

Governing Board Meeting

Agenda and Meeting Information

December 11, 2018

9:00 AM

Brooksville Office

2379 Broad Street • Brooksville, Florida

Southwest Florida
Water Management District


WATERMATTERS.ORG • 1-800-423-1476



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

An Equal
Opportunity
Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Bureau Chief at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; 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).

Final Agenda GOVERNING BOARD MEETING

DECEMBER 11, 2018

9:00 AM

Brooksville Office

2379 BROAD STREET, BROOKSVILLE, FL 34604

☞ *All meetings are open to the public.* ☞

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

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

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

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

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

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

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

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office

7601 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

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

CONSENT AGENDA (TAB B)***Resource Management Committee***

6. Bethel Farms, LLLP – Hog Bay Phase 2

Finance/Outreach & Planning Committee

7. Budget Transfer Report

Operations, Lands and Resource Monitoring Committee

8. Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Arbuckle and Walk in the Water Tracts, SWF Parcel No. 20-020-149, 20-020-150, 20-020-151 & 20-020-152
9. Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Mountain Lake Cutoff Tract, SWF Parcel No. 20-020-154 & 20-020-155

Regulation Committee

10. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20001635.010 - Bethel Farms, LLLP/DeSoto County Farm; Bethel Farms, LLLP (DeSoto County)
 - b. WUP No. 20004600.009 - Sweetwater Preserve, LLC/Sweetwater Preserve, LLC (Hardee County)

General Counsel's Report

11. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Amendment to Conservation Easement for Fox Branch Ranch Wetland Mitigation Bank - ERP No. 43042632.000 - Polk County
12. Rulemaking-None

Executive Director's Report

13. Approve Governing Board Minutes - November 13, 2018

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

14. Consent Item(s) Moved for Discussion
15. Fiscal Year 2019-20 Cooperative Funding Process
16. City of Haines City – Reclaimed Water Ground Storage Tank and Pumping Stations – Preliminary Design and Third-Party Review (N898)
17. Pasco County – Scope Changes for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837 and Q021)

Submit & File Reports

18. Annual Status of the Southern Water Use Caution Area

Routine Reports

19. Minimum Flows and Levels Status Report
20. Significant Water Resource and Development Projects

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

21. Consent Item(s) Moved for Discussion
22. Knowledge Management Program and Governing Board Policy Overview
23. Preliminary Budget for FY2020
24. Office of Inspector General Annual Report Fiscal Year Ending September 30, 2018
25. Auditor General Six-Month Follow Up

Submit & File Reports

26. Strategic Plan Update

Routine Reports

27. Treasurer's Report and Payment Register

28. Monthly Financial Statement

29. Monthly Cash Balances by Fiscal Year

30. Comprehensive Plan Amendment and Related Reviews Report

31. Development of Regional Impact Activity Report

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

32. Consent Item(s) Moved for Discussion

Submit & File Reports

33. Hydrologic Conditions Report

Routine Reports

34. Surplus Lands Update

35. Structure Operations

36. Significant Activities

REGULATION COMMITTEE (TAB F)**Discussion**

37. Consent Item(s) Moved for Discussion

38. Denials Referred to the Governing Board

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

39. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program

40. Overpumpage Report

41. Individual Permits Issued by District Staff

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

42. Consent Item(s) Moved for Discussion

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

43. December 2018 Litigation Report

44. December 2018 Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

45. Agricultural Advisory Committee

46. Green Industry Advisory Committee

47. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

48. Executive Director's Report

CHAIR'S REPORT (TAB J)

49. Chair's Report

50. Other

51. Employee Milestones

RECESS PUBLIC HEARING**ADJOURNMENT**

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

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

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

The Board will accept and consider written comments from any person if those comments are submitted to the District at Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899. The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
SCHEDULE OF MEETINGS
FISCAL YEAR 2019**

Governing Board Meeting

October 23, 2018 (9:00 a.m., Brooksville Office)
November 13, 2018 (9:00 a.m., Tampa Office)
December 11, 2018 (9:00 a.m., Brooksville Office)
January 22, 2019 (9:00 a.m., Tampa Office)
February 26, 2019 (10:00 a.m., Sarasota Office)
March 26, 2019 (9:00 a.m., Brooksville Office)
April 23, 2019 (10:00 a.m., Lake Eva Banquet Hall, Haines City)
May 21, 2019 (9:00 a.m., Tampa Office)
June 25, 2019 (9:00 a.m., Tampa Bay Water)
July 23, 2019 (9:00 a.m., Tampa Office)
August 27, 2019 (9:00 a.m., Brooksville Office)
September 24, 2019 (3:00 p.m., Tampa Office)

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

2019 – September 10 & 24

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

2018 – October 3; November 7; December 5

2019 – January 2; February 6; March 6; April 3; May 1; June 5; July 10; August 7; September 4

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

2018 – November 28

2019 – March 27; July 24

Agricultural & Green Industry Advisory Committee – 9:00 a.m., Tampa Office

2018 – December 6

2019 – March 7, June 6, September 5

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

2018 – October 2

2019 – January 8, April 9, July 9

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

2018 – November 6

2019 – February 19, May 14, August 13

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

2018 – November 6

2019 – February 19, May 14, August 13

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

2018 – October 10

2019 – January 9; April 10; July 10;

Springs Coast Management Committee – 1:30 p.m., Brooksville Office

2018 – October 31, December 12

2019 – January 9, February 27, May 15, August 21

Springs Coast Steering Committee – 2:00 p.m., Brooksville Office

2019 – Jan 30; March 27; August 28

Cooperative Funding Initiatives – all meetings begin at 10 a.m.

2019 – February 6 - Northern Region, Brooksville Office

2019 – February 7 – Heartland Region, Location to be Determined

2019 – February 13 – Southern Region, Sarasota Office

2019 – February 14 – Tampa Bay Region, FDEP Office

2019 – April 3 – Northern Region, Brooksville Office

2019 – April 4 – Heartland Region, Bartow City Hall

2019 – April 10 – Southern Region, Sarasota Office

2019 – April 11 – Tampa Bay Region, Tampa Office

Meeting Locations

Brooksville Office – 2379 Broad Street, Brooksville 34604-6899

Sarasota Office – 6750 Fruitville Road, Sarasota 34240-9711

Tampa Office – 7601 US Highway 301 North, Tampa 33637-6759

Lake Eva Banquet Hall – 799 Johns Avenue, Haines City 33844-5503

Bartow City Hall – 450 N. Wilson Avenue, Bartow 33830

Tampa Bay – 2575 Enterprise Road, Clearwater 33763

FDEP – 13051 N Telecom Parkway STE 101 Temple Terrace 33637

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective November 2018

OFFICERS	
Chair	Jeffrey M. Adams
Vice Chair	Ed Armstrong
Secretary	Bryan K. Beswick
Treasurer	Michelle Williamson

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Randall S. Maggard, Chair
James G. Murphy, Vice Chair
Kelly S. Rice
Mark Taylor

RESOURCE MANAGEMENT COMMITTEE
Kelly S. Rice, Chair
John Henslick, Vice Chair
Bryan K. Beswick
Scott Wiggins

REGULATION COMMITTEE
Mark Taylor, Chair
John Henslick, Vice Chair
H. Paul Senft
Rebecca Smith

FINANCE/OUTREACH AND PLANNING COMMITTEE
Michelle Williamson, Chair
Ed Armstrong, Vice Chair
Joel Schleicher
Scott Wiggins

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

STANDING COMMITTEE LIAISONS	
Agricultural Advisory Committee	Bryan K. Beswick
Environmental Advisory Committee	Michelle Williamson
Green Industry Advisory Committee	Mark Taylor
Industrial Advisory Committee	Rebecca Smith
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	James G. Murphy

OTHER LIAISONS	
Central Florida Water Initiative	H. Paul Senft/Jeffrey M. Adams (alt)
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	John Henslick
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Jeffrey M. Adams
Tampa Bay Regional Planning Council	Vacant

Executive Summary

GOVERNING BOARD MEETING

DECEMBER 11, 2018
9:00 a.m.

CONVENE PUBLIC HEARING & MEETING (TAB A)

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

CONSENT AGENDA (TAB B)

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

Resource Management Committee

6. Bethel Farms, LLLP – Hog Bay Phase 2

The District received a project proposal from Bethel Farms, LLLP for their 360-acre sod farm located three miles southeast of Arcadia, in central DeSoto County, within the Southern Water Use Caution Area (SWUCA) and the Shell, Prairie, and Joshua Creek watersheds (SPJC). This project will involve the construction and operation of a 5.5-acre reservoir to collect tailwater and surface water from the property and surrounding watershed to offset the use of groundwater from the Upper Floridan aquifer for supplemental irrigation of 183 acres of sod. The Water Use Permit (WUP) authorizes an annual average groundwater withdrawal of 743,900 gallons per day (gpd).

In May 2018, the Governing Board approved a Phase 1 Facilitating Agricultural Resource Management Systems (FARMS) project on this property to provide surface water from a 2-acre reservoir constructed to irrigate 60 acres of sod. This project is under construction. Construction elements include a surface water pump station and lateral irrigation system, tailwater control structures and piping necessary to interconnect the irrigation system. The total project cost was estimated at \$280,552, with a not-to-exceed District reimbursement of up to \$191,662.

The proposed Phase 2 project will utilize additional surface water from a larger (5.5 acres) second reservoir constructed to irrigate the northern portion of the sod operation. FARMS project components consist of two surface water lateral pump stations, control structures, and the piping necessary to connect the reservoir to the irrigation system.

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. Using an estimated 20 percent savings of permitted quantities, or 149,900 gpd, yields a daily cost of \$2.63 per thousand gallons of groundwater reduced over the proposed five-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative water supplies for sod operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval, the Governing Board will have \$5,662,000 remaining in its FARMS Program budget.

Staff recommends the Board:

- 1) Approve the Bethel Farms, LLLP - Hog Bay Phase 2 project for a not-to-exceed project reimbursement of \$338,000 with \$338,000 provided by the Governing Board;
- 2) Authorize the transfer of \$338,000 from fund 010 H017 Governing Board FARMS Fund to the H775 Bethel Farms, LLLP - Hog Bay Phase 2 project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Finance/Outreach & Planning Committee

7. Budget Transfer Report

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Exhibit will be provided separately.

Staff recommends the Board approve the Budget Transfer Report covering all budget transfers for November 2018.

Operations, Lands and Resource Monitoring Committee

8. Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Arbuckle and Walk in the Water Tracts, SWF Parcel No. 20-020-149, 20-020-150, 20-020-151 & 20-020-152

The Central Florida Water Initiative (CFWI) is a collaborative water supply planning effort designed to identify sustainable water sources and develop strategies to address water demands within a five-county region in east-central Florida. The Southwest Florida Water Management District (District) is part of the CFWI's Data, Monitoring, and Investigations Team (DMIT) that is developing a single reference source inventory of regional monitoring data to support CFWI technical and regulatory activities. The DMIT's tasks are planned through annual updates to the DMIT work plan, which includes collaborative establishment of a long-term wetland monitoring program by the Southwest, St. Johns, and South Florida water management districts. Between the three districts, 107 wetland monitoring sites are planned to be established by 2025, with the District responsible for establishing 44 of those sites. Surficial aquifer monitoring data collected near wetlands sites are necessary for assessing the effect of surficial aquifer on the wetlands. These data will be used in conjunction with wetland soils, vegetation, and biological indicators data to assess wetland health.

There are two wetland sites located on the Lake Wales Ridge Arbuckle Tract. Wetland Site 1 consists of a 1.96 acre transect and well site area. Wetland Site 2 consists of a 1.59 acre transect and well site area. The Walk in the Water Tract also has two wetland sites. Wetland Site 1 consists of a 7.19 acre transect and well site area. Wetland Site 2 consists of a 3.47

acre transect and well site area. The temporary construction area easements are contained within the both wetland sites.

Staff first explores the requested area for property owners that are more apt to donate a parcel. This includes parcels that are not on the tax roll (state and local government, non-profits, etc.) and non-residential tracts of more than one-acre where a wellsite may be inconsequential. Staff also consider city, county, or state right-of-way, when the cost to install a well is less than \$20,000. The Florida Fish and Wildlife Conservation Commission along with the Florida Forest Service are the Managing Agencies of the lands and have provided a letter of consent to Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for the project.

Donation Terms

- The TIITF has prepared and approved conveyance of a perpetual easement for a 100-square foot well site and 10-foot wide access necessary for construction, maintenance and monitoring activities on the site.
- The perpetual easement will be conveyed free and clear of all encumbrances objectionable to the District for the life of the project.

Data from the Lake Wales Ridge Arbuckle and Walk in the Water sites will improve the District's understanding of the hydrologic conditions and provide for improved assessments of potential withdrawal-related impacts to water resources within the SWUCA and the CFWI areas. Acceptance of these donation will reduce the time and cost of acquisition by allowing the District to immediately access, construct, maintain and monitor the wells and vegetative transects at these locations. The District's transactional costs have been estimated to be approximately \$400 per site. Capital improvements are not expected to exceed \$1,800 at each well site, operation and maintenance of the well site is not expected to exceed \$240 per year for each site and the operation and maintenance of the vegetative sites are estimated at \$800 per year for each site.

Staff recommends the Board:

- Accept the donation of a perpetual easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the CFWI Project and authorize the Executive Director to execute the easement.
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

9. **Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Mountain Lake Cutoff Tract, SWF Parcel No. 20-020-154 & 20-020-155**

The Central Florida Water Initiative (CFWI) is a collaborative water supply planning effort designed to identify sustainable water sources and develop strategies to address water demands within a five-county region in east-central Florida. The Southwest Florida Water Management District (District) is part of the CFWI's Data, Monitoring, and Investigations Team (DMIT) that is developing a single reference source inventory of regional monitoring data to support CFWI technical and regulatory activities. The DMIT's tasks are planned through annual updates to the DMIT work plan, which includes collaborative establishment of a long-term wetland monitoring program by the Southwest, St. Johns, and South Florida water management districts. Between the three districts, 107 wetland monitoring sites are planned to be established by 2025, with the District responsible for establishing 44 of those sites. Surficial aquifer monitoring data collected near wetlands sites are necessary for assessing the effect of surficial aquifer on the wetlands. These data will be used in conjunction with wetland soils, vegetation, and biological indicators data to assess wetland health.

There are two wetland sites located on the Lake Wales Ridge Mountain Lake Cutoff Tract. Wetland Site 1 consists of a 1.13 acre vegetative transect area. Wetland Site 2 consists of a 2.5 acre transect and well site area. The temporary construction area easement is contained within the both wetland sites.

Staff first explores the requested area for property owners that are more apt to donate a parcel. This includes parcels that are not on the tax roll (state and local government, non-profits, etc.) and non-residential tracts of more than one-acre where a wellsite may be inconsequential. Staff also consider city, county, or state right-of-way, when the cost to install a well is less than \$20,000. The Florida Fish and Wildlife Conservation Commission is the Managing Agency of the land and has provided a letter of consent to TIITF for the project.

Donation Terms

- The TIITF has prepared and approved conveyance of a perpetual easement for a 100-square foot well site and 10-foot wide access necessary for construction, maintenance and monitoring activities on the site.
- The perpetual easement will be conveyed free and clear of all encumbrances objectionable to the District for the life of the project.

Data from the Lake Wales Ridge Arbuckle and Walk in the Water sites will improve the District's understanding of the hydrologic conditions and provide for improved assessments of potential withdrawal-related impacts to water resources within the CFWI area. Acceptance of these donation will reduce the time and cost of acquisition by allowing the District to immediately access, construct, maintain and monitor the wells and vegetative transects at these locations. The District's transactional costs have been estimated to be approximately \$400 per site. Capital improvements are not expected to exceed \$1,800 for the one well site, operation and maintenance of the well site is not expected to exceed \$240 per year and the operation and maintenance of the vegetative sites are estimated at \$800 per year for each site.

Staff recommends the Board:

- Accept the donation of a perpetual easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the CFWI Project and authorize the Executive Director to execute the easement.
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

10. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20001635.010 – Bethel Farms, LLLP/DeSoto County Farm; Bethel Farms, LLLP (DeSoto County)

This is a modification of an existing water use permit for agricultural use. The authorized annual average quantity has been increased from 2,578,400 gallons per day (gpd) to 2,966,000 gpd, the drought annual average has been increased from 2,941,600 gpd to 3,375,900 gpd, the peak month quantity remains unchanged at 7,714,900 gpd, and the crop protection quantity remains unchanged at 7,700,000 gpd. There is no change in Use Type from the previous revision. The increases in the annual average and drought annual average quantities are due to an increase in the irrigated acreage for sod from 906 acres to 1,064 acres. Quantities are based on the District's irrigation allotment calculation program, Agmod. This permit is in DeSoto County within the Southern Water Use Caution Area. The Permittee utilizes a surface water pond to offset a portion of the groundwater used for this operation.

Special conditions include those that require the Permittee to continue to record and report monthly meter readings for District ID (DID) Nos. 1, 2, 3, 9, 10, and 12, begin to record and report monthly meter readings on DID Nos. 11 and 13 once the withdrawals are constructed, record and report pumpage used for frost/freeze events on DID Nos. 1, 2, 3, 9, 10, 11, and 12, construct DID Nos. 11, 13, and 14 per the special conditions laid out in this permit, report annual crop reports every March 1 for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13, submit well completion reports for DID Nos. 11, 13, and 14 once complete, submit meter accuracy test reports to the District every five (5) years for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13 (next reports due: September 1, 2021), submit an overpumpage report upon District request, and adhere to the SWUCA Recovery Strategy.

The permit application meets all Rule 40D-2 Conditions for Issuance.

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

b. **WUP No. 20004600.009 – Sweetwater Preserve, LLC/Sweetwater Preserve, LLC (Hardee County)**

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have increased from those previously permitted. The annual average increased from 1,163,360 gallons per day (gpd) to 1,942,800 gpd, the drought annual average increased from 1,191,754 gpd to 2,020,000 gpd, the peak month increased from 6,190,200 gpd to 11,333,000 gpd, and the crop protection increased from 43,342,400 gpd to 46,654,100 gpd. The increase in quantities is the result of adding 60 acres of citrus and increasing the row crop acreage from 195.3 acres to 853.6 acres. Quantities are based on information provided by the applicant and the District's water use calculation program, AGMOD. The permit incorporates a combination of groundwater and FARMS funded surface water sources. This project is located within the Southern Water Use Caution Area.

Special conditions include those that require the Permittee to record and report monthly meter readings, report quantities pumped during frost/freeze events, investigate well complaints during crop establishment and frost/freeze events, modify the permit to activate standby quantities, modify the permit to reflect incorporation of any new alternative sources of water, cap all wells not in use, periodically have all meters calibrated, maintain water conservation and best management practices, maintain system leak detection and repair program and compliance, and monitor and report water levels.

The permit application meets all Rule 40D-2 Conditions for Issuance.

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

General Counsel's Report

11. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval

a. **Amendment to Conservation Easement for Fox Branch Ranch Wetland Mitigation Bank – ERP No. 43042632.000 – Polk County**

On December 29, 2017, the District issued Environmental Resource Permit (ERP) No. 43042632.000 (Permit) to Fox Branch Mitigation Holdings, LLC, and Fox Branch Cattle Company Partners (collectively Permittees) authorizing the establishment of a mitigation bank known as the Fox Branch Ranch Mitigation Bank (Project), located in Polk County, Florida. The Permit requires Permittees to grant a Conservation Easement (CE) over the Project to the District and the Florida Department of

Environmental Protection (DEP). Rule 62-342.650, Florida Administrative Code, requires all Conservation Easements for mitigation banks to be conveyed to both the DEP and the Water Management District that reviews the mitigation bank ERP.

On January 18, 2018, Fox Branch Cattle Company Partners conveyed a CE over the Project to the District and DEP. The CE grants third party enforcement rights to the United States Army Corps of Engineers (USACE) as is required by the Mitigation Banking Instrument approved by the USACE for the Project. The management plan (State Management Plan) approved by the District for the Project is attached as Exhibit B to the CE. Subsequent to the recordation of the CE, the USACE approved a management plan (Federal Management Plan) for the Project with different, but not inconsistent, requirements than the State Management Plan. As a result, the CE must be amended to reflect that the Project must be conducted pursuant to the requirements of both the State and Federal Management Plans.

Accordingly, the Permittees submitted to the District a draft First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE to memorialize these changes. The draft was reviewed by District and DEP staff and changes were made by the Permittees in response to the comments provided by District and DEP staff. The final version of the First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE is attached to this recap as an exhibit, and District staff anticipates that by the date of the Governing Board meeting it will be in receipt of a copy that is executed by Fox Branch Cattle Partners. Because the amendment to the CE is altering an interest in land previously conveyed to the District, the District must join in with Fox Branch Cattle Partners and DEP in executing the amendment. Once Fox Branch Cattle Partners and the District have executed the amendment to the CE, it will be forwarded to DEP for its execution.

Staff recommends the Board approve, accept, and execute the attached First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE for the Fox Branch Ranch Mitigation Bank.

12. Rulemaking – None

Executive Director's Report

13. Approve Governing Board Meeting Minutes – November 13, 2018

Staff recommends the Board approve the minutes as presented.

RESOURCE MANAGEMENT COMMITTEE (TAB C)
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Discussion

14. Consent Item(s) Moved for Discussion

15. Fiscal Year 2019-20 Cooperative Funding Process

The Cooperative Funding Initiative application deadline was Friday, October 5, 2018: 144 applications were received totaling \$113.7 million in District funding requests.

The proposed February and April meeting schedule for the four regional subcommittees is detailed below:

PLANNING REGION	MEETING DATE	MEETING TIME	LOCATION
Northern	February 6	10 a.m.	Brooksville
Heartland	February 7	10 a.m.	Bartow CH
Southern	February 13	10 a.m.	Sarasota
Tampa Bay	February 14	10 a.m.	Tampa

PLANNING REGION	MEETING DATE	MEETING TIME	LOCATION
Northern	April 3	10 a.m.	Brooksville
Heartland	April 4	10 a.m.	Bartow CH
Southern	April 10	10 a.m.	Sarasota
Tampa Bay	April 11	10 a.m.	Tampa

The FY2019-20 applications were distributed to staff and are undergoing in-depth evaluation for ranking purposes. The raw applications have been compiled by region, distributed to the Governing Board members, and posted on the District's website. Governing Board members are asked to familiarize themselves with the applications in preparation of the February public meetings. The following topics are proposed for the Governing Board's discussion at the February meetings:

- Summarize Funding Applications Received by Region
- Discuss Past Budgeted Expenditures by Region
- Receive Public/Stakeholder Input
- Review Preliminary Project Rankings
- Select Projects to Review in April
- Review Timeline and Next Steps

The February meetings are the Governing Board's opportunity to review the preliminary project rankings, ask questions of staff and the applicants, and to hear public and stakeholder input from non-applicants. During the February meetings, each subcommittee will be asked to identify proposals for presentation and further discussion at the April meetings. Final staff rankings will be provided in April, and the regional subcommittees will be asked to prepare their final rankings and recommendations at that time.

Applications submitted by the cooperators in each region will be provided to the Governing Board members at the December Governing Board meeting (see regional application booklets). In addition, applications can be located on the website: <http://www.swfwmd.state.fl.us/business/coopfunding/>.

Staff recommends the Board approve the proposed February and April subcommittee meeting schedule and agenda topics staff has proposed for the February regional subcommittee meetings.

16. City of Haines City – Reclaimed Water Ground Storage Tank and Pumping Stations – Preliminary Design and Third-Party Review (N898)

The City of Haines City (City) entered into a cooperative funding agreement with the District, effective October 1, 2017, for the conceptual sizing, preliminary design, and 30 percent design of an expansion to the City's reclaimed water storage and pumping infrastructure to be followed by a Third-Party Review (TPR). The agreement requires Governing Board approval to proceed beyond the TPR. In the FY2019 Cooperative Funding Initiative (CFI) cycle, the Governing Board approved the project at a total project cost estimate of \$6,160,000, pending completion of the TPR and additional Governing Board approval. The TPR is now complete, and the City is requesting approval to continue with final design and construction of the project.

If approved by the Governing Board and constructed, the project will include a transfer pump station, a reclaimed water storage tank, a high-service pump station, a booster station, telemetry controls and other necessary appurtenances. The project benefits include improvement of reclaimed water quality and availability to supply existing reuse customers, and to enable future expansions of the City's reuse system.

The City is a Rural Economic Development Initiative (REDI) Community and funding was approved by the Governing Board at a 75 percent District/25 percent City cost share basis. Pending the TPR and Governing Board approval, the project FY2019 CFI funding table is shown below:

Funding Source	Prior	FY2019	Future	Total
Haines City (REDI)	\$75,000	\$375,000	\$1,090,000	\$1,540,000
District	\$225,000	\$1,125,000	\$3,270,000	\$4,620,000
Total	\$300,000	\$1,500,000	\$4,360,000	\$6,160,000

The project has proceeded on schedule and with excellent communication between all team members.

The City contracted with Reiss Engineering, Inc. (Reiss) to complete the preliminary design and 30 percent design. The District then selected HDR Engineering, Inc. (HDR), to complete the TPR. The draft TPR was completed by HDR on August 26, 2018. The City and Reiss were given an opportunity to address comments in the draft TPR, and those comments were included in the final TPR report provided by HDR, dated September 14, 2019.

The TPR determined that the cost estimate for the project should be \$8,043,253, which is a 31 percent increase above the original estimate of \$6,160,000. The TPR report also noted that the proposed reclaimed water facilities were sized based on projected customers that may not be in place within 20 years. This resulted in larger and more expensive facilities that likely would not be used for 20 years or more.

The City and their consultant reviewed the TPR and, based on that review, they downsized several project components while allowing for future expansion should the demand for reclaimed water increase. The City and their consultant were in general agreement with the TPR cost estimate except for what they considered was a duplication of tax and general contractor fees. Subsequently, the City and their consultant prepared a revised project total cost estimate of \$6,800,000 which is a \$640,000 (10 percent) increase over the FY2019 cost estimate.

The City has proposed to pay for the \$640,000 additional project cost and is not requesting additional District funding. The City is also committed to the project and plan to have Reiss continue value engineering (VE) efforts during final design to keep the construction costs at or below the estimate. The City will be funding their portion of the construction of this project through a low-interest State Revolving Fund Loan.

The project was re-evaluated at the current City cost estimate, and the overall project is ranked as medium and recommended for funding. The project evaluation is included as an Exhibit.

Staff recommends the Board:

1. Authorize continuation of the Reclaimed Water Tank and Pump Stations project to final design, permitting, and construction.
2. Authorize staff to amend cooperative funding agreement with the City to include final design, permitting, and construction with a total project budget of \$6,800,000 with the District funding \$4,620,000 and the City funding \$2,180,000.

17. Pasco County – Scope Changes for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837 and Q021)

The project is for the design, permitting and construction of a reclaimed water transmission main to supply reclaimed water to residential customers and common areas in the Cypress Preserve development in central Pasco County. The Governing Board approved Phase 1 (N837) of the project in the Fiscal Year (FY) 2018 Cooperative Funding Initiative (CFI) cycle and, at the Board meeting of May 22, 2018, tentatively approved Phase 2 (Q021) of the project in the FY2019 CFI cycle. As a part of the tentative approval for Phase 2, Pasco County was required to meet several conditions associated with the project including:

1. Provide an appropriate measureable benefit by January 1, 2019;
2. Provide an estimated schedule for additional transmission needs associated with the project, including future phases;
3. Recognize that the District standard contract language applies for a 20-year customer commitment and that the reclaimed water benefits must be achieved within five years to avoid payback of District funds;
4. Receive Governing Board approval for the project funding after the conditions above are satisfied.

In order to address conditions 1 through 3 above, Pasco County has provided an appropriate measurable benefit, schedule, and recognition of standard District contract language (Exhibit 1). However, as a part of the development of a measurable benefit for the Phase 2 project (Q021), Pasco County recognized that they inadvertently identified all of the homes and common area in the development as receiving reclaimed water as a part of the Phase 1 project (N837). Therefore, Pasco County has requested to modify the original number of residences to be served as a part of the Phase 1 project (N837). The measurable benefit of 0.19 mgd of reclaimed water supplied for Phase 1 (N837) remains unchanged. The cost effectiveness also remains unchanged as it is based upon the measurable benefit (amount of reclaimed water provided). The updated project information for N837 is provided in the table below:

Project N837	Approved	Updated
Project Benefit	557 single family homes 284 multi-family homes Approximately 15 acres common area	190 homes 5 acres common area amenity center
Measurable Benefit	0.19 mgd	0.19 mgd
Project Cost*	\$350,000	\$350,000
Cost Effectiveness	\$3.07/gal/day	\$3.07 gpd

*The District is funding only the construction portion (\$315,000) of project (not funding design).

Pasco County has also provided the following information for the Phase 2 Project (Q021):

Project Q021	Tentatively Approved	Proposed
Project Benefit	To be provided by 1/1/2019	296 homes 3 acres common area
Measurable Benefit	To be provided by 1/1/2019	0.20 mgd
Project Cost	\$413,000	\$413,000
Cost Effectiveness	To be provided by 1/1/2019	\$3.44 gpd

Pasco County has submitted a FY 2020 CFI application for a third phase of the Cypress Preserve Project (two-year project) to serve approximately 354 additional homes and common areas with 0.23 mgd of reclaimed water.

In addition, Pasco County has indicated that the reclaimed water transmission line constructed through the Cypress Preserve community will also provide approximately 1.5 mgd of reclaimed water to future developments to the north and west of Cypress Preserve. The future developments are expected to include a minimum of 1,500 new homes (single and multi-family) and/or equivalent commercial properties, as well as over 20 acres of common area. These developments are expected to occur within the next ten years.

The combined Phase 1 (N837) and 2 (Q021) projects will supply 0.39 mgd of reclaimed water to 486 homes and common areas. The combined Phase 1 and 2 total project costs remain at \$728,000 (\$315,000 - Phase 1 and \$413,000 - Phase 2) with the District to fund 50 percent of the costs. The cost effectiveness and overall ranking of the two projects is High.

Staff recommends the Board:

1. Approve the revision to the project scope for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837) to decrease the number of homes served with no change to the project measurable benefit (0.19 mgd);
2. Approve the measurable benefit (0.20 mgd) and number of homes served (296 homes) for the Cypress Preserve Reclaimed Water Transmission Project Phase 2 (Q021) and provide final approval for the project to receive FY 2019 funding.

Submit & File Reports

18. Annual Status of the Southern Water Use Caution Area

Routine Reports

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

19. Minimum Flows and Levels Status Report

20. Significant Water Resource and Development Projects

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB D)

Discussion

21. Consent Item(s) Moved for Discussion

22. Knowledge Management Program and Governing Board Policy Overview

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

Staff performed a review of existing Governing Board Policies resulting in the following findings:

- There are 55 Governing Board policies
- 3 were updated within the last year
- 8 will be recommended to be deemed obsolete during FY2019
- 23 will be updated and recommended for approval during FY2019
- 21 are considered current and will be updated in future years as needed

Six of the policies that require updating have been revised and are provided as attachments. The proposed changes are shown in "track changes" mode. Their titles are listed below:

- Board Policy 170-1 Agricultural Advisory Committee and Board Policy 170-4 Green Industry Advisory Committee have been combined into one policy, Agricultural and Green Industry Advisory Committee, to reflect the merger of the two committees.
- Board Policy 170-2 Public Supply Advisory Committee
- Board Policy 170-3 Industrial Advisory Committee
- Board Policy 170-5 Environmental Advisory Committee
- Board Policy 225-017 Well Driller's Advisory Committee

They have been revised by staff to allow additional flexibility for the District's Advisory Committees to operate effectively. At the request of the Agricultural and Green Industry Advisory Committee members, these two committees are being merged due to the similar nature of the industries they represent. As such, the Green Industry Advisory Committee policy will be recommended to be deemed obsolete. Some of the major revisions to the Advisory Committee Board Policies include removing the list of organizations to be represented on the advisory committees, changing the terms of membership, changing the term limits for officers, and reducing the quorum requirement for votes.

These proposed revisions were presented to each of the advisory committees between September 6, 2018 and October 16, 2018. The changes were favorably received.

Updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

This item is presented for the Board's information, and no action is requested. The attached revised policies will be included in a consent item in the January 2019 Board packet and approval of the revisions will be requested at that time.

23. Preliminary Budget for FY2020

Section 373.535, Florida Statutes, requires water management districts (WMDs) to submit a preliminary budget for the next fiscal year to the Florida Legislature for review by January 15. The statutory language specifies the information to be included in the preliminary budget submission. The President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budgets to the WMDs on or before March 1 of each year. Each WMD must respond to those comments in writing on or before March 15 of each year.

In addition, the following specific provisions are contained in s. 373.536(5)(c), F.S., regarding the legislative review of the WMDs tentative budgets due August 1:

The Legislative Budget Commission may reject any of the following WMDs budget proposals:

1. *A single purchase of land in excess of \$10 million, except for land exchanges.*
2. *Any cumulative purchase of land during a single fiscal year in excess of \$50 million.*
3. *Any issuance of debt on or after July 1, 2012.*
4. *Any program expenditures as described in s. 373.536(5)(e)4.e. and f. (i.e., Outreach and Management and Administration programs) in excess of 15 percent of a district's total annual budget.*
5. *Any individual variances in a district's tentative budget in excess of 25 percent from a district's preliminary budget.*

At the October 23, 2018 Governing Board meeting, staff provided an overview of factors affecting budget development and recommended approval of the general budget assumptions needed to prepare the District's preliminary budget for FY2020. The Governing Board approved the assumptions as presented at the meeting.

At the December 11, 2018 Governing Board meeting, staff will present the preliminary budget for FY2020 and request approval to submit the FY2019-20 Preliminary Budget Submission to the Florida Legislature by January 15, 2019. The preliminary budget has been prepared using the same budget assumptions as presented to the Governing Board on October 23, 2018.

The development of the District's final budget will begin in February 2019. All budget requests will be subject to Governing Board review and approval during the development of the final budget for FY2020. At the June 25, 2019 Governing Board meeting, staff will present and request approval of the Recommended Annual Service Budget.

At the July 23, 2019 Governing Board meeting, staff will present a budget update, including information regarding the results of the Certifications of Taxable Value, and will request approval to submit the *FY2019-20 Tentative Budget Submission* to the Governor and Florida Legislature on August 1, 2019.

Exhibit will be provided separately.

Staff recommends the Board approve the submittal of the *FY2019-20 Preliminary Budget Submission* to the Florida Legislature on or before January 15, 2019.

24. Office of the Inspector General Annual Report Fiscal Year Ending September 30, 2018

In accordance with Governing Board Policies 140-1 and Section 20.055(8), Florida Statutes, the Inspector General must submit an annual report to the District Governing Board that

summarizes the activities of the office during the immediately preceding fiscal year. The Inspector General's (IG) annual report is for the 2017-18 fiscal year.

During the fiscal year, the IG submitted five audit reports to the Governing Board from which there were no significant abuses or deficiencies noted. In addition, there were no significant recommendations noted. These audits were as follows:

- Purchasing Cards - Operations Bureau
- Purchasing Cards - General Services Bureau
- Purchasing Cards - Information Technology Bureau
- Purchasing Cards - Data Collection Bureau
- Purchasing Cards - District (All Other Bureaus)

A follow-up to a prior audit finding was performed involving Disaster Recovery. Testing was completed successfully, and no further significant recommendations were made.

Testing was performed for risk-based transactions for the period 7/1/2017 to 12/31/2017 and IT continuity. No significant abuses or deficiencies were noted. In addition, there were no significant recommendations noted.

A review of the reasonableness of the total overtime budget and travel procedure was performed. No significant abuses or deficiencies were noted. In addition, there were no significant recommendations noted.

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

25. **Auditor General Six-Month Follow Up**

In accordance with Governing Board Policy 140-1 and Section 20.055(6)(h), Florida Statutes, the Inspector General (IG) shall monitor the implementation of the District's response to any report on the District issued by the Auditor General. No later than six months after the Auditor publishes a report, the inspector general shall provide a written response on the status of corrective actions taken.

The Auditor General released its report for the audit period October 2015 to January 2017 on July 9, 2018. There were 5 findings in this report and they are summarized as follows:

Finding 1: District records did not always evidence that the District inspector general complied with applicable statutory and Board requirements.

Finding 2: District records could be enhanced to better document the competitive procurement process.

Finding 3: The District should continue efforts to enhance and document the periodic monitoring and evaluation of the use and need for District motor vehicles.

Finding 4: Policies and procedures for monitoring claims payments for health and worker's compensation self-insurance programs could be improved.

Finding 5: Controls over employee access privileges to District data and information technology resources need enhancement to ensure that assigned access privileges appropriately restrict employees to only those functions necessary for their assigned job responsibilities and enforce an appropriate separation of incompatible duties.

All findings are in the process of being corrected and the IG will monitor the implementation of these recommendations. Per Governing Board Policy 140-1, the IG will perform another follow-up no later than 18 months after the Auditor General has released its audit report. This follow-up will be completed by December 2019.

This item is provided from the Board's information, no action is required.

Submit & File Reports

26. Strategic Plan Update

Routine Reports

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

27. Treasurer's Report and Payment Register

28. Monthly Financial Statement

29. Monthly Cash Balances by Fiscal Year

30. Comprehensive Plan Amendment and Related Reviews Report

31. Development of Regional Impact Activity Report

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)

Discussion

32. Consent Item(s) Moved for Discussion

Submit & File Reports

33. Hydrologic Conditions Report

Routine Reports

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

34. Surplus Lands Update

35. Structure Operations

36. Significant Activities

REGULATION COMMITTEE (TAB F)

Discussion

37. Consent Item(s) Moved for Discussion

38. Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action. Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or

petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

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

Submit & File Reports – None**Routine Reports**

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

- 39. Dover/Plant City Water Use Caution Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program
- 40. Overpumpage Report
- 41. Individual Permits Issued by District Staff

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

- 42. Consent Item(s) Moved for Discussion

Submit & File Reports – None**Routine Reports**

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

- 43. December 2018 Litigation Report
- 44. December 2018 Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

- 45. Agricultural Advisory Committee
- 46. Green Industry Advisory Committee
- 47. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 48. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 49. Chair's Report
- 50. Other
- 51. Employee Milestones

RECESS PUBLIC HEARING**ADJOURNMENT**

Governing Board Meeting

December 13, 2018

CONVENE MEETING OF THE GOVERNING BOARD AND PUBLIC HEARING

PUBLIC HEARING AND MEETING

1. **Call to Order**

The Board Chair calls the meeting to order. The Board Secretary confirms that a quorum is present. The Board Chair then opens the public hearing. Anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. Several individuals wishing to speak on the same issue/topic should designate a spokesperson.

2. **Invocation and Pledge of Allegiance**

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

3. **Employee Recognition**

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

- 20 years – Silas Rooker, Senior Tradesworker
- 30 years – Margit Crowell, Chief Scientific Data Analyst
- 30 years – August Fox, Senior Land Management Specialist

4. **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

5. **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: Jeffrey M. Adams, Chair

Governing Board Meeting December 11, 2018

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.

Resource Management Committee

6. Bethel Farms, LLLP – Hog Bay Phase 2..... 6

Finance/Outreach & Planning Committee

7. Budget Transfer Report 9

Operations, Lands and Resource Monitoring Committee

8. Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Arbuckle and Walk in the Water Tracts, SWF Parcel No. 20-020-149, 20-020-150, 20-020-151 & 20-020-152..... 10
9. Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Mountain Lake Cutoff Tract, SWF Parcel No. 20-020-154 & 20-020-155 39

Regulation Committee

10. Individual Water Use Permits Referred to the Governing Board
- a. WUP No. 20001635.010 - Bethel Farms, LLLP/DeSoto County Farm; Bethel Farms, LLLP (DeSoto County)55
- b. WUP No. 20004600.009 - Sweetwater Preserve, LLC/Sweetwater Preserve, LLC (Hardee County)67

General Counsel's Report

11. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
- a. Amendment to Conservation Easement for Fox Branch Ranch Wetland Mitigation Bank - ERP No. 43042632.000 - Polk County83
12. Rulemaking – None

Executive Director's Report

13. Approve Governing Board Meeting Minutes – November 13, 2018 94

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Consent Agenda

Bethel Farms, LLLP – Hog Bay Phase 2

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Bethel Farms, LLLP - Hog Bay farm and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$338,000 (51 percent of total project costs - 100 percent of FARMS eligible costs). Of this amount, \$338,000 is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$662,000.

Project Proposal

The District received a project proposal from Bethel Farms, LLLP for their 360-acre sod farm located three miles southeast of Arcadia, in central DeSoto County, within the Southern Water Use Caution Area (SWUCA) and the Shell, Prairie, and Joshua Creek watersheds (SPJC). This project will involve the construction and operation of a 5.5-acre reservoir to collect tailwater and surface water from the property and surrounding watershed to offset the use of groundwater from the Upper Floridan aquifer for supplemental irrigation of 183 acres of sod. The Water Use Permit (WUP) authorizes an annual average groundwater withdrawal of 743,900 gallons per day (gpd).

In May 2018, the Governing Board approved a Phase 1 FARMS project on this property to provide surface water from a 2-acre reservoir constructed to irrigate 60 acres of sod. This project is under construction. Construction elements include a surface water pump station and lateral irrigation system, tailwater control structures and piping necessary to interconnect the irrigation system. The total project cost was estimated at \$280,552, with a not-to-exceed District reimbursement of up to \$191,662.

The proposed Phase 2 project will utilize additional surface water from a larger (5.5 acres) second reservoir constructed to irrigate the northern portion of the sod operation. FARMS project components consist of two surface water lateral pump stations, control structures, and the piping necessary to connect the reservoir to the irrigation system.

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. Using an estimated 20 percent savings of permitted quantities, or 149,900 gpd, yields a daily cost of \$2.63 per thousand gallons of groundwater reduced over the proposed five-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative water supplies for sod operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval, the Governing Board will have \$5,662,000 remaining in its FARMS Program budget.

Item 6

Staff Recommendation:

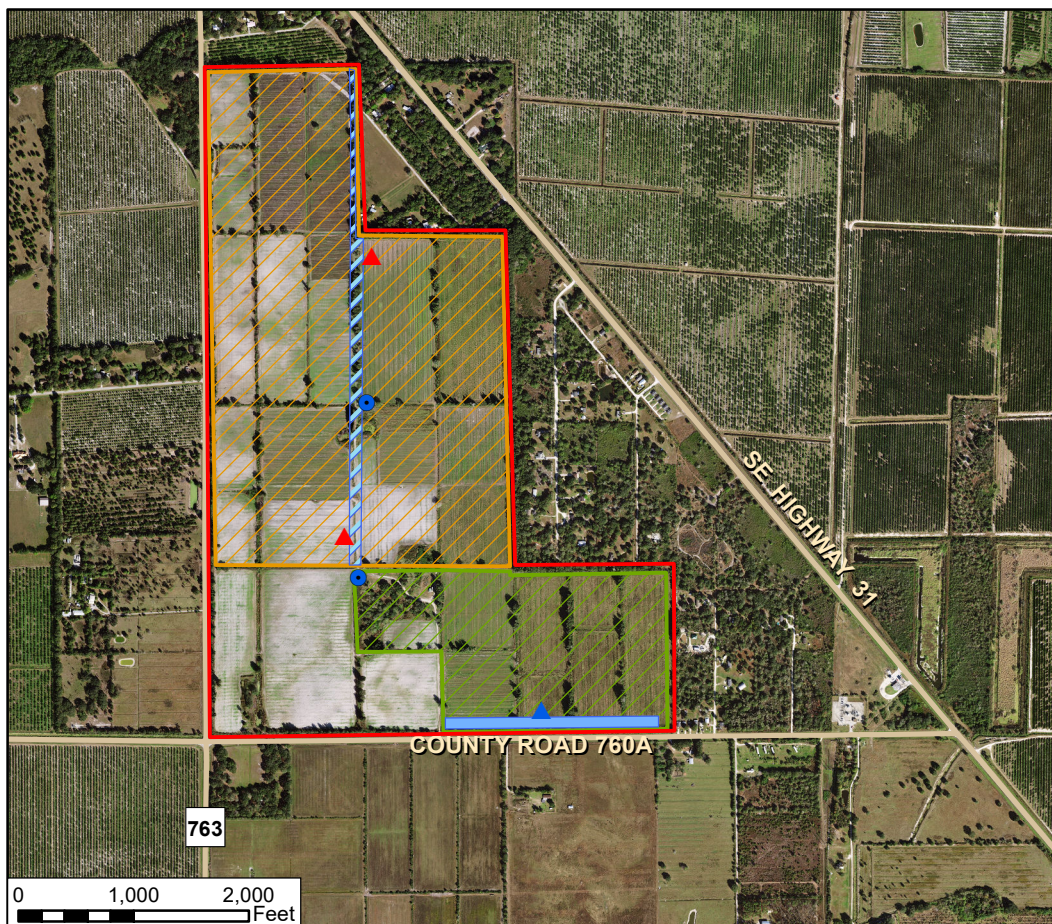
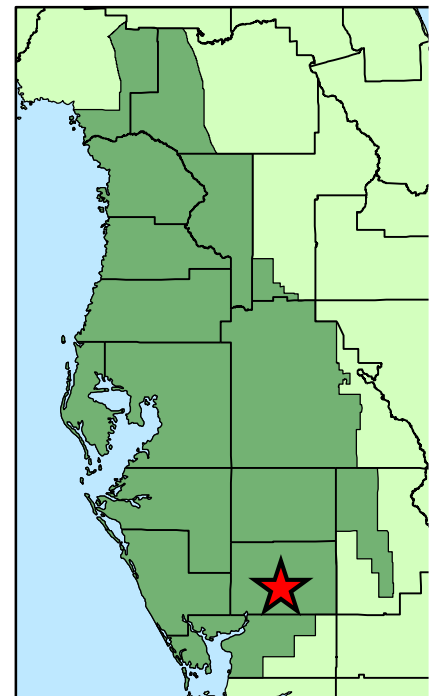
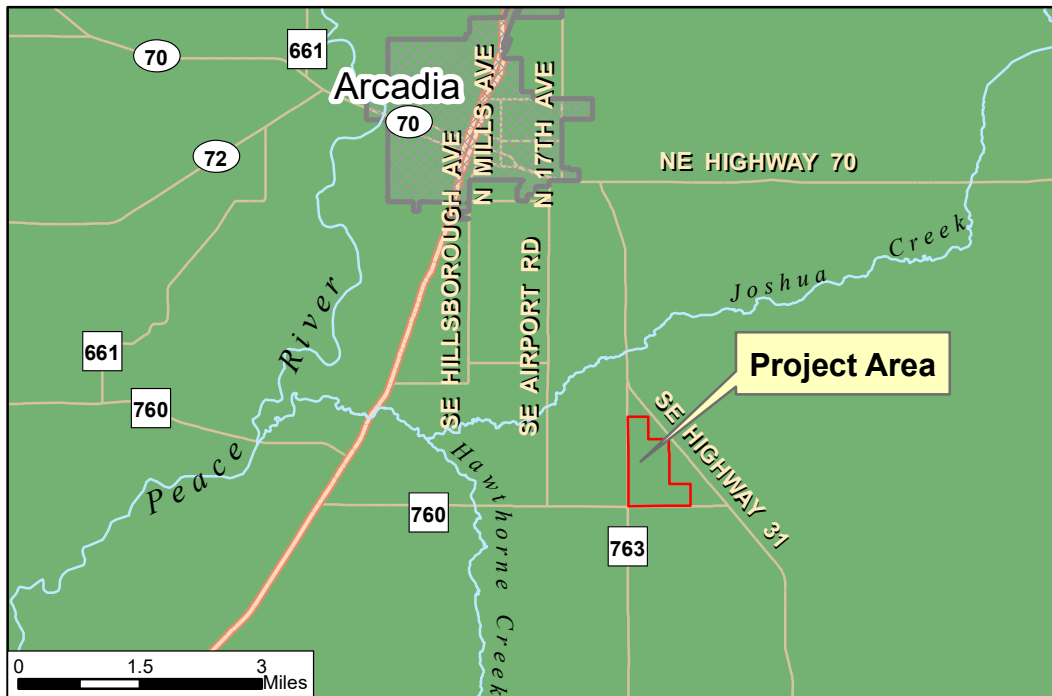
- 1) Approve the Bethel Farms, LLLP - Hog Bay Phase 2 project for a not-to-exceed project reimbursement of \$338,000 with \$338,000 provided by the Governing Board;
- 2) Authorize the transfer of \$338,000 from fund 010 H017 Governing Board FARMS Fund to the H775 Bethel Farms, LLLP - Hog Bay Phase 2 project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Presenter: Chris Zajac, FARMS Manager, Natural Systems and Restoration

Location Map

Bethel Farms, LLLP - Hog Bay Phase 2

FARMS Project - H775



Legend

- Boundary WUP 7331.07
- Phase 2 Project Area
- Proposed Phase 2 Reserv
- Proposed Phase 2 Reservoir Pump Station(s)
- Phase 1 Project Area
- Completed Phase 1 Reservoir & Pump Station
- Existing Irrigation Well(s)

DeSoto County

Southwest Florida
Water Management District

DLB, 10/22/2018
2017 Aerial
2012 NAVTEQ

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of November 2018.

Background

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Exhibit will be provided separately.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for November 2018.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Consent Agenda

Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Arbuckle and Walk in the Water Tracts, SWF Parcel No. 20-020-149, 20-020-150, 20-020-151 & 20-020-152

Purpose

Accept a donation of perpetual easement interests of four wetland sites. Each site includes a well site (10 feet by 10 feet), a temporary construction area, vegetative transect site and the related 10-foot wide access within lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF). The perpetual easement agreement, general location and site maps of the property are included in the Board packet as Exhibits 1, 2 and 3.

Background and History

The Central Florida Water Initiative (CFWI) is a collaborative water supply planning effort designed to identify sustainable water sources and develop strategies to address water demands within a five-county region in east-central Florida. The Southwest Florida Water Management District (District) is part of the CFWI's Data, Monitoring, and Investigations Team (DMIT) that is developing a single reference source inventory of regional monitoring data to support CFWI technical and regulatory activities. The DMIT's tasks are planned through annual updates to the DMIT work plan, which includes collaborative establishment of a long-term wetland monitoring program by the Southwest, St. Johns, and South Florida water management districts. Between the three districts, 107 wetland monitoring sites are planned to be established by 2025, with the District responsible for establishing 44 of those sites. Surficial aquifer monitoring data collected near wetlands sites are necessary for assessing the effect of surficial aquifer on the wetlands. These data will be used in conjunction with wetland soils, vegetation, and biological indicators data to assess wetland health.

Property Description

There are two wetland sites located on the Lake Wales Ridge Arbuckle Tract. Wetland Site 1 consists of a 1.96 acre transect and well site area. Wetland Site 2 consists of a 1.59 acre transect and well site area. The Walk in the Water Tract also has two wetland sites. Wetland Site 1 consists of a 7.19 acre transect and well site area. Wetland Site 2 consists of a 3.47 acre transect and well site area. The temporary construction area easements are contained within the both wetland sites.

Negotiations

Staff first explores the requested area for property owners that are more apt to donate a parcel. This includes parcels that are not on the tax roll (state and local government, non-profits, etc.) and non-residential tracts of more than one-acre where a wellsite may be inconsequential. Staff also consider city, county, or state right-of-way, when the cost to install a well is less than \$20,000. The Florida Fish and Wildlife Conservation Commission along with the Florida Forest Service are the Managing Agencies of the lands and have provided a letter of consent to TIITF for the project.

Donation Terms

- The TIITF has prepared and approved conveyance of a perpetual easement for a 100-square foot well site and 10-foot wide access necessary for construction, maintenance and monitoring activities on the site.
- The perpetual easement will be conveyed free and clear of all encumbrances objectionable to the District for the life of the project.

Benefit/Costs

Data from the Lake Wales Ridge Arbuckle and Walk in the Water sites will improve the District's understanding of the hydrologic conditions and provide for improved assessments of potential withdrawal-related impacts to water resources within the SWUCA and the CFWI areas. Acceptance of these donation will reduce the time and cost of acquisition by allowing the District to immediately access, construct, maintain and monitor the wells and vegetative transects at these locations. The District's transactional costs have been estimated to be approximately \$400 per site. Capital improvements are not expected to exceed \$1,800 at each well site, operation and maintenance of the well site is not expected to exceed \$240 per year for each site and the operation and maintenance of the vegetative sites are estimated at \$800 per year for each site.

Staff Recommendation:

- Accept the donation of a perpetual easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the CFWI Project and authorize the Executive Director to execute the easement.
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

This Easement was prepared by:
Jay Sircy Bureau of Public Land Administration
Division of State Lands
Department of Environmental Protection, MS
130 3900 Commonwealth Boulevard,
Tallahassee, Florida 32399-300
AID#38868

WME1
[14.51 acres +/-]

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA**

**EASEMENT AGREEMENT
Well Monitoring Site**

Easement Number 33215

THIS EASEMENT AGREEMENT is hereby made and entered into this _____ day of _____, 20____, by the **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA**, hereinafter referred to as "GRANTOR", and the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**, a public body existing under Chapter 373, Florida Statutes, its successors and assigns, hereinafter referred to as "GRANTEE."

WITNESSETH:

WHEREAS, GRANTOR is the fee simple owner of certain real property located in Polk County, Florida, as more particularly described in Exhibit "A", attached hereto, which is managed by the State of Florida Department of Agriculture and Consumer Services, Florida Forest Service, and the Florida Fish and Wildlife Conservation Commission, successor in interest to the State of Florida Game and Fresh Water Fish Commission, hereinafter collectively to as the "Managing Agencies" under GRANTOR's Lease Number 3563 and by reference made a part hereof; and

WHEREAS, GRANTEE desires to utilize GRANTOR's property only for the purpose of access to and installation, operation and maintenance of a well monitoring site; and

WHEREAS, the Managing Agencies has agreed to the proposed use of the land subject to this easement; and

WHEREAS, GRANTOR is desirous of granting to GRANTEE an easement for the aforementioned purpose.

NOW THEREFORE, for and in consideration of the terms, conditions, and mutual covenants hereinafter contained, GRANTOR and GRANTEE, both intending to be legally bound, hereby agree as follows:

Exhibit 1

1. GRANTOR hereby grants to GRANTEE, its agents, representatives and employees the non-exclusive right, privilege and permission to utilize the property described in Exhibit "A", hereinafter referred to as "Easement Area", as further described and limited herein.

- a. Ingress/Egress Easement. Grantor grants to Grantee a non-exclusive easement for vehicular ingress and egress over, across and along the property described in Exhibit "A" as the "Ingress/Egress Easement", and as depicted on the map included as part of Exhibit "A".
- b. Well Site Area. Grantor grants to Grantee a non-exclusive easement for the purposes of installation, operation, and maintenance of a well monitoring site on and upon the property described in Exhibit "A" as the "Well Site Area", and as depicted on the map included as part of Exhibit "A".
- c. Transect Area. Grantor grants to Grantee a non-exclusive easement for the purposes of designating Transect Areas on and upon the property described in Exhibit "A" as the "Transect Area", and as depicted on the map included as part of Exhibit "A".
- d. Temporary Construction Area. Grantor grants to Grantee a non-exclusive easement for the purposes of installation of a well monitoring site on and upon the property described in Exhibit "A" as the "Temporary Construction Area", and as depicted on the map included as part of Exhibit "A".

2. GRANTOR does hereby grant to GRANTEE an easement for as long as the easement is used solely for the purpose of ingress and egress to and installation, operation and maintenance of a well monitoring site. If the easement is ever abandoned for this use, all rights, title, and interest conveyed under this easement shall automatically revert to GRANTOR, unless sooner terminated pursuant to the provisions of this easement.

3. GRANTOR and Managing Agencies retain the right to use the Easement Area in any manner not inconsistent with the rights granted to GRANTEE.

4. GRANTEE shall assist in the investigation of injury or damage claims either for or against GRANTOR or the State of Florida pertaining to GRANTEE's respective areas of responsibility under this easement or arising out of GRANTEE's respective management programs or activities and shall contact GRANTOR regarding the legal action deemed appropriate to remedy such damage or claims. GRANTEE is responsible for, and to the extent allowed by law, shall indemnify, protect, defend, save and hold harmless GRANTOR and the State of Florida, its officers, agents and employees from any and all damages, claims, costs, expense, including attorney's fees, demands, lawsuits, causes of action or liability of any kind or nature arising out of all personal injury and property damage attributable to the negligent acts or omissions of GRANTEE, and its officers, employees, and agents. Nothing herein shall be construed as a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

5. Prior to initial use of the Easement Area by GRANTEE, GRANTEE shall give Managing Agencies, at least forty-eight hours notification.

Exhibit 1

6. GRANTEE shall contact the Florida Geological Survey prior to drilling and shall submit well cuttings for the state repository if requested.
7. GRANTEE will provide copies of the monitoring results, as they become available, to the Managing Agencies.
8. GRANTEE shall not allow the general public to access, utilize or go upon the Easement Area.
9. Clearing vegetation during installation or removal of the monitoring equipment without the consent and supervision of the Managing Agencies is prohibited.
10. Upon termination of this Easement Agreement, GRANTEE shall, at GRANTEE's sole cost and expense, remove all equipment, accessories, and material owned by GRANTEE from the Easement Area. Upon abandonment, each well will become a fixture on the well site which the GRANTEE will plug pursuant to Rule 40D-3.531 F.A.C., and GRANTEE will restore said Easement Area to as good a condition as it was before GRANTEE entered upon it. GRANTEE will complete said removal, plugging, and restoration within sixty days of the date upon which GRANTEE ceases its operations on the Easement Area.
11. Should GRANTOR elect to maintain one or more wells for its own use upon abandonment of any well by GRANTEE, the well(s) will remain unplugged and GRANTOR thereafter agrees to assume full responsibility for same.
12. The installation and removal of the monitoring well materials as well as restoration of the sites will be done under the supervision of the Managing Agencies. Prior to installation of the well(s), GRANTEE shall obtain the written consent of the State of Florida Department of State, Division of Historical Resources.
13. This Easement Agreement may not be assigned or transferred without prior written approval of GRANTOR.
14. This Easement Agreement embodies the entire understanding of the parties and there are no further agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof. This instrument may be amended or modified by an instrument of equal formality signed by the respective parties.
15. For purposes of this Easement Agreement, all notification shall be provided as follows:

GRANTOR: Department of Environmental Protection Division of State Lands Bureau of Public Land Administration 3900 Commonwealth Blvd, MS130 Tallahassee, FL 32399-3000	GRANTEE: Southwest Florida Water Management District 2379 Broad Street Brooksville, FL 34604	Managing Agencies: Department of Agriculture and Consumer Service, Florida Forest Service 3125 Conner Boulevard, C-25, Suite 1 Tallahassee, FL 32399 Florida Fish and Wildlife Conservation Commission 620 South Meridian Street Tallahassee, Florida 32399
--	---	---

16. The following special conditions shall apply to this Easement Agreement:

- a. Well construction per well will not exceed 180 days without the written consent of the Managing Agencies.
- b. If fencing is needed, GRANTEE shall install and maintain fencing at GRANTEE's sole cost and expense.

Fencing shall not exceed eight feet in height. GRANTEE shall provide to GRANTOR and Managing Agencies a set of keys to all fence gates.

c. GRANTOR or Managing Agencies shall not physically disturb the well casings or covers (water meter boxes) in any way without prior approval from GRANTEE.

d. Prior to entering the Easement Area, GRANTEE shall contact the Managing Agencies.

e. GRANTEE's use of the Easement Area shall not interfere with the operations of the Managing Agencies.

f. GRANTEE shall install electronic monitoring equipment for each well location so that the wells may be monitored remotely.

g. GRANTEE shall return the Easement Area to the original condition as is practical following any disturbances caused by installation, equipment removal, onsite monitoring and/or maintenance, including, but not limited to ensuing there is no rutting.

h. GRANTEE shall install equipment that is designed to protect it from vandalism, fire and the environment.

i. GRANTEE shall follow established protocols to minimize the spread of exotic plants.

j. GRANTEE shall not relocate or add additional transects and wells or any additional equipment without prior written consent of the GRANTOR.

[Remainder of page intentionally left blank;

Signature page follows]

Exhibit 1

IN WITNESS WHEREOF, the parties have caused this Easement to be executed on the day and year first above written.

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA**

BY: _____ (SEAL)

Cheryl C. McCall, Chief, Bureau of Public Land
Administration, Division of State Lands, State of
Florida Department of Environmental Protection,
as agent for and on behalf of the Board of Trustees
of the Internal Improvement Trust Fund of the State of
Florida

"GRANTOR"

**STATE OF FLORIDA
COUNTY OF LEON**

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by
Cheryl C. McCall, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the
State of Florida. She is personally known to me.

Approved subject to proper execution:



DEP Attorney

09-25-2018

Date

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires: _____

Commission/Serial No.: _____

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

Witness

By: _____ (SEAL)
Brian Armstrong, Executive Director

Print/Type Witness Name

Witness

Print/Type Witness Name

"GRANTEE"

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by Brian Armstrong, as Executive Director, for and on behalf of the Southwest Florida Water Management District. He is personally known to me or has produced _____ as identification.

