/History

The Kracker Avenue Restoration project is located along the southeastern reaches of Hillsborough Bay and is immediately adjacent and northeast of the Schultz Preserve, a previously completed cooperative restoration project between the County and the District. The approximately 25-acre property was acquired by the County via their Environmental Lands Acquisition and Protection Program. The property is comprised of 235 abandoned stagnant fish farm ponds and associated uplands heavily infested with exotic vegetation.

The Board previously approved \$1,250,000 of District funding (FY15 and FY18) and \$250,000 (FY21) from a Tampa Bay Environmental Restoration Fund (TBERF) grant for construction of the project. Resource benefits include restoration of the approximately 25-acre property including removal of exotic vegetation and creating a mosaic of estuarine, freshwater, and upland habitats. This project is consistent with the goals of the District's Tampa Bay Surface Water Improvement and Management (SWIM) plan and the Tampa Bay Estuary Program's Comprehensive Conservation and Management Plan (CCMP). This project was approved as a District initiative cooperative effort between the County and the District. The County provided land acquisition, project design, and is responsible for long term maintenance of the project. The District was identified as the lead for construction in the original Board-approved project.

The County acquired the property in 2012 and completed design in 2020. The District went out for bid and entered into a construction contract in 2021. During the initial construction activities, the District's contractor detected elevated levels of arsenic in some of the soil at the project site. The contractor performed additional soil sampling and it was determined that arsenic levels were present in concentrations greater than indicated in the County's design documents. The District's contractor requested to terminate its agreement with the District due to the changed condition and the District approved terminating the contract in May 2024.

District staff have had several meetings with the County and have mutually determined that the best path forward is for the County to take over as lead for completing construction of the project. This will include any design modifications or remediation efforts to manage contaminated soils consistent with State and local regulations. The County will be responsible for any additional costs to complete the project and District funding will not be used for remediation efforts to address contamination.

Benefits/Costs

Restoration of the approximately 25-acre Kracker Ave property is consistent with the goals of the District's Tampa Bay Surface Water Improvement and Management (SWIM) plan and the Tampa Bay Estuary Program's Comprehensive Conservation and Management Plan (CCMP) to protect and improve natural systems and water quality in Tampa Bay. The Board has approved \$1,500,000 for construction of the project, including \$1,250,000 in District funding and \$250,000 from a TBERF grant. If approved, the

original project benefit and the District's funding commitment will remain the same. The County will be responsible for any additional costs to complete the project and District funding will not be used for any remediation efforts to address contamination. If the County is unable to complete the project they will be responsible for reimbursing the District for any expenditures of District funds toward construction of the project.

Staff Recommendation:

Authorize staff to enter into an agreement with Hillsborough County for the Kracker Avenue Restoration Project (W368) with the County as the lead for design, permitting and construction and the District's total funding not to exceed \$1.5 million, inclusive of \$250,000 grant funding from the Tampa Bay Environmental Restoration Fund.

Presenter:

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

RESOURCE MANAGEMENT COMMITTEE

August 27, 2024

Submit & File: Information Item: Lower Hillsborough River Recovery Strategy Implementation – Annual Update

See attachment

Staff Recommendation:

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

Presenter:

Danielle Rogers, PWS, PMP, Environmental Project Manager, Natural Systems and Restoration Bureau

Submit and File Report

Lower Hillsborough River Recovery Strategy Implementation – Annual Update

Purpose

To provide an annual update to the Governing Board regarding implementation of projects outlined in the Hillsborough River Recovery Strategy that are needed to recover minimum flows adopted for the Lower Hillsborough River (LHR).

Background/History

As required by Section 373.0421 of the Florida Statutes, if the actual flow of a water course is below an adopted minimum flow or is projected to fall below a minimum flow over the next 20 years, a recovery or prevention strategy is developed as part of the minimum flows establishment process. At its August 2007 meeting, the Governing Board approved rule amendments that incorporated revised minimum flows and a revised recovery strategy for the LHR into Rules 40D-8.041 and 40D-80.073, Florida Administrative Code (F.A.C.), respectively, and these rule amendments became effective on November 25, 2007. The Board also authorized a Joint Funding Agreement with the City of Tampa for implementation of recovery projects that was finalized in October 2007 and incorporated into the recovery strategy rule.

The currently adopted minimum flows for the LHR are 20 cubic feet per second (cfs) freshwater equivalent flow from July 1 through March 31, and 24 cfs freshwater equivalent flow from April 1 through June 30 at the base of the Hillsborough River Dam, as adjusted based on a proportionate amount that flow when flow at the U.S. Geological Survey (USGS) Hillsborough River gauge near Zephyrhills, Florida is below 58 cfs. For purposes of the minimum flows rule and its implementation, freshwater equivalent means water that has a salinity concentration of 0.0 ppt for modeling purposes.

The minimum flows for the LHR are based on extending a low salinity habitat with salinity range less than 5 ppt from the dam toward Sulphur Springs. The goals of the minimum flows are to effectively supply a total of 20 or 24 cfs of freshwater to the base of the Hillsborough River Dam during the two seasonal periods identified in the rule. However, when water from Sulphur Springs is used with other sources for river recovery, combined-source flows of 20 or 24 cfs do not extend the target salinity zone as far downstream as would occur with delivery of 20 or 24 cfs of freshwater to the base of the dam. This is because the portion of source-water diverted from Sulphur Springs is brackish (specific conductance $\geq 5,000 \mu\text{S/cm}$; ~ 3 ppt) (Scharping et al., 2018). Based on hydrodynamic modeling used to evaluate flow-related salinity conditions and establish minimum flows for the LHR, it was determined that a freshwater equivalent factor needed to be incorporated into the minimum flows. Analyses completed at the time of rule development indicated an additional 3 cfs added to the mixed-source recovery flows of 20 or 24 cfs yielded seasonal minimum flow rates of 23 and 27 cfs that produced a target salinity zone similar to that associated with the required 20 and 24 cfs freshwater equivalent flows (SWFWMD, 2006).

The LHR recovery strategy outlines six potential projects and a timeline for their implementation. Four projects are identified for joint funding by the District and the City of Tampa (City) and two are to be implemented by the District. Implementation of specific projects is subject to applicable diagnostic/feasibility studies and contingent on obtaining any required permits. Projects to be jointly funded by the District and the City include the following:

- 1) Sulphur Springs Project (Lower Weir Modifications and Sulphur Springs Pool Upper Weir and Pump Station Modifications);
- 2) Blue Sink Analysis and Project;
- 3) Transmission Pipeline Evaluation and Project; and the
- 4) Investigation of Storage or Additional Supply Options.

Projects to be implemented by the District:

- 5) Tampa Bypass Canal (TBC) and Hillsborough River Reservoir Diversions; and the
- 6) Morris Bridge Sink Project.

The LHR recovery strategy specifies District initiation of the TBC and Hillsborough River Reservoir diversion projects and continued operation of pumping facilities on the TBC lower pool for diversion of water to the TBC middle pool at District Structure S-162. The strategy also specifies that the City would assume operation of pumping facilities on the TBC middle pool at District Structure S-161 for diversion of water to the reservoir, and at the Hillsborough River Dam for transfer of water to the lower river. District initiation and implementation of the Morris Bridge Sink project, which is to include diversion of water from the sink to the TBC and subsequent transfer of the diverted water through the reservoir to the LHR are also identified in the strategy. Similarly, continued District implementation of diversions of water from the sink to the TBC and the City's responsibility for diversion of the water from the TBC through the reservoir to the LHR are specified. Ultimately, the strategy requires the City to have met the established minimum flows for the LHR by October 1, 2017.

The recovery strategy requires that in 2013, and for each five-year period through 2023, the District shall evaluate the strategy regarding its effects on the hydrology, dissolved oxygen, salinity, temperature, pH, and biological characteristics of the LHR that have been achieved from minimum flows implementation. The first and second five-year recovery strategy assessment reports provided to the Governing Board in March 2015 and May 2020, respectively, documented improvements in salinity and other water quality and ecological conditions in the river below the dam that have resulted from minimum flows implementation, i.e., use of recovery source water when flow over the Hillsborough River Dam was insufficient to meet minimum flow requirements. The third and final five-year assessment is currently under development.

The recovery strategy also requires annual reporting to the Governing Board on progress in the implementation of the strategy. This current annual update to the Governing Board continues the series of comparable reporting efforts that first began in 2007.

Discussion

Progress on the six projects specified in the LHR recovery strategy can be summarized as follows.

- 1) Sulphur Springs Project Lower Weir Modifications — The City and District entered into a cooperative agreement in October 2008 to perform modifications to the lower weir on Sulphur Springs Run. This Lower Weir project, which was completed in October 2011, involved installation of an operable weir at the mouth of the spring run to: prevent incursions of higher-salinity water from the river during low-flow periods; allow for access to the run by manatees and other organisms during higher-flow periods when incursions of saline water are less of a concern; and enhance management flexibility for the City regarding use of spring water to meet minimum flow requirements for the LHR and Sulphur Springs Run. Data collection in the spring run has confirmed that the project effectively reduces salinity incursions from the river

and allows greater flexibility regarding use of Sulphur Springs for meeting minimum flow requirements of the spring run and the LHR.

Sulphur Springs Pool Upper Weir and Pump Station Modifications — The project, which was completed in March 2012, involved: modification of the pump station at Sulphur Springs to increase reliability of and efficiently provide for variable pumping rates; replacement or modification of the Sulphur Springs upper weir and gates that control flow between Sulphur Springs Pool and Sulphur Springs Run; installation of provisions to control Sulphur Springs Pool pumping rates based on the water temperature and salinity of adjacent monitoring stations; and modification and/or replacement of the Sulphur Springs pump station intake to allow for the range of anticipated water levels in Sulphur Springs Pool.

The modified Sulphur Springs facilities are currently operational and have proven to be effective for providing variable rates of flow to both the spring run and the LHR.

- 2) **Blue Sink Analysis and Project** — The City completed pipeline and pump station design for the Blue Sink Project, issued plans and specifications for the two project elements in March 2015, executed an agreement for construction management and a well mitigation program for the project in June 2015, and issued notices to proceed with pump station and pipeline construction in July and August 2015, respectively. Construction and construction restoration for the Blue Sink pipeline were completed in April and May 2016, respectively. The City began operation of the Blue Sink pumping facility in November 2017. The facility was first used for minimum flow implementation in March 2018 and continues to be used as needed.

Transmission Pipeline Evaluation and Project — As part of the LHR recovery strategy, the construction of a pipeline from the TBC middle pool at Structure S-161 to the base of the Hillsborough River Dam was considered to address potential water savings associated with use of a pipeline versus use of the reservoir for conveyance of water to be used for augmenting LHR flows. The District and City facilitated a peer review of this potential project in 2008 and findings of the review panel (Davis et al., 2008) were submitted to the District and City in September 2008. The panel concluded the only water loss to the system is through evaporation of the increased volume of water pumped for augmentation and that this loss is minor. The panel also noted “the projected water savings by transporting the augmentation water in a pipeline rather than through the reservoir is relatively small.” Based on the review, the City (Weber, 2023) informed the District that they determined pipeline construction cost out-weighed any potential water savings and the need for additional analysis regarding its feasibility, adding that the pipeline was, therefore, not constructed. Further, the City indicated the projected water savings that were anticipated from the proposed pipeline project (up to 2.75 cfs) would be provided to the LHR for minimum flow compliance.

