

Governing Board Meeting

Agenda and Meeting Information

July 23, 2019

9:00 AM

Brooksville Office

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

Southwest Florida
Water Management District


WATERMATTERS.ORG • 1-800-423-1476



Southwest Florida Water Management District

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

An Equal
Opportunity
Employer

SWFWMD does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of SWFWMD'S functions, including access to and participation in SWFWMD's programs and activities. SWFWMD designates the Human Resources Office Chief as the Americans with Disabilities Act (ADA) Compliance Coordinator. Anyone requiring reasonable accommodation as provided for in the ADA should contact SWFWMD'S Human Resources Office Chief, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone 352-796-7211, ext. 4701 or 1-800-423-1476 (FL only), ext. 4702; TDD 1-800-231-6103 (FL only); or email to ADACoordinator@WaterMatters.org.

Final Agenda GOVERNING BOARD MEETING

JULY 23, 2019

9:00 AM

Brooksville Office

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

All meetings are open to the public.

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

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

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

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

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

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

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

Bartow Office

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

Sarasota Office

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

Tampa Office

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

MEETING NOTICE

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)***Finance/Outreach & Planning Committee***

6. Adopt Resolutions to Identify New Slate of Officers for Financial Documents
7. Final Liquidation of the Network Storage Replacement Fund
8. Knowledge Management: Legislative Coordination Governing Board Policy
9. Budget Transfer Report

Resource Management Committee - None***Operations, Lands and Resource Monitoring Committee***

10. Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy

Regulation Committee

11. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20002164.011 - C. R. Melar Corporation / Debra and Thomas S. Watkins, Et Al (Hardee County)
 - b. WUP No. 20009419.009 - South Patrick Grove / Alico, Inc. (Polk County)
 - c. WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)

General Counsel's Report

12. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Authorization to Issue Administrative Complaint and Order – Violation of Permit Conditions for Construction – Farrell Homes, Inc. and Van Buren Land Holdings, Inc. – ERP No. 44033097.000 (EXPIRED) – CT No. 384019 – Pinellas County, Florida
 - b. Interagency Agreement Between SWFWMD and SJRWMD – Designation of Regulatory Responsibility – The Villages of West Lake – Lake County
13. Rulemaking – None

Executive Director's Report

14. Approve Governing Board Minutes – June 25, 2019

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

15. Consent Item(s) Moved for Discussion
16. Investment Strategy Quarterly Update
17. Fiscal Year 2020 Budget Development
18. Knowledge Management: Capital Assets Governing Board Policy
19. Knowledge Management: Office of Inspector General Charter Governing Board Policy

Submit & File Reports

20. Inspector General Quarterly Update – April 1, 2019 to June 30, 2019

Routine Reports

21. Treasurer's Report and Payment Register
22. Monthly Financial Statement
23. Monthly Cash Balances by Fiscal Year
24. Comprehensive Plan Amendment and Related Reviews Report

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

25. Consent Item(s) Moved for Discussion
26. Knowledge Management: Cooperative Funding Initiative Governing Board Policy

Submit & File Reports - None

Routine Reports

- 27. Minimum Flows and Levels Status Report
- 28. Significant Water Resource and Development Project

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

- 29. Consent Item(s) Moved for Discussion
- 30. Hydrologic Conditions Report

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

- 31. Surplus Lands Update
- 32. Structure Operations
- 33. Significant Activities

REGULATION COMMITTEE (TAB F)***Discussion***

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

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

- 36. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update
- 37. Overpumpage Report
- 38. Individual Permits Issued by District Staff

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

- 39. Consent Item(s) Moved for Discussion

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

- 40. July 2019 Litigation Report
- 41. July 2019 Rulemaking Report

COMMITTEE/LIAISON REPORTS (TAB H)

- 42. Environmental Advisory Committee
- 43. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 44. Executive Director's Report

CHAIR'S REPORT (TAB J)

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

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

ADJOURNMENT

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

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

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

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

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective July 22, 2019

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

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

RESOURCE MANAGEMENT COMMITTEE
Rebecca Smith, Chair

REGULATION COMMITTEE
Joel Schleicher, Chair

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

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

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Michelle Williamson
Environmental Advisory Committee	
Industrial Advisory Committee	James G. Murphy
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	

OTHER LIAISONS	
Central Florida Water Initiative	H. Paul Senft
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	Rebecca Smith
Tampa Bay Regional Planning Council	

Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2019
Updated 7/12/19

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 (10:00 a.m., Sarasota Office)
February 26, 2019 (9:00 a.m., Tampa 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., Brooksville 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 29; March 27; August 28

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

2019 – February 6 - Northern Region, Brooksville Office

2019 – February 7 – Heartland Region, Bartow City Hall

2019 – February 13 – Southern Region, Sarasota Office

2019 – February 14 – Tampa Bay Region, Tampa Office

2019 – April 3 – Southern Region, Sarasota Office

2019 – April 4 – Heartland Region, Bartow City Hall

2019 – April 10 – Northern Region, Brooksville 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

Executive Summary

GOVERNING BOARD MEETING

JULY 23, 2019
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.

Finance/Outreach & Planning Committee

6. **Adopt Resolutions to Identify New Slate of Officers for Financial Documents**

Following its annual election of officers in June, the new officers assume their offices twenty-four (24) hours prior to the July Governing Board meeting. Resolutions must be adopted to give the new slate of officers the authority to sign and countersign all District warrants or checks. Section 373.553, Florida Statutes, requires District funds to be disbursed by check or warrant signed by the treasurer or assistant treasurer (secretary) and countersigned by the chair or vice chair of the board. The newly elected officers for Chair, Vice Chair, Secretary/Assistant Treasurer, and Treasurer/Assistant Secretary are identified by adoption of the resolutions, which will provide their signatures to SunTrust.

The District's Custody Agreement retains and employs SunTrust Bank, through its Wealth and Investment Management Division, to act as custodian of certain securities and funds of the District. Following the annual election of officers in June, a new Corporate Resolution must be adopted to give the new slate of officers the authority to give direction or confirmation to the Bank on all matters regarding the Custody Agreement and Account. The newly elected officers for Chair, Vice Chair, Secretary and Treasurer are identified by adoption of the resolution, which will provide their signatures to the Wealth and Investment Management Division of SunTrust Bank.

Staff recommends the Board:

1. Authorize the new slate of officers to apply their signatures to the required financial documents and;

2. Adopt Resolution No. 19-10 authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District.
3. Adopt the SunTrust Deposit Account Resolution and Authorization for Business Entities document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit accounts.
4. Adopt the SunTrust Corporate Resolution document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.

7. **Final Liquidation of the Network Storage Replacement Fund**

Staff requests approval for the budget transfer of \$280,715 from the Network Storage Replacement Fund to procure hardware, software, warranty and services associated with the replacement of the District's enterprise network hardware which supports all District offices and critical information systems. The Network Storage Replacement Fund is no longer funded effective FY19. This request of funds represents the balance of available funds in the Network Storage Replacement Fund and as such will retire this fund.

Since its establishment in 1993, the Network Storage Replacement Fund has provided the District with a predictable funding source for large information technology investments while maintaining a level annual technology budget. The Network Storage Replacement Fund has operated as follows:

- Annually the Information Technology Bureau (ITB) has identified items to be included in the fund and establishes a multi-year (minimum of five) contribution and drawdown plan for the fund which was approved by the Information Technology and Data Governance Committee.
- Contributions to the fund were approved by the Governing Board through the budget development process through and including FY18; to meet future requirements which were identified by the ITB staff and included in the annual ITB budget.
- Governing Board approval is required to transfer money from the fund into the appropriate operating budget lines associated with replacing/upgrading equipment, including, but not limited to hardware, software, maintenance and consulting services for implementation.
- Effective for FY19, the Network Storage Replacement Fund is no longer funded in the annual budget. This request of funds to replace core data center switches and the wireless network equipment will deplete all remaining funds in the Network Storage Replacement Fund.
- The Network Storage Replacement Fund is being retired and going forward all infrastructure purchases will be budgeted in the year they are to be expended.

The current network hardware was initially purchased between 2010 and 2013 and these systems are approaching their end of life. The replacement of these systems has been anticipated for several years in the Information Technology Plan.

Replacement of the existing enterprise network hardware has been identified in the Information Technology Plan for several years and the funding has been accrued in the Network Storage Replacement Fund for this purpose. Based upon staff's fiscal and technical evaluation of available technology solutions to meet the District's enterprise network needs, staff is recommending the replacement of Cisco switches and Cisco wireless infrastructure.

Competition from Cisco resellers will be obtained through a competitive procurement method.

Staff recommends the Board approve the transfer of \$280,715 from the Network Storage Replacement Fund to procure hardware, software, warranty and services associated with the replacement of the District's enterprise network hardware.

8. **Knowledge Management: Legislative Coordination Governing Board Policy**

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 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 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 the Legislative Coordination Policy and deemed it necessary to update the policy. The revised policy has been provided as an attachment. Minor modifications were needed to accurately indicate the name change from the Public Affairs Bureau to the Government and Community Affairs Office as well as formatting.

At the June 25, 2019 Governing Board meeting the revised policy was a Submit & File agenda item presented for review and comment. No Board comments have been received.

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

Staff recommends the Board approve the Legislative Coordination Policy as presented.

9. **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.

Staff recommends the Board approve the Budget Transfer Report covering all budget transfers for June 2019.

Resource Management Committee – None

Operations, Lands and Resource Monitoring Committee

10. **Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy**

Request approval of the revised New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Policy which applies to all 86 of the District-owned water control structures.

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 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 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.

As discussed at the June 2019 Governing Board meeting, staff reviewed the New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy and deemed it necessary to update the policy. The updates to the policy include the addition of staff direction to conduct risk-based prioritization and planning of refurbishments and replacements for existing water control structures. This is consistent with the District's ongoing effort to create a risk-based capital improvement plan for its water control structures. The revised policy has been provided as an attachment.

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

Staff recommends the Board approve the Policy for New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures as revised.

Regulation Committee

11. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20002164.011 - C. R. Melar Corporation / Debra and Thomas S. Watkins, Et Al (Hardee County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 370,900 gallons per day (gpd) to 403,400 gpd, an increase in the drought annual average quantity from 524,600 gpd to 589,700 gpd, an increase in the peak month quantity from 2,866,300 gpd to 3,140,500 gpd and an increase in the crop protection quantity from 10,814,500 gpd to 12,618,800 gpd. These quantities are based on the District's irrigation allotment calculation program, AGMOD. The changes in these quantities are due to the removal of 70 acres of small vegetables and cattle irrigation, and the addition of 102 acres of citrus. This water use permit is located within the Southern Water Use Caution Area (SWUCA) in Hardee County. The permittee is not currently utilizing AWS because none are available at this time.

Special conditions include those that require the permittee to record and report monthly meter readings, submit annual crop reports, cap wells that are not in use, perform meter accuracy testing every five years, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices and comply with 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. 20009419.009 - South Patrick Grove / Alico, Inc. (Polk County)

This is a renewal with modification of an existing water use permit for agricultural use. The authorized annual average quantity increased from 531,400 gallons per day (gpd) to 595,200 gpd, the drought annual average quantity increased from 685,200 gpd to 766,900 gpd, and the peak month quantity is increased from 2,736,300 gpd to 3,110,300 gpd. The crop protection quantity remains unchanged at 17,640,000 gpd. The water use quantities for agricultural irrigation are based on the District's allotment calculation program, AGMOD, for low volume irrigation of 440 acres of citrus. The increase is due to a change in the supplemental irrigation allocated by AGMOD. The primary irrigation source is surface water from Lake Leonore, which meets 84% of the irrigation demand, and one existing 16-inch diameter well constructed into the Upper Floridan aquifer, which meets

the balance (16%) of irrigation demand. The project is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, report annual crops grown, report crop protection events, investigate the feasibility of using reclaimed water, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, manage withdrawals from Lake Leonore in accordance with the applicable minimum management water levels and be subject to the SWUCA Minimum Flows and Levels 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.

c. **WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)**

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 315,500 gallons per day (gpd) to 1,027,400 gpd, an increase in the peak month quantity from 1,790,800 gpd to 2,192,600 gpd, and an increase in the crop protection from 19,550,900 gpd to 23,070,000 gpd. The authorized quantities include an annual average quantity of 537,400 gpd, a peak month quantity of 814,100 gpd, and a crop protection quantity of 3,519,100 gpd of surface water. The modification includes adding three surface withdrawals, two water reservoirs, an additional 40 acres of blueberries, and redistribution of quantities amongst the groundwater withdrawals. The District's FARMS program is assisting in the funding of these projects. Quantities are based on information provided by the applicant and District's water use allocation program, AGMOD. The increase in the annual average and peak month quantities is due to a change in the crop plan from 199 acres of blueberries to 239 acres and an updated version of AGMOD. The crop protection quantity increased because of three additional surface water withdrawals. The applicant is proposing to use alternative water supplies funded in part by the District's FARMS program to meet a portion of the irrigation demands. The applicant is not using reclaimed water because currently reclaimed water is not available. This water use permit is located within the Southern Water Use Caution Area.

Special conditions include those that require the Permittee to record and report monthly meter readings, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, and use surface water preferentially over ground water.

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

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

a. **Authorization to Issue Administrative Complaint and Order – Violation of Permit Conditions for Construction – Farrell Homes, Inc. and Van Buren Land Holdings, Inc. – ERP No. 44033097.000 (EXPIRED) – CT No. 384019 – Pinellas County, Florida**

This enforcement matter involves the failure of Permittees, Farrell Homes, Inc. and Van Buren Land Holdings, Inc. (Permittees), to comply with Environmental Resource Permit No. 44033097.000 (Permit). Permittees failed to comply with the Permit's requirements regarding transfer of the Project to the homeowner's association established as the

operation and maintenance entity. Additionally, Permittees failed to properly construct the on-site dry detention and effluent filtration system in accordance with the conditions of the Permit.

On April 14, 2016, September 13, 2016, and December 7, 2018, District staff notified the Permittees that the Project was not in compliance with District rules and the conditions of the Permit. The file was referred to the Office of General Counsel on April 14, 2019. On April 26, 2019, District staff sent a Notice of Violation informing Permittees of their rule and Permit violations. The Notice of Violation stated the Project must be brought into compliance within 30 days. Despite additional communications between Permittees and District staff after the Notice of Violation was issued, the Project was not brought into compliance with the Permit.

On June 26, 2019, District staff sent a second Notice of Violation together with a proposed Consent Order to the Permittees. The proposed Consent Order assessed \$6,000.00 in penalties and \$2,700.00 in enforcement costs for a total fine of \$8,700.00. Further, the proposed Consent Order required corrective construction to remedy the defects in the construction of the project.

District staff remains in communication with the Permittees and seeks compliance with the Permit. However, at this time, the Permittees have not agreed to the terms of the proposed Consent Order. District staff makes the following recommendation accordingly:

Staff recommends the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Farrell Homes, Inc. and Van Buren Land Holdings, Inc., and any other necessary parties, to obtain compliance with state law and District rules.
 2. Authorize District staff to initiate an action in Circuit Court obtain compliance with the terms of the Administrative Complaint and Order, recover an administrative fine/civil penalty, and recover District enforcement costs, litigation costs, and attorneys' fees, if appropriate.
- b. **Interagency Agreement Between SWFWMD and SJRWMD – Designation of Regulatory Responsibility – The Villages of West Lake – Lake County**

The Villages is located in an area that crosses the jurisdictional boundaries of the Southwest Florida Water Management District ("SWFWMD") and the St. John's River Water Management District ("SJRWMD"). On April 23, 2019, The Villages Land Company, LLC, notified SWFWMD and SJRWMD that it recently acquired parcels of land located east of the Lake County line and north of CR 470 ("Property") that will continue the expansion of The Villages Age Restricted Development. The location of the Property is within the jurisdiction of the SJRWMD.

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

Section 373.046(6), Florida Statutes, authorizes water management districts to enter into interagency agreements to designate regulatory responsibility to another water management district for a project that crosses the jurisdictional boundaries of both districts. Water management districts typically consider regulatory efficiency and prior

permitting history in determining which water management district is most appropriate to permit such projects. The interagency agreement designates the responsibility to receive, process, and take final agency action on all water use permit applications, and to take any compliance and enforcement action regarding a designated permit.

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

Staff recommends the Board approve the Interagency Agreement designating regulatory responsibility for The Villages of West Lake to the Southwest Florida Water Management District.

13. **Rulemaking – None**

Executive Director's Report

14. **Approve Governing Board Minutes - June 25, 2019**

Staff recommends the Board approve the minutes as presented.

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)

Discussion

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

16. **Investment Strategy Quarterly Update**

In accordance with Board Policy, District Investment Policy, a quarterly investment report shall include the following:

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

Staff recommends the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2019.

17. Fiscal Year 2020 Budget Development

- a) FY2020 Budget Update**
- b) Adoption of Proposed District Millage Rate for FY2020**
- c) Approval of August 1 *Standard Format Tentative Budget Submission***

Purpose

- a) Provide an update on budget changes that have been made since the FY2020 Recommended Annual Service Budget (RASB) which was provided to the Governing Board on June 25, 2019.
- b) Report the results of the July 1 certifications of taxable value from the District's 16 county property appraisers and recommend adoption of a proposed FY2020 millage rate.
- c) Request approval to submit the District's Tentative Budget to the Executive Office of the Governor (EOG), Department of Environmental Protection (DEP), Florida Legislature and other parties, as required by statute, for delivery by August 1, 2019.

In June, staff submitted the FY2020 RASB to the Governing Board for consideration. The RASB document included underlying revenue and expenditure tables, variance analysis and detailed project descriptions for all District projects. On June 25, staff provided an overview of the RASB to the Governing Board including revenues and expenditures by category, program area, and area of responsibility. Following discussion of the budget, the Governing Board took action to authorize staff to (1) prepare the *Standard Format Tentative Budget Submission* for FY2020 based on the RASB as presented, adjusted for Governing Board actions at the meeting; (2) reflect the final estimated ad valorem revenue based on the July 1 certifications of taxable value, and (3) add any additional funding provided by the state.

On July 23, staff will provide a budget update to the Governing Board including the certifications of taxable value and the proposed FY2020 millage rate for adoption, which must be certified to the county property appraisers by August 4. The proposed millage rate is the rate that will be used for Truth in Millage (TRIM) *Notices of Proposed Property Taxes*. Prior to the July 23 Governing Board meeting, staff will provide the Board members with a draft of the August 1 *Standard Format Tentative Budget Submission* for FY2020 for consideration to approve for submission by August 1 per s. 373.536 Florida Statutes (F.S.).

The District's FY2020 budget will be adopted in September following two public TRIM hearings. The first hearing is scheduled for September 10, 2019 at 5:01 p.m. at the Tampa Office. Written disapproval of any portion of the budget must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget adoption hearing. The second and final hearing is scheduled for September 24, 2019 at 5:01 p.m., also at the Tampa Office.

a) FY2020 Budget Update

Staff will review the board-approved budget changes presented at the June 25, 2019 Governing Board meeting and proposed budget changes that have occurred since June 25. If approved, the proposed budget changes presented at the July 23, 2019 Governing Board meeting will be incorporated in the August 1 *Standard Format Tentative Budget Submission*.

Board-approved budget changes at the June 25 Governing Board meeting increasing the proposed budget from \$196,465,002 to \$198,665,002:

Expenditure Budget:

- Cooperative Funding increased by \$2,200,000 for the District's share of the \$4,400,000 cost increase for the City of Punta Gorda for the Reverse Osmosis Water Treatment Facility Project (N780).

Revenue Budget:

- Use of Reserves increased by \$2,200,000 to balance the budget.

Proposed budget changes for the July 23 Governing Board meeting:

Revenue Budget:

- Ad valorem tax revenue decreased by \$393,905 based on July 1 certifications of taxable value from the 16 county property appraisers and adjustment of the millage rate to the rolled-back rate of 0.2801.
- Use of Reserves increased by \$393,905 to balance the budget.

b) Adoption of Proposed District Millage Rate for FY2020

Staff will present the certifications of taxable value and the proposed FY2020 District millage rate, in compliance with s. 373.503, F.S., and s. 200.065, F.S. Overall taxable property values in the District increased by 7.93 percent. Of the increase, 5.39 percent is related to existing property values and 2.54 percent is related to new construction. The rolled-back millage rate based on s. 200.065, F.S., equates to 0.2801, which is 5.2 percent less than the 0.2955 adopted for FY2019. Based on the July 1 certifications of taxable value and the rolled-back millage rate, staff has reduced ad valorem revenue by \$393,905 to \$113,153,713. Staff will recommend the Governing Board adopt Resolution No. 19-09, *Adoption of Proposed Millage Rate for Fiscal Year 2020*. A copy of the draft resolution is attached as an exhibit to this Item.

c) Approval of August 1 Standard Format Tentative Budget Submission

Staff requests approval to submit the Standard Format Tentative Budget Submission for FY2020 to the EOG, DEP, Florida Legislature and other parties, as required by statute, for delivery by August 1, 2019. The draft report reflects the budget as presented to the Governing Board on June 25 and adjusted for the changes discussed in item a. above for a total budget of \$198,665,002.

Exhibit of the draft *Standard Format Tentative Budget Submission* will be provided separately.

Staff recommends the Board:

- Approve the proposed budget changes that have been made since the June 25, 2019 Governing Board meeting.