Notary Public, State of Florida

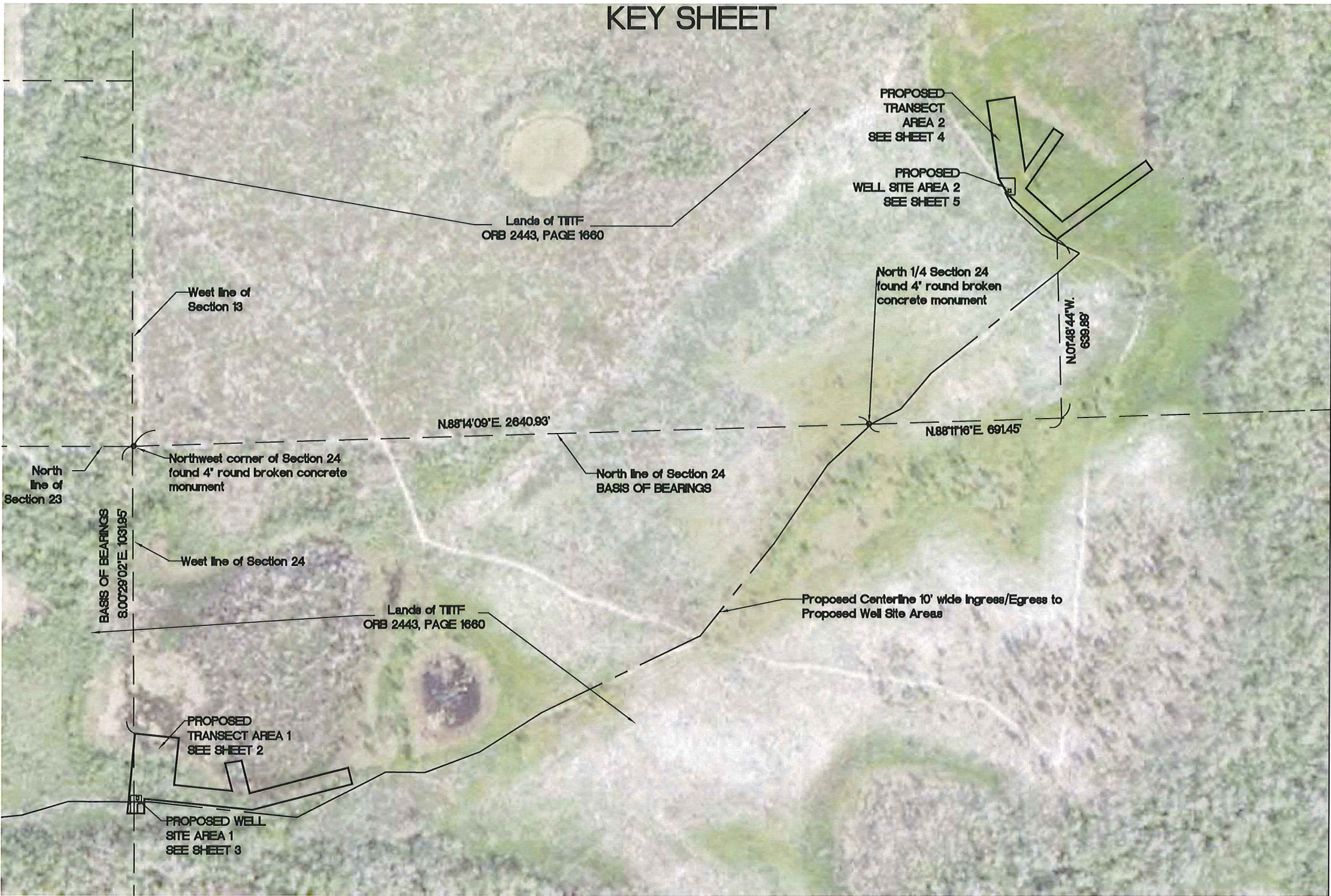
Print/Type Notary Name

Commission Number: _____

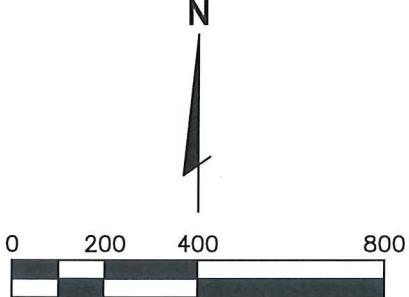
Commission Expires: _____

Attachment: Arbuckle Exhibit MinTraq (4114 : Easement Donation Arbuckle and Walk in the Water Tracts)

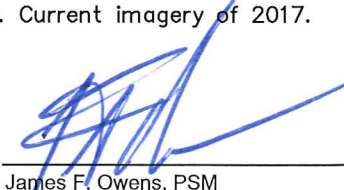
EXHIBIT "A" Exhibit 1



SECTIONS 13, 23 & 24,
TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



- Notes:
1. This is not a survey.
 2. The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.
 3. The section lines as shown hereon are based on field located monuments and plans provided by the Florida Department of Environmental Protection depicting lands that they own, having a title of "ALICO INC, Polk County Property Survey sheets 6, 9 and 10 of 16". Said lands are described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida. The monuments shown hereon were field verified using the Leica VIVA NRTK-GPS with the Florida Permanent Reference Network (FPRN). the FPRN network is based on direct ties to National Geodetic Survey (NGS) Control Stations. The horizontal accuracies are validated using NGS Control Station AVON PARK BASE ARP (DP9315).
 4. The purpose of this Sketch of Description is to depict easements for two wetland areas, two well site areas, two temporary construction areas and the centerline of a 10' wide ingress-egress to the well site areas.
 5. Current imagery of 2017.

 6/6/18
James F. Owens, PSM Date
Florida Professional Surveyor and Mapper No. 5014

Legend

TIITF = Board of Trustees of the Internal Improvement Trust Fund
GPS = Global Positioning System
NRTK = Network Real Time Kinematic
ORB = Official Records Book

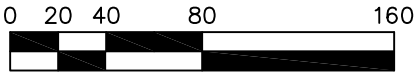
Page 7 of 21
Easement No. 33215
EXHIBIT "A"



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT	
DATE OF SURVEY 02-14-2018	LAKE WALES RIDGE SF ARBUCKLE TRACT	
FIELD BOOK: 20-282	WETLAND SITES 1 AND 2	
PAGES: 68	SHEET DESCRIPTION: OVERVIEW OF PROPOSED	
SCALE: 1" = 400'	TRANSECT AREAS, WELL SITE AREAS AND	
SHEET 1 OF 7	TEMPORARY CONSTRUCTION AREAS	
	WORK ORDER: 17-107	Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A

SECTIONS 23 & 24, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-149 (Proposed Transect Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 and the Northeast quarter of Section 23, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet for a POINT OF BEGINNING:

Thence leaving said west line, South 84°10'50" East, a distance of 161.16 feet;

Thence South 05°49'10" West, a distance of 168.75 feet;

Thence South 84°10'50" East, a distance of 208.99 feet;

Thence North 14°32'38" West, a distance of 102.19 feet;

Thence North 80°58'12" East, a distance of 60.28 feet;

Thence South 14°32'38" East, a distance of 120.64 feet;

Thence North 75°27'22" East, a distance of 364.13 feet;

Thence South 14°32'38" East, a distance of 60.00 feet;

Thence South 75°27'22" West, a distance of 369.61 feet;

Thence North 84°10'50" West, a distance of 392.28 feet;

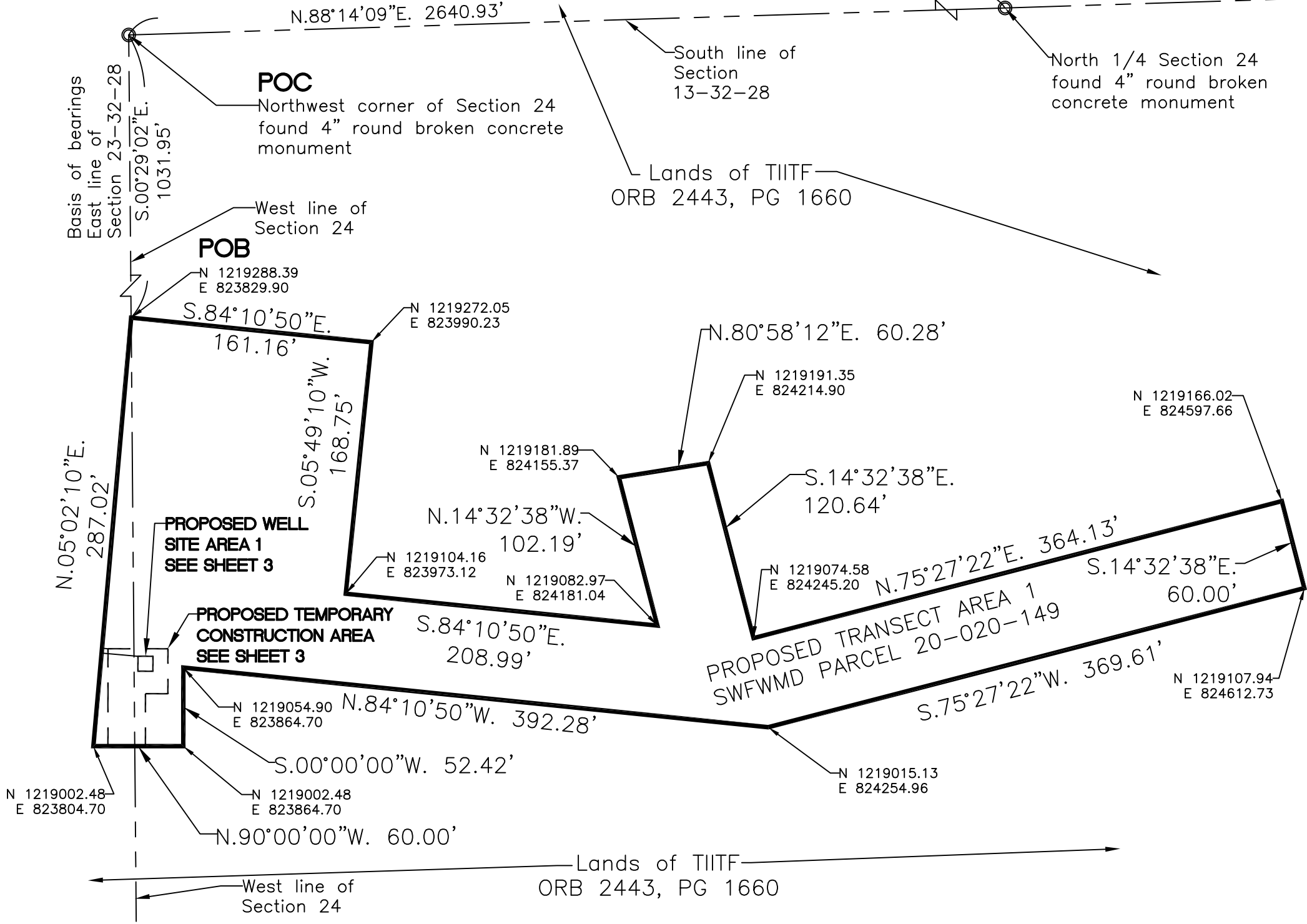
Thence South 00°00'00" West, a distance of 52.42 feet;

Thence North 90°00'00" West, a distance of 60.00 feet;

Thence North 05°02'10" East, a distance of 287.02 feet to the POINT OF BEGINNING.

The above described lands contain 1.96 acres.

See sheet 1 for key sheet, notes and signature.



Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
PG = Page

Page 8 of 21
Easement No. 33215
EXHIBIT "A"

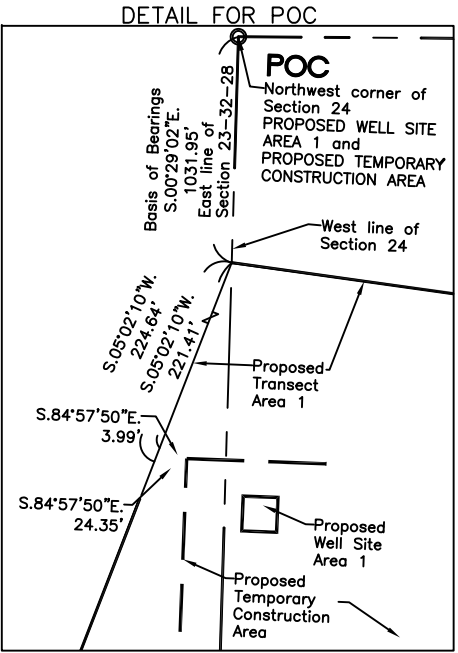
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

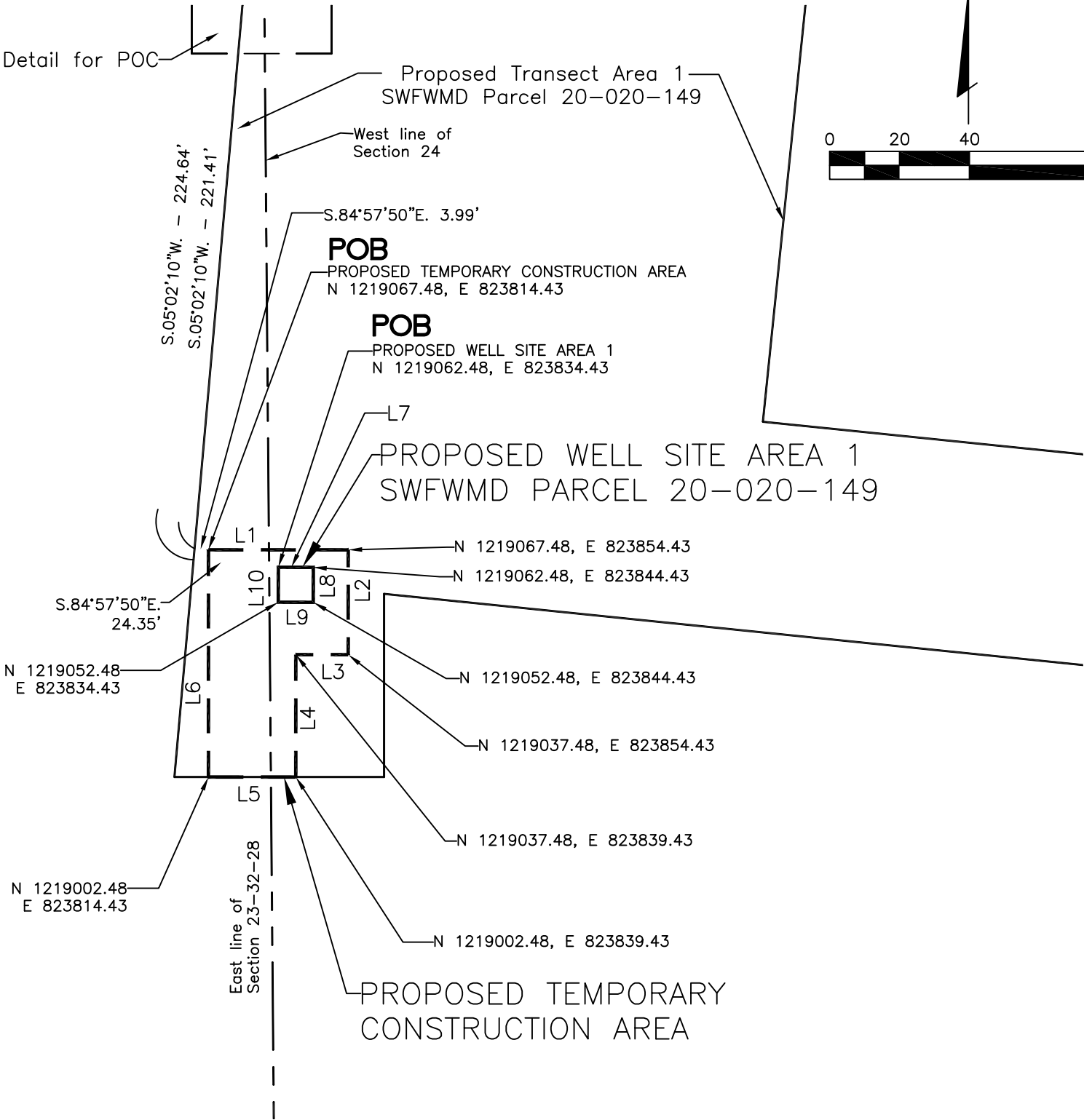
2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-02-2018
CHECKED BY: SMB
DATE OF SURVEY
02-14-2018
FIELD BOOK: 20-282
PAGES: 68
SCALE: 1"=80'
SHEET 2 OF 7

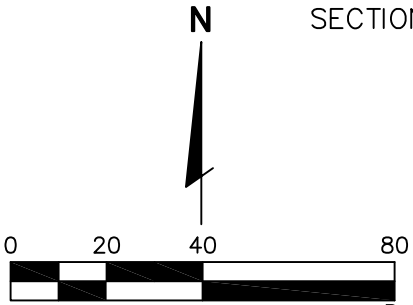
SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE SF ARBUCKLE TRACT
WETLAND SITE #1
SHEET DESCRIPTION: PROPOSED TRANSECT
AREA 1
Worksheet 17-107 Arbuckle.dwg
Drawing No. 20-17-107A
WORK ORDER: 17-107



See Detail for POC



SECTIONS 23 & 24, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description: Parcel 20-020-149 (Proposed Well Site Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet; thence leaving said west line of Section 24 South 05°02'10" West, a distance of 224.64 feet; thence South 84°57'50" East, a distance of 24.35 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 10.00 feet;
Thence South 00°00'00" East, a distance of 10.00 feet;
Thence South 90°00'00" West, a distance of 10.00 feet;
Thence North 00°00'00" East, a distance of 10.00 feet to the POINT OF BEGINNING.

The above described lands contain 100 square feet, more or less.

Description: Parcel 20-020-149 (Proposed Temporary Construction Area)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 and the Northeast quarter of Section 23, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet; thence leaving said west line of Section 24 South 05°02'10" West, a distance of 221.41 feet; thence South 84°57'50" East, a distance of 3.99 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 40.00 feet;
Thence South 00°00'00" East, a distance of 30.00 feet;
Thence South 90°00'00" West, a distance of 15.00 feet;
Thence South 00°00'00" East, a distance of 35.00 feet;
Thence South 90°00'00" West, a distance of 25.00 feet;
Thence North 00°00'00" East, a distance of 65.00 feet to the POINT OF BEGINNING.

The above described lands contain 0.05 acres.

See sheet 1 for key sheet, notes and signature.

Line Table		
Line #	Direction	Length
L1	N90°00'00"E	40.00'
L2	S00°00'00"E	30.00'
L3	N90°00'00"W	15.00'
L4	S00°00'00"E	35.00'
L5	N90°00'00"W	25.00'
L6	N00°00'00"E	65.00'
L7	N90°00'00"E	10.00'
L8	S00°00'00"E	10.00'
L9	N90°00'00"W	10.00'
L10	N00°00'00"E	10.00'

Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 9 of 21
Easement No. 33215
EXHIBIT "A"

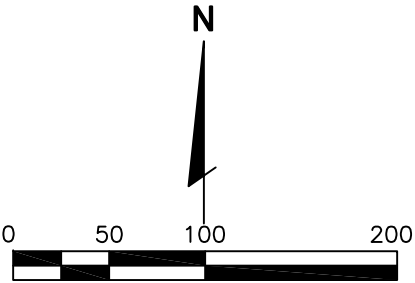
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF ARBUCKLE TRACT WETLAND SITE #1 SHEET DESCRIPTION: PROPOSED WELL SITE AREA AND TEMPORARY CONSTRUCTION AREA	
DATE OF SURVEY 02-14-2018		
FIELD BOOK: 20-282 PAGES: 68		
SCALE: 1"=40'		
SHEET 3 OF 7	WORK ORDER: 17-107	Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A

SECTION 13, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-150 (Proposed Transect Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Southeast quarter of Section 13, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

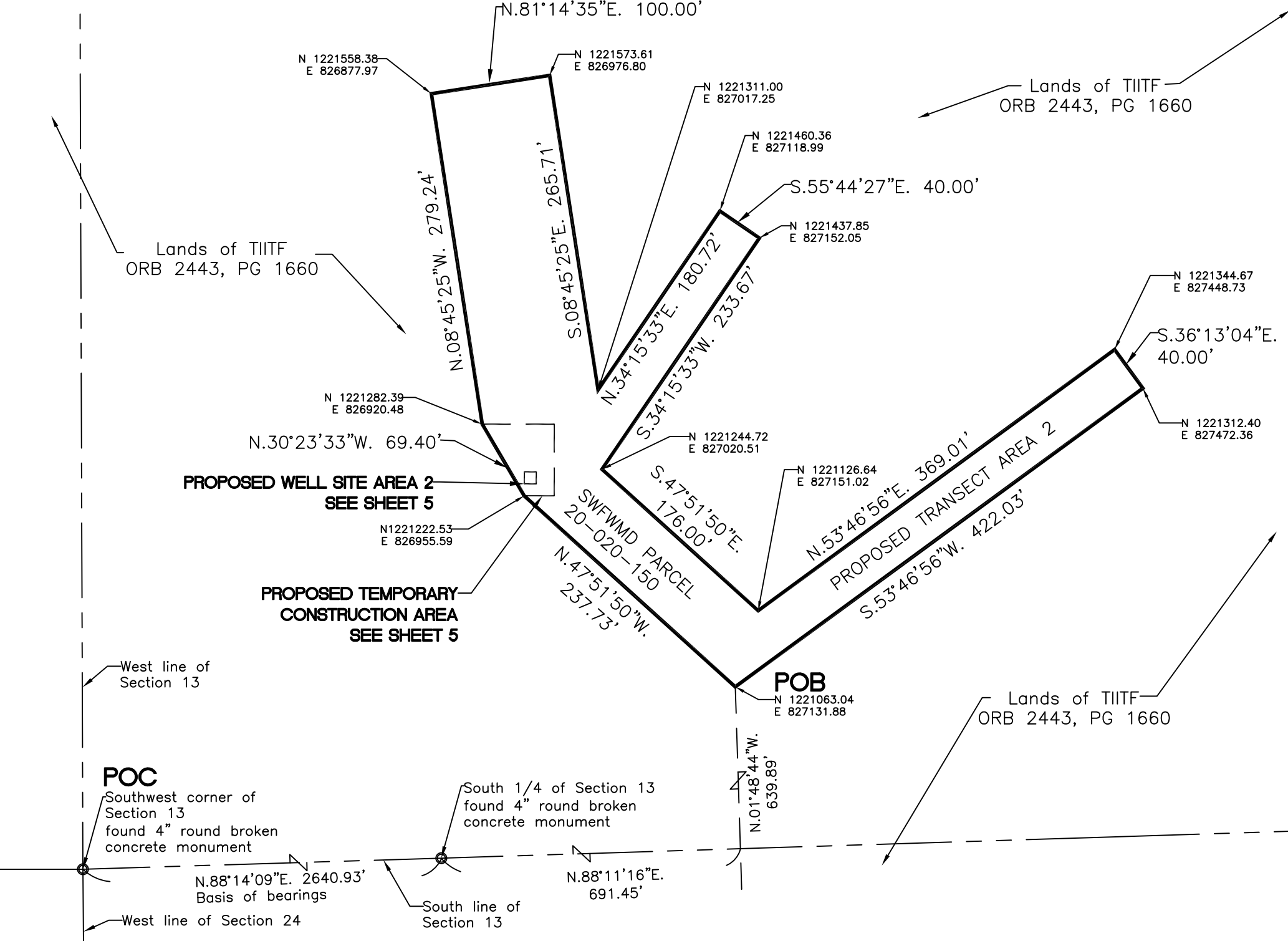
Commence at the Southwest corner of said Section 13, thence North 88°14'09" East along the South line of said Section 13, a distance of 2640.93 feet to the South 1/4 corner of said Section 13; thence continue along the said South line of Section 13 North 88°11'16" East, a distance of 691.45 feet; thence leaving said South line of Section 13 North 01°48'44" West, a distance of 639.89 feet for a POINT OF BEGINNING;

Thence North 47°51'50" West, a distance of 237.73 feet;
Thence North 30°23'33" West, a distance of 69.40 feet;
Thence North 08°45'25" West, a distance of 279.24 feet;
Thence North 81°14'35" East, a distance of 100.00 feet;
Thence South 08°45'25" East, a distance of 265.71 feet;
Thence North 34°15'33" East, a distance of 180.72 feet;
Thence South 55°44'27" East, a distance of 40.00 feet;
Thence South 34°15'33" West, a distance of 233.67 feet;
Thence South 47°51'50" East, a distance of 176.00 feet;
Thence North 53°46'56" East, a distance of 369.01 feet;
Thence South 36°13'04" East, a distance of 40.00 feet;

Thence South 53°46'56" West, a distance of 422.03 feet to the POINT OF BEGINNING.

The above described lands contain 1.59 acres.

See sheet 1 for key sheet, notes and signature.



Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
PG = Page

Page 10 of 21
Easement No. 33215
EXHIBIT "A"

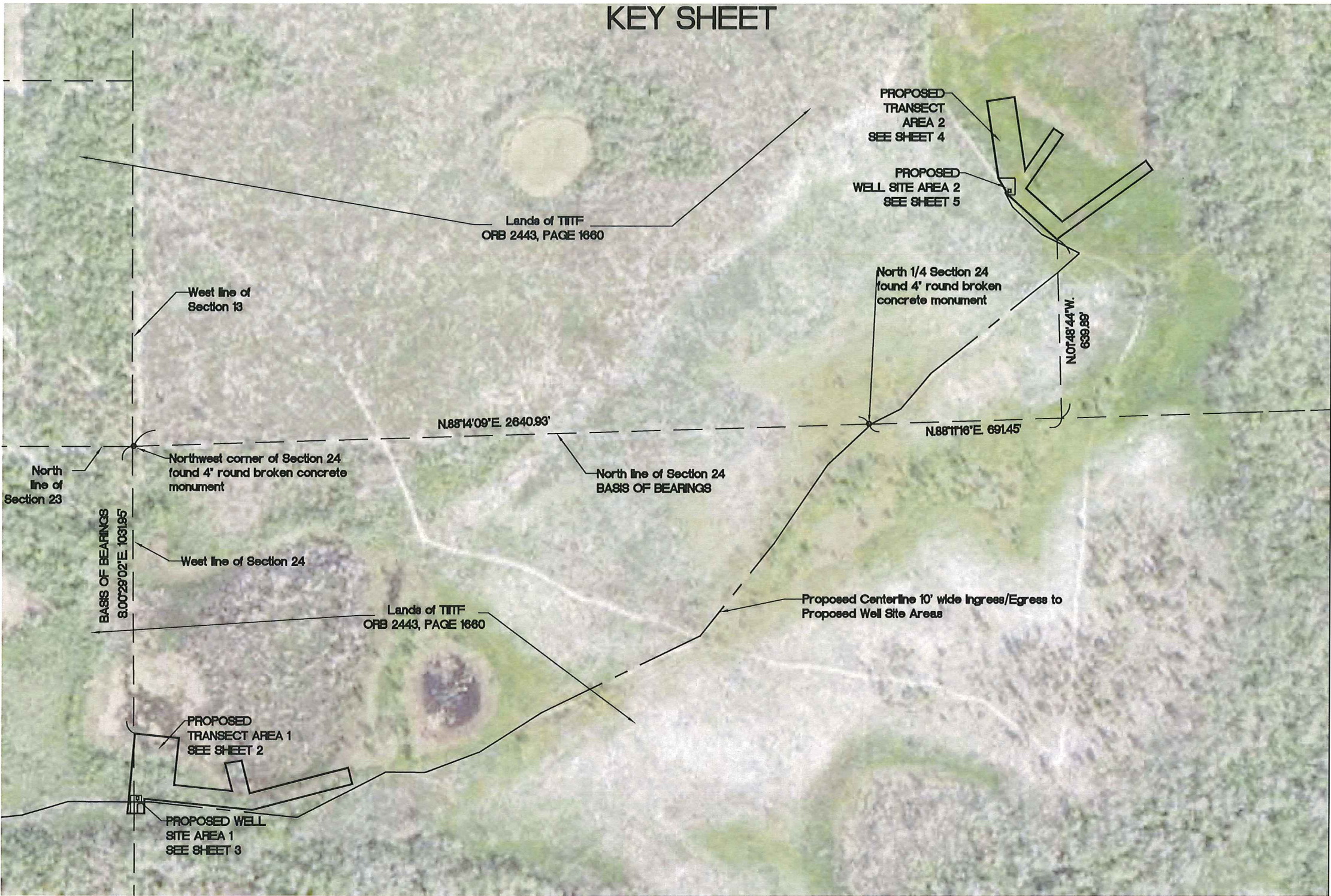
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

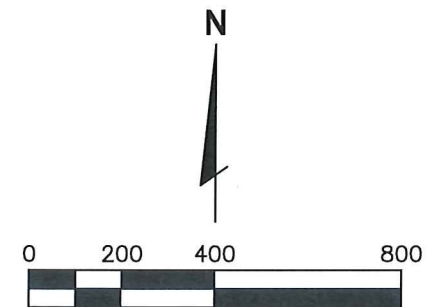
2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT	
DATE OF SURVEY 02-14-2018	LAKE WALES RIDGE SF ARBUCKLE TRACT	
FIELD BOOK: 20-282	WETLAND SITE #2	
PAGES: 68	SHEET DESCRIPTION: PROPOSED TRANSECT AREA 2	
SCALE: 1"=100'		
SHEET 4 OF 7	WORK ORDER: 17-107	Worksheet 17-107 Ar buckle.dwg Drawing No. 20-17-107A

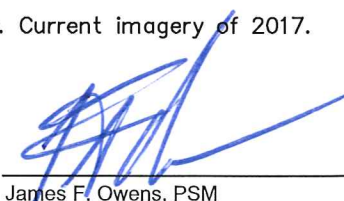
EXHIBIT "A" Exhibit 1



SECTIONS 13, 23 & 24,
TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



- Notes:
1. This is not a survey.
 2. The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.
 3. The section lines as shown hereon are based on field located monuments and plans provided by the Florida Department of Environmental Protection depicting lands that they own, having a title of "ALICO INC, Polk County Property Survey sheets 6, 9 and 10 of 16". Said lands are described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida. The monuments shown hereon were field verified using the Leica VIVA NRTK-GPS with the Florida Permanent Reference Network (FPRN). the FPRN network is based on direct ties to National Geodetic Survey (NGS) Control Stations. The horizontal accuracies are validated using NGS Control Station AVON PARK BASE ARP (DP9315).
 4. The purpose of this Sketch of Description is to depict easements for two wetland areas, two well site areas, two temporary construction areas and the centerline of a 10' wide ingress-egress to the well site areas.
 5. Current imagery of 2017.

 6/6/18
James F. Owens, PSM Date
Florida Professional Surveyor and Mapper No. 5014

Legend

TIITF = Board of Trustees of the Internal Improvement Trust Fund
GPS = Global Positioning System
NRTK = Network Real Time Kinematic
ORB = Official Records Book

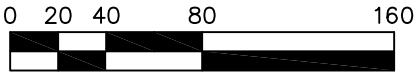
Page 7 of 21
Easement No. 33215
EXHIBIT "A"



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION
CHECKED BY: SMB	
DATE OF SURVEY 02-14-2018	
FIELD BOOK: 20-282 PAGES: 68	
SCALE: 1" = 400'	
SHEET 1 OF 7	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF ARBUCKLE TRACT WETLAND SITES 1 AND 2 SHEET DESCRIPTION: OVERVIEW OF PROPOSED TRANSECT AREAS, WELL SITE AREAS AND TEMPORARY CONSTRUCTION AREAS WORK ORDER: 17-107 Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A

SECTIONS 23 & 24, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-149 (Proposed Transect Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 and the Northeast quarter of Section 23, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet for a POINT OF BEGINNING:

Thence leaving said west line, South 84°10'50" East, a distance of 161.16 feet;

Thence South 05°49'10" West, a distance of 168.75 feet;

Thence South 84°10'50" East, a distance of 208.99 feet;

Thence North 14°32'38" West, a distance of 102.19 feet;

Thence North 80°58'12" East, a distance of 60.28 feet;

Thence South 14°32'38" East, a distance of 120.64 feet;

Thence North 75°27'22" East, a distance of 364.13 feet;

Thence South 14°32'38" East, a distance of 60.00 feet;

Thence South 75°27'22" West, a distance of 369.61 feet;

Thence North 84°10'50" West, a distance of 392.28 feet;

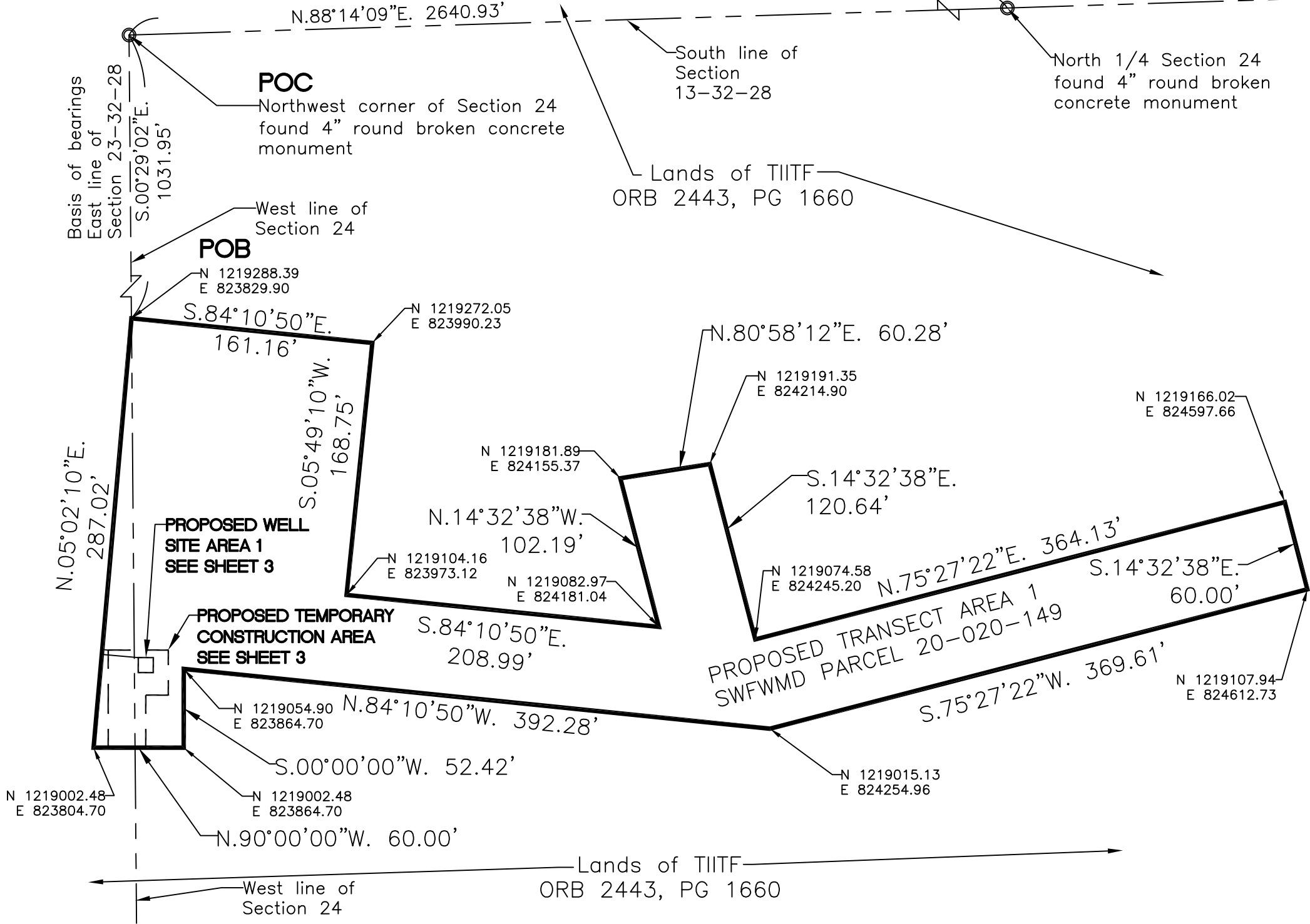
Thence South 00°00'00" West, a distance of 52.42 feet;

Thence North 90°00'00" West, a distance of 60.00 feet;

Thence North 05°02'10" East, a distance of 287.02 feet to the POINT OF BEGINNING.

The above described lands contain 1.96 acres.

See sheet 1 for key sheet, notes and signature.



Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
PG = Page

Page 8 of 21
Easement No. 33215
EXHIBIT "A"

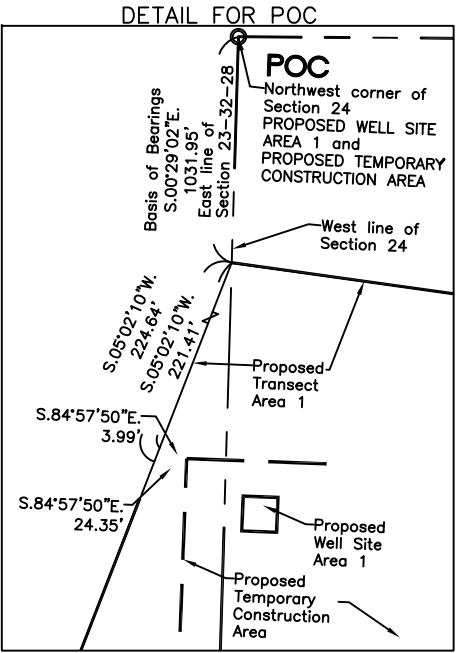
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

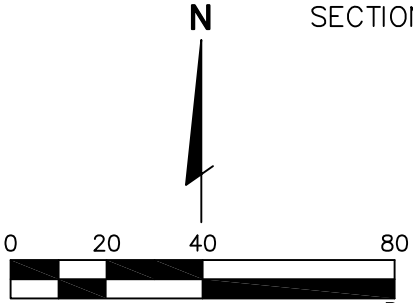
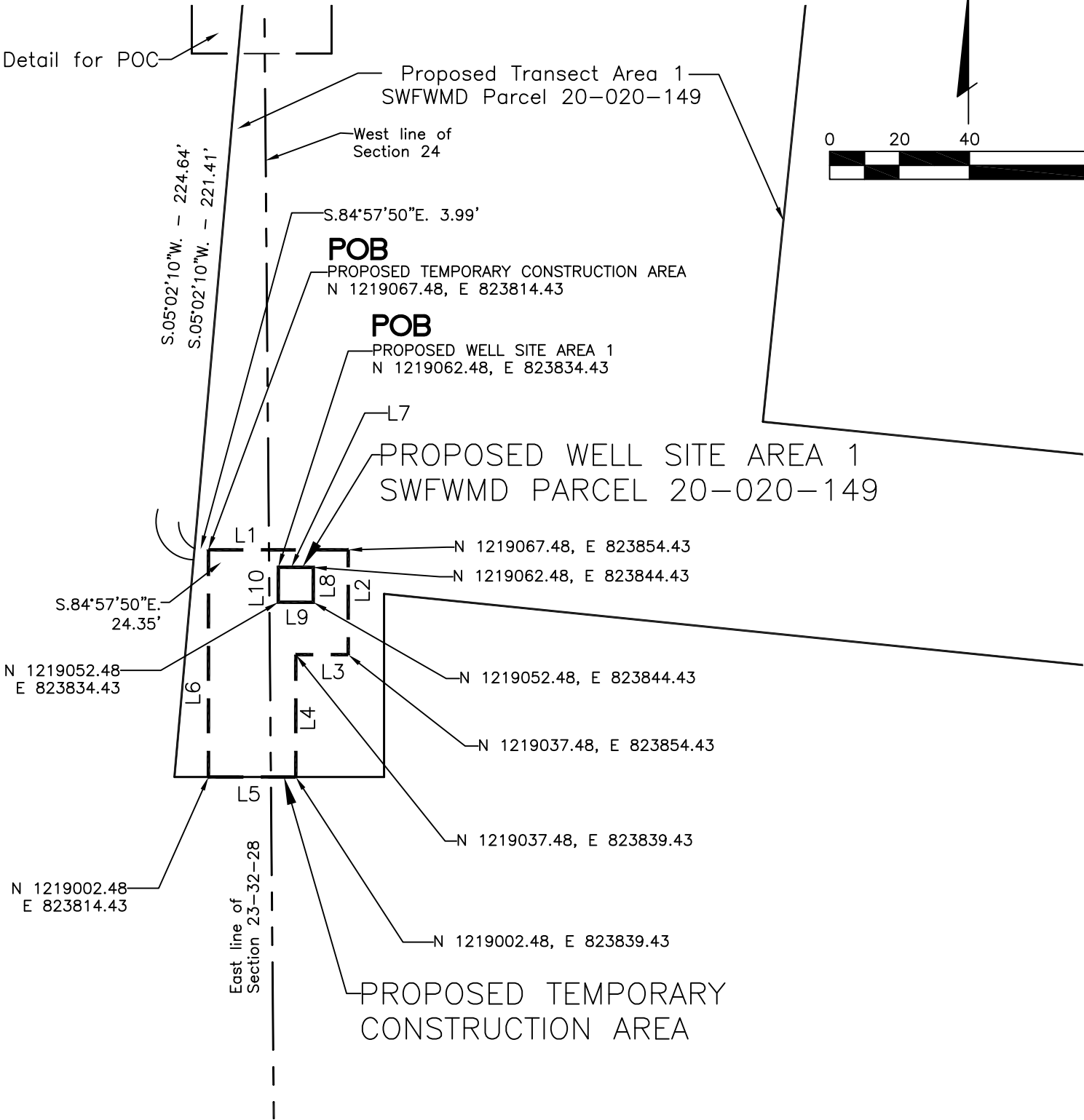
2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-02-2018
CHECKED BY: SMB
DATE OF SURVEY
02-14-2018
FIELD BOOK: 20-282
PAGES: 68
SCALE: 1"=80'
SHEET 2 OF 7

SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE SF ARBUCKLE TRACT
WETLAND SITE #1
SHEET DESCRIPTION: PROPOSED TRANSECT
AREA 1
Worksheet 17-107 Arbuckle.dwg
WORK ORDER: 17-107
Drawing No. 20-17-107A



See Detail for POC



SECTIONS 23 & 24, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA

Description: Parcel 20-020-149 (Proposed Well Site Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet; thence leaving said west line of Section 24 South 05°02'10" West, a distance of 224.64 feet; thence South 84°57'50" East, a distance of 24.35 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 10.00 feet;
Thence South 00°00'00" East, a distance of 10.00 feet;
Thence South 90°00'00" West, a distance of 10.00 feet;
Thence North 00°00'00" East, a distance of 10.00 feet to the POINT OF BEGINNING.

The above described lands contain 100 square feet, more or less.

Description: Parcel 20-020-149 (Proposed Temporary Construction Area)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Northwest quarter of Section 24 and the Northeast quarter of Section 23, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 24, thence South 00°29'02" East along the west line of said Section 24, a distance of 1031.95 feet; thence leaving said west line of Section 24 South 05°02'10" West, a distance of 221.41 feet; thence South 84°57'50" East, a distance of 3.99 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 40.00 feet;
Thence South 00°00'00" East, a distance of 30.00 feet;
Thence South 90°00'00" West, a distance of 15.00 feet;
Thence South 00°00'00" East, a distance of 35.00 feet;
Thence South 90°00'00" West, a distance of 25.00 feet;
Thence North 00°00'00" East, a distance of 65.00 feet to the POINT OF BEGINNING.

The above described lands contain 0.05 acres.

See sheet 1 for key sheet, notes and signature.

Line Table		
Line #	Direction	Length
L1	N90°00'00"E	40.00'
L2	S00°00'00"E	30.00'
L3	N90°00'00"W	15.00'
L4	S00°00'00"E	35.00'
L5	N90°00'00"W	25.00'
L6	N00°00'00"E	65.00'
L7	N90°00'00"E	10.00'
L8	S00°00'00"E	10.00'
L9	N90°00'00"W	10.00'
L10	N00°00'00"E	10.00'

Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 9 of 21
Easement No. 33215
EXHIBIT "A"

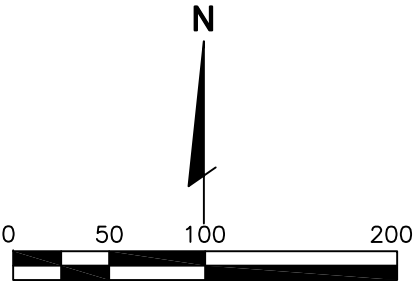
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF ARBUCKLE TRACT WETLAND SITE #1	
DATE OF SURVEY 02-14-2018	SHEET DESCRIPTION: PROPOSED WELL SITE AREA AND TEMPORARY CONSTRUCTION AREA	
FIELD BOOK: 20-282 PAGES: 68		
SCALE: 1"=40'		
SHEET 3 OF 7	WORK ORDER: 17-107	Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A

SECTION 13, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-150 (Proposed Transect Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Southeast quarter of Section 13, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

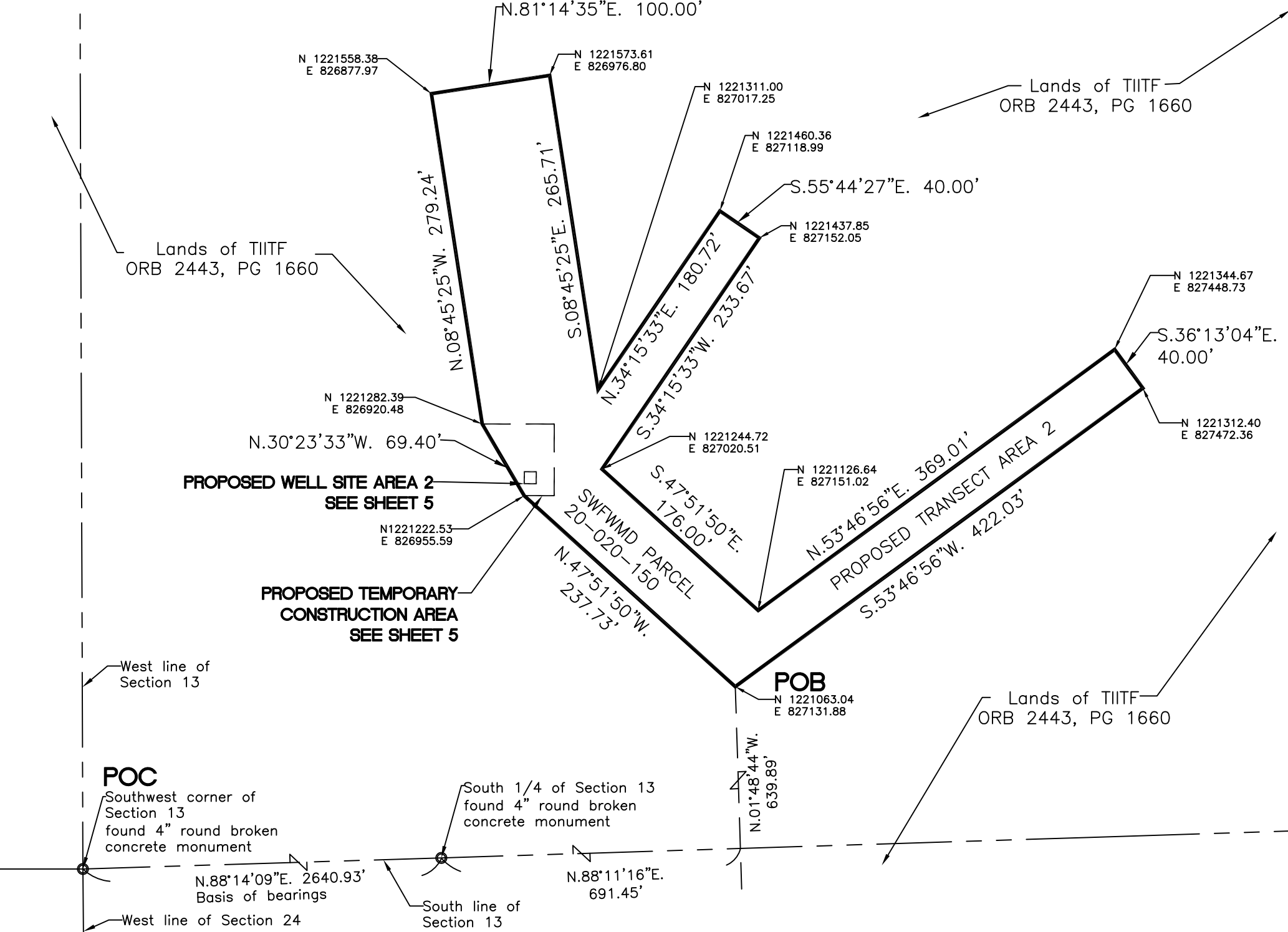
Commence at the Southwest corner of said Section 13, thence North 88°14'09" East along the South line of said Section 13, a distance of 2640.93 feet to the South 1/4 corner of said Section 13; thence continue along the said South line of Section 13 North 88°11'16" East, a distance of 691.45 feet; thence leaving said South line of Section 13 North 01°48'44" West, a distance of 639.89 feet for a POINT OF BEGINNING;

Thence North 47°51'50" West, a distance of 237.73 feet;
Thence North 30°23'33" West, a distance of 69.40 feet;
Thence North 08°45'25" West, a distance of 279.24 feet;
Thence North 81°14'35" East, a distance of 100.00 feet;
Thence South 08°45'25" East, a distance of 265.71 feet;
Thence North 34°15'33" East, a distance of 180.72 feet;
Thence South 55°44'27" East, a distance of 40.00 feet;
Thence South 34°15'33" West, a distance of 233.67 feet;
Thence South 47°51'50" East, a distance of 176.00 feet;
Thence North 53°46'56" East, a distance of 369.01 feet;
Thence South 36°13'04" East, a distance of 40.00 feet;

Thence South 53°46'56" West, a distance of 422.03 feet to the POINT OF BEGINNING.

The above described lands contain 1.59 acres.

See sheet 1 for key sheet, notes and signature.



Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
PG = Page

Page 10 of 21
Easement No. 33215
EXHIBIT "A"

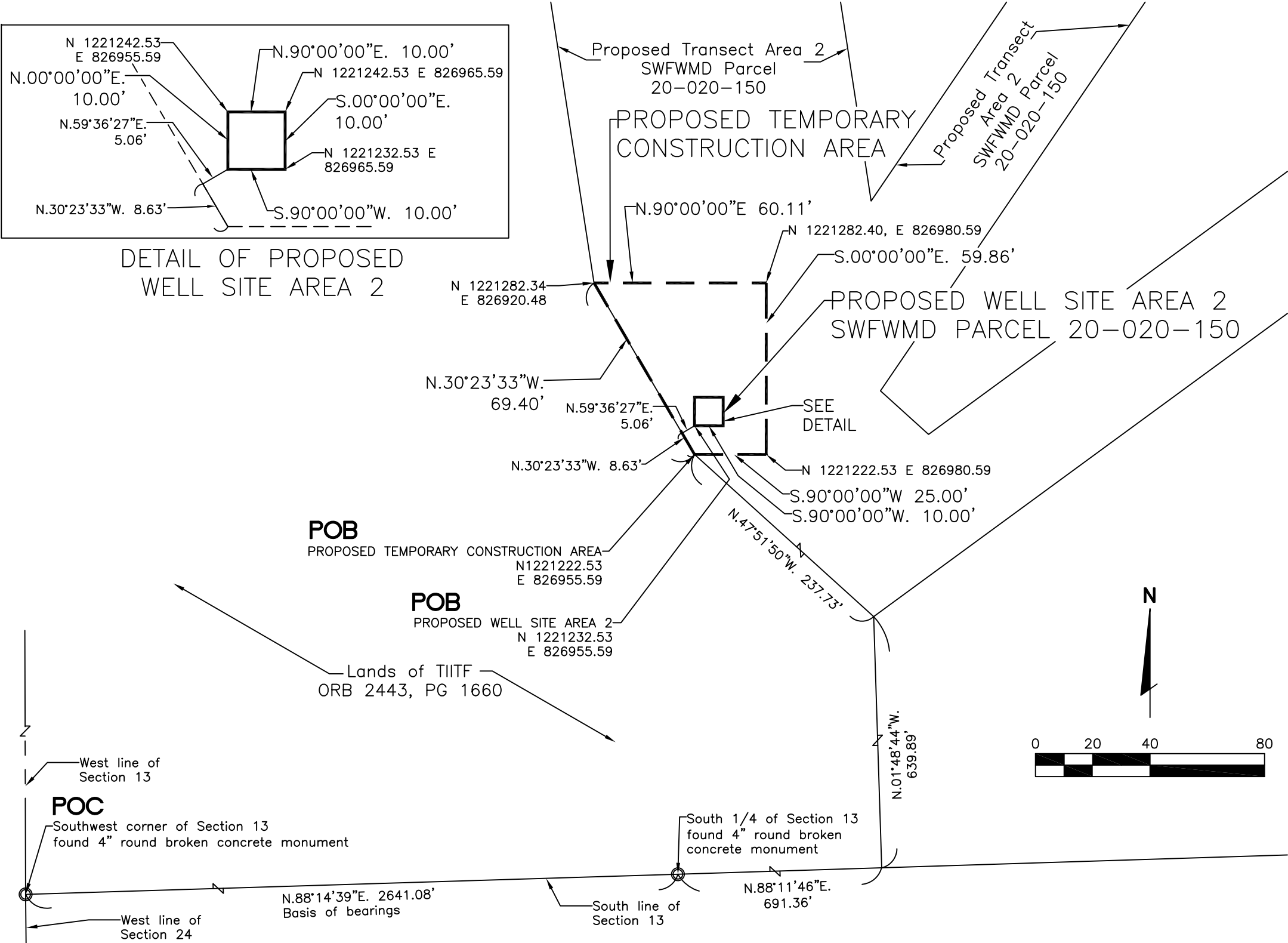
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT	
DATE OF SURVEY 02-14-2018	LAKE WALES RIDGE SF ARBUCKLE TRACT	
FIELD BOOK: 20-282	WETLAND SITE #2	
PAGES: 68	SHEET DESCRIPTION: PROPOSED TRANSECT AREA 2	
SCALE: 1"=100'		
SHEET 4 OF 7	WORK ORDER: 17-107	Worksheet 17-107 Ar buckle.dwg Drawing No. 20-17-107A

SECTION 13, TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-150 (Proposed Well Site Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Southwest quarter of Section 13, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Southwest corner of said Section 13, thence North 88°14'09" East along the South line of said Section 13, a distance of 2640.93 feet to the South 1/4 corner of said Section 13; thence continue along the said South line of Section 13 North 88°11'16" East, a distance of 691.45 feet; thence leaving said South line of Section 13 North 01°48'44" West, a distance of 639.89 feet to an intersection with a southerly corner of Proposed Transect Area 2; thence North 47°51'50" West along a westerly line of said Proposed Transect Area 2, a distance of 237.73'; thence North 30°23'33" West along said westerly line, a distance of 8.63'; thence leaving said westerly line North 59°36'27" East, a distance of 5.06' for a POINT OF BEGINNING;

Thence North 00°00'00" East, a distance of 10.00 feet;
Thence North 90°00'00" East, a distance of 10.00 feet;
Thence South 00°00'00" East, a distance of 10.00 feet;
Thence South 90°00'00" West, a distance of 10.00 feet to the POINT OF BEGINNING.

The above described lands contain 100 square feet, more or less.

Description Parcel 20-020-150 (Proposed Temporary Construction Area)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A parcel of land in the Southwest quarter of Section 13, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Southwest corner of said Section 13, thence North 88°14'09" East along the South line of said Section 13, a distance of 2640.93 feet to the South 1/4 corner of said Section 13; thence continue along the said South line of Section 13 North 88°11'16" East, a distance of 691.45 feet; thence leaving said South line of Section 13 North 01°48'44" West, a distance of 639.89 feet to an intersection with a southerly corner of Proposed Transect Area 2; thence North 47°51'50" West along a westerly line of said Proposed Transect Area 2, a distance of 237.73' for a POINT OF BEGINNING;

Thence North 30°23'33" West, a distance of 69.40 feet;
Thence North 90°00'00" East, a distance of 60.11 feet;
Thence South 00°00'00" East, a distance of 59.86 feet;
Thence South 90°00'00" West, a distance of 25.00 feet to the POINT OF BEGINNING.

The above described lands contain 0.06 acres.

See sheet 1 for key sheet, notes and signature.

Legend
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
PG = Page

Page 11 of 21
Easement No. 33215
EXHIBIT "A"

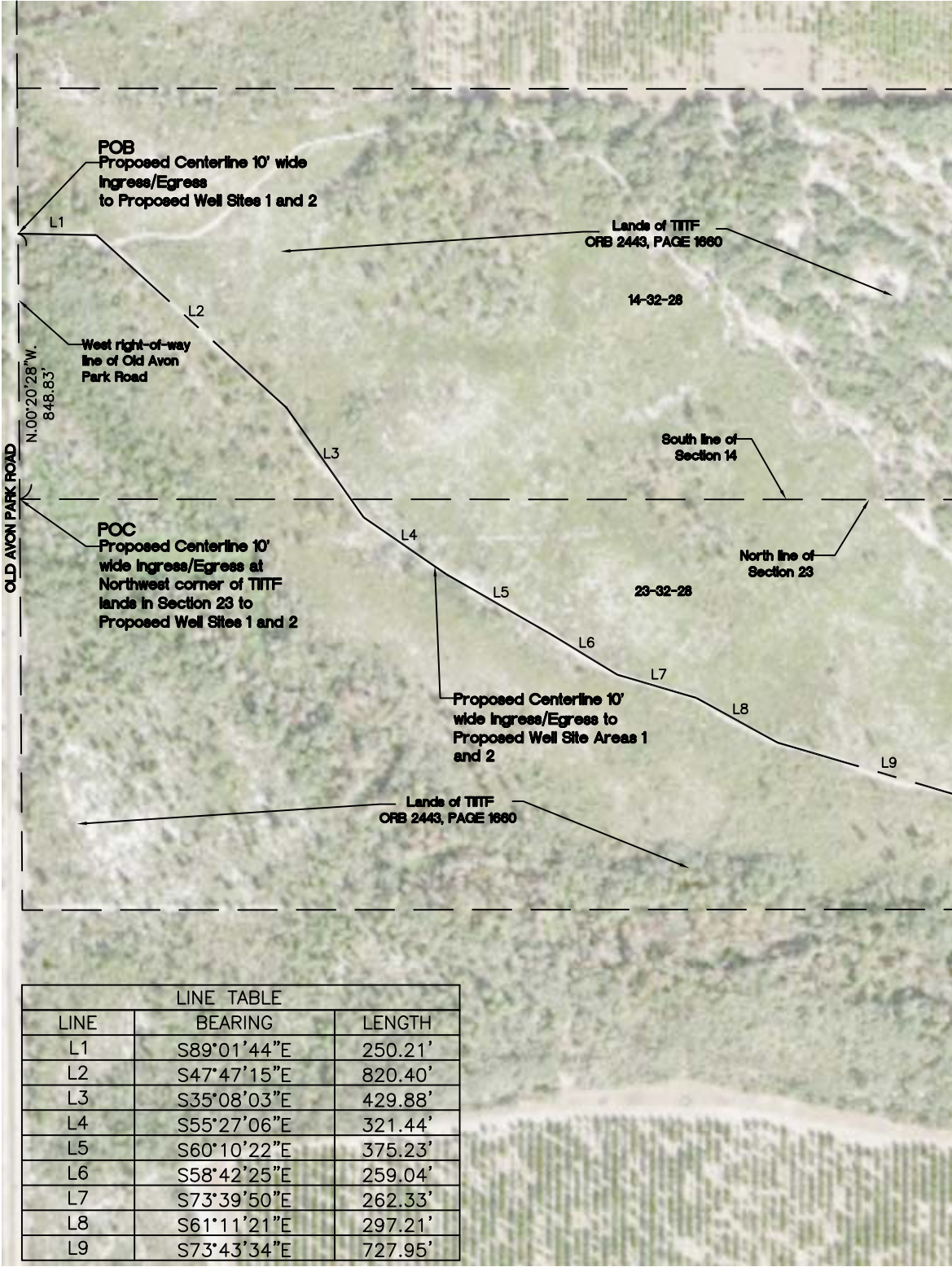
BSM APPROVED
By: *SK*
Date: 9.06.2018

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-02-2018
CHECKED BY: SMB
DATE OF SURVEY
02-14-2018
FIELD BOOK: 20-282
PAGES: 68
SCALE: 1"=40'
SHEET 5 OF 7

SKETCH OF DESCRIPTION	
PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF ARBUCKLE TRACT WETLAND SITE #2	
SHEET DESCRIPTION: PROPOSED WELL SITE AREA AND TEMPORARY CONSTRUCTION AREA	
WORK ORDER: 17-107	Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°01'44"E	250.21'
L2	S47°47'15"E	820.40'
L3	S35°08'03"E	429.88'
L4	S55°27'06"E	321.44'
L5	S60°10'22"E	375.23'
L6	S58°42'25"E	259.04'
L7	S73°39'50"E	262.33'
L8	S61°11'21"E	297.21'
L9	S73°43'34"E	727.95'

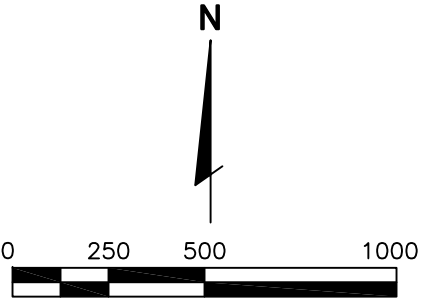
Legend

TITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement

Page 12 of 21
Easement No. 33215
EXHIBIT "A"

BSM APPROVED
By: *SK*
Date: 9.06.2018

SECTIONS 14, 23 & 24,
TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-149 (Proposed Ingress-Egress Easement to Proposed Well Site Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A 10' wide ingress-egress easement within an existing dirt road in the Southwest quarter of Section 14, and the North half of Sections 23 and 24, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at the intersection of a Northwest corner of said lands described in Official Records Book 2443 page 1660 situated in said Section 23 with an Easterly right-of-way line of Old Avon Park Road thence along said Easterly right-of-way line North 00°20'28" West, a distance of 848.83 feet to the centerline of an existing dirt road for a POINT OF BEGINNING:

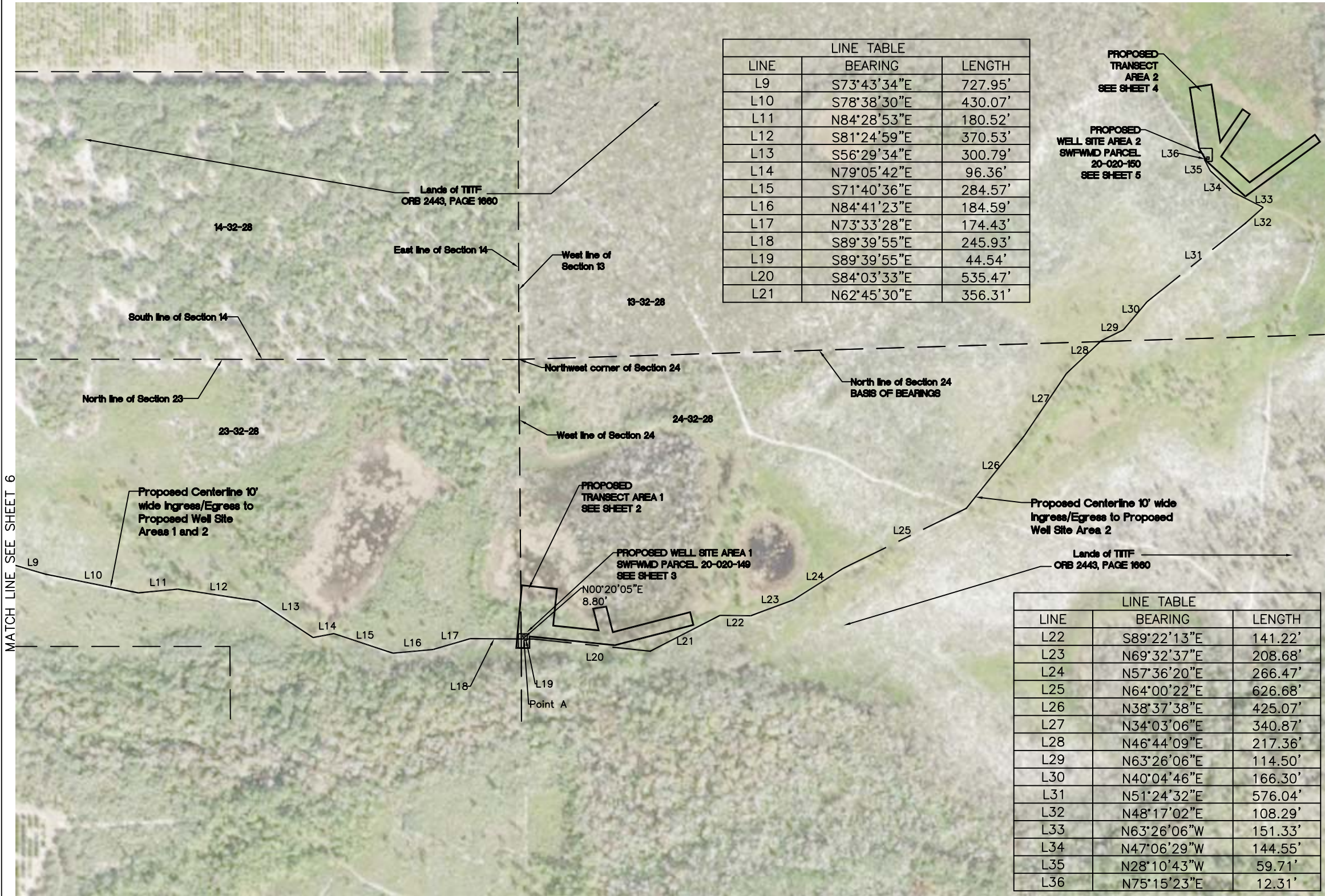
Thence South 89°01'44" East, a distance of 250.21 feet;
Thence South 47°47'15" East, a distance of 820.40 feet;
Thence South 35°08'03" East, a distance of 429.88 feet;
Thence South 55°27'06" East, a distance of 321.44 feet;
Thence South 60°10'22" East, a distance of 375.23 feet;
Thence South 58°42'25" East, a distance of 259.04 feet;
Thence South 73°39'50" East, a distance of 262.33 feet;
Thence South 61°11'21" East, a distance of 297.21 feet;
Thence South 73°43'34" East, a distance of 727.95 feet;
Thence South 78°38'30" East, a distance of 430.07 feet;
Thence North 84°28'53" East, a distance of 180.52 feet;
Thence South 81°24'59" East, a distance of 370.53 feet;
Thence South 56°29'34" East, a distance of 300.79 feet;
Thence North 79°05'42" East, a distance of 96.36 feet;
Thence South 71°40'36" East, a distance of 284.57 feet;
Thence North 84°41'23" East, a distance of 184.59 feet;
Thence North 73°33'28" East, a distance of 174.43 feet;
Thence South 89°39'55" East, a distance of 245.93 feet to POINT A;
Thence North 00°20'05" East, a distance of 8.80 feet to the Proposed Well Site Area 1 and the terminus of said centerline.