- 3) **Investigation of Storage or Additional Supply Options** — Consistent with the recovery strategy, the City and the District entered into a joint funding agreement in July 2010 to investigate other storage and supply options to meet recovery plan objectives for the LHR. The first components of the project, which involved review of the status of other recovery projects and identification of the need for additional storage or supply projects to meet the LHR minimum flow requirements, were completed in April 2011 (MHW Americas, Inc., 2011) and indicate that the identified sources of water in the recovery strategy may be sufficient for achieving minimum flow requirements in the LHR. A project completion report (Weber, 2018) submitted to the District by the City in October 2018 and their recent communication with District regarding the Transmission Pipeline Project (Weber, 2023) further indicate that the City is

positioned and committed to implementing and investigating projects that will ensure the LHR minimum flows are met.

- 4) Tampa Bypass Canal and Hillsborough Reservoir Diversions — To implement minimum flows in the LHR as soon as practical, the current recovery strategy required the District, by January 1, 2008, is to divert up to 7.1 mgd (equivalently 11 cfs) of water from the middle pool of the TBC to the Hillsborough River Reservoir at Structure S-161, and then deliver seventy-five percent of this water to the LHR at the base of the Hillsborough River Dam. Using temporary pumping facilities, water has been supplied from the TBC to the LHR as needed since December 31, 2007. A consumptive water use permit (Permit No. 20020575.000) for these diversions was issued to the District by the Florida Department of Environmental Protection (DEP) on December 17, 2015.

Transfer of the District temporary pumping facilities to the City at the S-161 structure and at the dam occurred in late November 2017. Water Use Permit No. 20020802.000 for augmentation of the reservoir with water from the TBC, was issued to the City by the District on April 23, 2019, and the consumptive use permit previously issued by DEP to the District for these diversions was cancelled. An agreement between the City and District for the Lower Hillsborough River Dam Control Gate Facilities (Project N492) to replace temporary pumping facilities at the dam was finalized in October 2017. Construction and operational tests for the gate were completed on July 20, 2018, and the City began using it for minimum flow augmentation on April 1, 2019.

Since then, necessary diversions from the TBC middle pool to the reservoir for delivery to the LHR for minimum flow needs have been conducted by the City in accordance with the recovery strategy.

- 5) Morris Bridge Sink Project - The LHR recovery strategy specifies that by October 1, 2012, or earlier, and upon completion of the project, provided that any permit that may be required is approved, the District will divert up to 3.9 mgd (6 cfs) of water on any given day from Morris Bridge Sink to the TBC for the City to transfer to the reservoir and deliver to the base of the Hillsborough River Dam to help achieve minimum flows in the LHR.

On January 15, 2016, the DEP issued Consumptive Water Use Permit No. 20020574.000 to the District for withdrawals from Morris Bridge Sink. In February 2016, the District initiated a project for consultant services addressing design of a pump station at Morris Bridge Sink for diversion of water from the sink to the upper pool of the TBC, a pipeline, and a second pump station at District Structure S-159 for diversion of water from the upper to the middle pool of the TBC. Project design and permitting have been completed. If necessary, the District could utilize portable pumps and piping to commence withdrawals of Morris Bridge Sink.

The projects described in this annual report are intended to provide a sufficient flow of freshwater and low-salinity water below the Hillsborough River Dam to restore low-salinity habitat within the LHR and achieve an oligohaline zone (salinity < 5 ppt) from the dam towards Sulphur Spring. Figure 1 displays the number of no flow days (i.e., when flow at the dam is less than 1 cfs) per year between 1996 to 2023. On average, water did not flow over the dam for 149 days each year (range: 9 to 315 days). In 2023, no flow occurred on 156 days. Without this flow, salinity below the dam is relatively high and no low salinity habitat exists for much of the year. Implementation of recovery strategy projects has helped mitigate this condition and address minimum flow requirements for the LHR.

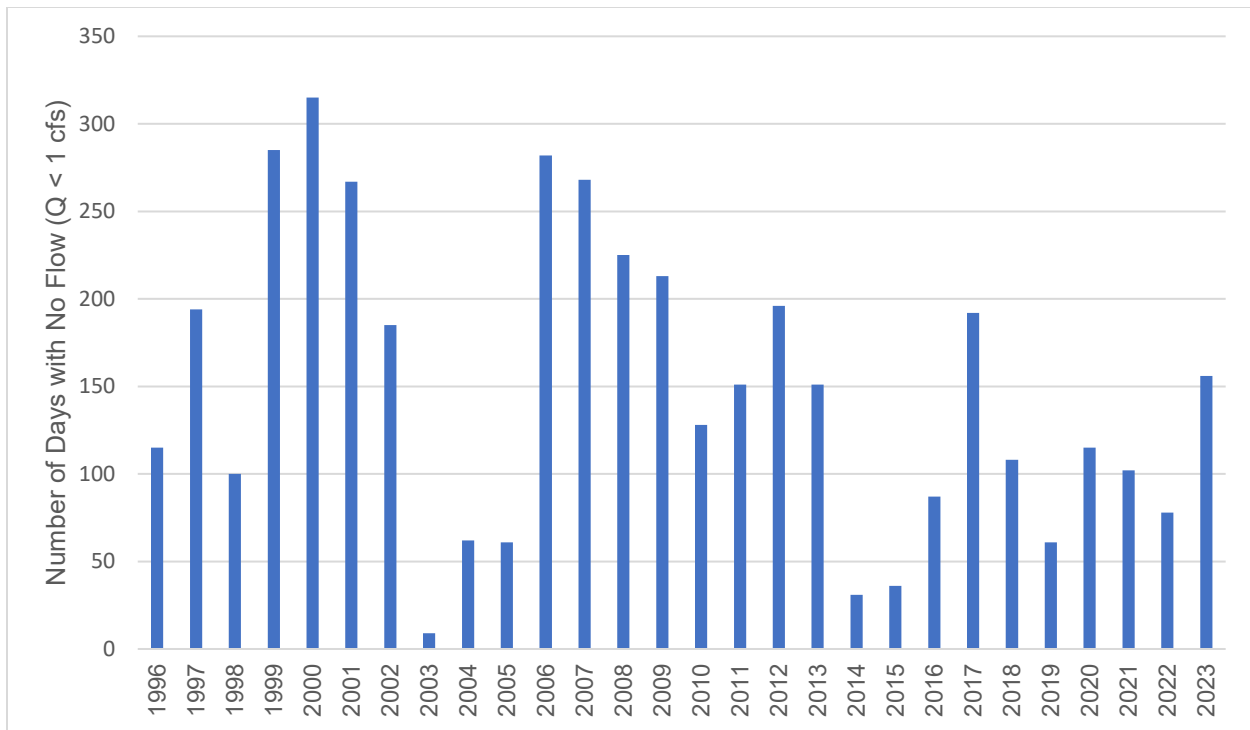


Figure 1. Number of no-flow (i.e., flows < 1 cfs) days at the U.S. Geological Survey Hillsborough River near Tampa, FL gage at the Hillsborough River Dam from 1996 through 2023.

Improvement in river salinities through implementation of recovery projects is evident based on examination of salinity data collected in the vicinity of Rowlett Park, which is located adjacent to and immediately downstream of the Hillsborough River Dam. Figure 2 contrasts salinity in near surface water at this site from 12/23/1996 to 6/30/2024. During the early portion of this record, Period 1 (1996—2001), no water was delivered to the base of the dam to meet the minimum flow that had been established for the river in 2000. In Period 2 (2002—2007), up to 10 cfs of low salinity water from Sulphur Springs could be diverted to the base of the dam in accordance with the then existent recovery strategy. During Period 3 (2008—2011), which followed revision of the LHR minimum flows and adoption of the current recovery strategy, up to 10 cfs of low salinity water from Sulphur Springs and 8 cfs of freshwater from the TBC for diversion to the base of the dam was used for minimum flow implementation, for a combined total of up to 18 cfs. In Period 4 (2012—2017), up to 18 cfs of low salinity water from Sulphur Spring and 8 cfs of freshwater from TBC, for a combined total of up to 26 cfs were used for river recovery. Most recently, during Period 5 (2018—2024), up to 18 cfs of low salinity water from Sulphur Springs, 8 cfs of freshwater from TBC, and 3 cfs of freshwater from Blue Sink, for a combined total available flow of up to 29 cfs was used to implement minimum flows. Figure 2 clearly demonstrates the benefits of supplying 10 cfs in Period 2 (approximately 50% of the currently adopted minimum flow), 18 cfs in Period 4 (approximately 75 percent of minimum flow), and full minimum flow implementation in Period 5 as compared to conditions that existed during Period 1 in the absence of an established minimum flow and flow augmentation. Salinity spikes were observed in late fall 2023 and will be investigated in the third five-year assessment.

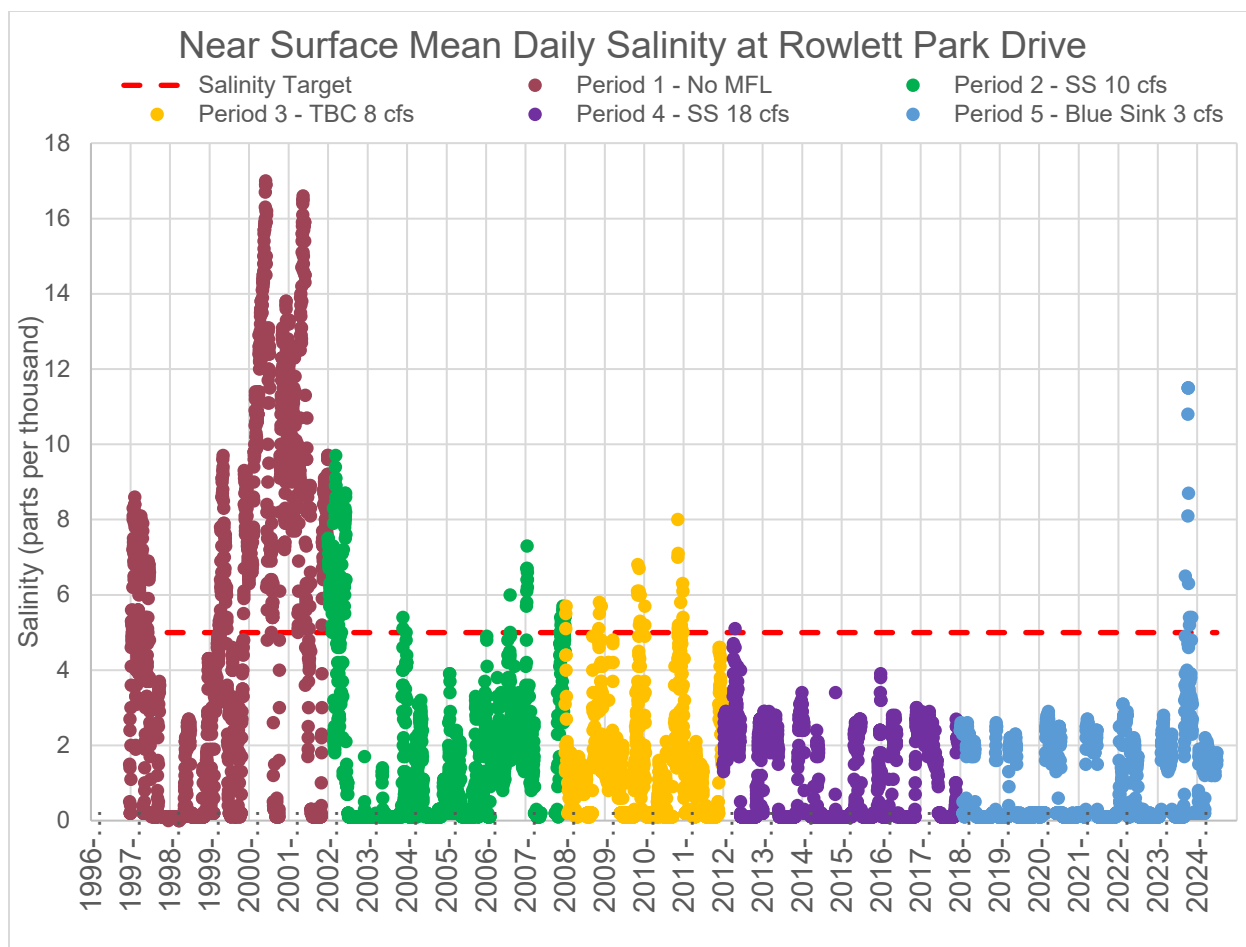


Figure 2. Near surface mean daily salinity in the Lower Hillsborough River at the U.S. Geological Survey Rowlett Park Drive near Tampa, FL gage for five periods: Period 1, no minimum flows implemented; Period 2, up to 10 cfs flow available to be supplied from Sulphur Springs; Period 3, up to 10 cfs from Sulphur Springs and 8 cfs available from the Tampa Bypass Canal (TBC); Period 4, up to 18 cfs Sulphur Springs flow and 8 cfs flow from the TBC; Period 5, up to 18 cfs Sulphur Springs flow, 8 cfs from the TBC, 3 cfs from Blue Sink.