- b) Approve Resolution No. 19-09, Adoption of Proposed Millage Rate for Fiscal Year 2020.
- c) Approve the August 1 submittal of the *Standard Format Tentative Budget Submission* report for FY2020, with the budget modifications approved by the Governing Board on July 23, 2019.

18. Knowledge Management: Capital Assets Governing Board Policy

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 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 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 Governing Board Policy District Tangible Personal Property (title revised to Capital Assets) and deemed it necessary to update the policy. The revised policy has been provided as an attachment. The modifications include changing the title to better reflect the Policy's content which includes both tangible and intangible assets, adding new language to include intangible assets, and to remove procedural language that is included in the District's Capital Assets Procedure.

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 Capital Assets Policy will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

19. Knowledge Management: Office of Inspector General Charter Governing Board Policy

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 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 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 the Board Policies for the Inspector General Charter and the Inspector General - Roles and Responsibilities. Staff is proposing to merge these two Board Policies into one and deemed it necessary to update the policy. The substantive modifications is to create new sections for Independence and Objectivity, Access, Audits, Investigations, Annual Report; eliminate the 18-month reporting requirement to the Auditor General, duplicative language between both policies or already stated in Florida Statutes and Auditing Standards; change the Annual Report due date from October 31 to September 30; and add language to require the audit plan to include a long-term component.

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 Office of Inspector General Charter will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

Submit & File Reports**20. Inspector General Quarterly Update - April 1, 2019 to June 30, 2019****Routine Reports**

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

- 21. **Treasure's Report and Payment Register**
- 22. **Monthly Financial Statement**
- 23. **Monthly Cash Balances by Fiscal Year**
- 24. **Comprehensive Plan Amendment and Related Reviews Report**

RESOURCE MANAGEMENT COMMITTEE (TAB D)**Discussion****25. Consent Item(s) Moved for Discussion****26. Knowledge Management: Cooperative Funding Initiative Governing Board Policy**

The District's Knowledge Management initiative 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. As part of this initiative, updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

Staff will discuss proposed revisions to the Cooperative Funding Initiative (CFI) Policy 130-4. The specific changes to the policy are:

- 1. Change the policy format to match current format standards;
- 2. Correct several grammatical and format errors to improve readability;
- 3. Add an additional paragraph (#11) to describe the role of the Governing Board sub-committees in the selection of projects for District funding.
- 4. Add a sentence in the introduction to the guidelines for alternative water supply projects that states indirect and direct potable reuse (IPR/DPR) projects are alternative water supply projects and are subject to the guidelines within this policy.

Staff have developed proposed revisions to the policy for Governing Board review (see exhibit). Staff will seek Governing Board input on the proposed revisions and will bring this item back to the Governing Board for any additional review and final approval at a future Governing Board meeting.

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

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

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

- 27. **Minimum Flows and Levels Status Report**
- 28. **Significant Water Resource and Development Project**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)**Discussion****29. Consent Item(s) Moved for Discussion****30. 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 June, 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 (as of June 30) indicate amounts were above-normal 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 averaged 9.82 inches, equivalent to the 131st percentile
- Central region rainfall averaged 9.70 inches, equivalent to the 133rd percentile.
- Southern region rainfall averaged 7.88 inches, equivalent to the 96th percentile.
- District-wide, average rainfall was 9.10 inches, equivalent to the 118th percentile.

Streamflow

Streamflow data for June indicate that flow increased in all three regions of the District, compared to the previous month. Based on the three regional index rivers indicated below, streamflow conditions ended the month within the normal range in the northern and southern regions of the District, while the central region was within the above-normal range. 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 53rd percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 76th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 69th percentile.

Groundwater Levels

Provisional groundwater data (as of June 26) indicate that levels in the Floridan/Intermediate aquifer increased in all three regions of the District, compared to last month. Groundwater levels ended the month at above-normal levels in the northern and central regions, while they were within the normal range in the southern region. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region was in the 81st percentile.
- The average groundwater level in the central region was in the 78th percentile.
- The average groundwater level in the southern region was in the 53rd percentile.

Lake Levels

Water level data for June indicate that regional lake levels increased in all four lake regions within the District, compared to the previous month. The northern and Lake Wales Ridge regions ended the month with levels below the base of the annual normal range, while the Tampa Bay and Polk Uplands regions level ended the month with levels within the annual normal range. 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 increased 0.41 foot and were 0.08 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.43 foot and were 0.96 foot above the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.41 foot and were 1.65 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 0.20 foot and were 0.71 foot below the base of the annual normal range.

Issues of Significance

June marks the start of the official four-month wet season (June through September) and provisional rainfall totals for the month saw accumulations above-normal in all three regions of the District. The District-wide 12-month cumulative rainfall total increased, ending the month at approximately 1.8 inches above the long-term historic average, while the 24-month cumulative total decreased, ending the month at about 9.3 inches above the historic average. Rainfall during June was generally scattered, regionally variable and associated with several different weather patterns. That is, a typical summertime sea breeze/convective rainstorm pattern occurred during the first week of the month. Then a “reverse summertime” flow pattern that brought heavy rains in from the Gulf occurred during weeks two and three, while a relatively hot and dry spell occurred during the last week of the month.

Hydrologic indicators saw regional groundwater levels and streamflow conditions improve throughout the District. Regional lake levels improved throughout the District, ending the month within the annual normal range in the Tampa Bay and Polk Uplands regions, while at below-normal levels in the northern and Lake Wales Ridge regions. Major public surface water supply reservoirs remain at good levels.

NOAA’s Climate Prediction Center’s three-month weather forecast, as of June 20, 2019, indicates “equal chances” for below-normal, normal or above-normal rainfall throughout the District during July through November 2019, based on current El Niño conditions in the Pacific Ocean continuing throughout the upcoming summer and fall months.

Updated weather forecasts will be available in mid-July. 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.

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

Submit & File Reports – None

Routine Reports

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

31. Surplus Lands Update
32. Structure Operations
33. Significant Activities

REGULATION COMMITTEE (TAB F)**Discussion****34. Consent Item(s) Moved for Discussion****35. 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.

- 36. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**
- 37. Overpumpage Report**
- 38. Individual Permits Issued by District Staff**

GENERAL COUNSEL'S REPORT (TAB G)**Discussion****39. 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.

- 40. July 2019 Litigation Report**
- 41. July 2019 Rulemaking Update**

COMMITTEE/LIAISON REPORTS (TAB H)

- 42. Environmental Advisory Committee**
- 43. Other Committee/Liaison Reports**

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 44. Executive Director's Report**

CHAIR'S REPORT (TAB J)

45. Chair's Report

46. Other

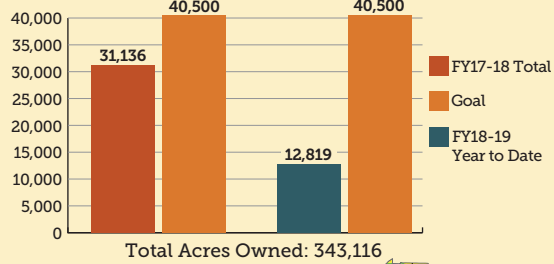
47. Employee Milestones

RECESS PUBLIC HEARING

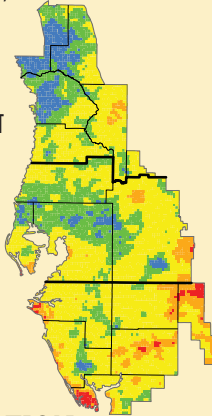
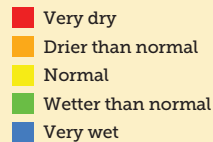
ADJOURNMENT

OPERATIONS, LANDS AND RESOURCE MONITORING

Prescribed Fire Acres Burned



RAINFALL DISTRIBUTION Jul 2018 – Jun 2019



DATA COLLECTION

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

FY	Quarter	Total Measured Points
2019	3	3,681,790

Goal

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

Good Data	Validated Data	Missing Data
99.07%	0.07%	0.76%

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Monthly Dashboard June 2019

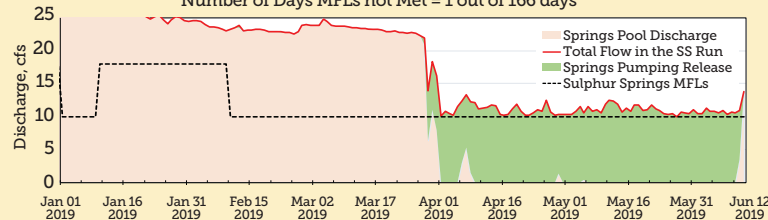


\$362.9 million
(current budget)

Days Without an At-Fault Accident 20
Days Without a Lost-Time Injury 942

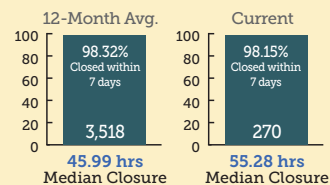
RESOURCE MANAGEMENT

Sulphur Springs MFLs Flow Status (1/1/2019 - 6/12/2019)
Number of Days MFLs not Met = 1 out of 166 days

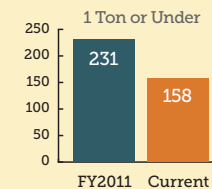


MANAGEMENT SERVICES

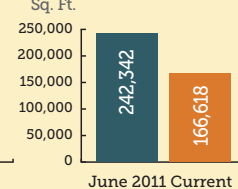
Public Records Requests



Fleet



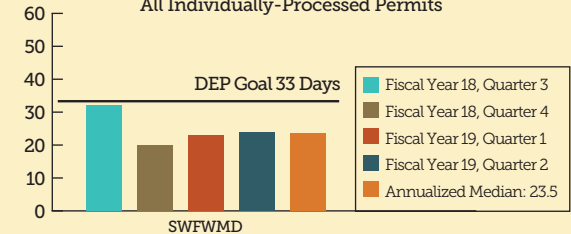
Office Space



REGULATION

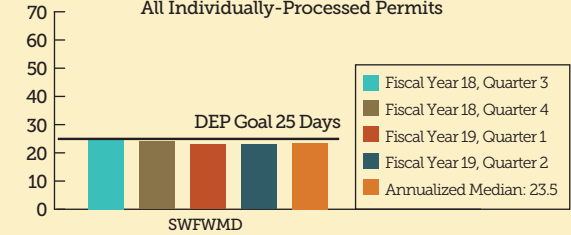
Consumptive Use Permitting

*Active Staff Processing Time,
All Individually-Processed Permits



Environmental Resource Permitting

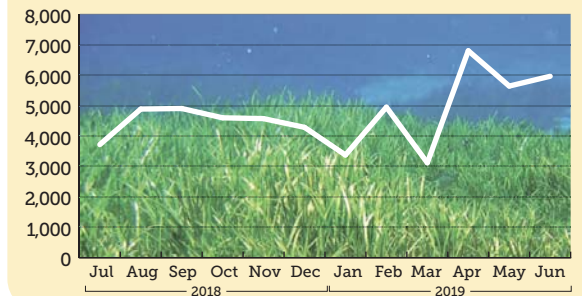
*Active Staff Processing Time,
All Individually-Processed Permits



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

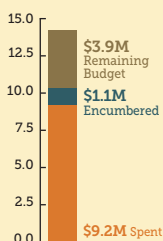
EXTERNAL & EMPLOYEE RELATIONS

WaterMatters.org/Springs web visits

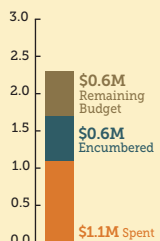


FINANCIAL SUMMARY

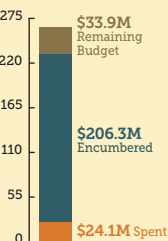
Regulation Budget \$14.2M



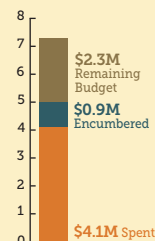
General Counsel Budget \$2.3M



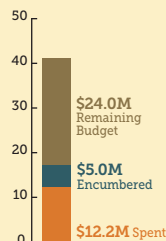
Resource Management Budget \$264.3M



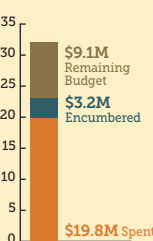
Emp. & Ext. Relations Budget \$7.3M



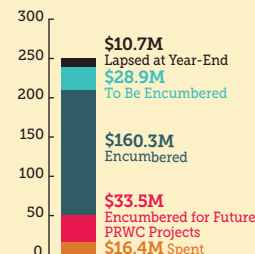
Operations, Lands & Resource Monitoring Budget \$41.2M



Management Services Budget \$32.1M

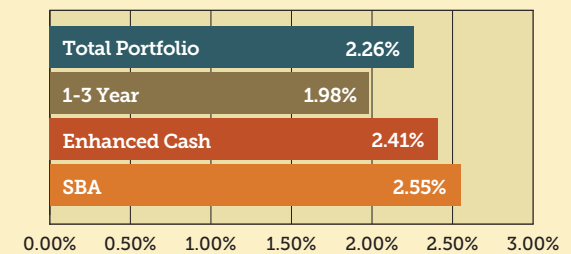


Total Number of Projects: 378 Resource Management Project Budget: \$249.8M



FINANCE

Total Return on Investments (Yield to Maturity at Cost)



Governing Board Meeting

July 23, 2019

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 – Butch DeVary, Senior Heavy Equipment Operator
- 25 years – Shellie Ferreira-Lee, Records Management Specialist
- 30 years – James Beasley, Field Operations Supervisory

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: Mark Taylor, Chair

Governing Board Meeting

July 23, 2019

CONSENT AGENDA

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

Finance/Outreach & Planning Committee

- 6. Adopt Resolutions to Identify New Slate Officers for Financial Documents..... 6
- 7. Final Liquidation of the Network Storage Replacement Fund..... 14
- 8. Knowledge Management: Legislative Coordination Governing Board Policy..... 16
- 9. Budget Transfer Report..... 20

Resource Management Committee – None

Operations, Lands and Resource Monitoring Committee

- 10. Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy..... 22

Regulation Committee

- 11. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20002164.011 – C. R. Melar Corporation / Debra and Thomas S. Watkins, Et Al (Hardee County)26
 - b. WUP No. 20009419.009 – South Patrick Grove / Alico, Inc. (Polk County)38
 - c. WUP No. 20020376.002 – Bennett Road / Pebbledale Farms, Inc. (Hardee County).....51

General Counsel's Report

- 12. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Authorization to Issue Administrative Complaint and Order – Violation of Permit Conditions for Construction – Farrell Homes, Inc. and Van Buren Land Holdings, Inc. – ERP No. 44033097.000 (EXPIRED) – CT No. 384019 – Pinellas County, Florida.....64
 - b. Interagency Agreement Between SWFWMD and SJRWMD – Designation of Regulatory – The Villages of West Lake – Lake County.....65
- 13. Rulemaking – None

Executive Director's Report

- 14. Approve Governing Board Meeting Minutes – June 25, 2019.....70

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Consent Agenda

Adopt Resolutions to Identify New Slate of Officers for Financial Documents

Purpose

- (1) Authorize the new slate of officers to apply their signatures to the required financial documents and;
- (2) Request that the Governing Board adopt District Resolution No. 19-10 authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District and;
- (3) Adopt the SunTrust Deposit Account Resolution and Authorization for Business Entities document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit account(s).
- (4) Adopt the SunTrust Corporate Resolution document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.

Background

Following its annual election of officers in June, the new officers assume their offices twenty-four (24) hours prior to the July Governing Board meeting. Resolutions must be adopted to give the new slate of officers the authority to sign and countersign all District warrants or checks. Section 373.553, Florida Statutes, requires District funds to be disbursed by check or warrant signed by the treasurer or assistant treasurer (secretary) and countersigned by the chair or vice chair of the board. The newly elected officers for Chair, Vice Chair, Secretary/Assistant Treasurer, and Treasurer/Assistant Secretary are identified by adoption of the resolutions, which will provide their signatures to SunTrust.

The District's Custody Agreement retains and employs SunTrust Bank, through its Wealth and Investment Management Division, to act as custodian of certain securities and funds of the District. Following the annual election of officers in June, a new Corporate Resolution must be adopted to give the new slate of officers the authority to give direction or confirmation to the Bank on all matters regarding the Custody Agreement and Account. The newly elected officers for Chair, Vice Chair, Secretary and Treasurer are identified by adoption of the resolution, which will provide their signatures to the Wealth and Investment Management Division of SunTrust Bank.

Staff Recommendation:

- (1) Authorize the new slate of officers to apply their signatures to the required financial documents and;
- (2) Adopt Resolution No. 19-10 authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District.

Item 6

- (3) Adopt the SunTrust Deposit Account Resolution and Authorization for Business Entities document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit accounts.
- (4) Adopt the SunTrust Corporate Resolution document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 19-10

**AUTHORIZING THE SIGNATURES OF OFFICERS OF THE GOVERNING BOARD
OF THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND THE USE OF FACSIMILE OR MANUAL SIGNATURES
ON ALL WARRANTS OR CHECKS OF THE DISTRICT**

WHEREAS, the Southwest Florida Water Management District is a public corporation organized and existing under the laws of the State of Florida; and

WHEREAS, Section 373.553, Florida Statutes, requires District funds to be disbursed by check or warrant signed by the Treasurer or Assistant Treasurer and countersigned by the Chair or Vice Chair of the Governing Board to effect payment of money in the name of the Southwest Florida Water Management District.

NOW THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District that the following officers of the Governing Board have assumed their offices effective July 22nd, 2019, and shall have the authority, pursuant to Section 373.553, F.S., to sign all warrants or checks of the District:

_____, Treasurer and Assistant Secretary SIGNS
Kelly Rice

_____, Secretary and Assistant Treasurer SIGNS
Joel Schleicher

_____, Chair COUNTERSIGNS
Mark Taylor

_____, Vice Chair COUNTERSIGNS
Michelle Williamson

BE IT FURTHER RESOLVED that the Governing Board of the Southwest Florida Water Management District hereby authorizes the use of either facsimile or manual signatures of the officers designated above for all warrants or checks of the District; and

BE IT FURTHER RESOLVED that the Secretary of the Governing Board of the Southwest Florida Water Management District is hereby authorized and directed to deliver to the designated depositories of the District, specimens of the facsimile and manual signatures as described above.

APPROVED AND ADOPTED this 23rd day of July 2019, by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SEAL

By: _____
Mark Taylor, Chair

Attest:

Joel Schleicher, Secretary



Deposit Account Resolution and Authorization for Business Entities

I. Business Entity Account Information

Name	Business Type	
Southwest Florida Water Management District	PF State/Local	
Governed By	Taxpayer ID Number	Date Resolution and Authorization Adopted
	59-0965067	7/23/2019

Account Number(s)

4 District Accounts

The undersigned in Section IX or X hereby certify to SunTrust Bank ("Bank") that the above named Business Entity is organized and existing under the laws of the state of Florida and has been registered in the manner prescribed by law and is currently in full compliance with all requirements relating to its organization and continued existence under applicable law.

These resolutions and authorizations apply to the above referenced deposit account(s) (hereinafter "Account") currently open with the Bank and any additional Accounts opened in the future in the name of the Business Entity. For purposes of this resolution and authorization, Accounts will include any certificates of deposit in the name of the Business Entity. These resolutions and authorizations shall remain in full force and effect until written notice in a form acceptable to the Bank of their rescission or modification certified by the appropriate authorized individual(s) applicable to the Business Entity has been received by Bank and the Bank has had a reasonable time to act on said change. Receipt of such notice shall not affect any action taken by Bank prior thereto and Bank shall be held harmless from any claims, demands, expenses, loss, or damage resulting from, or growing out of, honoring the acts or instructions of any individual so certified or authorized in these resolutions to sign by delegation of authority in accordance herewith or refusing to honor any signature not so certified or authorized.

II. Authority to sign, act, give instructions, access information, use Bank's services, perform transactions, enter into agreements and delegate authority on behalf of Business Entity. Resolved, that Bank be and is hereby designated a depository for the Business Entity; that any one of the individuals or entities named in Section III below is an "Authorized Signer" and is authorized to act, give instructions, access information, use Bank's services, and perform transactions on behalf of Business Entity with respect to any Accounts of Business Entity with Bank or services provided to Business Entity by the Bank, to enter into on behalf of the Business Entity any of Bank's agreements including checking, savings, certificates of deposit, wire or electronic funds transfer, night deposit, cash management, or other treasury management services agreements and to delegate to any other individual or entity his or her authority to act, give instructions, access information, use Bank's services, perform transactions, and enter into agreements on behalf of the Business Entity, including agreements that delegate his or her authority to other individuals or entities with respect to the Business Entity's Accounts or Bank's services; that the Business Entity shall be bound by the terms and conditions of all such agreements and Bank's Rules and Regulations for Deposit Accounts related thereto, all as now existing or as amended from time to time; and that any Authorized Signer named in Section III, is authorized on behalf of this Business Entity to sign and to endorse for deposit, negotiation or collection, any and all checks, drafts, certificates of deposit, savings certificates, items or other instruments or written orders for the payment of money payable by or to the order of this Business Entity. Signatures and endorsements, if any, may be in writing, by stamp, or otherwise affixed, with or without designation or signature of the person so endorsing, it being understood that all prior endorsements on such items are guaranteed by this Business Entity, regardless of the lack of an express guarantee in the endorsement of this Business Entity.