See sheet 1 for key sheet, notes and signature.

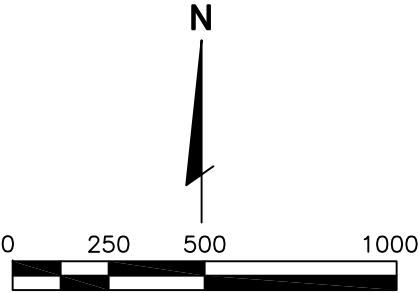


2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-02-2018	SKETCH OF DESCRIPTION	
CHECKED BY: SMB	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF ARBUCKLE TRACT WETLAND SITES 1 AND 2 SHEET DESCRIPTION: PROPOSED CENTERLINE FOR 10' WIDE INGRESS/EGRESS	
DATE OF SURVEY 02-14-2018		
FIELD BOOK: 20-282 PAGES: 68		
SCALE: 1" = 500'		
SHEET 6 OF 7	WORK ORDER: 17-107	Worksheet 17-107 Arbuckle.dwg Drawing No. 20-17-107A



SECTIONS 13 & 24,
TOWNSHIP 32 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-150 (Proposed Ingress-Egress Easement to Proposed Well Site Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999973354 for ground distances.

A 10' wide ingress-egress easement within an existing dirt road in the North half of Section 24 and the South half of Section 13, Township 32 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 2443 page 1660 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at POINT A as described in a "Description Parcel 20-020-149 (Proposed Ingress-Egress Easement to Proposed Well Site are 1)" for a POINT OF BEGINNING:

Thence South 89°39'55" East, a distance of 44.54 feet;
Thence South 84°03'33" East, a distance of 535.47 feet;
Thence North 62°45'30" East, a distance of 356.31 feet;
Thence South 89°22'13" East, a distance of 141.22 feet;
Thence North 69°32'37" East, a distance of 208.68 feet;
Thence North 57°36'20" East, a distance of 266.47 feet;
Thence North 64°00'22" East, a distance of 626.68 feet;
Thence North 38°37'38" East, a distance of 425.07 feet;
Thence North 34°03'06" East, a distance of 340.87 feet;
Thence North 46°44'09" East, a distance of 217.36 feet;
Thence North 63°26'06" East, a distance of 114.50 feet;
Thence North 40°04'46" East, a distance of 166.30 feet;
Thence North 51°24'32" East, a distance of 576.04 feet;
Thence North 48°17'02" East, a distance of 108.29 feet;
Thence North 63°26'06" West, a distance of 151.33 feet;
Thence North 47°06'29" West, a distance of 144.55 feet;
Thence North 28°10'43" West, a distance of 59.71 feet;
Thence North 75°15'23" East, a distance of 12.31 feet to the Proposed Well Site Area 2 and the terminus of said centerline.

See sheet 1 for key sheet, notes and signature.

Legend
TITF = Board of Trustees of the Internal Improvement Trust Fund
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement

Page 13 of 21
Easement No. 33215
EXHIBIT "A"

BSM APPROVED
By: *SK*
Date: 9.06.2018

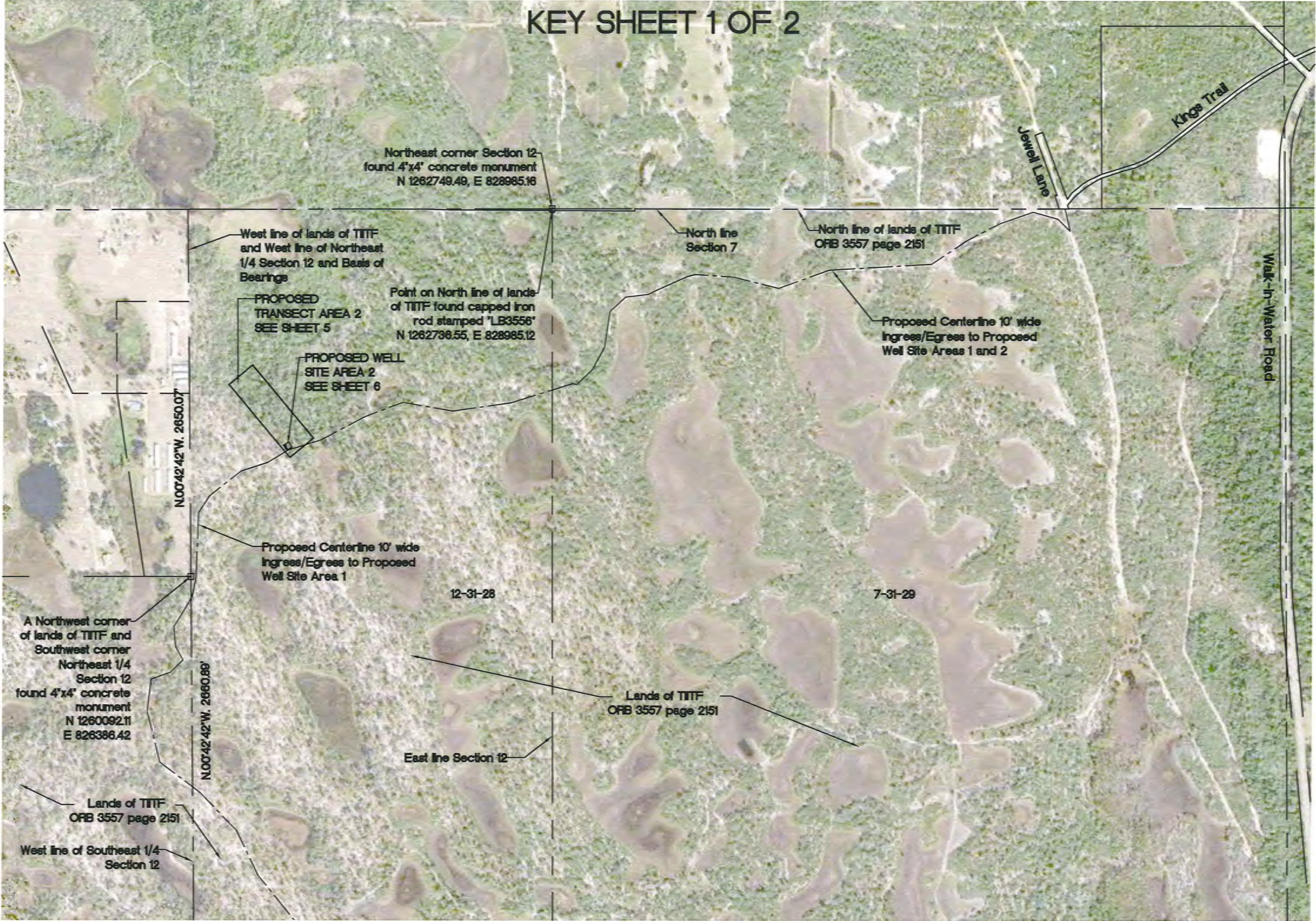
Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

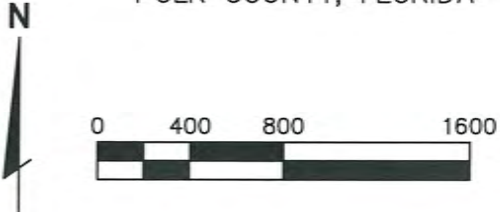
DRAWN BY: plw
05-02-2018
CHECKED BY: SMB
DATE OF SURVEY
02-14-2018
FIELD BOOK: 20-282
PAGES: 68
SCALE: 1" = 500'
SHEET 7 OF 7

SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE SF ARBUCKLE TRACT
WETLAND SITES 1 AND 2
SHEET DESCRIPTION: PROPOSED CENTERLINE
FOR 10' WIDE INGRESS/EGRESS
Worksheet 17-107 Arbuckle.dwg
Drawing No. 20-17-107A

KEY SHEET 1 OF 2



SECTION 12, TOWNSHIP 31 SOUTH, RANGE 28 EAST, AND SECTION 7, TOWNSHIP 31 SOUTH, RANGE 29 EAST, POLK COUNTY, FLORIDA



- Notes:
1. This is not a survey.
 2. The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.
 3. The section lines as shown hereon are based on field located monuments and plans provided by the Florida Department of Environmental Protection having a title of "ALICO, INC Boundary Survey" revised date 6/27/1995 sheets 1-8. Said lands are described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida. The monuments shown hereon were field verified using the Leica VIVA NRTK-GPS with the Florida Permanent Reference Network (FPRN). The FPRN network is based on direct ties to National Geodetic Survey (NGS) Control Stations. The horizontal accuracies are validated using NGS Control Station AVON PARK BASE ARP (DP9315).
 4. The purpose of this Sketch of Description is to depict easements for two wetland areas, two well site areas, two temporary construction areas and the centerline of a 10' wide ingress-egress to the well site areas.
 5. Current imagery of 2017.

Revised 8-7-2018: corrected coordinate on sheet 6 of 8.

[Signature]
James F. Owens, PSM
Florida Professional Surveyor and Mapper No. 5014
Date: 8/7/2018

Legend:
GPS = Global Positioning System
ORB = Official Records Book
NRTK = Network Real Time Kinematic
TITF = Board of Trustees of the Internal Improvement Trust Fund

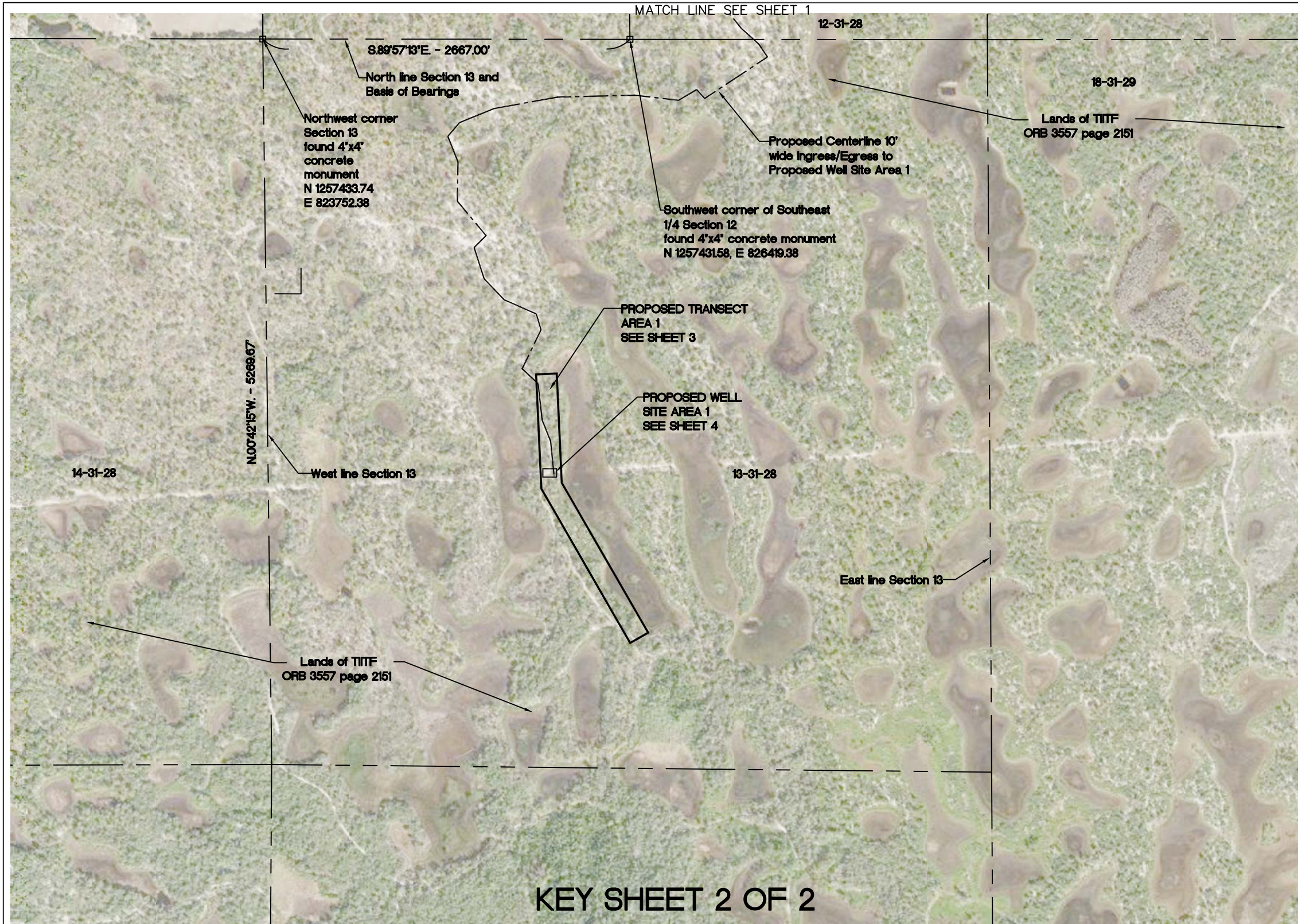
Page 14 of 21
Easement No. 33215
EXHIBIT "A"



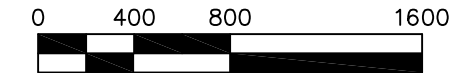
2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

Worksheet 17-107 Walk in Water.dwg

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF WALK IN WATER TRACT WETLAND SITES 1 AND 2 SHEET DESCRIPTION: OVERVIEW OF PROPOSED TRANSECT AREAS, WELL SITE AREAS, TEMPORARY CONSTRUCTION AREAS AND INGRESS-EGRESS WORK ORDER: 17-107 Drawing No. 20-17-107W
CHECKED BY: MLL	
DATE OF SURVEY 04-11-2018	
FIELD BOOK: 20-282 PAGES: 69	
SCALE: 1"=800'	
SHEET 1 OF 8	



SECTIONS 12 & 13, TOWNSHIP 31 SOUTH,
RANGE 28 EAST,
POLK COUNTY, FLORIDA



KEY SHEET 2 OF 2

See sheet 1 for key sheet 1 of 2, notes and signature.

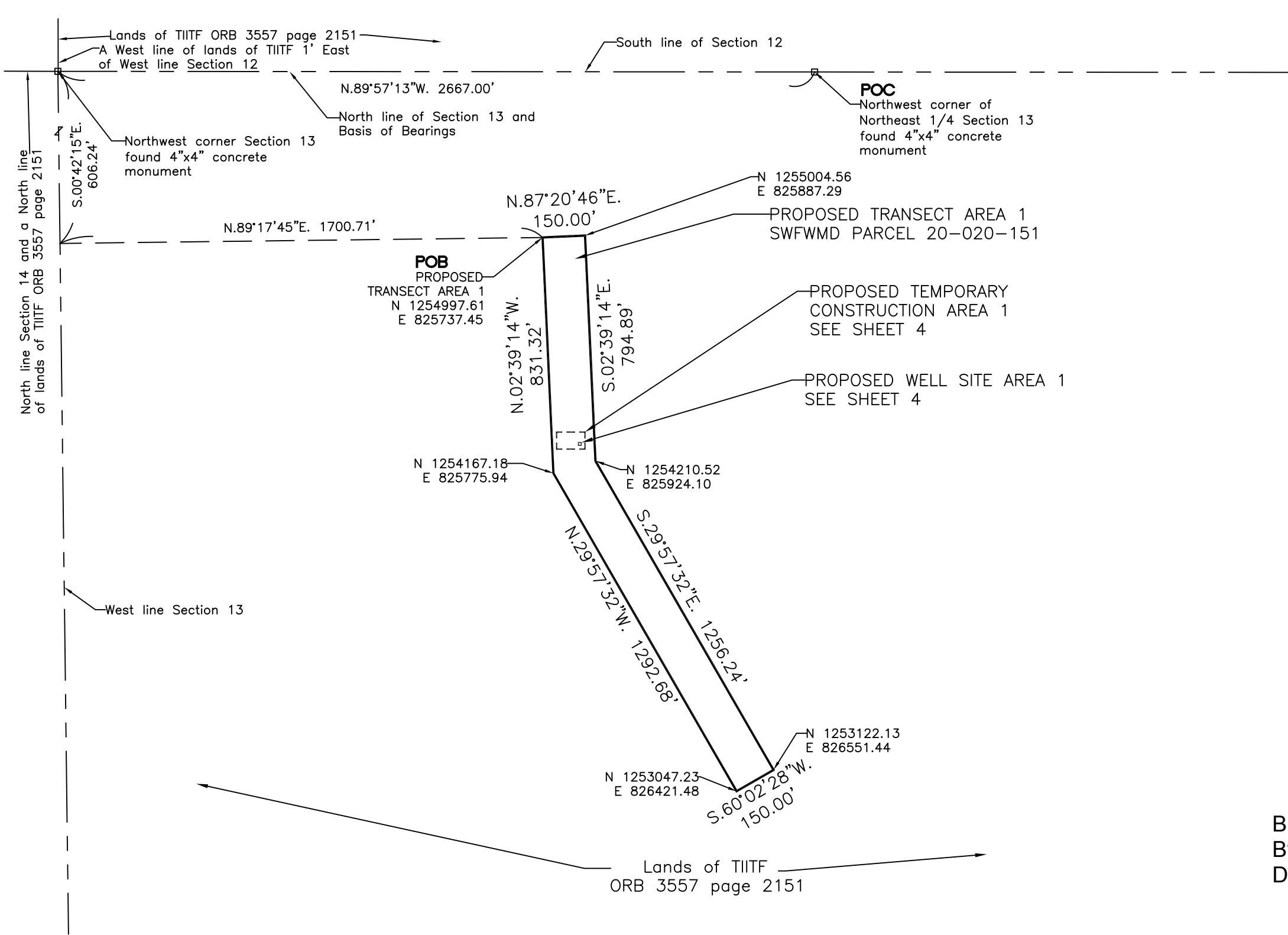
Legend:
GPS = Global Positioning System
ORB = Official Records Book
NRTK = Network Real Time Kinematic
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 15 of 21
Easement No. 33215
EXHIBIT "A"

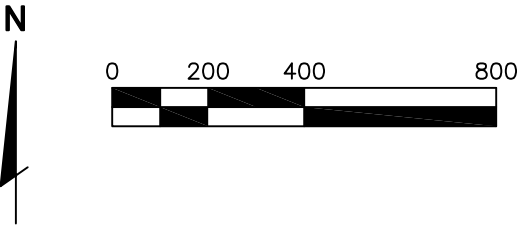
Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION
CHECKED BY: MLL	PROJECT NAME: CFWI DMIT
DATE OF SURVEY 04-11-2018	LAKE WALES RIDGE SF WALK IN WATER TRACT
FIELD BOOK: 20-282	WETLAND SITES 1 AND 2
PAGES: 69	SHEET DESCRIPTION: OVERVIEW OF
SCALE: 1"=800'	PROPOSED TRANSECT AREAS, WELL SITE
SHEET 2 OF 8	AREAS, TEMPORARY CONSTRUCTION AREAS
	AND INGRESS-EGRESS
	WORK ORDER: 17-107
	Drawing No. 20-17-107W



SECTION 13, TOWNSHIP 31 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-151 (Proposed Transect Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 13, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Section 13, thence North 89°57'13" West along the North line of said Section 13, a distance of 2667.00 feet to the Northwest corner of said Section 13; thence South 00°42'15" East along the West line of said Section 13, a distance of 606.24 feet; thence leaving said West line North 89°17'45" East, a distance of 1700.71 feet for a POINT OF BEGINNING;

Thence North 87°20'46" East, a distance of 150.00 feet;

Thence South 02°39'14" East, a distance of 794.89 feet;

Thence South 29°57'32" East, a distance of 1256.24 feet;

Thence South 60°02'28" West, a distance of 150.00 feet;

Thence North 29°57'32" West, a distance of 1292.68 feet;

Thence North 02°39'14" West, a distance of 831.32 feet to the POINT OF BEGINNING.

The above described lands contain 7.19 acres.

BSM APPROVED

By: SK

Date: 8.07.2018

See sheet 1 for key sheet 1 of 2, notes and signature.

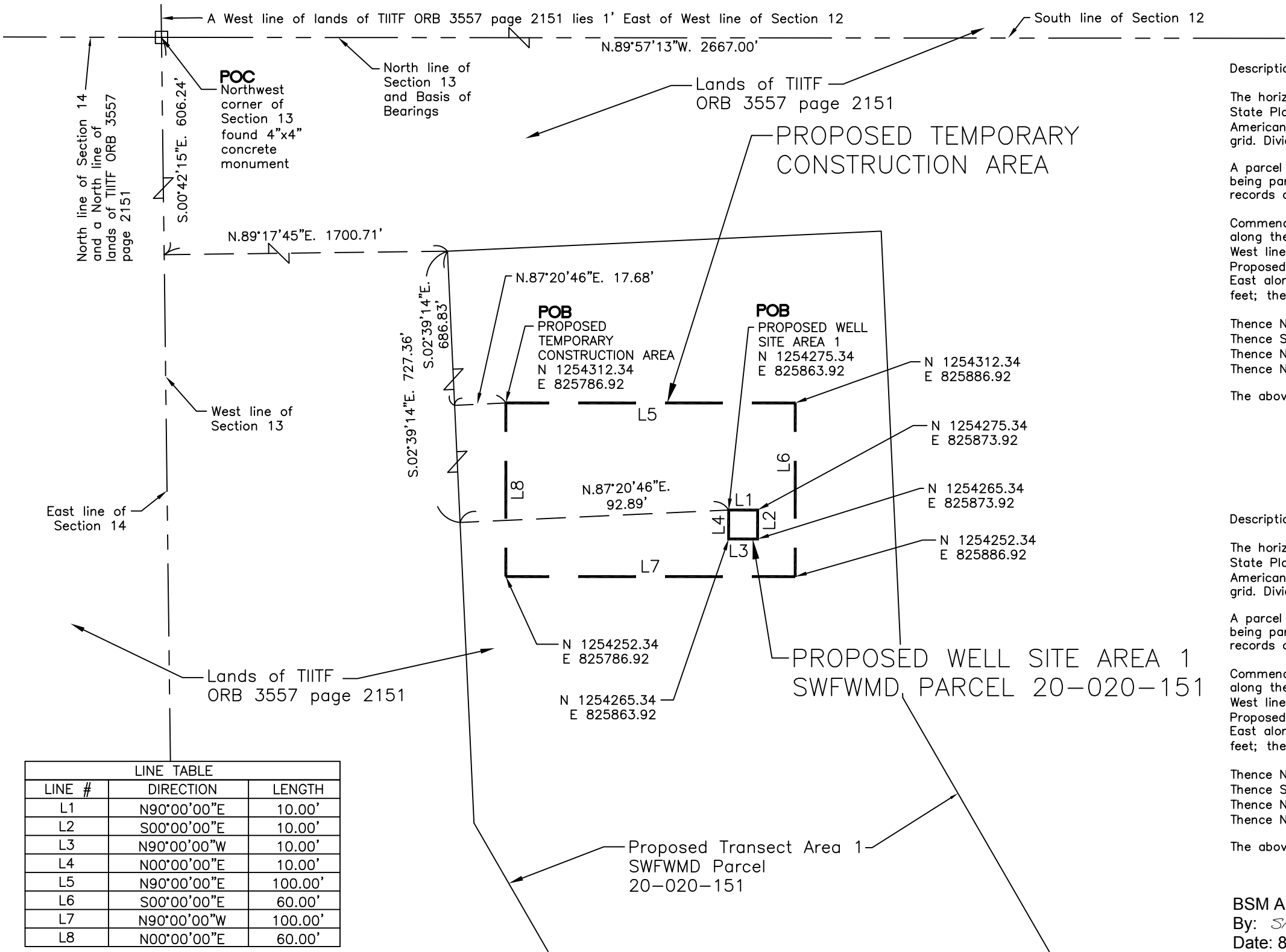
Legend:
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 16 of 21
Easement No. 33215
EXHIBIT "A"



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION	
CHECKED BY: MLL	PROJECT NAME: CFWI DMIT	
DATE OF SURVEY 04-11-2018	LAKE WALES RIDGE SF WALK IN WATER TRACT	
FIELD BOOK: 20-282	WETLAND SITES 1 AND 2	
PAGES: 69	SHEET DESCRIPTION: PROPOSED TRANSECT	
SCALE: 1"=400'	AREA 1	
SHEET 3 OF 8	WORK ORDER: 17-107	Drawing No. 20-17-107W



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N90°00'00"E	10.00'
L2	S00°00'00"E	10.00'
L3	N90°00'00"W	10.00'
L4	N00°00'00"E	10.00'
L5	N90°00'00"E	100.00'
L6	S00°00'00"E	60.00'
L7	N90°00'00"W	100.00'
L8	N00°00'00"E	60.00'

SECTION 13, TOWNSHIP 31 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA

Description Parcel 20-020-151 (Proposed Well Site Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 13, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 13, thence South 00°42'15" East along the West line of said Section 13, a distance of 606.24 feet; thence leaving said West line North 89°17'45" East, a distance of 1700.71 feet to a Northwest corner of Proposed Transect Area 1 as described within this plan set; thence South 02°39'14" East along a westerly line of said Proposed Transect Area 1, a distance of 727.36 feet; thence North 87°20'46" East, a distance of 92.89 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 10.00 feet;
Thence South 00°00'00" East, a distance of 10.00 feet;
Thence North 90°00'00" West, a distance of 10.00 feet;
Thence North 00°00'00" East, a distance of 10.00 feet to the POINT OF BEGINNING.

The above described lands contain 100 square feet.

Description Parcel 20-020-151 (Proposed Temporary Construction Area)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 13, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 13, thence South 00°42'15" East along the West line of said Section 13, a distance of 606.24 feet; thence leaving said West line North 89°17'45" East, a distance of 1700.71 feet to a Northwest corner of Proposed Transect Area 1 as described within this plan set; thence South 02°39'14" East along a westerly line of said Proposed Transect Area 1, a distance of 686.83 feet; thence North 87°20'46" East, a distance of 17.68 feet for a POINT OF BEGINNING:

Thence North 90°00'00" East, a distance of 100.00 feet;
Thence South 00°00'00" East, a distance of 60.00 feet;
Thence North 90°00'00" West, a distance of 100.00 feet;
Thence North 00°00'00" East, a distance of 60.00 feet to the POINT OF BEGINNING.

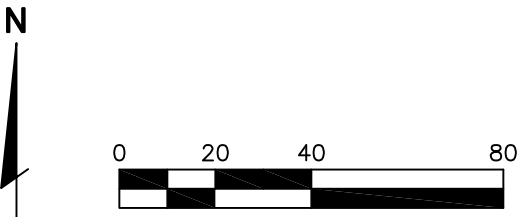
The above described lands contain 0.14 acres.

BSM APPROVED
By: *SK*
Date: 8.07.2018

See sheet 1 for key sheet 1 of 2, notes and signature.

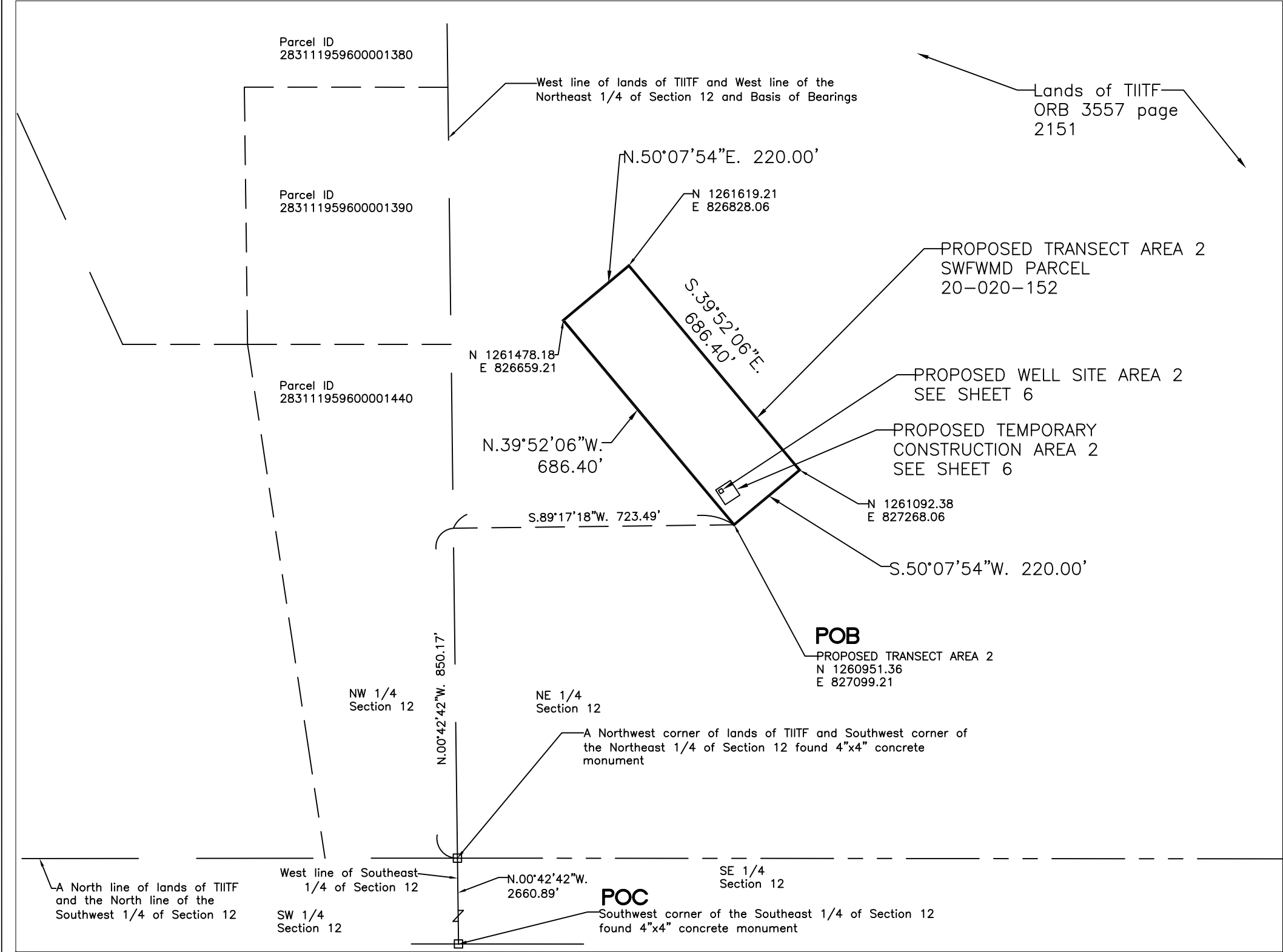
Legend:
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 17 of 21
Easement No. 33215
EXHIBIT "A"

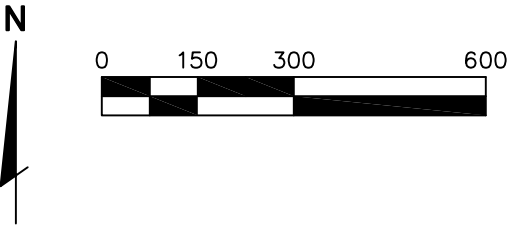


2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION
CHECKED BY: MLL	
DATE OF SURVEY 04-11-2018	
FIELD BOOK: 20-282 PAGES: 69	
SCALE: 1"=40'	
SHEET 4 OF 8	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF WALK IN WATER TRACT WETLAND SITES 1 AND 2
	SHEET DESCRIPTION: PROPOSED WELL SITE AREA 1 AND TEMPORARY CONSTRUCTION AREA
	WORK ORDER: 17-107 Drawing No. 20-17-107W



SECTION 12, TOWNSHIP 31 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-152 (Proposed Transect Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 12, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 12, thence North 00°42'42" West along the West line of said Southeast 1/4, a distance of 2660.89 feet to the Southwest corner of the Northeast 1/4 of said Section 12; thence North 00°42'42" West along the West line of the Northeast 1/4 of said Section 12, a distance of 850.17 feet; thence leaving said West line North 89°17'18" East, a distance of 723.49 feet for a POINT OF BEGINNING:

Thence North 39°52'06" West, a distance of 686.40 feet;

Thence North 50°07'54" East, a distance of 220.00 feet;

Thence South 39°52'06" East, a distance of 686.40 feet;

Thence South 50°07'54" West, a distance of 220.00 feet to the POINT OF BEGINNING.

The above described lands contain 3.47 acres.

BSM APPROVED
By: SK
Date: 8.07.2018

See sheet 1 for key sheet 1 of 2, notes and signature.

Parcel ID # per Polk County Property Appraiser Web Site

Legend:
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

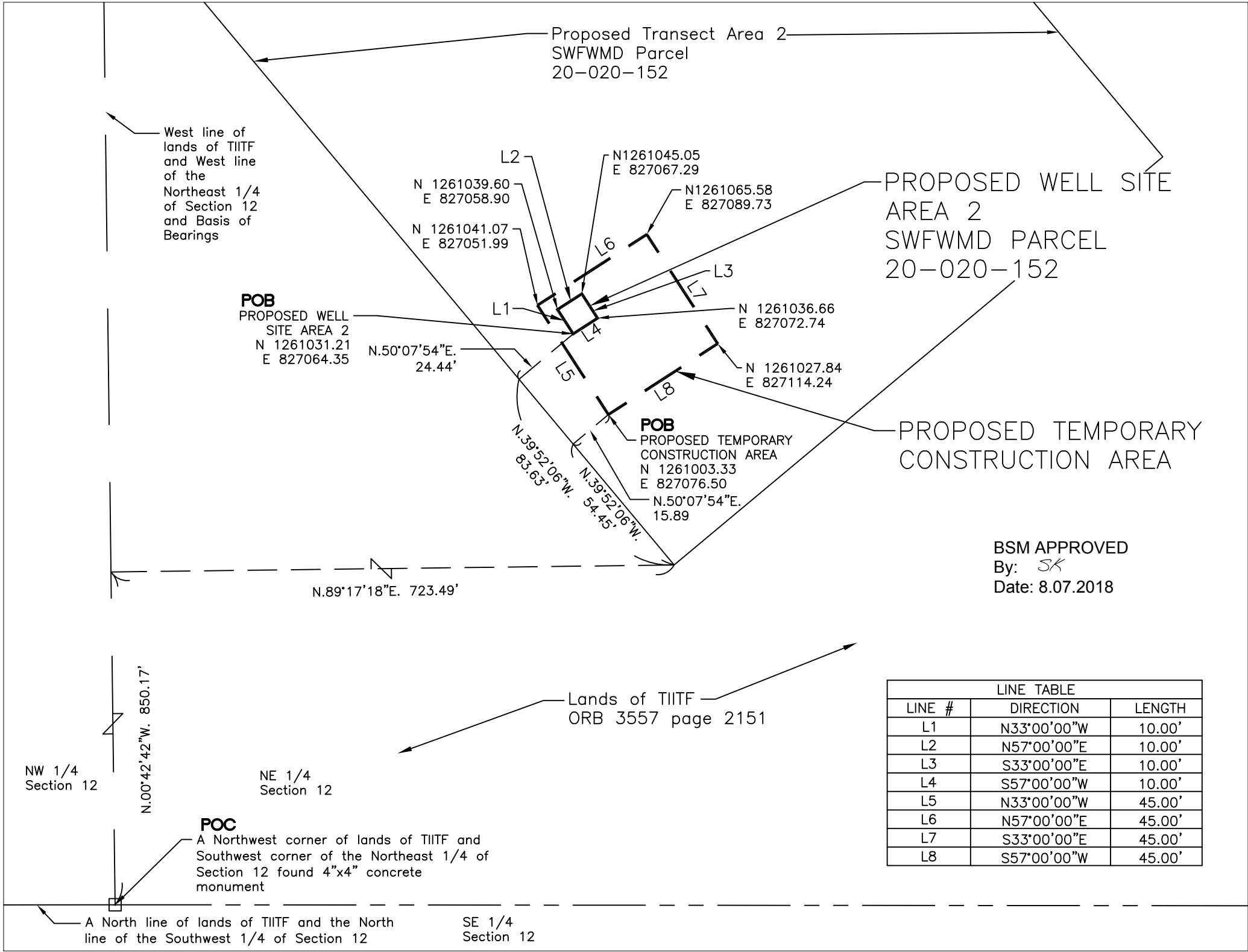
Page 18 of 21
Easement No. 33215
EXHIBIT "A"



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION
CHECKED BY: MLL	
DATE OF SURVEY 04-11-2018	
FIELD BOOK: 20-282 PAGES: 69	
SCALE: 1"=300'	
SHEET 5 OF 8	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF WALK IN WATER TRACT WETLAND SITES 1 AND 2
	SHEET DESCRIPTION: PROPOSED TRANSECT AREA 2
	WORK ORDER: 17-107
	Drawing No. 20-17-107W

SECTION 12, TOWNSHIP 31 SOUTH, RANGE 28 EAST,
POLK COUNTY, FLORIDA



Description Parcel 20-020-152 (Proposed Well Site Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 12, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Southwest corner of the Northeast 1/4 of said Section 12, thence North 00°42'42" West along the west line of said Northeast 1/4, a distance of 850.17 feet; thence leaving said west line North 89°17'18" East, a distance of 723.49 feet to the Southwest corner of a Proposed Transect Area 2; thence North 39°52'06" West along the West line of said Proposed Transect Area 2, a distance of 83.63 feet; thence leaving said West line North 50°07'54" East, a distance of 24.44 feet for a POINT OF BEGINNING:

Thence North 33°00'00" West, a distance of 10.00 feet;
Thence North 57°00'00" East, a distance of 10.00 feet;
Thence South 33°00'00" East, a distance of 10.00 feet;
Thence South 57°00'00" West, a distance of 10.00 feet to the POINT OF BEGINNING.

The above described lands contain 100 square feet.

Description Parcel 20-020-152 (Proposed Temporary Construction Area)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A parcel of land in Section 12, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book 3557 page 2151 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Southwest corner of the Northeast 1/4 of said Section 12, thence North 00°42'42" West along the west line of said Northeast 1/4, a distance of 850.17 feet; thence leaving said west line North 89°17'18" East, a distance of 723.49 feet to the Southwest corner of a Proposed Transect Area 2; thence North 39°52'06" West along the West line of said Proposed Transect Area 2, a distance of 54.45 feet; thence North 50°07'54" East, a distance of 15.89 feet for a POINT OF BEGINNING:

Thence North 33°00'00" West, a distance of 45.00 feet;
Thence North 57°00'00" East, a distance of 45.00 feet;
Thence South 33°00'00" East, a distance of 45.00 feet;
Thence South 57°00'00" West, a distance of 45.00 feet to the POINT OF BEGINNING.

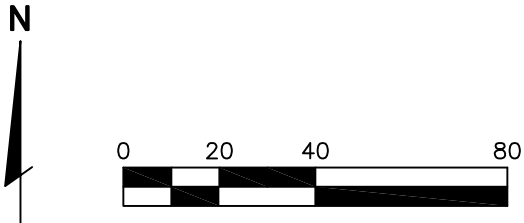
The above described lands contain 0.05 acres.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N33°00'00"W	10.00'
L2	N57°00'00"E	10.00'
L3	S33°00'00"E	10.00'
L4	S57°00'00"W	10.00'
L5	N33°00'00"W	45.00'
L6	N57°00'00"E	45.00'
L7	S33°00'00"E	45.00'
L8	S57°00'00"W	45.00'

See sheet 1 for key sheet 1 of 2, notes and signature.

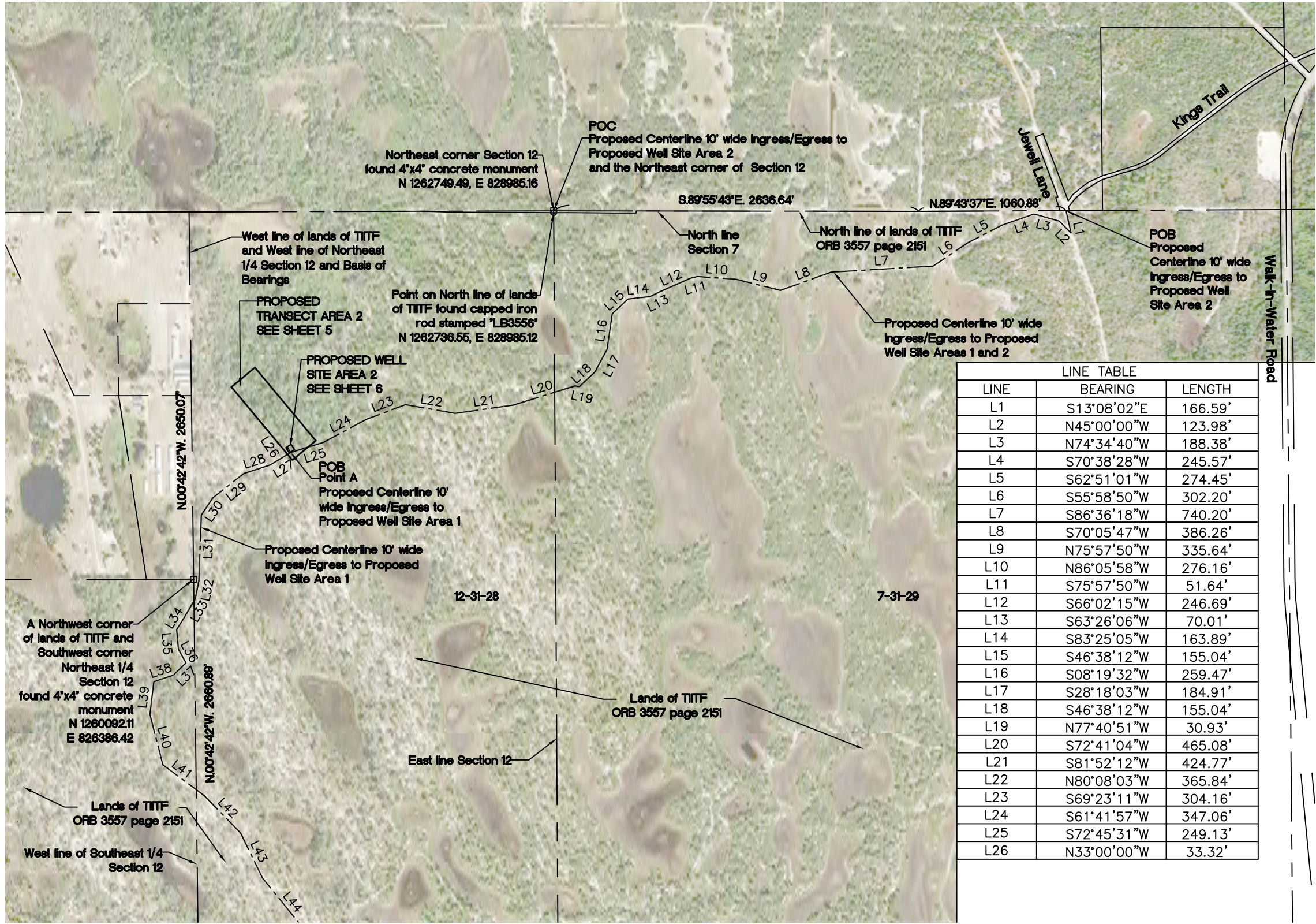
Page 19 of 21
Easement No. 33215
EXHIBIT "A"

Legend:
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 07-05-2018	SKETCH OF DESCRIPTION	
CHECKED BY: MLL	PROJECT NAME: CFWI DMIT LAKE WALES RIDGE SF WALK IN WATER TRACT WETLAND SITES 1 AND 2	
DATE OF SURVEY 04-11-2018	SHEET DESCRIPTION: PROPOSED WELL SITE AREA 2 AND TEMPORARY CONSTRUCTION AREA	
FIELD BOOK: 20-282 PAGES: 69	WORK ORDER: 17-107	
SCALE: 1"=40'	Drawing No. 20-17-107W	
SHEET 6 OF 8		



SECTION 7, TOWNSHIP 31 SOUTH, RANGE 29 EAST, AND SECTION 12, TOWNSHIP 31 SOUTH, RANGE 28 EAST, POLK COUNTY, FLORIDA

Description Parcel 20-020-152 (Proposed Ingress-Egress Easement to Proposed Well Site Area 2)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A 10' wide ingress-egress easement along an existing dirt road lying in Section 7, Township 31 South, Range 29 East and Section 12, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book (ORB) 3557 page 2151 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at the Northeast corner of said Section 12, thence South 89°55'43" East along the north line of said Section 7, a distance of 2636.64 feet, thence North 89°43'37" East along said north line, a distance of 1060.88 feet to the center of an existing dirt road for a POINT OF BEGINNING:

Thence along said dirt road the following twenty five (25) courses:

- (1) South 13°08'02" East, 166.59 feet, (2) North 45°00'00" West, 123.98 feet, (3) North 74°34'40" West, 188.38 feet, (4) South 70°38'28" West, 245.57 feet, (5) South 62°51'01" West, 274.45 feet, (6) South 55°58'50" West, 302.20 feet, (7) South 86°36'18" West, 740.20 feet, (8) South 70°05'47" West, 386.26 feet, (9) North 75°57'50" West, 335.64 feet, (10) North 86°05'58" West, 276.16 feet, (11) South 75°57'50" West, 51.64 feet, (12) South 66°02'15" West, 246.69 feet, (13) South 63°26'06" West 70.01 feet, (14) South 83°25'05" West, 163.89 feet, (15) South 46°38'12" West, 155.04 feet, (16) South 08°19'32" West, 259.47 feet, (17) South 28°18'03" West, 184.91 feet, (18) South 46°38'12" West, 155.04 feet, (19) North 77°40'51" West, 30.93 feet, (20) South 72°41'04" West, 465.08 feet, (21) South 81°52'12" West, 424.77 feet, (22) North 80°08'03" West, 365.84 feet, (23) South 69°23'11" West, 304.16 feet, (24) South 61°41'57" West, 347.06 feet, (25) South 72°45'31" West, 249.13 feet to POINT A, thence leaving said existing dirt road North 33°00'00" West 33.32 feet to the Proposed Well Site Area 2 and the terminus of said Proposed Centerline.

See sheet 8 of 8 for continuation of line table.
See sheet 1 for key sheet 1 of 2, notes and signature.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S13°08'02"E	166.59'
L2	N45°00'00"W	123.98'
L3	N74°34'40"W	188.38'
L4	S70°38'28"W	245.57'
L5	S62°51'01"W	274.45'
L6	S55°58'50"W	302.20'
L7	S86°36'18"W	740.20'
L8	S70°05'47"W	386.26'
L9	N75°57'50"W	335.64'
L10	N86°05'58"W	276.16'
L11	S75°57'50"W	51.64'
L12	S66°02'15"W	246.69'
L13	S63°26'06"W	70.01'
L14	S83°25'05"W	163.89'
L15	S46°38'12"W	155.04'
L16	S08°19'32"W	259.47'
L17	S28°18'03"W	184.91'
L18	S46°38'12"W	155.04'
L19	N77°40'51"W	30.93'
L20	S72°41'04"W	465.08'
L21	S81°52'12"W	424.77'
L22	N80°08'03"W	365.84'
L23	S69°23'11"W	304.16'
L24	S61°41'57"W	347.06'
L25	S72°45'31"W	249.13'
L26	N33°00'00"W	33.32'

Legend:
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POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

Page 20 of 21
Easement No. 33215
EXHIBIT "A"

0 400 800 1600

Worksheet 17-107 Walk in Water dwn

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
07-05-2018

CHECKED BY: MLL

DATE OF SURVEY
04-11-2018

FIELD BOOK: 20-282

PAGES: 69

SCALE: 1"=800'

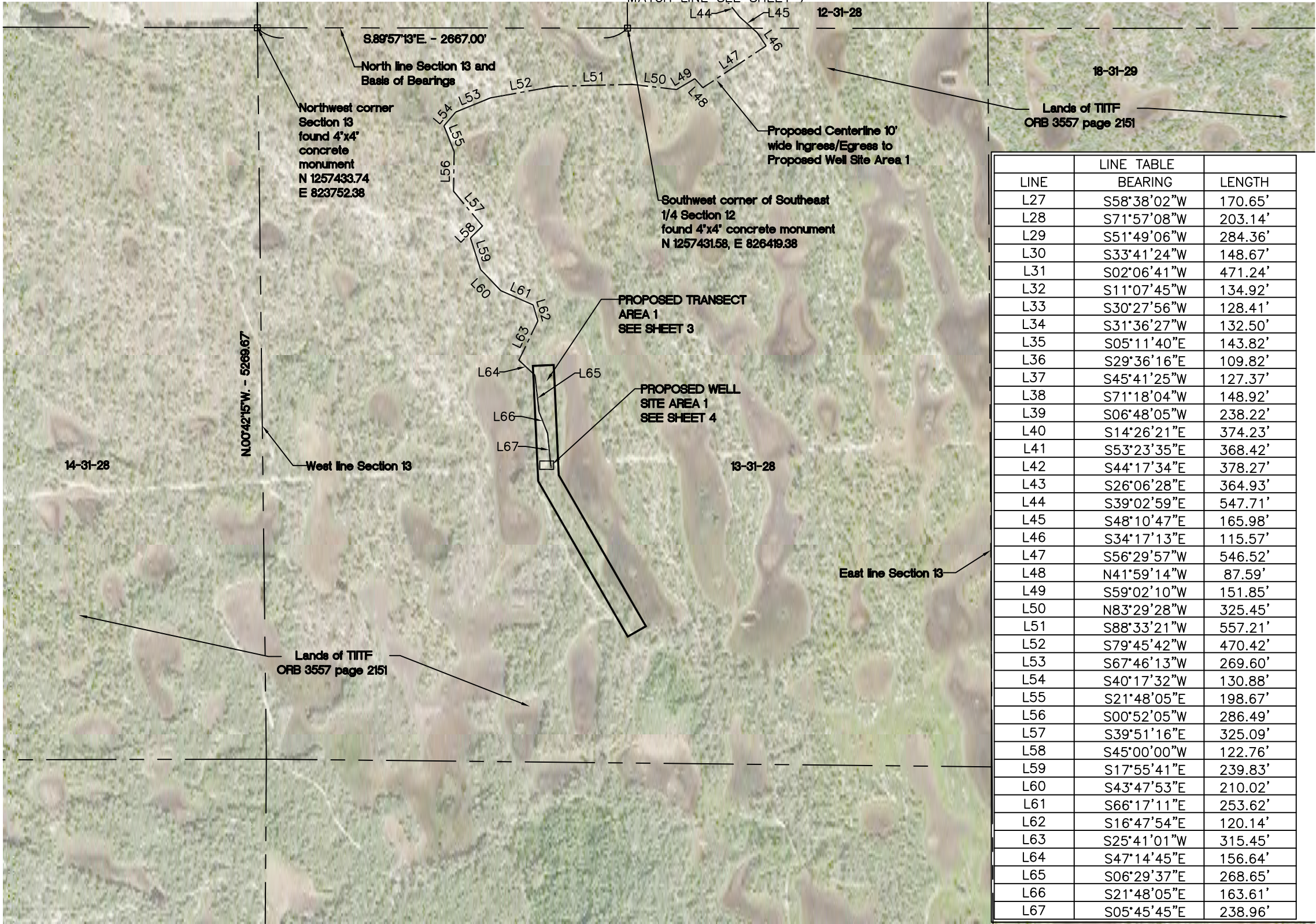
SHEET 7 OF 8

SKETCH OF DESCRIPTION

PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE SF WALK IN WATER TRACT
WETLAND SITES 1 AND 2

SHEET DESCRIPTION: PROPOSED CENTERLINE
FOR 10' WIDE INGRESS-EGRESS

WORK ORDER: 17-107 Drawing No. 20-17-107W



SECTIONS 12 & 13, TOWNSHIP 31 SOUTH,
RANGE 28 EAST,
POLK COUNTY, FLORIDA

Description Parcel 20-020-151 (Proposed Ingress-Egress Easement to Proposed Well Site Area 1)

The horizontal values (coordinates and bearings) shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999974390 for ground distances.

A 10' wide ingress-egress easement along an existing dirt road lying in Sections 12 and 13, Township 31 South, Range 28 East, Polk County, Florida being part of lands described in Official Records Book (ORB) 3557 page 2151 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at POINT A as described in "Description Parcel 20-020-152 (Proposed Ingress-Egress Easement to Proposed Well Site Area 2)" for a POINT OF BEGINNING:

Thence along said dirt road the following forty one (41) courses:
(1) South 58°38'02" West, 170.65 feet, (2) South 71°57'08" West, 203.14 feet, (3) South 51°49'06" West, 284.36 feet, (4) South 33°41'24" West, 148.67 feet, (5) South 02°06'41" West, 471.24 feet, (6) South 11°07'45" West, 134.92 feet, (7) South 30°27'56" West, 128.41 feet, (8) South 31°36'27" West, 132.50 feet, (9) South 05°11'40" East, 143.82 feet, (10) South 29°36'16" East, 109.82 feet, (11) South 45°41'25" West, 127.37 feet, (12) South 71°18'04" West, 148.92 feet, (13) South 06°48'05" West, 238.22 feet, (14) South 14°26'21" East, 374.23 feet, (15) South 53°23'35" East, 368.42 feet, (16) South 44°17'34" East, 378.27 feet, (17) South 26°06'28" East, 364.93 feet, (18) South 39°02'59" East, 547.71 feet, (19) South 48°10'47" East, 165.98 feet, (20) South 34°17'13" East, 115.57 feet, (21) South 56°29'57" West, 546.52 feet, (22) North 41°59'14" West, 87.59 feet, (23) South 59°02'10" West, 151.85 feet, (24) North 83°29'28" West, 325.45 feet, (25) South 88°33'21" West, 557.21 feet, (26) South 79°45'42" West, 470.42 feet, (27) South 67°46'13" West, 269.60 feet, (28) South 40°17'32" West, 130.88 feet, (29) South 21°48'05" East, 198.67 feet, (30) South 00°52'05" West, 286.49 feet, (31) South 39°51'16" East, 325.09 feet, (32) South 45°00'00" West, 122.76 feet, (33) South 17°55'41" East, 239.83 feet, (34) South 43°47'53" East, 210.02 feet, (35) South 66°17'11" East, 253.62 feet, (36) South 16°47'54" East, 120.14 feet, (37) South 25°41'01" West, 315.45 feet, (38) South 47°14'45" East, 156.64 feet, (39) South 06°29'37" East, 268.65 feet, (40) South 21°48'05" East, 163.61 feet, (41) South 05°45'45" East, 238.96 feet to the Proposed Well Site Area 1 and the terminus of said Proposed Centerline.

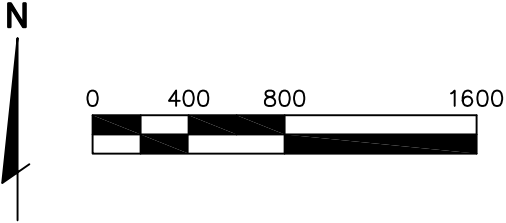
BSM APPROVED
By: *SK*
Date: 8.07.2018

See sheet 7 of 8 for POB at POINT A and additional line table.
See sheet 1 for key sheet 1 of 2, notes and signature.

LINE	BEARING	LENGTH
L27	S58°38'02"W	170.65'
L28	S71°57'08"W	203.14'
L29	S51°49'06"W	284.36'
L30	S33°41'24"W	148.67'
L31	S02°06'41"W	471.24'
L32	S11°07'45"W	134.92'
L33	S30°27'56"W	128.41'
L34	S31°36'27"W	132.50'
L35	S05°11'40"E	143.82'
L36	S29°36'16"E	109.82'
L37	S45°41'25"W	127.37'
L38	S71°18'04"W	148.92'
L39	S06°48'05"W	238.22'
L40	S14°26'21"E	374.23'
L41	S53°23'35"E	368.42'
L42	S44°17'34"E	378.27'
L43	S26°06'28"E	364.93'
L44	S39°02'59"E	547.71'
L45	S48°10'47"E	165.98'
L46	S34°17'13"E	115.57'
L47	S56°29'57"W	546.52'
L48	N41°59'14"W	87.59'
L49	S59°02'10"W	151.85'
L50	N83°29'28"W	325.45'
L51	S88°33'21"W	557.21'
L52	S79°45'42"W	470.42'
L53	S67°46'13"W	269.60'
L54	S40°17'32"W	130.88'
L55	S21°48'05"E	198.67'
L56	S00°52'05"W	286.49'
L57	S39°51'16"E	325.09'
L58	S45°00'00"W	122.76'
L59	S17°55'41"E	239.83'
L60	S43°47'53"E	210.02'
L61	S66°17'11"E	253.62'
L62	S16°47'54"E	120.14'
L63	S25°41'01"W	315.45'
L64	S47°14'45"E	156.64'
L65	S06°29'37"E	268.65'
L66	S21°48'05"E	163.61'
L67	S05°45'45"E	238.96'

Page 21 of 21
Easement No. 33215
EXHIBIT "A"

Legend:
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TITF = Board of Trustees of the Internal Improvement Trust Fund



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
07-05-2018
CHECKED BY: MLL
DATE OF SURVEY
04-11-2018
FIELD BOOK: 20-282
PAGES: 69
SCALE: 1"=800'
SHEET 8 OF 8

SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE SF WALK IN WATER TRACT
WETLAND SITES 1 AND 2
SHEET DESCRIPTION: PROPOSED CENTERLINE
FOR 10' WIDE INGRESS-EGRESS
WORK ORDER: 17-107
Drawing No. 20-17-107W

CCR RECORD #00541991
NORTHEAST CORNER SECTION 12
4"X4" CONCRETE MONUMENT NO I.D.

NORTH

PROPOSED TRANSECT AREA 2
SEE SHEET 3 OF 4

PROPOSED CENTERLINE 10' WIDE
INGRESS/EGRESS TO PROPOSED
WELL SITE AREAS 1 & 2

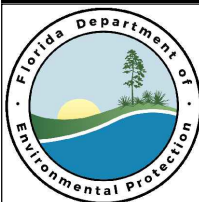
PROPOSED CENTERLINE 10' WIDE
INGRESS/EGRESS TO PROPOSED
WELL SITE AREA 1

PROPOSED WELL SITE AREA 1
SEE SHEET 2 OF 4







PROPOSED TRANSECT AREA 1
SEE SHEET 2 OF 4

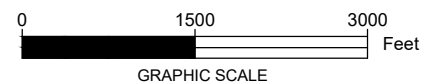
THIS IS NOT A SURVEY

THIS IS NOT A SURVEY



LEGEND

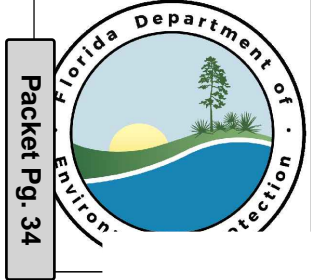
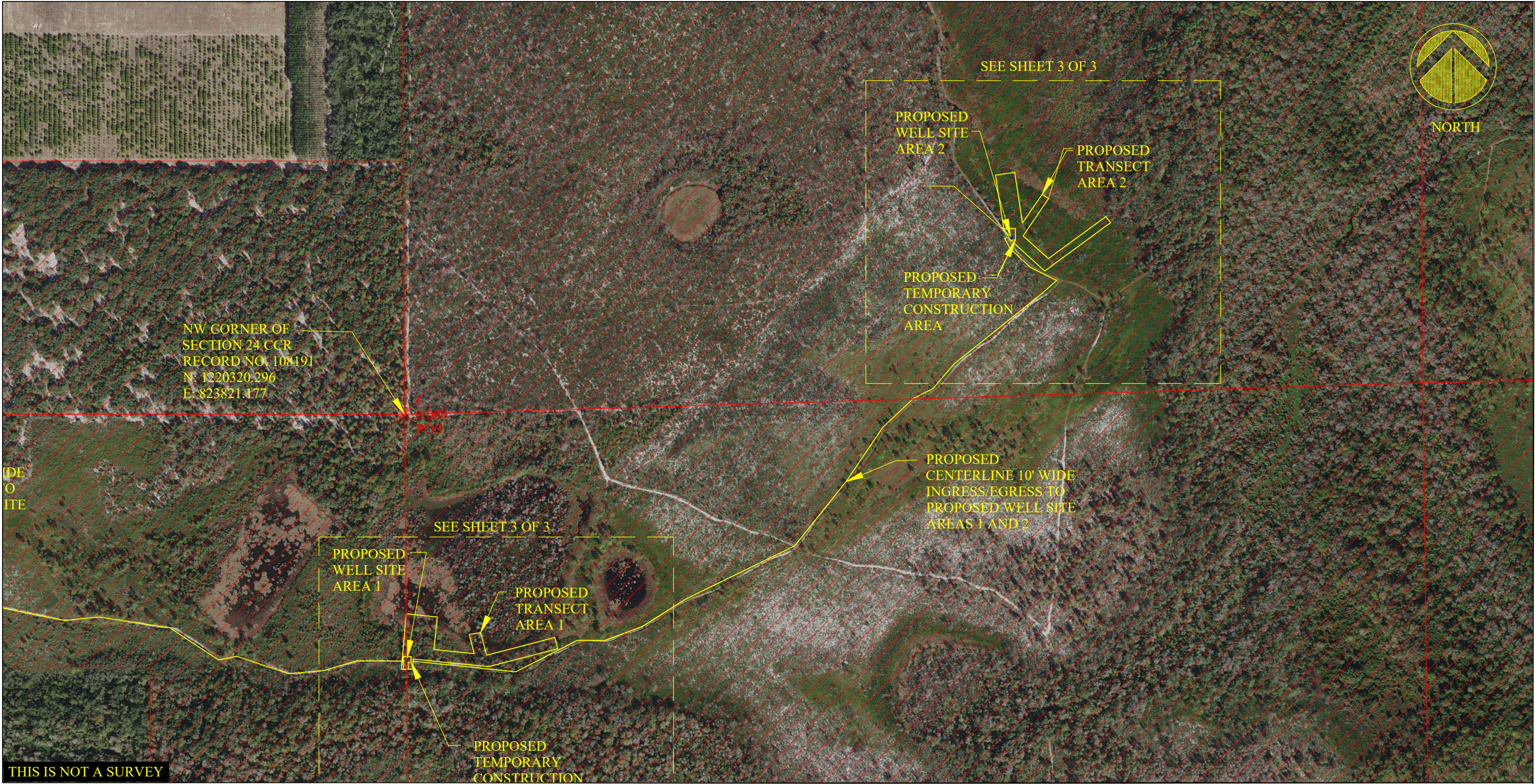
	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 3557, PAGE 2151.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4650, PAGE 1253.
	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4950, PAGE 202.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4533, PAGE 1422.
	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4493, PAGE 947.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4746, PAGE 807.