Minimum flow implementation was required for 172 nonconsecutive days in 2023. Minimum flow implementation for the year was first required on February 25, 2023, when flows over the dam fell below the seasonal minimum flow freshwater target of 23 cfs. The City initiated minimum flow implementation by diverting water to the base of the dam from Sulphur Springs, and later Blue Sink and the TBC. There were 2 periods of minimum flow implementation in 2023; the first began February 25, 2023 and lasted until June 4, 2023, for a total of 98 consecutive days. The second began October 4, 2023 with flows resuming at the dam on December 16, 2023, for a total of 74 consecutive days. The LHR achieved the required minimum flow on all days in 2023.

Minimum flow implementation was required for 81 days in the first half of 2024 (January 1, 2024 – July 7, 2024). During this period, minimum flow implementation was first required February 16, 2024, when flows over the dam fell below the seasonal minimum flow freshwater target of 23 cfs. The City initiated minimum flow implementation by diverting water to the base of the dam from Sulphur Springs and Blue Sink, and later from the TBC. Minimum flow implementation was required on February 16, again on March 26, and consecutively from April 13 through July 7,

2024. Minimum flow implementation was still ongoing in July 2024 when this report was prepared. The City has consistently applied the additional 3 cfs freshwater equivalent flow during the operation of minimum flow implementation in 2024, achieving the minimum flow for LHR all days in 2024 through July 7, 2024.

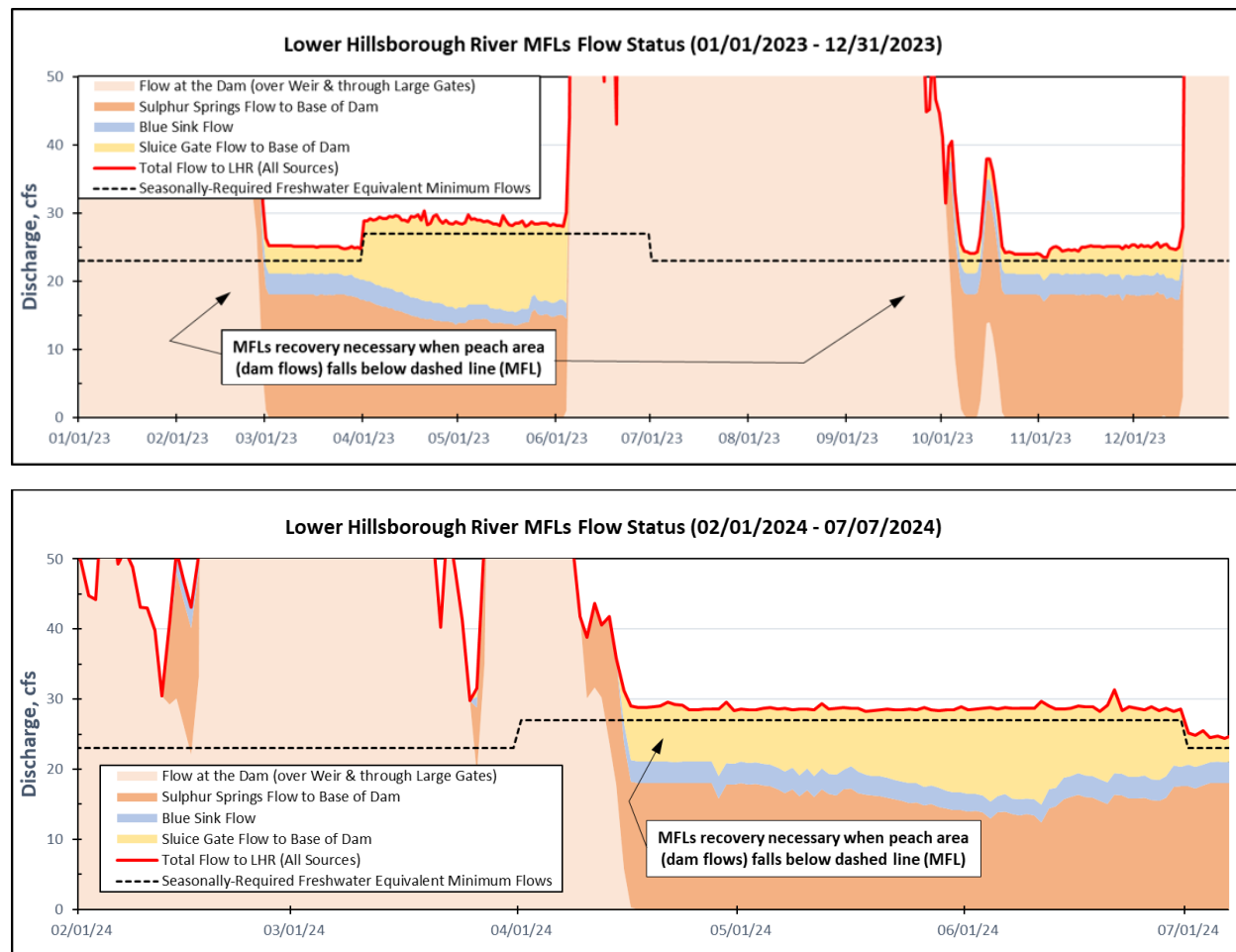


Figure 3. Minimum flows implementation for the Lower Hillsborough River in 2023 (upper panel) and from January 1, 2024, through July 7, 2024 (lower panel). Seasonally-required minimum flows with freshwater equivalents are depicted as the dashed black line. Minimum flows implementation was required when flow over the Hillsborough River Dam was insufficient to meet minimum flow requirements and included diversions to the base of the Hillsborough River Dam from Sulphur Springs and Blue Sink, and water that is released from the reservoir (sluice gate flow) after being diverted to the reservoir from the Tampa Bypass Canal. Note: information shown in the lower panel of this figure includes some provisional data.

Data compilation and analysis are ongoing for the required third five-year assessment. The period of analysis for the assessment was extended from June 30, 2023 to December 31, 2023, in order to analyze the salinity spikes observed in the river in Fall 2023.

Per recommendations included in the second five-year recovery assessment report, the District initiated bi-annual (twice a year) biological sampling in the LHR, including sampling of zooplankton, nekton, and benthic macroinvertebrates. Sampling methods and frequency were later adjusted to address stakeholder comments and target dry season sampling. Seven sampling events have been completed since May 2020.

Water quality data collection has continued in 2024. A monitoring station was installed in 2020 to collect continuous specific conductance, dissolved oxygen, pH, turbidity, temperature, and depth data upstream of the confluence of the Sulphur Springs Run and the LHR. This data will enhance the characterization and understanding of salinity conditions in the target zone associated with the LHR minimum flows, i.e., the area between the base of the dam and Sulphur Springs. The District is also collecting monthly vertical profile water quality data (pH, specific conductance, salinity, water temperature, and dissolved oxygen) at 16 sites within the LHR, and obtaining samples from one site for additional laboratory-based water quality analyses monthly during periods of minimum flow implementation.

The development of the updated hydrodynamic model for the lower Hillsborough River was completed in 2023 using bathymetric data surveyed in 2021. The model was calibrated and verified with real-time water level, salinity, and temperature data in the LHR and the Sulphur Springs run during 2012 - 2021. It provides information about low salinity habitats in the LHR and Sulphur Spring run. The updated model will improve low salinity habitat simulations in the LHR and provide information about low salinity habitats in the Sulphur Spring Run.

In addition, District staff conducted periodic algal coverage monitoring in Sulphur Springs from 2021-2024. Biomass data collection was added in 2024 to facilitate statistical review of algal presence as it relates to flow conditions in the spring run. Monitoring data was also collected at Morris Bridge Sink from 2019 - 2024 to support the consumptive water use permit issued for potential use of the sink as a recovery source for the river.

The District has held five stakeholder meetings since 2020 to review the status of the LHR minimum flows and recovery strategy and discuss planned and ongoing data collection and analysis efforts to support the third five-year recovery strategy assessment. An agreement was executed in 2023 with Jones Edmunds and Associates to complete the required analysis and report.

In summary, all activities and projects proposed in the adopted LHR recovery strategy are either underway, completed, or have been deemed not viable or actionable. Important components of the strategy are currently in operation or available, including facilities or plans for the use of Sulphur Springs, Blue Sink, the TBC and Morris Bridge Sink as recovery flow sources, and results from recent years suggest that the desired goal of creating low-salinity habitat below the Hillsborough River Dam can be sustained through minimum flows implementation.

References

- Davis, P.R., Ross, M.A. and Motz, L.H. 2008. Draft peer review panel report - Tampa Pipeline Project. Prepared for the Southwest Florida Water Management District, Brooksville, Florida and the City of Tampa, Florida.
- MHW Americas, Inc. 2011. Memorandum to Brian Pickard, P.E./City of Tampa dated April 18, 2011. Subject: Lower Hillsborough recovery strategy status and minimum flow evaluation technical memorandum. Tampa, Florida.

- Southwest Florida Water Management District. 2006. Lower Hillsborough River low flow study results and minimum flow recommendation, draft - August 31, 2006. Brooksville, Florida.
- Southwest Florida Water Management District. 2008. Lower Hillsborough River MFLs recovery strategy - implementation. Included in the significant water resource and development projects routine report to the Resource Management Committee. Governing Board meeting agenda and meeting information, November 18, 2008. Brooksville, Florida.
- Weber, C. 2018. Technical memorandum to Eric DeHaven, P.G., Southwest Florida Water Management District, dated October 30, 2018. Subject: Summary report on the Investigation of Additional Water Supply Options (H400). City of Tampa Water Department. Tampa, Florida.
- Weber, C. 2023. "Lower Hillsborough River MFL." February 24, 2023. Electronic letter to Brian Armstrong, Southwest Florida Water Management District.

RESOURCE MANAGEMENT COMMITTEE

August 27, 2024

Submit & File: Information Item: Minimum Flows and Minimum Water Levels Priority List and Schedule Update

Purpose

This submit and file report addresses the initial step for the statutorily required update of the District's priority list and schedule (priority list) for the establishment of minimum flows and minimum water levels (MFLs). Following review of public input on the updated draft priority list included in this report, and any necessary revisions, the priority list will be presented to the Governing Board in October 2024 for final review and approval prior to submittal to the Florida Department of Environmental Protection (DEP). Upon final approval, the draft priority list will replace the current 2023 priority list.

Background/History

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes, the District is required to annually update and submit its minimum flows and minimum water levels priority list to the Florida DEP by November 15th, for approval, and include the approved priority list in the District's Consolidated Annual Report by March 1st.