Further Resolved, Bank is hereby directed to honor, pay and charge to the Accounts of this Business Entity, without inquiry as to the circumstances of the issuance or application of the proceeds of, any checks, drafts, items or other written orders on any of this Business Entity's Accounts with Bank, whether payable to, endorsed or negotiated by or for the credit of any person signing the same or any other of the Authorized Signers named in Section III when signed by any of the Authorized Signers named in Section III.

III. Officers/Owner/General Partners/Members/Managers/Governors authorized to act, give instructions, access information, use Bank's services, perform transactions, enter into agreements, and delegate authority on behalf of the Business Entity

The full name, title, and signature of each person authorized to act, give instructions, access information, use Bank's services, perform transactions, enter into agreements, and delegate his or her authority on behalf of the Business Entity as described in the resolutions set forth in this document is immediately below. [Instruction: If the General Partner, Member or Manager is also an entity (e.g., a corporation, LLC, or partnership), the name of the entity is entered in the column headed "Name", applicable title of General Partner, Member or Manager is entered in the column headed "Title", and the name of the individual signing on behalf of that entity and individual's title or position are entered in the column headed "Signature" and the individual signs directly underneath his/her name and title. The individual must provide a resolution on that entity reflecting the individual's authority.]

User ID **UFET49**

Account Number

Name	Title	Signature
<u>MARK TAYLOR</u>	<u>CHAIR</u>	<u></u>
<u>MICHELLE WILLIAMSON</u>	<u>VICE CHAIR</u>	<u></u>
<u>KELLY RICE</u>	<u>TREASURER</u>	<u></u>
<u>JOEL SCHLEICHER</u>	<u>SECRETARY</u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

- IV. Facsimile Signatures** (Complete this section only if machine or facsimile stamped signatures are to be used on items.) Further Resolved, that Bank is hereby requested, authorized and directed to honor any check, draft, item or other written order on any of this Business Entity's Accounts with Bank when bearing or purporting to bear the following authorized machine or facsimile signature of any of the above named individuals whose signatures are reproduced below, regardless of by whom or by what means the actual or purported machine or facsimile signatures may have been affixed. The Business Entity shall indemnify and hold the Bank harmless from any and all claims, expenses, losses, damages and costs, including attorneys' fees, resulting from, or growing out of the Bank's honoring the facsimile signature of any of the following individuals, its refusal to honor any facsimile signature of an individual not named below, or resulting from the unauthorized use of the instrument used to provide the facsimile signatures by persons other than authorized individuals.

Name of Authorized Signer Listed in Section III	Machine/Facsimile Stamped Signature of Authorized Signer
<u>MARK TAYLOR</u>	<u></u>
<u>KELLY RICE</u>	<u></u>

- V. Additional Signatories on Business Entity's Accounts.** Further resolved, the following individual(s) are authorized as additional signatories only to sign and to endorse for deposit or collection any checks, drafts, or other instruments or written orders for the payment of money payable to the order of the Business Entity and to sign checks, drafts, items or other written orders, and initiate wire or funds transfers and execute Bank's Funds Transfer Authorization wire request and disclosure form on any of the Business Entity's Accounts with Bank. [Instruction: If an additional signatory is not authorized to sign on all Accounts, specify the Account Number applicable to the signatory as indicated below.] **Refer to the Signature Card(s) on the Account(s) for signatures of the Additional Signatories.**

Additional Signatory's Name	Position with Entity	Specific Deposit Account Number(s) Applicable to Signatory (Complete only if signatory is <u>not</u> authorized on all accounts)
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

- VI. Qualification Certification for Public Fund, Organization, Political Organization, Homeowners and Condominium Owners Association or Corporation Not Operated for Profit to earn interest on a checking account (NOW Account)**

Mark this section with an "X" only if Business Entity is eligible to earn interest on a checking account.

☐ I/We further certify that the above named Business Entity is eligible to earn interest on a checking account (referred to as a Negotiable Order of Withdrawal or NOW Account) in compliance with Regulation D of the Federal Reserve Act (12CFR 204) as a Public Fund or a Non-Profit Organization that is operated primarily for Religious, Philanthropic, Charitable, Educational, Political or other similar purposes under one of the following sections: Organization – Section 501 (C) (3) through (13), and (19) of the Internal Revenue Code (26 USC (IRC 1954) 501 (C) (3) – (13) and (19). Political Organization – Section 527 of the Internal Revenue Code (26 USC (IRC 1954) 527). Homeowners and Condominium Owners Associations – Section 528 of the Internal Revenue Code (26 USC (IRC 1954) 528).

- VII. Power to Act.** The undersigned certifies that there are no limits to the undersigned's powers to adopt this Authorization and to attest that the resolutions stated herein are accurate and that this Deposit Account Resolution and Authorization is in conformity with the provisions of the organizational instruments, which include the Business Entity's charter, bylaws, operating agreement, partnership agreement, shareholders' agreement or similar agreements by which the Business Entity or the undersigned party may be bound and does not violate the provisions thereof.

- VIII. Prior Acts.** All previous acts of or on behalf of the Business Entity as provided for above are hereby approved and ratified.

- IX. Certification—Corporation or Professional Corporation.** I, the undersigned, hereby certify to Bank that the above is a true copy of resolutions and authorizations of said Business Entity and that such resolutions and authorizations are in full force and effect and have not been amended or rescinded.

User ID UFET49

Account Number

In witness whereof, I have hereunto subscribed my name and affixed the seal of the Corporation this _____ of _____, _____.

(Affix Seal here, if available)

Authorized Signature

This section not applicable

Name and Title of President, Secretary, Assistant Secretary or Other Officer as designated in the Corporation's Bylaws

X. Certification—Limited Liability Company, Partnership, Public Fund, Sole Proprietorship, Unincorporated Organization or Association, or Other Entity. I/We, the undersigned, hereby certify to Bank that the above is a true copy of resolutions and authorizations of said Business Entity and that such resolutions are in full force and effect and have not been amended or rescinded. [Instruction: If the General Partner, Member or Manager is also an entity (e.g., a corporation, LLC, or partnership), the name of the entity and the word "By" are entered in the column headed "Signature"; the individual signing on behalf of that entity signs directly below the name of the entity; and the name of the individual and individual's title or position are entered in the column headed "Title". The individual must provide a resolution on that entity reflecting the individual's authority.]

Name and Title

Signature

Date

MARK TAYLOR / Chair

MICHELLE WILLIAMSON / Vice Chair

KELLY RICE / Treasurer

JOEL SCHLEICHER/ Secretary

Signature Requirement instructions

The following signatures are required to complete and certify the Deposit Account Resolution and Authorization to be correct:

- **Corporations:** Corporate Officers authorized to act on behalf of the corporation named in Section III should include the **President and Secretary** and any other applicable corporate officers, such as Vice President or Treasurer. The **President, Secretary, Assistant Secretary, or other corporate officer as designated in the bylaws of the corporation** is required to **certify** the Deposit Account Resolution and Authorization under Section IX.
- **Limited Liability Companies:** Section III and X require the signatures of all **members/managers/board members**, unless the Operating Agreement authorizes one or more members/managers/board members to conduct banking business, in which case the signatures of all such authorized members/managers/board members are sufficient.
- **Public Fund Entities:** Section III requires the signatures of individuals authorized to sign on behalf of the Public Fund Entity as **designated by the governing unit, e.g., Board of County Commissioners, Mayor, Secretary of State, etc.** The individual(s) authorized to **represent the governing unit** is required to certify the Deposit Account Resolution and Authorization under Section X.
- **Partnerships:** Section III and X require the signatures of **all General Partners**, unless the Partnership Agreement designates one or more partners to conduct banking business and perform banking transactions. In such cases, the designated general partner(s) are named in Section III as the **General Partners** authorized to act on behalf of the entity and these same General Partners will certify the Deposit Account Resolution and Authorization under Section X.
- **Sole Proprietorships:** Section III and X require the signature of the proprietor (owner) or in the case of a spousal proprietorship, the signatures of the husband and wife who own the Business Entity.
- **Unincorporated Organizations or Associations:** Section III requires the signatures of the **Officers or Positions** designated in the Organization or Association's bylaws or charter as authorized to act on behalf of the organization or association. The **President or Secretary** of the organization or association (or other individual designated to do so) is required to certify the Deposit Account Resolution and Authorization under Section X.

Bank Use Only

Bank Number 0175	Cost Center Number 6560250	Cost Center Name Government-tampa	
Prepared By ESTHER TORRES	Phone Number (813) 224-2183	Date 7/23/2019	
Account Number(s)			
Verification Method			

User ID **UFET49**

Account Number

EXHIBIT

CORPORATE RESOLUTION

I, the undersigned Secretary of the below named Corporation, which is organized and existing under the laws of the State of Florida and having its principal place of business at the below named address, hereby certify to SUNTRUST Bank (the "Bank") that the following is a true copy of a Resolution adopted by the governing authority of this entity in accordance with its By-Laws, at a meeting held on July 23rd, 2019, and not subsequently modified.

RESOLVED:

- 1) That the Private Wealth Management Division of SunTrust Bank (the "Bank") is designated as a depository for funds and securities of this entity, under an Agreement signed on behalf of this entity:
- 2) That any of the officers or representative whose titles are listed below are hereby authorized on behalf of this entity:
 - To sign and execute Bank Documents with the Bank and to establish the appropriate account(s) (the "Account(s)"); and
 - To deposit, transfer or withdraw funds; to agree to the purchase, sale or exchange of any funds or assets held in the Account(s); to provide instructions, when needed, to the Bank with respect to the management or investment of such funds or assets; and to sign checks, drafts, stock powers, bond powers or other orders with respect to assets of, or being added to, the Account(s); and
 - To transact any and all other business relating to the Accounts(s), which at any time may be deemed desirable pursuant to the provisions of the Agreement; and
- 3) That the Bank may rely upon the authority conferred by this Resolution until it is revoked or modified and the Bank receives written notice thereof.

I further certify that the following officers or representatives are currently authorized to act on behalf of this entity in accordance with the terms of this Resolution as outlined.

<u>Officer or Representative Title</u>	<u>Name</u>	<u>Signature</u>
<u>Chair</u>	<u>Mark Taylor</u>	_____
<u>Vice Chair</u>	<u>Michelle Williamson</u>	_____
<u>Treasurer</u>	<u>Kelly Rice</u>	_____
<u>Secretary</u>	<u>Joel Schleicher</u>	_____

Number of signatures required, if applicable: 1

IN WITNESS WHEREOF, I have hereunder subscribed my name and affixed the seal of this entity if applicable.

Southwest Florida Water Management District
Entity Name
2379 Broad Street
Address
Brooksville FL 34604-6899
City, State and ZIP

Secretary

Date (Corporate Seal)

FINANCE/OUTREACH & PLANNING COMMITTEE**July 23, 2019*****Consent Agenda*****Final Liquidation of the Network Storage Replacement Fund*****Purpose***

Staff requests approval for the budget transfer of \$280,715 from the Network Storage Replacement Fund to procure hardware, software, warranty and services associated with the replacement of the District's enterprise network hardware which supports all District offices and critical information systems. The Network Storage Replacement Fund is no longer funded effective FY19. This request of funds represents the balance of available funds in the Network Storage Replacement Fund and as such will retire this fund.

Background/History

Since its establishment in 1993, the Network Storage Replacement Fund has provided the District with a predictable funding source for large information technology investments while maintaining a level annual technology budget. The Network Storage Replacement Fund has operated as follows:

- Annually the Information Technology Bureau (ITB) has identified items to be included in the fund and establishes a multi-year (minimum of five) contribution and drawdown plan for the fund which was approved by the Information Technology and Data Governance Committee.
- Contributions to the fund were approved by the Governing Board through the budget development process through and including FY18; to meet future requirements which were identified by the ITB staff and included in the annual ITB budget.
- Governing Board approval is required to transfer money from the fund into the appropriate operating budget lines associated with replacing/upgrading equipment, including, but not limited to hardware, software, maintenance and consulting services for implementation.
- Effective for FY19, the Network Storage Replacement Fund is no longer funded in the annual budget. This request of funds to replace core data center switches and the wireless network equipment will deplete all remaining funds in the Network Storage Replacement Fund.
- The Network Storage Replacement Fund is being retired and going forward all infrastructure purchases will be budgeted in the year they are to be expended.

Current System Status and Investment Required

The current network hardware was initially purchased between 2010 and 2013 and these systems are approaching their end of life. The replacement of these systems has been anticipated for several years in the Information Technology Plan.

Benefits/Costs

Replacement of the existing enterprise network hardware has been identified in the Information Technology Plan for several years and the funding has been accrued in the Network Storage

Item 7

Replacement Fund for this purpose. Based upon staff's fiscal and technical evaluation of available technology solutions to meet the District's enterprise network needs, staff is recommending the replacement of Cisco switches and Cisco wireless infrastructure.

Competition from Cisco resellers will be obtained through a competitive procurement method.

Staff Recommendation:

Approve the transfer of \$280,715 from the Network Storage Replacement Fund to procure hardware, software, warranty and services associated with the replacement of the District's enterprise network hardware.

Presenter: Thomas Hughes, Bureau Chief, Information Technology

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Consent Agenda

Knowledge Management: Legislative Coordination Governing Board Policy

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 Fiscal Year (FY) 2016 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 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 the Legislative Coordination Policy and deemed it necessary to update the policy. The revised policy has been provided as an attachment. Minor modifications were needed to accurately indicate the name change from the Public Affairs Bureau to the Government and Community Affairs Office as well as formatting.

At the June 25, 2019 Governing Board meeting the revised policy was a Submit & File agenda item presented for review and comment. No Board comments have been received.

Benefits

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

Staff Recommendation:

Approve the Legislative Coordination Policy as presented.

Presenter: Cara Martin, Government and Community Affairs Office Chief

BOARD POLICY			
Southwest Florida Water Management District			
Title: Legislative Coordination			
Document Owner:	Cara Martin, Government and Community Affairs Office Chief		
Approved By:	Mark Taylor, Chair	Effective Date:	07/23/2019
		Last Reviewed:	04/24/2019

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PURPOSE

To establish guidelines for the monitoring, development, and interagency coordination of state and federal legislative activities; and to designate the responsibilities of the District Governing Board, the executive director, and general counsel as they pertain to legislative matters.

SCOPE

The District performs its functions under the provisions of several state and federal laws. It is necessary, therefore, for the District to be kept informed of and, if necessary, comment on proposed legislation that may impact District activities and legislated responsibilities; and to prepare draft legislation when deemed necessary. Further, it is necessary to continually monitor and keep abreast of all proposed legislation which might have an impact on the District.

AUTHORITY

N/A

DEFINITIONS

N/A

STANDARDS

N/A

POLICY

It is the intent of this policy to ensure that an efficient and coordinated legislative program for the District is established which is to include the following elements:

1. Monitoring legislative activities including committee and subcommittee meetings and investigations, and proposed legislation.
2. Providing technical information to committees and subcommittees when requested.
3. Preparing technical comments and impact analyses of proposed legislation.
4. Preparing position statements regarding proposed legislation for the Governing Board to consider.
5. Preparing draft legislation when necessary.
6. Coordinating with other water management districts, the Department of Environmental Protection, and other appropriate state/federal agencies.

Final legislative policy decisions shall be the responsibility of the Governing Board. In the event that time frames preclude formal Governing Board action as it pertains to any legislation pending, the Board may delegate this policy responsibility to members of the Board. Specifically, the Board shall:

1. Determine the need for and approve position statements on proposed legislation.
2. Determine the need for and direct the preparation of draft legislation.

The executive director shall be responsible for the general administration of the District legislative program. Specifically, the executive director shall:

1. Monitor legislative activities.
2. Prepare comments and analyses on proposed legislation for the Governing Board on a regular basis.
3. In cooperation with the Governing Board, coordinate with other water management districts and the Department of Environmental Protection on common legislative interests.
4. Attend legislative committee meetings as appropriate.
5. Report to the Governing Board on legislative matters on a regular basis.
6. When deemed appropriate by the executive director, utilize the services of the Office of the General Counsel as it relates to legal involvement regarding legislative matters.

The District's Government and Community Affairs Office shall be responsible for providing support in carrying out the District legislative program. Specifically, the Government and Community Affairs Office shall:

1. Draft legislation as directed by the Governing Board or the executive director.
2. Assist and advise as needed in the general administration of the District legislative program.
3. In close coordination with the executive director, prepare draft position statements, represent the District from the legal standpoint at legislative committee meetings, and meet with individual members of the Legislature as required.

The general counsel shall advise on the legal implications of proposed legislation.

DISTRIBUTION

N/A

REFERENCES

N/A

PERIODIC REVIEW

This policy will be reviewed every three years.

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of June 2019.

Background

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

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for June 2019.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
June 2019

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
Executive Approved				
1	Natural Systems & Restoration Grant - Financial Assistance	Data Collection Other Grants and Aids	Transfer of funds originally budgeted for the Polk County Crooked Lake West Wetland Restoration Cooperative Funding Initiative project. The funds are no longer needed due to the withdrawal of the project by the county. The funds are needed to continue the District's Quality of Water Improvement Program (QWIP) for well plugging reimbursements through the remainder of this fiscal year (FY). The original FY2019 budget of \$510,000 for this program has been fully committed to approved claims.	\$ 50,000.00
2	General Services Fuels and Lubricants	General Services Janitorial Services	Transfer of funds originally budgeted for fuels and lubricants. Expenditures have been less than anticipated due to continued lower prices on fuel and petroleum products. Funds are needed for Janitorial services through the end FY2019. A new vendor was selected to continue Janitorial services after the existing contract was terminated, resulting in higher rates than originally budgeted.	34,208.00
Total Executive Approved				\$ 84,208.00
Total Transfers for Governing Board Ratification				\$ 84,208.00

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director or designee or the Finance Bureau Chief consistent with Board Policy 130-8, and are presented for Governing Board approval for ratification on the Consent Agenda. Executive Director or designee approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts greater than \$5,000 not to exceed \$50,000. Finance Bureau Chief approved transfers are up to \$5,000 or accounting reallocations consistent with original budget intent.

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 23, 2019

Consent Agenda

Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy

Purpose

Request approval of the revised New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Policy which applies to all 86 of the District-owned water control structures.

Background/History

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 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 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.

As discussed at the June 2019 Governing Board meeting, staff reviewed the New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Governing Board Policy and deemed it necessary to update the policy. The updates to the policy include the addition of staff direction to conduct risk-based prioritization and planning of refurbishments and replacements for existing water control structures. This is consistent with the District's ongoing effort to create a risk-based capital improvement plan for its water control structures. The revised policy has been provided as an attachment.

Benefits

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

Staff Recommendation:

Approve the Policy for New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures as revised.

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures

Document Owner: Operations and Land Management
Bureau Chief

Approved By: Mark Taylor, Chairman

Effective Date: 07/23/2019

Last Review: 06/06/2019

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PURPOSE

To establish a policy that will ensure that the District avoids implementing structural water management alternatives except to enhance the water resource where no cost-effective natural means are available. The policy also directs refurbishments or replacements of existing District flood control and water conservation structures to be carefully prioritized and planned.

SCOPE

This policy applies to all District Staff that would be involved in the planning, design, new construction, refurbishment or replacement of District flood or water conservation structures.

AUTHORITY

'State Comprehensive Plan, Chapter 187, Florida Statutes advocates a non-structural approach to store, manage, protect, and convey the State's water resources. This Chapter also encourages the protection and use of natural water systems and discourages channelization, diversion, or damming of natural systems.

Water Resources, Chapter 373, Florida Statutes identifies, as one of the District's primary functions, the management of surface waters within its jurisdiction. Legislative initiatives, such as the Surface Water Improvement and Management (SWIM) program, Save Our Rivers (SOR)

program and the Warren S. Henderson Wetlands Protection Act, further promote wise management of surface waters in the State.

Flood Control Act of 1962 (Public Law 87-874) and Governing Board Resolution No. 33. requires the District to maintain all Four River Basins flood control structures at the District's expense in order to realize the intended flood control benefits.

DEFINITIONS

Flood control structure – Designed and built specifically to convey the rates of water flow necessary to achieve flood protection benefits. Flood control structures are designed to provide flood protection benefits up to a specific flood event, typically the 100-year flood event or greater. Flood control structures are combined with flood control conveyance facilities that are also designed to handle the rates of water flow resulting from the flood event.

Water conservation structure – Designed and built to hold back or “conserve” seasonally available water within a lake to make it available during the dry season. These structures are not designed to convey the rates of water flow necessary for flood protection but are operated to contribute to flood protection to the greatest extent practicable. Water conservation structures are often constructed within existing natural conveyances that are not altered for flood control purposes.

STANDARDS

N/A

POLICY

The District has implemented several programs that are directed at managing surface waters within its boundaries including SWIM, Resource Regulation, Watershed Management Program, Land Management, and the District's Cooperative Funding Program. These programs have and will continue to be faced with management decisions involving structural means of surface water management. This policy provides the factors to be considered when making these decisions prior to choosing a structural alternative to water management.

The non-structural approach preserves the natural floodplain of lakes, streams and rivers for flood-water conveyance. This preservation can be accomplished through public ownership, regulation and land use restrictions. The structural alteration of the natural cycles of lakes, streams and rivers is usually costly to construct, maintain and operate. However, flood control, wetland restoration, lake restoration, water supply impoundments and groundwater recharge are activities that may require structural solutions when there are no practical or cost-effective natural alternatives available.