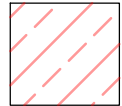
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
3900 COMMONWEALTH BLVD. TALLAHASSEE FL, 32399

SHEET 1 OF 4

Exhibit 1
SECTIONS 14, 23, & 24 TOWNSHIP 32 SOUTH, RANGE 28 EAST, POLK COUNTY, FLORIDA

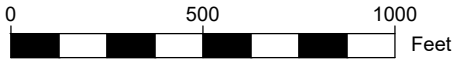


LEGEND



STATE OWNED LANDS, PROJECT NAME ARBUCKLE

THIS PAGE AND ANY FOLLOWING PAGES ARE ATTACHED ONLY FOR STATE OF FLORIDA TRACKING PURPOSES AND FORM NO PART OF THE INSTRUMENT AND ARE NOT TO BE RELIED ON BY ANY PARTY.



GRAPHIC SCALE

DEPARTMENT OF ENVIRONMENTAL PROTECTION
3900 COMMONWEALTH BLVD. TALLAHASSEE FL 32399

Exhibit 2, General Location Map for Lake Wales Ridge State Forest, Walk in the Water

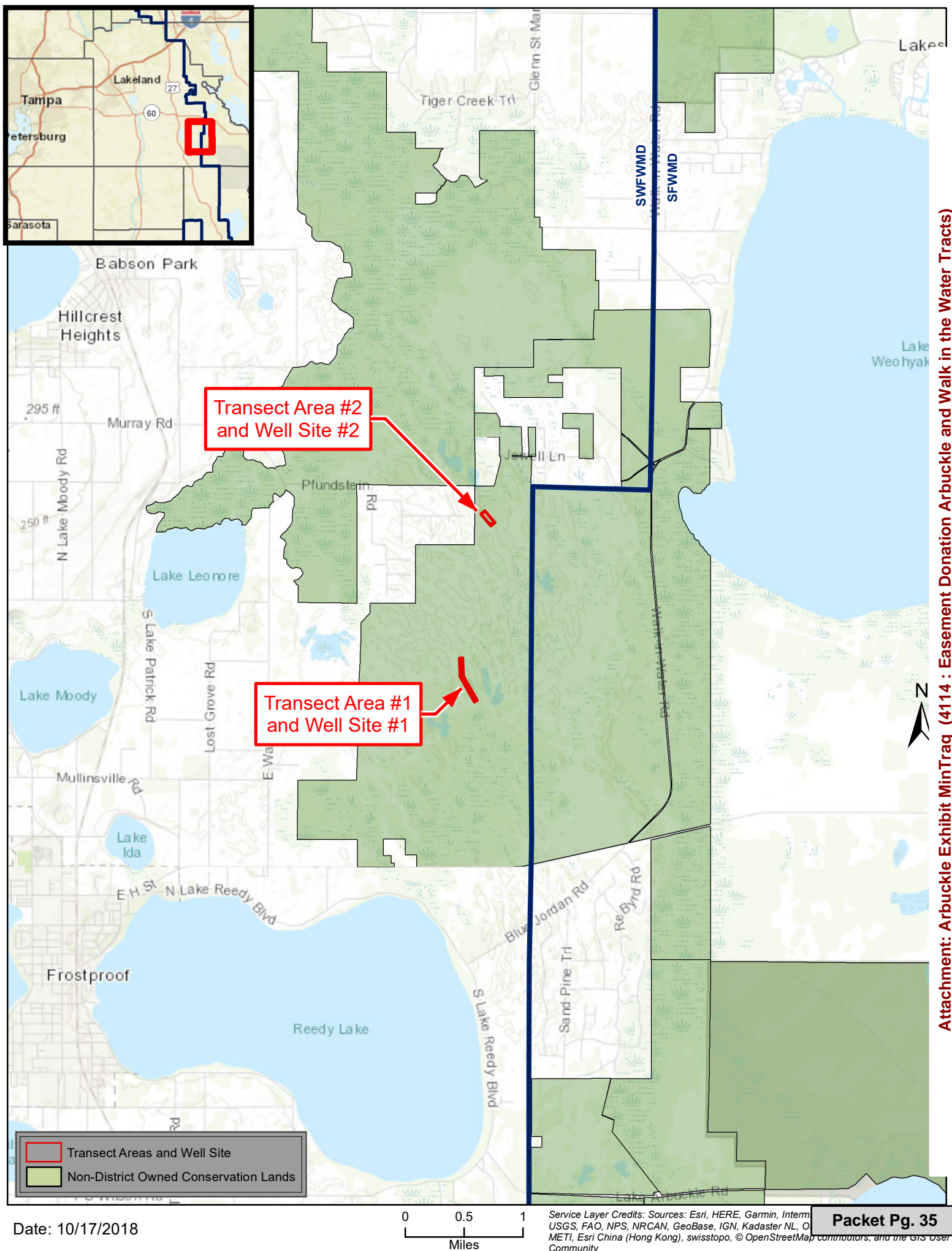


Exhibit 2, General Location Map for Lake Wales Ridge State Forest, Arbuckle Tract

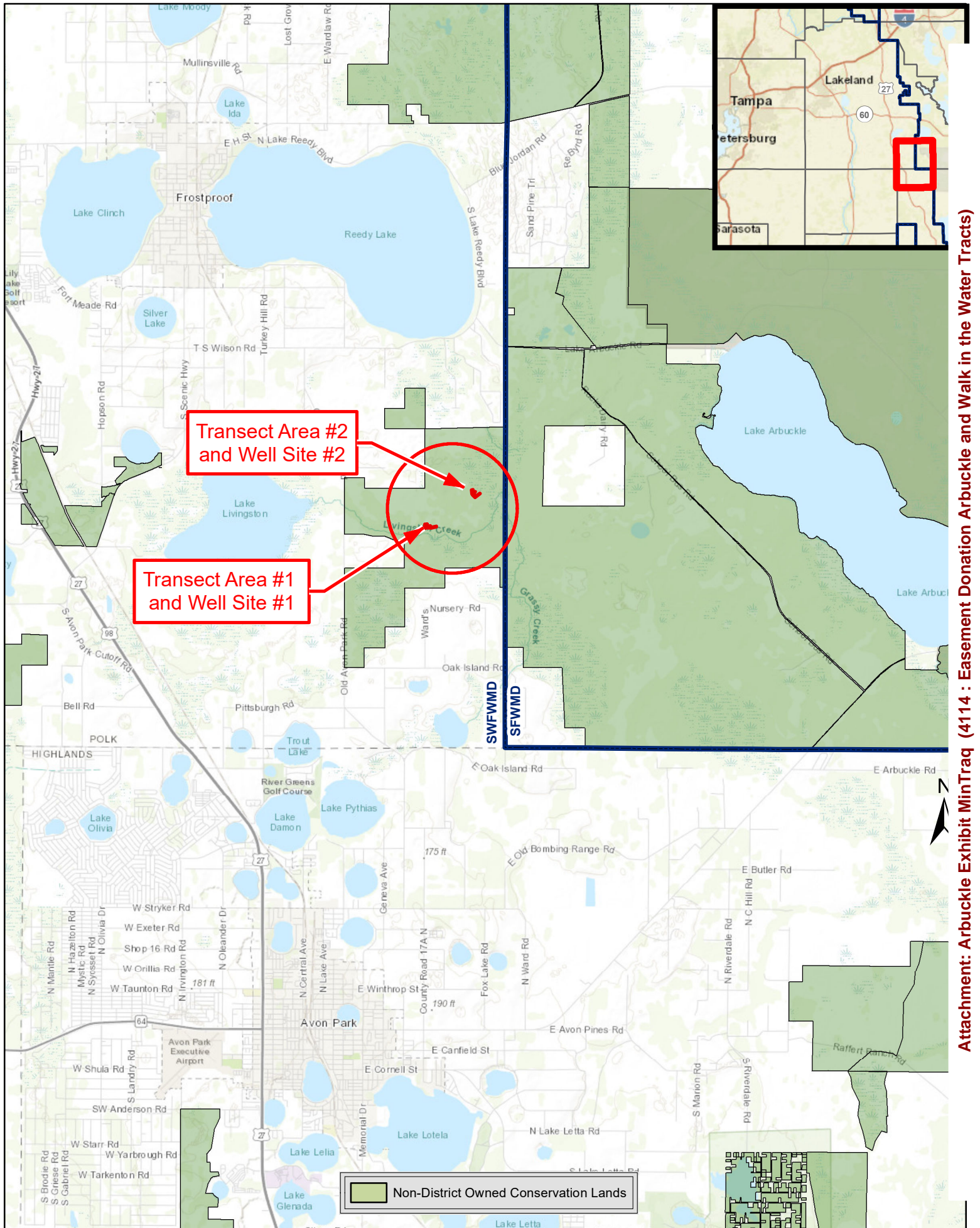


Exhibit 3, Site Map for Lake Wales Ridge State
Forest Arbuckle Tract

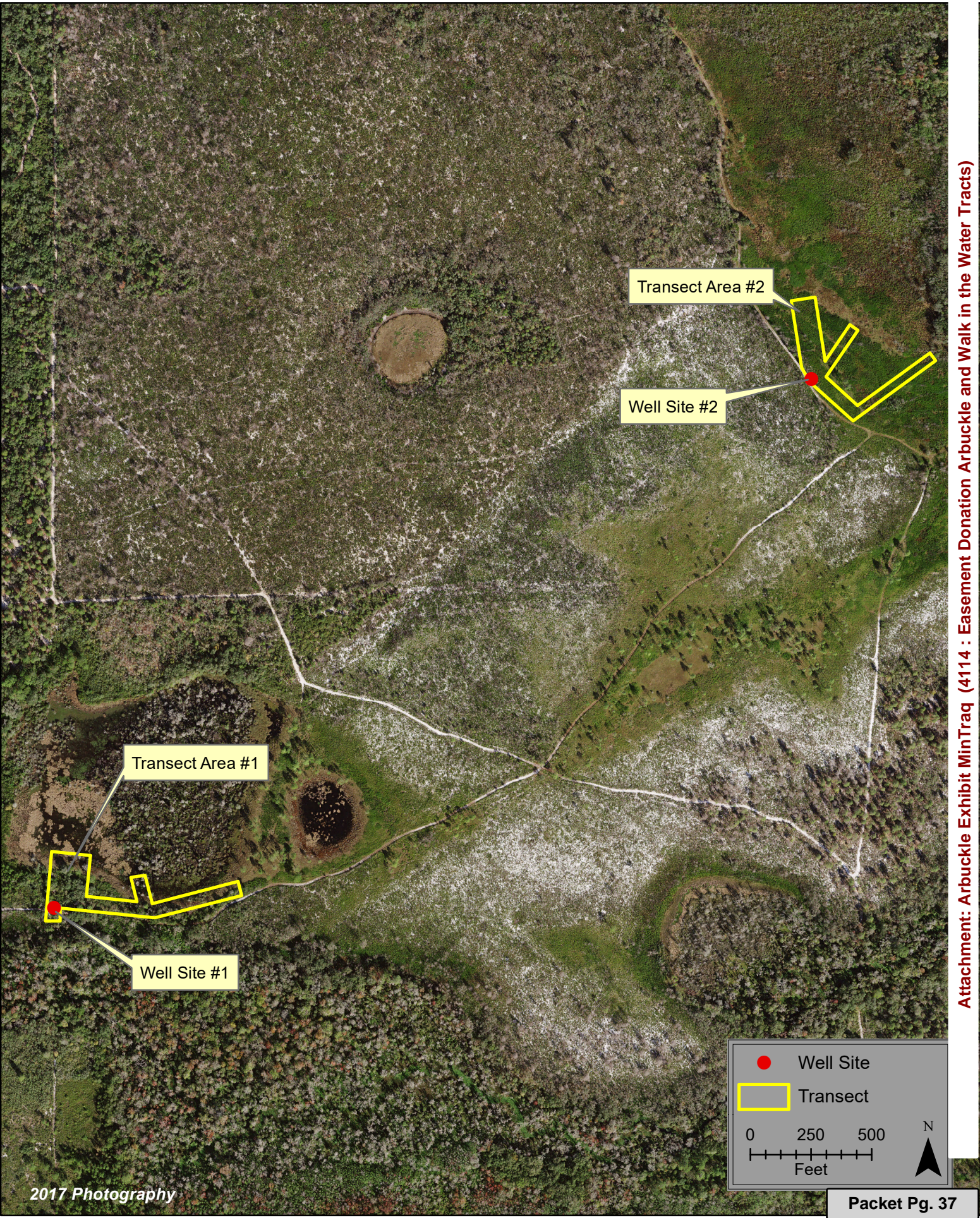
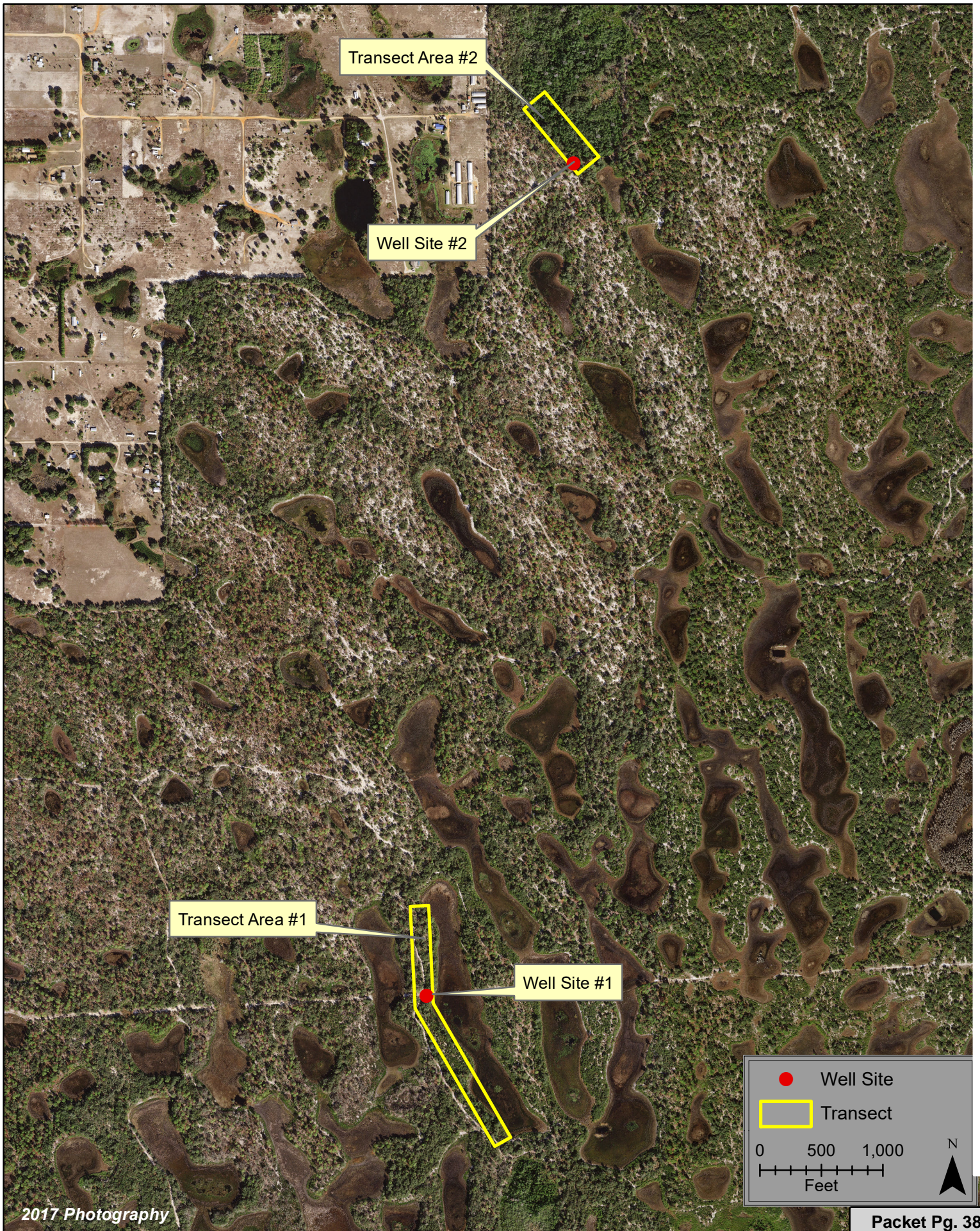


Exhibit 3, Site Map for Lake Wales Ridge State Forest Walk in the Water



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Consent Agenda

Acceptance of Perpetual Easement Donation – Central Florida Water Initiative (CFWI) Project, Lake Wales Ridge Mountain Lake Cutoff Tract, SWF Parcel No. 20-020-154 & 20-020-155

Purpose

Accept a donation of perpetual easement interests of two wetland sites. One site includes a well site (10 feet by 10 feet), a temporary construction area, vegetative transect site and the related 10-foot wide access and the other site includes a vegetative transect site and the related 10-foot wide access within lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF). The perpetual easement agreement, general location and site maps of the property are included in the Board packet as Exhibits 1, 2 and 3.

Background and History

The Central Florida Water Initiative (CFWI) is a collaborative water supply planning effort designed to identify sustainable water sources and develop strategies to address water demands within a five-county region in east-central Florida. The Southwest Florida Water Management District (District) is part of the CFWI's Data, Monitoring, and Investigations Team (DMIT) that is developing a single reference source inventory of regional monitoring data to support CFWI technical and regulatory activities. The DMIT's tasks are planned through annual updates to the DMIT work plan, which includes collaborative establishment of a long-term wetland monitoring program by the Southwest, St. Johns, and South Florida water management districts. Between the three districts, 107 wetland monitoring sites are planned to be established by 2025, with the District responsible for establishing 44 of those sites. Surficial aquifer monitoring data collected near wetlands sites are necessary for assessing the effect of surficial aquifer on the wetlands. These data will be used in conjunction with wetland soils, vegetation, and biological indicators data to assess wetland health.

Property Description

There are two wetland sites located on the Lake Wales Ridge Mountain Lake Cutoff Tract. Wetland Site 1 consists of a 1.13 acre vegetative transect area. Wetland Site 2 consists of a 2.5 acre transect and well site area. The temporary construction area easement is contained within the both wetland sites.

Negotiations

Staff first explores the requested area for property owners that are more apt to donate a parcel. This includes parcels that are not on the tax roll (state and local government, non-profits, etc.) and non-residential tracts of more than one-acre where a wellsite may be inconsequential. Staff also consider city, county, or state right-of-way, when the cost to install a well is less than \$20,000. The Florida Fish and Wildlife Conservation Commission is the Managing Agency of the land and has provided a letter of consent to TIITF for the project.

Donation Terms

- The TIITF has prepared and approved conveyance of a perpetual easement for a 100-square foot well site and 10-foot wide access necessary for construction, maintenance and monitoring activities on the site.
- The perpetual easement will be conveyed free and clear of all encumbrances objectionable to the District for the life of the project.

Benefit/Costs

Data from the Lake Wales Ridge Arbuckle and Walk in the Water sites will improve the District's understanding of the hydrologic conditions and provide for improved assessments of potential withdrawal-related impacts to water resources within the CFWI area. Acceptance of these donation will reduce the time and cost of acquisition by allowing the District to immediately access, construct, maintain and monitor the wells and vegetative transects at these locations. The District's transactional costs have been estimated to be approximately \$400 per site. Capital improvements are not expected to exceed \$1,800 for the one well site, operation and maintenance of the well site is not expected to exceed \$240 per year and the operation and maintenance of the vegetative sites are estimated at \$800 per year for each site.

Staff Recommendation:

- Accept the donation of a perpetual easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the CFWI Project and authorize the Executive Director to execute the easement.
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

This Easement was prepared by:
Jay Sircy
Bureau of Public Land Administration
Division of State Lands
Department of Environmental Protection, MS
130 3900 Commonwealth Boulevard,
Tallahassee, Florida 32399-300
AID#38350

WME1
[3.63 acres +/-]

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA**

**EASEMENT AGREEMENT
Well Monitoring Site**

Easement Number 33178

THIS EASEMENT AGREEMENT is hereby made and entered into this _____ day of _____, 20____, by the **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA**, hereinafter referred to as "GRANTOR", and the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**, a public body existing under Chapter 373, Florida Statutes, its successors and assigns, hereinafter referred to as "GRANTEE."

WITNESSETH:

WHEREAS, GRANTOR is the fee simple owner of certain real property located in Polk County, Florida, as more particularly described in Exhibit "A", attached hereto, which is managed by the Florida Fish and Wildlife Conservation Commission ("Managing Agency") under GRANTOR's Lease number 4034 and by reference made a part hereof; and

WHEREAS, GRANTEE desires to utilize GRANTOR's property only for the purpose of access to and installation, operation and maintenance of a well monitoring site; and

WHEREAS, the Managing Agency has agreed to the proposed use of the land subject to this easement; and

WHEREAS, GRANTOR is desirous of granting to GRANTEE an easement for the aforementioned purpose.

NOW THEREFORE, for and in consideration of the terms, conditions, and mutual covenants hereinafter contained, GRANTOR and GRANTEE, both intending to be legally bound, hereby agree as follows:

1.) GRANTOR hereby grants to GRANTEE, its agents, representatives and employees the non-exclusive right, privilege and permission to utilize the property described in Exhibit "A", hereinafter referred to as "Easement Area", as further described and limited herein.

- a. Access Easement. Grantor grants to Grantee a non-exclusive easement for vehicular ingress and egress over, across and along the property described in Exhibit "A" as the "Access Easement", and as depicted on the map included as part of Exhibit "A".
- b. Well Easement "A". Grantor grants to Grantee a non-exclusive easement for the purposes of installation, operation, and maintenance of a well monitoring site on and upon the property described in Exhibit "A" as the "Well Easement", and as depicted on the map included as part of Exhibit "A".

2. GRANTOR does hereby grant to GRANTEE an easement for as long as the easement is used solely for the purpose of ingress and egress to and installation, operation and maintenance of a well monitoring site. If the easement is ever abandoned for this use, all rights, title, and interest conveyed under this easement shall automatically revert to GRANTOR, unless sooner terminated pursuant to the provisions of this easement.

3. GRANTOR and Managing Agency retain the right to use the Easement Area in any manner not inconsistent with the rights granted to GRANTEE.

4. GRANTEE shall assist in the investigation of injury or damage claims either for or against GRANTOR or the State of Florida pertaining to GRANTEE'S respective areas of responsibility under this easement or arising out of GRANTEE's respective management programs or activities and shall contact GRANTOR regarding the legal action deemed appropriate to remedy such damage or claims. GRANTEE is responsible for, and to the extent allowed by law, shall indemnify, protect, defend, save and hold harmless GRANTOR and the State of Florida, its officers, agents and employees from any and all damages, claims, costs, expense, including attorney's fees, demands, lawsuits, causes of action or liability of any kind or nature arising out of all personal injury and property damage attributable to the negligent acts or omissions of GRANTEE, and its officers, employees, and agents. Nothing herein shall be construed as a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

5. Prior to initial use of the Easement Area by GRANTEE, GRANTEE shall give Managing Agency, at least forty-eight hours notification.

6. GRANTEE shall contact the Florida Geological Survey prior to drilling and shall submit well cuttings for the state repository if requested.

7. GRANTEE will provide copies of the monitoring results, as they become available, to the Managing Agency.

8. GRANTEE shall not allow the general public to access, utilize or go upon the Easement Area.

9. Clearing vegetation during installation or removal of the monitoring equipment without the consent and supervision of the Managing Agency is prohibited.

10. Upon termination of this Easement Agreement, GRANTEE shall, at GRANTEE's sole cost and expense, remove all equipment, accessories, and material owned by GRANTEE from the Easement Area. Upon abandonment, each well will become a fixture on the well site which the GRANTEE will plug pursuant to Rule 40D-3.531 F.A.C., and GRANTEE will restore said Easement Area to as good a condition as it was before GRANTEE entered upon it. GRANTEE will complete said removal, plugging, and restoration within sixty days of the date upon which GRANTEE ceases its operations on the Easement Area.

11. Should GRANTOR elect to maintain one or more wells for its own use upon abandonment of any well by GRANTEE, the well(s) will remain unplugged and GRANTOR thereafter agrees to assume full responsibility for same.

12. The installation and removal of the monitoring well materials as well as restoration of the sites will be done under the supervision of the Managing Agency. Prior to installation of the well(s), GRANTEE shall obtain the written consent of the State of Florida Department of State, Division of Historical Resources.

13. This Easement Agreement may not be assigned or transferred without prior written approval of GRANTOR.

14. This Easement Agreement embodies the entire understanding of the parties and there are no further agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof. This instrument may be amended or modified by an instrument of equal formality signed by the respective parties.

15. For purposes of this Easement Agreement, all notification shall be provided as follows:

GRANTOR: Department of Environmental Protection Division of State Lands Bureau of Public Land Administration 3900 Commonwealth Blvd, MS130 Tallahassee, FL 32399-3000	GRANTEE: Southwest Florida Water Management District 2379 Broad Street Brooksville, FL 34604	Managing Agency: Florida Fish and Wildlife Conservation Commission Wildlife and Habitat Management Section 620 South Meridian Street Tallahassee, FL 32399-1600
--	--	--

16. The following special conditions shall apply to this Easement Agreement:

- a. Well construction per well will not exceed 180 days without the written consent of the Managing Agency;
- b. If fencing is needed, GRANTEE shall install and maintain fencing at GRANTEE's sole cost and expense.

Fencing shall not exceed eight feet in height. GRANTEE shall provide to GRANTOR and Managing Agency a set of keys to all fence gates.

- c. GRANTOR or Managing Agency shall not physically disturb the well casings or covers (water meter boxes) in any way without prior approval from GRANTEE.

- d. Prior to entering the Easement Area, GRANTEE shall contact the Managing Agency.
- e. GRANTEE's use of the Easement Area shall not interfere with the operations of the Managing Agency.
- f. GRANTEE shall install electronic monitoring equipment for each well location so that the wells may be monitored remotely.
- g. GRANTEE shall return the Easement Area to the original condition as is practical following any disturbances caused by installation, equipment removal, onsite monitoring and/or maintenance, including, but not limited to ensuring there is no rutting.
- h. GRANTEE shall install equipment that is designed to protect it from vandalism, fire and the environment.
- i. GRANTEE shall follow established protocols to minimize the spread of exotic plants.
- j. GRANTEE shall not relocate or add additional transects and wells or any additional equipment without prior written consent of the GRANTOR.

[Remainder of page intentionally left blank;

Signature page follows]

IN WITNESS WHEREOF, the parties have caused this Easement to be executed on the day and year first above written.

WITNESSES:

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA**

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BY: _____ (SEAL)

Cheryl C. McCall, Chief, Bureau of Public Land
Administration, Division of State Lands, State of
Florida Department of Environmental Protection,
as agent for and on behalf of the Board of Trustees
of the Internal Improvement Trust Fund of the State of
Florida

"GRANTOR"

**STATE OF FLORIDA
COUNTY OF LEON**

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by
Cheryl C. McCall, Chief, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of
Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the
State of Florida. She is personally known to me.

Approved subject to proper execution:

DEP Attorney

09-17-2018
Date

Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires: _____

Commission/Serial No.: _____

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

By: _____ (SEAL)
Brian Armstrong, Executive Director

Witness

Print/Type Witness Name

Witness

Print/Type Witness Name

"GRANTEE"

**STATE OF FLORIDA
COUNTY OF LEON**

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by Brian Armstrong, as Executive Director, for and on behalf of the Southwest Florida Water Management District. He is personally known to me or has produced _____ as identification.

Notary Public, State of Florida

Print/Type Notary Name

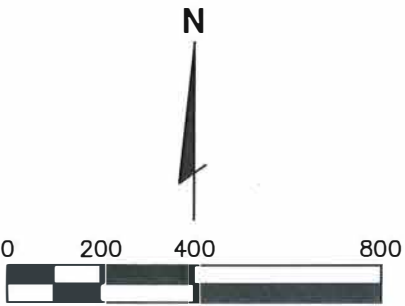
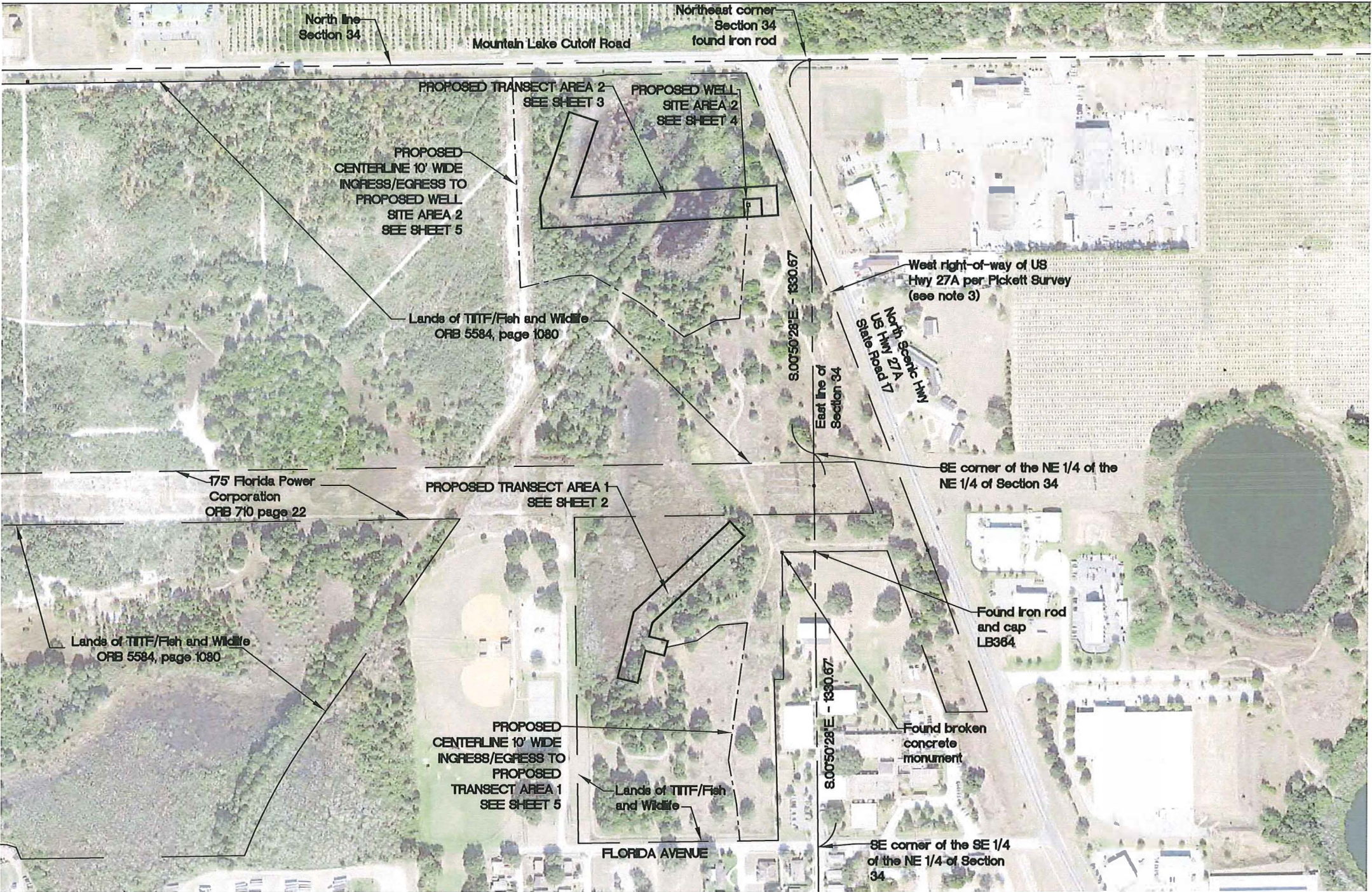
Commission Number: _____

Commission Expires: _____

Attachment: Mt Lake Exhibit MinTraq (4113 : Easement Donation Mountain Lake Cutoff)

KEY SHEET

SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA



- Notes:
1. This is not a survey.
 2. The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.
 3. The parent parcel boundary lines shown hereon are based on "Boundary Survey, Lake Wales Ridge-Mountain Lake Cut-Off, J.K. Stuart Estate" prepared by Pickett & Associates, Inc., revised date 10-13-03 and were field verified using the Leica VIVA NRTK-GPS with the Florida Permanent Reference Network (FPRN). The FPRN network is based on direct ties to National Geodetic Survey (NGS) Control stations. The horizontal accuracies are validated using NGS Control Stations BARTOW CORS ARP (FD7046) and POLK CITY BASE ARP (DP9837). Said lands are described in Official Records Book 5584, page 1080 of the public records of Polk County, Florida.
 4. The purpose of this Sketch of Description is to depict easements for two wetland areas, one well site, one temporary construction area and two 10' wide ingress/egress easements.
 5. The centerlines of the 10' wide ingress-egress easements are depicted based on aerial photography dated 2017.

[Signature] 5/29/2018
James F. Owens, PSM Date
Florida Professional Surveyor and Mapper No. 5014

Legend
ORB = Official Record Book
TITF = Board of Trustees of the Internal Improvement Trust Fund

Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-22-2018
CHECKED BY: SMB
DATE OF SURVEY
01-02-2018
FIELD BOOK: 20-262
PAGES: 75
SCALE: 1"=400'
SHEET 1 OF 5

SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE WEA AND
MOUNTAIN LAKE CUTOFF ROAD
SHEET DESCRIPTION: OVERVIEW OF PROPOSED TRANSECT
AREAS 1 AND 2, WELL, TEMPORARY CONSTRUCTION AREA
AND INGRESS/EGRESS CENTERLINES
WORK ORDER: 17-107
Worksheet 17-107 Lake Wales.dwg
Drawing No. 20-17-107L

SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA



Description: Parcel 20-020-155 (Proposed Transect Area 1)

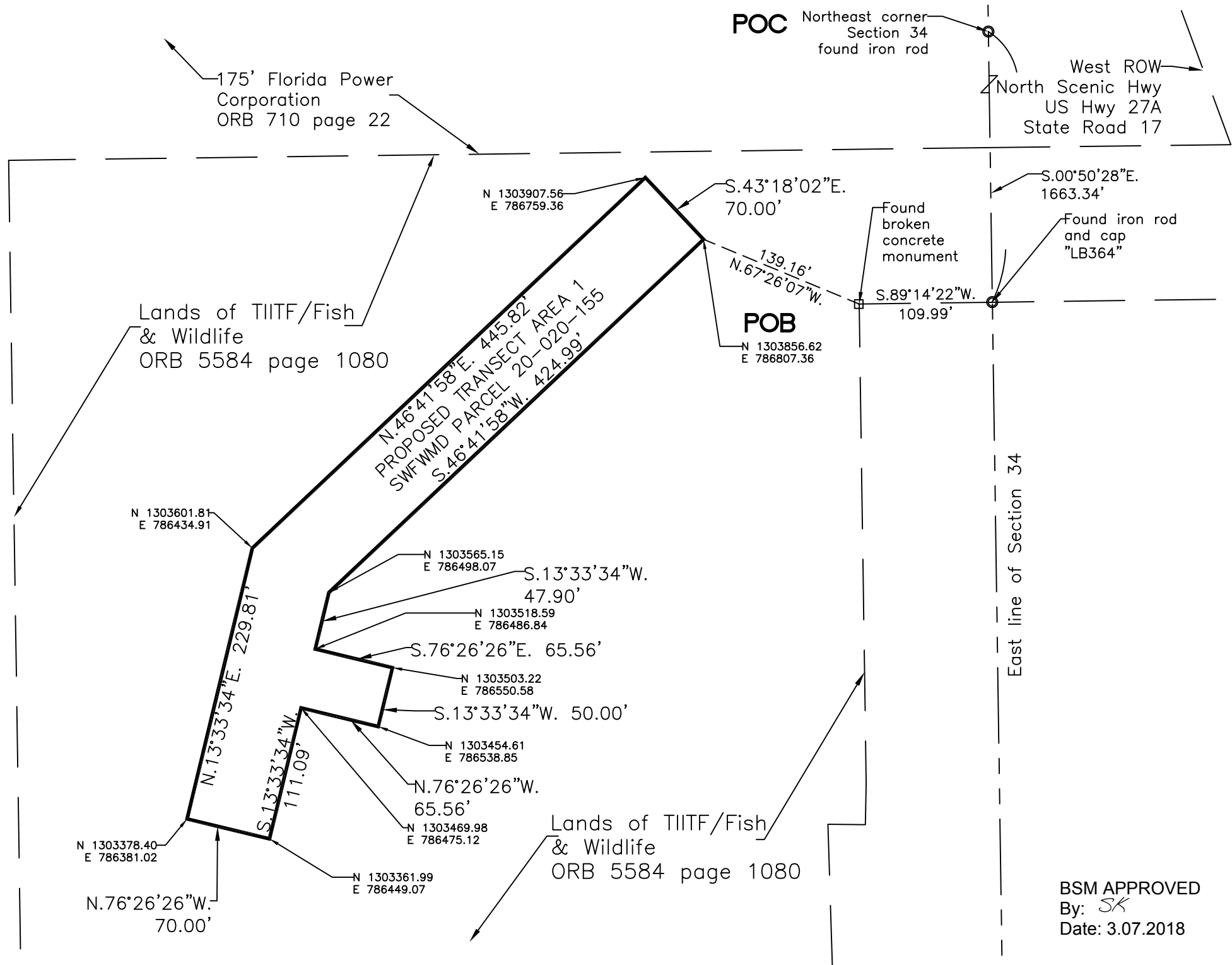
The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

A parcel of land in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence South 00°50'28" East along the east line of said Section 34, a distance of 1,663.34 feet to the intersection of said east line with a southerly boundary line of said lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida; thence South 89°14'22" West along said southerly boundary line, a distance of 109.99 feet; thence leaving said southerly boundary line North 67°26'07" West, a distance of 139.16 feet for a POINT OF BEGINNING;

Thence South 46°41'58" West, a distance of 424.99 feet;
Thence South 13°33'34" West, a distance of 47.90 feet;
Thence South 76°26'26" East, a distance of 65.56 feet;
Thence South 13°33'34" West, a distance of 50.00 feet;
Thence North 76°26'26" West, a distance of 65.56 feet;
Thence South 13°33'34" West, a distance of 111.09 feet;
Thence North 76°26'26" West, a distance of 70.00 feet;
Thence North 13°33'34" East, a distance of 229.81 feet;
Thence North 46°41'58" East, a distance of 445.82 feet;
Thence South 43°18'02" East, a distance of 70.00 feet to the POINT OF BEGINNING.

The above described lands contain 1.13 acres.
See sheet 1 for key sheet, notes and signature



BSM APPROVED
By: *SK*
Date: 3.07.2018

Legend
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
ROW = Right of Way
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund



2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-22-2018
CHECKED BY: SMB
DATE OF SURVEY
01-02-2018
FIELD BOOK: 20-262
PAGES: 75
SCALE: 1"=100'
SHEET 2 OF 5

SKETCH OF DESCRIPTION

PROJECT NAME: CFWI DMIT
LAKE WALES RIDGE WEA
WETLAND SITE #1

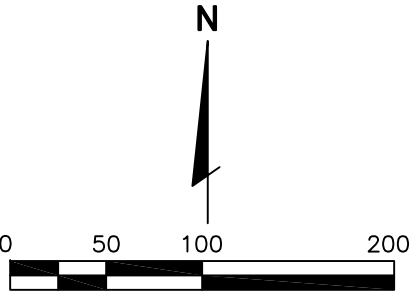
SHEET DESCRIPTION:
PROPOSED TRANSECT AREA 1

Worksheet 17-107 Lake Wales.dwg

WORK ORDER: 17-107

Drawing No. 20-17-107L

SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA



Description: Parcel 20-020-154 (Proposed Transect Area 2)

The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

A parcel of land in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence South 89°18'57" West along the north line of said Section 34, for a distance of 228.18 feet; thence leaving said north line and along the westerly right of way line of North Scenic Highway\US Highway 27A\State Road 17 the following three courses and distances: South 20°44'51" East, 43.65 feet; along a curve to the left having a radius of 85983.67 feet, a central angle of 0°13'35", a chord bearing of South 20°49'33" East, a chord length of 339.94 feet and an arc length of 339.94 feet, thence South 20°56'21" East, 53.47 feet; thence leaving said westerly right of way line of North Scenic Highway\US Highway 27A\ State Road 17 South 69°03'39" West, a distance of 38.82 feet for the POINT OF BEGINNING;

Thence South 03°13'12" East, a distance of 100.00 feet;

Thence South 86°46'48" West, a distance of 799.09 feet;

Thence North 03°13'12" West, a distance of 100.00 feet;

Thence North 18°17'00" East, a distance of 309.02 feet;

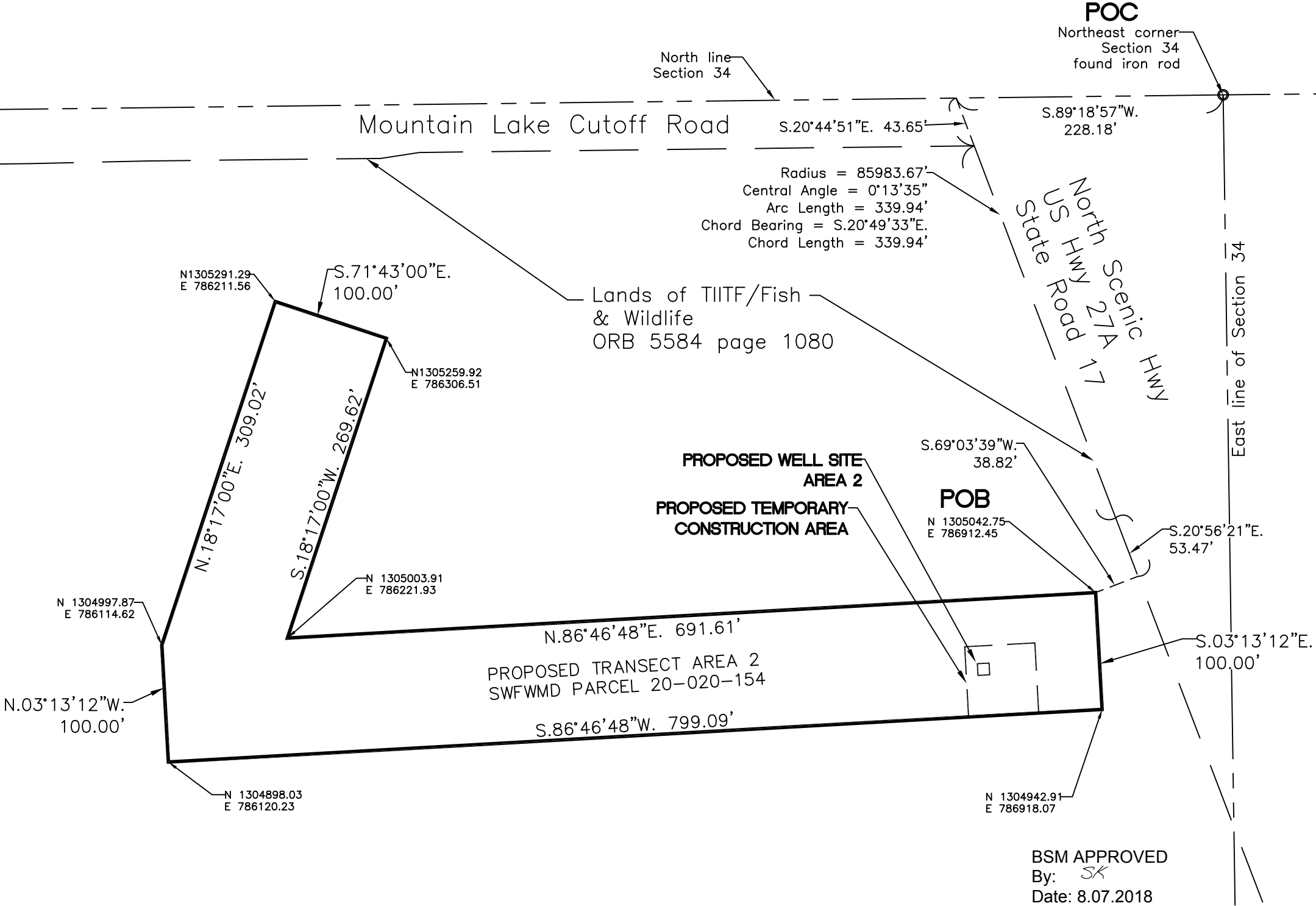
Thence South 71°43'00" East, a distance of 100.00 feet;

Thence South 18°17'00" West, a distance of 269.62 feet;

Thence North 86°46'48" East, a distance of 691.61 feet to the POINT OF BEGINNING.

The above described lands contain 2.50 acres.

See sheet 1 for key sheet, notes and signature.



BSM APPROVED
By: *SK*
Date: 8.07.2018

Legend
ORB = Official Records Book
POB = Point of Beginning
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SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund

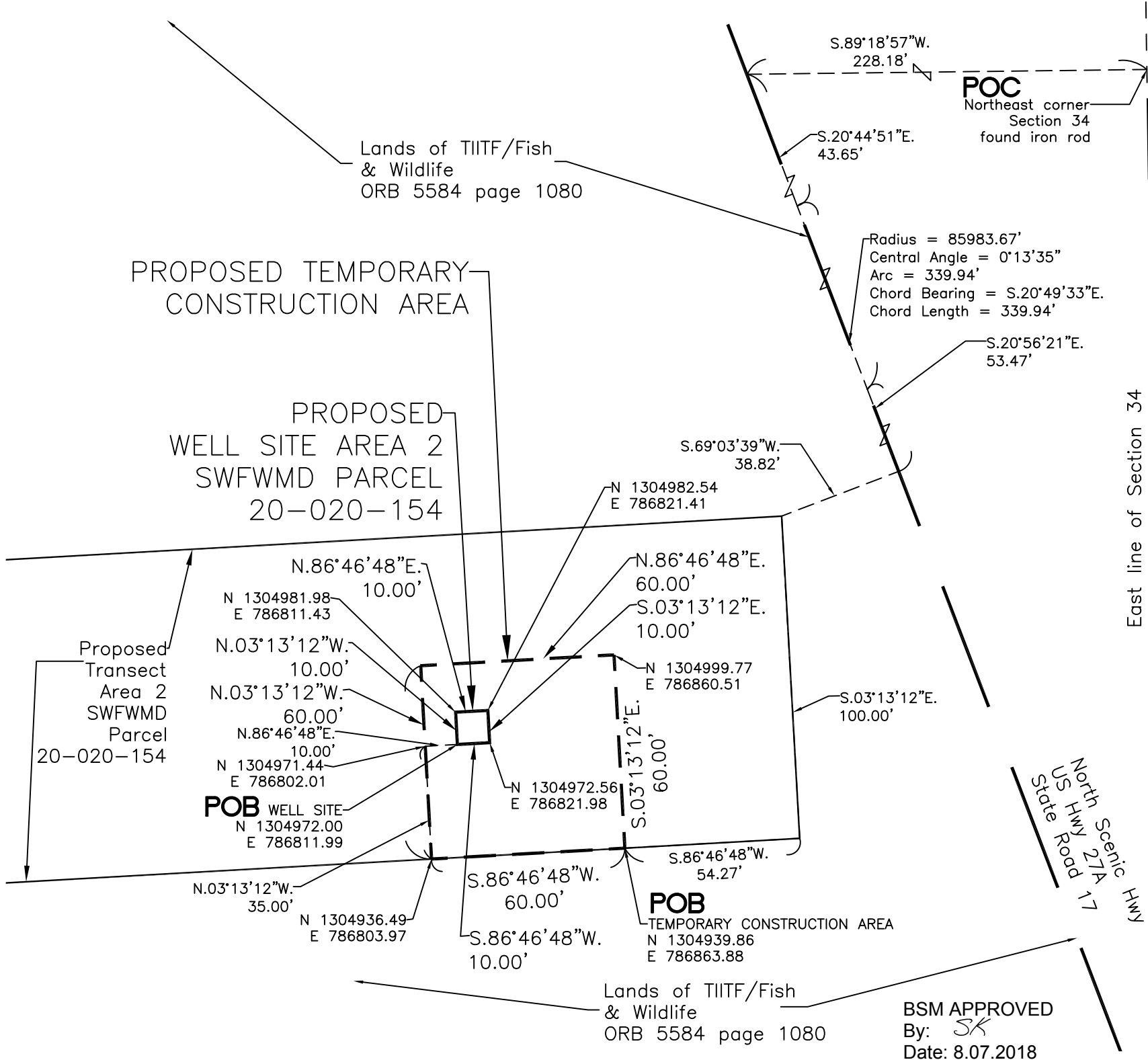


2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-22-2018
CHECKED BY: SMB
DATE OF SURVEY 01-02-2018
FIELD BOOK: 20-262
PAGES: 75
SCALE: 1"=100'
SHEET 3 OF 5

SKETCH OF DESCRIPTION	
PROJECT NAME: CFWI DMIT LAKE WALES MOUNTAIN LAKE CUTOFF ROAD WETLAND SITE #2	
SHEET DESCRIPTION: TRANSECT AREA 2 EASEMENT	
Worksheet 17-107 Lake Wales.dwg	
WORK ORDER: 17-107	Drawing No. 20-17-107L

Exhibit 1



SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA

Description: Parcel 20-020-154 (Proposed Well Site Area 2)

The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

A parcel of land in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence S89°18'57"W along the north line of said Section 34, for a distance of 228.18 feet; thence leaving said north line and along the westerly right of way line of North Scenic Highway\US Highway 27A\State Road 17 the following three courses and distances: S20°44'51"E, 43.65 feet; along a curve to the left having a radius of 85983.67 feet, a central angle of 00°13'35", a chord bearing of South 20°49'33" East, a chord length of 339.94 feet and an arc length of 339.94 feet, S20°56'21"E, 53.47 feet; thence leaving said westerly right of way line of North Scenic Highway\US Highway 27A\State Road 17 S69°03'39"W, a distance of 38.82 feet; thence South 03°13'12"East, a distance of 100.00 feet along an easterly line of a Transect Area 2 Easement; thence South 86°46'48"West, a distance of 54.27 feet along a southerly line of said Easement; thence continue South 86°46'48"West, a distance of 60.00 feet along said Easement; thence leaving a southerly line of said Easement North 03°13'12"West, a distance of 35.00 feet; thence North 86°46'48"East, a distance of 10.00 feet for the POINT OF BEGINNING;

Thence North 03°13'12" West, a distance of 10.00 feet;
Thence North 86°46'48" East, a distance of 10.00 feet;
Thence South 03°13'12" East, a distance of 10.00 feet;
Thence South 86°46'48" West, a distance of 10.00 feet to the POINT OF BEGINNING.
The above described lands contain 100 square feet

Description: Parcel 20-020-154 (Proposed Temporary Construction Area)

The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

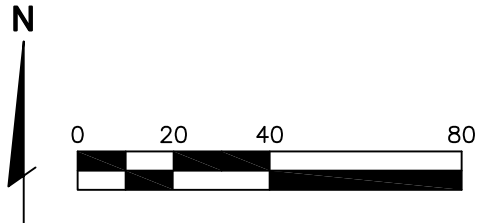
A parcel of land in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence S89°18'57"W along the north line of said Section 34, for a distance of 228.18 feet; thence leaving said north line and along the westerly right of way line of North Scenic Highway\US Highway 27A\State Road 17 the following three courses and distances: S20°44'51"E, 43.65 feet; along a curve to the left having a radius of 85983.67 feet, a central angle of 00°13'35", a chord bearing of South 20°49'33" East, a chord length of 339.94 feet and an arc length of 339.94 feet, S20°56'21"E, 53.47 feet; thence leaving said westerly right of way line of North Scenic Highway\US Highway 27A\State Road 17 S69°03'39"W, a distance of 38.82 feet; thence South 03°13'12"East, a distance of 100.00 feet along an easterly line of a Transect Area 2 Easement; thence South 86°46'48"West, a distance of 54.27 feet along a southerly line of said Easement for the POINT OF BEGINNING;

Thence South 86°46'48" West, a distance of 60.00 feet;
Thence North 03°13'12" West, a distance of 60.00 feet;
Thence North 86°46'48" East, a distance of 60.00 feet;
Thence South 03°13'12" East, a distance of 60.00 feet to the POINT OF BEGINNING.
The above described lands contain 0.08 acres.

See sheet 1 for key sheet, notes and signature.

Legend
ORB = Official Records Book
POB = Point of Beginning
POC = Point of Commencement
SWFWMD = Southwest Florida Water Management District
TIITF = Board of Trustees of the Internal Improvement Trust Fund



Southwest Florida
Water Management District

2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw
05-22-2018
CHECKED BY: SMB
DATE OF SURVEY
01-02-2018
FIELD BOOK: 20-262
PAGES: 75
SCALE: 1"=40'
SHEET 4 OF 5

SKETCH OF DESCRIPTION
PROJECT NAME: CFWI DMIT
LAKE WALES MOUNTAIN LAKE CUTOFF ROAD
WETLAND SITE #2
SHEET DESCRIPTION: PROPOSED WELL SITE
AREA AND TEMPORARY
CONSTRUCTION AREA
Worksheet 17-107 Lake Wales.dwg
WORK ORDER: 17-107
Drawing No. 20-17-107L

SECTION 34, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
POLK COUNTY, FLORIDA

Description: Parcel 20-020-155 (Proposed Ingress-Egress Easement to Proposed Transect Area 1)

The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

A 10' wide ingress-egress easement along an existing dirt road in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence South 00°50'28" East along the east line of said Section 34, a distance of 1330.67 feet; thence continue along said east line South 00°50'28" East, a distance of 1305.58 feet to an intersection with the north right-of-way line of Florida Avenue; thence leaving said east line and along the said north right-of-way line of Florida Avenue South 89°10'40" West, a distance of 264.18 feet for a POINT OF BEGINNING;

Thence North 05°11'40" West, a distance of 122.98 feet;
Thence North 10°49'23" West, a distance of 150.24 feet;
Thence North 07°40'55" East, a distance of 470.81 feet;
Thence South 84°55'13" West, a distance of 98.04 feet;
Thence South 54°46'57" West, a distance of 90.32 feet;
Thence South 78°03'21" West, a distance of 104.88 feet to a point of terminus at the Proposed Transect Area 1.

Description: Parcel 20-020-154 (Proposed Ingress-Egress Easement to Proposed Well Site Area 2)

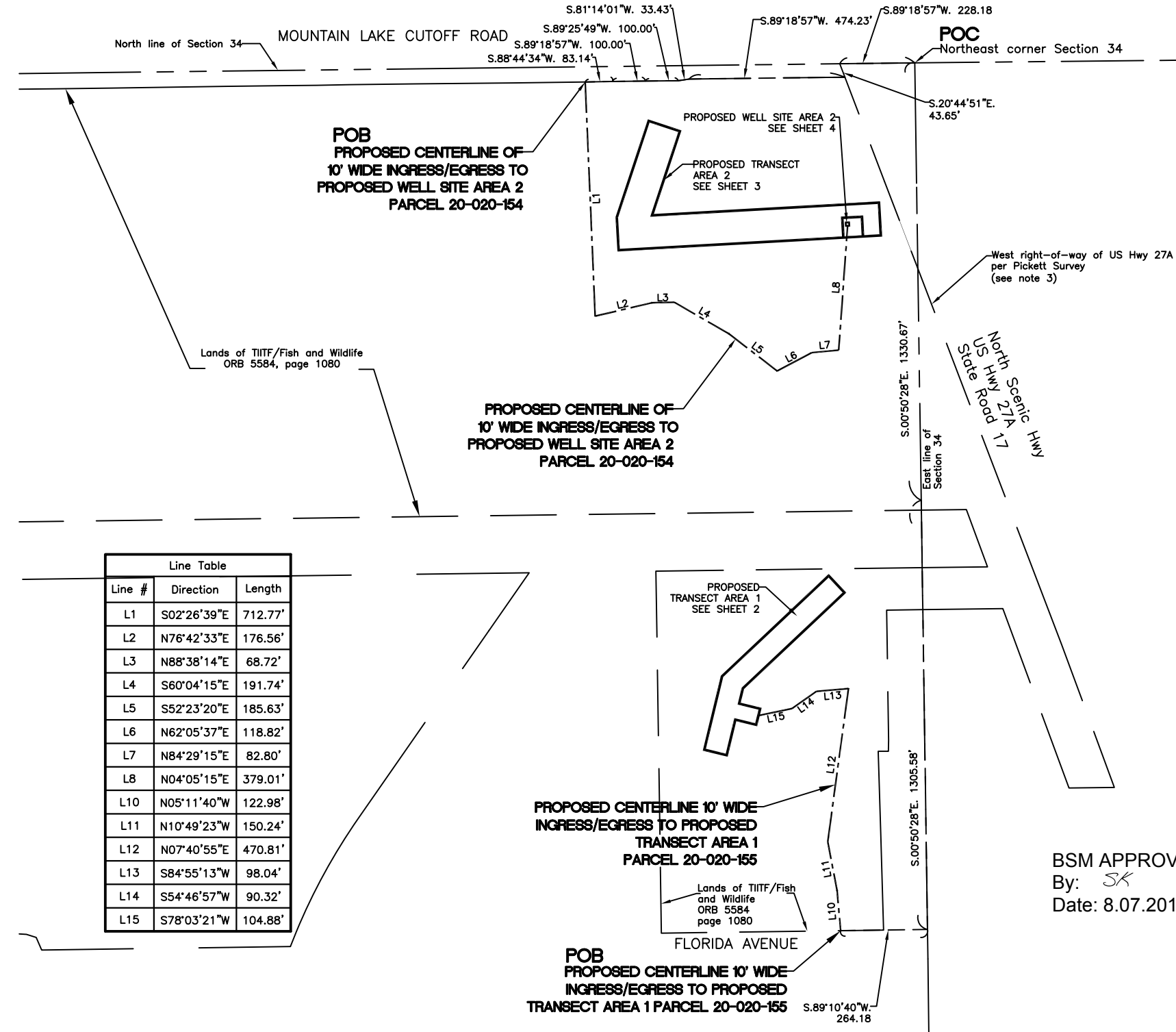
The horizontal values shown hereon reference the Florida State Plane Coordinate System, West Zone (902), units are U.S. survey feet, North American Datum of 1983 (NAD 83/2011). Coordinates and distances shown hereon are grid. Divide grid by 0.999960740 for ground distances.

A 10' wide ingress-egress easement along an existing dirt road in the northeast quarter of Section 34, Township 29 South, Range 27 East, Polk County, Florida being part of lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida. The centerline of said 10' wide ingress-egress easement being more particularly described as follows:

Commence at the Northeast corner of said Section 34, thence S89°18'57" West along the north line of said Section 34, a distance of 228.18 feet; thence leaving said north line and along the westerly right of way line of North Scenic Highway/US Highway 27A/State Road 17 South 20°44'51" East, a distance of 43.65 feet to the intersection with a north line of said lands described in Official Records Book 5584 page 1080 of the public records of Polk County, Florida; thence along said north line the following five (5) courses: South 89°18'57" West, 474.23 feet; South 81°14'01" West, 33.43 feet; South 89°25'49" West, 100.00 feet; South 89°18'57" West, 100.00 feet; South 88°44'34" West, 83.14 feet for a POINT OF BEGINNING; thence leaving said north line Thence South 02°26'39" East, a distance of 712.77 feet;

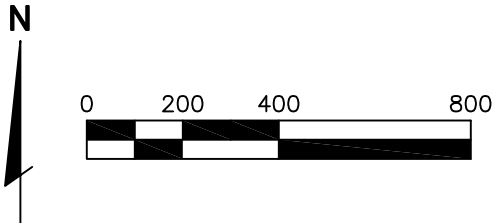
Thence North 76°42'33" East, a distance of 176.56 feet;
Thence North 88°38'14" East, a distance of 68.72 feet;
Thence South 60°04'15" East, a distance of 191.74 feet;
Thence South 52°23'20" East, a distance of 185.63 feet;
Thence North 62°05'37" East, a distance of 118.82 feet;
Thence North 84°29'15" East, a distance of 82.80 feet;
Thence North 04°05'15" East, a distance of 379.01 feet to a point of terminus at the Proposed Well Site Area 2.