Attached is a draft "2024 Southwest Florida Water Management District Priority List and Schedule for the Establishment of Minimum Flows, Minimum Water Levels and Reservations" that staff will preliminarily review with DEP and public stakeholders. As indicated in the draft priority list, the District has established 207 MFLs, including MFLs for 126 lakes, 34 wetlands, 28 river segments, 10 springs or spring groups, 7 Upper Floridan aquifer (UFA) wells in the Northern Tampa Bay Water Use Caution Area (NTBWUCA), the UFA in the Most Impacted Area of the Southern Water Use Caution Area (SWUCA) and in the UFA at a site in the Dover/Plant City Water Use Caution Area. In addition, 130 minimum flow or level reevaluations have been completed to confirm or support the revision or repeal of established minimum flows or minimum water levels. The District has also established 2 reservations; one for water from Morris Bridge Sink to support MFLs recovery for the lower Hillsborough River and another for water stored in Lake Hancock and released to Lower Saddle Creek to support MFLs recovery in the upper Peace River. According to the most recent status assessment, of the 207 total established MFLs, 199 (96 percent) are met and 8 (4 percent) are not met based on hydrologic data collected through 2023.

Like the current (2023) priority list, the draft (2024) priority list addresses all relevant statutory directives and guidance concerning minimum flow, minimum water level, and water reservation prioritization included in Rules 62-40.473, and 62-40.474 within the State Water Resource Implementation Rule (Chapter 62-40, Florida Administrative Code) (F.A.C.), and in Rule 62-41.304 within the Regulation of the Consumptive Use of Water Rule (Chapter 62-41, F.A.C.) of the DEP that address the Central Florida Water Initiative (CFWI) Area. Formatting requirements for the priority list from the DEP Office of Water Policy are also addressed.

Scheduling of water bodies through 2027 on the draft priority list addresses the three-year minimum requirement specified in the Water Resource Implementation Rule. The draft priority list also includes water bodies for which MFLs establishment is expected to be completed during the remainder of 2024.

The draft priority list identifies water bodies that may be affected by withdrawals from other water management districts. This includes those potentially subject to cross-boundary impacts, particularly from withdrawals within the CFWI area. The list supports coordination of regulatory activities among the districts and DEP. Development of minimum flow or water levels by the DEP for any of these water bodies is not currently considered necessary or appropriate.

Past Year Rule Adoption Updates

Since the last priority list update, rulemaking for MFLs was completed for six water bodies, all scheduled for 2023: Lake Tulane (Highlands), Lake Verona (Highlands), Charlie Creek (Hardee, Polk), Horse Creek (Hardee, DeSoto), the Lower Little Manatee River (Hillsborough), and the Upper Little Manatee River (Hillsborough, Manatee).

Scheduling for Priority Water Bodies

Twenty-six water bodies are scheduled for MFLs or reservation development or reevaluation through 2027 on the draft priority list.

Eight new additions to the 2024 list not present on the current list include Lake Anoka (Highlands), Lake Easy (Polk), and Lake Starr (Polk) scheduled for 2026. New to the 2027 list are three Highlands County lakes: Lake Jackson, Lake Lotela, and Little Lake Jackson. These are all xeric lakes prioritized to be reevaluated using the new xeric lake standards finalized in 2023. Also new to the 2027 list are reevaluations of Crystal River (Citrus) and the Kings Bay Spring Group (Citrus), an Outstanding Florida Spring first evaluated in 2017.

Aside from those waterbodies scheduled for 2023 which have been completed at this time, there are no removals from the current list. However, Lake Letta (Highlands) is rescheduled from 2024 to 2027 so that it can be evaluated in tandem with Lake Lotela with which it shares a hydrologic connection.

The remaining eighteen waterbodies on the proposed 2024 list are unchanged from the current (2023) list. These include lakes Angelo and Denton, Highlands County lakes scheduled for 2024. Waterbodies remaining on the 2025 list include Polk County lakes Aurora, Bonnie, Eagle, Eva, and North Lake Wales. All of these lakes are xeric lakes expected to be reevaluated using the new xeric lakes standard methods. In addition, three segments of the Upper Peace River are scheduled for 2025, as are three segments of the Upper Withlacoochee River. For 2026, Gum Slough Spring Run, the Lower Withlacoochee River, and the Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL) remain on the list. The reevaluation of the reservation established for Lake Hancock/Lower Saddle Creek continues to be scheduled for completion in 2025.

Outreach and Follow-Up Activities

Following the August 2024 Governing Board meeting staff will post the draft priority list on the District web site. A public workshop will be facilitated by staff on August 29, 2024, to solicit additional stakeholder input on the priority list update process. Staff will also co-facilitate a public workshop with South Florida Water Management District and St. Johns River Water Management District staff on September 6, 2024, for discussion of water bodies in the Central Florida Water Initiative area that are included on each district's priority list and schedule. In addition, staff will present the priority list to the Public Supply Advisory Committee and the Environmental Advisory Committee prior to the October Governing Board meeting.

Based on consideration of stakeholder input and any additional analyses, staff will amend the draft priority list as necessary and return to the Governing Board in October to request approval of the priority list to be submitted to DEP by November 15, 2024. Upon approval by DEP, the priority list will be incorporated into the 2025 Consolidated Annual Report that will be presented to the Board for consideration and approval in January and February 2025.

Staff Recommendation:

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

Presenter:

Gabe Herrick, Lead Environmental Scientist, Natural Systems and Restoration Bureau

2024 Southwest Florida Water Management District Priority List and Schedule for the Establishment of Minimum Flows, Minimum Water Levels and Reservations

Overview

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes (F.S.), the Southwest Florida Water Management District is required to annually update its priority list and schedule for the establishment of minimum flows and minimum water levels, submit the updated list and schedule to the Florida Department of Environmental Protection (DEP) by November 15th for approval, and include the approved list and schedule in the District's Consolidated Annual Report by March 1st. Minimum flows and minimum water levels are rules adopted by the state water management districts or DEP that define the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. In addition to prioritized minimum flows and minimum water levels, the priority list and schedule must include reservations proposed for establishment. Reservations are rules that reserve water from use by permit applications, as necessary for the protection of fish and wildlife or public health and safety.

The District prepared this 2024 priority list and schedule to address all relevant statutory directives, and guidance concerning minimum flow, minimum water level and water reservation prioritization included in Rules 62-40.473, and 62-40.474 within the State Water Resource Implementation Rule, Chapter 62-40, Florida Administrative Code (F.A.C.) and in Rule 62-41.304 within the Regulation of the Consumptive Use of Water Rule (Chapter 62-41, F.A.C.) of the DEP that address the Central Florida Water Initiative Area defined in Section 373.0465(2)(a), F.S.

Established Minimum Flows, Minimum Water Levels and Reservations

As of FY2024, District rules include minimum flows or minimum water levels for 207 water bodies (Chapter 40D-8, F.A.C.) and reservations for 2 water bodies (Chapter 40D-2, F.A.C.). As listed below, minimum flows or water levels are established for 126 lakes, 34 wetlands, 28 freshwater and estuarine river segments, 10 springs or spring groups (including all first magnitude springs and all second magnitude springs within the District that occur within state or federal lands purchased for conservation purposes), 7 Upper Floridan aquifer (UFA) sites in the northern Tampa Bay area, an UFA site in the Dover/Plant City area, and the UFA in the Most Impacted Area of the Southern Water Use Caution Area. In addition, 130 minimum flow or level reevaluations have been completed to confirm or support the revision or repeal of established minimum flows or minimum water levels. As also listed below, reservations have been established for Lake Hancock/Lower Saddle Creek and Morris Bridge Sink to support minimum flow recovery in 2 rivers.

Water Bodies with Adopted and Effective Minimum Flow and Minimum Water Level Rules, Including Those That Have Been Reevaluated

- Alafia River (upper segment)
- Alafia River (lower segment)/Lithia-Buckhorn Spring Group
- Anclote River (lower segment)

- Anclote River (upper segment)
- Braden River (upper segment)
- Charlie Creek
- Chassahowitzka River/Chassahowitzka Spring Group (an Outstanding Florida Spring) and Blind Spring (reevaluated)
- Citrus County Lakes – Ft. Cooper, Tsala Apopka – Floral City, Inverness, and Hernando Pools
- Crystal River/Kings Bay Spring Group (an Outstanding Florida Spring)
- Crystal Springs
- Dona Bay/Shakett Creek System
- Dover/Plant City Water Use Caution Area Minimum Aquifer Level
- Gum Slough Spring Run/Group
- Hernando County Lakes – Hunters (reevaluated), Lindsey (reevaluated), Mountain (reevaluated), Neff (reevaluated), Spring, Tooke, Weeki Wachee Prairie, Whitehurst
- Highland County Lakes – Angelo, Anoka, Damon, Denton, Jackson (reevaluated), Little Lake Jackson (reevaluated), June-in-Winter, Letta (reevaluated), Lotela (reevaluated), Placid, Tulane, Verona
- Hillsborough County Lakes – Alice (reevaluated), Allen (reevaluated twice), Barbara (reevaluated), Bird (reevaluated twice), Brant (reevaluated twice), Calm (reevaluated), Carroll, Charles (reevaluated), Church (reevaluated), Crenshaw, Crescent, Crystal (reevaluated twice), Cypress (reevaluated), Dan (reevaluated), Deer (reevaluated), Dosson (reevaluated twice), Echo (reevaluated), Ellen (reevaluated), Fairy [Maurine] (reevaluated), Garden, Halfmoon (reevaluated), Hanna (reevaluated), Harvey (reevaluated twice), Helen (reevaluated), Hobbs (reevaluated twice), Hooker, Horse (reevaluated), Jackson (reevaluated), Juanita (reevaluated twice), Keene, Kell, Little Moon (reevaluated), Merrywater (reevaluated twice), Mound, Platt, Pretty, Rainbow (reevaluated), Raleigh, Reinheimer, Rogers, Round (reevaluated), Saddleback (reevaluated twice), Sapphire (reevaluated twice), Starvation, Stemper (reevaluated), Strawberry (reevaluated), Sunset (reevaluated twice), Sunshine (reevaluated twice), Taylor (reevaluated), Virginia (reevaluated twice), Wimauma (reevaluated)
- Hillsborough County Wetlands – Cypress Bridge 32 (reevaluated), Cone Ranch 1 (reevaluated), Cone Ranch 2 (reevaluated), Cone Ranch 3 (reevaluated), Cone Ranch 4 (reevaluated), Cone Ranch 5 (reevaluated), Cone Ranch 6 (reevaluated), Eldridge Wilde 11 (NW-44) (reevaluated), Morris Bridge Clay Gully Cypress (MBR-88) (reevaluated), Morris Bridge Entry Dome (MBR-35) (reevaluated), Morris Bridge Unnamed (MBR-16) (reevaluated), Morris Bridge X-4 (MBR-89) (reevaluated)
- Hillsborough River (lower segment) (reevaluated)
- Hillsborough River (upper segment)
- Homosassa River/Homosassa Spring Group (an Outstanding Florida Spring) (reevaluated)
- Horse Creek
- Little Manatee River (lower segment)
- Little Manatee River (upper segment)
- Levy County Lake – Marion (reevaluated)
- Marion County Lakes – Bonable, Little Bonable, Tiger
- Myakka River (lower segment)
- Myakka River (upper segment)
- Northern Tampa Bay – 7 Wells – Upper Floridan aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish (reevaluated), Bird, Buddy (reevaluated), Camp (reevaluated), Clear (reevaluated), Crews, Green, Hancock (reevaluated), Lola, Jessamine, King, King [East], Linda, Middle, Moon (reevaluated), Padgett (reevaluated), Parker aka Ann, Pasadena (reevaluated), Pierce (reevaluated), Unnamed #22 aka Loyce