A thorough review of alternatives will be conducted by the District prior to pursuing structural projects to manage the State's water resources. The review will consider natural preservation alternatives, for example, purchase of floodplain areas or restoration of wetland storage areas. Alternative project costs and permitting considerations will be included in the review process.

When there are no cost effective, practical natural means to accomplish the desired improvements or enhancements to the water resource, structural alternatives will be considered when one or more of the following results can be achieved: (1) significant

improvement in recharge of the groundwater system while maintaining the natural surface water system; (2) flood control to prevent loss of life or property; and (3) mitigation of existing man-made features or activities to improve the quality or quantity of the natural water resources.

Once constructed, the Governing Board recognizes that refurbishments or replacement of existing structures will be necessary. Where practicable, this shall be accomplished through a risk-based prioritization process to plan for refurbishment and replacement efforts that considers both the likelihood of failure and consequences of failure.

DISTRIBUTION

This policy will be stored in the Policy Repository.

REFERENCES

Chapter 187, Florida Statutes

Chapter 373, Florida Statutes

Flood Control Act of 1962 (Public Law 87-874)

Governing Board Resolution No. 33

PERIODIC REVIEW

This policy will be reviewed every five years by the Operations and Land Management Bureau Chief or their delegate.

REGULATION COMMITTEE

July 23, 2019

Consent Agenda

WUP No. 20002164.011 - C. R. Melar Corporation / Debra and Thomas S. Watkins, Et Al (Hardee County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 370,900 gallons per day (gpd) to 403,400 gpd, an increase in the drought annual average quantity from 524,600 gpd to 589,700 gpd, an increase in the peak month quantity from 2,866,300 gpd to 3,140,500 gpd and an increase in the crop protection quantity from 10,814,500 gpd to 12,618,800 gpd. These quantities are based on the District's irrigation allotment calculation program, AGMOD. The changes in these quantities are due to the removal of 70 acres of small vegetables and cattle irrigation, and the addition of 102 acres of citrus. This water use permit is located within the Southern Water Use Caution Area (SWUCA) in Hardee County. The permittee is not currently utilizing AWS because none are available at this time.

Special conditions include those that require the permittee to record and report monthly meter readings, submit annual crop reports, cap wells that are not in use, perform meter accuracy testing every five years, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices and comply with the SWUCA recovery strategy.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 002164.011**

PERMIT ISSUE DATE: July 23, 2019

EXPIRATION DATE: October 13, 2036

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: Debra and Thomas S. Watkins
P.O. Box 1355
Avon Park, FL 33826

Thomas C. Watkins
P.O. Box 1647
Avon Park, FL 33826

Kara Sanders
P.O. Box 969
Avon Park, FL 33826

PROJECT NAME: C R Melear Corporation

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

COUNTY: Hardee

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	403,400 gpd
PEAK MONTH ¹	3,140,500 gpd
DROUGHT ANNUAL AVERAGE ²	589,700 gpd
CROP PROTECTION/MAXIMUM ³	12,618,800 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 quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 370,900 gallons per day (gpd) to 403,400 gpd, an increase in the drought annual average quantity from 524,600 gpd to 589,700 gpd, an increase in the peak month quantity from 2,866,300 gpd to 3,140,500 gpd, and an increase in the crop protection quantity from 10,814,500 gpd to 12,618,800 gpd. These quantities are based on the District's irrigation allotment calculation program, AGMOD. The changes in these quantities are due to the removal of 70 acres of small vegetables irrigation and cattle watering and the addition of 102 acres of citrus. This water use permit is located within the Southern Water Use Caution Area (SWUCA) in Hardee County. The Permittee is not currently utilizing AWS because none are available at this time.

Attachment: July19 WUP 20002164_011 Recap Permit (4453 : WUP No. 20002164.011 - C. R. Melear Corp)

Special conditions include those that require the Permittee to record and report monthly meter readings, submit annual crop reports, cap wells that are not in use, perform meter accuracy testing every five years, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices and comply with the SWUCA recovery strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	403,400	3,140,500	589,700	12,618,800

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	494.00	Low Volume Spray	12.30"/yr.	17.95"/yr.

WITHDRAWAL POINT QUANTITY TABLE

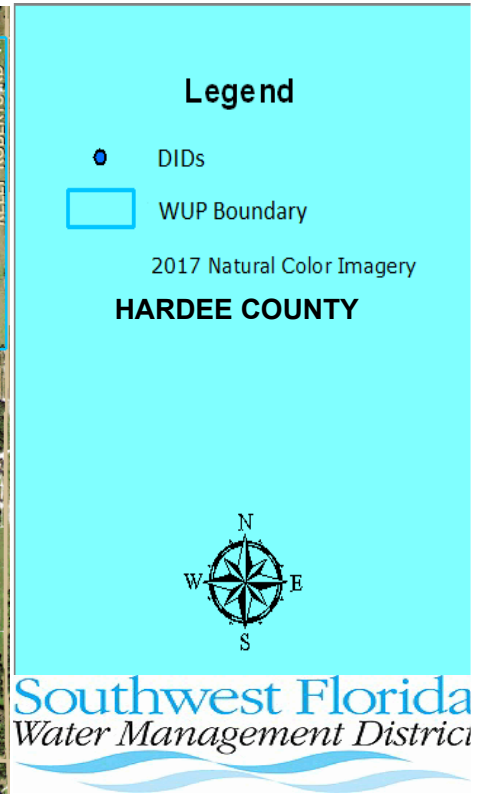
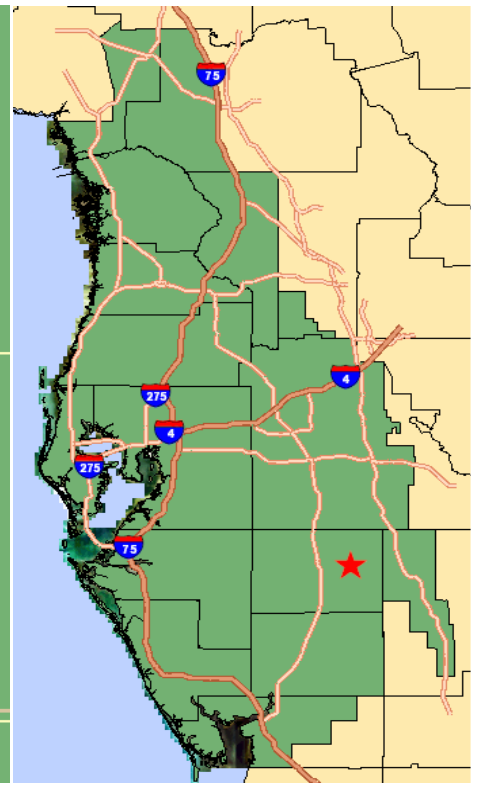
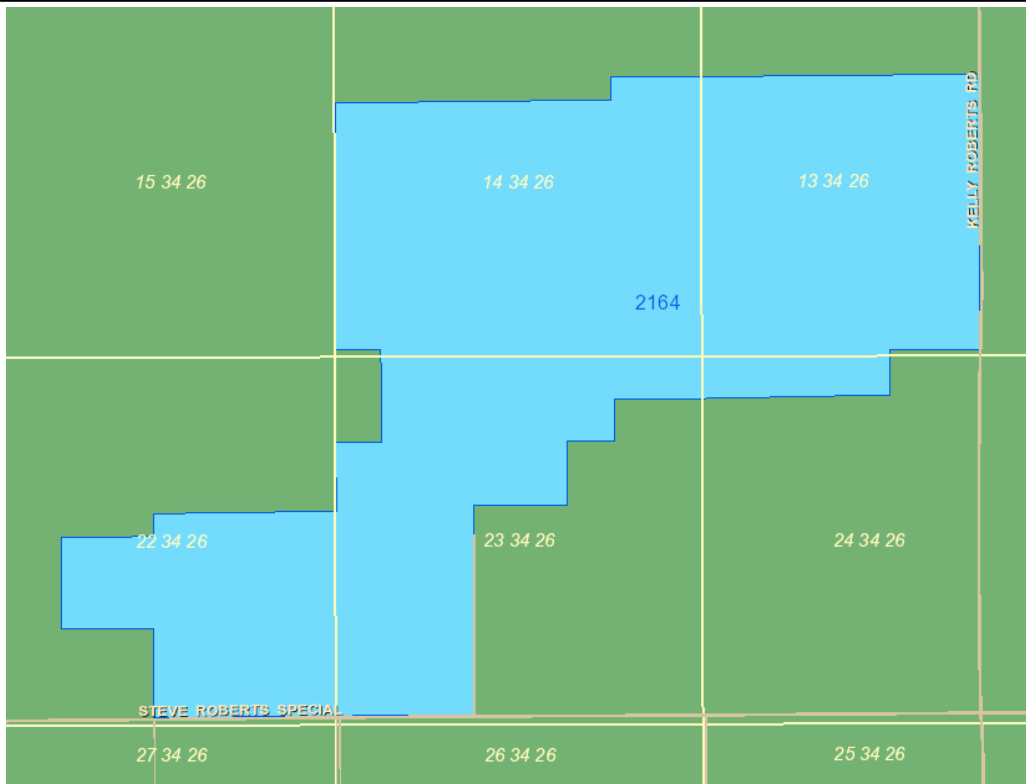
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
1 / 1	10	994 / 320	Irrigation	65,300	508,600	1,897,900
2 / 2	10	1,030 / 330	Irrigation	83,300	648,400	1,804,300
3 / 3	12	1,390 / 340	Irrigation	89,800	699,300	2,972,200
4 / 4	16	1,000 / 300	Irrigation	102,100	794,700	2,972,200
5 / 5	16	1,000 / 390	Irrigation	62,900	489,500	2,972,200

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 31' 03.11"/81° 41' 13.45"
2	27° 30' 15.45"/81° 41' 54.42"
3	27° 30' 50.13"/81° 41' 13.67"
4	27° 31' 20.43"/81° 40' 56.58"
5	27° 31' 11.30"/81° 41' 33.90"

Location Map
Debra and Thomas S. Watkins
WUP No. 20 002164.011



Attachment: July19 WUP 20002164_011 Recap Permit (4453 : WUP No. 20002164.011 - C. R. Melar Corp)

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 evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
4. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
5. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
6. 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)
7. 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)

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

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

9. The Permittee shall immediately implement the District-approved water conservation plan dated 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 by November 1, 2026.(449)
10. 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)
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. Nos. 1, 2, 3, 4 and 5, Permittee ID Nos. 1, 2, 3, 4 and 5:
 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. 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)

13. 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)
14. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 1, 2, 3, 4 and 5, Permittee ID Nos. 1, 2, 3, 4 and 5. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

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

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

July 23, 2019

Consent Agenda

WUP No. 20009419.009 - South Patrick Grove / Alico, Inc. (Polk County)

This is a renewal with modification of an existing water use permit for agricultural use. The authorized annual average quantity increased from 531,400 gallons per day (gpd) to 595,200 gpd, the drought annual average quantity increased from 685,200 gpd to 766,900 gpd, and the peak month quantity is increased from 2,736,300 gpd to 3,110,300 gpd. The crop protection quantity remains unchanged at 17,640,000 gpd. The water use quantities for agricultural irrigation are based on the District's allotment calculation program, AGMOD, for low volume irrigation of 440 acres of citrus. The increase is due to a change in the supplemental irrigation allocated by AGMOD. The primary irrigation source is surface water from Lake Leonore, which meets 84% of the irrigation demand, and one existing 16-inch diameter well constructed into the Upper Floridan aquifer, which meets the balance (16%) of irrigation demand. The project is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, report annual crops grown, report crop protection events, investigate the feasibility of using reclaimed water, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, manage withdrawals from Lake Leonore in accordance with the applicable minimum management water levels and be subject to the SWUCA Minimum Flows and Levels 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 009419.009**

PERMIT ISSUE DATE: July 23, 2019

EXPIRATION DATE: July 23, 2039

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: Alico, Inc.
10070 Daniels Interstate Court
Fort Myers, FL 33913

PROJECT NAME: South Patrick Grove

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

COUNTY: Polk

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

ANNUAL AVERAGE	595,200 gpd
PEAK MONTH ¹	3,110,300 gpd
DROUGHT ANNUAL AVERAGE ²	766,900 gpd
CROP PROTECTION/MAXIMUM ³	17,640,000 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 renewal with modification of an existing water use permit for agricultural use. The authorized annual average quantity increased from 531,400 gallons per day (gpd) to 595,200 gpd, the drought annual average quantity increased from 685,200 gpd to 766,900 gpd, and the peak month quantity is increased from 2,736,300 gpd to 3,110,300 gpd. The crop protection quantity remains unchanged at 17,640,000 gpd. The water use quantities for agricultural irrigation are based on the District's allotment calculation program, AGMOD, for low volume irrigation of 440 acres of citrus. The increase is due to a change in the supplemental irrigation allocated by AGMOD. The primary irrigation source is surface water from Lake Leonore, which meets 84% of the irrigation demand, and one existing 16-inch diameter well constructed into the Upper Floridan aquifer, which meets the balance (16%) of irrigation demand. The project is located within the Southern Water Use Caution Area (SWUCA).

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, report annual crops grown, report crop protection events, investigate the feasibility of using reclaimed water, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, manage withdrawals from Lake Leonore in accordance with the applicable minimum management water levels and be subject to the SWUCA Minimum Flows and Levels Recovery Strategy.

Attachment: July19 WUP 20009419_009 Recap Permit (4454 : WUP No. 20009419.009 - South Patrick Grove)

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	595,200	3,110,300	766,900	17,640,000

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	440.00	Low Volume Spray	18.20"/yr.	26.21"/yr.

WITHDRAWAL POINT QUANTITY TABLE

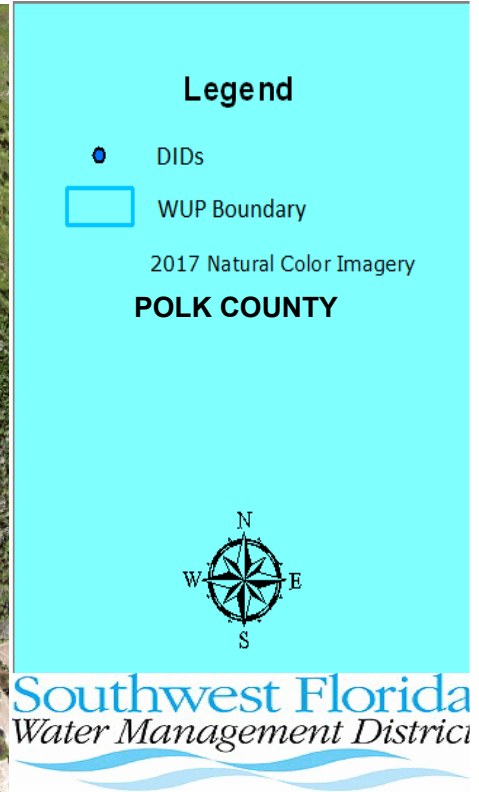
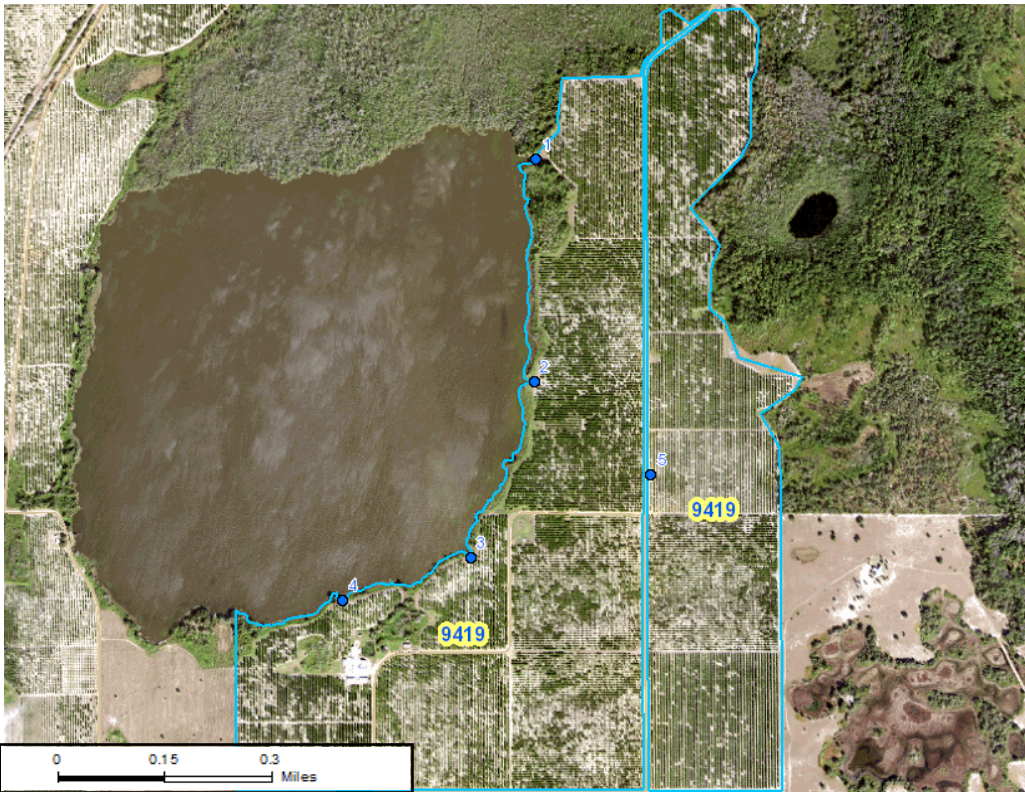
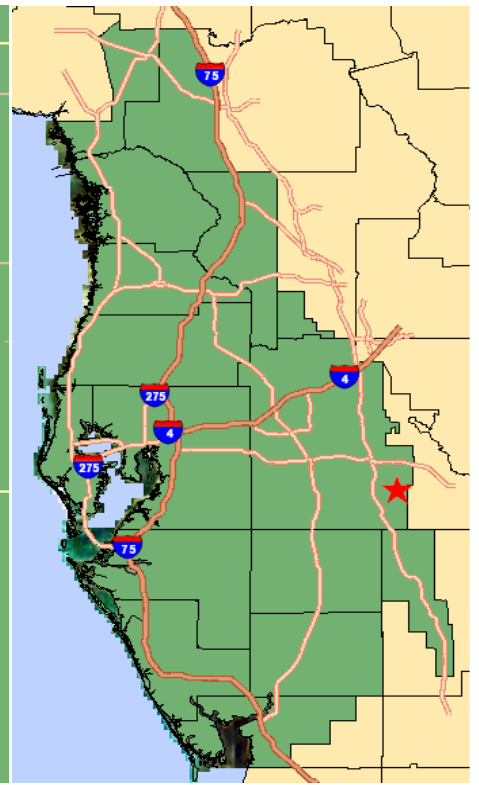
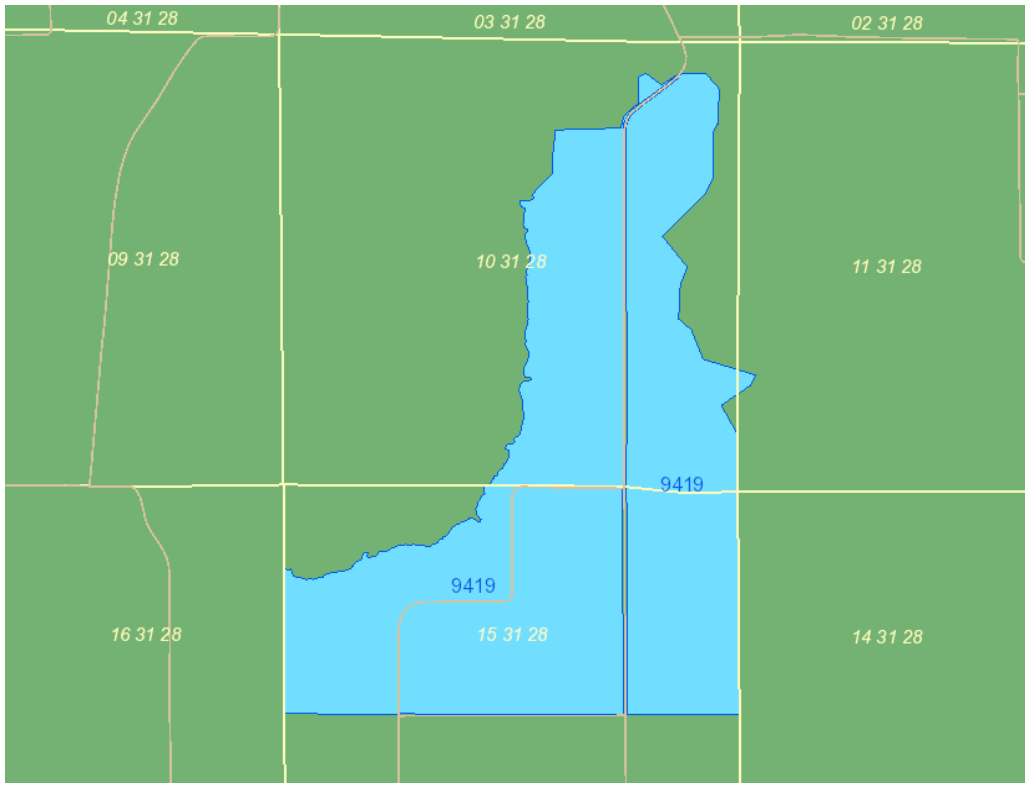
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
SP-3 / 1	12	N/A / N/A	Irrigation	154,600	809,900	3,672,000
LOST	6	N/A / N/A	Irrigation	94,700	496,500	1,800,000
GROVE / 2						
SP-1 / 3	12	N/A / N/A	Irrigation	154,600	809,900	4,320,000
SP-2 / 4	12	N/A / N/A	Irrigation	94,700	496,500	3,168,000
G-1 / 5	16	1,328 / 239	Irrigation	96,600	497,500	4,680,000

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 48' 05.53"/81° 30' 18.92"
2	27° 47' 44.34"/81° 30' 19.18"
3	27° 47' 27.56"/81° 30' 26.19"
4	27° 47' 23.57"/81° 30' 40.09"
5	27° 47' 35.38"/81° 30' 06.66"

Location Map
Alico, Inc.
WUP No. 20 009419.009



Attachment: July19 WUP 20009419_009 Recap Permit (4454 : WUP No. 20009419.009 - South Patrick Grove)

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 annual average daily, drought annual average and peak month surface water quantities for District ID Nos. 1, 2, 3 and 4, Permittee ID Nos. SP-3, LOST GROVE, SP-1 and SP-2, shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 498,600 gallons per day (gpd) on an annual average basis, up to 642,300 gpd on a drought annual average basis, and up to 2,612,800 gpd on a peak month basis, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal, the total peak month daily withdrawal, and the total crop protection withdrawal are limited to the quantities set forth above.(221)
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 limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
8. Withdrawals from Lake Leonore shall be allowed only when the water levels are above the applicable minimum management water level, in accordance with Chapter 40D-8, F.A.C. The applicable minimum management water level will be equivalent to either the Low Management* or Extreme Low Management Level**, depending upon historic water levels which have occurred in the lake during previous years. Determination of whether withdrawals are allowed at any particular time shall be based upon Chapter 40D-8.605(2) F.A.C. in conjunction with water levels read from the District-approved gauge at Lat/Long 274721.09 / 813059.25. Chapter 40D-8.605(2) F.A.C. indicates which Management Level applies at any particular time based upon historic water level conditions, as follows: "The Low Management Level shall be the applicable minimum management water level for such lake or other impoundment until four (4) consecutive years have passed during which the actual water level has failed to recede to the Extreme Low Management Level; in which event the Extreme Low Management Level shall become the applicable minimum water level for the lake or impoundment until the actual water level recedes to or below the extreme low management level."