See sheet 1 for key sheet, notes and signature



Line Table		
Line #	Direction	Length
L1	S02°26'39"E	712.77'
L2	N76°42'33"E	176.56'
L3	N88°38'14"E	68.72'
L4	S60°04'15"E	191.74'
L5	S52°23'20"E	185.63'
L6	N62°05'37"E	118.82'
L7	N84°29'15"E	82.80'
L8	N04°05'15"E	379.01'
L10	N05°11'40"W	122.98'
L11	N10°49'23"W	150.24'
L12	N07°40'55"E	470.81'
L13	S84°55'13"W	98.04'
L14	S54°46'57"W	90.32'
L15	S78°03'21"W	104.88'

Legend
ORB = Official Record Book
TIITF = Board of Trustees of the Internal Improvement Trust Fund
POB = Point of Beginning
POC = Point of Commencement



BSM APPROVED
By: SK
Date: 8.07.2018

Southwest Florida
Water Management District

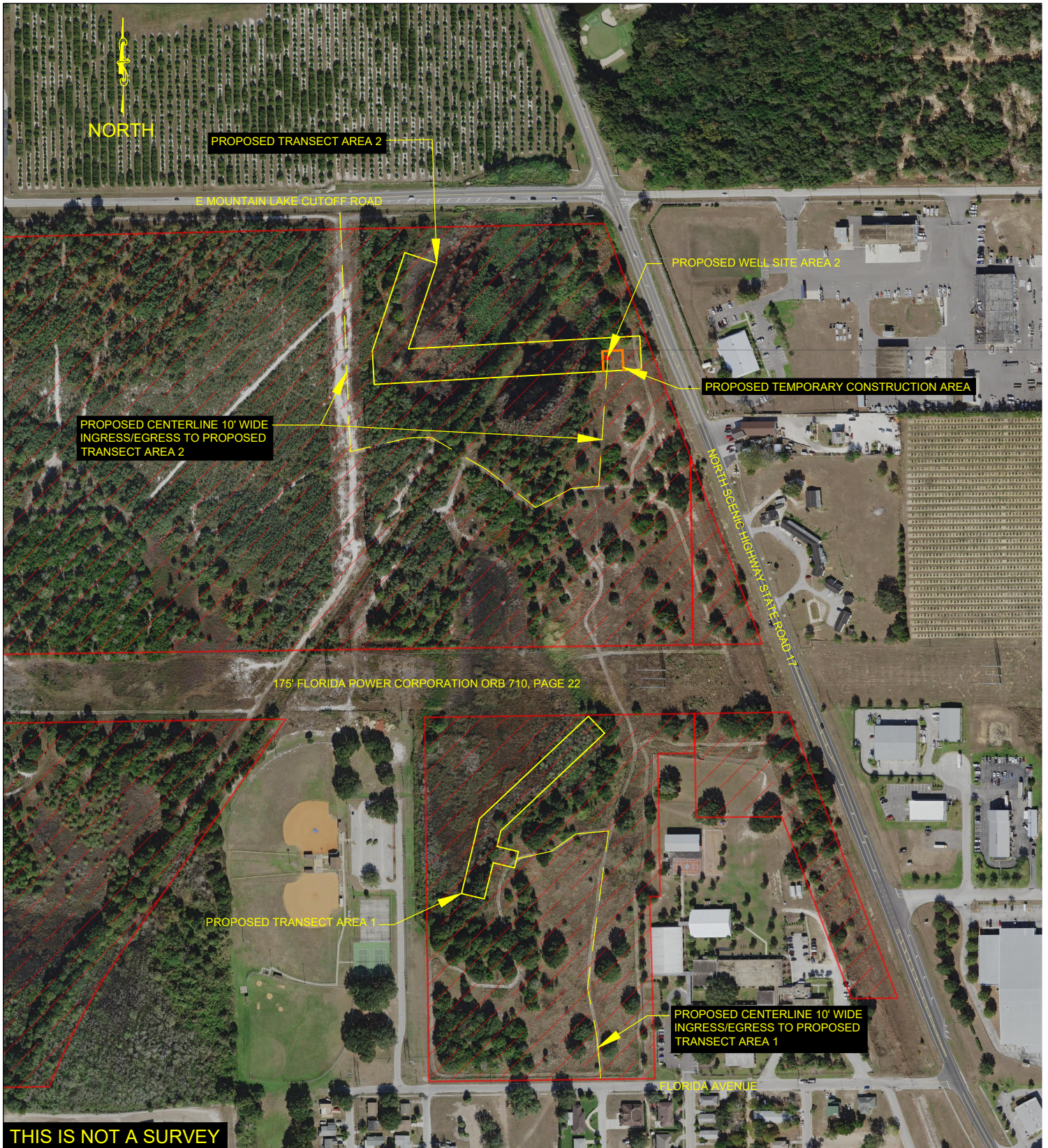
2379 Broad Street (U.S. 41 South) Brooksville, Florida 34604-6899
(352) 796-7211 (800) 423-1476

DRAWN BY: plw 05-22-2018
CHECKED BY: SMB
DATE OF SURVEY 01-02-2018
FIELD BOOK: 20-262 PAGES: 75
SCALE: 1"=400'
SHEET 5 OF 5

SKETCH OF DESCRIPTION	
PROJECT NAME: CFWI DMIT LAKE WALES RIDGE WEA AND MOUNTAIN LAKE CUTOFF ROAD	
SHEET DESCRIPTION: INGRESS/EGRESS CENTERLINES	
WORK ORDER: 17-107	Worksheet 17-107 Lake Wales.dwg Drawing No. 20-17-107L

Exhibit 1

SECTION 34 TOWNSHIP 29 SOUTH, RANGE 27 EAST, AND RANGE 27 EAST, POLK COUNTY, FLORIDA

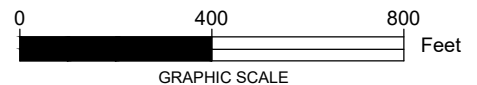


THIS IS NOT A SURVEY



LEGEND

	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 5584, PAGE 1080.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4650, PAGE 1253.
	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4950, PAGE 202.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4533, PAGE 1422.
	BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4493, PAGE 947.		BOT LANDS, LAKE WALES RIDGE ECOSYSTEM, BOOK 4746, PAGE 807.



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
3900 COMMONWEALTH BLVD. TALLAHASSEE FL, 32399

SHEET 4 OF 4

Exhibit 2, General Location Map for Lake Wales Ridge State Forest Mountain Lake Cutoff

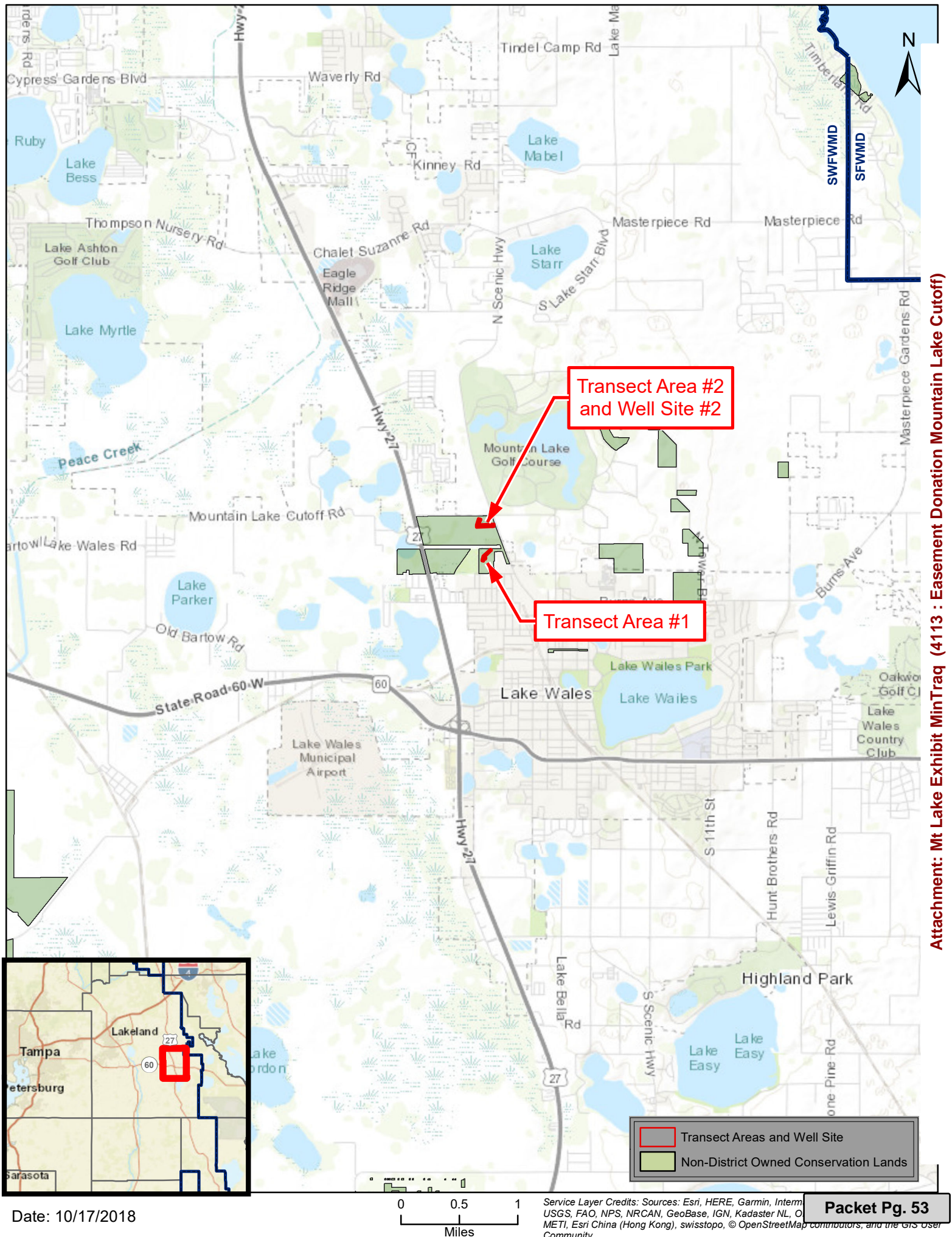
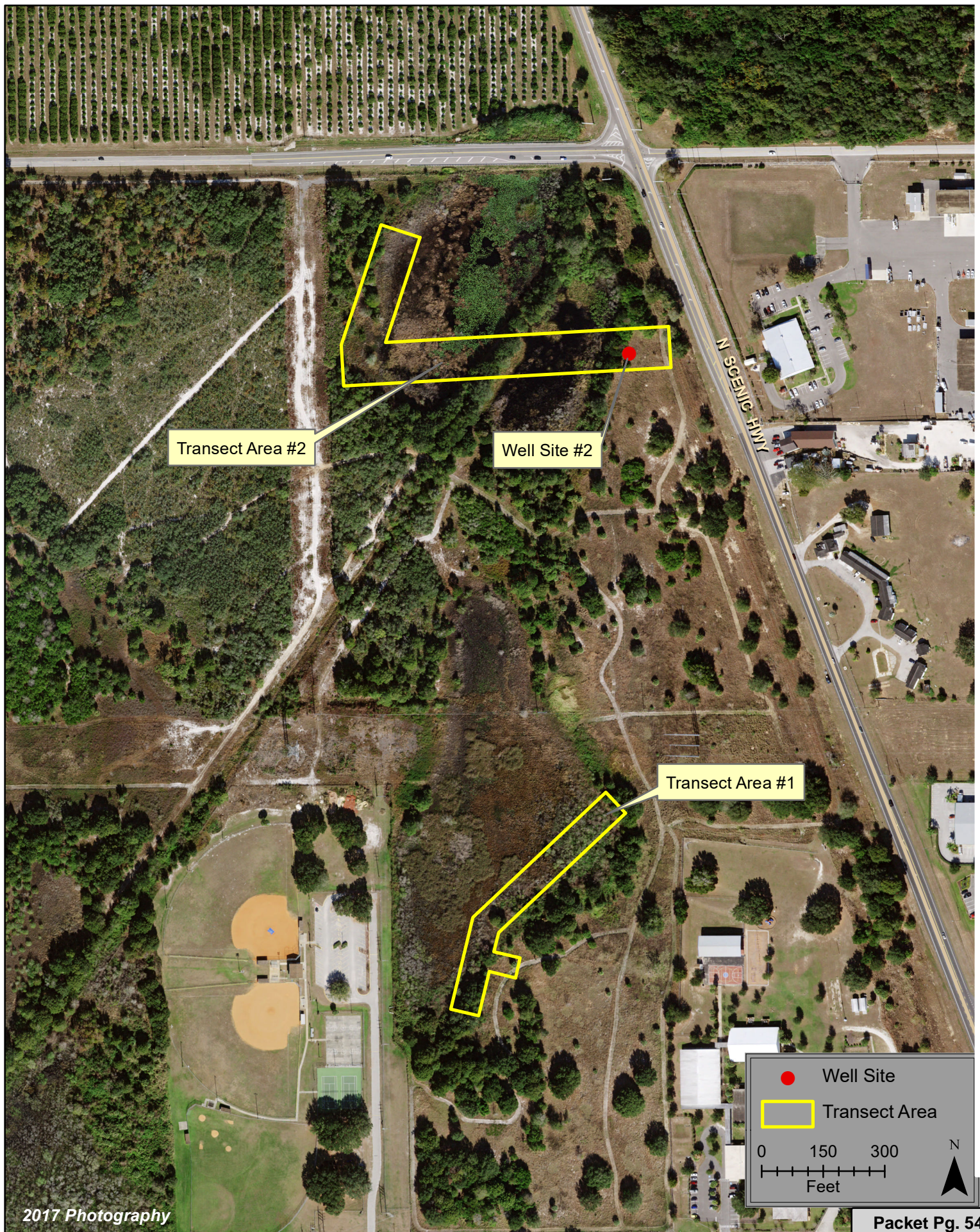


Exhibit 3, Site Map for Lake Wales Ridge State Forest Mountain Lake Cutoff



REGULATION COMMITTEE

December 11, 2018

Consent Agenda

WUP No. 20001635.010 - Bethel Farms, LLLP/DeSoto County Farm; Bethel Farms, LLLP (DeSoto County)

This is a modification of an existing water use permit for agricultural use. The authorized annual average quantity has been increased from 2,578,400 gallons per day (gpd) to 2,966,000 gpd, the drought annual average has been increased from 2,941,600 gpd to 3,375,900 gpd, the peak month quantity remains unchanged at 7,714,900 gpd, and the crop protection quantity remains unchanged at 7,700,000 gpd. There is no change in Use Type from the previous revision. The increases in the annual average and drought annual average quantities are due to an increase in the irrigated acreage for sod from 906 acres to 1,064 acres. Quantities are based on the District's irrigation allotment calculation program, Agmod. This permit is in DeSoto County within the Southern Water Use Caution Area. The Permittee utilizes a surface water pond to offset a portion of the groundwater used for this operation.

Special conditions include those that require the Permittee to continue to record and report monthly meter readings for District ID (DID) Nos. 1, 2, 3, 9, 10, and 12, begin to record and report monthly meter readings on DID Nos. 11 and 13 once the withdrawals are constructed, record and report pumpage used for frost/freeze events on DID Nos. 1, 2, 3, 9, 10, 11, and 12, construct DID Nos. 11, 13, and 14 per the special conditions laid out in this permit, report annual crop reports every March 1 for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13, submit well completion reports for DID Nos. 11, 13, and 14 once complete, submit meter accuracy test reports to the District every five (5) years for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13 (next reports due: September 1, 2021), submit an overpumpage report upon District request, and adhere to the SWUCA Recovery Strategy.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 001635.010**

PERMIT ISSUE DATE: December 11, 2018

EXPIRATION DATE: October 26, 2020

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

TYPE OF APPLICATION: Modification

GRANTED TO: Bethel Farms, LLLP
8780 N.W. Bethel Farms Rd.
Arcadia, FL 34266

PROJECT NAME: Bethel Farms, LLLP / DeSoto County Farm

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

COUNTY: Desoto

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

ANNUAL AVERAGE	2,966,000 gpd
PEAK MONTH ¹	7,714,900 gpd
DROUGHT ANNUAL AVERAGE ²	3,375,900 gpd
CROP PROTECTION/MAXIMUM ³	7,700,000 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The authorized annual average quantity has increased from 2,578,400 gallons per day (gpd) to 2,966,000 gpd, the drought annual average has increased from 2,941,600 gpd to 3,375,900 gpd, the peak month quantity remains unchanged at 7,714,900 gpd, and the crop protection quantity remains unchanged at 7,700,000 gpd. There is no change in Use Type from the previous revision. The increases in the annual average and drought annual average quantities are due to an increase in the irrigated acreage for sod from 906 acres to 1,064 acres. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is in DeSoto County within the Southern Water Use Caution Area. The Permittee utilizes a surface water pond to offset a portion of the groundwater used for this operation.

Special conditions include those that require the Permittee to continue to record and report monthly meter readings for DID Nos. 1, 2, 3, 9, 10, and 12, begin to record and report monthly meter readings on DID Nos. 11 and 13 once the withdrawals are constructed, record and report pumpage used for frost/freeze events on DID Nos. 1, 2, 3, 9, 10, 11, and 12, construct DID Nos. 11, 13, and 14 per the special conditions laid out in this permit, report annual crop reports every March 1 for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13, submit well completion reports for DID Nos. 11, 13, and 14 once complete, submit meter accuracy test reports to the District every five (5) years for DID Nos. 1, 2, 3, 9, 10, 11, 12, and 13 (next reports due: September 1, 2021), submit an overpumpage report upon District request, and adhere to the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	2,966,000	7,714,900	3,375,900	7,700,000

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Citrus	213.00	Low Volume Spray	13.50"/yr.	19.40"/yr.
Nursery, Field	35.00	Low Volume Spray	63.40"/yr.	68.14"/yr.
Sod	1,064.00	Fully Enclosed Seepage	32.90"/yr.	36.93"/yr.
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

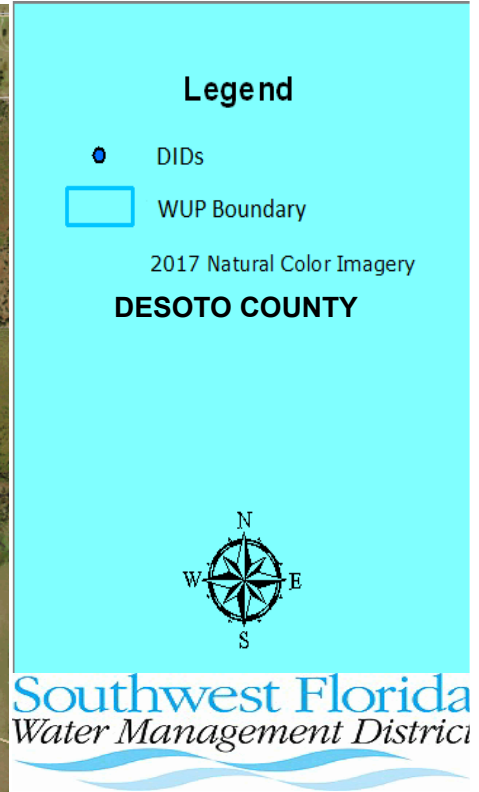
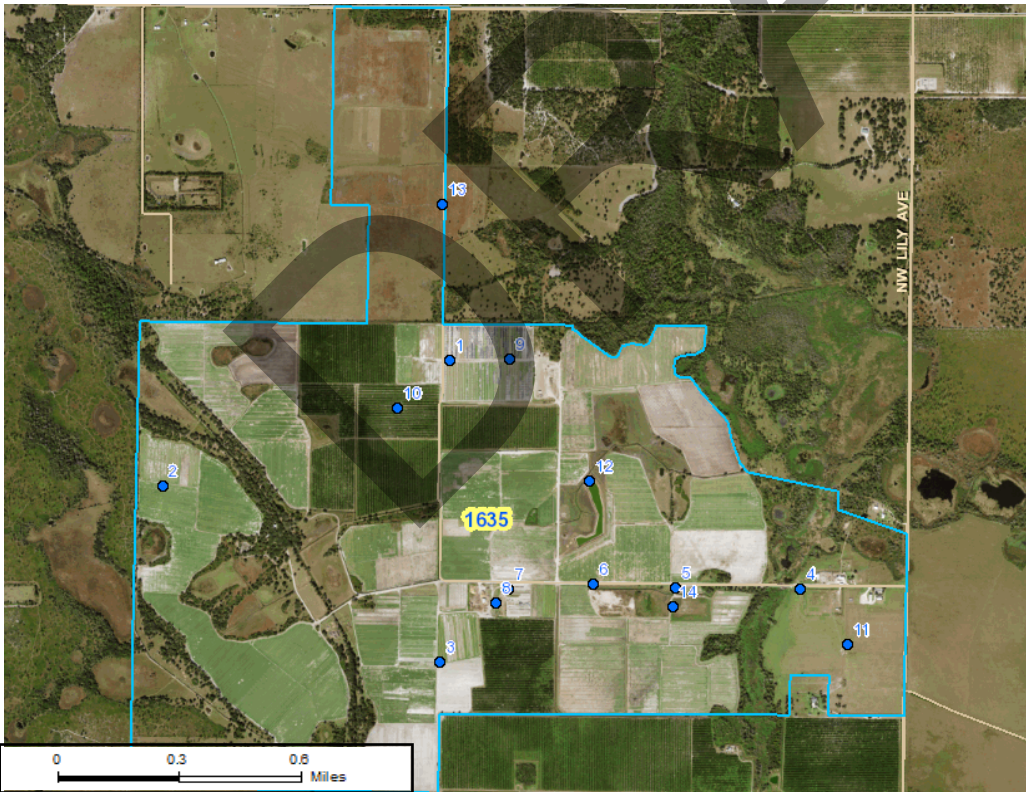
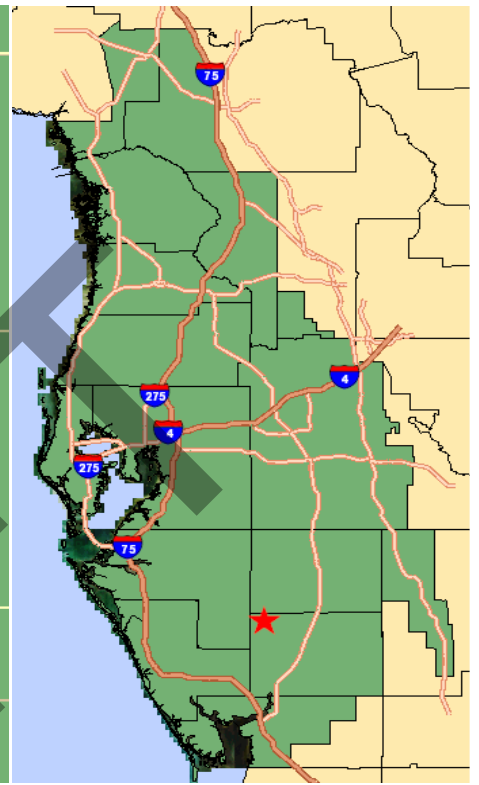
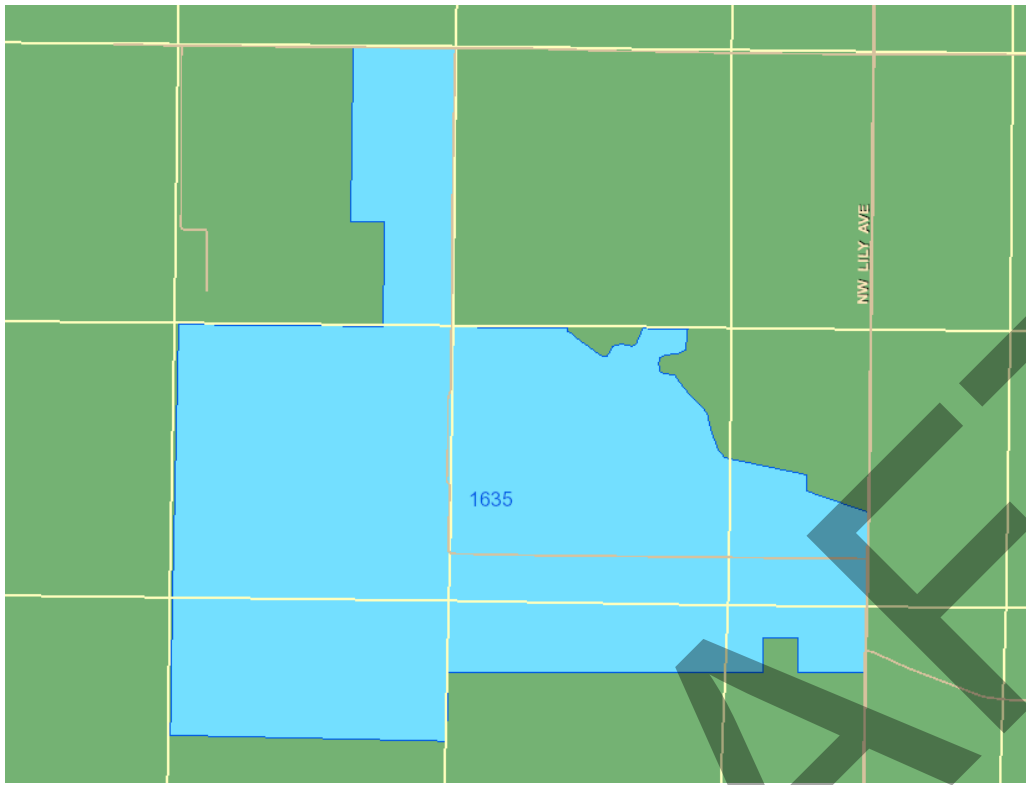
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
1 / 1	12	1,050 / 120	Irrigation	418,400	1,244,200	1,100,000
2 / 2	10	767 / 146	Irrigation	418,400	1,244,200	1,100,000
3 / 3	12	1,333 / 130	Irrigation	418,400	1,244,200	1,100,000
9 / 9	12	1,444 / 525	Irrigation	418,400	1,244,200	1,100,000
10 / 10	16	1,444 / 465	Irrigation	418,200	1,244,200	1,100,000
11 / 11	14	1,500 / 500	Irrigation	236,600	1,243,900	1,100,000
12 / 12	6	N/A / N/A	Irrigation	250,000	250,000	1,100,000
13 / 13	16	1,600 / 500	Irrigation	387,100	N/A	N/A
14 / 14	4	300 / 120	Personal Sanitary	500	N/A	N/A

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 19' 16.84"/82° 00' 23.48"
2	27° 18' 55.94"/82° 01' 17.63"
3	27° 18' 26.28"/82° 00' 25.19"
9	27° 19' 17.11"/82° 00' 12.20"
10	27° 19' 08.89"/82° 00' 33.39"
11	27° 18' 29.25"/81° 59' 08.25"
12	27° 18' 56.63"/81° 59' 57.00"
13	27° 19' 43.08"/82° 00' 24.81"
14	27° 18' 35.63"/81° 59' 41.25"

Location Map
Bethel Farms, LLLP
WUP No. 20 001635.010



Attachment: Dec18 - WUP 20001635.010 Recap Permit (4100 - WUP No. 20001635.010 - Bethel Farms, LLLP (DeSoto County))

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

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

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

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

(1)

3. The Permittee shall construct the proposed wells according to the surface diameter, casing depth, and total depth specifications below. The casing shall be continuous from land surface to the minimum depth stated, and both the casing depth and total depth are specified to prevent the unauthorized interchange of water between different water bearing zones. The maximum total depth listed below is an estimate, based on best available information, of the depth to the bottom of the Intermediate aquifer. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID No. 14, Permittee ID No. 14, having a surface diameter of 4 inches, with a minimum casing depth of 120 feet, drilled to a maximum total depth of 300 feet.

(223)

4. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing

zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

<u>District ID No.</u>	<u>Permittee ID No.</u>	<u>Casing Diameter</u>	<u>Casing Depth</u>	<u>Total Depth</u>
11	11	14 inches	500 feet	1500 feet
13	13	16 inches	500 feet	1600 feet
(240)				

5. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
6. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
7. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
8. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
9. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
10. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request. (427)

11. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. No(s). 1, 2, 3, 9, 10, 11, 12, and 13, Permittee ID No(s). 1, 2, 3, 9, 10, 11, 12, and 13:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.

This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.

(474)

12. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
13. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
14. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
15. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
16. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No(s). 11 and 13, Permittee ID No(s). 11 and 13. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
17. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 1, 2, 3, 9, 10, and 12, Permittee ID No(s). 1, 2, 3, 9, 10, and 12. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is sub

by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

- 1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
- 2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
- 3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
- 4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
- 5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
- 6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

REGULATION COMMITTEE

December 11, 2018

Consent Agenda

WUP No. 20004600.009 - Sweetwater Preserve, LLC/Sweetwater Preserve, LLC (Hardee County)

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have increased from those previously permitted. The annual average increased from 1,163,360 gallons per day (gpd) to 1,942,800 gpd, the drought annual average increased from 1,191,754 gpd to 2,020,000 gpd, the peak month increased from 6,190,200 gpd to 11,333,000 gpd, and the crop protection increased from 43,342,400 gpd to 46,654,100 gpd. The increase in quantities is the result of adding 60 acres of citrus and increasing the row crop acreage from 195.3 acres to 853.6 acres. Quantities are based on information provided by the applicant and the District's water use calculation program, AGMOD. The permit incorporates a combination of groundwater and FARMS funded surface water sources. This project is located within the Southern Water Use Caution Area.

Special conditions include those that require the Permittee to record and report monthly meter readings, report quantities pumped during frost/freeze events, investigate well complaints during crop establishment and frost/freeze events, modify the permit to activate standby quantities, modify the permit to reflect incorporation of any new alternative sources of water, cap all wells not in use, periodically have all meters calibrated, maintain water conservation and best management practices, maintain system leak detection and repair program and compliance, and monitor and report water levels.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 004600.009**

PERMIT ISSUE DATE: December 11, 2018

EXPIRATION DATE: December 11, 2038

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

TYPE OF APPLICATION: Renewal

GRANTED TO: Sweetwater Preserve, LLC
Post Office Box 1416
Wauchula, FL 33873

Camp Sweetwater, LLC.
Post Office Box 1416
Wauchula, FL 33873

Sweetwater Packing Company, Inc.
Post Office Box 1416
Wauchula, FL 33873

PROJECT NAME: Sweetwater Preserve, LLC

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

COUNTY: Hardee

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

ANNUAL AVERAGE	1,942,800 gpd
PEAK MONTH ¹	11,333,000 gpd
DROUGHT ANNUAL AVERAGE ²	2,020,000 gpd
CROP PROTECTION/MAXIMUM ³	46,654,100 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

ABSTRACT:

This is a renewal with modification of an existing water use permit for agricultural use. The authorized quantities have increased from those previously permitted. The annual average increased from 1,163,360 gallons per day (gpd) to 1,942,800 gpd, the drought annual average increased from 1,191,754 gpd to 2,020,000 gpd, the peak month increased from 6,190,200 gpd to 11,333,000 gpd, and the crop protection increased from 43,342,400 gpd to 46,654,100 gpd. The increase in quantities is the result of adding 60 acres of citrus and increasing the row crop acreage from 195.3 acres to 853.6 acres. Quantities are based on information provided by the applicant and the District's water use calculation program, AGMOD. The permit incorporates a combination of groundwater and FARMS funded surface water sources. This project is located within the Southern Water Use Caution Area.

Attachment: Dec18 - WUP 20004600.009 Recap Permit (4099 : WUP No. 20004600.009 - Sweetwater Preserve LLC)

Special conditions include those that require the Permittee to record and report monthly meter readings, report quantities pumped during frost/freeze events, investigate well complaints during crop establishment and frost/freeze events, modify the permit to activate standby quantities, modify the permit to reflect incorporation of any new alternative sources of water, cap all wells not in use, periodically have all meters calibrated, maintain water conservation and best management practices, maintain system leak detection and repair program and compliance, and monitor and report water levels.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	1,942,800	11,333,000	2,020,000	46,654,100

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Celery	32.00	Drip With Plastic	34.03"/yr.	34.03"/yr.
Celery	5.90	Drip With Plastic	25.29"/yr.	25.29"/yr.
Citrus	60.17	Seepage Citrus Hay Pasture	11.70"/yr.	17.14"/yr.
Hay, Commercial	60.00	Center Pivot	24.70"/yr.	29.51"/yr.
Hay, Commercial	60.00	Center Pivot	29.30"/yr.	33.47"/yr.
Hay, Commercial	22.97	Center Pivot	22.70"/yr.	27.51"/yr.
Hay, Commercial	22.97	Center Pivot	27.30"/yr.	31.49"/yr.
Squash, Zucchini - (Non Cover Crop)	88.27	Drip With Plastic	16.40"/yr.	16.40"/yr.
Squash, Zucchini - (Non Cover Crop)	20.40	Drip With Plastic	16.41"/yr.	16.41"/yr.
Squash, Zucchini - (Non Cover Crop)	6.32	Drip With Plastic	33.39"/yr.	33.39"/yr.
Squash, Zucchini - (Non Cover Crop)	8.44	Drip With Plastic	17.36"/yr.	17.36"/yr.
Squash, Zucchini - (Non Cover Crop)	253.00	Drip With Plastic	26.52"/yr.	26.52"/yr.
Squash, Zucchini - (Non Cover Crop)	35.16	Drip With Plastic	30.89"/yr.	30.89"/yr.
Strawberries	404.10	Drip With Plastic	24.56"/yr.	24.56"/yr.

WITHDRAWAL POINT QUANTITY TABLE

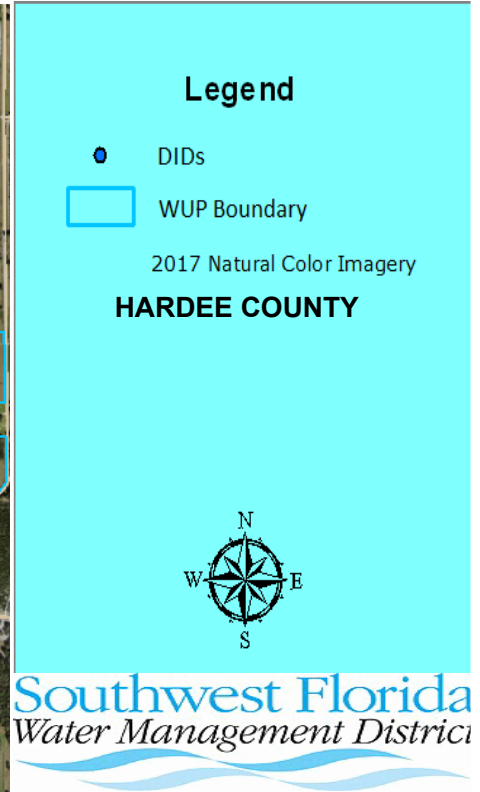
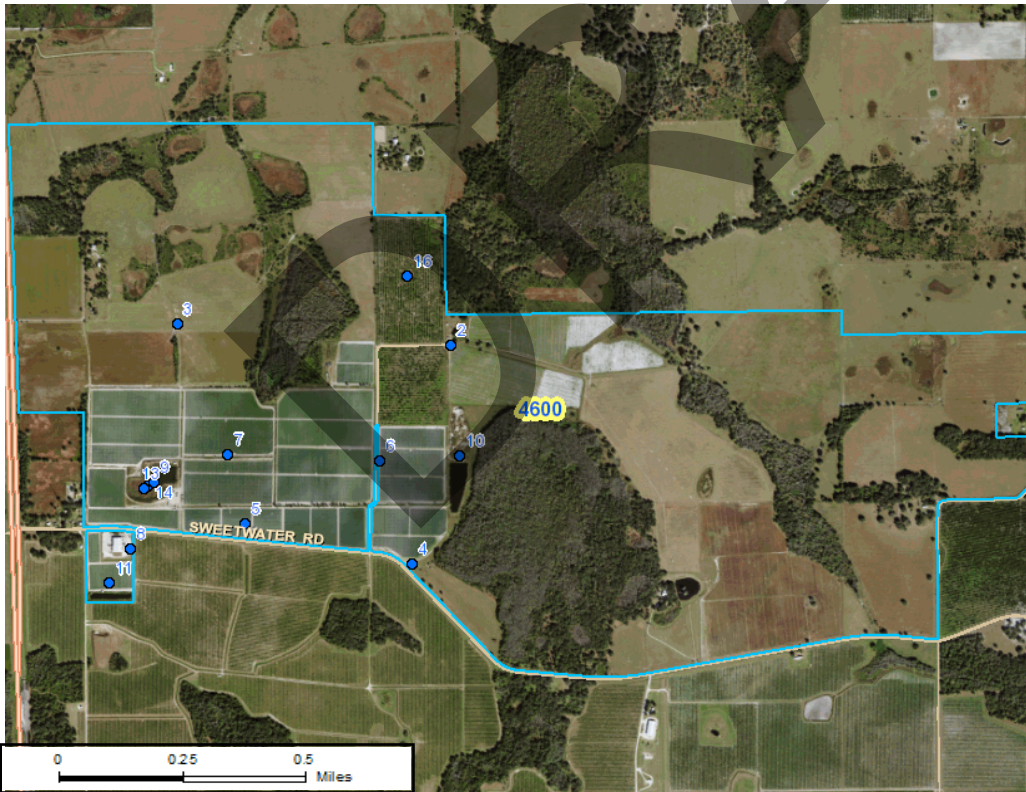
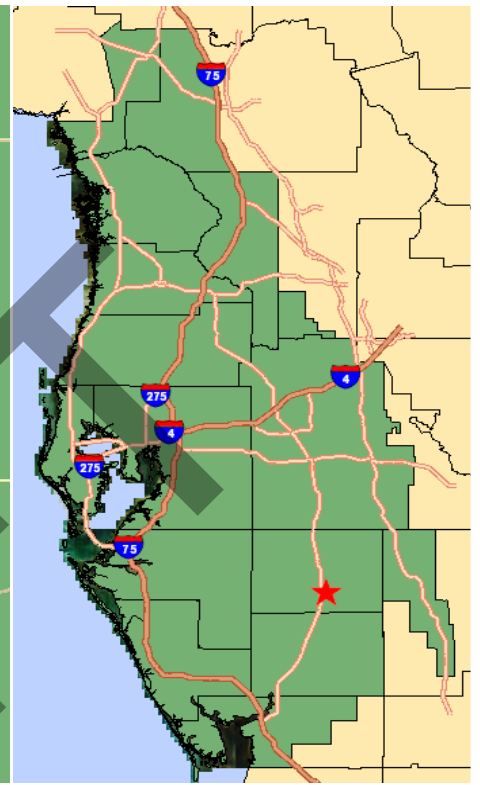
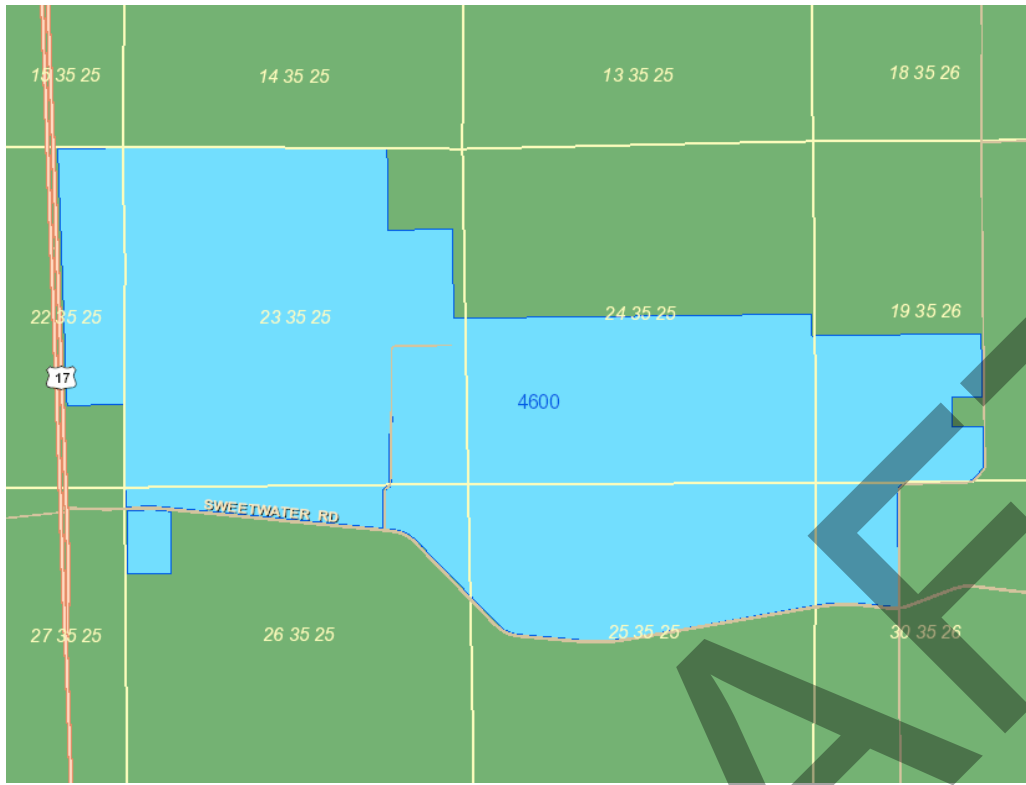
Water use from these withdrawal points are restricted to the quantities given below :

I.D. NO. PERMITTEE/ DISTRICT	DIAM (in.)	DEPTH TTL./CSD.FT. (feet bls)	USE DESCRIPTION	AVERAGE (gpd)	PEAK MONTH (gpd)	CROP PROTECTION (gpd)
2 / 2	12	1,300 / 103	Irrigation	740,200	4,034,200	1,500,000
3 / 3	12	933 / 326	Irrigation	287,600	1,517,500	833,200
4 / 4	8	241 / 101	Irrigation	67,800	326,800	200,000
5 / 5	12	1,240 / 336	Irrigation	120,200	910,900	6,329,800
6 / 6	10	785 / 175	Irrigation	38,400	291,300	3,436,100
7 / 7	10	1,300 / UNK	Irrigation	140,800	1,184,400	5,572,700
8 / 8	8	917 / 120	Irrigation	N/A	113,100	N/A
Pond 1 / 9		N/A / N/A	FARMS Withdrawal Point	185,900	1,184,400	11,520,000
Pond 2 / 10		N/A / N/A	FARMS Withdrawal Point	219,800	963,900	11,520,000
Pond 3 / 11		N/A / N/A	FARMS Withdrawal Point	29,800	226,200	1,440,000
16 / 16	10	800 / UNK	Irrigation	112,300	580,300	4,302,300

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
2	27° 25' 08.21"/81° 46' 35.65"
3	27° 25' 11.11"/81° 47' 18.16"
4	27° 24' 38.23"/81° 46' 41.82"
5	27° 24' 43.75"/81° 47' 07.62"
6	27° 24' 52.40"/81° 46' 46.77"
7	27° 24' 53.26"/81° 47' 10.31"
8	27° 24' 40.37"/81° 47' 25.48"
9	27° 24' 49.52"/81° 47' 21.76"
10	27° 24' 53.06"/81° 46' 34.36"
11	27° 24' 35.61"/81° 47' 28.72"
16	27° 25' 17.64"/81° 46' 42.45"

Location Map
Sweetwater Preserve, LLC
WUP No. 20 004600.009



Attachment: Dec18 - WUP 20004600.009 Recap Permit (4099 : WUP No. 20004600.009 - Sweetwater Preserve LLC)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

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

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

2. The Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.
(1)
3. An Annual Water Level Summary Report which summarizes the observed water levels for the preceding 12-month monitoring period shall be provided each year by April 1. The report shall provide a summary of the recorded water level data for the preceding 12-month period and include the annual average and median water level values recorded. A minimum operating water level of 74.50 ft NAVD 88 has been established for irrigation Pond 1 by the District. Normal, non-crop protection, irrigation withdrawals must cease at this water level. The report shall also provide a general description of climatic conditions for the preceding year.
(287)
4. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
5. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
6. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)

7. The Permittee shall investigate well complaints related to pumpage from wells for crop protection and crop establishment within 1,500 feet of the property boundaries. Instructions for the complaint handling and possible mitigation procedure are given in Exhibit B, Well Complaint Instructions, attached to and made part of this permit.
(326)
8. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.
(331)
9. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
10. The Permittee shall construct the following proposed monitor well(s)/piezometer(s) at the location(s) specified and pursuant to the stipulations given below in accordance with Chapter 62-532, "Water Well Permitting and Construction Requirements". All depths given are relative to feet below land surface. Land surface shall be surveyed relative to North American Vertical Datum 1988 (NAVD 88), and a monitor point elevation identified. A copy of the certified survey and well completion report shall be filed with the District within 30 days of well completion.
(416)
11. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.
- An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.
(427)
12. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted December 1, 2023 and December 1, 2028.
(449)
13. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If

the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)

14. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. No 16, Permittee ID No. 16:
1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.
- This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year. (474)
15. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. Nos. 2, 3, 4, 5, 6, 7, 9, 10, 11, and 16, Permittee ID Nos. 2, 3, 4, 5, 6, 7, Pond 1, Pond 2, Pond 3, and 16:
1. Crop type
 2. Irrigated acres per crop for the appropriate season,
 3. Dominant soil type or acres by dominant soil type,
 4. Irrigation method (NTBWUCA only),
 5. Use or non-use of plastic mulch,
 6. Planting dates, and
 7. Season length.
- This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop. (476)
16. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C. (568)
17. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit. (651)
18. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules. (652)
19. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Permittee ID Nos. 2, 3, 4, 5, 6, 7, 8, Pond 1, Pond 2, and Pond 3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (719)
20. The following existing, but previously un-metered withdrawal facilities shall be metered within 90 days of permit issuance: District ID No. 16, Permittee ID No. 16. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (720)

21. The Permittee shall continue to maintain the monitor well listed below, the Permittee shall record water levels to North American Vertical Datum 1988 (NAVD88) and report them to the District at the frequency listed for the interval, aquifer system listed. To the maximum extent possible, water levels shall be recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate for the frequency noted. If a monitoring well reading is reported dry for more six readings in a given year, a new monitoring well may have to be constructed to a deeper depth. The readings shall be reported online via the Permit Information Center at the District website, (www.watermatters.org/permits/epermitting/), or mailed in hardcopy on District-provided forms to the address given in this permit for mailing data and reports on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. A copy of the certified survey report for the well listed shall be included with the first data submittal.

Monitoring Well

District ID No. 14/ Permittee ID No. MW-1, recorded every month
(755)

22. By the date specified below, the Permittee shall install and maintain a District-approved staff gauge in the water body at the location specified by latitude and longitude below and report measurements of water levels referenced to the North American Vertical Datum 1988, at the frequency indicated. Instructions for installation of the staff gauge, and for recording and reporting the data are given in Exhibit B, Water Level Instructions, attached to and made part of this permit.

District ID No. 13, Permittee ID No. SG-1 by March 31, 2015 within the Pond, shall be recorded on a monthly basis and reported on a monthly basis at Lat. 27 degrees 24'49.39" / Long. 81 degrees 47'22.03"

To the maximum extent possible, water levels shall be recorded on the same week of each month and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.
(761)

23. Within 6 months of permit issuance, the Permittee will submit to the District the results of meter calibration tests performed for District ID Nos. 4, 9, and 11, Permittee ID Nos. 4, Pond 1, and Pond 3.
(990)
24. Upon execution of the signed "FARMS" Agreement between the District and Permittee, the following condition shall be complied with. A. Standby quantities are based on calculations performed by the DISTRICT that provide the best estimate of the groundwater quantities that shall be conserved or offset as a result of the operation of the FARMS Project (PROJECT). The parties recognize that the DISTRICT agreed to fund the PROJECT based upon this estimated resource benefit and the standby quantity shall constitute the "offset" of the PROJECT which may only be used by the Permittee in accordance with the provisions of paragraph C. The preceding sentence of this provision shall survive the termination or expiration of the FARMS Agreement for so long as the Permittee operates the PROJECT. B. If a 20-year permit is issued, the Permittee agrees to operate the PROJECT in accordance with paragraph C for the term of the 20-year permit and the DISTRICT agrees that standby quantities shall not be reduced during the 20-year permit unless requested by the Permittee or required by Florida Statutes. Standby quantities will be reviewed during permit renewal and will remain on standby status without reduction as long as the Permittee continues to operate the PROJECT in accordance with paragraph C and the conditions for issuance provided for in Chapter 373, F.S. and Chapter 40D-2, F.A.C., are met. If the Permittee discontinues operating the PROJECT prior to the expiration of the 20-year permit, the Permittee shall submit a permit modification application within ten (10) days and the parties agree that the standby quantities will be reviewed by the DISTRICT in accordance with the provisions of Chapter 373, F.S. and Chapter 40D-2, F.A.C. In the event the Permittee subsequently operates the PROJECT, the Permittee shall modify the Permit in accordance with paragraph A. This provision shall survive the termination or expiration of the FARMS Agreement. C.

The Permittee shall use the project components for the purpose of reducing groundwater withdrawals to the maximum extent practicable and allowed under the terms and conditions of the Permit, or its subsequent renewal or modification on all portions of the agricultural operation which are capable of benefiting from the PROJECT. Notwithstanding the foregoing, the Permittee may use standby quantities for irrigation as reasonably necessary under the circumstances and in accordance with the Permit or its subsequent renewal or modification if the use of the water provided by the PROJECT is such that a) adverse crop effects will occur due to its use or detainment; b) food safety concerns arise through its use; c) the quantity of surface water and captured irrigation tailwater is insufficient to provide the quantities of water necessary for supplemental irrigation; d) an unforeseen malfunction in project components occurs; or e) if standby quantities estimated are not realized. If a 20-year permit is issued to the Permittee under the terms of paragraph B, this provision shall survive the expiration of the FARMS Agreement through the duration of the 20-year permit. D. The Permittee shall not use the standby quantities to expand its agricultural operation or to irrigate a change in crop that utilizes more water than the existing crops that are set forth in the FARMS Agreement. This provision shall not be construed to prohibit the Permittee from expanding its agricultural operation or irrigating different crops with quantities otherwise available in the Permit. This provision shall survive the termination or expiration of the FARMS Agreement for so long as the Permittee operates the PROJECT. E. The Permittee shall not, sell, lease, convey or otherwise transfer the standby quantities from the Permit, or its subsequent renewal or modification, to any other permit, person, or entity or to another property owned by the Permittee. This provision shall survive the termination or expiration of the FARMS Agreement for so long as the Permittee operates the PROJECT. F. The required permit modification applications may be made through the use of a Modification Short Form if otherwise permitted under District rules(991)

25. The permittee is eligible for water conserving credits on December 1, 2028, through the submittal of a Letter Modification Application.” The Permittee must be in compliance with all permit conditions and have submitted all appropriate seasonal and annual crop reporting forms to be eligible for the additional water conserving credits. The available water conserving credit quantity will be equal to twice the difference between the 5-in-10 and 2-in-10 irrigation requirements as determined by AGMOD. (1027)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted

by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
- A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
 - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WATER LEVEL INSTRUCTIONS

The staff gauge(s) shall be surveyed according to instructions given on the District website and referenced to the North American Vertical Datum 1988, and a copy of the survey indicating the datum reference shall be submitted with the first water level data report. The staff gauge(s) shall be scaled in one-tenth foot increments and shall be sized and placed so as to be clearly visible from an easily accessible point of land. Water levels shall be recorded on a frequency as indicated in the table provided in the special condition and reported to the Water Use Permit Bureau, online via the WUP Portal at the District website or in hardcopy on District-provided forms on or before the tenth day of the following month. To the maximum extent possible, water levels shall be recorded on a regular schedule as indicated in the recording timetable below. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

Water Level Recording Timetable

<u>Frequency</u>	<u>Recording Schedule</u>
Daily	Same time of each day
Weekly	Same day of each week
Monthly	Same week of each month
Quarterly	Same week of months specified

WELL COMPLAINT INSTRUCTIONS

The permittee shall adhere to the following process for handling water resource, surface or ground water withdrawal point impact, dewatering complaints, or discharge/seepage of water from their property:

1. Within 48 hours of a complaint received by the Permittee related to their withdrawal or use of water or dewatering activity, the Permittee shall notify the District, perform a preliminary investigation to determine whether the Permittee's pumpage, dewatering activity, or discharge/seepage from their property may have caused the problem.
2. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes, such as drinking water.
3. If the resulting investigation determines that the Permittee was not responsible for the well problem, the Permittee shall document the reasons for this determination.
4. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's pumpage, dewatering, or discharge or water impoundment activities:
 - A. The complainant's problem shall be fully corrected within 15 days of complaint receipt.
 - B. Impacts to wells: Full correction shall be restoration of the complainant's well to pre-impact condition or better, including the aspects of pressure levels, discharge quantity, and water quality. This detailed investigation shall include, but not be limited to, an analysis of water levels and pumpage impacts at the time of the complainant's problem, well and pump characteristics including depths, capacity, pump curves, and irrigation system requirements.

5. The Permittee shall file a report of the complaint, the findings of facts, appropriate technical data, and any mitigating action taken or to be taken by the Permittee, to the Water Use Permit Bureau Chief, for review and approval within 20 days of the receipt of any complaint. The report shall include:
 - A. The name and address of each complainant;
 - B. The date and nature of the complaint;
 - C. A summary of the Permittee's investigation;
 - D. A summary of the Permittee's determination, including details of any mitigation activities; and
 - E. Cost of mitigation activity for each complaint.
6. A copy of the report shall be sent to the complainant within 20 days of complaint receipt.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

GENERAL COUNSEL'S REPORT

December 11, 2018

Consent Agenda

Amendment to Conservation Easement for Fox Branch Ranch Wetland Mitigation Bank - ERP No. 43042632.000 - Polk County

On December 29, 2017, the District issued Environmental Resource Permit (ERP) No. 43042632.000 (Permit) to Fox Branch Mitigation Holdings, LLC, and Fox Branch Cattle Company Partners (collectively Permittees) authorizing the establishment of a mitigation bank known as the Fox Branch Ranch Mitigation Bank (Project), located in Polk County, Florida. The Permit requires Permittees to grant a Conservation Easement (CE) over the Project to the District and the Florida Department of Environmental Protection (DEP). Rule 62-342.650, Florida Administrative Code, requires all Conservation Easements for mitigation banks to be conveyed to both the DEP and the Water Management District that reviews the mitigation bank ERP.

On January 18, 2018, Fox Branch Cattle Company Partners conveyed a CE over the Project to the District and DEP. The CE grants third party enforcement rights to the United States Army Corps of Engineers (USACE) as is required by the Mitigation Banking Instrument approved by the USACE for the Project. The management plan (State Management Plan) approved by the District for the Project is attached as Exhibit B to the CE. Subsequent to the recordation of the CE, the USACE approved a management plan (Federal Management Plan) for the Project with different, but not inconsistent, requirements than the State Management Plan. As a result, the CE must be amended to reflect that the Project must be conducted pursuant to the requirements of both the State and Federal Management Plans.

Accordingly, the Permittees submitted to the District a draft First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE to memorialize these changes. The draft was reviewed by District and DEP staff and changes were made by the Permittees in response to the comments provided by District and DEP staff. The final version of the First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE is attached to this recap as an exhibit, and District staff anticipates that by the date of the Governing Board meeting it will be in receipt of a copy that is executed by Fox Branch Cattle Partners. Because the amendment to the CE is altering an interest in land previously conveyed to the District, the District must join in with Fox Branch Cattle Partners and DEP in executing the amendment. Once Fox Branch Cattle Partners and the District have executed the amendment to the CE, it will be forwarded to DEP for its execution.

Staff Recommendation:

Approve, accept, and execute the attached First Amendment to Deed of Conservation Easement Third Party Beneficiary Rights to USACE for the Fox Branch Ranch Mitigation Bank.

Presenter: Adrienne E. Vining, Assistant General Counsel

**FIRST AMENDMENT TO DEED OF CONSERVATION EASEMENT
THIRD PARTY BENEFICIARY RIGHTS TO USACE**

Prepared by:

Amelia Savage, Esq.
Hopping Green & Sams, P.A.
119 South Monroe Street, Ste. 300
Tallahassee, Florida 32301

Return Original or Certified Recorded Document to:

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

THIS AMENDED DEED OF CONSERVATION EASEMENT is given this _____ day of _____, 20____, by Foxbranch Cattle Company Partners, a Florida general partnership, whose mailing address is 1444 Fairhaven Drive, Lakeland, Florida 33803 (“**GRANTOR**”), to Southwest Florida Water Management District, a public body existing under Chapter 373, Florida Statutes, having a mailing address of 2379 Broad Street, Brooksville, Florida 34604, and the Florida Department of Environmental Protection, an agency of the State of Florida, having a mailing address of 3900 Commonwealth Boulevard, M.S. 49, Tallahassee, Florida 32399 (collectively, “**GRANTEES**”), with third party enforcement rights to the United States Army Corps of Engineers, an Executive Branch agency of the United States government, having a mailing address of 701 San Marco Boulevard, Jacksonville, Florida 32207 (“**THIRD PARTY BENEFICIARY**”). As used herein, the term “**GRANTOR**” shall include any and all heirs, successors, or assigns of the GRANTOR, and all subsequent owners of the “Property” (as hereinafter defined); the term “**GRANTEES**” shall include any successors or assignees of the GRANTEES; and the term “**THIRD PARTY BENEFICIARY**” shall include any successor or assignee of the THIRD PARTY BENEFICIARY.

WITNESSETH

WHEREAS, on or about January 18, 2018, the GRANTOR conveyed to GRANTEES a certain *Deed of Conservation Easement Third Party Beneficiary Rights to the USACE* as recorded in the Official Records Polk County in Book 10409 Pages 1134-1152 as Instrument Number 2018044783 (the “Original Easement”); and

WHEREAS, the Original Easement, including all exhibits and the defined/capitalized terms contained therein, is incorporated in this First Amendment by reference unless specifically addressed herein; and

WHEREAS, the Original Easement grants rights to the GRANTEES in accordance with its terms and conditions pursuant to Section 704.06, F.S., with respect to certain property that is described in Exhibit A to the Original Easement (referred to therein as the “Property”) and also as Exhibit A hereto; and

WHEREAS, there is a Management Plan (hereinafter referred to as the “State Management Plan”) associated with Environmental Resource Permit No. 43042632.000 (“Permit”), and any modifications issued thereto by GRANTEE Southwest Florida Water Management District; and

WHEREAS, there is a Management Plan (hereinafter referred to as the “Federal Management Plan”) associated with U.S. Army Corps of Engineers Mitigation Banking Instrument No. SAJ-2014-02181 (“MBI”) and any modifications thereto; and

WHEREAS, the State Management Plan and Federal Management Plan are different documents with certain different, but not inconsistent, requirements; and

WHEREAS, the GRANTOR and GRANTEES desire to amend the Original Easement as it relates to Exhibit B to the Original Easement (referred to therein as the “Management Plan”) as well as internal references within the Original Easement to the Management Plan; and

WHEREAS, the Grantor and GRANTEES intend to ratify the Original Easement other than the changes herein; and

WHEREAS, GRANTEES have determined that this First Amendment will not adversely affect the overall purposes of the Original Easement; and

WHEREAS, subsection 704.06(4), Florida Statutes, provides that the holder of a conservation easement may release a conservation easement and so by extension the holder of a conservation easement may modify a conservation easement.

NOW, THEREFORE, in consideration of the foregoing Recitals and together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged by GRANTOR and GRANTEES, GRANTOR and GRANTEES mutually agree as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated herein by reference.

2. Amendment of the Original Easement. GRANTOR and GRANTEES agree to the following amendments to the Original Easement as it relates to the Management Plan:

a. Paragraph 3 (Prohibited Uses), and the subparts thereto in the Original Easement is amended to require that any activities undertaken because they are authorized in the Management Plan must not be inconsistent with either the State Management Plan or the Federal Management Plan; and

b. Paragraph 3.c.iv. of the Original Easement is amended to require that any activities conducted in accordance with the wildlife management provisions of the Management Plan must not be inconsistent with either the State Management Plan or the Federal Management Plan; and

c. Paragraph 4 (Grantor’s Reserved Rights) of the Original Easement is amended to change the reference from “Management Plan” to “State Management Plan or the Federal Management Plan”; and

d. Paragraph 17.k. (Relation to Prior Conservation Easement) of the Original Easement is amended to change the reference from “Long Term Management Plan approved by the Permit and MBI” to “State Management Plan and the Federal Management Plan”; and

e. Exhibit B (Management Plan) of the Original Easement is deleted.

3. Reaffirmation. Except as specifically set forth herein, all provisions of the Original Easement and Permit No. 43042632.000 and any modification thereto shall remain unchanged and in full force and effect with respect to the property described in Exhibit A.

4. Recordation. GRANTOR shall record this First Amendment in timely fashion in the Official Records of Polk County, Florida, and shall rerecord it at any time GRANTEEES may require, via written request, to preserve its rights. GRANTOR shall pay all recording costs and taxes necessary to record this First Amendment in the public records. GRANTOR will hold GRANTEEES harmless from any recording costs or taxes necessary to record this First Amendment in the public records.

5. Entire Agreement. This First Amendment contains the entire agreement of GRANTOR and GRANTEEES as to the modification of the Original Easement to modify certain references to the “Management Plan.” Except as modified by this First Amendment, the Original Easement is hereby ratified and confirmed. In the event of conflict between the Original Easement and this First Amendment, this First Amendment shall control.

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

[the remainder of this page is intentionally left blank]

IN WITNESS WHEREOF, Foxbranch Cattle Company Partners ("GRANTOR") has hereunto set its authorized hand this _____ day of _____, 20__.

FOXBRANCH CATTLE COMPANY PARTNERS,
a Florida general partnership

By: _____
(Signature)

Name: _____
(Print)

Title: _____

Signed, sealed and delivered in our presence as witnesses:

By: _____
(Signature)

By: _____
(Signature)

Name: _____
(Print)

Name: _____
(Print)

STATE OF FLORIDA)
COUNTY OF POLK)

On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, the person who subscribed to the foregoing instrument, as the _____, of Foxbranch Cattle Company Partners, a Florida general partnership, and acknowledged that he/she executed the same on behalf of said general partnership and the he/she was duly authorized to do so. He/She is personally known to me or has produced a _____ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

(Signature)

(Name)

My Commission Expires: _____

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Jeffrey M. Adams, Chair

Attest: _____
Bryan K. Beswick, Secretary

Date: _____

(Seal)

STATE OF FLORIDA

COUNTY OF _____

Before me, the undersigned authority, appeared JEFFREY M. ADAMS and BRYAN K. BESWICK, who are personally known to me, or who have shown _____ as identification, and who, upon being first duly sworn under oath, hereby acknowledges that they have read the foregoing, and same is true and correct to the best of their knowledge and belief.

Dated this _____ day of _____ 2018.

Notary Public, State of Florida

Date:

My commission expires: _____

Signed, sealed and delivered
in our presence as witnesses:

**GRANTEE:
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Witness Signature

By: _____
Printed Name: _____
Its: _____ (Title)

Printed Name

Witness Signature

(Seal)

Printed Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2018, by _____, the _____ of the Florida Department of Environmental Protection. He/she is personally known to me or has produced _____ as identification.