- Pasco County Wetlands – Cross Bar Q-1 (reevaluated), Cross Bar T-3 (reevaluated), Cypress Bridge 4 (reevaluated), Cypress Bridge 16 (reevaluated), Cypress Bridge 25 (reevaluated), Cypress Creek W-56 (G) (reevaluated), Cypress Creek W-11 (reevaluated), Cypress Creek W-12 (reevaluated), Cypress Creek W-17 (reevaluated), North Pasco 3 (reevaluated), North Pasco 21 (reevaluated), South Pasco 2 (NW-49) (reevaluated), South Pasco 6 (NW-50) (reevaluated), South Pasco South Cypress (reevaluated), Starkey Central (reevaluated), Starkey Eastern (S-73) (reevaluated), Starkey M (S-69) (reevaluated), Starkey N (reevaluated), Starkey S-75 (reevaluated), Starkey S-99, Starkey Z (reevaluated)
- Peace River (lower segment) (reevaluated twice)
- Peace River (middle segment)
- Peace River (three upper segments – "low" minimum flows)
- Pinellas County Wetland – Eldridge Wilde 5
- Pithlachascotee River (lower segment)
- Pithlachascotee River (upper segment)
- Polk County Lakes – Annie, Aurora, Bonnie, Clinch (reevaluated), Crooked (reevaluated), Crystal, Dinner, Eagle (reevaluated), Easy, Eva, Hancock, Lee, Lowery, Mabel, McLeod (reevaluated), North Lake Wales, Parker (reevaluated), Starr (reevaluated), Venus, Wailes (reevaluated)
- Rainbow River/Rainbow Spring Group (an Outstanding Florida Spring)
- Shell Creek (lower segment)
- Sulphur Springs
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka, Panasoffkee
- Southern Water Use Caution Area – Upper Floridan aquifer
- Tampa Bypass Canal
- Weeki Wachee River/Weeki Wachee Spring Group (an Outstanding Florida Spring)

Water Bodies with Adopted and Effective Reservation Rules

- Lake Hancock/Lower Saddle Creek (water reserved to contribute to achieving minimum flows adopted for the three upper segments of the Peace River for the protection of fish and wildlife)
- Morris Bridge Sink (water reserved to contribute to achieving or maintaining minimum flows adopted for the lower segment of the Hillsborough River for the protection of fish and wildlife)

Prioritized Water Bodies for Establishment or Reevaluation of Minimum Flows and Minimum Water Levels

Minimum flows and minimum water levels proposed for establishment or reevaluation through 2027 are listed by water body name in tabular form below. The single reservation prioritized for reevaluation during this period is also listed below.

System name is provided for each water body to distinguish waterbodies that may be part of a larger system. Water body type, i.e., lake, river, river-estuary, spring, or aquifer is identified along with water body location information. Spring magnitude based on flow rate is provided for prioritized spring systems.

District intent regarding completion of voluntary, independent, scientific peer review is also identified for each water body. Voluntary scientific peer review is proposed for minimum flows development or reevaluation for all prioritized river segments and the single prioritized minimum aquifer level reevaluation based on the expected level of complexity of these minimum flows and levels, and the anticipated degree of public concern regarding their development. None of the

prioritized lake minimum levels are expected to be subjected to voluntary scientific peer review, based on anticipated use of previously peer-reviewed criteria for their development.

Prioritized water bodies that may be affected by withdrawals occurring in other water management districts due to cross-boundary impacts are identified to support coordination of regulatory activities among the districts and DEP. This includes those specifically associated with withdrawals from within the Central Florida Water Initiative area. Development of minimum flow or water levels by the DEP for any of these water bodies is not, however, currently considered necessary or appropriate.

The status of rulemaking for each prioritized water body is also listed.

Minimum Flows and Minimum Water Levels to be Adopted in 2024.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Angelo, Lake	Angelo, Lake	Lake	Highlands	No	Yes	27.5861	-81.4665	N/A
Reevaluation (first)	Denton, Lake	Denton, Lake	Lake	Highlands	No	Yes	27.5563	-81.4893	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2025.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Aurora, Lake	Aurora, Lake	Lake	Polk	No	Yes ^c	27.8791	-81.4655	N/A
Reevaluation (first)	Bonnie, Lake	Bonnie, Lake	Lake	Polk	No	Yes ^c	27.9118	-81.557	N/A
Reevaluation (second)	Eagle Lake	Eagle Lake	Lake	Polk	No	Yes ^c	27.9867	-81.7665	N/A
Reevaluation (first)	Eva, Lake	Eva, Lake	Lake	Polk	No	Yes ^c	28.0952	-81.6281	N/A
Reevaluation (first)	North Lake Wales	North Lake Wales	Lake	Polk	No	Yes ^c	27.9096	-81.5805	N/A
Reevaluation (first)	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	River	Hardee, Polk	Yes	Yes ^c	27.5042	-81.8011	N/A
Reevaluation (first)	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	River	Polk	Yes	Yes ^c	27.7511	-81.7822	N/A

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	River	Polk	Yes	Yes ^c	27.9019	-81.8175	N/A
New	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	River	Citrus, Marion, Sumter	Yes	Yes	28.9886	-82.3497	N/A
New	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	River	Citrus, Sumter, Hernando	Yes	No	28.8231	-82.1833	N/A
New	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	River	Hernando, Sumter, Pasco, Lake, Polk	Yes	Yes ^c	28.5925	-82.2222	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2026.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Gum Slough Spring Group	Gum Slough Spring Group	Spring (2 nd magnitude)	Sumter	Yes	Yes	28.9511	-82.2500	N/A
New	Withlacoochee River (lower segment)	Withlacoochee River (lower segment)	River-Estuary	Citrus, Levy	Yes	Yes	29.0208	-82.6381	N/A

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Aquifer	Hillsborough, Manatee, Sarasota	Yes	No	27.5603	-82.4013	N/A
Reevaluation (first)	Anoka, Lake	Anoka, Lake	Lake	Highlands	No	Yes	27.5805	-81.5121	N/A
Reevaluation (first)	Easy, Lake	Easy, Lake	Lake	Polk	No	Yes ^c	27.8581	-81.5620	N/A
Reevaluation (second)	Starr, Lake	Starr, Lake	Lake	Polk	No	Yes ^c	27.9566	-81.5874	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2027.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Crystal River	Crystal River	River-Estuary	Citrus	Yes	No	28.9064	-82.6239	N/A
Reevaluation (first)	Kings Bay Spring Group (OFS)	Crystal River	Spring (1 st magnitude)	Citrus	Yes	No	28.9064	-82.6239	N/A
Reevaluation (second)	Jackson, Lake	Jackson, Lake	Lake	Highlands	No	Yes	27.4910	-81.4624	N/A
Reevaluation (second)	Letta, Lake	Letta, Lake	Lake	Highlands	No	Yes	27.5603	-81.4617	N/A
Reevaluation (second)	Little Lake Jackson	Little Lake Jackson	Lake	Highlands	No	Yes	27.4677	-81.4635	N/A
Reevaluation (second)	Lotela, Lake	Lotela, Lake	Lake	Highlands	No	Yes	27.5772	-81.4820	N/A

Reservations Priority List.

Waterbody Name	Waterbody Type	County(s)	Proposed Year	Rulemaking Status ^b
Hancock, Lake/Lower Saddle Creek (reevaluation)	Lake, River	Polk	2025	N/A

^a System name identifies larger system that the water body is associated with for minimum flows or minimum water levels rule development; otherwise, system name is same as waterbody name or compliance point.

^b Last rulemaking action taken: Notice of Rule Development published; Notice of Proposed Rule published; Rule challenge pending; Rule adopted, Ratification not required; Rule adopted, awaiting ratification; Rule adopted, Ratified. N/A indicates formal rulemaking has not been initiated.

^c Potential cross-boundary withdrawal impacts from adjacent water management district associated with the Central Florida Water Initiative area.

Governing Board Meeting
August 27, 2024

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

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OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 27, 2024

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 27, 2024

Discussion: Information Item: Hydrologic Conditions Report

- July is the second month of the four-month wet season (June through September). Rainfall was scattered, regionally variable, and mainly associated with a typical warm and humid summertime weather pattern of sea breeze/convective storms. In August, parts of the District received significant rainfall from Tropical Storm Debby.
- **Rainfall:** July monthly rainfall totals were within the normal range in the northern and central counties, while they were below normal in the southern counties. The Districtwide 12-month cumulative rainfall total improved and ended the month at a deficit of 5.08 inches below the long-term historical average.
- **Streamflow:** Monthly streamflow increased at all 12 monitoring stations, compared to last month. Nine stations reported normal streamflow, two reported below-normal flow, while one reported much below-normal flow. Regional streamflow, based on three index rivers, was within the normal range in the northern and central counties, while much below normal in the southern counties.
- **Groundwater:** Regional aquifer-level percentiles increased in the northern and central counties, while they decreased in the southern counties, compared to last month. Aquifer levels ended the month within the normal range in all three regions.
- **Lake Levels:** Regional lake levels increased in all four lake regions. Regional levels remained below normal in the Northern, Tampa Bay and Lake Wales Ridge regions, while they remained within the normal range in the Polk Uplands region.
- **Overall:** Most regional hydrologic indicators saw improvements during July, except as noted. The National Oceanic and Atmospheric Administration (NOAA) predicts above-normal rainfall during the remaining summer months and into the fall season. Tropical Storm Debby brought additional rainfall in August, and tropical activity could bring additional rainfall to the District through November during the remainder of this year's tropical storm season.

Staff Recommendation:

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

Presenter:

Tamera McBride, Hydrologic Data Manager, Data Collection Bureau

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 27, 2024

Discussion: Information Item: Overview of Land Management Plan Updates

Purpose

To provide an overview of the process utilized by the Land Resources Bureau's Land Management Section to update the District's Land Management Plans (Plans). The discussion will include the standards and processes used to update Plans, the Plan template that is being used for Plan updates, a status update on the timeline for updating all Plans the District is responsible for and showcase staff efforts and coordination across multiple District bureaus to update the Plans.

Background/History

The District has a Governing Board Policy titled Land Use and Management (Policy) that directs that lands acquired for, or designated for, conservation purposes have management plans that link the uses and management strategies to the protection of key water resources and natural systems attributes for which they were acquired, when they are of a sufficient size to make such a plan practical. Additionally, the District has an Executive Director Procedure titled Land Use and Management Planning (Procedure) that supports the Policy and also directs that lands acquired for, or designated for, conservation purposes have a comprehensive management strategy set forth when it is practical and necessary. Accordingly, the District is responsible for seventeen (17) Land Management Plans for conservation lands it owns. The Policy and the Procedure both direct that Plans be reviewed at a minimum every ten (10) years, at which time the Land Resources Bureau will recommend whether to retain or revise the existing Plan.

This year, the Land Management Section completed updates of two (2) Land Management Plans: Green Swamp Wilderness Preserve and Weekiwachee Preserve. These plans were provided to the Governing Board members under separate cover prior to the August Governing Board meeting and will be brought back to the Governing Board for consideration and approval on the September Governing Board meeting consent agenda. Public comments were solicited via a public workshop held on July 24, 2024, and July 25, 2024, as well as online via the District's website for a two (2) week period, and we have incorporated comments as appropriate. A summary of the public comments as well as the actual comments are included as Exhibits 1 and 2.

Staff Recommendation:

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

Presenter:

Chris Reed, Manager, Land Resources Bureau

Exhibit 1

This exhibit is a summary of the public input received for this year's Land Management Plan updates for Weekiwachee Preserve and Green Swamp Wilderness Preserve. A total of 36 comments were received on this year's plans with a majority of these comments pertaining to Weekiwachee Preserve. This includes both public comment and comments from Hernando Audubon Society and Sierra Club Adventure Coast. These public comments are summarized below by property and highlight the common themes of the input. A comprehensive list of the public input is provided as Exhibit 2 which provides detailed comments as well as the party providing the input.