Management levels for the lake are as follows:

*Low Management Level = 84.50 ft. NGVD

**Extreme Low Management Level = 83.00 ft. NGVD

(360)

9. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
10. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request. (427)
11. The Permittee shall immediately implement the District-approved water conservation plan submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted August 1, 2029.(449)
12. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation

within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)

13. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. Nos. 1, 2, 3, 4 and 5, Permittee ID Nos. SP-3, LOST GROVE, SP-1, SP-2 and G-1:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.
 This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year. (474)
14. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
15. The Permittee shall 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)
16. 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)
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 Nos. 1, 2, 3, 4 and 5, Permittee ID Nos. SP-3, LOST GROVE, SP-1, SP-2 and G-1. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
18. By August 1, 2020, the Permittee shall have completed an evaluation of their irrigation system efficiency associated with this water use permit using the District's Privately Outsourced Mobile Irrigation Lab (PrOMIL) service. A copy of the evaluation report generated by the PrOMIL shall be submitted within 30 days of the report completion.(990)
19. This project is located in the Central Florida Water Initiative (CFWI) area, an area with on-going impacts to water resources which are being addressed by the CFWI. If the District determines that adverse impacts to water resources or existing legal users are occurring or are projected to occur because of the Permittee's authorized withdrawals over the permit duration, the District, upon reasonable notice to the Permittee and including a statement of facts upon which the District based its determination, may modify quantities permitted or other conditions of the permit, as appropriate, to

address the impact, but only after an opportunity for the Permittee to resolve or mitigate the impact or to request a hearing. Such modification, if any, will consider such factors as the Permittee's relative contribution to the water resource impact being addressed due to groundwater withdrawals, the timing of this permit issuance compared to presently existing legal use of water, and other considerations identified by the CFWI Solutions Planning and Regulatory Teams. Modifications may include mitigation of impacts and / or reconsideration of allocations or requirements to timely implement required actions that are consistent with the long-term, regional water supply solutions as implemented by rules. Such actions may include the development of alternative water supplies, the implementation of water resource and / or water supply development projects, the application of impact offsets or substitution credits, operating plans, heightened water conservation or other appropriate actions. Nothing in this condition is intended to abrogate the rights of the Governing Board or of any other person under Section 373.233, Florida Statute.(1025)

20. The Central Florida Water Initiative documented existing water resource environmental impacts within its boundaries. This Initiative remains underway and is, in part, crafting long-term water supply solutions for the region. As a component of immediate, interim measures the Permittee is encouraged to participate in the District's on-going, heightened water conservation public education program. Given the Permittee's use class, opportunities may include such activities as participation in water conservation public service announcements, demonstrations of irrigation efficiency at community gardens, posting water conservation information or links on the Permittee's website. Please contact the Water Use Permit Bureau Chief at 813 985-7481, to discuss opportunities for participation in this important District effort.(1026)
21. The permittee is eligible for water conserving credits on August 1, 2029, 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.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

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

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

Attachment: July19 WUP 20009419_009 Recap Permit (4454 : WUP No. 20009419.009 - South Patrick Grove)

REGULATION COMMITTEE

July 23, 2019

Consent Agenda

WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 315,500 gallons per day (gpd) to 1,027,400 gpd, an increase in the peak month quantity from 1,790,800 gpd to 2,192,600 gpd, and an increase in the crop protection from 19,550,900 gpd to 23,070,000 gpd. The authorized quantities include an annual average quantity of 537,400 gpd, a peak month quantity of 814,100 gpd, and a crop protection quantity of 3,519,100 gpd of surface water. The modification includes adding three surface withdrawals, two water reservoirs, an additional 40 acres of blueberries, and redistribution of quantities amongst the groundwater withdrawals. The District's FARMS program is assisting in the funding of these projects. Quantities are based on information provided by the applicant and District's water use allocation program, AGMOD. The increase in the annual average and peak month quantities is due to a change in the crop plan from 199 acres of blueberries to 239 acres and an updated version of AGMOD. The crop protection quantity increased because of three additional surface water withdrawals. The applicant is proposing to use alternative water supplies funded in part by the District's FARMS program to meet a portion of the irrigation demands. The applicant is not using reclaimed water because currently reclaimed water is not available. This water use permit is located within the Southern Water Use Caution Area.

Special conditions include those that require the Permittee to record and report monthly meter readings, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, and use surface water preferentially over ground water.

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 020376.002**

PERMIT ISSUE DATE: July 23, 2019

EXPIRATION DATE: July 02, 2033

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: Pebbledale Farms, Inc.
Attn: Tina Connell P.O. Box 1763
Wauchula, FL 33873

PROJECT NAME: Bennett Road
WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA
COUNTY: Hardee

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	1,027,400 gpd
PEAK MONTH ¹	2,192,600 gpd
DROUGHT ANNUAL AVERAGE ²	1,027,400 gpd
CROP PROTECTION/MAXIMUM ³	23,070,000 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 quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 315,500 gallons per day (gpd) to 1,027,400 gpd, an increase in the peak month quantity from 1,790,800 gpd to 2,192,600 gpd, and an increase in the crop protection from 19,550,900 gpd to 23,070,000 gpd. The authorized quantities include an annual average quantity of 537,400 gpd, a peak month quantity of 814,100 gpd, and a crop protection quantity of 3,519,100 gpd of surface water. The modification includes adding three surface withdrawals, two water reservoirs, an additional 40 acres of blueberries, and redistribution of quantities amongst the groundwater withdrawals. The District's FARMS program is assisting in the funding of these projects. Quantities are based on information provided by the applicant and District's water use allocation program, AGMOD. The increase in the annual average and peak month quantities is due to a change in the crop plan from 199 acres of blueberries to 239 acres and an updated version of AGMOD. The crop protection quantity increased because of three additional surface water withdrawals. The applicant is proposing to use alternative water supplies funded in part by the District's FARMS program to meet a portion of the irrigation demands. The applicant is not using reclaimed water because currently reclaimed water is not available. This water use permit is located within the Southern Water Use Caution Area.

Special conditions include those that require the Permittee to record and report monthly meter readings, modify the permit to reflect incorporation of any new alternative sources of water, implement water conservation and best management practices, and use surface water preferentially over ground water.

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	1,027,400	2,192,600	1,027,400	23,070,000

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>
Blueberries	239.00	Drip Without Plastic	57.22"/yr.	57.22"/yr.
Other (Non-Crop Miscellaneous Water Needs)				

WITHDRAWAL POINT QUANTITY TABLE

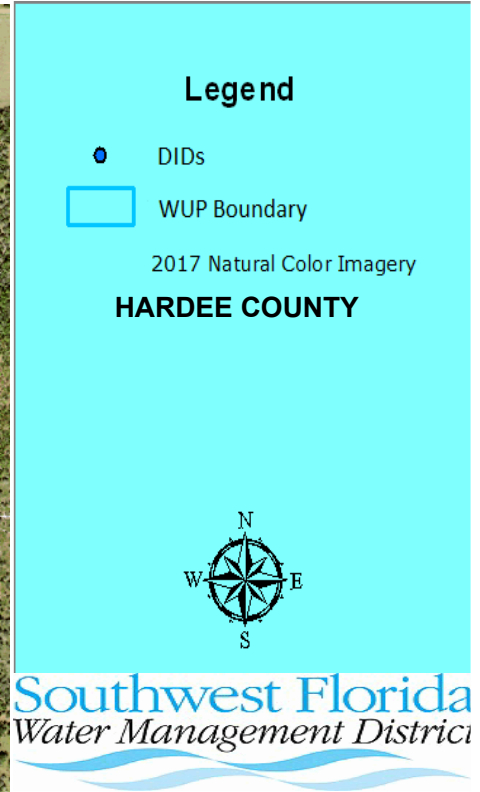
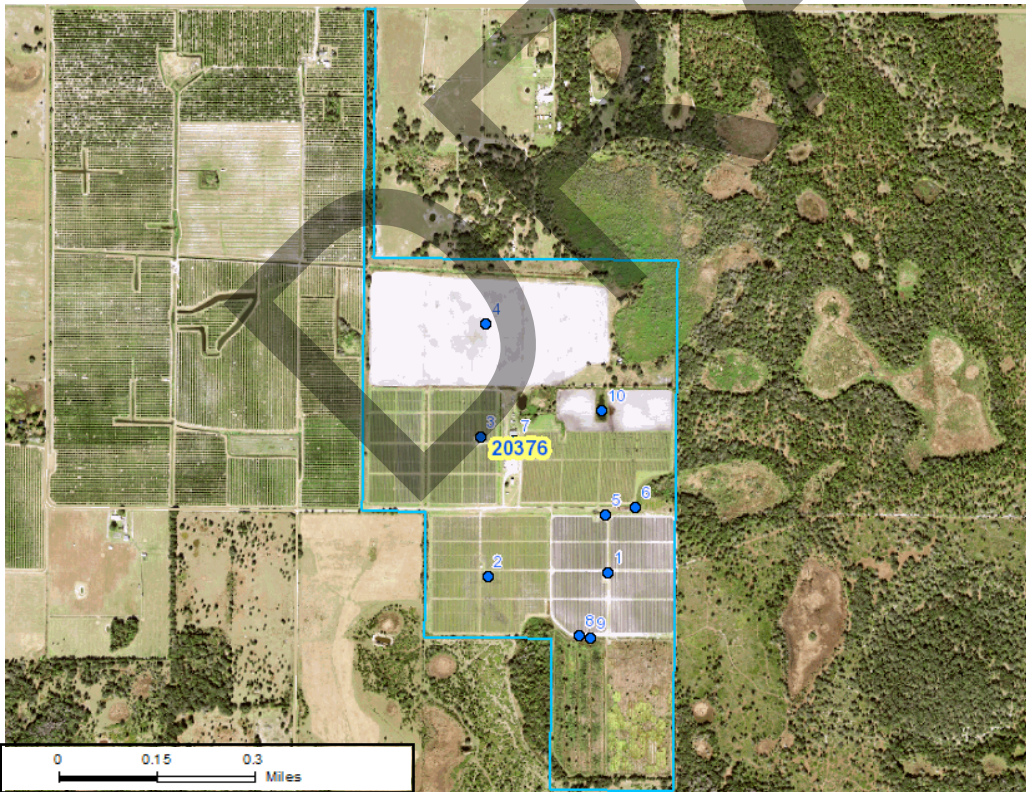
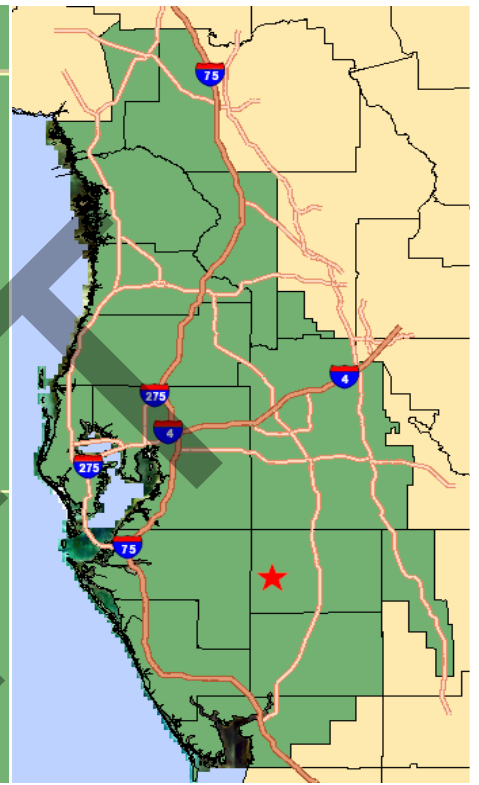
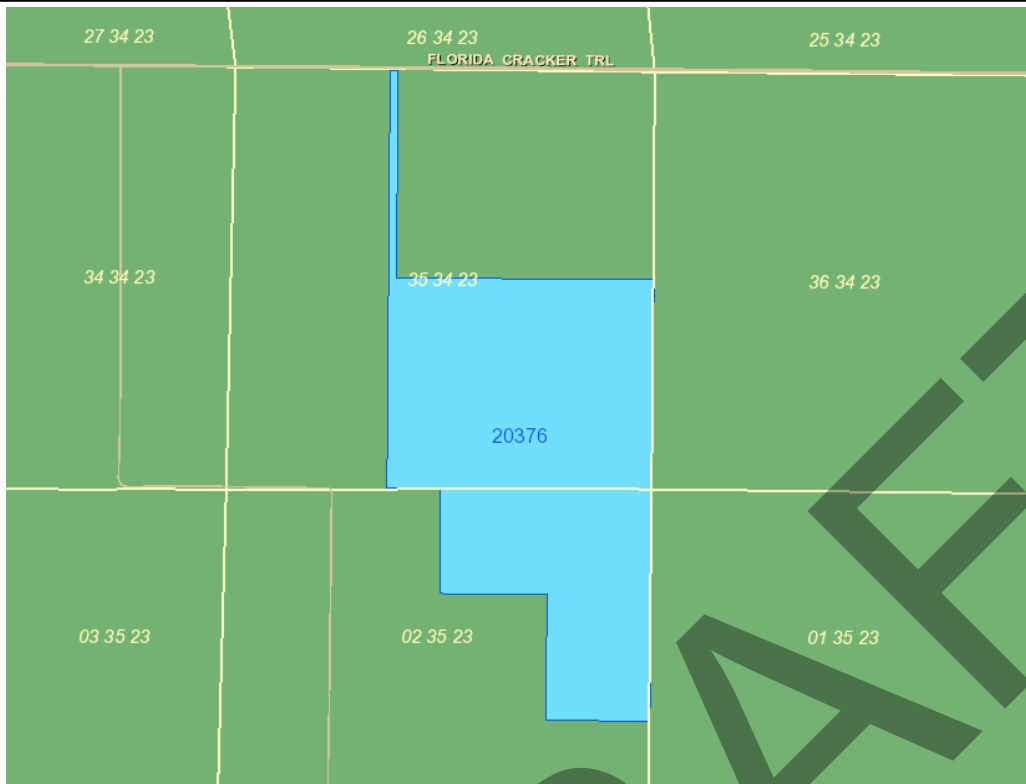
Water use from these withdrawal points are restricted to the quantities given below :

<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	16	1,300 / 210	Irrigation	115,000	271,300	3,910,200
2 / 2	16	1,250 / 210	Irrigation	85,000	271,300	3,910,200
3 / 3	16	1,380 / 231	Irrigation	85,000	271,300	3,910,200
4 / 4	16	1,270 / 210	Irrigation	80,000	271,300	3,910,200
6 / 6	14	1,370 / 231	Irrigation	115,000	271,300	3,500,000
7 / 7	6	400 / 189	General Agricultural	10,000	22,000	410,100
8 / 8	16	N/A / N/A	FARMS Withdrawal Point	180,000	271,300	1,173,100
9 / 9	16	N/A / N/A	FARMS Withdrawal Point	180,000	271,400	1,173,000
10 / 10	16	N/A / N/A	FARMS Withdrawal Point	177,400	271,400	1,173,000

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 28' 07.28"/81° 58' 30.70"
2	27° 28' 06.88"/81° 58' 44.83"
3	27° 28' 21.29"/81° 58' 45.59"
4	27° 28' 33.10"/81° 58' 45.09"
6	27° 28' 14.02"/81° 58' 27.50"
7	27° 28' 20.88"/81° 58' 41.68"
8	27° 28' 00.66"/81° 58' 34.09"
9	27° 28' 00.40"/81° 58' 32.79"
10	27° 28' 24.00"/81° 58' 31.49"

Location Map
Pebbledale Farms, Inc.
WUP No. 20 020376.002



Attachment: July19 WUP 20020376_002 Recap Permit Updated (4455 : WUP No. 20020376.002 - Bennett Road)

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 annual average daily quantities for District ID Nos. 1, 2, 3, 4, 6, and 7, Permittee ID Nos. 1, 2, 3, 4, 6, and 7, also called "Group A", and District ID Nos. 8, 9, and 10, Permittee ID Nos. 8, 9, and 10, also called "Group B", shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 490,000 gallons per day (gpd) on an annual average basis for "Group A" and up to 1,027,400 gpd on an annual average basis for "Group B", so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total combined annual average daily withdrawals from Groups A and B are limited to 1,027,400 gpd, annual average.
(221)
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 limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
8. 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)
9. 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)

10. 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. A progress report 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 by July 1, 2026.(449)
11. 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)
12. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. Nos. 1, 2, 3, 4, 6, 8, 9, and 10, Permittee ID Nos. 1, 2, 3, 4, 6, 8, 9, and 10:
 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)

13. 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)
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 Permittee shall use surface water as the primary source of water to the maximum extent practicable for their reasonable-beneficial water demand. In the event that surface water is not sufficiently available to meet reasonable-beneficial water demand, the Permittee may supplement with groundwater sources. As surface water becomes more available, the Permittee shall use it as the primary source and reduce or cease withdrawals of groundwater.(696)
17. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 8, 9, and 10, Permittee ID Nos. 8, 9, and 10. 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)
18. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 1, 2, 3, 4, 6, and 7, Permittee ID Nos. 1, 2, 3, 4, 6, and 7. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
19. 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.(990)

20. The permittee is eligible for water conserving credits on July 2, 2023, 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.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

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

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

Attachment: July19 WUP 20020376_002 Recap Permit Updated (4455 : WUP No. 20020376.002 - Bennett Road)

GENERAL COUNSEL'S REPORT

July 23, 2019

Consent Agenda

**Authorization to Issue Administrative Complaint and Order – Violation of Permit
Conditions for Construction – Farrell Homes, Inc. and Van Buren Land Holdings, Inc. –
ERP No. 44033097.000 (EXPIRED) – CT No. 384019 – Pinellas County, Florida**

This enforcement matter involves the failure of Permittees, Farrell Homes, Inc. and Van Buren Land Holdings, Inc. (Permittees), to comply with Environmental Resource Permit No. 44033097.000 (Permit). Permittees failed to comply with the Permit's requirements regarding transfer of the Project to the homeowner's association established as the operation and maintenance entity. Additionally, Permittees failed to properly construct the on-site dry detention and effluent filtration system in accordance with the conditions of the Permit.

On April 14, 2016, September 13, 2016, and December 7, 2018, District staff notified the Permittees that the Project was not in compliance with District rules and the conditions of the Permit. The file was referred to the Office of General Counsel on April 14, 2019. On April 26, 2019, District staff sent a Notice of Violation informing Permittees of their rule and Permit violations. The Notice of Violation stated the Project must be brought into compliance within 30 days. Despite additional communications between Permittees and District staff after the Notice of Violation was issued, the Project was not brought into compliance with the Permit.

On June 26, 2019, District staff sent a second Notice of Violation together with a proposed Consent Order to the Permittees. The proposed Consent Order assessed \$6,000.00 in penalties and \$2,700.00 in enforcement costs for a total fine of \$8,700.00. Further, the proposed Consent Order required corrective construction to remedy the defects in the construction of the project.