Notary Public, State of Florida as large

My Commission Expires: _____

Serial No. _____

Exhibit A

A parcel of land in Sections 14, 23, 24, 25 & 26, Township 26 South, Range 22 East, and Section 30, Township 26 South, Range 23 East, Polk County, Florida, described as follows;

Commence at the northwest corner of said Section 14; thence S 00°22'08" W along the west line of said Section 14 also being on the west boundary line of the SWFWMD LND Conservation Easement recorded in Official Records Book 4691, page 355 of the public records of Polk County, Florida as shown on Chastain and Skillman Boundary Survey drawing DSL 7643.01 (SWF Drawing 13-508-105C) for a distance of 1789.97 feet to the Point of Beginning; thence S 89°34'55" E a distance of 164.18 feet; thence S 27°31'45" E a distance of 174.68 feet to the beginning of a curve concave to the west and having a radius of 200.00 feet; thence along said curve to the right through a central angle of 40°44'14", an arc distance of 142.20 feet (Chord Bearing = S 07°09'38" E, Chord = 139.22 feet); thence S 13°12'29" W a distance of 183.91 feet to the beginning of a curve concave to the northeast and having a radius of 90.00 feet; thence along said curve to the left, through a central angle of 79°35'46", an arc distance of 125.03 feet (Chord Bearing = S 26°35'24" E, Chord = 115.21 feet); thence S 66°23'17" E a distance of 72.02 feet to the beginning of a curve concave to the southwest and having a radius of 75.00 feet; thence along said curve to the right, through a central angle of 53°38'38", an arc distance of 70.22 feet, (Chord Bearing = S 39°33'58" E, Chord = 67.68 feet; thence S 12°44'39" E a distance of 122.56 feet; thence S 75°07'17" E a distance of 108.64 feet; thence N 62°45'49" E a distance of 198.26 feet; thence N 68°27'13" E a distance of 248.51 feet; thence N 73°04'00" E a distance of 210.77 feet; thence S 88°42'58" E a distance of 94.34 feet; thence N 56°12'15" E a distance of 389.07 feet; thence N 62°35'53" E a distance of 237.80 feet; thence N 84°53'22" E a distance of 168.37 feet; thence N 76°38'46" E a distance of 168.72 feet to the beginning of a curve concave to the south and having a radius of 320.00 feet; thence along said curve to the right, through a central angle of 42°01'51", an arc distance of 234.74 feet, (Chord Bearing = S 82°20'19" E, Chord = 229.52 feet); thence S 61°19'23" E a distance of 105.91 feet to the beginning of a curve concave to the southwest and having a radius of 75.00 feet; thence along said curve to the right, through a central angle of 52°47'51", an arc distance of 69.11 feet, (Chord Bearing = S 34°55'28" E, Chord=66.69 feet);thence S 08°31'32" E a distance of 167.21 feet; thence S 00°12'41" W a distance of 84.86 feet; thence S 10°54'01" E a distance of 146.81 feet; thence S 01°36'35" W a distance of 79.55 feet; thence S 28°29'37" E a distance of 121.76 feet; thence S 08°34'32" E a distance of 112.27 feet; thence S 40°43'28" E a distance of 351.19 feet; thence S 21°09'44" E a distance of 130.83 feet; thence S 06°28'05" E a distance of 147.88 feet; thence S 14°55'42" W a distance of 70.21 feet; thence S 62°44'34" E a distance of 191.06 feet to the beginning of a curve concave to the west and having a radius of 100.00 feet; thence along said curve to the right, through a central angle of 39°27'43", an arc distance of 68.87 feet, (Chord Bearing = S 43°00'43" E, Chord = 67.52 feet); thence S 23°16'51" E a distance of 416.21 feet; thence S 39°51'09" E a distance of 98.53 feet; thence S 55°54'37" E a distance of 186.69 feet; thence S 79°58'27" E a distance of 173.76 feet; thence S 75°38'21" E a distance of 139.03 feet; thence S 29°07'47" E a

distance of 97.54 feet; thence S 68°29'36" E a distance of 103.45 feet; thence N 72°07'25" E a distance of 92.31 feet; thence S 47°36'11" E a distance of 143.91 feet; thence S 67°31'47" E a distance of 94.40 feet; thence S 32°59'55" E a distance of 89.96 feet to the beginning of a curve concave to the west and having a radius of 100.00 feet; thence along said curve to the right, through a central angle of 107°59'22", an arc distance of 188.48 feet, (Chord Bearing = S 20°59'46" W, Chord = 161.79 feet); thence S 74°59'27" W a distance of 204.85 feet to the beginning of a curve concave to the east and having a radius of 130.00 feet; thence along said curve to the left, through a central angle of 123°53'00", an arc distance of 281.08 feet, (Chord Bearing = S 13°02'57" W, Chord = 229.44 feet); thence S 48°53'33" E a distance of 222.84 feet; thence S 34°59'20" E a distance of 115.11 feet; thence S 24°32'58" E a distance of 172.48 feet; thence S 09°24'38" W a distance of 101.73 feet; thence S 09°58'40" E a distance of 119.70 feet to the beginning of a curve concave to the northeast and having a radius of 160.00 feet; thence along said curve to the left, through a central angle of 73°20'52", an arc distance of 204.83 feet, (Chord Bearing = S 46°39'06" E, Chord = 191.12 feet); thence S 83°19'32" E a distance of 136.85 feet; thence S 66°25'57" E a distance of 223.30 feet; thence S 45°21'27" E a distance of 159.30 feet to the beginning of a curve concave to the northeast and having a radius of 270.00 feet; thence along said curve to the left, through a central angle of 45°16'53", an arc distance of 213.38 feet, (Chord Bearing = S 67°59'53" E, Chord = 207.87 feet); thence N 89°21'41" E a distance of 111.81 feet; thence S 82°34'53" E a distance of 150.10 feet; thence S 52°38'43" E a distance of 183.76 feet; thence S 67°50'55" E a distance of 278.54 feet; thence S 52°04'15" E a distance of 119.14 feet; thence S 60°04'33" E a distance of 140.86 feet; thence S 42°36'58" E a distance of 159.70 feet to the beginning of a curve concave to the west and having a radius of 230.00 feet; thence along said curve to the right, through a central angle of 53°08'11", an arc distance of 213.30 feet, (Chord Bearing = S 16°02'52" E, Chord = 205.74 feet); thence S 10°31'14" W a distance of 367.19 feet; thence S 26°55'55" E a distance of 188.03 feet; thence S 07°59'08" E a distance of 169.59 feet; thence S 25°29'55" E a distance of 96.66 feet; thence S 52°52'06" E a distance of 185.12 feet; thence N 53°05'15" E a distance of 115.71 feet; thence N 71°16'26" E a distance of 119.12 feet; thence S 55°00'38" E a distance of 562.79 feet; thence S 69°10'05" E a distance of 207.29 feet; thence S 37°51'08" E a distance of 99.64 feet; thence S 62°48'15" E a distance of 291.60 feet; thence S 34°28'41" E a distance of 621.06 feet; thence S 26°37'27" E a distance of 110.46 feet; thence S 19°12'36" E a distance of 74.60 feet; thence S 25°20'53" E a distance of 466.70 feet; thence S 36°29'47" E a distance of 82.25 feet; thence S 20°04'32" E a distance of 154.25 feet; thence S 06°00'50" W a distance of 93.30 feet; thence S 25°04'07" E a distance of 88.95 feet; thence S 26°21'33" W a distance of 100.93 feet; thence S 06°57'42" W a distance of 200.45 feet; thence S 09°38'43" E a distance of 175.95 feet; thence S 00°07'48" W a distance of 128.42 feet; thence S 12°10'45" W a distance of 194.05 feet; thence S 01°55'22" E a distance of 354.50 feet; thence S 11°39'47" W a distance of 428.49 feet; thence S 04°15'07" E a distance of 193.46 feet; thence S 19°36'44" W a distance of 128.63 feet; thence S 28°43'07" W a distance of 137.55 feet; thence N 82°00'04" E a distance of 88.19 feet; thence N 89°33'48" E a distance of 354.47 feet; thence N 78°10'44" E a distance of 244.25 feet; thence N

76°04'04" E a distance of 245.46 feet; thence N 61°40'26" E a distance of 127.12 feet; thence N 68°00'55" E a distance of 196.71 feet; thence N 73°22'27" E a distance of 462.77 feet; thence N 81°11'07" E a distance of 233.77 feet; thence N 90°00'00" E a distance of 3466.89 feet to a point on the east line of the northwest quarter of said Section 30 also being on the boundary of aforesaid SWFWMD LND Conservation Easement as shown on said Chastain and Skillman Survey; thence along said Conservation Easement boundary for the following three courses (1) S 00°12'13" W a distance of 2106.46 feet to the southeast corner of the northwest quarter of said Section 30; (2) S 89°50'14" W along the south line of said northwest quarter a distance of 1324.52 feet to the northeast corner of the west half of the southwest quarter of said Section 30; (3) S 00°09'21" W along the east line of said west half a distance of 2153.69 feet; thence S 89°53'38" W a distance of 2002.24 feet; thence North 55°27'37" West a distance of 837.68 feet; thence North 53°21'15" West a distance of 1,278.53 feet; thence North 49°10'55" West a distance of 1,210.55 feet; thence North 57°36'03" West a distance of 2,195.44 feet; thence North 66°24'21" West a distance of 98.53 feet; thence North 60°11'06" West a distance of 502.60 feet; thence North 52°26'47" West a distance of 135.86 feet; thence North 44°06'47" West a distance of 321.76 feet; thence North 46°19'26" West a distance of 482.35 feet; thence North 40°31'52" West a distance of 163.87 feet; thence North 36°50'04" West a distance of 215.15 feet; thence North 41°34'37" West a distance of 371.93 feet; thence North 03°18'05" West a distance of 88.43 feet; thence N 11°43'36" W a distance of 158.19 feet to the beginning of a curve concave to the west and having a radius of 100.00 feet; thence along said curve to the left, through a central angle of 32°03'14", an arc distance of 55.94 feet, (Chord Bearing = N 27°45'13" W, Chord = 55.22 feet); thence N 43°46'50" W a distance of 79.35 feet to the beginning of a curve concave to the east and having a radius of 200.00 feet; thence along said curve to the right, through a central angle of 48°39'38", an arc distance of 169.86 feet, (Chord Bearing = N 19°27'01" W, Chord = 164.80 feet); thence N 04°52'48" E a distance of 102.00 feet; thence N 17°51'43" W a distance of 123.62 feet; thence N 16°01'18" E a distance of 310.93 feet; thence N 33°42'07" E a distance of 204.37 feet; thence N 24°36'29" E a distance of 204.59 feet; thence N 35°02'48" E a distance of 240.67 feet; thence N 55°40'06" E a distance of 365.25 feet; thence N 43°22'51" E a distance of 199.56 feet; thence N 59°26'55" E a distance of 204.39 feet; thence N 77°46'15" E a distance of 134.97 feet; thence N 00°14'05" W a distance of 1024.73 feet; thence S 89°45'55" W a distance of 882.76 feet; thence N 00°14'05" W a distance of 196.99 feet; thence S 89°45'55" W a distance of 769.89 feet; thence N 00°14'05" W a distance of 963.98 feet; thence N 48°06'32" E a distance of 172.23 feet; thence N 30°51'20" E a distance of 229.01 feet; thence N 01°04'58" W a distance of 110.33 feet; thence N 07°50'37" E a distance of 114.71 feet; thence N 16°38'49" W a distance of 239.84 feet; thence N 23°57'14" W a distance of 213.15 feet; thence N 89°42'32" W a distance of 750.08 feet; thence N 45°02'23" E a distance of 218.38 feet; thence N 35°47'56" W a distance of 129.66 feet to the beginning of a curve concave to the northeast and having a radius of 370.00 feet; thence along said curve to the right, through a central angle of 37°41'45", an arc distance of 243.43 feet, (Chord Bearing = N 16°57'03" W, Chord = 239.06 feet); thence N 12°25'46" W a distance of 202.93 feet; thence N 43°59'15" W a distance of 197.27 feet; thence N 33°48'17" W a

distance of 199.03 feet to the beginning of a curve concave to the east and having a radius of 175.00 feet; thence along said curve to the right, through a central angle of $57^{\circ}08'34''$, an arc distance of 174.53 feet, (Chord Bearing = $N 05^{\circ}14'00'' W$, Chord = 167.39 feet); thence $N 23^{\circ}20'17'' E$ a distance of 315.44 feet; thence $N 43^{\circ}35'28'' E$ a distance of 34.90 feet; thence $N 40^{\circ}49'38'' W$ a distance of 93.36 feet; thence $N 11^{\circ}10'58'' W$ a distance of 140.89 feet; thence $N 41^{\circ}31'59'' W$ a distance of 234.33 feet to the beginning of a curve concave to the northeast and having a radius of 830.87 feet; thence along said curve to the right, through a central angle of $36^{\circ}03'25''$, an arc distance of 522.88 feet, (Chord Bearing = $N 23^{\circ}09'34'' W$, Chord = 514.29 feet); thence $N 53^{\circ}22'33'' W$ a distance of 217.83 feet; thence $N 89^{\circ}56'03'' W$ a distance of 1706.05 feet to the west line of said Section 14 and west line of aforesaid SWFWMD LND Conservation Easement; thence $N 00^{\circ}22'08'' E$ along said west line a distance of 1176.30 feet to the Point of Beginning.

EXECUTIVE DIRECTOR'S REPORT

December 11, 2018

Consent Agenda

Approve Governing Board Minutes - November 13, 2018

Staff Recommendation:

Approve the Minutes as presented.

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

NOVEMBER 13, 2018

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on November 13, 2018, at the Tampa Office. The following persons were present:

Board Members Present

Jeffrey M. Adams, Chair
Ed Armstrong, Vice Chair
Bryan Beswick, Secretary
Michelle Williamson, Treasurer
H. Paul Senft, Member
Randall S. Maggard, Member
John Henslick, Member
Kelly S. Rice, Member
Mark Taylor, Member
Joel Schleicher, Member
James G. Murphy, Member
Scott Wiggins, Member

Board Members Absent

Rebecca Smith, Ph.D., Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
Brian Werthmiller, Inspector General
John J. Campbell, Division Director
Ken L. Frink, Division Director
Alba E. Más, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board Administrative Support

Caroline McKnight, Board & Executive Services Manager
Lori Manuel, Administrative Assistant

A list of others in attendance, who signed the attendance roster, is filed in the permanent records of the District. This meeting was available for viewing through Internet streaming. Approved minutes from previous meetings can be found on the District's website (www.WaterMatters.org).

PUBLIC HEARING (Video – 00:00)

1. Call to Order

Chair Adams called the meeting to order and opened the public hearing. Secretary Beswick stated a quorum was present.

2. Invocation and Pledge of Allegiance

Board Member Wiggins offered the invocation and led the Pledge of Allegiance to the Flag of the United States of America.

Chair Adams introduced each member of the Governing Board. He noted that the Board meeting was recorded for broadcast on government access channels, and public input was only taken during the meeting onsite.

Chair Adams 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 fill out and submit a "Request to Speak" card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on agenda items only during today's meeting. If the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment during "Public Input." Chair Adams stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by

the chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. Additions/Deletions to Agenda

Mr. Brian Armstrong, executive director, stated there were no additions or deletions to the agenda.

4. Public Input for Issues Not Listed on the Published Agenda

Chair Adams noted at this time, the public is given an opportunity to comment on any topic not listed on the agenda.

Mr. David Ballard Geddis, Jr., spoke in opposition of a water levy imposed by water management districts.

Board Member Senft stated he appreciates the input from Mr. Geddis. He suggested Mr. Geddis direct his concerns to state legislators.

CONSENT AGENDA

Chair Adams asked that before the Board considers action on the Consent Agenda whether there was anyone in the audience who wished to address the Board regarding an item listed on the Consent Agenda.

Resource Management Committee

5. Authorize Submission of Preliminary Flood Insurance Rate Maps for the City of Oldsmar Watershed Management Plan in Pinellas County to the Federal Emergency Management Agency

Staff recommended the Board approve use of the City of Oldsmar Watershed Management Plan floodplain information to update Flood Insurance Rate Maps in Pinellas County.

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

Staff recommended the Board:

- A. Accept the report entitled, "Revised Minimum and Guidance Levels Based on Reevaluation of Levels Adopted for Pierce Lake in Pasco County, Florida."
- B. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.
- C. Initiate and approve rulemaking to amend Rule 40D-8.624, F.A.C., to replace the previously approved Minimum and Guidance Levels with the proposed Minimum and Guidance Levels for Pierce Lake in Pasco County, as shown in the Exhibit.

Finance/Outreach & Planning Committee

7. Approval of the District's Investment Policy

Staff recommended the Board approve and accept the recommended updates to the District's Investment Policy.

8. Budget Transfer Report

Staff recommended the Board's approval of the Budget Transfer Report covering all budget transfers for October 2018.

Operations, Lands and Resource Monitoring Committee

9. Release of Easement and Quit Claim Deed for Central Florida Water Initiative Project, Eagle Lake, SWF Parcel No. 20-020-134

Staff recommended the Board approve the Release of Easement and Quit Claim Deed and authorize the Chairman to sign on behalf of the District.

10. Perpetual Easement Donation – Central Florida Water Initiative Project, Eagle Lake, SWF Parcel No. 20-020-174

Staff recommended the Board:

- Accept the donation of a perpetual easement from the School Board of Polk County for the CFWI Project.
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

Regulation Committee

11. Budget Transfer - Environmental Resource Permit Program Support (P432)

Staff recommended the Board approve the requested budget transfer of \$100,000 from N976 to P432.

12. Individual Water Use Permits Referred to the Governing Board – None

General Counsel's Report

13. Decline Right of First Refusal to Acquire the Remainder Fee Interest in a Conservation Easement, Bright Hour Ranch, SWF Parcel No. 20-780-101C

Staff recommended the Board authorize the Executive Director to decline the Right of First Refusal on SWF Parcel 20-780-101C.

14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval – None

15. Rulemaking – None

Executive Director's Report

16. Approve Governing Board Meeting Minutes – October 23, 2018

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio 00:10:25)

Chair Adams relinquished the gavel to the Resource Management Committee Chair Rice, who called the meeting to order. (Audio: 00:11:17)

**Resource Management Committee
Discussion**

17. Consent Item(s) Moved for Discussion - None

18. Potable Reuse Commission Update

Mr. Mark Hammond, P.E., Potable Reuse Commission representative, provided a presentation on the Potable Reuse Commission (PRC). Mr. Hammond explained that the PRC is a consensus-based body of stakeholders. He outlined the PRC mission and its guiding principles. Mr. Hammond explained how the PRC was created. Mr. Hammond outlined current members, supporting members and ex-officio members.

Mr. Hammond stated there are potable reuse pilot projects throughout the state, and the approach the Water Research Foundation takes to ensure best practices are used to protect public health and the environment. Mr. Hammond stated the PRC will be developing a regulatory framework and providing recommendations to the Florida Legislature.

This item was presented for the Board's information; no action was required.

19. Water Incentives Supporting Efficiency (WISE) Program (B015)

Mr. J.P. Marchand, P.E., Water Resources Bureau chief, provided a presentation on the Water Incentives Supporting Efficiency (WISE) program. He explained that the WISE program is a cost-share water conservation program. Mr. Marchand explained the District has a strategic goal related to water conservation to enhance efficiencies in all water use sectors. The goal of the WISE program is to target the landscape, recreation, industrial, commercial and institutional sectors.

Mr. Marchand outlined the goals of the WISE program which included reduced water use, improved efficiencies and increased education and outreach. He explained that although the program is Districtwide, it will focus on the Central Florida Water Initiative (CFWI) and the Northern Region. Mr. Marchand outlined the funding details of the program, the requirements, eligible items, benefits and costs.

This item was presented for the Board's information; no action was required.

Submit & File Reports – None

Routine Reports

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

20. Minimum Flows and Levels Status Report

21. Significant Water Resource and Development Projects

Committee Chair Rice relinquished the gavel to the Finance/Outreach & Planning Committee Chair Williamson, who called the meeting to order. (Audio: 00:53:37)

**Finance/Outreach & Planning Committee
Discussion**

22. Consent Item(s) Moved for Discussion - None

23. Information Technology Bureau Enterprise Computer and Storage Replacement

Mr. Thomas Hughes, Information Technology Bureau chief, provided a presentation for the network storage replacement. This presentation outlined the infrastructure that is being replaced, supported systems, replacement justification, funding information through Fiscal Year 2020 and next steps.

Staff recommended the Board approve the transfer of \$500,000 from the Network Storage Replacement fund to procure hardware, software, warranty and services associated with the replacement of the District's enterprise computer and SAN storage systems.

A motion was made and seconded to approve the staff recommendation. The motion carried unanimously. (Audio: 00:59:42)

Submit & File Reports – None

Routine Reports

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

24. Treasurer's Report and Payment Register

25. Monthly Financial Statement

26. Monthly Cash Balances by Fiscal Year

27. Comprehensive Plan Amendment and Related Reviews Report

28. Development of Regional Impact Activity Report

Committee Chair Williamson relinquished the gavel to Operations, Lands & Resource

Monitoring Committee Chair Maggard and called the meeting to order. (Audio: 01:00:02)

**Operations, Lands & Resource Monitoring Committee
Discussion**

29. Consent Item(s) Moved for Discussion - None

30. Hydrologic Conditions Report

Mr. Granville Kinsman, P.G., Hydrologic Data manager, provided a presentation on the hydrologic conditions. Mr. Kinsman stated that although rainfall has been below average conditions remain healthy. Most of the rainfall in the District is within a normal range. Groundwater levels throughout the District are considered normal. Lake levels in the northern District, Tampa Bay, Lake Wales Ridge and Polk Upland lakes are in the normal range but showing declines. Flows on the Withlacoochee River are within the above normal range. The Hillsborough, Alafia and Peace rivers are declining but remain within their normal ranges. The Hillsborough River, Bill Young and the Peace River reservoirs remain at healthy levels. Mr. Kinsman stated that El Niño is likely to develop in the upcoming months. This could bring above normal rainfall.

This routine report provided information on the general state of the District's hydrologic conditions by comparing rainfall, surface water, and ground water levels for the current month to comparable dates from the historical record.

Submit & File Reports – None

Routine Reports

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

31. Surplus Lands Update

32. Structure Operations

33. Significant Activities

Committee Chair Maggard relinquished the gavel to Regulation Committee Chair Taylor and called the meeting to order. (Audio: 01:06:25)

**Regulation Committee
Discussion**

34. Consent Item(s) Moved for Discussion - None

35. Denials Referred to the Governing Board

No denials were referred to the Board.

Submit & File Reports – None

Routine Reports

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

36. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation Program Update

37. Overpumpage Report

38. Individual Permits Issued by District Staff

Committee Chair Taylor relinquished the gavel to Chair Adams. (Audio: 01:06:54)

Attachment: GB-11132018 (4082 : Approve Governing Board Minutes - November 13, 2018)

General Counsel's Report

Discussion

39. Consent Item(s) Moved for Discussion – None

Ms. Karen West, general counsel, informed the Board that the parties involved in the administrative challenge to the Peace River Manasota Regional Water Supply Authority permit modification have reached an agreement in principle and agreed to ask the Administrative Law Judge to place the case in abeyance. Ms. West will keep the Board apprised.

Submit & File Reports – None

Routine Reports

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

40. November 2018 Litigation Report

41. November 2018 Rulemaking Update

Committee/Liaison Reports

42. Industrial Advisory Committee

A written report was provided for the November 6 meeting.

43. Public Supply Advisory Committee

Board Member Senft provided an update on the November 6 meeting. A report outlining the proposed policies and procedures for all advisory committees will be presented to the Board in December. The Board will vote on this in January.

A written report was provided.

44. Other Committee/Liaison Reports

Board Member Senft provided a copy of a report regarding the Pasco County reclaimed water natural system treatment.

Executive Director's Report

45. Executive Director's Report

Chair's Report

46. Chair's Report

Chair Adams stated the next Board meeting is December 11 in the Brooksville Office.

47. Other

48. Employee Milestones

The meeting was adjourned at 10:10 a.m.

Chair

Attest:

Secretary

**Governing Board Meeting
December 11, 2018**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

14. Consent Item(s) Moved for Discussion	101
15. Fiscal Year 2019-20 Cooperative Funding Process	102
16. City of Haines City – Reclaimed Water Ground Storage Tank and Pumping Stations – Preliminary Design and Third-Party Review (N898)	104
17. Pasco County – Scope Changes for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837 and Q021)	107

Submit & File Reports

18. Annual Status of the Southern Water Use Caution Area	113
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Routine Reports

19. Minimum Flows and Levels Status Report.....	120
20. Significant Water Resource and Development Projects.....	122

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Discussion Item

Fiscal Year 2019-20 Cooperative Funding Process

Purpose

To update the Board on the status of the fiscal year (FY) 2019-20 Cooperative Funding process and prepare the Governing Board members for their upcoming February regional public meetings.

Background

The Cooperative Funding Initiative application deadline was Friday, October 5, 2018: 144 applications were received totaling \$113.7 million in District funding requests.

The proposed February and April meeting schedule for the four regional subcommittees is detailed below:

PLANNING REGION	MEETING DATE	MEETING TIME	LOCATION
Northern	February 6	10 a.m.	Brooksville
Heartland	February 7	10 a.m.	Bartow CH
Southern	February 13	10 a.m.	Sarasota
Tampa Bay	February 14	10 a.m.	Tampa

PLANNING REGION	MEETING DATE	MEETING TIME	LOCATION
Northern	April 3	10 a.m.	Brooksville
Heartland	April 4	10 a.m.	Bartow CH
Southern	April 10	10 a.m.	Sarasota
Tampa Bay	April 11	10 a.m.	Tampa

Discussion

The FY2019-20 applications were distributed to staff and are undergoing in-depth evaluation for ranking purposes. The raw applications have been compiled by region, distributed to the Governing Board members, and posted on the District's website. Governing Board members are asked to familiarize themselves with the applications in preparation of the February public meetings. The following topics are proposed for the Governing Board's discussion at the February meetings:

- Summarize Funding Applications Received by Region
- Discuss Past Budgeted Expenditures by Region
- Receive Public/Stakeholder Input

- Review Preliminary Project Rankings
- Select Projects to Review in April
- Review Timeline and Next Steps

The February meetings are the Governing Board's opportunity to review the preliminary project rankings, ask questions of staff and the applicants, and to hear public and stakeholder input from non-applicants. During the February meetings, each subcommittee will be asked to identify proposals for presentation and further discussion at the April meetings. Final staff rankings will be provided in April, and the regional subcommittees will be asked to prepare their final rankings and recommendations at that time.

Applications submitted by the cooperators in each region will be provided to the Governing Board members at the December Governing Board meeting (see regional application booklets). In addition, applications can be located on the District's website at [<http://www.swfwmd.state.fl.us/business/coopfunding/>](http://www.swfwmd.state.fl.us/business/coopfunding/).

Staff Recommendation:

Approve the proposed February and April subcommittee meeting schedule and agenda topics staff has proposed for the February regional subcommittee meetings.

Presenter: Jay Hoecker, PMP, Water Supply Manager

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Discussion Item

City of Haines City – Reclaimed Water Ground Storage Tank and Pumping Stations – Preliminary Design and Third-Party Review (N898)

Purpose

The purpose of this item is to provide the results of the project's Third-Party Review (TPR) on the reclaimed water tank and pump stations' preliminary design, 30 percent design, and construction cost estimate, and request Governing Board approval to amend the Cooperative Funding Agreement to include final design, permitting, and construction.

Background/History

The City of Haines City (City) entered into a cooperative funding agreement with the District, effective October 1, 2017, for the conceptual sizing, preliminary design, and 30 percent design of an expansion to the City's reclaimed water storage and pumping infrastructure to be followed by a TPR. The agreement requires Governing Board approval to proceed beyond the TPR. In the FY2019 Cooperative Funding Initiative (CFI) cycle, the Governing Board approved the project at a total project cost estimate of \$6,160,000, pending completion of the TPR and additional Governing Board approval. The TPR is now complete, and the City is requesting approval to continue with final design and construction of the project.

If approved by the Governing Board and constructed, the project will include a transfer pump station, a reclaimed water storage tank, a high-service pump station, a booster station, telemetry controls and other necessary appurtenances. The project benefits include improvement of reclaimed water quality and availability to supply existing reuse customers, and to enable future expansions of the City's reuse system.

The City is a Rural Economic Development Initiative (REDI) Community and funding was approved by the Governing Board at a 75 percent District/25 percent City cost share basis. Pending the TPR and Governing Board approval, the project FY2019 CFI funding table is shown below:

Funding Source	Prior	FY2019	Future	Total
Haines City (REDI)	\$75,000	\$375,000	\$1,090,000	\$1,540,000
District	\$225,000	\$1,125,000	\$3,270,000	\$4,620,000
Total	\$300,000	\$1,500,000	\$4,360,000	\$6,160,000

The project has proceeded on schedule and with excellent communication between all team members.

Benefits/Costs

The City contracted with Reiss Engineering, Inc. (Reiss) to complete the preliminary design and 30 percent design. The District then selected HDR Engineering, Inc. (HDR), to complete the TPR. The draft TPR was completed by HDR on August 26, 2018. The City and Reiss were given an opportunity to address comments in the draft TPR, and those comments were included in the final TPR report provided by HDR, dated September 14, 2019.

The TPR determined that the cost estimate for the project should be \$8,043,253, which is a 31 percent increase above the original estimate of \$6,160,000. The TPR report also noted that the proposed reclaimed water facilities were sized based on projected customers that may not be in place within 20 years. This resulted in larger and more expensive facilities that likely would not be used for 20 years or more.

The City and their consultant reviewed the TPR and, based on that review, they downsized several project components while allowing for future expansion should the demand for reclaimed water increase. The City and their consultant were in general agreement with the TPR cost estimate except for what they considered was a duplication of tax and general contractor fees. Subsequently, the City and their consultant prepared a revised project total cost estimate of \$6,800,000 which is a \$640,000 (10 percent) increase over the FY2019 cost estimate.

The City has proposed to pay for the \$640,000 additional project cost and is not requesting additional District funding. The City is also committed to the project and plan to have Reiss continue value engineering (VE) efforts during final design to keep the construction costs at or below the estimate. The City will be funding their portion of the construction of this project through a low-interest State Revolving Fund Loan.

The project was re-evaluated at the current City cost estimate, and the overall project is ranked as medium and recommended for funding. The project evaluation is included as an Exhibit.

Staff Recommendation:

1. Authorize continuation of the Reclaimed Water Tank and Pump Stations project to final design, permitting, and construction.
2. Authorize staff to amend the cooperative funding agreement with the City to include final design, permitting, and construction with a total project budget of \$6,800,000 with the District funding \$4,620,000 and the City funding \$2,180,000.

Presenter: JP Marchand, P.E., Water Resources Bureau Chief

Project No.N898	Reclaimed Water – Haines City Reclaimed Water Tank and Pump Stations, Final Design and Construction				FY2019
Haines City					
Risk Level:	Type 2	Multi-Year Contract: Yes, Year 3 of 3			
Description					
Description:	Final design, permitting and construction of a transfer pump station, a storage tank, a high service pump station, a booster station, associated yard piping, electrical modifications, instrumentation, controls, and other necessary appurtenances. Funding was approved in FY18 for 30% design and third-party review. The District required a third-party review because the conceptual construction estimate is greater than \$5 million dollars.				
Measurable Benefit:	The contractual Measurable Benefit is the design, permitting, and construction of equipment that will enable the city to store and supply reclaimed water to existing and future customers in the "Ridge Lakes" area of the Central Florida Water Initiative (CFWI). Construction will be done in accordance with the permitted plans.				
Costs:	Total project cost: \$6,800,000 (Design, Third-Party Review, Permitting and Construction) Haines City share (REDI): \$2,180,000 District share: \$4,620,000 with \$225,000 budgeted in previous years, \$1,125,000 approved in FY2019 and \$3,270,000 anticipated to be requested in future years				
Evaluation					
Application Quality:	Medium	Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with the cooperator to obtain the remaining required information.			
Project Benefit:	Medium	The benefit of this project, if constructed, would be the improvement of reclaimed water availability to enable future reclaimed water system expansions.			
Cost Effectiveness:	Medium	The project costs are 1% over the typical range of costs for infrastructure in similar District funded reclaimed water storage and pumping projects.			
Past Performance:	High	Based on an assessment of the schedule and budget for 2 ongoing projects.			
Complementary Efforts:	High	Haines City's reclaimed water system includes metering and incentive-based reuse rate structures for high volume water users and has pro-active reclaimed water expansion policies which maximize utilization, water resource benefits, and environmental benefits.			
Project Readiness:	High	Project is ongoing and on schedule.			
Strategic Goals					
Strategic Goals:	High	Strategic Initiative - Reclaimed Water: Maximize beneficial use of reclaimed water to offset potable water supplies and restore water levels and natural systems. Heartland Region Priority: Improve Ridge Lakes, Winter Haven Chain of Lakes and Peace Creek Canal.			
Overall Ranking and Recommendation					
Fund as Medium Priority.	The 30% design and third-party review were completed in December 2018. Based on the third-party review, the City has updated the total project cost to \$6,800,000 (\$640,000 increase – 10%) and proposes paying for the cost increase. The cost effectiveness and overall ranking of the project remains in the medium range. If constructed, this project will improve the availability of reclaimed water for future reclaimed water system expansions. Haines City qualifies for a 75% cost share as a REDI community as defined by Florida Statute. Under District Policy 130-4, the Board can reduce the requirements for matching funds for REDI communities.				
Funding					
Funding Source	Prior	FY2019	Future	Total	
Haines City (REDI)	\$75,000	\$375,000	\$1,730,000	\$2,180,000	
District	\$225,000	\$1,125,000	\$3,270,000	\$4,620,000	
Total	\$300,000	\$1,500,000	\$5,000,000	\$6,800,000	

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Discussion Item

Pasco County – Scope Changes for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837 and Q021)

Purpose

The purpose of this item is to request approval to revise the project scope of work with Pasco County for Phase 1 (N837) and 2 (Q021) of the Cypress Preserve Reclaimed Water Transmission project.

Background/History

The project is for the design, permitting and construction of a reclaimed water transmission main to supply reclaimed water to residential customers and common areas in the Cypress Preserve development in central Pasco County. The Governing Board approved Phase 1 (N837) of the project in the Fiscal Year (FY) 2018 Cooperative Funding Initiative (CFI) cycle and, at the Board meeting of May 22, 2018, tentatively approved Phase 2 (Q021) of the project in the FY2019 CFI cycle. As a part of the tentative approval for Phase 2, Pasco County was required to meet several conditions associated with the project including:

1. Provide an appropriate measurable benefit by January 1, 2019;
2. Provide an estimated schedule for additional transmission needs associated with the project, including future phases;
3. Recognize that the District standard contract language applies for a 20-year customer commitment and that the reclaimed water benefits must be achieved within five years to avoid payback of District funds;
4. Receive Governing Board approval for the project funding after the conditions above are satisfied.

In order to address conditions 1 through 3 above, Pasco County has provided an appropriate measurable benefit, schedule, and recognition of standard District contract language (Exhibit 1). However, as a part of the development of a measurable benefit for the Phase 2 project (Q021), Pasco County recognized that they inadvertently identified all of the homes and common area in the development as receiving reclaimed water as a part of the Phase 1 project (N837). Therefore, Pasco County has requested to modify the original number of residences to be served as a part of the Phase 1 project (N837). The measurable benefit of 0.19 mgd of reclaimed water supplied for Phase 1 (N837) remains unchanged. The cost effectiveness also remains unchanged as it is based upon the measurable benefit (amount of reclaimed water provided). The updated project information for N837 is provided in the table below:

Item 17

Project N837	Approved	Updated
Project Benefit	557 single family homes 284 multi-family homes Approximately 15 acres common area	190 homes 5 acres common area amenity center
Measurable Benefit	0.19 mgd	0.19 mgd
Project Cost*	\$350,000	\$350,000
Cost Effectiveness	\$3.07/gal/day	\$3.07 gpd

*The District is funding only the construction portion (\$315,000) of project (not funding design).

Pasco County has also provided the following information for the Phase 2 Project (Q021):

Project Q021 Tentatively ApprovedProposed		
Project Benefit	To be provided by 1/1/2019	296 homes 3 acres common area
Measurable Benefit	To be provided by 1/1/2019	0.20 mgd
Project Cost	\$413,000	\$413,000
Cost Effectiveness	To be provided by 1/1/2019	\$3.44 gpd

Pasco County has submitted a FY 2020 CFI application for a third phase of the Cypress Preserve Project (two-year project) to serve approximately 354 additional homes and common areas with 0.23 mgd of reclaimed water.

In addition, Pasco County has indicated that the reclaimed water transmission line constructed through the Cypress Preserve community will also provide approximately 1.5 mgd of reclaimed water to future developments to the north and west of Cypress Preserve. The future developments are expected to include a minimum of 1,500 new homes (single and multi-family) and/or equivalent commercial properties, as well as over 20 acres of common area. These developments are expected to occur within the next ten years.

Benefits/Costs

The combined Phase 1 (N837) and 2 (Q021) projects will supply 0.39 mgd of reclaimed water to 486 homes and common areas. The combined Phase 1 and 2 total project costs remain at \$728,000 (\$315,000 - Phase 1 and \$413,000 - Phase 2) with the District to fund 50 percent of the costs. The cost effectiveness and overall ranking of the two projects is High.

Staff Recommendation:

1. Approve the revision to the project scope for the Cypress Preserve Reclaimed Water Transmission Project Phase 1 (N837) to decrease the number of homes served with no change to the project measurable benefit (0.19 mgd);
2. Approve the measurable benefit (0.20 mgd) and number of homes served (296 homes) for the Cypress Preserve Reclaimed Water Transmission Project Phase 2 (Q021), and provide final approval for the project to receive FY 2019 funding.

Presenter: Eric DeHaven, Assistant Resource Management Division Director

November 8, 2018

Eric DeHaven, P.G.
Resource Management Division Assistant Director
Southwest Florida Water Management District
7601 Highway 301 N
Tampa, FL 33637

Dear Mr. DeHaven:

In FY18, Pasco County Utilities (PCU) applied for Southwest Florida Water Management District (District) Cooperative Funding Initiative (CFI) dollars for a 16-inch reclaimed main to serve a proposed 841 home development known as Cypress Preserve. The District approved funding for this project as (N837) with a measureable benefit of 0.19 MGD and all 841 homes and approximately 15 acres of common areas.

In FY19, PCU applied for Phase II of additional 16-inch reclaimed main (Q021) through the Cypress Preserve development (Q021). At the May 2018 District Governing Board meeting, the Board required the following additional information regarding the proposed project to proceed with District co-funding:

1. **Regional impact:** District rules require pipelines to be transmission (not distribution) with a regional impact in order to be eligible for co-funding. The proposed 16-inch pipeline is a transmission line through Cypress Preserve to provide reclaimed water within Cypress Preserve and to future developments to the north and west of Cypress Preserve
2. **Project's Measurable Benefit:** PCU must provide a project measurable benefit by January 1, 2019, as well as estimated future benefits. PCU errantly identified the same 0.19 MGD and 841 homes and common areas as the measurable benefit for Phase II seeming to show no benefit for the project. The correct measurable benefits for each of the three phases of the project are provided in the included tables.
3. **Estimated schedule for future reclaimed water needs:** PCU must provide an estimate schedule for future reclaimed water needs. The final phase of the Cypress Preserve Project is expected to occur in the 2020-2021 time frame. Development to the north and west of Cypress Preserve is expected to occur over the next ten years.
4. **Pasco County accepting standard contract language:** PCU understands and commits to accepting the standard District contract that requires a 20-year customer commitment and that the reclaimed water benefits must be achieved within 5 years to avoid a contractual pay back.

Regional Impact

There are two factors which would indicate that currently undeveloped areas within central Pasco County will continue to see new and sustained growth: 1) the Development known as Bexley continues to build and expand northward; and 2) the proposed major east-west route of the Ridge Road Extension from Suncoast to US-41, along with published vision roads including the major north-south route of Sunlake Boulevard.

The attached maps (Option 1 and 2) display two potential methods of serving the greater central Pasco County area. Option 2 represents installing pipe along existing State Highways and not installing the proposed 16-inch pipe through Cypress Preserve. Option 1 shows that the central Pasco County area can have the same level of service while installing approximately 12,000 feet less pipe presenting a significant cost savings to PCU rate payers and SWFWMD tax payers. The full distance of 16-inch reclaimed transmission main from the point of connection to the western-most terminus of this project through hydraulic modeling is calculated to have a capacity sufficient to transmit approximately 1.5 MGD of reclaimed water to the area identified in the included Cypress Preserve Transmission Mains and Future POCs map at a target minimum service pressure of approximately 40 psi. Therefore, while traversing the Cypress Preserve development, this project represents a regional impact to Pasco County.

To achieve the regional benefit, all phases of the project must be completed to make future connections to the west and north. It is estimated that developments to the west and north will include a minimum of 1,500 new homes (single and multi-family) and/or equivalent commercial properties as well as >20 acres of common area that will be supplied with reclaimed water through the Cypress Preserve transmission line. These developments are expected to occur within the next ten years.

The Cypress Preserve development is located near a large transmission main on US-41 and presented two important opportunities for PCU: 1) a chance to provide reclaimed water for approximately 841 homes, neighborhood parks, and surrounding common areas offsetting an estimated 0.62 MGD of potential potable water demand; and 2) a cost effective and beneficial route to extend the system along with planned roadways to serve future planned developments west of US-41.

Measurable Benefits

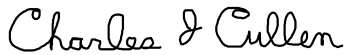
The following is an approximate breakdown for each phase of the Cypress Preserve Project:

Project Phase	Schedule	Cost	Beneficial Flow	Project Components
Phase I (N837)	FY18	\$315,000	0.19 MGD	Approximately 3,000 ft of 16" Main
Phase II (Q021)	FY19	\$413,000	0.20 MGD	Approximately 2,600 ft of 16" Main
Phase III	FY20-FY21	\$478,000	0.23 MGD	Approximately 2,100 ft of 16" main and 3,600 ft of 12" main

Project Phase	Schedule	Cost	Number of Homes	Park and Common Area Acres
Phase I (N837)	FY18	\$315,000	190	Approximately 5 acres of parks, common areas, and a large amenity center
Phase II (Q021)	FY19	\$413,000	296	Approximately 3 acres of parks and common areas
Phase III	FY20-FY21	\$478,000	354	Approximately 7 acres of parks and common areas

Please let us know if you have any questions or require more information.

Sincerely,



Charles J. Cullen, P.E., BCEE
Interim Utilities Engineering and Contract Management Director

CJC/mr

cc: Michael J. Carballa, P.E., BCEE, Assistant County Administrator (Public Infrastructure)

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Submit and File Report

Annual Status of the Southern Water Use Caution Area

Purpose

This is the annual update and status of the District's efforts to monitor the recovery of water levels and flows in the Southern Water Use Caution Area (SWUCA). The update addresses the status of water levels and flows and development of sufficient water supplies through the end of 2017.

Background/History

In March 2006, the Governing Board (Board) adopted minimum "low" flows for the Upper Peace River, minimum levels for eight lakes along the Lake Wales Ridge in Polk and Highlands counties and a saltwater intrusion minimum aquifer level (SWIMAL) for the Upper Floridan aquifer in the Most Impacted Area (MIA) of the SWUCA. Since most of these minimum flows and levels (MFLs) were not meeting their adopted levels and flows, the Board adopted the SWUCA Recovery Strategy (Strategy) and changes to water use permitting rules to implement the Strategy. Principle goals of the Strategy to achieve by 2025 are:

1. Restore minimum levels to priority lakes in the Ridge area;
2. Restore minimum flows to the upper Peace River;
3. Reduce the rate of saltwater intrusion in coastal Hillsborough, Manatee and Sarasota counties (referred to as the MIA) by achieving the proposed minimum aquifer level for saltwater intrusion; and
4. Ensure there are sufficient water supplies for all existing and projected reasonable-beneficial uses.

The Strategy provides a plan for ensuring these MFLs can be achieved by 2025, that there are sufficient water supplies for all reasonable-beneficial uses, and that investments of existing water use permittees are protected.

The District uses its extensive data collection network to monitor trends in resource conditions as well as permitted and actual water use. Results of this monitoring are provided to the Board each year; and, every five years this information is evaluated as part of each five-year review of the Strategy. Monitoring provides the information necessary to determine whether progress is being made and enables the District to adaptively manage water resources to ensure the goals can be achieved.

The first five-year review of the Strategy encompassed the period 2007 to 2011. The review was completed in 2013 and presented to the Board at their meeting in August of that year. With respect to the principle goals of the Strategy, significant progress had been made on two goals: restoring flows in the upper Peace River and ensuring that sufficient water supplies in the region are available. However, progress on the other two goals, achieving the SWIMAL and minimum levels on lakes, was lagging. As such, District staff recommended the initiation of an outreach effort to work with stakeholders in the MIA and the Ridge Lakes area. The purpose of these efforts was to work with stakeholders to identify project options for achieving water level recovery. Following a review of District information and stakeholder feedback, staff provided recommendations to the Board at their meetings in February 2015 (MIA Stakeholders) and July 2015 (Ridge Lakes Stakeholders). Options identified during the outreach efforts and approved by the Board were:

Most Impacted Area (MIA)	Ridge Lakes Area
<ol style="list-style-type: none"> 1. Continue monitoring 2. Update analytical tools 3. Promote water conservation initiatives 4. Expand FARMS 5. Expand beneficial reuse 6. Explore aquifer recharge/ASR 	<ol style="list-style-type: none"> 1. Continue monitoring 2. Reevaluate established minimum lake levels 3. Evaluate available recovery options for individual lakes

The second five-year review of the Strategy encompassed the period 2012 through 2016 and concluded progress had been made on all four principle goals. The review was recently completed in 2017 and presented to the Board at their meeting in April 2018.

Progress has also been made on options identified during the 2015 outreach efforts for the MIA and Ridge Lakes. The District continues to monitor resources in the region and update the analytical tools used to establish MFLs and assess factors affecting levels and flows. In the MIA, the District recently initiated construction of a test recharge well system at Flatford Swamp to determine the feasibility of recharging the Upper Floridan aquifer with excess surface water from Flatford Swamp. Preliminary modeling of the aquifer recharge shows this project, if constructed, could increase aquifer levels in the MIA that contribute to achieving the SWIMAL, as well as benefit Flatford Swamp. In the Ridge Lakes area, the District has completed re-evaluation of minimum levels at four lakes and continues to meet with water use groups to identify projects to recover impacted lakes. The focus of the District's lake recovery efforts has been to work collaboratively with stakeholders to identify projects that can be cooperatively implemented. Additionally, the District continues to expand the FARMS program and work through its Cooperative Funding Program to promote and expand water conservation and beneficial reuse. The Ridge Lakes minimum lake level goal continues to be the biggest recovery challenge. Following is a summary of the annual update and status of resource monitoring in the SWUCA for the period ending in December 2017.

Annual Update and Status of Resource Monitoring Efforts

Though data are reviewed from the many sites comprising the District's monitoring network, the overall status of water resources in the SWUCA can be illustrated by trends observed at six long-term groundwater level sites (referred to as sentinel wells) and water levels and flows associated with established MFL water bodies located throughout the SWUCA. Figure 1 (see exhibit) shows the locations of the six sentinel wells. ROMP 50 and 60, and the Coley Deep wells reflect water level trends in the northern portion of the SWUCA; and, the Marshall Deep, Edgeville Deep and Sarasota 9 wells reflect water level trends in the southern portion of the SWUCA. Since the early 1990s, groundwater levels have been stable or increasing in the north and stable or decreasing in the south. This was anticipated to occur as it was understood that changes in withdrawal locations and reductions in water use in the northern areas were occurring and that additional water use would likely occur in the southern areas.

In January 2007, when regulatory portions of the Strategy went into effect, MFLs were adopted on 17 water bodies with five (29 percent) water bodies meeting and 12 (71 percent) water bodies not meeting their adopted MFLs. Since that time, additional MFLs have been adopted and there are now a total of 45 water bodies with adopted MFLs in the SWUCA: 32 lakes, 11 river segments (including four estuaries), one spring and one aquifer. In 2017, 23 (51 percent)

water bodies were meeting and 22 (49 percent) water bodies were not meeting their adopted MFLs. Figure 2 (see exhibit) shows the locations of water bodies with adopted MFLs and the corresponding determination of met versus not met status. There is no change in the percentage of MFLs met compared to the previous year (2016) due to the addition of four new lakes to the list. However, there has been progress made on the lakes (Goal 1). Since the 2016 assessment, MFLs for four new lakes have been adopted, which increases the total number of lakes with established minimum levels in the SWUCA from 28 in 2016 to 32 in 2017. The number of lakes meeting their minimum levels increased from 12 in 2016 to 13 in 2017. Crooked Lake was recently reevaluated and readopted, and its status changed from not met in 2016 to met in 2017. The number of lakes not meeting their minimum levels increased from 16 to 19. The movement of one lake previously not met to met status and the addition of four new lakes with established minimum levels resulted in a net change of three lakes not meeting their minimum levels since 2016. Most of the lakes not meeting their levels have recently been on a positive trend towards their adopted minimum levels. Excluding the three new lakes adopted since 2016, 10 of the 16 lakes not meeting their minimum levels in 2016 show continued improvement, four lakes remain stable and two lakes dropped further below their minimum levels.

The minimum flow status for the upper Peace River (Goal 2) remains the same as the 2016 assessment. Low flow conditions in the river were improved by the operation of the Lake Hancock project in 2016, but dry conditions in 2017 precluded the project achieving the minimum low flow.

The SWIMAL for the MIA (Goal 3) is an important indicator of overall progress on the Strategy due to the regional nature of the aquifer and implications for requests for new groundwater withdrawals. The SWIMAL was calculated as the average Upper Floridan aquifer groundwater level in the MIA over the 10-year period from 1990 to 1999; and, Figure 3 (see exhibit) presents the current status of the MIA aquifer level compared to the adopted SWIMAL. The status is determined by comparing the 10-year moving average of measured water levels from 10 wells in or adjacent to the MIA to the adopted SWIMAL of 13.1 feet. At the end of 2017, the 10-year average aquifer level was 12.8 feet, which is a 0.2-foot increase from 2016 level.

The District continues to support development of conservation and alternative water supply projects to ensure there are sufficient water supplies for existing and projected reasonable-beneficial uses (Goal 4). For FY2017, a review of ongoing and completed reuse projects within the Southern Water Use Caution Area reveals a total of 16 ongoing District cooperatively-funded reuse projects, which will result in approximately 17 million gallons per day (mgd) of additional reuse supply upon completion. Of those 16 ongoing projects, three were completed during FY2017 resulting in 12 mgd of additional pumping capacity and 10 million gallons of additional storage. Ongoing or completed public supply water conservation projects in FY2017 included a total of 13 District cooperatively-funded conservation projects, which will result in approximately 0.55 mgd of conservation savings upon completion. An additional six water resource development projects, including those related to aquifer storage and recovery, brackish groundwater development, and potable water interconnects/line looping, were ongoing or completed in FY2017 providing approximately six mgd of water supply.

The two primary factors influencing hydrologic conditions in the region are rainfall and groundwater withdrawals. Rainfall is the principle source of water to the hydrologic system in the groundwater basin and, as expected, has been highly varied over the last several years with two major droughts and a period of very high rainfall. Since 2004 and 2005 when the area

Item 18

experienced several tropical storms, the area has received less than long-term average annual rainfall for 10 out of the last 12 years as shown in Figure 4 (see exhibit). During these low rainfall periods, less water is available to replenish surface water bodies, resulting in lower levels and flows. Additionally, activities that use water, such as agricultural and landscape irrigation, require increased withdrawals to supplement lower rainfall amounts. Increases in groundwater withdrawals during these periods can cause surface water levels to decline further than would be expected given below average rainfall alone. Recent trends in total estimated groundwater withdrawals in the SWUCA, as well as withdrawals by use type, are shown in Figure 5 (see exhibit). Though recent rainfall has been below the long-term average, estimated groundwater withdrawals (including metered withdrawals) have generally declined due to changes in water use related activities in the basin and have averaged about 570 million gallons per day (mgd) since 2006. Withdrawals from the Upper Floridan aquifer represent about 90 percent of total groundwater withdrawals in the area. Though total groundwater withdrawals in the region have decreased over the past 10 years, locally there are areas that have experienced increases in withdrawals, as well as a shift from one water use type to another, which have affected groundwater levels.

In summary, progress towards recovery continues but challenges remain. Water resource trends have generally been stable and consistent with rainfall received, though several sites still remain below adopted MFLs. Average rainfall over the past 10 years has been below the long-term annual average. However, recent rainfall has been above the long-term average, which is reflected in increases in surface water levels and flows experienced throughout the basin. Total estimated groundwater withdrawals have declined in recent years and continue to be approximately 50 percent of total permitted groundwater quantities. Though withdrawals have declined regionally, some areas have experienced increased withdrawals due to changes in associated land use activities.

Staff Recommendation:

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

Presenter: JP Marchand, P.E., Water Resources Bureau Chief

Exhibit
Status of the Southern Water Use Caution Area Recovery Strategy
Figures 1 - 5

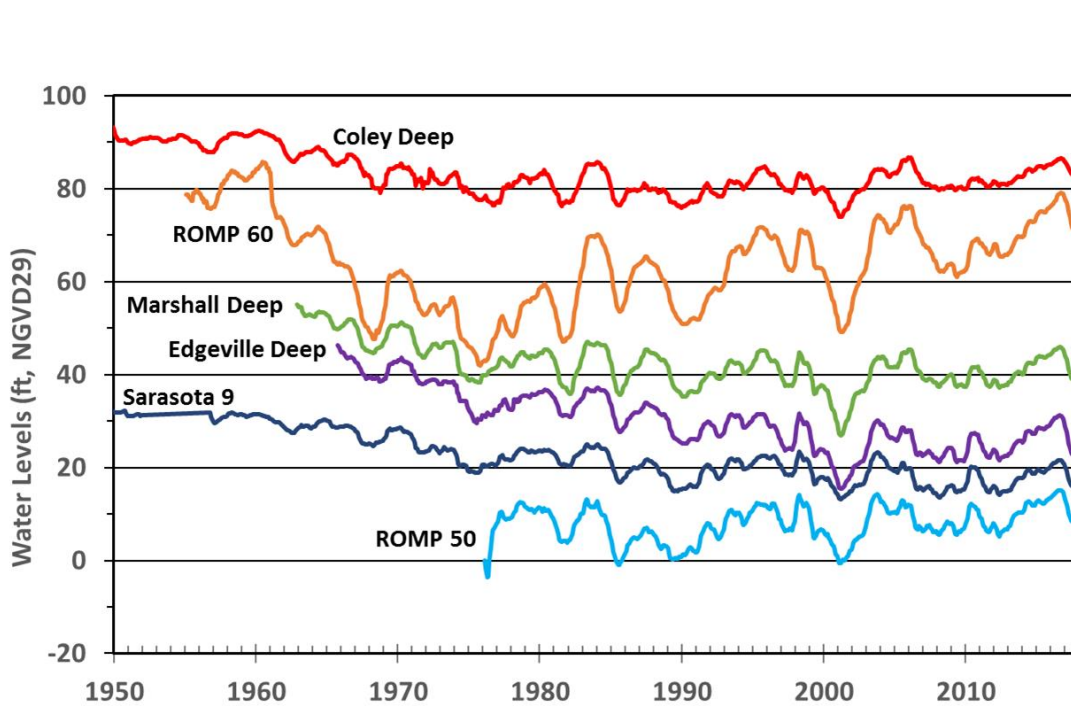
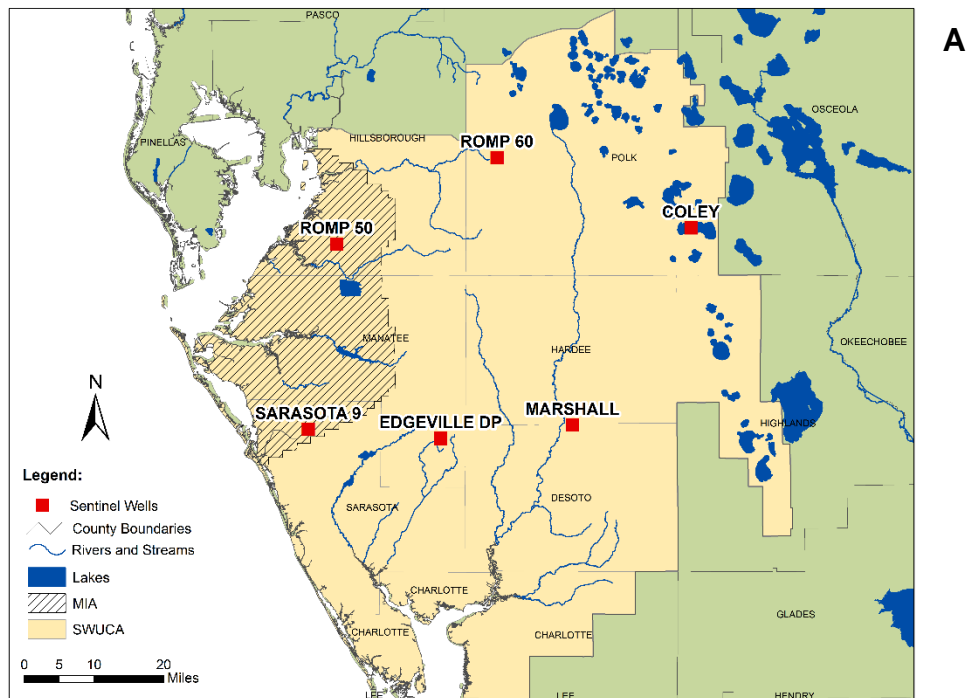


Figure 1. A). Map of the sentinel well locations; B) Water levels of the monitoring wells in the SWUCA (average level for 12-month moving periods)

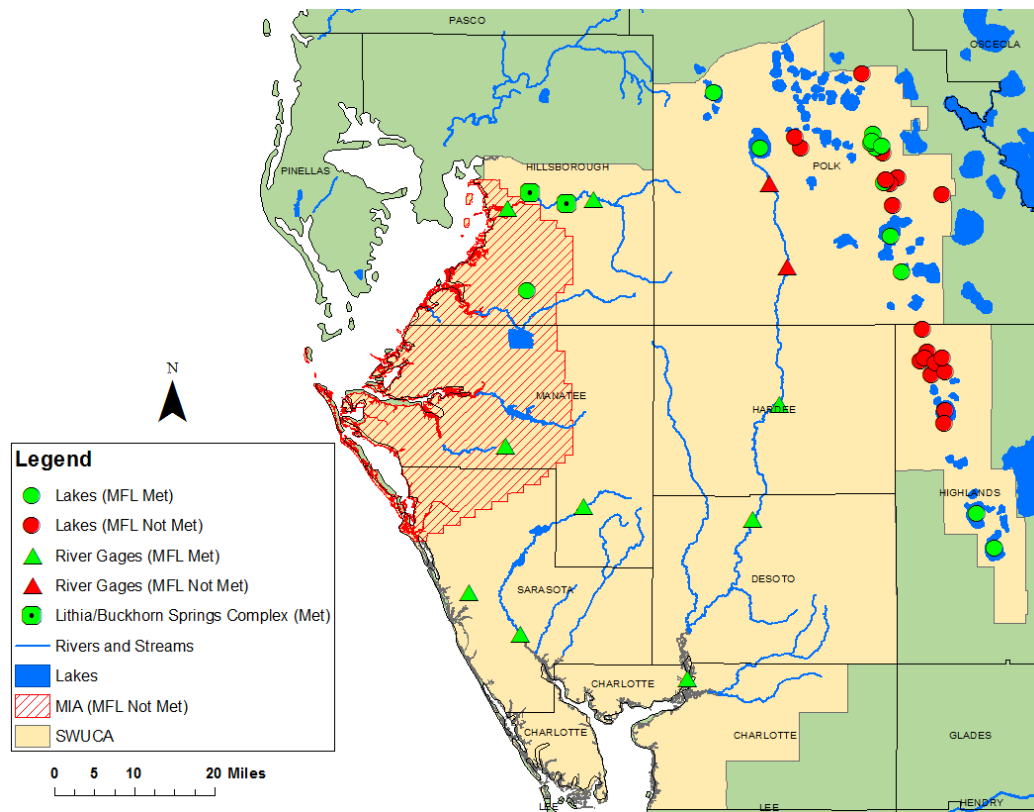


Figure 2. Status of MFL water bodies in the SWUCA

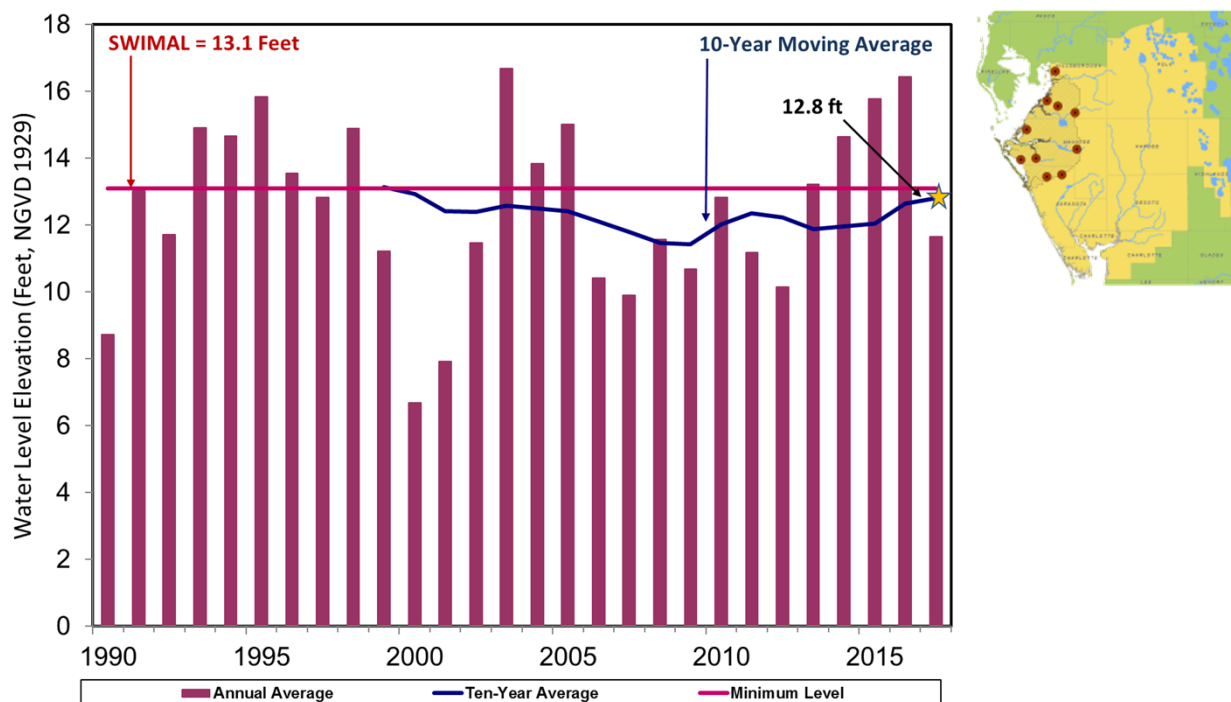


Figure 3. Status of the Upper Floridan aquifer level in the Most Impacted Area of the SWUCA

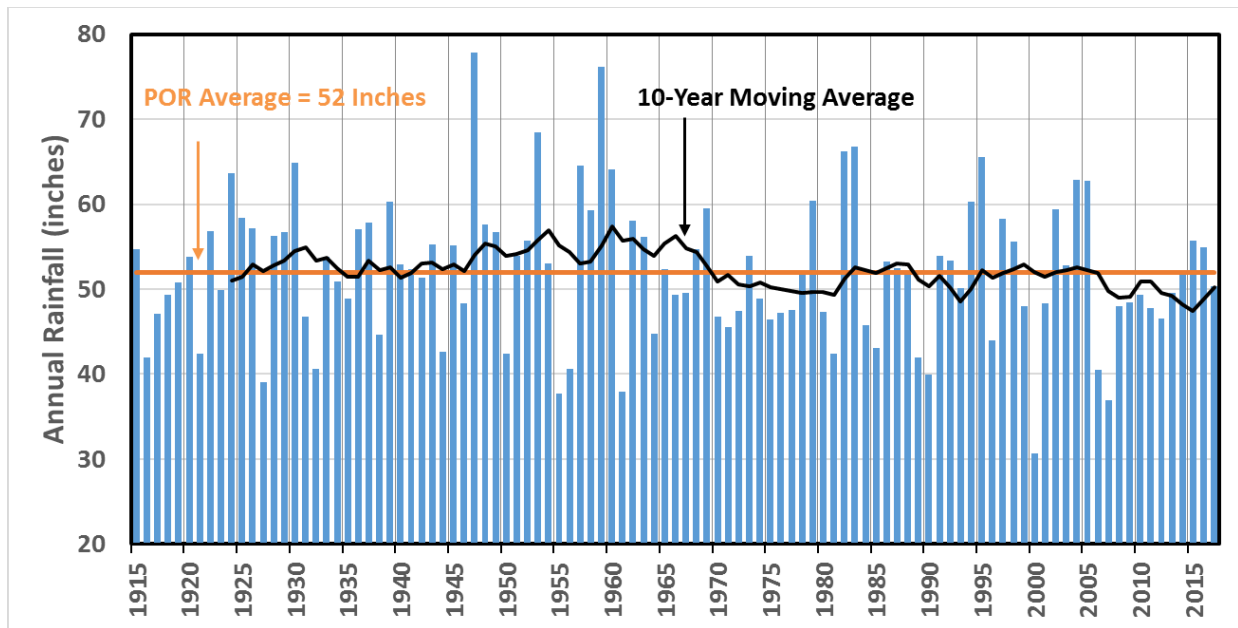


Figure 4. Long-term rainfall as depicted for the Peace River Basin

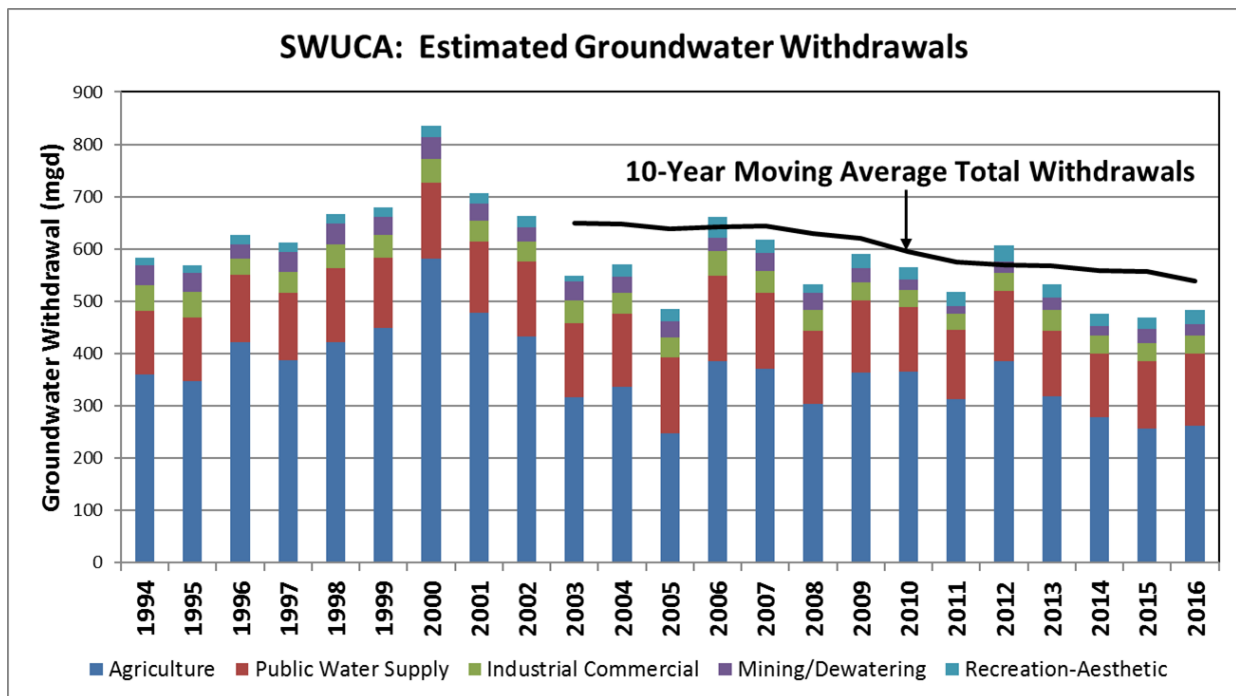


Figure 5. Total estimated/actual groundwater withdrawals in the SWUCA

RESOURCE MANAGEMENT COMMITTEE**December 11, 2018*****Routine Report*****Minimum Flows and Levels Status Report**

Section 373.042 of the Florida Statutes requires the state water management districts or Department of Environmental Protection (DEP) to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses and other surface water bodies. MFLs are the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area and are used in District permitting programs and for water-supply planning.