Weekiwachee Preserve – Public Input Summary

1. A majority of the comments received that were opposed to a future county park and felt that the District should spell out in the Land Management Plan that a Swimming Area or an artificial beach should be explicitly prohibited.
2. Several comments were made to prohibit the sale of any of the Preserve's acreage.
3. Several comments were made to aggressively acquire lands adjacent to the Preserve to protect natural resources in this rapidly growing area and to expand the Florida Wildlife Corridor linkage opportunities.
4. Several Comments stated that the District should address the Weeki Wachee River Spring Protection Zone in the Land Management Plan.
5. Several comments stated that the District should reference the Florida Black Bear Management Plan as it relates to the Chassahowitzka black bear subpopulation.
6. Several comments were made requesting that the District expand natural community descriptions to include wildlife species and important avian plants species found in the natural communities on the Preserve.
7. Several comments were received encouraging the District to include an objective that protects and maintains the functionality of the Florida Wildlife Corridor within the Preserve.
8. Numerous comments were made regarding to keep the Preserve as it is and to not allow commercial vendors.
9. Implementation of Leave No Trace Program and installation of recycling receptacles.
10. Explain strategies to achieve fire management goals given the significant wildland urban interface.
11. Prevention of human bear conflicts.
12. Several comments suggested making edits to the plant lists to include additional imperiled or exotic species that may have been overlooked.
13. Several commentors pointed out grammatical errors or omissions.

Green Swamp Wilderness Preserve – Public Input Summary

1. United States Forest Service staff provided a comment to include standard language about the Florida National Scenic Trail that bisects the Preserve.
2. One comment was received regarding softening language relative to historic silviculture impacts on the Preserve.

Exhibit 2 - Land Management Plan Public Comments

First name	Last name	Email	Telephone	Address: Address	City	State	Zip	County	Representing	If organization, name	Property Commenting On	Topic	Comments
Veronica	Smith	kedzie51@gmail.com						Hernando			District Lands in General	Land Management	Stop allowing the building of thousands of homes every where . Also, preserve our natural habitats.
Nora	Cloud	ncloud@tampabay.rr.com	3526132736	8615 W Highland St	Homosassa	Florida	34448	Citrus	Organization	Sierra Club	Weekiwachee Preserve	Land Management	Please take into consideration the value of natural wilderness for both flora and fauna. It seems like developers only consider profit and human presence. Our wildlife are critical to the planet. Thank you for managing lands that will sustain a viable future of balanced ecosystems.
DeeVon	Quirolo	sierraclubadventurecoastcc@gmail.com	352-277-3330	c/o 222 East Liberty Street	Brooksville		34601	Hernando	Organization	Sierra Club Adventure Coast Group	Weekiwachee Preserve	Land Management	See full comments sent via email to Chris.Reed@WaterMatters.org.
Tom	Gerow, Jr	one4ster@yahoo.com						Sarasota	Self		Weekiwachee Preserve	Land Management	Two comments: [1] Forest Management Objectives, it says conduct timber harvests as scheduled, but only ~50 acres are plantation; are there other suitable areas for timber harvest in the Preserve; or this is 'canned' language used in all Plans?. Are there specific goals for *this* Preserve that would be attainable, tangible and actionable, such as: sustain or stimulate advanced oak regeneration; recruitment of native slash and/or longleaf pine; susstain mangrove area.
Tom	Gerow, Jr	one4ster@yahoo.com						Sarasota	Self		Weekiwachee Preserve	Water Resources	Crazy idea...but could some of the old phosphate mining pits be used as repositories for land clearing debris, thus accomplishing multiple goals: keep debris out of sanitary landfills.....prevent burning of debris piles and release of smoke/PM2.5.....backfilling old pits to minimize drowning liabilities.....sequestering carbon in the pit, from anaerobic conditions of woody material underwater thus creating a future wetland bog in another 100 years.
Tom	Gerow, Jr	one4ster@yahoo.com						Sarasota	Self		District Lands in General	Land Management	More low water improved ford crossings, less culverts. Culverts are awful to install correctly, do not allow for aquatic organism passage, block debris flows and floodwaters from passing and require elevating the road profile, thus altering surface sheetflow. I understand in high traffic areas a ford may not be ideal.
Bev	Hansen	bevahansen@gmail.com	3526860460	6573 Pine Meadows Dr	Spring Hill	Florida	34606	Hernando	Self		Weekiwachee Preserve	Land Management	I am concerned that there is no mention of swimming in the draft plan. Please prohibit swimming. In the fall along the southernmost trail in the preserve, I frequently see large piles of bear scat with fresh berries. This is evidence that bears are traveling in all parts of the preserve. It is vital that the Florida Black Bear Management Plan be implemented throughout the preserve, especially in the area that Hernando County has leased to provide picnic tables.
Joseph	Murphy	naturecoastjoe@aol.com	813-468-0870	34413 Orchid Parkway	Ridge Manor		33523	Hernando	Self		Weekiwachee Preserve	Land Management	Please see comments submitted via email to Chris Reed, Brian Starford, Chris Green, Mike Singer, Ellen Morrison, and Brian Armstrong by Joseph Murphy via email on July 24th, 2024. Submitted via naturecoastjoe@aol.com
Leslie	Tomlinson	sweetrydel2003@yahoo.com	3522326901	3401 Flamingo Blvd	Hernando Beach	Florida	34607	Hernando			Weekiwachee Preserve	Land Management	I am against any revisions to the current land use of the Weeki Wachee Preserve, especially a land lease and potential purchase from the County. This will lead to the destruction of Natural Resources within a protected Wildlife Corridor, as well as Aquifer. We are all very much aware of the direction our County would prefer to take with this portion of the Preserve and based on the County's own surveys, the taxpayers are adamantly against this. Green Space is dwindling.
Kindra	Steadham	mom2zga@aol.com	7273643264	3123 Tori Court	New Port Richey	Florida	34655	Pasco	Self		Weekiwachee Preserve	Land Management	I am against a lease agreement and potential sale of that portion of the Weeki Wachee Preserve to the County. It will cause inevitable destruction in a Wildlife Corridor.
Tom	Gerow	one4ster@yahoo.com						Sarasota	Self		District Lands in General	Goals and Objectives	Perhaps include a matrix of highlights of how each Tract's updated LM Plan also meets specific goals in other regional/state conservation plans, to demonstrate how the District is cooperating to meet overall goals, for ex: Tampa Bay , Sarasota Bay, and Charlotte Harbor NEP's CCMPs; FL Forest Action Plan; FL Wildlife Action Plan; Florida climate resilience plan; USACE's South Atlantic Coastal Study; National Cohesive Strategy; etc.
MC	Marino	sweethonestymc@netscape.net						Hernando	Self		Weekiwachee Preserve	Land Management	-County's Survey yields a strong opposition from the majority towards development in the Preserve. -Cease all continuous attempts by County to develop within the Preserve and their desire for a swimming hole/beach or any other aggressive recreation. -Deny any lease agreement, land swap, land sale to County in regards to the WW Preserve. -Do not authorize any boardwalks that will be fire hazards; but rather improve on existing paths using ecofriendly materials. Ty.
Ann	Dobrow	akdobrow@gmail.com	7708554187	4231 Orchid Dr	Hernando Beach		34697	Hernando			Weekiwachee Preserve	Recreation	Please do not allow any leases now or in the future. Preserve the property in its current state. There should absolutely be no purchase option. We do not need a park in this area beyond what is now there. Thank you for your care of our resources.
Rebecca	Marlow	rebmarlow@tampabay.rr.com	3526504893	4191 Orchid drive	Hernando Beach			Hernando			Weekiwachee Preserve	Land Management	I oppose any lease agreement or sales of the land!
David	Snutes	dsnutes@gmail.com	5703351539	3369 Gulfview Drive	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please, Preserve the Preserve
Beverly	Conrad	beachbumbev@hotmail.com	3526160536	3274 Azalea Dr	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Other	Preserve the Weeki Wachee Preserve. It is home to wildlife, reptiles, birds and needs to be left as it is.
John-Paul	Reeve	jpreeve@att.net	6784681943	4097 Orchid Drive	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	As long-term resident of Hernando Beach, I do not want HC to ever be allowed to develop a beach/swimming area in the Preserve. Any active recreation will pose a serious threat to wildlife. Even increased kayak/small boat use will create unhealthy disturbances. Allowing picnicking & food vendors will draw wildlife to the area seeking food. Human encounters with dangerous wildlife will mean the capture & removal of the creature. I am very skeptical of any development.