District staff remains in communication with the Permittees and seeks compliance with the Permit. However, at this time, the Permittees have not agreed to the terms of the proposed Consent Order. District staff makes the following recommendation accordingly:

Staff Recommendation:

- (1) Authorize District staff to issue an Administrative Complaint and Order to Farrell Homes, Inc. and Van Buren Land Holdings, Inc., and any other necessary parties, to obtain compliance with state law and District rules.
- (2) Authorize District staff to initiate an action in Circuit Court obtain compliance with the terms of the Administrative Complaint and Order, recover an administrative fine/civil penalty, and recover District enforcement costs, litigation costs, and attorneys' fees, if appropriate.

Presenter: Elizabeth M. Fernandez, Staff Attorney

GENERAL COUNSEL'S REPORT

July 23, 2019

Consent Agenda

Interagency Agreement Between SWFWMD and SJRWMD – Designation of Regulatory Responsibility – The Villages of West Lake – Lake County

The Villages is located in an area that crosses the jurisdictional boundaries of the Southwest Florida Water Management District ("SWFWMD") and the St. John's River Water Management District ("SJRWMD"). On April 23, 2019, The Villages Land Company, LLC, notified SWFWMD and SJRWMD that it recently acquired parcels of land located east of the Lake County line and north of CR 470 ("Property") that will continue the expansion of The Villages Age Restricted Development. The location of the Property is within the jurisdiction of the SJRWMD.

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

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

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

Staff Recommendation:

Approve the Interagency Agreement designating regulatory responsibility for The Villages of West Lake to the Southwest Florida Water Management District.

Presenter: Christopher A. Tumminia, Deputy General Counsel

**INTERAGENCY AGREEMENT BETWEEN THE ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT AND THE SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT FOR DESIGNATION OF REGULATORY
RESPONSIBILITY FOR ENVIRONMENTAL RESOURCE PERMITS FOR THE
VILLAGES OF WEST LAKE IN LAKE COUNTY, FLORIDA**

THIS INTERAGENCY AGREEMENT (“Agreement”) is made and entered into by and between the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) and the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD).

WITNESSETH:

WHEREAS, on March 14, 2019, The Villages Land Company, LLC, submitted a request for the SWFWMD to process all environmental resource permits for the future residential, commercial, and recreational areas and their associated infrastructure related to the eastward expansion of The Villages immediately east of the Lake County line and north of CR 470, as depicted on the map attached hereto as Exhibit A (the “Project”); and

WHEREAS, the SWFWMD has previously issued multiple environmental resource permits to The Villages within Sumter and Lake counties pursuant to Part IV, Chapter 373, Florida Statutes (F.S.), and pursuant to the Interagency Agreement executed on January 25, 2005 between the SWFWMD and the SJRWMD for Designation of Regulatory Responsibility for The Villages District 9 and 10 Master Surface Water Management System in Lake County and the Interagency Agreement executed on January 28, 2014 between SWFWMD and SJRWMD for Designation of Regulatory Responsibility for Environmental Resource Permits for The Villages of Fruitland Park in Lake County; and

WHEREAS, the project crosses the jurisdictional boundaries of the SWFWMD and the SJRWMD in that it continues the eastward expansion of The Villages east of the Lake County line and north of CR 470; and

WHEREAS, Subsection 373.046(6), F.S., authorizes a water management district to designate, via an interagency agreement, regulatory responsibility to another water management district when the geographic area of the project or local government crosses the jurisdictional boundaries of another water management district; and

WHEREAS, the designation of SWFWMD as the water management district with Part IV, Chapter 373, F.S., regulatory responsibility for the Project would allow for more efficient processing of permit applications under that part as SWFWMD and The Villages have already established a process customized to meet the unique needs of The Villages; and

WHEREAS, the SJRWMD and the SWFWMD desire to designate the SWFWMD as the water management district with Part IV, Chapter 373, F.S., regulatory responsibility for the proposed Project area located within the jurisdictional boundaries of SJRWMD in Lake County, pursuant to Part IV, Chapter 373, F.S., more specifically identified in Exhibit A.

Attachment: Exhibit A (4517 : Interagency Agreement)

NOW THEREFORE, the SJRWMD and the SWFWMD, under the authority of Subsection 373.046(6), F.S., hereby agree as follows:

1. The SWFWMD is designated as the water management district that will have regulatory responsibilities under Part IV of Chapter 373, F.S., for those activities located in the area on Exhibit A, which is incorporated by reference herein. Such regulatory responsibilities shall include receiving, processing, and taking final agency action on environmental resource permit applications or modifications thereof, located in the area on Exhibit A and taking any compliance and enforcement action with regard to such permit(s).
2. This Agreement will commence upon execution by all parties and will remain in effect until either party terminates such Agreement for its convenience upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF, each party, or its lawful representative, has executed this Agreement on the date set forth next to their signature below.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

By: _____
Ann B. Shortelle, Ph.D.
Executive Director

Attest: _____

Date: _____

(Seal)

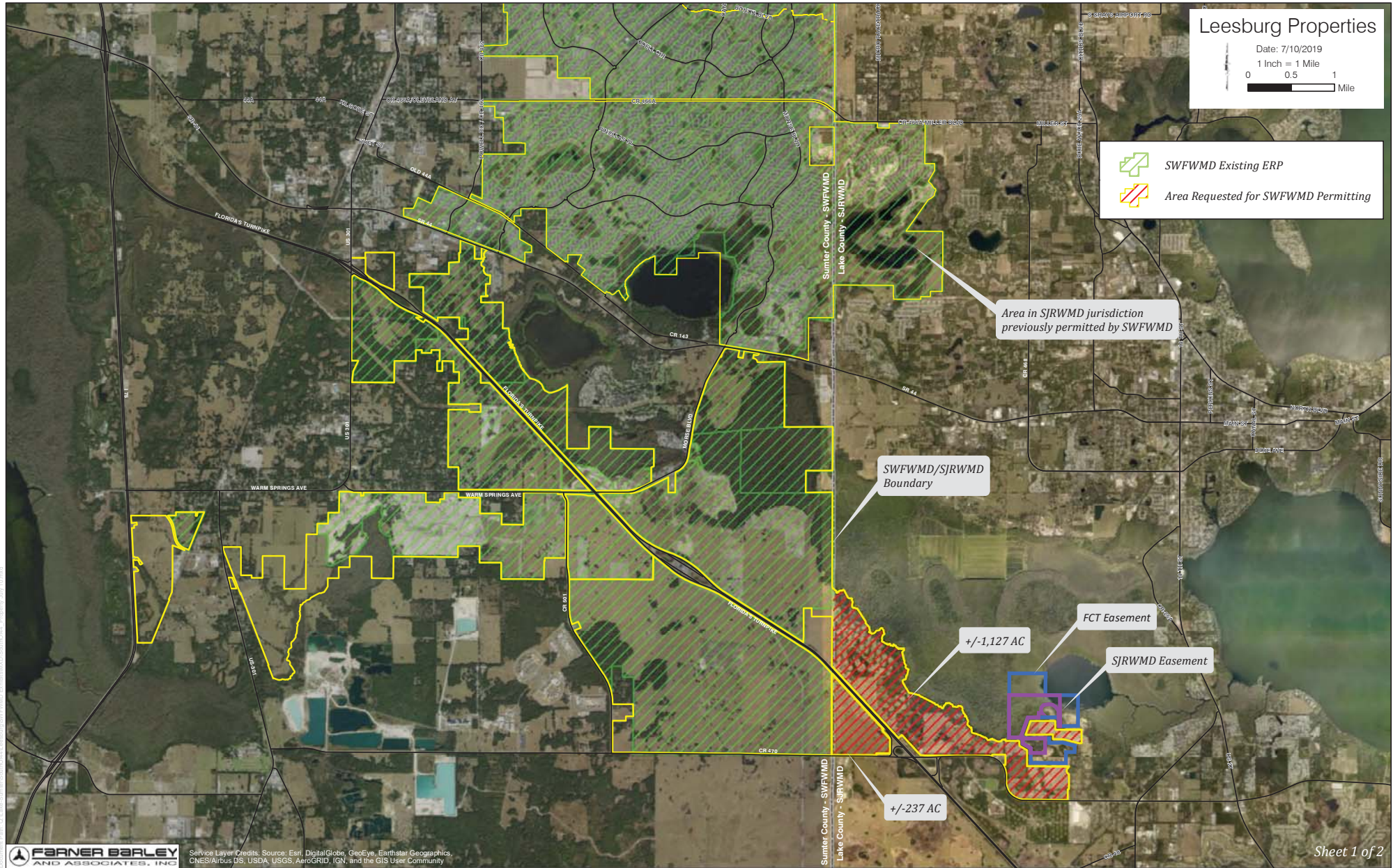
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Mark Taylor, Chair

Attest: _____
Michelle Williamson, Secretary

Date: _____

(Seal)



EXECUTIVE DIRECTOR'S REPORT

July 23, 2019

Consent Agenda

Approve Governing Board Minutes - June 25, 2019

Staff Recommendation:

Approve Minutes as presented.

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

CLEARWATER, FLORIDA

JUNE 25, 2019

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on June 25, 2019, at Tampa Bay Water, 2575 Enterprise Road, Clearwater, Florida. The following persons were present:

Board Members Present

Bryan Beswick, Chair
Michelle Williamson, Secretary
H. Paul Senft, Member *Via Phone
Kelly S. Rice, Member
Mark Taylor, Member
Joel Schleicher, Member
Rebecca Smith, Ph.D., Member
James G. Murphy, Member

Board Members Absent

John Henslick, 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
Brian Starford, Acting Division Director
Alba E. Más, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board Administrative Support

Caroline Browning, 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 (00:00)

1. Call to Order

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

2. Invocation and Pledge of Allegiance

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

Chair Beswick 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 Beswick 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 Beswick 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. Employee Recognition

Chair Beswick recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff were recognized: Adam Hange, Teri Rhodes, Lisann Morris, Xinjian Chen, William Overstreet and Alan Saxton.

4. Election of Governing Board Officers

Chair Beswick reminded the Board that the May elections for officers were delayed until this Board meeting due to vacancies.

Ms. Karen West, general counsel, provided an overview of the nomination and election process.

Chair Beswick made a motion to slate the nomination for officers as followed: Chair, Mark Taylor; Vice Chair, Michelle Williamson; Secretary, Joel Schleicher; and Treasurer, Kelly Rice. The motion was seconded and carried unanimously. (00:06:25)

5. Additions/Deletions to Agenda

Mr. Brian Armstrong, executive director, stated the following items were deleted from the agenda:

13. Individual Water Use Permits Referred to the Governing Board

b. WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County)

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

b. Authorization to Issue Administrative Complaint and Order – Water Well Construction Violations – Ryan Etheridge – License No. 9467 – CT No. 403619 – Hillsborough County, Florida

Board Member Schleicher asked that the following item be moved:

11. District Agricultural - Type Tractor Replacement

Chair Beswick said there is good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, which was seconded. The motion carried unanimously. (00:08:30)

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

Mr. David Ballard Geddes spoke regarding constitutional treason.

Mr. Neil Combee, representing Crosby & Associates, Inc., spoke regarding a potential property Exchange with the District.

Resource Management Committee

7. FY2019 Springs Septic and Package Plant Conversion Projects Update

Staff recommended the Board approve the revised project evaluations for W430, W432, W434, and WH04 provided as Exhibit 1.

Finance/Outreach & Planning Committee

8. Independent Auditing Services Contract

Staff recommended the Board:

- Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging James Moore & Company (JMCO) to perform the fiscal year 2018-19 auditing services; and
- Authorize the Executive Director to execute the second amendment to the current contract with JMCO to perform the fiscal year 2018-19 auditing services.

9. Knowledge Management: Travel Governing Board Policy

Staff recommended the Board approve the Travel Governing Board Policy as revised.

10. Governing Board Travel - Annual Environmental Permitting Summer School

Staff recommended the Board approve Governing Board travel as presented.

11. District Agricultural – Type Tractor Replacement

Staff recommended the Board authorize to purchase a replacement agricultural type tractor with a Kubota Model M6-141, or equivalent, for \$94,891.40 utilizing the Capital Field Equipment Replacement Fund and to approve the disposition of the existing Massey Ferguson tractor at public auction.

12. Budget Transfer Report

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for May 2019.

Operations, Lands and Resource Monitoring Committee – None

Regulation Committee

13. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20020818.000 - Longino Ranch - Flint Farm Southern / Longino Ranch, Inc. (Sarasota County)

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

b. WUP No. 20020376.002 – Bennett Road / Pebbledale Farms, Inc. (Hardee County)

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

General Counsel's Report

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

a. Authorization to Issue Administrative Complaint and Order – Well Construction Violations – James L. Barfield – License Number 9387 – CT No. 403417 – Hillsborough County, Florida

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to James L. Barfield to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

b. Authorization to Issue Administrative Complaint and Order – Water Well Construction Violations – Ryan Etheridge – License No. 9467 – CT No. 403619 – Hillsborough County, Florida

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Ryan Etheridge to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

c. Authorization to Issue Administrative Complaint and Order – Water Use Without a Permit – the Links at River Ridge – WUP No. 20008118.003 (EXPIRED) – CT No. 400298 – Pasco County, Florida

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to The Links, and any other necessary parties, to obtain compliance with state law and District rules.
2. Authorize District staff to initiate an action in Circuit Court to prevent the unauthorized withdrawal of water until The Links obtains a water use permit.
3. Authorize District staff to initiate an action in Circuit Court to obtain compliance with the Administrative Complaint and Order, recover an administrative fine/civil penalty, and recover District enforcement costs, litigation costs, and attorneys' fees, if appropriate.

15. Rulemaking - None

Executive Director's Report

16. Approve CFI Southern Region Meeting Minutes – April 3, 2019

Staff recommended the Board approve the minutes as presented.

17. Approve CFI Heartland Region Meeting Minutes – April 4, 2019

Staff recommended the Board approve the minutes as presented.

18. Approve CFI Northern Region Meeting Minutes – April 10, 2019

Staff recommended the Board approve the minutes as presented.

19. Approve CFI Tampa Bay Region Meeting Minutes - April 11, 2019

Staff recommended the Board approve the minutes as presented.

20. Approve Governing Board Minutes - May 21, 2019

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (00:12:30/00:21:29)

Chair Beswick relinquished the gavel to the Resource Management Committee Chair Rice, who called the meeting to order. (00:12:49)

Resource Management Committee

Discussion

21. Consent Item(s) Moved for Discussion - None

22. Tampa Bay Water Update

Mr. Matt Jordan, Tampa Bay Water (TBW) general manager, provided an update regarding TBW. Mr. Jordan stated the partnership with the District has helped develop a regional system that has been serving the Tampa Bay region for twenty years.

Mr. Jordan stated the TBW Board approved a long-term master water plan. TBW will continue to study three projects that will evaluate expanding desalinated sea water, evaluate expanding surface water and develop new ground water using the South Hillsborough Aquifer Recharge Program (SHARP).

This item was for the Board's information and no action was required.

23. City of Punta Gorda Reverse Osmosis (RO) Water Treatment Facility (N780) - Cost Change

Mr. Eric DeHaven, Resource Management assistant director, provided a presentation regarding the request to amend the cooperative funding agreement for the City of Punta Gorda (City) reverse osmosis water treatment facility.

Mr. DeHaven provided historical information regarding the City's RO water treatment facility. He explained that the City has issues with secondary drinking water standards. To address the marginal water quality issue, the City is constructing a 4.0 million gallons a day (mgd) RO facility, co-funded by the District, to treat mineralized ground water that will be blended with surface water provided from the Shell Creek surface water treatment plant. Mr. DeHaven outlined the benefits of this project.

Mr. DeHaven outlined the cost changes associated with this project. He explained the total project cost remains at 39.4 million dollars, but the City is only requesting an increase of 36.6 million dollars. He stated the District's share will be 2.2 million dollars.

Mr. DeHaven stated that Lower Shell Creek Estuary is scheduled to adopt a minimum flows and level (MFLs) by 2020. He stated that MFLs are not being met 20 percent of the time. He stated this project, in addition to the construction of an interconnect pipeline, will assist with a recovery strategy for this system.

Mr. DeHaven stated the project was originally ranked medium but has been moved to a high ranking because of the project necessity to meet the MFLs.

Board Member Schleicher asked if the project will proceed without the additional funding from the District. Mr. DeHaven responded in the affirmative. Discussion ensued regarding third-party review.

Staff recommended the Board:

1. Authorize staff to amend the cooperative funding agreement with the City of Punta Gorda for the RO Water Treatment Facility Project (N780) to increase the total eligible project cost from \$32,200,000 to \$36,600,000 and increase the District's funding share from \$15,650,000 to \$17,850,000.
2. Authorize staff to include the District's share of the cost increase (\$2,200,000) in the draft Standard Format Tentative Budget Submission for FY2020 which will be presented to the Board for approval at the July meeting.

A motion was made and seconded to approve staff's recommendation. The motion carried with seven in favor and one opposed. (00:51:13)

Submit & File Reports – None

Routine Reports

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

24. Minimum Flows and Levels Status Report

25. 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. (00:51:43)

Finance/Outreach & Planning Committee

Discussion

26. Consent Item(s) Moved for Discussion

11. District Agricultural - Type Tractor Replacement

Board Member Schleicher commended staff for purchasing an American-made product which he stated is more efficient.

Mr. John Campbell, Director of Management Services, provided a suggested edit to the staff

recommendation:

Staff recommended the Board authorize the transfer of funds from Capital Field Equipment Replacement account and purchase a replacement agricultural-type tractor with a Kubota Model M6-141, or equivalent, for \$94,891.40, and approve the disposition of the existing Massey Ferguson tractor at public auction.

~~Staff recommended the Board authorize to purchase a replacement agricultural-type tractor with a Kubota Model M6-141, or equivalent, for \$94,891.40, utilizing the Capital Field Equipment Replacement Fund and to approve the disposition of the existing Massey Ferguson tractor at public auction.~~

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (00:53:30)

27. Fiscal Year (FY) 2020 Recommended Annual Service Budget

Mr. John Campbell, Resource Management director, provided a presentation outlining the FY2020 Recommended Annual Service Budget (RASB). The presentation included a budget development calendar, expenditure goals and outcomes, expenditures by category, expenditures by program, expenditures by areas of responsibility and revenues by source

Ms. Seachrist, Resource Management director, provided an overview of the Resource Management Division proposed FY2020 budget. She stated the overall budget has increased by approximately 17.5 percent and outlined the reasons for the increase.

Mr. Brian Starford, Operations, Lands and Resource Monitoring acting director, provided an overview of the Operations, Lands and Resource Monitoring Division proposed FY2020 budget. He stated the overall budget increased by approximately 15.1 percent and outlined the reasons for the increase.

Ms. Alba Más, Regulation director, provided an overview of the Regulation Division proposed FY2020 budget. She stated the budget has increased by approximately 1.3 percent and outlined the reasons for the increase.

Mr. Michael Molligan, Employee and External Relations director, provided an overview of the Employee and External Relations Division proposed FY2020 budget. He stated the budget has increased by approximately four percent and outlined the reasons for the increase.

Mr. Campbell provided an overview of the Management Services Division proposed FY2020 budget. He stated the budget has decreased by approximately 6.6 percent and outlined the reasons for the decrease.

Mr. Campbell provided an overview of the budget allocation by program area and area of responsibility.

Staff recommended the Board authorize staff to prepare the Standard Format Tentative Budget Submission for FY2020 based on the recommended budget as presented, adjusted for any modifications made by the Governing Board on June 25, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value and any additional funding provided by the state.

A motion was made and seconded to approve staff's recommendation. The motion carried with seven in favor and one opposed. (01:40:40)

Submit & File Reports

28. Knowledge Management: Legislative Coordination

Mr. Molligan stated this is an update to a Governing Board policy. He explained the only change to the policy is the bureau name. Mr. Molligan stated the policy will be submitted at the July Board meeting for approval.

Routine Reports

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

29. Treasurer's Report and Payment Register

30. Monthly Financial Statement

31. Monthly Cash Balances by Fiscal Year

32. Comprehensive Plan Amendment and Related Reviews Report

Committee Chair Williamson relinquished the gavel to the Operations, Lands and Resource Monitoring Acting Committee Chair Murphy, who called the meeting to order. (01:41:58)

Operations, Lands and Resource Monitoring Committee Discussion

33. Consent Item(s) Moved for Discussion - None

34. 2019 Hurricane Preparedness

Mr. Kawika Bailey, Emergency Coordinating officer, provided a presentation. This included a review of the 2018 hurricane season, 2019 hurricane forecast, overview of the District's responsibilities as related to State Management Response Team (SERT), the District's primary responsibilities, emergency operations organizational chart, preparedness activities and canal debris management performed on Peace Creek canal.

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

35. Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures

Mr. Jerry Mallams, Operations and Lands Bureau chief, provide a presentation. He presented an overview of the recommended changes to the policy. Mr. Mallams stated that approval of the revised policy will be requested on the consent agenda at the July Board.

This item was presented for the Board's information and no action was requested.

Submit & File Reports

36. Hydrologic Conditions Report

Routine Reports

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

37. Surplus Lands Update

38. Structure Operations

39. Significant Activities

Acting Committee Chair Murphy relinquished the gavel to the Regulation Committee Chair Taylor, who called the meeting to order. (01:46:46)

Regulation Committee

Discussion

40. Consent Item(s) Moved for Discussion - None

41. Denials Referred to the Governing Board

No denials were submitted to the Board.