District staff continues to work on various phases of the development or reevaluation of MFLs for water bodies included on the 2018 Priority List and Schedule approved by the Governing Board in October 2018. Like previous status reports, this report highlights phased tasks that have been completed for prioritized water bodies since the last Governing Board meeting and summarizes cumulative progress for all currently prioritized water bodies. It differs from the status report provided to the Governing Board last month and those presented earlier this year in that it addresses the number of water bodies included on the recently approved 2018 Priority List and Schedule.

Phase 1 (Data collection). Data collection was not completed for any currently prioritized water bodies during the past month. To date, data collection has been completed for 16 of the 93 water bodies scheduled for MFLs adoption or reevaluation by 2027.

Phase 2 (Data analyses and development of draft MFLs reports). Data analyses and draft report development were not completed for any water bodies during the past month. To date, analyses and draft, internal-review reports have been completed for 11 of the 93 water bodies scheduled for MFLs adoption/reevaluation by 2027.

Phase 3 (a. Presentation of draft MFLs reports to the Governing Board prior to peer review; b. presentation of peer review reports and staff responses to the Governing Board; c. public workshops; and d. presentation of final MFLs reports to the Governing Board for acceptance).

- a) No draft MFLs reports that are to be subjected to peer review were presented to the Governing Board this month. Draft reports for four of the 93 currently prioritized water bodies that were subsequently peer reviewed have previously been submitted to the Governing Board.
- b) No peer review reports or staff response to peer review findings were presented to the Governing Board this month. To date, peer review reports and associated staff responses have been presented to the Governing Board for three of the 93 water bodies scheduled for MFLs adoption/reevaluation by 2027.
- c) No public workshop on proposed MFLs were held during the past month. To date, public workshops addressing seven of the 93 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been conducted.
- d) No final reports on proposed MFLs were submitted to the Governing Board this month. Final reports addressing seven of the 93 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been accepted by the Governing Board.

Item 19

Phase 4 (Recovery Strategy Development). No new recovery strategies were developed for Governing Board consideration this month. The previously approved Northern Tampa Bay Water Use Caution Area recovery strategy has been identified as necessarily applicable to three of the 93 water bodies scheduled for MFLs adoption/reevaluation through 2027. No need for recovery has been determined for four of the 93 prioritized water bodies. The need for recovery has not yet been determined for the 86 other water bodies.

Phase 5 (Governing Board Approval of Rule Amendments). No rule amendments associated with proposed MFLs were presented to the Governing Board this month. To date, requests to initiate rulemaking associated with reevaluated MFLs for seven of the 93 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been approved.

Staff Recommendation:

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

Presenter: Doug Leeper, MFLs Program Lead, Springs and Environmental Flows Section

RESOURCE MANAGEMENT COMMITTEE

December 11, 2018

Routine Report

Significant Water Resource and Development Projects

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen.

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. ***New Activities Since Last Meeting:*** Staff reviewed the conceptual design report for the diversion infrastructure. An amendment to the consultant agreement to add the Phase 2 tasks is routing through the District's approval process. *Project Manager: Lisann Morris*

Lower Hillsborough River MFLs Recovery Strategy - Implementation

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned under the recovery strategy, funded through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. Pursuant to the recovery strategy, since December 31, 2007, 75 percent of up to 11 cubic feet per second (cfs) (i.e., 8.2 cfs) transferred to the reservoir from the TBC is being pumped to the base of the Hillsborough River Dam. The District received notification from the COT on November 7, 2011,

that the Sulphur Springs Run Lower Weir project was complete and the pumping facilities and Upper Weir modifications to assist in meeting the MFL were completed in January 2012. The COT completed construction for the Blue Sink pipeline in April 2016 and construction restoration was completed in May 2016. In November 2017 the COT began operation of the Blue Sink pumping facility. In October 2017, the District completed design for the Morris Bridge Pumping facility, but construction has not begun pending the outcome of analysis the COT is performing on other alternative supplies to meet the MFL, specifically associated with the Tampa Augmentation Project (TAP - Q028). In 2017, the COT began the process of taking over operation of pump stations on the TBC, as required by the recovery strategy. In addition, a CFA between the COT and the District for the LHR Dam Control Gate Facilities (N492) was completed to construct a new sluice gate in the dam to allow the city to pass the full quantity of water needed to meet minimum flows. In accordance with the permit issued to the District by the FDEP for planned minimum flow recovery pumping from Morris Bridge Sink, the District submitted a review/assessment of the recovery strategy to FDEP in December 2017. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Acquisition of necessary permits and other unforeseen issues have delayed construction and full implementation of some recovery strategy projects. However, important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, LHR Dam Control Gate Facilities, and the TBC as recovery flow sources, and results from recent years suggest that the desired goal of creating low salinity habitat below the dam can be sustained through minimum flows implementation. The District and the COT continue to work cooperatively to determine how the MFL will be impacted through the proposed COT TAP - Q028 project. The COT has met with District staff and is pursuing additional coordination regarding minimum flow requirements to support the updating of their minimum flow operating procedures. Water quality monitoring, soil subsidence monitoring and biological sampling for FY2018 for the WUP for Morris Bridge Sink has been completed. The annual reports to FDEP for permit compliance for the S-161 WUP and Morris Bridge Sink WUP were submitted on March 30, 2018. Vegetation monitoring and wildlife monitoring for the WUP for Morris Bridge Sink has been completed. The first pilot algal removal event for Sulphur Springs was conducted on May 31, 2018. The second and final pilot algal removal event for Sulphur Springs was conducted on June 29, 2018. The technical memo summarizing the results of the pilot algal removal project was submitted to the District on August 30, 2018. This project is now complete. Negotiations for the FY2019 Morris Bridge Sink Environmental Monitoring required by the WUP are ongoing. District staff have reviewed the draft biological sampling report for the LHR recovery strategy five-year assessment and provided comments. ***New Activities Since Last Meeting:*** The City of Tampa submitted the final Summary Report on the Investigation of Storage or Additional Water Supply Options (H400) on October 31, 2018. This completes the work for this project. *Project Managers: Barbara Nordheim-Shelt; Mary Spence*

Aquifer Recharge Projects

City of Clearwater - Groundwater Replenishment Project - Phase 3

This is an ongoing project which previously completed work on an advanced water purification pilot plant test and one groundwater recharge injection site. Results from the water purification plant pilot tests and injection well testing demonstrated that this project would be successful in allowing the City to increase their reclaimed water utilization, reducing surface discharges, improving groundwater levels in the Northern Tampa Bay Water Use Caution Area, and increasing the City's future water supply potential from their existing wellfields. Phase 3 of this

project is the design, third-party review, permitting and construction of the full-scale water purification plant and the injection and monitor well systems to recharge 2.4 mgd annual average of purified recycled water at Clearwater's Northeast Water Reclamation Facility. Public outreach is also a critical function throughout the design and construction of this project. The original CFI contract with the City for this project was executed in January 2016. An increase in the total project cost from \$28,680,000 to \$32,716,000, was requested at the District's September 27, 2016 Governing Board Meeting based on results of a 30 percent design and third-party review. The Board approved the City's request to move forward with final design and construction and authorized a contract amendment for the project (current budget of \$32,716,000 with the District funding a total of \$16,358,000). This contract amendment was executed on March 6, 2017. Of the District's contribution, \$1,554,000 was approved in FY2015, \$2,131,600 was approved in FY2016, and \$8,000,000 was approved in FY2018. The remaining \$4,672,400 is to be requested in future funding applications. The 100 percent and final designs are complete at this time.. Three public meetings were conducted by the City between November 2016 and May 2017. Permit Applications for the Advanced Water Purification Plant were logged in at the FDEP on October 20, 2017 and were initially anticipated to be issued at the beginning of 2018. Site Development Permit Applications were reviewed by FDEP Environmental Resource Permitting, Florida Department of Transportation Right of Way Access, the City and the County. The final UIC Class I and Class V permits for the injection and recharge well construction and testing were issued by the FDEP on August 17, 2018. All FDEP permits for construction have been issued. **New Activities Since Last Meeting:** The City is working on a master plan for their water supply system and will be providing an updated schedule for the project. *Project Manager: Robert Peterson*

Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project

Pasco County, in partnership with the Southwest Florida Water Management District (District), has constructed a system of groundwater recharge wetlands on the 4G Ranch in central Pasco County to receive reclaimed water for groundwater recharge. The total project cost (N666), split equally between County and the District, was \$14,300,966. The facility consists of 175 acres of constructed wetlands divided into fifteen (15) cells planted with native wetland vegetation. Each cell is operated independently through a valve manifold that includes flow control valves and flow meters and operated based on water elevation setpoints. These water level setpoints should change monthly based on recommendations defined in the Operation and Maintenance Manual to achieve a wetland hydroperiod that mimics natural Florida wetlands, with high levels in the summer wet season and lower levels in the winter dry season. Furthermore, it is expected that the infiltration that can be achieved is a function of the water level in each cell which provides driving hydraulic head for infiltration into the groundwater. The need for recharge together with the need to maintain healthy wetland vegetative communities must be balanced and optimized to ensure project success and achieve the most benefit out of this facility.

Except for ongoing work to correct problems in the SCADA system used to automate cell operation, the facility's construction was completed in October 2017. Reclaimed water has been applied to all the cells since April 2017, and the long-term mid-summer 2018 average rate of water application has been approximately 3 MGD, with a maximum rate of approximately 8 MGD. As expected, the facility can typically handle higher rates during dry periods, and much lower rates during high rainfall periods.

A follow-up three-year project (N943), began in 2018 to compile and review available applicable operational data to evaluate impacts to the local groundwater system, optimize system performance, and estimate future operational trends. The total cost of this project is \$280,000, split equally between the County and the District. As part of this project, an operational groundwater model of the site will be developed using the information from the consultant combined with the data that County staff is currently collecting. This operational groundwater

model will be used to estimate potential future system infiltration rates, impacts and benefits to the Upper Floridan aquifer, and future operational conditions. Consultant scientists will perform biannual vegetation surveys of the 15 cells constructed on the 4G Ranch to assess the performance of the wetlands against the setpoints. The surveys will be completed through photo-interpretation of low-altitude, high resolution photography obtained by the County to determine wetland vegetation cover of each cell. A technical memorandum that includes the results of both the hydrogeologic review and the vegetation hydroperiod review will be provided. This technical memorandum will include recommendations for changes to the monthly water elevation setpoints that will both maximize groundwater recharge while maintaining healthy wetland vegetative communities. The District has issued a no-cost time extension for the construction Agreement through March 31, 2019 to give the County additional time to resolve the SCADA issues. The County continues to work on resolving the SCADA issue with the facility. Meanwhile, the first tasks of the optimization project have been ongoing, including the recalibration of the groundwater model. Groundwater models, files and information collected during the spring vegetative monitoring has been received by the District. ***New Activities Since Last Meeting:*** A request for extensions of the Construction and CEI tasks through the end of the construction Agreement (N666) period has been received and is being processed. However, the County expects that both tasks will be completed by the end of the 2018 calendar year. The optimization effort (N943) is on schedule and moving forward. *Project Manager: Mike Hancock*

South Hillsborough County Aquifer Recharge Program (SHARP)

This is a direct aquifer recharge pilot project to evaluate directly recharging the non-potable zone of the UFA with up to 2 mgd of highly treated reclaimed water at the Hillsborough County's Big Bend facility near Apollo Beach in southern Hillsborough County (County). The goal of the project is to improve water levels within the Most Impacted Area of the Southern Water Use Caution Area and possibly slow the rate of inland movement of saltwater intrusion in the area. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, assessing aquifer characteristics, performing recharge testing, evaluating water level improvements, migration of the recharge water and metals mobilization, and conducting public outreach. The County's consultant submitted the well construction permit application for authorization to install the test recharge well and monitoring wells on December 20, 2011. Design and preparation of bid documents were completed in early July 2012; a request for bids was released the week of July 16, 2012, with responses received in August 2012. Construction contract with the contractor (A.C. Schultes of Florida, Inc.) was approved by the County on April 3, 2013. The recharge well was completed in December 2013 with an open-hole diameter of 14.75 inches, 780 feet of casing, and a total depth of 1,100 feet. The County received a letter from FDEP on July 13, 2015 authorizing recharge operations to begin. ***New Activities Since Last Meeting:*** Recharge testing and monitoring continued during the months of October and November. The total injected volume for November was approximately 69 MG for the month. Estimated injection volume for November was not available at the time (November 14th) this update was prepared, Total recharge volume through October is slightly more than 2.4 billion gallons since the beginning of the project. The County requested a contract amendment to extend the recharge testing phase to evaluate an increased injection rate prior to applying for an operation permit. The no cost increase schedule and contract extension amendment was sent to the County on August 2, 2018. The District met with the County on November 6, 2018 to discuss the status of the amendment and it is anticipated that it will be executed in December 2018. *Project Manager: Don Ellison*

City of Tampa, Tampa Augmentation Project (TAP)

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant. The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness

Item 20

Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L. Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase I Feasibility Study is complete and closed. ***New Activities Since Last Meeting:*** Phase II cooperative funding agreement is at the City waiting for approval. The City submitted a Fiscal Year 2020 Cooperative Funding application for 60 percent design for some of the TAP infrastructure. *Project Manager: Lisann Morris*

Staff Recommendation:

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

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

**Governing Board Meeting
December 11, 2018**

FINANCE/OUTREACH & PLANNING COMMITTEE
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Discussion Items

21. Consent Item(s) Moved for Discussion.....	127
22. Knowledge Management Program and Governing Board Policy Overview.....	128
23. Preliminary Budget for FY2020.....	148
24. Office of Inspector General Annual Report Fiscal Year Ending September 30, 2018.....	150
25. Auditor General Six-Month Follow Up	157

Submit & File Reports

26. Strategic Plan Update	160
---------------------------------	-----

Routine Reports

27. Treasurer's Report and Payment Register	162
28. Monthly Financial Statement.....	163
29. Monthly Cash Balances by Fiscal Year	164
30. Comprehensive Plan Amendment and Related Reviews Report	165
31. Development of Regional Impact Activity Report	169

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Discussion Item

Knowledge Management Program and Governing Board Policy Overview

Purpose

As part of the District's Knowledge Management initiative, all the District's Governing Board Policies are being reviewed by the respective divisions.

Background/History

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

Staff performed a review of existing Governing Board Policies resulting in the following findings:

- There are 55 Governing Board policies
- 3 were updated within the last year
- 8 will be recommended to be deemed obsolete during FY2019
- 23 will be updated and recommended for approval during FY2019
- 21 are considered current and will be updated in future years as needed

Six of the policies that require updating have been revised and are provided as attachments. The proposed changes are shown in "track changes" mode. Their titles are listed below:

- Board Policy 170-1 Agricultural Advisory Committee and Board Policy 170-4 Green Industry Advisory Committee have been combined into one policy, Agricultural and Green Industry Advisory Committee, to reflect the merger of the two committees.
- Board Policy 170-2 Public Supply Advisory Committee
- Board Policy 170-3 Industrial Advisory Committee
- Board Policy 170-5 Environmental Advisory Committee
- Board Policy 225-017 Well Driller's Advisory Committee

They have been revised by staff to allow additional flexibility for the District's advisory committees to operate effectively. At the request of the Agricultural and Green Industry Advisory Committee members, these two committees are being merged due to the similar nature of the industries they represent. As such, the Green Industry Advisory Committee policy will be recommended to be deemed obsolete. Some of the major revisions to the Advisory Committee Board Policies include removing the list of organizations to be represented on the advisory committees, changing the terms of membership, changing the term limits for officers, and reducing the quorum requirement for votes.

Item 22

These proposed revisions were presented to each of the advisory committees between September 6, 2018 and October 16, 2018. The changes were favorably received.

Benefits

Updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

Staff Recommendation:

This item is presented for the Board's information, and no action is requested. The attached revised policies will be included in a consent item in the January 2019 Board packet and approval of the revisions will be requested at that time.

Presenter: Amanda Rice, Assistant Executive Director

BOARD POLICY

Southwest Florida Water Management District

Title: Agricultural and Green Industry-Advisory Committee (Combined Agricultural Advisory Committee and Green Industry Advisory Committee)

Document Owner: Robyn Felix, Communications and Board Services Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review Date: 4/24/2012

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS.....	2
TERMS OF MEMBERSHIP.....	3
OFFICERS AND DUTIES	3
POLICY.....	3
DISTRIBUTION.....	3
REFERENCES	3
PERIODIC REVIEW.....	3

PURPOSE

The purpose of this policy is to establish the Agricultural and Green Industry Advisory Committee (AGIAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the AGIAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen member Governing Board ~~comprised~~composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the AGLAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the agricultural industry. Subject matter considered by the AGLAC shall relate to the statutory duties and responsibilities of the District. AGLAC members serve as liaisons with the District, maintaining communication with members of their organizations and conveying input from the organization to the AGLAC. In addition, the AGLAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the AGLAC shall be to provide two-way communication between the District and the agricultural industry.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will consist of representatives of agricultural commodity groups; professional associations, educational agencies and civic organizations which are involved in agriculture, outdoor landscaping or irrigation—chosen on the basis of whether they are prevalent within the District. Members will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by the President or appropriate person of the member organizations. The Chair of the AGLAC may recommend new members to the District. Each AGLAC member organization shall designate a primary representative. Alternates may also be designated for the primary representatives and will have full voting rights in the absence of the primary representative. AGLAC member representatives shall be designated as authorized travelers of the District.

~~The current AAC member organizations listed below may be supplemented or revised as deemed appropriate by the District in order to achieve optimal representation of the agricultural industry:~~

~~Florida Cattlemen's Association
Florida Citrus Mutual
Florida Citrus Production Managers Association
Florida Farm Bureau Federation
Florida Fruit and Vegetable Association
Florida Irrigation Society
Florida Nursery, Growers and Landscape Association
Florida Strawberry Growers Association
Florida Tropical Fish Farms Association
Florida Turfgrass Association
Peace River Valley Citrus Growers Association
Tampa Bay Wholesale Growers
Florida Forestry Association~~

~~Florida Sod Growers Cooperative~~

~~AAC member representatives shall be designated as authorized travelers of the District.~~

TERMS OF MEMBERSHIP

~~Term of membership on the AAC shall be three years. Multiple terms may be served. AAC members/designees who miss three consecutive meetings, without prior notice to the District, will voluntarily give up their place on the AAC. The executive director or his/her designee can remove a membership from the committee for nonparticipation.~~

OFFICERS AND DUTIES

The AGIAC will elect a chair and vice-chair who will serve two year terms of office. ~~and may be elected to those positions a maximum of two consecutive times. A majority of AAC members must be present for the election of officers.~~ Election shall be by majority vote.

The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from AGIAC members, for chairing AGIAC meetings, for establishing subcommittees as may be appropriate, and for representing the AGIAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the AGIAC will be held, at a minimum, quarterly when there are sufficient agenda items or as authorized by the Executive Director or his/her designee. The Chair of the AGIAC may request that special meetings be held. Notices of AGIAC meetings will be mailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The AGIAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to the AGIAC members. Topics for discussion at AGIAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the AGIAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the division director. ~~Executive Director or the Governing Board.~~ All determinations of the AGIAC shall be by majority vote of the members present (no quorum requirement). ~~except in the election of officers as provided for above and in cases where the AAC requests that a specific recommendation be presented to the Governing Board, whereby a majority of the AAC must be present and such request must be approved by a majority vote.~~ The requested input from the AGIAC to the District will be reported to the Governing Board when requested by the AGIAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, AGIAC chair, other AGIAC members designated by the chair or selected by the AGIAC, or by District staff. Meetings shall be conducted in accordance with Robert's "Rules of Order" as described in Robert's "Rules of Order Newly Revised," originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The AGIAC is subject to the Government-in-the-Sunshine Law and all other applicable laws and regulations.

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

BOARD POLICY

Southwest Florida Water Management District

Title: ~~Green Industry Advisory Committee~~ (Obsolete. Combined with Agricultural Advisory Committee)

Document Owner: Robyn Felix, Communications and Board Services Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review Date: 4/24/2012

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS	2
TERMS OF MEMBERSHIP	3
OFFICERS AND DUTIES	3
POLICY	3
DISTRIBUTION	3
REFERENCES	3
PERIODIC REVIEW	3

PURPOSE

~~The purpose of this policy is to establish the Green Industry Advisory Committee (GIAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the GIAC.~~

~~The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.~~

~~The District has a thirteen member Governing Board comprised of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.~~

~~It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.~~

SCOPE

~~The purpose of the GIAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the Green Industry. Subject matter considered by the GIAC shall relate to the statutory duties and responsibilities of the District. GIAC members serve as liaisons with the District, maintaining communication with members of their organizations and conveying input from the organization to the GIAC. In addition, the GIAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the GIAC shall be to provide two-way communication between the District and the Green Industry.~~

AUTHORITY

~~Chapter 373, Florida Statutes~~

DEFINITIONS

~~N/A~~

STANDARDS

~~Membership will consist of representatives of professional associations, educational agencies and civic organizations which are involved in outdoor landscaping or irrigation chosen on the basis of whether they are prevalent within the District. These representatives will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by the President or appropriate person of the member organizations. The Chair of the GIAC may recommend new members to the District. Each GIAC member organization shall designate a primary representative. Alternates may also be designated to represent their organizations in the absence of the primary member. The alternative representative shall have full voting rights in the absence of the primary. The current GIAC member organizations listed below may be supplemented or revised as deemed appropriate by the District in order to achieve optimal representation of the Green Industry:~~

~~American Society of Landscape Architects
Associated Landscape Contractors of America
Florida Cemetery, Funeral & Cremation Association
Florida Golf Course Superintendent's Association
Florida Irrigation Society
Florida Native Plant Society
Florida Nursery, Growers and Landscape Association
Florida Recreation and Parks Association
Florida Sod Growers Cooperative
Landscape Maintenance Association
University of Florida-IFAS Extension~~

~~GIAC member representatives shall be designated as authorized travelers of the District.~~

TERMS OF MEMBERSHIP

~~Term of membership on the GIAC shall be three years. Multiple terms may be served. GIAC members/designees who miss three consecutive meetings, without prior notice to the District, will voluntarily give up their place on the GIAC.~~

OFFICERS AND DUTIES

~~The GIAC will elect a chair and vice chair who will serve two year terms of office and may be elected to those positions a maximum of two consecutive times. A majority of GIAC members must be present for the election of officers. Election shall be by majority vote.~~

~~The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from GIAC members, for chairing GIAC meetings, for establishing subcommittees as may be appropriate, and for representing the GIAC when necessary. The vice chair shall serve as chair in the chair's absence.~~

POLICY

~~Meetings of the GIAC will be held, at a minimum, quarterly when there are sufficient agenda items or as authorized by the Executive Director or his/her designee. The Chair of the GIAC may request that special meetings be held. Notices of GIAC meetings will be mailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The GIAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to the GIAC members. Topics for discussion at GIAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the GIAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the Executive Director or the Governing Board. All determinations of the GIAC shall be by majority vote of the members present (no quorum requirement), except in the election of officers as provided for above and in cases where the GIAC requests that a specific recommendation be presented to the Governing Board, whereby a majority of the GIAC must be present and such request must be approved by a majority vote. The requested input from the GIAC to the District will be reported to the Governing Board when requested by the GIAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, GIAC chair, other GIAC members designated by the chair or selected by the GIAC, or by District staff. Meetings shall be conducted in accordance with Robert's "Rules of Order" as described in Robert's "Rules of Order Newly Revised," originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The GIAC is subject to the Government in the Sunshine Law and all other applicable laws and regulations.~~

DISTRIBUTION

~~N/A~~

REFERENCES

~~Section 286.011, Florida Statutes (Government in the Sunshine Law) *Rules of Order Newly Revised*, originally by Henry M. Robert (1876)~~

PERIODIC REVIEW

~~This policy will be reviewed every three years.~~

BOARD POLICY

Southwest Florida Water Management District

Title: Public Supply Advisory Committee

Document Owner: Robyn Felix, Communications and Board
Services Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review Date: 4/24/2012

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS	2
TERMS OF MEMBERSHIP	2
OFFICERS AND DUTIES	3
POLICY	3
DISTRIBUTION	3
REFERENCES	3
PERIODIC REVIEW	3

PURPOSE

The purpose of this policy is to establish the Public Supply Advisory Committee (PSAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the PSAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen-member Governing Board ~~comprised~~composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the Committee, including developing and posting meeting notices and agendas, making

arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the PSAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to water suppliers. Subject matter considered by the PSAC shall relate to the statutory duties and responsibilities of the District. PSAC members serve as liaisons with the District, maintaining communication with members of their organizations and conveying input from the organization to the PSAC. In addition, the PSAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the PSAC shall be to provide two-way communication between the District and the public supply community.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will consist of representatives of both public and private water supply utilities; these representatives are chosen on the basis of achieving representation of the types and sizes of water supply utilities located throughout the District. Members will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by the President or appropriate person of the member organizations. The Chair of the PSAC may recommend new members to the District. Each PSAC member organization shall designate a primary representative. Alternates may also be designated to represent their organization in the absence of the primary member. The alternate representative shall have full voting rights in the absence of the primary. PSAC member representatives shall be designated as authorized travelers of the District.

~~The current PSAC member organizations listed below may be supplemented or revised as deemed appropriate by the District in order to achieve optimal representation of the industrial sector.~~

Citrus County Water Resources	City of St. Petersburg Utilities
Hillsborough County Utilities	Pinellas County Utilities
City of Bradenton Utilities	City of Plant City Utilities
Manatee County Utilities	Polk County Utilities
City of Lakeland Water Utilities	City of Punta Gorda Utilities
Marion County Utilities	Sarasota County Utilities
City of North Port Utilities	DeSoto County Utilities
On Top Of the World Utilities	Tampa Bay Water
City of Tampa Water Department	Florida Governmental Utility Authority
Pasco County Utilities	The Villages
City of Tarpon Springs Utilities	Hernando County Utilities
Peace River Manasota Regional WSA	Withlacoochee Regional WSA

~~PSAC member representatives shall be designated as authorized travelers of the District.~~

TERMS OF MEMBERSHIP

~~Term of membership on the PSAC shall be three years. Multiple terms may be served. PSAC members/designees who miss three consecutive meetings, without prior notice to the District, will~~

~~voluntarily give up their place on the PSAC. The executive director or his/her designee can remove a membership from the committee for nonparticipation.~~

OFFICERS AND DUTIES

The PSAC will elect a chair and vice-chair who will serve two-year terms of office. ~~and may be elected to those positions a maximum of two consecutive times. A majority of PSAC members must be present for the election of officers.~~ Election shall be by majority vote.

The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from PSAC members, for chairing PSAC meetings, for establishing subcommittees as may be appropriate, and for representing the PSAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the PSAC will be held, at a minimum, quarterly when there are sufficient agenda items or as authorized by the Executive Director or his/her designee. The Chair of the PSAC may request that special meetings be held. Notices of PSAC meetings will be mailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The PSAC's meetings will be recorded by District staff. Abbreviated meeting summaries will be provided to the PSAC members. Topics for discussion at PSAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the PSAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the ~~division director. Executive Director or the Governing Board.~~ All determinations of the PSAC shall be by majority vote of the members present (no quorum requirement). ~~except in the election of officers as provided for above and in cases where the PSAC requests that a specific recommendation be presented to the Governing Board, whereby a majority of the PSAC must be present and such request must be approved by a majority vote. The r~~Requested input from the PSAC to the District will be reported to the Governing Board when requested by the PSAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison. PSAC chair, other PSAC members designated by the chair or selected by the PSAC, or by District staff. Meetings shall be conducted in accordance with *Robert's "Rules of Order"* as described in *Robert's "Rules of Order Newly Revised,"* originally written by General Henry M. Robert (1876). unless specified otherwise by law or this policy. The PSAC is subject to the Government-in-the-Sunshine Law and all other applicable laws and regulations.

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

BOARD POLICY

Southwest Florida Water Management District

Title: Industrial Advisory Committee

Document Owner: Robyn Felix, Communications and Board
Services Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review Date: 4/24/2012

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS.....	2
TERMS OF MEMBERSHIP.....	2
OFFICERS AND DUTIES	3
POLICY.....	3
DISTRIBUTION.....	3
REFERENCES	3
PERIODIC REVIEW.....	3

PURPOSE

The purpose of this policy is to establish the Industrial Advisory Committee (IAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the IAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen-member Governing Board ~~comprised~~composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the

Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the IAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the environment. Subject matter considered by the IAC shall relate to the statutory duties and responsibilities of the District. IAC members serve as liaisons with the District, maintaining communication with members of their organizations and conveying input from the organization to the IAC. In addition, the IAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the IAC shall be to provide two-way communication between the District and the industrial community.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will consist of representatives of industrial water users; these representatives are chosen on the basis of whether they are prevalent within the District. Members will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by the President or appropriate person of the member organizations. The Chair of the IAC may recommend new members to the District. Each IAC member organization shall designate a primary representative. Alternates may also be designated to represent their organization in the absence of the primary member. The alternate representative shall have full voting rights in the absence of the primary. IAC member representatives shall be designated as authorized travelers of the District.

~~The current IAC member organizations listed below may be supplemented or revised as deemed appropriate by the District in order to achieve optimal representation of the industrial sector.~~

~~CEMEX~~

~~CF Industries~~

~~Mosaic Fertilizer LLC~~

~~Progress Energy Florida~~

~~Seminole Electric Cooperative, Inc.~~

~~Standard Sand and Silica~~

~~Tampa Electric Company~~

~~US Agri-Chemicals Corporation~~

~~IAC member representatives shall be designated as authorized travelers of the District.~~

TERMS OF MEMBERSHIP

~~Term of membership on the IAC shall be three years. Multiple terms may be served. IAC members/designees who miss three consecutive meetings, without prior notice to the District, will voluntarily give up their place on the IAC. The executive director or his/her designee can remove a membership from the committee for nonparticipation.~~

OFFICERS AND DUTIES

The IAC will elect a chair and vice-chair who will serve two-year terms of office, ~~and may be elected to those positions a maximum of two consecutive times. A majority of IAC members must be present for the election of officers.~~ Election shall be by majority vote.

The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from IAC members, for chairing IAC meetings, for establishing subcommittees as may be appropriate, and for representing the IAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the IAC will be held, at a minimum, quarterly when there are sufficient agenda items or as authorized by the Executive Director or his/her designee. The Chair of the IAC may request that special meetings be held. Notices of IAC meetings will be mailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The IAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to the IAC members. Topics for discussion at IAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the IAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the division director. ~~Executive Director or the Governing Board.~~ All determinations of the IAC shall be by majority vote of the members present (no quorum requirement), ~~except in the election of officers as provided for above and in cases where the IAC requests that a specific recommendation be presented to the Governing Board, whereby a majority of the IAC must be present and such request must be approved by a majority vote. The r~~Requested input from the IAC to the District will be reported to the Governing Board when requested by the IAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, IAC chair, other IAC members designated by the chair or selected by the IAC, or by District staff. Meetings shall be conducted in accordance with *Robert's "Rules of Order"* as described in *Robert's "Rules of Order Newly Revised,"* originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The IAC is subject to the Government-in-the-Sunshine Law and all other applicable laws and regulations.

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

BOARD POLICY

Southwest Florida Water Management District

Title: Environmental Advisory Committee

Document Owner: Robyn Felix, Communications and Board
Services Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review Date: 4/24/2012

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS	2
TERMS OF MEMBERSHIP	2
OFFICERS AND DUTIES	3
POLICY	3
DISTRIBUTION	3
REFERENCES	3
PERIODIC REVIEW	3

PURPOSE

The purpose of this policy is to establish the Environmental Advisory Committee (EAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the EAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen-member Governing Board ~~comprised~~composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the

Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the EAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the environment. Subject matter considered by the EAC shall relate to the statutory duties and responsibilities of the District. EAC members serve as liaisons with the District, maintaining communication with members of their organizations and conveying input from the organization to the EAC. In addition, the EAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the EAC shall be to provide two-way communication between the District and the environmental community.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will consist of representatives of groups concerned in protecting the environment. These representatives are chosen based on their active interest in the environmental issues of the area. These representatives will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by the President or appropriate person of the member organizations. The Chair of the EAC may recommend new members to the District. Each EAC member organization shall designate a primary representative. Alternates may also be designated to represent their organizations in the absence of the primary member. The alternative representative shall have full voting rights in the absence of the primary. EAC member representatives shall be designated as authorized travelers of the District.

~~The current EAC member organizations listed below may be supplemented or revised as deemed appropriate by the District in order to achieve optimal representation of the environmental community:~~

~~Charlotte County Chamber of Commerce
Ocala/Marion Co. Chamber of Commerce
Charlotte Harbor National Estuary Program
St. Petersburg Audubon Society
Control Growth Now, Inc.
Sarasota Audubon Society
Environmental Confederation of SW Florida
Sarasota Bay Estuary Program~~

~~Florida Trail Association
Save the Homosassa River Alliance
Izaak Walton League
Sierra Club-Tampa Bay Group
Keystone Civic Association
Sun-coast Native Plant Society
Manatee Chamber of Commerce
Tampa Bay Estuary Program~~

~~EAC member representatives shall be designated as authorized travelers of the District.~~

TERMS OF MEMBERSHIP

~~Term of membership on the EAC shall be three years. Multiple terms may be served. EAC members/designees who miss three consecutive meetings, without prior notice to the District, will voluntarily give up their place on the EAC. The executive director or his/her designee can remove a membership from the committee for nonparticipation.~~

OFFICERS AND DUTIES

The EAC will elect a chair and vice-chair who will serve two year terms of office. ~~and may be elected to those positions a maximum of two consecutive times. A majority of EAC members must be present for the election of officers.~~ Election shall be by majority vote.

The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from EAC members, for chairing EAC meetings, for establishing subcommittees as may be appropriate, and for representing the EAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the EAC will be held, at a minimum, quarterly when there are sufficient agenda items or as authorized by the Executive Director or his/her designee. The Chair of the EAC may request that special meetings be held. Notices of EAC meetings will be emailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The EAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to the EAC members. Topics for discussion at EAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the EAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the division director ~~Executive Director or the Governing Board~~. All determinations of the EAC shall be by majority vote of the members present (no quorum requirement). ~~except in the election of officers as provided for above and in cases where the EAC requests that a specific recommendation be presented to the Governing Board, whereby a majority of the EAC must be present and such request must be approved by a majority vote. The r~~Requested input from the EAC to the District will be reported to the Governing Board when requested by the EAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, EAC chair, other EAC members designated by the chair or selected by the EAC, or by District staff. Meetings shall be conducted in accordance with *Robert's "Rules of Order"* as described in *Robert's "Rules of Order Newly Revised,"* originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The EAC is subject to the Government-in-the-Sunshine Law and all other applicable laws and regulations.

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

BOARD POLICY

Southwest Florida Water Management District

Title: Well Drilling Advisory Committee

Document Owner: Darrin W. Herbst, P.G., Water Use Permit
Bureau Chief

Approved By: Jeffrey M. Adams, Chair

Effective Date: 1/22/2019

Last Review: 2/26/2013

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS.....	2
TERMS OF MEMBERSHIP.....	2
OFFICERS AND DUTIES	2
POLICY.....	3
DISTRIBUTION.....	3
REFERENCES	3
PERIODIC REVIEW.....	3

PURPOSE

The purpose of t~~t~~his policy is to establishes the Well Drilling Advisory Committee (WDAC) to the Southwest Florida Water Management District, and to ~~sets~~ forth the purpose, activities and membership guidelines of the WDAC.

The District Governing Board has established this aAdvisory Gcommittee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Gcommittee. This aAdvisory cGommittee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen-rmember Governing Board composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this aAdvisory cCommittee is established. District staff is charged with providing administrative support to the Committee, including developing and mailing-posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the WDAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water quality activities, research and other water resource management projects that relate to the well construction industry. Subject matter considered by tThe WDAC ~~will consider matters shall~~ relating to the statutory duties and responsibilities of the District. WDAC members serve as liaisons with the District, maintaining communication with members of their industry to the WDAC. In addition, the WDAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the WDAC ~~shall~~will be to provide two-way communication between the District and the well construction industry.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will be representative of the well construction industry and consist of seven water well contractors holding valid Florida licenses. One of the seven members will be chosen by the Florida Ground Water Association to represent it on the WDAC. The six other representatives will be chosen by the ~~The District's~~ Executive Director at the recommendation of the Governing Board or designated District staff. The chair of the WDAC may recommend new members to the District. or his designee will select the other six members. WDAC ~~M~~members of the WDAG shall be designated as authorized travelers of the District, ~~and their ordinary travel and per diem expenses will be paid from available District funds.~~

TERMS OF MEMBERSHIP

~~A term of membership on the WDAC shall be four years. Members may serve multiple terms. WDAC members who miss three consecutive meetings without prior notice to and approval by the WDAC chair will be deemed to have resigned from the WDAC and a new member will be chosen to take his or her place. The executive director or his/her designee can remove a membership from the committee for nonparticipation.~~

OFFICERS AND DUTIES

The WDAC will elect a chair and vice-chair who will serve to each serve for a two-year terms of office. An officer may be elected to the same position for two consecutive terms. An officer may be elected to serve additional terms in a position after the lapse of two years following the conclusion of the second consecutive term. Election shall be y simple majority vote of the WDAC members. At least 50% of the members must be in attendance for the election of officers. Election shall be majority vote.

The chair will be responsible for assisting the District staff in establishing meeting agendas, and in soliciting input from WDAC members, for chairing WDAC meetings, for establishing subcommittees as may be appropriate, and for representing the WDAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the WDAC will be held, at a minimum, quarterly when there are sufficient agenda items or as. ~~Special meetings may be authorized by the Executive Director or his/her designee, to facilitate the timely consideration of items, or upon the request of the chair. The chair of the WDAC may request that special meetings be held. Notices of WDAC meetings will be emailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The WDAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to WDAC members.~~ Topics for discussion at WDAC meetings will focus on priorities set by the Governing Board and limited to issues specific to those priorities. ~~regulatory issues and changes and areas of interest to the Governing Board.~~ Other topics may be proposed by the WDAC which shall be placed for placement on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the division Executive Director. ~~Notices of WDAC meetings will be mailed in advance of the meetings by the District to members and interested persons. District staff will record the WDAC meetings and abbreviated meeting summaries will be provided to the WDAC members. All determinations of the WDAC shall be by majority vote of the members present (no quorum requirement). Requested input from the WDAC to the District will be reported to the Governing Board when requested by the WDAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, WDAC chair, other WDAC members designated by the chair or selected by the WDAC, or by District staff.~~ Meetings shall be conducted in accordance with *Robert's "Rules of Order"* as described in *Robert's "Rules of Order Newly Revised,"* originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The WDAC is subject to the Government-in-the-Sunshine Law, ~~Section 286.01 1, Florida Statutes,~~ and all applicable laws and regulations. ~~meetings will be conducted in accordance therewith.~~

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine-Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Discussion Item

Preliminary Budget for FY2020

Purpose

Present the District's preliminary budget for fiscal year (FY) 2020 and request approval for submission to the Florida Legislature on or before January 15, 2019.

Background

Section 373.535, Florida Statutes, requires water management districts (WMDs) to submit a preliminary budget for the next fiscal year to the Florida Legislature for review by January 15. The statutory language specifies the information to be included in the preliminary budget submission. The President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budgets to the WMDs on or before March 1 of each year. Each WMD must respond to those comments in writing on or before March 15 of each year.

In addition, the following specific provisions are contained in s. 373.536(5)(c), F.S., regarding the legislative review of the WMDs tentative budgets due August 1:

The Legislative Budget Commission may reject any of the following WMDs budget proposals:

- 1. A single purchase of land in excess of \$10 million, except for land exchanges.*
- 2. Any cumulative purchase of land during a single fiscal year in excess of \$50 million.*
- 3. Any issuance of debt on or after July 1, 2012.*
- 4. Any program expenditures as described in s. 373.536(5)(e)4.e. and f. (i.e., Outreach and Management and Administration programs) in excess of 15 percent of a district's total annual budget.*
- 5. Any individual variances in a district's tentative budget in excess of 25 percent from a district's preliminary budget.*

At the October 23, 2018 Governing Board meeting, staff provided an overview of factors affecting budget development and recommended approval of the general budget assumptions needed to prepare the District's preliminary budget for FY2020. The Governing Board approved the assumptions as presented at the meeting.

At the December 11, 2018 Governing Board meeting, staff will present the preliminary budget for FY2020 and request approval to submit the *FY2019-20 Preliminary Budget Submission* to the Florida Legislature by January 15, 2019. The preliminary budget has been prepared using the same budget assumptions as presented to the Governing Board on October 23, 2018.

The development of the District's final budget will begin in February 2019. All budget requests will be subject to Governing Board review and approval during the development of the final budget for FY2020. At the June 25, 2019 Governing Board meeting, staff will present and

Item 23

request approval of the Recommended Annual Service Budget.

At the July 23, 2019 Governing Board meeting, staff will present a budget update, including information regarding the results of the Certifications of Taxable Value, and will request approval to submit the *FY2019-20 Tentative Budget Submission* to the Governor and Florida Legislature on August 1, 2019.

Exhibit will be provided separately.

Staff Recommendation:

Approve the submittal of the *FY2019-20 Preliminary Budget Submission* to the Florida Legislature on or before January 15, 2019.

Presenters: John J. Campbell, Division Director, Management Services
Michael B. Cacioppo, Budget Manager, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Discussion Item

Office of Inspector General Annual Report Fiscal Year Ending September 30, 2018

Background and Purpose:

In accordance with Governing Board Policies 140-1 and Section 20.055(8), Florida Statutes, the Inspector General must submit an annual report to the District Governing Board that summarizes the activities of the office during the immediately preceding fiscal year. The Inspector General's (IG) annual report is for the 2017-18 fiscal year.

During the fiscal year, the IG submitted five audit reports to the Governing Board from which there were no significant abuses or deficiencies noted. In addition, there were no significant recommendations noted. These audits were as follows:

- Purchasing Cards - Operations Bureau
- Purchasing Cards - General Services Bureau
- Purchasing Cards - Information Technology Bureau
- Purchasing Cards - Data Collection Bureau
- Purchasing Cards - District (All Other Bureaus)

A follow-up to a prior audit finding was performed involving Disaster Recovery. Testing was completed successfully, and no further significant recommendations were made.

Testing was performed for risk-based transactions for the period 7/1/2017 to 12/31/2017 and information technology continuity. No significant abuses or deficiencies were noted. In addition, there were no significant recommendations noted.

A review of the reasonableness of the total overtime budget and travel procedure was performed. No significant abuses or deficiencies were noted. In addition, there were no significant recommendations noted.

Staff Recommendation:

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

Presenter: Brian Werthmiller, Inspector General



**Office of Inspector General
Annual Report**

October 1, 2017 Through September 30, 2018



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Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

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Vice Chair, Pinellas

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Mark Taylor
Hernando, Marion

Scott Wiggins
Hillsborough

Brian J. Armstrong, P.G.
Executive Director

December 11, 2018

Mr. Jeffrey M. Adams, Chair
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Dear Mr. Adams:

In accordance with Board Policy 140-1 and Section 20.055, Florida Statutes, the inspector general is required to submit the Office of Inspector General Annual Report of activities for the fiscal year ended September 30. I am pleased to submit the 2017-18 fiscal year report which provides relevant information regarding performance measures, significant abuses and deficiencies, recommendations for significant corrective action made by the inspector general, significant recommendations from previous annual reports which have not been corrected, and a summary of each audit and investigation completed during the fiscal year.

The Office of Inspector General appreciates the support of the Governing Board and the cooperation of District management and staff.

Sincerely,

Brian Werthmiller

Brian Werthmiller, CPA
Inspector General

cc: Brian Armstrong, Executive Director

Attachment: Annual Report - IG 2018 - Final (4119 : Inspector General Annual Report Fiscal Year Ending September 30, 2018)

TABLE OF CONTENTS

	<u>Page No.</u>
RESPONSIBILITIES.....	1
INTRODUCTION	1
REQUIRED INFORMATION	
Performance Measures.....	1
Significant Abuses and Deficiencies	2
Inspector General Recommendations for Significant Corrective Action	2
Significant Uncorrected Recommendations from the Prior Annual Report	2
Summary of Audits, Testing, Reviews, and Investigations	2
CONTACT INFORMATION	3

INSPECTOR GENERAL (IG) RESPONSIBILITIES

IG Responsibilities - In accordance with Board Policies 140-1 and Section 20.055, Florida Statutes, the IG is responsible for the following activities:

- (a) Advise in the development of performance measures, standards, and procedures for the evaluation of the District.
- (b) Assess the reliability and validity of the information provided by the District on performance measures and standards, and make recommendations for improvement.
- (c) Review the actions taken by the District to improve program performance and meet program standards and make recommendations for improvement, if necessary.
- (d) Provide direction for, supervise, and coordinate audits, investigations, and management reviews relating to the programs and operations of the District.
- (e) Conduct, supervise, or coordinate other activities carried out or financed by the District for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations.
- (f) Keep the Governing Board informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the District, recommend corrective action concerning fraud, abuses, and deficiencies, and report on the progress made in implementing corrective action.
- (g) Ensure effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies with a view toward avoiding duplication.
- (h) Review, as appropriate, rules relating to the programs and operations of the District and make recommendations concerning their impact.
- (i) Ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities.
- (j) Comply with the General Principles and Standards for Offices of Inspector General as published and revised by the Association of Inspectors General.

INTRODUCTION

The Office of Inspector General (OIG) employs one full-time employee which consists solely of an IG. To promote independence, the IG reports to and is under the supervision of the Governing Board. The IG position was vacant beginning in June 2018 and remained vacant through year-end¹.

PERFORMANCE MEASURES

In the report released on July 9, 2018, the Auditor General's office made a recommendation the IG should advise, of record, the Board in the development of performance measures, standards, and procedures for the evaluation of District programs. In addition, the IG should calculate and report to the

¹ The IG position was vacant until October 22, 2018.

Board, at least semi-annually, District performance related to the performance measures defined by the Finance and Administration Committee and approved by the Board.

SIGNIFICANT ABUSES AND DEFICIENCIES

During the 2017-18 fiscal year, the OIG's work did not result in any findings of significant abuses or deficiencies.

IG RECOMMENDATIONS FOR SIGNIFICANT CORRECTIVE ACTION

During the 2017-18 fiscal year, the OIG's work did not result in any significant recommendations.

SIGNIFICANT UNCORRECTED RECOMMENDATIONS FROM THE PRIOR ANNUAL REPORT

There were no significant uncorrected recommendations from the prior annual report that required follow-up.

SUMMARY OF AUDITS, TESTING, REVIEWS, AND INVESTIGATIONS

Audits

The results of the OIG audits issued during the period October 1, 2017 through September 30, 2018, are summarized below.

- ◆ **Purchase Card Audit – Operations Bureau.** For the month of October 2017, the OIG reviewed 159 purchases totaling \$20,305. No significant reportable conditions and no significant recommendations were noted.
- ◆ **Purchase Card Audit – General Services Bureau.** For the month of November 2017, the OIG reviewed 592 purchases totaling \$57,153. No significant reportable conditions and no significant recommendations were noted.
- ◆ **Purchase Card Audit – Information Technology Bureau.** For the month of December 2017, the OIG reviewed 38 purchases totaling \$5,528. No significant reportable conditions and no significant recommendations were noted.
- ◆ **Purchase Card Audit – Data Collection Bureau.** For the month of January 2018, the OIG reviewed 93 purchases totaling \$18,007. No significant reportable conditions and no significant recommendations were noted.
- ◆ **Purchase Card Audit – District-Wide.** For the month of February 2018, the OIG reviewed 293 purchases totaling \$37,394. No significant reportable conditions and no significant recommendations were noted.

Testing

- ◆ **Disaster Recovery Test.** District staff identified an improvement was needed from a Disaster Recovery test reported in August 2017. In October 2017, testing was performed on the fail-over/fail-back functionality between the Tampa and Brooksville offices. The testing was completed successfully.

- ◆ **Information Technology Continuity Test.** During February and March 2018, two update continuity tests were completed. In February 2018, testing was performed on the fail-over between Brooksville and Tampa. The testing was completed successfully. In March 2018, testing was performed on the fail-over between Brooksville and West Palm Beach and a fail-back to Tampa. The testing was completed successfully.
- ◆ **Quarterly Risk-Based Transaction Test.** The OIG identified and reviewed risk-based transactions involving conservation and project land acquisitions, sales, and transfers, 20 of the largest non-real estate dollar expenditures, all expenditures not charged to new accounting codes, and all budget transfers for the period July 1, 2017 to December 31, 2017. No significant reportable conditions and no significant recommendations were noted.

Reviews

- ◆ **Payroll Overtime Budgeting.** The overall objective for this review was to determine if the District's total overtime budget is reasonable. During May 2018, a review was performed analyzing the District's average overtime budget and expenditures for a five-year period. No significant reportable conditions and no significant recommendations were noted.
- ◆ **Travel Procedure.** The OIG reviewed proposed changes to the travel procedure. These proposed changes included automation of travel requests, approvals, documentation attachments, pay, and transaction recording. Changes also included travel expenditures. After review of the changes, no significant reportable conditions and no significant recommendations were noted.

Investigations

- ◆ The OIG received one complaint but was not significant as the IG closed the case noting it was a personnel matter that warranted no further action by the OIG.

CONTACT INFORMATION

Brian Werthmiller, CPA
Inspector General

2379 Broad Street Brooksville, Florida 34604-6899

Phone: (352) 796-7211 X4100 ◆ Fraud and Compliance Hotline (352) 754-3482

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Discussion Item

Auditor General Six-Month Follow Up

Background and Purpose:

In accordance with Governing Board Policy 140-1 and Section 20.055(6)(h), Florida Statutes, the Inspector General (IG) shall monitor the implementation of the District's response to any report on the District issued by the Auditor General. No later than six months after the Auditor publishes a report, the inspector general shall provide a written response on the status of corrective actions taken.

The Auditor General released its report for the audit period October 2015 to January 2017 on July 9, 2018. There were 5 findings in this report and they are summarized as follows:

Finding 1: District records did not always evidence that the District inspector general complied with applicable statutory and Board requirements.

Finding 2: District records could be enhanced to better document the competitive procurement process.

Finding 3: The District should continue efforts to enhance and document the periodic monitoring and evaluation of the use and need for District motor vehicles.

Finding 4: Policies and procedures for monitoring claims payments for health and worker's compensation self-insurance programs could be improved.

Finding 5: Controls over employee access privileges to District data and information technology resources need enhancement to ensure that assigned access privileges appropriately restrict employees to only those functions necessary for their assigned job responsibilities and enforce an appropriate separation of incompatible duties.

All findings are in the process of being corrected and the IG will monitor the implementation of these recommendations. Per Governing Board Policy 140-1, the IG will perform another follow-up no later than 18 months after the Auditor General has released its audit report. This follow-up will be completed by December 2019.

Please see the attached letter which will also be filed with the Auditor General and the Legislative Auditing Committee.

Staff Recommendation:

This item is provided from the Board's information, no action is required.

Presenter: Brian Werthmiller, Inspector General



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Brian J. Armstrong, P.G.
Executive Director

December 11, 2018

Mr. Jeffrey M. Adams, Chair
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Dear Mr. Adams:

The Auditor General's report number 2019-001 released July 9, 2018 included five findings from which the District provided a detailed written response to these findings on June 26, 2018. The purpose of this letter is to provide a written response on the status of corrective actions.

Finding 1: Inspector General

Audit General Recommendation:

The District should ensure that the inspector general (IG) performs required duties and that District records document the performance of these duties. Specifically, to ensure IG compliance with:

- State law and Board policies, the IG should prepare and maintain records to demonstrate the effective utilization of the IG role. Such records should evidence an appropriate balance is maintained between audit and other accountability activities.
- *Generally accepted government auditing standards*, the IG should receive an external peer review at least once every three years.
- State law, Board policies should be revised to require and ensure the IG develops long-term audit plans based on the results of appropriate risk assessments.
- State law and Board policies, the IG should advise, of record, the Board in the development of performance measures, standards, and procedures for the evaluation of District programs. In addition, the IG should calculate and report to the Board, at least semi-annually, District performance related to the performance measures defined by the Finance and Administration Committee and approved by the Board.

Six-Month Follow-Up:

In the process of being corrected.

Finding 2: Competitive Procurement

Audit General Recommendation:

The District should continue efforts to ensure that District records contain the manual signatures of who opened bids and the date and time the bids were opened.

Six-Month Follow-Up:

In the process of being corrected.

Attachment: AG 6-Month Follow-Up Letter 2018 (4120 : Auditor General Six-Month Follow Up)

Finding 3: Vehicle Usage

Audit General Recommendation:

The District should document the periodic monitoring and evaluation of the use and need for District motor vehicles and a determination of whether it is more cost efficient to retain and maintain the existing number of motor vehicles or reduce the size of the fleet based on District needs.

Six-Month Follow-Up:

In the process of being corrected.

Finding 4: Self-Insurance Programs

Audit General Recommendation:

The District should enhance procedures to effectively monitor health and workers' compensation self-insurance claims payments. Such procedures could specify that:

- To provide assurance as to the effectiveness of claims processing controls, the District's contract with the third-party administrator (TPA) require the TPA to annually obtain a SOC 1® Type 2 report on the TPA's controls and timely submit the report to the District for review.
- If the service auditor's report discloses that the TPA's controls over claims processing are not suitably designed and operating effectively, the District should determine the risks associated with the control deficiency and either require the TPA to implement appropriate controls or find a new service provider to suitably administer the District's health and workers' compensation self-insurance programs.

Six-Month Follow-Up:

In the process of being corrected.

Finding 5: Information Technology – Access Privileges

Audit General Recommendation:

The District should ensure that assigned access privileges restrict employees to only those functions necessary for their assigned job responsibilities and enforce an appropriate separation of incompatible duties. To help monitor assigned access privileges, the District should establish procedures to periodically review the appropriateness of such privileges to ensure that employees do not access IT resources and functions that are incompatible with their assigned job responsibilities. In addition, if an employee only requires occasional access to perform back-up duties, the access should be granted only for the time needed.

Six-Month Follow-Up:

In the process of being corrected.

Sincerely,



Brian Werthmiller, CPA
Inspector General

cc: Sherrill Norman, Auditor General
Legislative Auditing Committee
Brian Armstrong, Executive Director

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Submit and File Report

Strategic Plan Update

Background

The District's Strategic Plan is updated annually, as called for in the Florida Statutes, and included as part of the District's Consolidated Annual Report (CAR) which is submitted to the Governor, Department of Environmental Protection, President of the Senate and Speaker of the House of Representatives, along with chairs of appropriate legislative committees, local county governments and the public.

The Plan identifies the District's mission, vision, goals, strategic initiatives for each of the District's four areas of responsibility, regional priorities and core business practices.

Discussion

This year's Plan covers the period 2019-2023, and many of its updates involve the addition of clarifying language to recognize rule provisions and/or to improve the accuracy and comprehension of the information presented. Narratives were also updated with the latest available information. A more detailed summary of these changes follows:

- Three objectives relating to Northern Tampa Bay were revised: 1) Concerning the completion of the Consolidated Wellfield System assessment, clarifying language was added to indicate the final assessment would be completed in 2020 and the "draft" in 2018. These revisions are consistent with rule language. 2) Updates were made to the Morris Bridge Sink objective to indicate that the project would only be constructed if necessary. This update is to acknowledge that the project may not be necessary. 3) For the lower Hillsborough River, language was added to recognize the rule provisions calling for completion of a second and third-year assessment.
- The Shell, Prairie and Joshua creeks' narrative was revised to better articulate the current direction for managing the watershed.
- Updates were made to reflect the present-day conditions. For example, the wastewater flow and reuse utilization rates for each region were updated from 2015 to 2017 (latest data available). Another example is the inclusion of the Governing Board's fiscal year 2018-19 millage rate.
- In addition, discussions were tweaked and streamlined for improved comprehension, and several pictures were incorporated into the Plan for added interest and to showcase the District.

Future Governing Board Action:

The Plan, along with the Consolidated Annual Report, will be discussed at the Governing Board's January meeting. Governing Board members are encouraged to review this report and provide any questions and concerns via email by January 4 so staff can provide follow up

Item 26

responses at the January meeting. Board approval of the Plan and other reports in the CAR is scheduled for the February meeting.

Staff Recommendation:

This item is submitted for the Board's information; no action is required.

Presenter: Trisha Neasman, Planning Lead, Government and Community Affairs Office

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of November 30, 2018, reflects total cash and investments.

In accordance with Board Policy, *Disbursement of Funds*, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic fund transfers (EFTs).

Treasurer's Report exhibit will be provided separately.

Staff Recommendation:

These items are presented for the Committee's information, and no action is required

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Routine Report

Monthly Financial Statement

Purpose

Presentation of the November 30, 2018, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(11), Florida Statutes, relating to state financial information with certain financial transparency requirements, the District is submitting a "Statement of Sources and Uses of Funds for the Second Month Ended November 30, 2018."

Exhibit will be provided separately.

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Routine Report

Monthly Cash Balances by Fiscal Year

Purpose

To provide a schedule of monthly cash balances by fiscal year, updated to reflect the cash balance as of November 30, 2018.

Background

This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves are utilized for projects.

Exhibit will be provided separately.

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Routine Report

Comprehensive Plan Amendment and Related Reviews Report

Purpose

This report is provided for the Committee's information and shows District activity in the review of Local Government Comprehensive Plans and Amendments. Staff updates the report monthly.

Background/History

The water management districts provide technical and policy information on water resources and water resource management to local governments as they prepare amendments to their local government comprehensive plans. This information encompasses various areas of water resource management, including water supply, flood protection and water quality, and is intended to support sound land use decisions. Statutory directives for this assistance include Section 373.711, Florida Statutes (F.S.), Technical Assistance to Local Governments, and Section 163.3184, F.S., Process for Adoption of Comprehensive Plan or Plan Amendments. Under Section 163, F.S., substantially revised in 2011, if important state resources and facilities are to be adversely impacted, the water management districts and other state reviewing agencies must state with specificity how the plan amendment will adversely impact the resource or facility and must include measures that the local government may take to eliminate, reduce, or mitigate the impacts. Any plan amendment comments provided by a water management district and/or other state agencies that are not resolved may be challenged by the Department of Economic Opportunity (DEO).