Angel	Martin	amartin217@tampabay.rr.com	8137676944	4133 Seadragon Bluff	Spring Hill	Florida	34609	Hernando	Self		Weekiwachee Preserve	Water Resources	Suggest adding some brief text concerning the data-collection efforts supporting the water resources aspects of the plan. Also, there should be some discussion on possible future data collection. For example, some discussion is needed concerning future data-collection efforts concerning the hydrology and water quality at the preserve resulting from possible future sea-level rise and the possible resulting saltwater intrusion in the Upper Floridan aquifer.
Mark	Lucas	Lfixerm@aol.com						Hernando			Weekiwachee Preserve	Land Management	Opposed to development within Preserve which will lead to aggressive recreation or any other opportunity for investors to profit monetarily in the future. It's requested that the district won't ever sell this property as surplus and that it remains a preserve for years to come. Please ensure that NO COMMERCIALIZATION/VENDORS are allowed within the preserve. This includes and is not limited to food concessions, kayak rentals, bike rentals, or any other retail businesses.
Tommie	Toler	trtcft@gmail.com		3454 Eagle Nest Drive	Hernando beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Other	I am concerned about the possibility of the Hernando County Board of County commissioners saying that this are would be a great natural area with just ""a few upgrades"". They do not take care of the areas they have now eg Linda Pederson Park, and want people to believe this will be different. Concerns from many of my neighbors are about the nature that will be destroyed. This is part of the nature corridor and would like to keep it for the nature. Thank you
Thomas	Jones	fishinf1@gate.net	3526069242	4243 Camelia Dr	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	My family has been using the Preserve for 26 years. I don't want to see it turned into a circus like Rodgers Park (trash, cigarette butts, baby diapers and obnoxious people who don't care about the park. The new parking lot on Shoal Line (old R Beach) is a trashy mess already. Please leave the preserve as a preserve.
Sheila	Barr	sheilaannb@hotmail.com		3379 Gulfview Drive	Hernando Beach		34607	Hernando	Self		Weekiwachee Preserve	Other	Page 52 states two additional walk-through points on the western boundary is a bold-face lie, and Page 18 states a ditch extends a mile which is another bold face lie, if pictures were allowed we could argue Ditch vs a thriving aquatic Canal, and the additional pedestrian access points have not been established via state law. There are none currently as implemented by state law. District lands are district lands regardless of how they were acquired.
Scott	Berringer	dsberr@aol.com		4395 Flexer Drive	Hernando Beach		34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please don't allow Hernando County commissioners to ruin the Preserve. It's great the way it is right now. The county hasn't/can't maintain what it has now.
Kelly	Reeve	reevechic@hotmail.com	7704412225	4097 Orchid Drive	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	I am a stakeholder, Hernando County registered voter, and long term resident. I am against any development that would harm wildlife. I am against any commercializing of the Preserve to include vendors, fencing off areas which would case harm to all animals that call the Preserve home. How would the bird watching community be affective with unnatural changes in a Preserve. I am against allowed swimming with the possibility of harm to the quality of our drinking water.
Theresa	Peila	gpeila@tampabay.rr.com	3522631603	3315 Azalea dr	Hernando Beach		:4607	Hernando	Self		Weekiwachee Preserve	Land Management	We are already destroying all the wildlife in Hernando county. Don't let them destroy what's left. You can make sure that this doesn't happen. Because once they start we can never get it back. It's obvious they can't manage repairs, look at Linda Pederson park. Look at our roads in Hernando beach now. And I'm sure there are other things I am not aware of. Please don't let the destroy the last piece of walkable nature the west coast Hernando has to offer.
Carol	McElroy	carolamcelroy@yahoo.com	352-683-7675	3408 Amberjack Drive	Hernando Beach		34607	Hernando	Self		Weekiwachee Preserve	Land Management	I implore you to leave the Weeki Wachee Preserve just as it is named - a "preserve". This limited area is an important part of our water management, bear corridor, and home to all manner of wildlife that is being squeezed into an ever smaller area due to unprecedented population growth. Hernando County already has more parks than the county can maintain; expanding the current amenities in the Preserve to invite more traffic will bring more trash and destruction.
Muriel B	Clark	mameclark@gmail.com	3152893029	4052 Centavo Ct	Hernando Brach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please leave this beautiful natural wildlife area alone!
Kathryn	E Miller	kkmiller774@gmail.com	4232403373	4315 Flexer Drive	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please keep the Weekiwachee Preserve a Preserve and do not develop. I think it is a huge asset to Hernando County recreation just the way it is and so many people enjoy it as it is. There are plenty of developed outdoor spaces in and near Hernando County for residents and tourists to enjoy. The Preserve needs to stay a Preserve for us to enjoy as we have been doing and to not take away the wildlife that calls the Preserve home. PRESERVE THE PRESERVE! thank you.
Lori	Moreton	lorirockjan@aol.com	3214083788	4496 Bimini dr	Hernando beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please leave the preserve alone..it has survived this long without any thing needed to it..except maybe for some trash cans..I am out there everyday enjoying the beauty..peaceful wilderness..please for the love of nature preservation..just leave it be!
Diana	Frederick	dani50hb@gmail.com	3525562950	3291 Lugustrum Dr	Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Other	Original got deleted. I am commenting on all topics, but mainly management of the Weeki Wachhee Preserve. The name says it all. It iz a preserve, not a resort or a park. Please preserve the environment or even improve it. Don't expand the activities allowed. Don't expand access. It should be a place that protects our water source, provides a refuge for wild animals that are losing more and more land, and allows humans to have a calm & quiet place to enjoy. Thanks
Norman	Decicco	ndecicco@aol.com	3524423252	2235 Springmeadow Dr	Spring Hill	Florida	34606	Hernando	Self		Weekiwachee Preserve	Land Management	Leave it just the way it is
Don	McElroy	donmac1963@yahoo.com	3526837675	3408 Amberjack Drive	Hernando Beach		34607	Hernando			Weekiwachee Preserve	Land Management	Please leave the preserve as is. A natural environment is a healthy environment. I love having friends and family out there for a great experience.
Amy	Laird	alaird788@gmail.com			Hernando Beach	Florida	34607	Hernando	Self		Weekiwachee Preserve	Land Management	Please protect the preserve. There are only so many natural lands left. The people of Hernando Beach care about and care for our community and share concerns of those outside, those who don't live in the area,may not make the best choices for the community. What makes a "preserve no longer worthy of being preserved!



Hernando Audubon Society, Inc.

P.O. Box 1678, Brooksville, FL 34605
www.hernandoaudubon.org

July 24, 2024

Chris Reed, Land Management Section
Southwest Florida Water Management District
2379 Broad Street,
Brooksville, Florida 34604

SUBJECT: Comments on Draft Weekiwachee Preserve Land Management Plan

Dear Mr. Reed:

The Weekiwachee Preserve (Preserve) is a resource of great importance to Hernando Audubon Society's over 300 members and numerous supporters. We use the Preserve several times a year for scheduled outings and individual members use the preserve daily to hike and bird watch. For the past 27 years, the Preserve has been a location our members use to identify bird species and count them during our annual Christmas Bird Count.

The Preserve is one of the locations listed in a publication authored by Hernando Audubon entitled *Birding Sites of Hernando County* and published by Florida's Adventure Coast Visitors Bureau. The pamphlet is designed to help local and visiting birders by indicating the localities and times of year when birds are most likely to be found. Since the Preserve was purchased in 1995, over 250 species of birds have been observed, more than any other site in Hernando County. This large number of species is due to the quality and diversity of ecological habitats within the Preserve.

Members of our Conservation Committee have reviewed the Draft Weekiwachee Preserve Land Management Plan (Draft Plan) with the intent of maintaining current public use patterns and increasing ecological services of the Preserve's natural habitats. Below are our recommendations for a more comprehensive discussion of several management issues.

- 1. Forbid Future Development of an Artificial Beach and Swimming Area** – Hernando Audubon has long opposed development of an artificial beach and swimming area within one of the abandoned mine pits. Our concern is inclusion of a swimming/beach area within the Preserve would move public use from passive to active recreation. Increased human activity could negatively impact many wildlife and bird species. We request the District modify the Draft Plan to once and for all state that no swimming or beach area will be allowed within the Preserve.

Inclusion of this one simple statement would eliminate significant opposition from several stakeholders in the future with regards to recreational development of the Preserve.

2. **Prohibit the Sale of Preserve Property** – The Draft Plan states property within the Preserve has been designated as conservation land. Because state statutes limit the sale of property designated for conservation, a statement should be added to the final Plan indicating the sale of any Preserve property will be prohibited. The Preserve is considered by the state to be a Critical Linkage of the Florida Wildlife Corridor, crucial to the protection of native habitats and survival of imperiled species (Draft Plan, page 6). Any subtraction of land area from the Preserve would hinder the ecological functionality of this Florida Wildlife Corridor Critical Linkage. If any sale of Preserve lands were to occur, we request the District ensure it would still be designated as conservation land.
3. **Prevent Bear-Human Conflicts** – The Chassahowitzka black bear subpopulation is one of the most imperiled in the state (Florida Black Bear Management Plan, 2019). The bear management plan estimates a population of 20 bears versus the 30 quoted in the Draft Plan for this subpopulation. This lower estimate should be incorporated into the Draft Plan. We encourage the District to modify the Draft Plan to include mention of the Florida Black Bear Management Plan and the guidance it provides to avoid bear-human conflict. All entities leasing large land parcels within the Preserve should be required to implement the design and management guidance as outlined in the Florida Black Bear Management Plan. Proper management of black bears and their habitat can positively impact the Preserve’s habitat quality for other wildlife as well, including resident and migratory bird species.
4. **Include the Weeki Wachee River Spring Protection Zone** - The Weeki Wachee River is a seven-and-a-half-mile spring-fed river that forms part of the northern border of the Preserve (Draft Plan, page 11). The Draft Plan needs to acknowledge and discuss the Springs Protection Zone (SPZ) that was designated by the Florida Fish and Wildlife Conservation Commission in 2023. The shoreline and riparian habitats along the river have been degraded and need to be protected. Hernando Audubon supported Hernando County’s application to create the SPZ and requests the Draft Plan be modified to include a discussion of the SPZ’s protective provisions. Without cooperative enforcement of the SPZ with other involved agencies, the Preserve’s riparian habitats may be subjected to additional harmful public use.
5. **Aggressive Purchase of Adjacent Lands** – Because of the rapid pace of development along and to the west of State Highway 19 within Hernando and Pasco counties, we encourage the District to aggressively pursue the purchase of additional lands for the Preserve. The purchase of adjacent lands for the Preserve will expand the Florida Wildlife Corridor and directly benefit many wildlife and bird species.
6. **Expand Natural Community Descriptions** – Bird watching is one of the significant recreational uses of the Preserve, yet there is limited discussion of avian fauna in the descriptions of the Preserve’s natural communities (pages 18-25 of the Draft Plan). We request the Draft Plan be expanded to include mention of the wildlife species and avian fauna associated with the various Preserve natural communities.
7. **Addition of an Objective to Address the Wildlife Corridor Critical Linkage** – Hernando Audubon requests an additional objective be added under the goal of maintaining and enhancing natural

system structure and function (page 58 of the Draft Plan) which would state: *Evaluate and develop projects which protect and maintain the functionality of the Florida Wildlife Corridor Critical Linkage within the Preserve.*

Hernando Audubon appreciates this opportunity to provide comments on the Draft Plan. If you should have any questions regarding our recommendations, please contact Tom St Clair, PhD, by phone (904 - 303-0919) or by email (TomStClair8@gmail.com).

Sincerely,
Tom St Clair

Tom St Clair, PhD
President and Conservation Chair, Hernando Audubon

Cc: Brian Starford, Operations, Land and Resources Monitoring, SWFWMD
Allen Milligan, Project Manager, SWFWMD
Charles Lee, Audubon Florida
Bev Hansen, Hernando Audubon

Public Comments - Land Management Plans

Comments must be submitted prior to 11 p.m. on July 29, 2024.

FIRST NAME DeeVon Quirolo,
LAST NAME Chair, Sierra Club Adventure Coast Group
EMAIL sierraclubadventurecoastcc@gmail.com
TELEPHONE 352 277-3330
ADDRESS c/o 222 East Liberty Street, Brooksville, FL 34601



SIERRA CLUB
FLORIDA CHAPTER

Adventure Coast Group

<https://www.sierraclub.org/florida/adventure-coast>

Comments on the Southwest Florida Water Management District Updates to the Weekiwachee Preserve Land Management Plan

Thank you for the opportunity to submit the comments of the Sierra Club Adventure Coast Group on updates to the 10-year management plan for the Weekiwachee Preserve. Our team has reviewed the draft plan and provides the following comments. We also appreciate the opportunity for our Executive Committee members and the public at large to participate in the virtual public hearing on July 24th.

1. Compliance with Strategic Plan - Overall, the Plan addresses most elements of the 2024—2028 Strategic Plan regarding water supply, water quality, natural systems and flood protection. The plan builds on proven management strategies to conserve natural areas with prescribed burns, habitat restoration, invasive species management, feral hog reduction, and other efforts to protect imperiled species and plants.

2. Implementation of the Leave No Trace Program - The Weekiwachee Preserve provides public access to a growing population of hikers, bikers, and bird watchers. We support the Leave No Trace program. We encourage the placement of bear deterrent recycling bins for public use including a preserve-wide system of recycling and managing the appropriate disposal of recyclables. We also recommend signage to encourage visitors to recycle their waste.

3. Black Bear Management Strategy – The Plan does not mention the Black Bear Management Plan (2019) which contains design and management guidance to avoid human-bear interactions in public use areas. The Chassahowitzka subpopulation of Florida Black Bears is one of the most imperiled in the state of Florida with less than 20 bears. The plan should be modified to include more detail to ensure future recreational development within the Preserve incorporates management guidance and design features from the Black Bear Management Plan as appropriate.

4. Development of an Artificial Beach and Swimming Area – The Plan should be modified to indicate that the creation of an artificial beach and swimming area associated with any future recreational development is not compatible with the passive recreational use strategy for the Preserve and thus would not be allowed.

5. Purchase of Adjacent Lands - The Weekiwachee Preserve is located adjacent to an area of rapid urban development and increasing population. We support full funding to acquire additional lands adjacent to the Preserve to ensure protection from encroachment and expand the functionality of the Preserve's critical linkage in the Florida Wildlife Corridor.

6. Plan Inclusion of the Springs Protection Zone – The plan should be modified to include mention of the Springs Protection Zone for the Weeki Wachee River. Among other functions, the Springs Protection Zone is designed to protect and restore the river's shoreline which forms much of the Preserve's northern border.

Please consider these recommendations for inclusion in the final updated Management Plan for the Weekiwachee Preserve.