Submit & File Reports - None

Routine Reports

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

42. DPWUCA Flow Meter AMR Implementation Program Update

44. Individual Permits Issued by District Staff

Committee Chair Taylor relinquished the gavel to Chair Beswick. (01:57:27)

General Counsel's Report

Discussion

45. Consent Item(s) Moved for Discussion - None

Ms. Karen West, general counsel, provided an update regarding the rule challenge filed by the Rainbow River Group for the Rainbow River Minimum Flows and Levels (MFLs). The Department of Administrative Hearing (DOAH) will issue a final order by September.

Submit & File Reports - None

Routine Reports

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

46. June 2019 Litigation Report

47. June 2019 Rulemaking Report

Committee/Liaison Reports

48. Agricultural & Green Industry Advisory Committee

A written summary was provided for the June 6 meeting.

49. Other Committee/Liaison Reports

Executive Director's Report

50. Executive Director's Report

Mr. Brian Armstrong, executive director, thanked the Governor and the Legislature for the approval of approximately 12 million dollars in springs funding that has been allocated to the District for FY2020.

Mr. Armstrong stated that Board Member Maggard has resigned after being elected to the Florida House of Representatives.

Chair's Report

51. Chair's Report

Chair Beswick stated the next meeting is on July 23 at 9:00 a.m. at the District's Tampa office.

52. Other

53. Employee Milestones

The meeting was adjourned at 11:14 a.m.

Chair

Attest:

Secretary

DRAFT

Attachment: GB-06252019- Draft (4471 : Approve Governing Board Minutes - June 25, 2019)

**Governing Board Meeting
July 23, 2019**

FINANCE/OUTREACH & PLANNING COMMITTEE
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Discussion Items

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Submit & File Reports

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FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Discussion Item

Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

In accordance with Board Policy, *District Investment Policy*, a quarterly investment report shall include the following:

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

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2019.

Presenter: John J. Campbell, Division Director, Management Services, and
Melisa J. Lowe, Bureau Chief, Finance

Quarterly Investment Report for Period Ended June 30, 2019

Southwest Florida
Water Management District



Southwest Florida Water Management District Investment Program Review

2379 Broad Street
Brooksville, FL 34604-6899

Public Trust Advisors LLC
201 E. Pine Street, Suite 750
Orlando, Florida 32801

Southwest Florida Water Management District All Assets Summary Comparison for the period April 1, 2019 to June 30, 2019

Southwest Florida Water Management District All Assets Portfolio	April 1, 2019 Beginning Balance	June 30, 2019 Ending Balance
Book Value Plus Accrued	\$ 521,809,698	\$ 495,825,662
Net Unrealized Gain/Loss	(800,189)	908,169
Net Pending Transactions	170,450	10,237,612
Market Value Plus Accrued Net	\$ 521,179,959	\$ 506,971,443

Portfolio Characteristic	April 1, 2019 Beginning Balance	June 30, 2019 Ending Balance
Weighted Book Yield	2.23%	2.26%
Weighted Duration	0.70 Years	0.68 Years

Individual Portfolio Characteristics	April 1, 2019 Beginning Balance	June 30, 2019 Ending Balance
Liquid Portfolio (SBA-Florida Prime)	\$ 146,419,860	\$ 128,542,693
Enhanced Cash	163,128,959	164,382,836
Short Term 1-3 Year	211,631,140	214,045,914
Market Value Plus Accrued Net	\$ 521,179,959	\$ 506,971,443

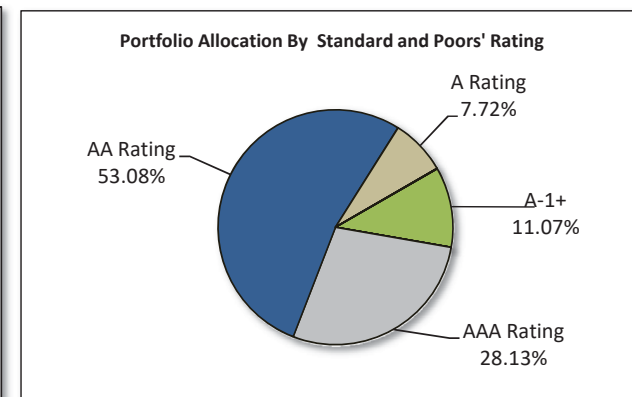
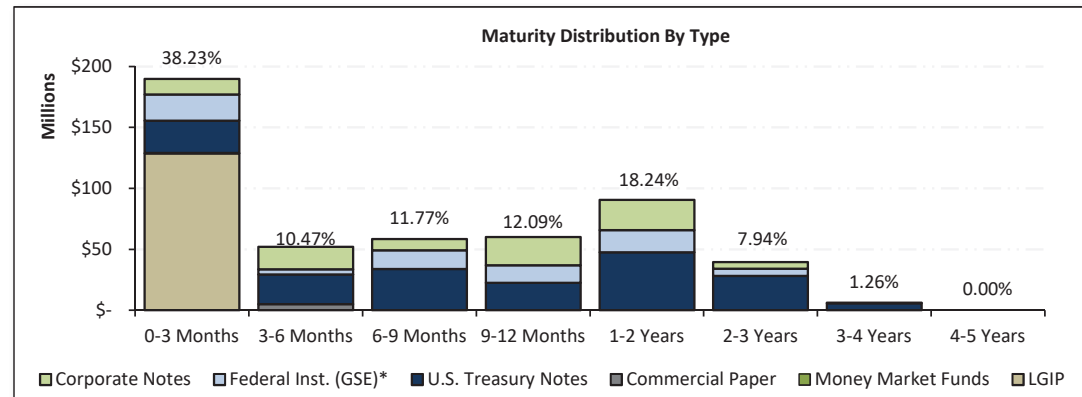
	June 30, 2019 Monthly Earnings	June 30, 2019 Quarterly Earnings	June 30, 2019 YTD Earnings
	\$ 273,515	\$ 880,133	\$ 2,391,589
	310,904	920,297	2,688,962
	345,761	1,039,996	2,923,467
Market Value Plus Accrued Net	\$ 930,180	\$ 2,840,426	\$ 8,004,018
Less Advisory Fees:	\$ (9,499)	\$ (28,707)	\$ (86,938)
Total Earnings Net of Fees	\$ 920,681	\$ 2,811,719	\$ 7,917,080

Blended Basis Fee (Annualized)

0.02299%

0.02316%

0.02338%



See additional disclosures for footnotes.

Additional Disclosure

This statement is for general information purposes only and is not intended to provide specific advice or recommendations. Please review the contents of this statement carefully. Should you have any questions regarding the information presented, calculation methodology, investment portfolio or security detail, or any other facet of your statement, please feel free to contact us.

Public Trust Advisor's monthly statement is intended to detail our investment advisory activity as well as the activity of any accounts held by clients in pools that are managed by Public Trust Advisors. The custodian bank maintains the control of assets and executes and settles all investments transactions. The custodian statement is the official record of security and cash holdings transactions. Public Trust Advisors recognizes that clients may use these reports to facilitate record keeping; therefore the custodian bank statement and the Public Trust Advisors statement should be reconciled and differences resolved. Many custodians use a settlement date basis which may result in the need to reconcile due to a timing difference. Please contact your relationship manager or our toll free number 855-395-3954 with questions regarding your account.

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Past performance is not an indication of future performance.

Beginning and Ending Balances based on Market Value plus Accrued Interest on a Trade Date basis.

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Public Trust Advisors
717 17th Street, Suite 1850
Denver, CO 80202

Security Type GASB 40 Trade Date

As of 06/30/2019

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SWFWMD Agg (70823)

Dated: 07/05/2019

Security Type

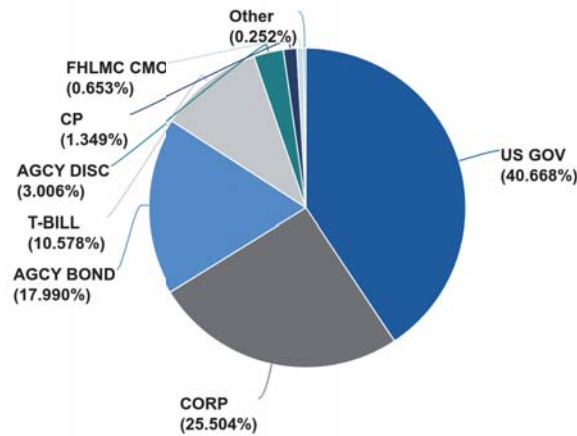


Chart calculated by: Ending Market Value + Accrued

AGCY BOND

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3130ABRP3 FEDERAL HOME LOAN BANKS AGCY BOND	1.435%	Fixed	N	0.039	AA+ Aaa	5,250,000.00	07/12/2019 07/12/2019	1.450 2.072	35,736.46	5,249,947.50	5,249,999.21 5,285,735.67	5,248,703.25 5,284,439.71
3135G0ZG1 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.709%	Fixed	N	0.205	AA+ Aaa	2,600,000.00	09/12/2019 09/12/2019	1.520 2.242	13,776.39	2,614,534.00	2,601,177.38 2,614,953.76	2,597,322.00 2,611,098.39
3135G0ZG1 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	1.364%	Fixed	N	0.205	AA+ Aaa	5,000,000.00	09/12/2019 09/12/2019	0.967 2.242	26,493.06	5,119,050.00	5,007,728.58 5,034,221.64	4,994,850.00 5,021,343.06
3135G0ZG1 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.477%	Fixed	N	0.205	AA+ Aaa	1,750,000.00	09/12/2019 09/12/2019	0.967 2.242	9,272.57	1,791,667.50	1,752,706.23 1,761,978.80	1,748,197.50 1,757,470.07
3137EAE5 FREDDIE MAC AGCY BOND	0.886%	Fixed	N	0.543	AA+ Aaa	3,250,000.00	01/17/2020 01/17/2020	1.616 2.148	22,208.33	3,239,083.25	3,247,965.27 3,270,173.61	3,238,478.75 3,260,687.08
3137EAE5 FREDDIE MAC AGCY BOND	0.933%	Fixed	N	0.543	AA+ Aaa	3,425,000.00	01/17/2020 01/17/2020	1.577 2.148	23,404.17	3,417,793.80	3,423,576.98 3,446,981.15	3,412,858.38 3,436,262.54
3130ADN32 FEDERAL HOME LOAN BANKS AGCY BOND	0.774%	Fixed	N	0.608	AA+ Aaa	2,825,000.00	02/11/2020 02/11/2020	2.510 2.056	23,345.49	2,806,129.00	2,818,428.32 2,841,773.81	2,826,172.38 2,849,517.86

Security Type GASB 40 Trade Date

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SWFWMD Agg (70823)

Dated: 07/05/2019

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3135G0T29 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.931%	Fixed	N	0.656	AA+ Aaa	3,425,000.00	02/28/2020 02/28/2020	1.595 2.082	17,553.13	3,415,752.50	3,422,867.99 3,440,421.12	3,411,837.73 3,429,390.85
313378J77 FEDERAL HOME LOAN BANKS AGCY BOND	0.614%	Fixed	N	0.696	AA+ Aaa	2,250,000.00	03/13/2020 03/13/2020	2.547 2.096	12,656.25	2,222,617.50	2,239,569.74 2,252,225.99	2,246,501.25 2,259,157.50
3137EAEF2 FREDDIE MAC AGCY BOND	0.948%	Fixed	N	0.800	AA+ Aaa	3,500,000.00	04/20/2020 04/20/2020	1.530 2.008	9,491.32	3,484,215.00	3,495,674.55 3,505,165.87	3,482,227.00 3,491,718.32
3137EAE7 FREDDIE MAC AGCY BOND	1.233%	Fixed	N	0.805	AA+ Aaa	4,500,000.00	04/23/2020 04/23/2020	2.723 1.957	21,250.00	4,483,035.00	4,492,002.34 4,513,252.34	4,519,696.50 4,540,946.50
3137EADR7 FREDDIE MAC AGCY BOND	0.474%	Fixed	N	0.830	AA+ Aaa	1,750,000.00	05/01/2020 05/01/2020	1.637 2.062	4,010.42	1,736,255.50	1,746,216.70 1,750,227.12	1,740,007.50 1,744,017.92
3133EHJA2 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.678%	Fixed	N	0.849	AA+ Aaa	2,500,000.00	05/08/2020 05/08/2020	1.659 1.979	5,704.86	2,492,075.00	2,497,701.15 2,503,406.01	2,490,862.50 2,496,567.36
313383HU8 FEDERAL HOME LOAN BANKS AGCY BOND	0.583%	Fixed	N	0.942	AA+ Aaa	2,150,000.00	06/12/2020 06/12/2020	1.564 2.017	1,985.76	2,161,545.50	2,153,745.12 2,155,730.88	2,144,582.00 2,146,567.76
3137EAEK1 FEDERAL HOME LOAN MORTGAGE CORP AGCY BOND	2.177%	Fixed	N	1.359	AA+ Aaa	8,000,000.00	11/17/2020 11/17/2020	2.011 1.898	18,333.33	7,969,040.00	7,985,312.47 8,003,645.81	7,997,480.00 8,015,813.33
3133EJCE7 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	0.386%	Fixed	N	1.573	AA+ Aaa	1,400,000.00	02/12/2021 02/12/2021	2.610 1.942	12,703.06	1,390,158.00	1,394,280.45 1,406,983.51	1,409,062.20 1,421,765.26
3137EAE19 FEDERAL HOME LOAN MORTGAGE CORP AGCY BOND	0.345%	Fixed	N	1.584	AA+ Aaa	1,250,000.00	02/16/2021 02/16/2021	2.815 1.834	11,132.81	1,236,562.50	1,241,314.78 1,252,447.59	1,260,823.75 1,271,956.56
3135G0U27 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	1.133%	Fixed	N	1.739	AA+ Aaa	4,100,000.00	04/13/2021 04/13/2021	2.820 1.834	22,208.33	4,065,970.00	4,077,316.93 4,099,525.27	4,147,826.50 4,170,034.83
3135G0K69 FEDERAL NATIONAL MORTGAGE ASSOCIATION AGCY BOND	0.269%	Fixed	N	1.820	AA+ Aaa	1,000,000.00	05/06/2021 05/06/2021	1.144 1.815	1,909.72	1,005,000.00	1,001,939.74 1,003,849.46	989,726.00 991,635.72
3130AF5B9 FEDERAL HOME LOAN BANKS AGCY BOND	0.351%	Fixed	N	2.197	AA+ Aaa	1,250,000.00	10/12/2021 10/12/2021	3.023 1.806	8,229.17	1,249,187.50	1,249,375.75 1,257,604.92	1,283,295.00 1,291,524.17
313379Q69 FEDERAL HOME LOAN BANKS AGCY BOND	1.289%	Fixed	N	2.847	AA+ Aaa	4,700,000.00	06/10/2022 06/10/2022	1.784 1.821	5,826.04	4,746,107.00	4,745,693.19 4,751,519.23	4,740,894.70 4,746,720.74
--- AGCY BOND	17.990%	Fixed	N	0.965	AA+ Aaa	65,875,000.00	06/24/2020 06/24/2020	1.869 2.017	307,230.66	65,895,726.05	65,844,592.90 66,151,823.56	65,931,404.88 66,238,635.53

AGCY DISC

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
313384JF7 FEDERAL HOME LOAN BANKS AGCY DISC	1.859%	Zero Coupon	N	0.052	A-1+ P-1	6,850,000.00	07/17/2019 07/17/2019	2.387 1.881	0.00	6,688,028.90	6,842,778.83 6,842,778.83	6,843,300.70 6,843,300.70
313384MN6 FEDERAL HOME LOAN BANKS AGCY DISC	1.148%	Zero Coupon	N	0.267	A-1+ P-1	4,250,000.00	10/04/2019 10/04/2019	2.401 2.105	0.00	4,209,905.50	4,223,321.44 4,223,321.44	4,226,110.75 4,226,110.75

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 06/30/2019

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Dated: 07/05/2019

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
--- FEDERAL HOME LOAN BANKS AGCY DISC	3.006%	Zero Coupon	N	0.134	A-1+ P-1	11,100,000.00	08/16/2019 08/16/2019	2.392 1.966	0.00	10,897,934.40	11,066,100.27 11,066,100.27	11,069,411.45 11,069,411.45

CORP

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
594918BN3 MICROSOFT CORP CORP	1.049%	Fixed	N	0.111	AAA Aaa	3,850,000.00	08/08/2019 08/08/2019	1.694 2.164	16,822.36	3,793,867.00	3,847,618.77 3,864,441.13	3,845,418.50 3,862,240.86
594918BN3 MICROSOFT CORP CORP	1.281%	Fixed	N	0.111	AAA Aaa	4,700,000.00	08/08/2019 08/08/2019	1.917 2.164	20,536.39	4,638,618.00	4,696,007.18 4,716,543.57	4,694,407.00 4,714,943.39
037833CZ1 APPLE INC CORP	0.493%	Fixed	N	0.205	AA+ Aa1	1,810,000.00	09/12/2019 09/12/2019	1.544 2.359	8,220.42	1,808,443.40	1,809,843.82 1,818,064.24	1,806,780.01 1,815,000.43
375558BR3 GILEAD SCIENCES INC CORP	0.228%	Fixed	N	0.227	A A3	835,000.00	09/20/2019 09/20/2019	1.868 2.363	4,333.88	834,707.75	834,967.32 839,301.20	834,006.35 838,340.23
375558BR3 GILEAD SCIENCES INC CORP	0.075%	Fixed	N	0.227	A A3	275,000.00	09/20/2019 09/20/2019	1.867 2.363	1,427.33	274,903.75	274,989.70 276,417.03	274,672.75 276,100.08
48125LRG9 JPMORGAN CHASE BANK NA CORP	0.272%	Fixed	Y	0.234	A+ Aa2	1,000,000.00	09/23/2019 09/23/2019	1.685 2.444	4,491.67	998,980.00	999,920.75 1,004,412.42	998,110.00 1,002,601.67
48125LRG9 JPMORGAN CHASE BANK NA CORP	0.088%	Fixed	Y	0.234	A+ Aa2	325,000.00	09/23/2019 09/23/2019	1.684 2.444	1,459.79	324,668.50	324,974.73 326,434.52	324,385.75 325,845.54
68389XAX3 ORACLE CORP CORP	1.911%	Fixed	N	0.276	AA- A1	7,000,000.00	10/08/2019 10/08/2019	2.559 2.214	36,312.50	6,967,282.00	6,994,232.48 7,030,544.98	7,000,483.00 7,036,795.50
742718EZ8 PROCTER & GAMBLE CO CORP	0.626%	Fixed	N	0.323	AA- Aa3	2,300,000.00	10/25/2019 10/25/2019	2.357 2.281	7,379.17	2,277,414.00	2,295,629.60 2,303,008.76	2,296,011.80 2,303,390.97
742718EG0 PROCTER & GAMBLE CO CORP	0.817%	Fixed	N	0.339	AA- Aa3	3,000,000.00	11/01/2019 11/01/2019	2.653 2.179	9,500.00	2,974,710.00	2,992,544.61 3,002,044.61	2,997,090.00 3,006,590.00
037833DH0 APPLE INC CORP	0.863%	Fixed	N	0.372	AA+ Aa1	3,175,000.00	11/13/2019 11/13/2019	1.825 2.169	7,620.00	3,173,444.25	3,174,710.74 3,182,330.74	3,170,580.40 3,178,200.40
02665WBZ3 AMERICAN HONDA FINANCE CORP CORP	0.519%	Fixed	N	0.372	A A2	1,910,000.00	11/13/2019 11/13/2019	2.029 2.346	5,093.33	1,908,930.40	1,909,799.72 1,914,893.05	1,907,499.81 1,912,593.14
037833DH0 APPLE INC CORP	0.280%	Fixed	N	0.372	AA+ Aa1	1,030,000.00	11/13/2019 11/13/2019	1.824 2.169	2,472.00	1,029,495.30	1,029,909.23 1,032,381.23	1,028,566.24 1,031,038.24
24422EUF4 JOHN DEERE CAPITAL CORP CORP	0.547%	Floating	N	0.027	A A2	2,000,000.00	01/07/2020 01/07/2020	2.829 2.720	12,920.27	2,000,000.00	2,000,000.00 2,012,920.27	2,001,124.00 2,014,044.27
89236TEJ0 TOYOTA MOTOR CREDIT CORP CORP	0.502%	Fixed	N	0.522	AA- Aa3	1,830,000.00	01/10/2020 01/10/2020	2.246 2.143	19,123.50	1,828,371.30	1,829,564.87 1,848,688.37	1,830,539.85 1,849,663.35
89236TEJ0 TOYOTA MOTOR CREDIT CORP CORP	0.391%	Fixed	N	0.522	AA- Aa3	1,425,000.00	01/10/2020 01/10/2020	2.246 2.143	14,891.25	1,423,731.75	1,424,661.17 1,439,552.42	1,425,420.38 1,440,311.63
89236TEJ0 TOYOTA MOTOR CREDIT CORP CORP	0.126%	Fixed	N	0.522	AA- Aa3	460,000.00	01/10/2020 01/10/2020	2.245 2.143	4,807.00	459,590.60	459,891.82 464,698.82	460,135.70 464,942.70