Benefits/Costs

The benefits of the District's local government technical assistance program are to ensure local government elected officials have sound water resource technical and policy information as they amend their local government comprehensive plans. This helps to ensure local plans are compatible with the District's plans, programs and statutory direction. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

Staff Recommendation:

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

Presenter: Cara Martin, Government and Community Affairs Office Chief

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of November 15, 20

Project	Amendment Type	Assigned	Completed	Description	10YWSFW
Arcadia 18-2	ESR	8/9/2018	9/4/2018	No substantive comments.	<input type="checkbox"/>
Auburndale 18-2	ESR	10/25/2018	11/6/2018	Comments addressed conservation, flood prone areas and existing wells. Also encouraged use of available reclaimed water and scheduling of a preapplication meeting with ERP staff.	<input type="checkbox"/>
Auburndale 18-3	ESR	10/25/2018	11/6/2018	No substantive comments.	<input type="checkbox"/>
Bradenton 18-3	ESR	9/27/2018	10/16/2018	No substantive comments.	<input type="checkbox"/>
Citrus 18-1	ESR	8/9/2018	9/10/2018	No substantive comments.	<input type="checkbox"/>
Citrus 18-2	ESR	8/23/2018	10/2/2018	Comments addressed wetland and flood prone areas. Encouraged applicant to avoid and/or minimize impacts to these resources whenever possible. Also encouraged implementation of low impact development (LID) strategies to help with this.	<input type="checkbox"/>
Coleman 18-2	ESR	10/22/2018		Text amendment.	<input type="checkbox"/>
Dade City 18-1	EAR-based	8/24/2018	9/26/2018	No substantive comments.	<input type="checkbox"/>
Davenport 18-3	ESR	8/27/2018	9/26/2018	Comments addressed statutory requirements for a potable water analysis, reuse, conservation, flood prone areas, existing WUPs and encouraged early regulatory coordination.	<input type="checkbox"/>
Davenport 18-4	EAR-based	9/27/2018	10/16/2018	No substantive comments.	<input type="checkbox"/>
Desoto 18-1	ESR	10/15/2018	11/1/2018	Comments addressed the potential for onsite wetlands, the proper abandonment of unused water wells and regulatory responsibility.	<input type="checkbox"/>
Dundee 18-1ER	EAR-based	11/6/2018		Evaluation and Appraisal Report text amendments.	<input type="checkbox"/>
Frostproof 18-1	EAR-based	9/27/2018	10/16/2018	No substantive comments.	<input type="checkbox"/>
Haines City 18-1	ESR	9/26/2018	10/25/2018	Comments addressed requirements for a potable water analysis, conservation, a potential wetland area and an existing WUP/well. Also encouraged use of reclaimed water supply and scheduling of an ERP preapplication meeting.	<input type="checkbox"/>
Hillsborough 18-3	ESR	8/24/2018	9/26/2018	No substantive comments.	<input type="checkbox"/>
Hillsborough 18-4	ESR	10/22/2018		Map amendments.	<input type="checkbox"/>

Attachment: CPARR (4111 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Holmes Beach 18-1	EAR-based	9/12/2018	10/15/2018	Advised that the Water Supply Facilities Work Plan is past due and offered technical assistance.	<input type="checkbox"/>
Lake 18-10	ESR	10/15/2018	11/7/2018	No substantive comments.	<input type="checkbox"/>
Lake 18-11ACSC	Regular	11/2/2018		Text amendment.	<input type="checkbox"/>
Lake 18-7	ESR	8/7/2018	8/14/2018	Advised amendment site is in SJRWMD.	<input type="checkbox"/>
Lake 18-8	ESR	9/4/2018	9/17/2018	Advised amendment site is in SJRWMD.	<input type="checkbox"/>
Lake 18-9ACSC	Regular	10/15/2018	10/26/2018	No substantive comments.	<input type="checkbox"/>
Lake Alfred 18-1	ESR	9/17/2018	10/2/2018	No substantive comments.	<input type="checkbox"/>
Lake Alfred 18-2	ESR	9/17/2018	10/2/2018	No substantive comments.	<input type="checkbox"/>
Lake Alfred 18-3	ESR	9/17/2018	10/2/2018	No substantive comments.	<input type="checkbox"/>
Manatee 18-3	ESR	11/9/2018		Map amendment.	<input type="checkbox"/>
Marion 18-2	ESR	9/28/2018	11/2/2018	Comments encouraged use of LID principles in Rainbow Springs springshed and addressed flood prone areas and the proper abandonment of unused wells and scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Marion 18-3	ESR	9/28/2018	10/31/2018	Comments encouraged maximization of water conservation measures and scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Marion 18-4	ESR	9/28/2018	10/31/2018	Comments encouraged maximization of water conservation measures and scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Marion 18-5	ESR	10/28/2018		Map amendment.	<input type="checkbox"/>
Oldsmar 18-1	ESR	9/26/2018	10/15/2018	No substantive comments.	<input type="checkbox"/>
Palmetto 18-1	EAR-based	10/15/2018	10/26/2018	Advised that the Water Supply Facilities Work Plan is past due and offered technical assistance.	<input type="checkbox"/>
Pasco 18-7	ESR	8/9/2018	9/7/2018	Comments encouraged water conservation implementation and scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Pasco 18-8	ESR	9/27/2018	10/25/2018	Comments addressed flood prone areas and wetlands.	<input type="checkbox"/>
Pasco 18-9	ESR	9/27/2018	10/16/2018	No substantive comments.	<input type="checkbox"/>
Pinellas Park 18-1	ESR	9/28/2018	10/29/2018	Map and text amendments.	<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Polk 18-7	ESR	8/7/2018	9/6/2018	Comments addressed statutory requirements for a potable water analysis, reuse, conservation, flood prone areas, wetlands and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Polk City 18-3ACSC	Regular	10/16/2018	11/1/2018	Comments addressed statutory requirements for a potable water analysis.	<input type="checkbox"/>
Reddington Beach 18-1	EAR-based	11/13/2018		Evaluation and Appraisal Report text amendments. No due date yet.	<input type="checkbox"/>
Sebring 18-1	EAR-based	8/24/2018	9/17/2018	No substantive comments.	<input type="checkbox"/>
Sebring 18-2	ESR	8/24/2018	9/17/2018	No substantive comments.	<input type="checkbox"/>
Sebring 18-3	ESR	8/24/2018	9/26/2018	Comments suggested policy language for water supply planning.	<input checked="" type="checkbox"/>
St. Pete 18-1	ESR	9/4/2018	10/8/2018	Comments addressed need for water supply availability documentation and water conservation.	<input type="checkbox"/>
Sumter 18-7	ESR	10/1/2018	11/5/2018	Comments encouraged maximization of water conservation, implementation of LID strategies to minimize/avoid impacts to flood prone areas and scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Sumter 18-8	ESR	10/1/2018	11/5/2018	Comments addressed water supply availability, water conservation and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Venice 18-1	ESR	11/2/2018		Map and text amendments.	<input type="checkbox"/>
Webster 18-1DRI	ESR	10/3/2018	11/5/2018	Comments addressed water conservation, implementation of LID strategies to avoid/minimize impacts to flood prone areas, proper abandonment of unused water wells and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Wildwood 18-3	ESR	9/17/2018	10/11/2018	No substantive comments.	<input type="checkbox"/>
Wildwood 18-4	ESR	9/17/2018	10/11/2018	No substantive comments.	<input type="checkbox"/>
Wildwood 18-5	ESR	10/15/2018	11/15/2018	Comments addressed water supply availability, conservation and encourage scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Winter Haven 18-3	ESR	10/15/2018	11/7/2018	Comments addressed reuse, conservation, flood prone areas, wetlands, existing wells and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>

Abbreviations:

ACSC Area of Critical State Concern
DRI Development of Regional Impact
EAR Evaluation and Appraisal Report
ESR Expedited State Review

Attachment: CPARR (4111 : Comprehensive Plan Amendment and Related Reviews Report)

FINANCE/OUTREACH & PLANNING COMMITTEE

December 11, 2018

Routine Report

Development of Regional Impact Activity Report

Purpose

This report is provided for the Committee's information and shows District activity in the review of Developments of Regional Impact (DRIs). Staff updates the report monthly.

Background/History

The water management districts participate with other state agencies in the review of DRIs, pursuant to Section 380.06, Florida Statutes. A DRI is defined as any development which, because of its character, magnitude or location, would have a substantial effect upon the health, safety or welfare of citizens of more than one county. A set of statewide guidelines and standards (thresholds) has been adopted by rule that is used in determining whether particular developments must undergo DRI review. A form has been adopted by rule that specifies the information that must be provided by the developer in the DRI Application for Development Approval (ADA).

The DRI review process is administered by the regional planning councils and oversight is provided by the Florida Department of Economic Opportunity (DEO). The District has also entered into memoranda of agreement with the Central Florida, Southwest Florida, Tampa Bay and Withlacoochee regional planning councils to more specifically outline the District's DRI review responsibilities. The District provides water resource management technical and policy information to the regional planning councils and local governments to assist them in making well-informed growth management decisions.

Benefits/Costs

The goals of the District's DRI review program are twofold: (1) to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider approval of large scale development proposals; and (2) to reduce the number and magnitude of issues that will need to be addressed during the District's regulatory review processes. District participation in this program helps to ensure that these proposed large-scale developments are compatible with the District's plans, programs and statutory directives. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

Staff Recommendation:

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

Presenter: Cara Martin, Government and Community Affairs Office Chief

DRI Activity Report

As of November 15, 201

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Palmer Ranch, Increment 28, Parcel 6A	Sarasota County	Sufficiency Review	8/6/2018	8/20/2018	Application proposed 500 single-family units on 282 acres. Advised RPC that District has no further comments.

Abbreviations:

DRI Development of Regional Impact
RPC Regional Planning Council

**Governing Board Meeting
December 11, 2018**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE
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Discussion Items

32. Consent Item(s) Moved for Discussion.....	171
---	-----

Submit & File Reports – None

33. Hydrologic Conditions Report	172
--	-----

Routine Reports

34. Surplus Lands Update	174
35. Structure Operations	176
36. Significant Activities	178

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Ken Frink, P.E., Division Director, Operations, Lands, and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**December 11, 2018*****Submit and File Report*****Hydrologic Conditions Report**

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the month under review, which is November, with comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data.

The information presented below is a summary of data presented in more detail in the monthly Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at <https://www.swfwmd.state.fl.us/resources/weather-hydrology/hydrologic-conditions-reports>

Rainfall

Provisional rainfall totals for November 1-12 indicate amounts have been within the normal range in all three regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month.

- Northern region rainfall has averaged 1.01 inches, equivalent to the 42nd percentile
- Central region rainfall has averaged 1.05 inches, equivalent to the 37th percentile.
- Southern region rainfall has averaged 1.29 inches, equivalent to the 47th percentile.
- District-wide, average rainfall has been 1.13 inches, equivalent to the 38th percentile.

Streamflow

Provisional streamflow data (as of November 13) indicate that flow has decreased in all three regions of the District, compared to the previous month. Based on streamflow conditions for the three regional index rivers indicated below, flow is within the normal range in all three regions. Normal streamflow is defined as flow that falls on or between the 25th and 75th percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 45th percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 43rd percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 59th percentile.

Groundwater Levels

Groundwater data (as of November 13) indicates that levels in the Floridan/Intermediate aquifer decreased in all three regions of the District, compared to last month. Groundwater levels, to date, are at the upper-end of the normal range in all three regions. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region is in the 70th percentile.
- The average groundwater level in the central region is in the 69th percentile.
- The average groundwater level in the southern region is in the 58th percentile.

Lake Levels

Water level data (as of November 13) indicates that regional lake levels have decreased in all four lake regions, compared to the previous month. Regional lake levels ended the month within the annual normal range in all four regions. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the northern region have decreased 0.10 foot and were 0.21 foot above the base of the annual normal range.
- Average lake levels in the Tampa Bay region have decreased 0.04 foot and were 1.23 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region have decreased 0.12 foot and were 1.68 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region have decreased 0.22 foot and were 0.26 foot above the base of the annual normal range.

Issues of Significance

November marks the second month of the 8-month dry season (October through May) and is historically the driest month of the year, with a District-wide long-term rainfall average of just 1.8 inches. Monthly provisional rainfall totals through November 12th fall within the normal range in all three regions of the District. Rainfall during November has been scattered, regionally variable and mainly associated with Gulf moisture interacting with several cold front systems that moved across the District. The District-wide provisional 12-month cumulative rainfall total has not change from last month and is at approximately 0.1 inch above its long-term historic average, while the cumulative 24-month total has improved slightly and is at 0.3 inch below its long-term historic average.

All major hydrologic indicators throughout the District have seen expected “seasonal” declines during November, although regional lake levels, streamflow and groundwater conditions continue to remain within their respective normal ranges. Major public surface water supply reservoirs remain at good levels.

NOAA climate forecasts continue to predict above-normal rainfall from December 2018 through June 2019, based on expectations that the Pacific Ocean will transition into weak El Niño conditions within the next several months, potentially bringing wetter-than-normal rainfall conditions to the region.

Updated weather forecasts will be available in mid-December. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

Staff Recommendation:

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

Presenter: Granville Kinsman, Hydrologic Data Manager

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Routine Report

Surplus Lands Update

Purpose

This report provides a monthly status on the District's surplus lands program. Information is through November 6, 2018.

Background

In 2011, at the direction of the Governing Board (Board), the District began a regular surplus lands assessment. The table below shows the status of the parcels identified through the previous surplus lands assessments.

Status	Acres	Parcels	Compensation
Sold, exchanged or transferred	1,518	28	\$7,909,684
Closing pending	11	15	\$37,541
Listed with broker with approved minimum sale price	766	11	
Listed with broker without minimum sale price	319	4	
Annutteliga Hammock	543	991	
Agency request	8	5	
Non-marketable	20	4	
On hold	1,764	19	
Grand Total	4,949	1,077	\$7,947,225

Annutteliga Hammock Small Lot (valued less than \$25,000) Sales

At the September 2018 Board Meeting, the Board approved setting a minimum price for the sales of surplus lots within the Annutteliga Hammock Project that are valued less than \$25,000. Below is the status of the surplus sales process for this Project. Currently there are four offers signed by the Governing Board Chair and are pending closing.

Activity from 10/18/2018 to 11/6/2018				
SWF Parcel Id. Number	Date Closed	Acres	Contract Price	Appraised Value
Total				

Item 34

	Previous Month's Activity Summary Report (9/25/18 - 10/17/18)	Activity Summary Report (9/25/2018 to 11/6/2018)
Parcels	2	2
Acreage	1.38 acres	1.38 acres
Appraised Values	\$9,200	\$9,200
	\$6,667 per acre	\$6,667 per acre
Contract Values	\$14,000 total sales	\$14,000 total sales
	\$10,145 per acre	\$10,145 per acre
Basis Values (Average of all parcels)	\$7,373 total purchase price	\$7,373 total purchase price
	\$5,343 per acre	\$5,343 per acre

Staff Recommendation:

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

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Routine Report

Structure Operations

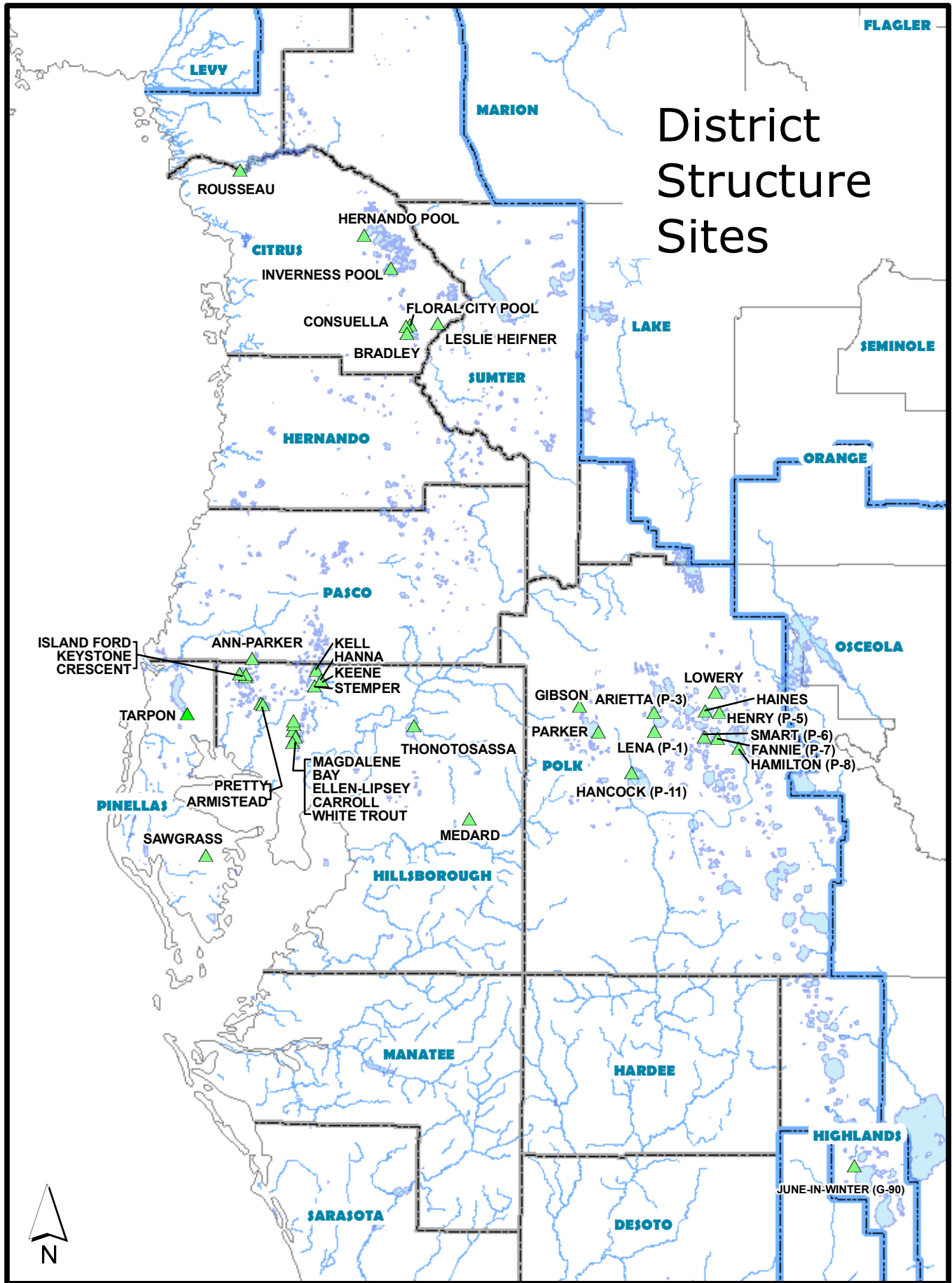
Summary of the operations made from October 26 through November 7, 2018.

- Inglis Water Control Structures: The Inglis Bypass Spillway and Inglis Main were operated to provide flow to the lower Withlacoochee River while maintaining Lake Rousseau's level. Lake Rousseau's monthly average elevation was of 27.53 feet National Geodetic Vertical Datum (NGVD). The recommended maintenance level for the lake is 27.50 feet NGVD.
- Withlacoochee River Watershed: Water control structures in the Tsala Apopka Chain of Lakes were operated to maintain water levels. The Wysong-Coogler Water Conservation main and the low flow gate were operated to aid in the regulation of the Lake Panasoffkee water level while providing flow to the Withlacoochee River downstream of the structure. The monthly average water level for Lake Panasoffkee was 39.97 feet NGVD.
- Alafia River Watershed: The Medard Reservoir structure were closed to maintain water level. The monthly average water level for the Medard Reservoir was 59.19 feet NGVD, compared to the recommended maintenance level of 59.00 feet NGVD.
- Hillsborough River Watershed: The Thirteen Mile Run system and Flint Creek (Thonotosassa discharge) structure were closed to maintain water levels. The average monthly water level for Lake Thonotosassa was 36.41 feet NGVD, compared to the recommended maintenance level of 36.50 feet NGVD.
- Tampa Bay/Anclote Watershed: Structures in the Rocky Creek, Sweetwater Creek were operated to maintain water lake water levels. The Brooker Creek system was operated to maintain lake levels. Lake Tarpon is the outfall of the Brooker Creek system. Lake Tarpon's water control structure were closed to maintain the lake level. Lake Tarpon's monthly average water level for the month was 3.26 feet NGVD, compared to the recommended maintenance level of 3.20 feet NGVD.
- Peace River Watershed: Lake Hancock structure were closed to maintain water level. The average monthly water level for Lake Hancock was 100.01 feet NGVD, compared to the recommended maintenance level of 100.20 feet NGVD.
- Lake Wales Ridge Watershed: Structure G-90 were closed to maintain water level in Lake June-in-Winter. The average monthly water level for Lake June-in-Winter was 74.26 feet NGVD, compared to the recommended level of 74.50 feet NGVD.

Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

December 11, 2018

Routine Report

Significant Activities

Staff Recommendation:

Presenter: Carrmen Sanders, Operations and Land Management Assistant Bureau Chief

Operations, Lands and Resource Monitoring Committee

Significant Activities

This report provides monthly information for FY2019 through November 6, 2018 on significant Operations and Land Management projects and programs in which the Governing Board is participating in funding and otherwise may be of interest to the Board. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

Land Management

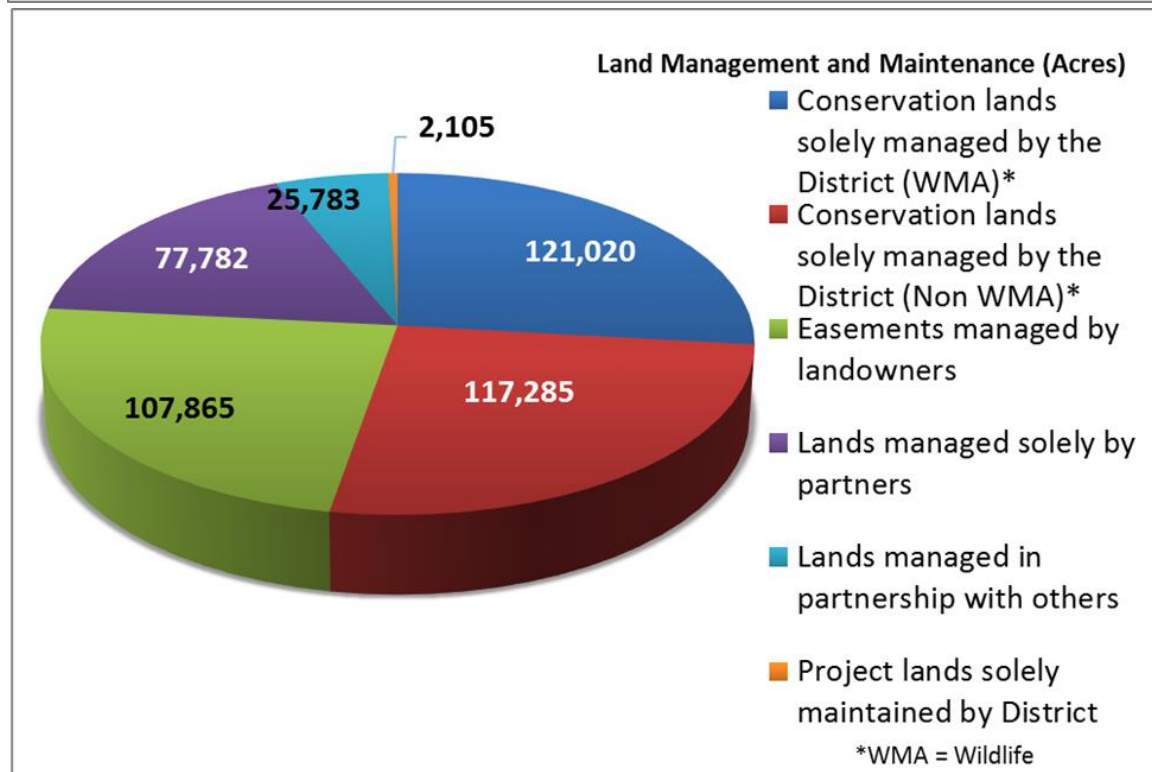
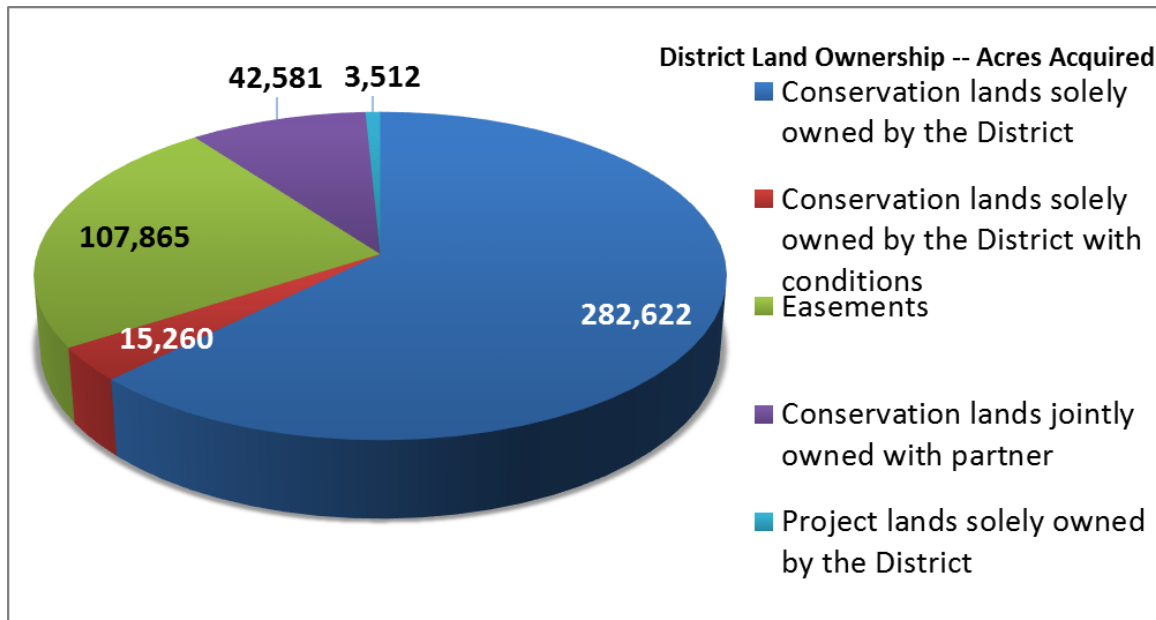
- Staff have completed FY2019 prescribed burn planning and are developing their annual workplans. Prescribed fire has been applied to 1,217 acres of conservation land.
- Staff has treated 1,584 acres of invasive plants on conservation lands.
- One hundred one permits were sold for phase one of the feral hog management hunts. Hunts are currently taking place throughout the month of November. District staff continue to trap feral hogs on District conservation lands removing 34 feral hogs.
- A total of \$7,500 has been generated from land-based revenue opportunities.

Land Resources/Land Use and Protection

Issued Special Use Authorization to the following:

- Hillsborough Sheriff's Office for vehicle access to Lower Hillsborough – Jefferson Equestrian Area to conduct K-9 team recruit tryouts. Up to 12 participants are expected. No dogs will be utilized for the training.
- Quest Ecology, Inc. for vehicle access to Little Manatee River - Southfork Tract, E.W. Chance Reserve – Gilley Creek & Coker Prairie Tracts to conduct field surveys and leg-banding of Florida scrub-jays with up to six participants expected.
- Tampa Bypass Canal Rowing Council, Inc. for vehicle access to utilize the District's Tampa Service Office parking area in conjunction with five rowing events conducted at Harney Park.
- Manatee County Property Appraiser for vehicle access for up to three contractors with Leo Mills and Associates, Inc. to conduct a land survey to locate and establish State Plane coordinates on section corners.
- Volunteers provided 104 hours of service at a value of approximately \$2,450.24 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.
- Processed 167 requests and provided 655 camping opportunities on District lands.

- The following is a breakdown of District land interests:



Staff Recommendation:

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

**Governing Board Meeting
December 11, 2018**

REGULATION COMMITTEE

Discussion Items

37. Consent Item(s) Moved for Discussion.....	181
38. Denials Referred to the Governing Board	182

Submit & File Reports – None

Routine Reports

39. Dover/Plant City Water Use Caution Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program.....	183
40. Overpumpage Report	184
41. Individual Permits Issued by District Staff	187

REGULATION COMMITTEE

December 11, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

December 11, 2018

Discussion Item

Denials Referred to the Governing Board

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

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

Staff Recommendation:

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

Presenter: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

December 11, 2018

Routine Report

Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program

At their December 2010 meeting, the Governing Board adopted a minimum aquifer level in the Dover/Plant City Water Use Caution Area (DPCWUCA); Rule 40D-8.626, Florida Administrative Code (F.A.C.), as well as a recovery strategy (Rule 40D-80.075, F.A.C.) that incorporated flow meters and automatic meter reading (AMR) equipment installations to monitor and reduce resource impacts from future frost/freeze pumping events. Meter information in the Dover/Plant City area will be used by the District to: (1) improve the allocation of well mitigation responsibilities among permit holders, (2) allow District staff to better identify permit compliance issues resulting from pumping during frost/freeze events, (3) improve the modeling of impacts resulting from pumping during frost/freeze events, (4) allow the monitoring of performance and track the progress of management actions implemented, and (5) provide for the overall assessment of the recovery strategy goal of reducing frost/freeze protection quantities by 20 percent in ten years. It was originally estimated as of June 16, 2011 that there were 626 flow meters and 961 AMR devices needing installation within the 256-square mile DPCWUCA. As of December 1, 2016 it was estimated that 573 flow meters and 954 AMR devices will need to be installed, currently, a revised assessment completed of November 1, 2018 estimated a program total of 548 flow meters and 869 AMR devices. This revised assessment is due to expired permits, use change, and deletion of withdrawals not required to be metered and have AMR devices. Total costs of the program were estimated to be \$5.5 million for flow meter and AMR equipment installation with approximately \$316,000 required annually to support the program. On August 7, 2013, the AMR equipment installation and operation component of this project under RFP 004-13 was awarded to Locher Environmental Technology, LLC, partnered with AMEC Environmental and Infrastructure, Inc., and Hydrogage, Inc. The contract was executed on November 14, 2013. Letters with flow meter reimbursement information were sent on March 28, 2018 to the remaining permittees who have not yet installed a flow meter and/or AMR unit. ***New Activities Since Last Meeting:*** As of November 1, 2018, a total of 532 flow meters have been installed (97 percent complete) and 838 AMR units have been installed (96 percent complete). *Project Manager: Talia Paolillo*

Staff Recommendation:

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

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

REGULATION COMMITTEE

December 11, 2018

Routine Report

Overpumpage Report

Please see the attached report.

Staff Recommendation:

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

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

Overpumpage Report September 2018

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>New From Previous Report</i>						
2063.007	Scott Stevenson ¹	Agriculture – Citrus	215,400 gpd	07/01/2018 347,915 gpd 61.52%	09/01/2018 300,784 gpd 39.64%	Bartow

- (1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.
 (2) A permit application is in-house for review.
 (3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Overpumpage Report September 2018

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>Continuing From Previous Report</i>						
10857.006	Burton Ranch, LLC ¹	Agriculture – Citrus	53,400 gpd	05/01/2018 116,887 gpd 118.89%	09/01/2018 106,544 gpd 99.52%	Bartow
3612.005	William K. and Elizabeth A. Durrance ¹	Agriculture – Citrus	111,600 gpd	04/01/2018 176,959 gpd 58.57%	09/01/2018 129,762 gpd 16.27%	Bartow
12900.002	Minto Bradenton LLC (Perico Island Development) ¹	Recreation - Lawn/Landscaping	130,500 gpd	11/01/2017 196,759 gpd 50.77%	09/01/2018 140,123 gpd 7.37%	Sarasota
696.006	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	210,600 gpd	05/01/2017 293,762 gpd 39.49%	09/01/2018 247,740 gpd 17.64%	Bartow
2588.010	Kelly Family Holdings, LLC (Kelly Farms) ³	Agriculture – Potatoes and Pasture	1,043,600 gpd	11/01/2016 851,054 gpd 20.79%	09/01/2018 1,298,493 gpd 24.42%	Sarasota
1156.012	Bay Laurel Center Public Water Supply System ³	Public Supply	2,555,000 gpd	09/01/2016 2,696,799 gpd 5.55%	09/01/2018 2,961,238 gpd 15.90%	Brooksville
7002.004	MHC FR Utility Systems, LLC ³	Public Supply	97,100 gpd	04/01/2015 104,929 gpd 8.06%	09/01/2018 160,171 gpd 64.95%	Tampa

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC)

REGULATION COMMITTEE

December 11, 2018

Routine Report

Individual Permits Issued by District Staff

The data for the December routine report was not available for inclusion in the Board Packet, however, the November report is now available. Please see the attached report.

Staff Recommendation:

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

Presenter: Alba Más, P.E., Division Director, Regulation

INDIVIDUAL PERMITS ISSUED: ERPS – NOVEMBER 2018

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43041242.003	Burnt Store Road Widening Phase II	Charlotte	Road widening project	164.00	9.61	9.61	0.00
43003052.265	Cresswind	Manatee	Residential subdivision	229.00	8.38	2.62	0.00
43028524.035	Islandwalk @ The West Villages Phase 8	Sarasota	Construction of a residential subdivision	115.10	11.43	4.51	0.00

Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.

INDIVIDUAL PERMITS ISSUED: WUPS – NOVEMBER 2018

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
20004049.016	Rutland Grove	Manatee	Straight renewal of individual quantities	Agricultural	964,800	936,000	20
20007025.009	Ridge Ranch \ Tip Top	Hardee / Manatee	Renewal/transfer/modification from row crops to sod	Agricultural	1,301,200	1,301,200	20
20008638.007	Jefferson Grove LTD	Manatee	Formal modification: convert part of irrigated citrus acreage to sod, no change of annual average quantity	Agricultural	706,100	706,100	20
20008675.006	Florida National Cemetery	Sumter	Renewal with increase for lawn/landscape irrigation	Landscape / Recreation	611,400	755,600	20
20010631.005	Wheelabrator Ridge Energy	Polk	Renewal of WUP for electrical power generating facility	Industrial and Commerical	875,000	875,000	10
20012645.005	Grand Palm / Blackburn Creek	Sarasota	Modification with increase due to increase in developed acres	Landscape / Recreation	394,000	519,000	20

Attachment: Nov18 Routine Reports - Individual Permits Issued by Staff (4103 : Individual Permits Issued

**Governing Board Meeting
December 11, 2018**

GENERAL COUNSEL'S REPORT

Discussion Items

42. Consent Item(s) Moved for Discussion.....	190
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Submit & File Reports – None

Routine Reports

43. December 2018 Litigation Report.....	191
44. December 2018 Rulemaking Update	201

GENERAL COUNSEL'S REPORT

December 11, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

December 11, 2018

Routine Report

December 2018 Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
December 2018

(Most recent activity in each case is in **boldface** type)

DELEGATED ADMINISTRATIVE HEARING MATTERS

2 Cases as of November 15, 2018

OPEN ENFORCEMENT CASES

50 Cases as of October 25, 2018

48 Cases as of November 15, 2018

ENFORCEMENT CASES IN ACTIVE LITIGATION

0 Cases as of November 15, 2018

(Including Administrative Complaints)

PERMIT/AGENCY ACTION CHALLENGES

3 Cases as of November 15, 2018

STYLE: Polk Regional Water Cooperative et al v. SWFWMD and Peace River Manasota Regional Water Supply Authority
COURT/CASE NO.: Division of Administrative Hearings, Case No. 18-3276
ATTORNEY: C. Tumminia/ A. Vining/ M. Bray
ACTION: Administrative hearing challenging Water Use Permit No. 20010420.010

DESCRIPTION: On April 24, 2018, the District issued a Notice of Proposed Agency Action recommending approval of Water Use Permit ("WUP") No. 20010420.010 ("Permit") to the Peace River Manasota Regional Water Supply Authority ("Authority") authorizing a renewal and modification to the Authority's existing WUP to extend the duration of the Permit and increase the allocated annual average and maximum daily withdrawals. From May 14, 2018, to May 18, 2018, the District received Petitions for Administrative Hearing ("Petitions") from the Polk Regional Water Cooperative, Polk County, the City of Winter Haven, the City of Lakeland, the City of Wauchula, the City of Fort Meade, and the City of Bartow ("Petitioners"). On June 25, 2018, the District referred the Petitions to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge ("ALJ"), who issued an Initial Order on June 27, 2018.

On July 5, 2018, the District and the Authority joined in filing a Response to the Initial Order, and the Petitioners joined in filing a separate Response. The ALJ entered an Order of Pre-Hearing Instructions on July 12, 2018 and scheduled the final hearing in this matter to occur at the District's Tampa Service Office from January 28, 2019 through February 15, 2019.

On July 18, 2018, the District filed a Consolidated Motion to Dismiss the Petitions. The Authority also moved to dismiss all seven Petitions. The ALJ granted the Petitioners an additional 10 days to respond to the Motions to Dismiss over the District's objection. On August 3, 2018, the Petitioners filed responses to the Motions to Dismiss.

On August 10, 2018, the ALJ entered an order denying the District and the Authority's Motions to Dismiss. The parties subsequently agreed to have retired Administrative Law Judge Bram Canter serve as the negotiation facilitator for the mediation scheduled to occur on October 8, 2018. Over the course of the time spanning this Litigation Report, the Parties have engaged in extensive written discovery and preliminary discussions regarding potential resolution of this administrative proceeding. In addition to the currently scheduled mediation, the District has invited the Polk Regional Water Cooperative

and its member governments to an open discussion with District, Hillsborough County, and Tampa Bay Water staff regarding the District's proposed alternative water supply project in southern Hillsborough County.

On October 3, 2018, the District held a meeting at the Tampa Service Office, where the Polk Regional Water Cooperative was invited to obtain additional details from Hillsborough County and Tampa Bay Water staff regarding the proposed alternative water supply project to resolve the litigation. Subsequently, the Parties attended Mediation on October 8, but were unable to reach a settlement agreement and, as a result, the Parties are continuing to litigate this case. As part of the litigation efforts, the Cooperative has scheduled the depositions of Brian Armstrong, Jennette Seachrist, Brian Starford, April Breton, and Luke LeMond, which are to occur between October 30, 2018 and November 6, 2018. The District has filed two motions for protective order regarding these five currently scheduled depositions. The first motion was filed on October 21, 2018, and the second was filed on October 24, 2018. The ALJ's orders on the District's motions are expected prior to the depositions for which they apply. Additionally, the depositions of the District's expert witnesses have been scheduled for December 5–8, 2018. The depositions of the Cooperative's experts are anticipated to be scheduled between November 6, 2018 and December 2, 2018, with the Parties continuing to discuss mutually available dates. Should the Parties fail to conduct all the required depositions prior to the December 10, 2018 discovery deadline, the District will utilize the instructions in the ALJ's Order of Pre-Hearing Instructions to determine the appropriate course of action.

On November 7, 2018, representatives from the Authority and the PRWC reached an agreement in principle to resolve the pending administrative challenge to the Authority's Permit. In pertinent part, the agreement provides for the following: (1) issuance of the Permit to the Authority for the quantities authorized in the April 24, 2018 Notice of Proposed Agency Action; (2) addition of a condition in the Permit that would reduce the Authority's maximum daily withdrawal by up to 48 MGD to enable the PRWC to withdraw water from the Peace River in Polk County, contingent upon the PRWC obtaining a WUP for the withdrawals within 8 years of the date the Authority's Permit is issued; (3) the formation of a Coordinating Committee comprised of the Authority, the PRWC, and the City of Lakeland for the purpose of gathering and sharing information relating to projects on the Peace River; (4) an agreement among the members of the Coordinating Committee to formally request that the District revise the Lower Peace River Minimum Flow; and (5) an agreement among the Petitioners to dismiss the Petitions with prejudice following execution of the finalized settlement agreement. Subsequently, representatives from the District, the Authority, and the PRWC agreed to cancel the administrative hearing scheduled for January 28, 2019, and to place all litigation activities on hold for a period of 45 days to finalize the settlement agreement. The 45-day period of abeyance ends on December 24, 2018. If a final settlement agreement is not reached by December 24, 2018, the Parties are required to notify the ALJ of the status of the matter and several mutually-agreeable dates for rescheduling the final hearing.

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Sumter, LLC v. FDOT Florida's Turnpike Enterprise and SWFWMD
Division of Administrative Hearings, Case No. 18-2780
H. Ryan/J. Fussell
Administrative hearing challenging Environmental Resource Permit No. 43010725.009

DESCRIPTION:

On February 10, 2017, the District issued Environmental Resource Permit ("ERP") No. 43070725.009 to FDOT Florida's Turnpike Authority ("Turnpike") authorizing modifications to interchange improvements previously permitted for the I-75/Turnpike Interchange, which will improve traffic flow at the same time FDOT is widening I-75. The District issued a Corrected ERP on February 15, 2017, after District staff discovered an error in the ERP previously issued, which resulted in updates to the wetland impact acreages, functional losses, and the total excess mitigation available. On March 2, 2017, Sumter, LLC ("Petitioner") submitted a Petition for Administrative Hearing ("Petition"), requesting denial of the Corrected ERP.

On March 20, 2017, Petitioner and Turnpike submitted a letter to the District, jointly requesting the District delay referral of the Petition to DOAH for 30 days so the parties could attempt to resolve the dispute. The District entered an Order Granting Request to Hold Case in Abeyance on March 20, 2017, stating no further action would be taken by the District on the matter until April 19, 2017.

On March 31, 2017, Petitioner and Turnpike filed a Joint Motion for Extension of Time until July 1, 2017, as the parties had agreed to run the 100-year floodplain model with updated parameters. An extension of an additional 90 days was requested for time to generate the results of the updated model and for the parties to review of those results. On April 4, 2017, the District entered an Order Granting Joint Motion for Extension of Time, holding the case in abeyance until July 3, 2017, and stating no further action would be taken by the District on the matter until July 5, 2017.

On June 22, 2017, Petitioner and Turnpike filed a Second Joint Motion for Extension of Time until August 7, 2017, to allow the parties additional time to finish running the 100-year floodplain model with updated parameters. On June 27, 2017, the District entered an Order Granting Second Joint Motion for Extension of Time, holding the case in abeyance until August 7, 2017, and stating no further action would be taken by the District on the matter until August 8, 2017.

On July 27, 2017, Petitioner and Turnpike filed a Third Joint Motion for Extension of Time until September 25, 2017, as efforts were ongoing to update the floodplain model and additional time was needed to finish the work. On July 27, 2017, the District entered an Order Granting Third Joint Motion for Extension of Time, holding the case in abeyance through September 25, 2017.

On September 15, 2017, Petitioner and Turnpike filed a Fourth Joint Motion for Extension of Time until October 11, 2017, as the parties expected the District to receive updated modeling on September 15, 2017, and time was needed to allow for the District's review and comments of those results, as well as for Petitioner's and Turnpike's subsequent review of the District's comments. On September 18, 2017, the District entered an Order Granting Fourth Joint Motion for Extension of Time, holding the case in abeyance through October 11, 2017.

On October 10, 2017, Petitioner and Turnpike filed a Fifth Joint Motion for Extension of Time until October 23, 2017, to conduct a settlement conference. On October 10, 2017, the District entered an Order Granting Fifth Joint Motion for Extension of Time, holding the case in abeyance through October 23, 2017.

On October 18, 2017, Petitioner and Turnpike filed a Sixth Joint Motion for Extension of Time to conduct a settlement conference, which was to occur no later than November 21, 2017. On October 19, 2017, the District entered an Order Granting Sixth Joint Motion for Extension of Time, holding the case in abeyance through November 22, 2017.

A settlement conference was held on November 17, 2017. On November 20, 2017, Petitioner and Turnpike filed a Seventh Joint Motion for Extension of Time until February 1, 2018, to finish re-processing the model and conduct a follow-up settlement conference. On November 28, 2017, the District entered an Order Granting Seventh Joint Motion for Extension of Time, holding the case in abeyance through February 1, 2018.

A second settlement conference was held on January 22, 2018, at which the parties determined additional time was needed for the Turnpike to investigate the feasibility of settlement options. On January 24, 2018, Petitioner and Turnpike filed an Eighth Joint Motion for Extension of Time until May 15, 2018. On January 25, 2018, the District entered an Order Granting Eighth Joint Motion for Extension of Time, holding the case in abeyance through 15, 2018.

After conferring with counsel for Turnpike, the District referred the Petition to Florida's Division of Administrative Hearings (DOAH) on May 31, 2018; that same day, Administrative Law Judge (ALJ) Francine M. Ffolkes was assigned to the matter, now DOAH Case No. 18-2780, and ALJ Ffolkes entered an Initial Order. The District coordinated with Petitioner's and Turnpike's counsel and submitted a timely response to the Initial Order on June 7, 2018.

The final hearing was initially scheduled to occur on September 11 – 14, 2018, at the District's Tampa Service Office, pursuant to the ALJ's Notice of Hearing entered on June 11, 2018.

The Turnpike served the Petitioner with written discovery on June 14, 2018; the Turnpike subsequently granted Petitioner an indefinite extension in responding to Turnpike's discovery requests. The District served Petitioner with written discovery on July 27, 2018, responses to which were due to the District 30 days after service.

The District agreed to extend the deadline for receipt of Petitioner's discovery responses until October 10, 2018, because Petitioner and Turnpike were granted a continuance rescheduling the final hearing to January 22 – 25, 2019. The District received Petitioner's responses to written discovery on October 10, 2018.

STYLE: Long Bar Pointe, LLLP v. Lake Flores I, LLC, & SWFWMD
COURT/CASE NO.: Division of Administrative Hearings, Case No. 17-005609
ATTORNEY: C. Tumminia/J. Fussell
ACTION: Administrative petition challenging Environmental Resource Permit No. 49042599.001

DESCRIPTION: On July 28, 2017, the District issued Environmental Resource Permit ("ERP") No. 49042599.001 ("Permit") conceptually approving the future construction of a stormwater management system to serve a 1,274-acre mixed-use project in Manatee County. On August 18, 2017, and September 18, 2017, the District granted two requests by Long Bar Pointe, LLLP ("Petitioner"), for an extension of time to file a petition requesting an administrative hearing on the issuance of the Permit. On September 29, 2017, the District received a timely request for administrative hearing ("Petition") from the Petitioner. The deadline for granting or denying the Petition is October 14, 2017. On October 13, 2017, the District referred the Petition to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge, who entered an Initial Order on October 19, 2017. The final hearing has been scheduled to occur in Tampa from January 24, 2017 to January 26, 2017. As of November 9, 2017, all parties have exchanged preliminary written discovery. On December 21, 2017, the parties agreed to and filed a Joint Motion for Continuance due to ongoing settlement negotiations. The ALJ entered an Order on December 21, 2017, rescheduling the final hearing to occur on February 27, 2017. On January 18, 2018, the parties agreed to and filed a Joint Motion for Continuance due to ongoing settlement negotiations. The ALJ entered an Order on January 18, 2018, rescheduling the final hearing to occur on March 27, 2017. On February 20, 2018, representatives from SWFWMD and the Applicant met to discuss the potential for settlement of this matter. On March 5, 2018, the Parties agreed to and filed a Joint Motion for Continuance as a result of the ongoing settlement negotiations. On March 6, 2018, the ALJ entered an Order rescheduling the final hearing to occur on May 7, 2018. On April 4, 2018, the Applicant and the Petitioner agreed to and filed a Joint Motion for Continuance as a result of the ongoing settlement negotiations. The District did not join, nor object, to the Motion. On April 5, 2018, the ALJ entered an Order rescheduling the final hearing to occur on June 25, 2018. On August 10, 2018, the Parties agreed to and filed a Joint Motion for Continuance because of the ongoing settlement negotiations. On August 10, 2018, the ALJ entered an Order rescheduling the final hearing to occur on October 30, 2018. **On October 1, 2018, the Parties agreed to and filed a Joint Motion for Continuance because of the ongoing settlement negotiations and the recent heart-attack of lead counsel for the Applicant. The final hearing has been continued until the final week in February 2019. As of the date of this Litigation Report, the Applicant and the Petitioner are still engaged in settlement negotiations.**

MISCELLANEOUS
4 Cases as of November 15, 2018

STYLE: Tony's Roasted Pepper, LLC v. Hillsborough County and SWFWMD
COURT/CASE NO.: Thirteenth Judicial Circuit/Hillsborough County; Case No. 2016-CA-008690
ATTORNEY: V. Arenas-Battles
ACTION: Notice of Claim pursuant to the Bert J Harris, Jr., Private Property Rights Protection Act and Complaint for Trespass, Injunction, Inverse Condemnation, Breach of Contract and Claim for Compensation under The Bert J. Harris, Jr., Private Property Rights Protection Act

DESCRIPTION: On September 19, 2016, Tony's Roasted Pepper, LLC ("Plaintiff") served the District with a Notice of Claim pursuant to Section 70.001, F.S., the Bert J. Harris, Jr., Private Property Rights Protection Act ("Bert Harris Act"). The Notice of Claim alleges that Plaintiff's property was damaged by flooding caused by Hillsborough County's pumping from Lake Wee pursuant to emergency authorizations issued to the County by the District. In addition, Plaintiff alleges that the flooding caused damage to its property and requests damages in the amount of \$1,100,000 from the District and County. Pursuant to Section 70.001(4), Florida Statutes, the District has notified the Attorney General's Office of Legal Affairs and all contiguous property owners regarding its receipt of the Notice of Claim. District staff will respond to the Notice of Claim within the statutorily-required 150 days.

On October 14, 2016, the District was served with a Complaint for Trespass, Injunction, Inverse Condemnation, Breach of Contract, and a violation of the Bert Harris Act ("Complaint") in Circuit Court against it as well as Hillsborough County ("County") and the District. The District is not subject to the breach of contract claim. The Complaint alleges a loss in market value of Plaintiff's property in the amount of \$960,000, as well as requests damages in excess of \$15,000 from both the County and the District. On October 19, 2016, the County filed a Motion to Dismiss Count V for Failure to State a Cause of Action and its Answer and Affirmative Defenses regarding the remaining counts of Plaintiff's Complaint.

On November 2, 2016, the District filed its Motion to Dismiss the Complaint, alleging (a) the statute of limitations has run on the inverse condemnation claim and (b) the Plaintiff failed to state a cause of action on the remaining claims. On November 4, 2016, the District filed its Amended Motion to Dismiss Complaint as to all counts for failure to state a cause of action, except Count IV which only applied to the County. On the same date, the County filed a Motion to Dismiss Count V. On November 7, 2016, the Plaintiff filed a Motion to Strike the County's Affirmative Defenses. A hearing on the District's and County's Motions to Dismiss was scheduled for January 5, 2017.

On January 5, 2017, Plaintiff, the County and the District agreed to cancel the hearing and (1) enter an Order granting the District's and County's Motions to Dismiss; (2) allow Plaintiff 45 days in which to amend its Complaint; and (3) that Plaintiff would satisfy all pre-suit requirements for a Bert Harris claim prior to amending its Complaint. On January 18, 2017, the Court entered a Stipulated Order Granting Southwest Florida Water Management District's Motion to Dismiss Without Prejudice. On January 23, 2017, the Court entered a similar Stipulated Order Granting Hillsborough County's Motion to Dismiss Count V of Plaintiff's Complaint Without Prejudice. Discovery has commenced and is ongoing. On March 3, 2017, Plaintiff filed an Amended Complaint against the District and the County. On March 31, 2017, the District and the County each filed Motions to Dismiss the Amended Complaint. A hearing on the Motions to Dismiss has been scheduled for June 6, 2017. On May 26, 2017, the hearing on the Motions to Dismiss was rescheduled for August 1, 2017.

On August 1, 2017, the Motion to Dismiss was heard by the Court. The Court ruled as follows: (1) granted the District's motion to dismiss as to Count III (Inverse Condemnation); (2) granted the District's motion to dismiss as to Count II (Injunction) without prejudice to amend; (3) granted the District's motion to dismiss as to Count V (Bert Harris) without

prejudice to amend; and denied the District's motion to dismiss as to Count I (Trespass) and abated this cause of action until December 14, 2017. On August 18, 2017, the Court entered the Order on Defendant's Motion to Dismiss Plaintiff's Amended Complaint.

On September 15, 2017, the District received Plaintiff's Second Amended Complaint. The District's answer to the Amended Complaint is due on or before December 14, 2017.

On October 5, 2017, all parties filed their Joint Stipulation to Extension of Time for Defendants to Respond to the Second Amended Complaint, requesting an extension of time until December 14, 2017 for the County and the District to file their answers to the Second Amended Complaint. On October 16, 2017, the Court entered an Order granting the extension of time.

On December 14, 2017, the District filed its Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint. On January 8, 2018, the Plaintiff filed its Reply to the District's and the County's Affirmative Defenses.

On March 5, 2018, Plaintiff filed a Joint Stipulation for Substitution of Counsel, substituting MacFarlane, Ferguson & McMullen, P.A. for J. Marshall Fry. On March 6, 2018, the Order on Stipulation for Substitution of Counsel was entered by the Court.

A case management hearing is scheduled in this case for June 27, 2018.

On June 27, a case management hearing was held, and the Court scheduled a one week trial for the weeks of December 10 and 17, 2018.

On June 29, 2018, a Uniform Order Setting Case for Trial and Pre-Trial was entered. On July 19, 2018, Plaintiff's First Request for Production to Defendant, Southwest Florida Water Management District and Notice of Service Plaintiff's First Set Interrogatories to Defendant, Southwest Florida Water Management District were served on the District. On July 25, 2018, the District served its First Set of Interrogatories and Request to Produce on Plaintiff. A Case Management Conference was held on August 2, 2018.

On August 16, 2018, the Court entered an Order on Case Management continuing the Case Management Conference until October 2, 2018.

On September 7, 2018, Plaintiff filed its Response to the District's First Request for Production and Answers to the District's First Set of Interrogatories. On September 13, 2018, the District filed its Response to the Plaintiff's First Request for Production and Answers to the Plaintiff's First Set of Interrogatories. On September 21, 2018, Defendant Hillsborough County filed a Motion to Bifurcate Issues to be Tried. On October 1, 2018, the parties filed a Joint Stipulation Regarding Order of Matters to be Tried agreeing to bifurcate the inverse condemnation claim against Hillsborough County from the remainder of the issues to be tried by jury. On October 2, 2018, a case management conference was held, and the case was bifurcated into two trials-one trial for the inverse condemnation claim against Hillsborough County and one trial for the trespass and injunctive relief claims against the District and Hillsborough County. The trial date will be in May 2019, although the exact dates are yet to be determined.

On October 3, 2018, the District provided a Privilege Log to Plaintiff. At this time, we are proceeding with discovery and the setting of depositions.

As part of the discovery process, depositions are being scheduled. The District has scheduled the depositions of the Corporate Representative for the Plaintiff for December 12, 2018. Plaintiff has scheduled the deposition of Michelle Hopkins for December 13, 2018.

STYLE: Uranowski, Christina v. SWFWMD
COURT/CASE NO.: Fifth Judicial Circuit/Hernando County; Case No. 2016-CA-976
ATTORNEY: T. Gonzalez
ACTION: Complaint under the Florida Civil Rights Act alleging Retaliation, Handicap Discrimination, Gender Discrimination, and Age Discrimination

DESCRIPTION: On September 17, 2015, the District issued a Notice of Discharge ("Notice") to Christina Uranowski ("Plaintiff"), discharging her from her at-will employment from the District effective at 5:00 p.m. that day. In September 2015, Plaintiff filed a Complaint with the U.S. Equal Employment Opportunity Commission ("EEOC Complaint") alleging that the District discriminated against her on the basis of her gender, age, and disability as well as that the District had retaliated against her based on prior protected activity. The District responded to the EEOC charge on November 4, 2015. The EEOC has not yet rendered a determination relative to the EEOC Complaint.

On September 30, 2016, the District was served with a Complaint filed in Circuit Court for Hernando County alleging violations of the Florida Civil Rights Act including retaliation, handicap discrimination, gender discrimination, and age discrimination related to Plaintiff's discharge from District employment. The matter has been referred to the District's outside employment counsel who entered his appearance in the case on October 2, 2016. On October 20, 2016, the District filed its Answer and defenses to the Complaint. The Plaintiff filed its first Request for Production of Documents to Defendants on August 14, 2017. The District filed its response to the Plaintiff's request on September 18, 2017.

STYLE: Lance Thomas v. North Port Gateway East Association, Inc. and SFWMD
COURT/CASE NO.: Twentieth Judicial Circuit/Charlotte County; Case No. 16-1505-CA
ATTORNEY: V. Arenas-Battles
ACTION: Action for Negligence related to a traffic accident where Plaintiff, Lance Thomas, claims that a condition in a District permit prohibited trimming of brush which contributed to obstruction of view resulting in a traffic accident.

DESCRIPTION: On February 16, 2018, Plaintiff served the District with an Amended Complaint. On March 8, 2018, the District filed its Answer and Affirmative Defenses, First Request to Produce to Plaintiff, and First Set of Interrogatories to Plaintiff. On March 2, 2018, the Plaintiff filed a Motion for Leave to Amend Complaint.

On March 8, 2018, the District filed an Answer and Affirmative Defenses, a First Request to Produce to Plaintiff, and a First Set of Interrogatories to Plaintiff. On April 25, 2018, the District filed a Motion to Dismiss Plaintiff's Amended Complaint. The District's Motion to Dismiss is scheduled for hearing on August 17, 2018.

On August 17, 2018, the District's Motion to Dismiss Plaintiff's Second Amended Complaint was denied, but the District's Ore Tenus Motion to Strike was granted.

On September 14, 2018, the District served a Proposal for Settlement on the Plaintiff. The Proposal for Settlement was not accepted by the Plaintiff and is, therefore, rejected as a matter of law.

STYLE:

Janet Denlinger and Harry Denlinger v. SWFWMD and Brian Armstrong, in his Capacity as the SWFWMD Executive Director, et al.

COURT/CASE NO.:

Sixth Judicial Circuit/Charlotte County; Case No. 2018-CA-001241

ATTORNEY:

V. Arenas-Battles/ **J. Fussell**

ACTION:

Action for Writ of Mandamus, Inverse Condemnation and Negligence arising out the District issuance of an ERP in 2006.

DESCRIPTION:

On May 18, 2018, the District and Mr. Armstrong were served with a Complaint seeking a Writ of Mandamus and damages for Inverse Condemnation and Negligence. Other parties sued include the City of Dade City and Michael Sherman, in his Capacity as Dade City Community Development Director and Douglas J. Weiland, Elizabeth C. Sirna and Summit View, LLC (collectively, the owners of the property). On May 29, 2018, the District was served with a Verified Amended Complaint, which added Keene Services, Inc. as a Defendant in the case. A mediation was held on May 24, 2018, which was unilaterally scheduled by the Plaintiffs, and which was not attended by any of the Defendants in the case. A mediation report was filed with the Court on May 30, 2018. A response to the Verified Amended Complaint is due on June 18, 2018. The District intends to file a Motion to Dismiss the Verified Amended Complaint by no later than June 18, 2018.

On June 30, 2018, Roberto Valdez, an adjacent property owner, filed his Motion to Intervene and Consolidate as Additional Plaintiff. On June 1, 2018, Plaintiffs filed Notices of Filing Acceptance of Service for Defendants, Douglas J. Weiland, Summit View, LLC, JES, Properties, Inc., CWES III, LLC, Brian Armstrong and the District. On June 1, 2018, Plaintiffs also filed an Affidavit of Service for Michael Sherman. On June 5, 2018, Plaintiffs filed an Emergency Motion for Temporary Injunction and Notice of Hearing against Defendant, Summit View, LLC. On June 6, 2018, Defendants, Summit View, LLC, Douglas J. Weiland, JES Properties, Inc., CWES III, LLC filed Motions to Dismiss the Amended Complaint. On June 7, 2018, the District and Brian Armstrong filed their Motion to Dismiss the Amended Complaint. On June 8, 2018, the City of Dade City filed its Motion to Dismiss the Amended Complaint. On June 14, 2018, the District and Brian Armstrong filed a Response in Opposition to Valdez' Amended Motion to Intervene and Consolidate an Additional Plaintiff. On June 20, 2018, Defendants Summit View, LLC, Douglas J. Weiland, JES Properties, Inc., and CWES III, LLC filed their Memorandum in Opposition to Plaintiff's Emergency Motion for Temporary Injunction. A hearing has been scheduled for July 17, 2018 on the Emergency Motion for Temporary Injunction. A hearing will be scheduled soon on the Motions to Dismiss.

On June 29, 2018, a Notice of Unavailability was filed by the City of Dade City. On June 29, 2018, an Order Granting Defendants' Motion to Reschedule July 9, 2018 Hearing was entered by the Court. On July 12, 2018, a Notice of Filing Abatement Agreement was entered, which abated the litigation for 30 days, and Notice of Cancellation of July 17, 2018 Hearing was filed. On July 13, 2018, a Motion to Strike Claim for Attorney's Fees as to Counts I, II, and III, with Supporting Memorandum of Law and Motion to Dismiss Amended Complaint was filed by Defendant Keene Services, Inc.

On September 5, 2018, Defendants Douglas J. Weiland, JES Properties, Inc. and CWES, III, LLC filed a Motion for Sanctions Against Plaintiffs. On September 10, 2018, the City of Dade City filed a Motion to Dismiss the Inverse Condemnation Claim. On September 13, 2018, Defendants City of Dade City and Michael Sherman filed Motions for Sanctions as to Plaintiffs' Claims for Negligence, Inverse Condemnation, Attorneys' Fees and Claim of Writ of Mandamus. The hearing on all the motions to dismiss is for November 6, 2018.

On November 6, 2018, the Court dismissed the Plaintiff's Second Amended Complaint with leave to amend.

APPEALS
0 Cases as of November 15, 2018

DELEGATED CONSENT ORDERS
2 Cases as of November 15, 2018

VIOLATOR: Jazzy's Bar B Q, Inc.
BOARD POLICY: 160-6
ATTORNEY: A. Vining
VIOLATIONS: Failure to submit as-built certification and request for conversion to operation phase.

STATUS: Consent Order SWF No. 18-030 was fully executed on November 2, 2018. Administrative penalties in the amount of \$700.00 were assessed.

VIOLATOR: Richard Evans
BOARD POLICY: 160-6
ATTORNEY: A. Vining
VIOLATIONS: Construction of water wells without a water well contractor's license and a well construction permit.

STATUS: Consent Order SWF No. 18-028 was fully executed on October 11, 2018. Administrative penalties in the amount of \$5,500.00 were assessed.

GENERAL COUNSEL'S REPORT

December 11, 2018

Routine Report

December 2018 Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

**RULEMAKING UPDATE
DECEMBER 2018
PROPOSED RULES & AMENDMENTS**

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. Initiation and Approval of Rulemaking to Amend Rule 40D-2.302(1), F.A.C. to Repeal Reservations from Use of Morris Bridge Sink	May 2015	TBD	May 2015
2. Initiation and Approval of Rulemaking to Amend Rule 40D-3.037, F.A.C., to Revise Application for a Water Well Contractor's License	June 2018	Effective Approx. November 2018	June 2018
3. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	TBD	June 2017
4. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Revised Minimum and Guidance Levels for Dosson Lake located in Hillsborough County	June 2018	Effective Approx. December 2018	June 2018
5. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Revised Minimum and Guidance Levels for Sunshine Lake located in Hillsborough County	June 2018	Effective Approx. December 2018	June 2018
6. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Correct Scrivener's Errors in Tables 8-2 and 8-3	June 2018	Effective Approx. December 2018	June 2018
7. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C. to Adopt Minimum and Guidance Levels for Lakes Allen, Virginia and Harvey in Hillsborough County	September 2018	Effective Approx. December 2018	September 2018
8. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C. to Adopt Minimum and Guidance Levels for Brant Lake in Hillsborough County	September 2018	Effective Approx. December 2018	September 2018
9. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Pierce Lake in Pasco County	November 2018	Effective Approx. January 2019	November 2018

COMMITTEE/LIAISON REPORTS

December 11, 2018

Discussion Item

Agricultural Advisory Committee

Staff Recommendation:

Presenter: Bryan Beswick, Board Member

COMMITTEE/LIAISON REPORTS

December 11, 2018

Discussion Item

Green Industry Advisory Committee

Staff Recommendation:

Presenter: Mark Taylor, Board Member

COMMITTEE/LIAISON REPORTS

December 11, 2018

Discussion Item

Other Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

December 11, 2018

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

December 11, 2018

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Jeffrey M. Adams, Chair

CHAIR'S REPORT

December 11, 2018

Discussion Item

Other

Staff Recommendation:

Presenter: Jeffrey M. Adams, Chair

CHAIR'S REPORT

December 11, 2018

Routine Report

Employee Milestones

Staff Recommendation:

Presenter: Jeffrey M. Adams, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau
5	12/16/2013	Charles Santiago	Senior Print Shop Specialist	Brooksville	General Services
5	12/30/2013	Mike Busacca	Senior Vegetation Management Specialist	Brooksville	Operations and Land Management
15	12/04/2003	Billy Butts	Field Technician	Brooksville	Operations and Land Management
20	12/14/1998	Silas Rooker	Senior Tradesworker	Tampa	General Services
30	12/05/1988	Margit Crowell	Chief Scientific Data Analyst	Brooksville	Data Collection
30	12/20/1988	August Fox	Senior Land Management Specialist	Brooksville	Operations and Land Management