Joseph Murphy

34413 Orchid Parkway, Ridge Manor, FL 33523

naturecoastjoe@aol.com / 813-468-0870

July 24, 2024

Chris Reed, Land Management Section
Southwest Florida Water Management District
2379 Broad Street,
Brooksville, Florida 34604

SUBJECT: Comments on Draft Weekiwachee Preserve Land Management Plan

Dear Mr. Reed:

I am writing this letter as a resident of Hernando County. I have lived in Hernando County most of my 54 years. I am a taxpayer, property owner, and registered voter. I am an avid user of public lands in the Nature Coast region, including lands managed by the Southwest Florida Water Management District (SWFWMD). I camp, fish, paddle, hike, engage in wildlife viewing, and recreate with friends and family across the Nature Coast on public lands, including the Weekiwachee Preserve. I will be leading a Field Trip to Weekiwachee Preserve in January 2025 for the Hernando Audubon Society.

I feel strongly that Florida's public lands are the birthright of all Floridians, owned and managed in public trust by agencies like the SWFWMD. These lands connect Floridians to our natural heritage. These lands are places my Grandchildren will inherit as they become the next generation of Floridians who seek to explore and enjoy public lands. Thank you to you, and the SWFWMD, for acquiring and managing places like Weekiwachee Preserve. It is an incredible responsibility. I urge you to engage in its management in the spirit of the natural legacy you are maintaining.

I remember the process that the SWFWMD began in the early 1990's to acquire and manage what eventually became the Weekiwachee Preserve we know and love today. Biologists/Land Managers like Kevin Love and Mary Barnwell did an amazing job taking a reclaimed mining area and reviving essential and vibrant habitat for numerous plants and animals of the Nature Coast. That work still resonates today and must be respected and continued. It is at the heart of preserving Florida's Nature Coast.

I offer the thoughts below as my contribution as a citizen and recreational user of the Weekiwachee Preserve.

1. **Forbid Future Development of an Artificial Beach and Swimming Area** – I understand the desire on the part of Hernando County and the SWFWMD to provide a full range of recreational opportunities to area residents. This is not the place. I enjoy taking my Grandchildren to swim and enjoy the waterways of our region, but again this is NOT the place.
2. **Prohibit the Sale of Preserve Property** – To much incredible and long-term work has been done by the SWFWMD and pioneers with the project like Kevin Love and Mary Barnwell. You should

be proud of what you have created and managed. That legacy should not be sold. Conservation lands, purchased through conservation funds, should not be sold or surplus when they still have immense conservation value. The greater Nature Coast, including Weekiwachee Preserve, represents one of the last and best chances to save Wild Florida. We cannot afford to lose a single acre of what is now valuable conservation lands. Taxpayer dollars have been spent to acquire and manage these lands in public trust. They must stay in public ownership.

3. **Prevent Bear-Human Conflicts** – Few species are as iconic and essential to wildlife habitat and species conservation as an umbrella species as the Florida Black Bear. I have had the incredible honor and privilege of seeing them in the wild in Florida. I hope to share this experience with my Grandchildren one day. Bears can do little to prevent human-bear conflicts. We can. A preserve, a natural area, conservation lands must put the conservation of wildlife first in all management decisions and actions. Taking strong, proactive, and biologically sound steps to prevent human-bear conflicts, which will eventually lead to possible mortality for the bear, must be a part of the management of Weekiwachee Preserve.
4. **Include the Weeki Wachee River Spring Protection Zone** – The Weeki Wachee River is a tremendous community and ecological resource in the Nature Coast. An incredible amount of work and public participation from numerous stakeholders has gone into protecting the river and reversing decades of overuse by users that have degraded the river. The overuse coupled with increasing and ongoing nutrient pollution have imperiled the river. This river not only provides essential habitat for numerous plant and animal species, but it also impacts the health of coastal ecosystems as it transitions out into the Gulf of Mexico. It is a foundational resource in the Nature Coast. The Weeki Wachee River's health, recovery efforts, and future should be part of the land management practices for the Weekiwachee Preserve.
5. **Aggressive Purchase of Adjacent Lands** – The SWFWMD has an impressive record and legacy of acquiring and managing essential habitats of many types in the Nature Coast region. This can and must continue, and more importantly expand. The race is on and natural areas not yet in public ownership are threatened increasingly with development. Given the needs of wide-ranging species, migratory species, and the need to increase ecological resiliency due to sea level rise and climate change, SWFWMD must expand its urgent acquisition of conservation lands adjacent and nearby the Weeki Wachee Preserve.
6. **Expand Natural Community Descriptions** – I use the Weekiwachee Preserve, as do my friends and neighbors, to engage in year-round wildlife viewing. This sustainable activity not only increases public support for places like the Weekiwachee Preserve but it also generates economic activity that underscores the ability of the Nature Coast to be a sustainable community that grounds economic development in protecting conservation lands. The most expansive and detailed natural communities' description helps reinforce this.

7. **Addition of an Objective to Address the Wildlife Corridor Critical Linkage** – Few projects and efforts have captured the public’s imagination like the Florida Wildlife Corridor. It provides a narrative and reality that is both exciting and hopeful and has tremendous ecological value. This is long-term thinking and multi-generational in its approach. As Florida moves into a population in the mid 20 millions it is more urgently needed than ever. I want to urge the SWFWMD to evaluate and develop projects which protect and maintain the functionality of the Florida Wildlife Corridor Critical Linkage within the Preserve.
8. **Better Consideration of Climate Change and Coastal Resiliency in the Management of Weekiwachee Preserve** – As evidence mounts in the greater Nature Coast region that a changing climate and the resulting sea level rise is threatening the health and function of coastal ecosystems, we must account for this and plan with this in mind in all land management decisions. Building in and infusing nature based and ecologically sound practices for climate resiliency and ecosystem management that can facilitate climate resiliency is essential.
9. **Expanded Thinking on the Impacts of the Management of Weekiwachee Preserve on Regional Conservation Resources including the Nature Coast Aquatic Preserve** – I want to urge the SWFWMD to consider regional impacts of the Weekiwachee Preserve on other regional public lands areas or conservation resources and ecosystems. Given the proximity of the preserve to the coast and the Gulf of Mexico, thinking outside the box on impacts to coastal and marine ecosystems in terms of regional water quality or habitat for regional species could have a positive regional impact.
10. **Manage the Weekiwachee Preserve in the Spirit of Intergenerational Equity** – I have mentioned my Grandchildren several times in these comments. They are now 2 and 3. We already take them to places in the Nature Coast region to swim and play. I do value recreational opportunities designed for families like mine, but again feel strongly the preserve must be managed for conservation purposes first. The natural legacy we are leaving future generations must be accounted for in our land management decisions. I urge you to include the concept of Intergenerational Equity into the management process. Simply put, please ensure my Grandchildren can take their Grandchildren to the preserve and have the same, if not a better experience there, then I can.

Thank you for all that you do for the Nature Coast and for considering my comments.

Sincerely,

Joseph Murphy

CC:

Hernando Audubon Society

Adventure Coast Sierra Club

Hernando County Native Plant Society

Hernando County Commission

Florida Fish and Wildlife Conservation Commission

Governing Board Meeting
August 27, 2024

6. REGULATION COMMITTEE

6.1	Discussion: Consent Item(s) Moved to Discussion	113
6.2	Discussion: Action Item: Denials Referred to the Governing Board	114

REGULATION COMMITTEE

August 27, 2024

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

REGULATION COMMITTEE

August 27, 2024

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 Division

Governing Board Meeting
August 27, 2024

7. GENERAL COUNSEL'S REPORT

7.1	Discussion: Consent Item(s) Moved to Discussion	115
7.2	Discussion: Action Item: Affirm Governing Board Committee Actions	116

GENERAL COUNSEL'S REPORT

August 27, 2024

Discussion: Consent Item(s) Moved to Discussion

Presenter:

Chris Tumminia, General Counsel, Office of General Counsel

GENERAL COUNSEL'S REPORT

August 27, 2024

Discussion: Action Item: Affirm Governing Board Committee Actions

The Governing Board has established four committees for conducting District business: the Finance/Outreach & Planning Committee; the Operations, Lands, & Resource Monitoring Committee; the Regulation Committee; and the Resource Management Committee. Each committee is a committee of the whole with all Governing Board members serving as committee members.

The Governing Board, sitting as a committee, considers and takes action on discussion agenda items during each Governing Board meeting. In order to clarify for the record that the Governing Board has taken action, the actions taken by the committees will be presented to the Board for affirmation.

Staff Recommendation:

Affirm the actions taken by the Governing Board Committees.

Presenter:

Christopher A. Tumminia, General Counsel, Office of General Counsel

COMMITTEE/LIAISON REPORTS

August 27, 2024

Discussion: Information Item: Environmental Advisory Committee

Staff Recommendation:

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

Presenter:

John Mitten, Vice Chair

EXECUTIVE DIRECTOR'S REPORT

August 27, 2024

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

August 27, 2024

Discussion: Information Item: Chair's Report

Staff Recommendation:

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

Presenter:

Michelle Williamson, Chair

CHAIR'S REPORT

August 27, 2024

Discussion: Information Item: Employee Milestones

Staff Recommendation:

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

Presenter:

Michelle Williamson, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	08/05/2019	Jordan Miller	Environmental Scientist	Brooksville	Natural Systems and Restoration	2024	08/05/2024
5	08/19/2019	Maya Saludes	Legal Assistant	Tampa	Office General Counsel	2024	08/19/2024
5	08/26/2019	Jill Qi	Professional Geologist	Tampa	Natural Systems and Restoration	2024	08/26/2024
5	08/26/2019	Patrick Hunt	Staff Hydrologic Data Collection Field Technician	Brooksville	Data Collection	2024	08/26/2024
10	08/04/2014	Lisa Bowers	Senior Environmental Scientist	Tampa	Environment Resource Permit	2024	08/04/2024
10	08/18/2014	Krista McKean	Senior Regulatory Support Technician	Brooksville	Regulatory Support	2024	08/18/2024
10	08/18/2014	Yonas Ghile	Lead Hydrogeologist	Brooksville	Natural Systems and Restoration	2024	08/18/2024
10	08/25/2014	Brad Rutter	Fleet Maintenance Technician	Brooksville	General Services	2024	08/25/2024
10	08/25/2014	Nicole Hewitt	Remote Sensing Geospatial Analyst	Brooksville	Data Collection	2024	08/25/2024
20	08/09/2004	Michele Musto	Senior Infrastructure Administrator	Brooksville	InformationTechnology	2024	08/09/2024
20	08/16/2004	Robert Noland	Senior Hydrologic Data Collection Field Technician	Brooksville	Data Collection	2024	08/16/2024
20	08/30/2004	Greg Taylor	Lead Field Coordinator	Bartow	Operations	2024	08/30/2024
25	08/25/1999	Brian Armstrong	Executive Director	Brooksville	Office of Executive	2024	08/25/2024
25	08/30/1999	Jack Garvey	Senior Systems Administrator	Brooksville	InformationTechnology	2024	08/30/2024
35	08/23/1989	Scott Hickerson	Lead Engineer	Tampa	Environment Resource Permit	2024	08/23/2024
40	08/01/1984	Deborah Ammendola	Field Services Supervisor	Brooksville	Regulatory Support	2024	08/01/2024

August 27, 2024

Time Certain Closed Door Attorney-Client Session

Closed Door Attorney-Client Session Pursuant to Section 286.011(8), Florida Statutes – SWFWMD v. Citrus County, Case No. 2023-CA-000135, 5th Judicial Circuit, Citrus County – Mediation and Strategy Discussion - 10:30 a.m.

Presenter:

Chris Tumminia, General Counsel, Office of General Counsel