Attachment: 07-19 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-3rd Qtr FY19 (4486 :

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459200JN2 INTERNATIONAL BUSINESS MACHINES CORP CORP	0.399%	Fixed	N	0.569	A A1	1,460,000.00	01/27/2020 01/27/2020	1.933 2.248	11,866.56	1,458,598.40	1,459,726.71 1,471,593.26	1,457,074.16 1,468,940.72
459200JN2 INTERNATIONAL BUSINESS MACHINES CORP CORP	0.130%	Fixed	N	0.569	A A1	475,000.00	01/27/2020 01/27/2020	1.933 2.248	3,860.69	474,544.00	474,911.42 478,772.11	474,048.10 477,908.79
594918BV5 MICROSOFT CORP CORP	0.328%	Fixed	N	0.594	AAA Aaa	1,200,000.00	02/06/2020 02/06/2020	1.873 2.207	8,941.67	1,199,196.00	1,199,835.83 1,208,777.50	1,197,428.40 1,206,370.07
594918BV5 MICROSOFT CORP CORP	0.109%	Fixed	N	0.594	AAA Aaa	400,000.00	02/06/2020 02/06/2020	1.873 2.207	2,980.56	399,732.00	399,945.47 402,926.02	399,142.80 402,123.36
037833CS7 APPLE INC CORP	0.319%	Fixed	N	0.856	AA+ Aa1	1,175,000.00	05/11/2020 05/11/2020	1.835 2.083	2,937.50	1,173,801.50	1,174,649.30 1,177,586.80	1,172,141.23 1,175,078.73
458140AZ3 INTEL CORP CORP	0.556%	Fixed	N	0.855	A+ A1	2,050,000.00	05/11/2020 05/11/2020	1.863 2.269	5,267.36	2,049,221.00	2,049,771.99 2,055,039.35	2,042,634.35 2,047,901.71
037833CS7 APPLE INC CORP	0.102%	Fixed	N	0.856	AA+ Aa1	375,000.00	05/11/2020 05/11/2020	1.834 2.083	937.50	374,617.50	374,890.01 375,827.51	374,087.63 375,025.13
458140AZ3 INTEL CORP CORP	0.176%	Fixed	N	0.855	A+ A1	650,000.00	05/11/2020 05/11/2020	1.862 2.269	1,670.14	649,753.00	649,931.11 651,601.25	647,664.55 649,334.69
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.513%	Fixed	N	0.949	A A2	1,875,000.00	06/16/2020 06/16/2020	3.074 2.263	2,343.75	1,872,468.75	1,873,700.40 1,876,044.15	1,888,126.88 1,890,470.63
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.397%	Fixed	N	0.949	A A2	1,450,000.00	06/16/2020 06/16/2020	3.074 2.263	1,812.50	1,448,042.50	1,448,994.98 1,450,807.48	1,460,151.45 1,461,963.95
02665WCH2 AMERICAN HONDA FINANCE CORP CORP	0.123%	Fixed	N	0.949	A A2	450,000.00	06/16/2020 06/16/2020	3.073 2.263	562.50	449,392.50	449,690.09 450,252.59	453,150.45 453,712.95
931142EG4 WALMART INC CORP	1.984%	Fixed	N	0.969	AA Aa2	7,250,000.00	06/23/2020 06/23/2020	2.866 2.160	4,591.67	7,247,752.50	7,248,871.07 7,253,462.73	7,298,560.50 7,303,152.17
931142EG4 WALMART INC CORP	1.587%	Fixed	N	0.969	AA Aa2	5,800,000.00	06/23/2020 06/23/2020	2.866 2.160	3,673.33	5,798,202.00	5,799,096.85 5,802,770.19	5,838,848.40 5,842,521.73
931142EG4 WALMART INC CORP	0.506%	Fixed	N	0.969	AA Aa2	1,850,000.00	06/23/2020 06/23/2020	2.865 2.160	1,171.67	1,849,426.50	1,849,726.76 1,850,898.43	1,862,391.30 1,863,562.97
375558BB8 GILEAD SCIENCES INC CORP	1.374%	Fixed	N	1.143	A A3	5,000,000.00	09/01/2020 09/01/2020	2.725 2.293	42,500.00	4,989,050.00	4,989,975.11 5,032,475.11	5,014,715.00 5,057,215.00
02665WAZ4 AMERICAN HONDA FINANCE CORP CORP	0.342%	Fixed	N	1.207	A A2	1,250,000.00	09/24/2020 09/24/2020	2.435 2.278	8,251.74	1,250,812.50	1,250,229.89 1,258,481.63	1,252,587.50 1,260,839.24
46625HNY2 JPMORGAN CHASE & CO CORP	1.382%	Floating	Y	0.087	A- A2	5,000,000.00	09/29/2020 10/29/2020	2.875 2.646	33,139.57	5,071,950.00	5,059,544.83 5,092,684.40	5,056,270.00 5,089,409.58
06051GFT1 BANK OF AMERICA CORP CORP	1.096%	Fixed	N	1.274	A- A2	4,000,000.00	10/19/2020 10/19/2020	2.745 2.317	21,000.00	3,993,064.00	3,993,921.44 4,014,921.44	4,015,736.00 4,036,736.00
478160CH5 JOHNSON & JOHNSON CORP	0.120%	Fixed	N	1.340	AAA Aaa	440,000.00	11/10/2020 11/10/2020	1.987 1.885	1,215.50	439,529.20	439,782.25 440,997.75	440,380.16 441,595.66
478160CH5 JOHNSON & JOHNSON CORP	0.038%	Fixed	N	1.340	AAA Aaa	140,000.00	11/10/2020 11/10/2020	1.986 1.885	386.75	139,850.20	139,931.75 140,318.50	140,120.96 140,507.71

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91159HHL7 U.S. BANCORP CORP	0.413%	Fixed	Y	1.462	A+ A1	1,500,000.00	12/29/2020 01/29/2021	2.317 2.147	14,883.33	1,500,739.92	1,500,717.25 1,515,600.58	1,504,470.00 1,519,353.33
24422ETF6 JOHN DEERE CAPITAL CORP CORP	0.830%	Fixed	N	1.475	A A2	3,000,000.00	01/08/2021 01/08/2021	2.617 2.153	36,762.50	2,996,670.00	2,997,008.54 3,033,771.04	3,017,784.00 3,054,546.50
17275RBD3 CISCO SYSTEMS INC CORP	0.411%	Fixed	N	1.617	AA- A1	1,500,000.00	02/28/2021 02/28/2021	2.276 2.164	11,275.00	1,497,975.00	1,498,082.75 1,509,357.75	1,500,859.50 1,512,134.50
89236TEU5 TOYOTA MOTOR CREDIT CORP CORP	0.543%	Fixed	N	1.730	AA- Aa3	1,960,000.00	04/13/2021 04/13/2021	2.964 2.162	12,527.67	1,959,216.00	1,959,525.66 1,972,053.33	1,986,975.48 1,999,503.15
89236TEU5 TOYOTA MOTOR CREDIT CORP CORP	0.176%	Fixed	N	1.730	AA- Aa3	635,000.00	04/13/2021 04/13/2021	2.963 2.162	4,058.71	634,746.00	634,857.47 638,916.18	643,739.51 647,798.21
857477AV5 STATE STREET CORP CORP	0.049%	Fixed	N	1.844	A A1	180,000.00	05/19/2021 05/19/2021	2.029 2.091	409.50	179,319.60	179,737.27 180,146.77	179,530.92 179,940.42
02665WCP4 AMERICAN HONDA FINANCE CORP CORP	0.907%	Fixed	N	2.343	A A2	3,250,000.00	12/10/2021 12/10/2021	3.392 2.287	6,398.44	3,248,440.00	3,248,702.91 3,255,101.35	3,333,781.75 3,340,180.19
166764AT7 CHEVRON CORP CORP	0.525%	Fixed	Y	2.421	AA Aa2	1,900,000.00	01/03/2022 03/03/2022	2.660 1.999	15,015.17	1,887,042.00	1,887,854.17 1,902,869.34	1,919,081.70 1,934,096.87
--- --- CORP	25.504%	---	---	0.788	A+ A1	93,140,000.00	05/16/2020 05/19/2020	2.474 2.243	437,852.12	92,950,310.57	93,132,879.79 93,570,731.91	93,466,714.19 93,904,566.32

CP

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30229BxB8 Exxon Mobil Corporation CP	1.349%	Zero Coupon	N	0.294	A-1+ P-1	5,000,000.00	10/11/2019 10/11/2019	2.301 2.307	0.00	4,963,900.00	4,967,700.00 4,967,700.00	4,966,355.00 4,966,355.00
30229BxB8 Exxon Mobil Corporation CP	1.349%	Zero Coupon	N	0.294	A-1+ P-1	5,000,000.00	10/11/2019 10/11/2019	2.301 2.307	0.00	4,963,900.00	4,967,700.00 4,967,700.00	4,966,355.00 4,966,355.00

FHLMC

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
3137B1BS0 FHMS K026 A2 FHLMC	0.138%	Fixed	Y	3.137	AA+ Aaa	500,000.00	10/15/2022 11/25/2022	2.458 2.008	1,045.83	500,214.85	500,184.09 501,229.92	507,293.90 508,339.73
3137B1BS0 FHMS K026 A2 FHLMC	0.138%	Fixed	Y	3.137	AA+ Aaa	500,000.00	10/15/2022 11/25/2022	2.458 2.008	1,045.83	500,214.85	500,184.09 501,229.92	507,293.90 508,339.73

FHLMC CMO

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3137AA4W0 FHMS K013 A2 FHLMC CMO	0.557%	Variable	Y	1.443	AA+ Aaa	2,000,000.00	12/30/2020 01/25/2021	2.740 2.286	6,623.33	2,037,812.50	2,031,226.54 2,037,849.87	2,044,791.80 2,051,415.13
3137B3N95 FHMS K030 A1 FHLMC CMO	0.096%	Fixed	Y	1.637	AA+ Aaa	348,877.78	03/11/2021 09/25/2022	3.029 2.057	807.94	346,670.03	346,887.35 347,695.30	352,454.51 353,262.46
--- FHLMC CMO	0.653%	---	Y	1.472	AA+ Aaa	2,348,877.79	01/09/2021 04/24/2021	2.782 2.252	7,431.28	2,384,482.53	2,378,113.89 2,385,545.17	2,397,246.31 2,404,677.59

MMFUND

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
60934N104 FEDERATED GOVT OBL INST MMFUND	0.065%	Fixed	N	0.000	AAAm Aaa	238,067.87	06/30/2019 06/30/2019	2.240 2.240	0.00	238,067.87	238,067.87 238,067.87	238,067.87 238,067.87
60934N104 FEDERATED GOVT OBL INST MMFUND	0.049%	Fixed	N	0.000	AAAm Aaa	180,232.11	06/30/2019 06/30/2019	2.240 2.240	0.00	180,232.11	180,232.11 180,232.11	180,232.11 180,232.11
60934N104 FEDERATED GOVT OBL INST MMFUND	0.114%	Fixed	N	0.000	AAAm Aaa	418,299.98	06/30/2019 06/30/2019	2.240 2.240	0.00	418,299.98	418,299.98 418,299.98	418,299.98 418,299.98

T-BILL

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
912796SB6 UNITED STATES TREASURY T-BILL	2.169%	Zero Coupon	N	0.093	A-1+ P-1	8,000,000.00	08/01/2019 08/01/2019	2.513 1.862	0.00	7,901,012.16	7,983,139.43 7,983,139.43	7,986,152.00 7,986,152.00
912796QV4 UNITED STATES TREASURY T-BILL	1.761%	Zero Coupon	N	0.131	A-1+ P-1	6,500,000.00	08/15/2019 08/15/2019	2.501 1.994	0.00	6,422,101.53	6,480,195.30 6,480,195.30	6,482,996.00 6,482,996.00
912796RA9 UNITED STATES TREASURY T-BILL	1.352%	Zero Coupon	N	0.207	A-1+ P-1	5,000,000.00	09/12/2019 09/12/2019	2.511 2.017	0.00	4,938,510.28	4,975,200.28 4,975,200.28	4,979,090.00 4,979,090.00
912796SJ9 UNITED STATES TREASURY T-BILL	0.703%	Zero Coupon	N	0.226	A-1+ P-1	2,600,000.00	09/19/2019 09/19/2019	2.487 2.045	0.00	2,568,410.99	2,586,038.01 2,586,038.01	2,587,995.80 2,587,995.80
912796RT8 UNITED STATES TREASURY T-BILL	1.922%	Zero Coupon	N	0.510	A-1+ P-1	7,150,000.00	01/02/2020 01/02/2020	2.588 2.038	0.00	6,982,168.12	7,057,866.77 7,057,866.77	7,075,690.05 7,075,690.05
912796SM2 UNITED STATES TREASURY T-BILL	1.390%	Zero Coupon	N	0.813	A-1+ P-1	5,200,000.00	04/23/2020 04/23/2020	2.400 1.965	0.00	5,079,695.09	5,100,471.98 5,100,471.98	5,117,268.00 5,117,268.00
912796SR1 UNITED STATES TREASURY T-BILL	1.281%	Zero Coupon	N	0.888	A-1+ P-1	4,800,000.00	05/21/2020 05/21/2020	2.124 1.952	0.00	4,703,960.02	4,710,820.02 4,710,820.02	4,717,113.60 4,717,113.60
--- UNITED STATES TREASURY T-BILL	10.578%	Zero Coupon	N	0.389	A-1+ P-1	39,250,000.00	11/18/2019 11/18/2019	2.461 1.972	0.00	38,595,858.19	38,893,731.80 38,893,731.80	38,946,305.45 38,946,305.45

US GOV

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912828WW6 UNITED STATES TREASURY US GOV	1.230%	Fixed	N	0.091	AA+ Aaa	4,500,000.00	07/31/2019 07/31/2019	1.463 2.183	30,502.42	4,513,007.84	4,500,598.32 4,531,100.74	4,497,655.50 4,528,157.92
912828F39 UNITED STATES TREASURY US GOV	1.690%	Fixed	N	0.255	AA+ Aaa	6,200,000.00	09/30/2019 09/30/2019	2.500 2.154	27,273.22	6,148,656.25	6,188,585.46 6,215,858.68	6,193,459.00 6,220,732.22
912828F39 UNITED STATES TREASURY US GOV	0.327%	Fixed	N	0.255	AA+ Aaa	1,200,000.00	09/30/2019 09/30/2019	0.892 2.154	5,278.69	1,231,828.13	1,202,548.66 1,207,827.35	1,198,734.00 1,204,012.69
912828LY4 UNITED STATES TREASURY US GOV	2.808%	Fixed	N	0.377	AA+ Aaa	10,250,000.00	11/15/2019 11/15/2019	2.528 2.186	44,182.24	10,359,306.62	10,281,916.83 10,326,099.06	10,295,643.25 10,339,825.49
912828U32 UNITED STATES TREASURY US GOV	0.650%	Fixed	N	0.377	AA+ Aaa	2,400,000.00	11/15/2019 11/15/2019	1.395 2.115	3,065.22	2,372,812.51	2,396,495.15 2,399,560.37	2,389,874.40 2,392,939.62
912828LY4 UNITED STATES TREASURY US GOV	0.274%	Fixed	N	0.377	AA+ Aaa	1,000,000.00	11/15/2019 11/15/2019	0.986 2.186	4,310.46	1,073,750.00	1,008,848.64 1,013,159.10	1,004,453.00 1,008,763.46
912828G61 UNITED STATES TREASURY US GOV	0.868%	Fixed	N	0.420	AA+ Aaa	3,200,000.00	11/30/2019 11/30/2019	1.086 2.112	4,065.57	3,240,500.00	3,205,468.94 3,209,534.52	3,191,750.40 3,195,815.97
9128283N8 UNITED STATES TREASURY US GOV	2.063%	Fixed	N	0.496	AA+ Aaa	7,600,000.00	12/31/2019 12/31/2019	2.505 2.039	387.23	7,524,000.00	7,576,471.42 7,576,858.65	7,593,768.00 7,594,155.23
912828V31 UNITED STATES TREASURY US GOV	0.840%	Fixed	N	0.538	AA+ Aaa	3,085,000.00	01/15/2020 01/15/2020	1.543 2.082	19,568.87	3,069,935.95	3,082,232.36 3,101,801.23	3,073,190.62 3,092,759.49
912828MP2 UNITED STATES TREASURY US GOV	0.597%	Fixed	N	0.617	AA+ Aaa	2,150,000.00	02/15/2020 02/15/2020	1.126 2.122	29,280.39	2,325,023.44	2,183,316.38 2,212,596.77	2,170,156.25 2,199,436.64
9128283Y4 UNITED STATES TREASURY US GOV	1.370%	Fixed	N	0.662	AA+ Aaa	5,000,000.00	02/29/2020 02/29/2020	2.324 2.054	37,601.90	4,992,968.75	4,997,563.05 5,035,164.95	5,006,445.00 5,044,046.90
912828UQ1 UNITED STATES TREASURY US GOV	0.916%	Fixed	N	0.664	AA+ Aaa	3,375,000.00	02/29/2020 02/29/2020	1.258 2.035	14,100.71	3,373,813.49	3,374,823.52 3,388,924.23	3,357,335.25 3,371,435.96
912828UQ1 UNITED STATES TREASURY US GOV	0.346%	Fixed	N	0.664	AA+ Aaa	1,275,000.00	02/29/2020 02/29/2020	1.551 2.035	5,326.94	1,259,012.69	1,272,465.60 1,277,792.53	1,268,326.65 1,273,653.59
912828W63 UNITED STATES TREASURY US GOV	1.156%	Fixed	N	0.703	AA+ Aaa	4,250,000.00	03/15/2020 03/15/2020	1.561 2.039	20,268.34	4,256,474.58	4,251,896.81 4,272,165.15	4,237,547.50 4,257,815.84
912828X21 UNITED STATES TREASURY US GOV	1.926%	Fixed	N	0.786	AA+ Aaa	7,100,000.00	04/15/2020 04/15/2020	1.528 2.025	22,405.74	7,095,007.85	7,098,448.96 7,120,854.70	7,070,598.90 7,093,004.64
912828XU9 UNITED STATES TREASURY US GOV	1.529%	Fixed	N	0.951	AA+ Aaa	5,650,000.00	06/15/2020 06/15/2020	1.568 1.964	3,704.92	5,638,964.87	5,646,342.47 5,650,047.39	5,625,060.90 5,628,765.82
912828XH8 UNITED STATES TREASURY US GOV	1.029%	Fixed	N	0.984	AA+ Aaa	3,800,000.00	06/30/2020 06/30/2020	1.549 1.956	167.80	3,808,460.93	3,802,832.82 3,803,000.62	3,787,532.20 3,787,700.00
912828VJ6 UNITED STATES TREASURY US GOV	0.095%	Fixed	N	0.982	AA+ Aaa	350,000.00	06/30/2020 06/30/2020	1.889 1.962	17.83	349,876.95	349,952.87 349,970.70	349,699.35 349,717.18
912828VP2 UNITED STATES TREASURY US GOV	0.482%	Fixed	N	1.066	AA+ Aaa	1,760,000.00	07/31/2020 07/31/2020	1.582 1.938	14,682.87	1,792,862.50	1,767,860.88 1,782,543.75	1,761,168.64 1,775,851.51
912828VP2 UNITED STATES TREASURY US GOV	0.484%	Fixed	N	1.066	AA+ Aaa	1,765,000.00	07/31/2020 07/31/2020	1.713 1.938	14,724.59	1,787,269.36	1,770,419.22 1,785,143.80	1,766,171.96 1,780,896.55
912828VP2 UNITED STATES TREASURY US GOV	0.262%	Fixed	N	1.066	AA+ Aaa	955,000.00	07/31/2020 07/31/2020	1.304 1.938	7,967.13	983,911.13	962,124.53 970,091.66	955,634.12 963,601.25

Attachment: 07-19 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-3rd Qtr FY19 (4486 :

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 06/30/2019

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Dated: 07/05/2019

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
912828Q2 UNITED STATES TREASURY US GOV	1.223%	Fixed	N	1.111	AA+ Aaa	4,500,000.00	08/15/2020 08/15/2020	2.015 1.913	25,359.12	4,473,281.25	4,474,350.75 4,499,709.87	4,479,259.50 4,504,618.62
912828Q2 UNITED STATES TREASURY US GOV	1.291%	Fixed	N	1.111	AA+ Aaa	4,750,000.00	08/15/2020 08/15/2020	1.492 1.913	26,767.96	4,751,113.31	4,750,443.88 4,777,211.83	4,728,107.25 4,754,875.21
912828VV9 UNITED STATES TREASURY US GOV	0.822%	Fixed	N	1.147	AA+ Aaa	3,000,000.00	08/31/2020 08/31/2020	1.551 1.921	21,307.74	3,053,085.93	3,019,820.93 3,041,128.68	3,007,032.00 3,028,339.74
912828V1 UNITED STATES TREASURY US GOV	0.949%	Fixed	N	1.193	AA+ Aaa	3,500,000.00	09/15/2020 09/15/2020	1.528 1.881	14,123.64	3,484,414.08	3,493,626.33 3,507,749.97	3,478,807.50 3,492,931.14
912828V20 UNITED STATES TREASURY US GOV	0.547%	Fixed	N	1.230	AA+ Aaa	2,000,000.00	09/30/2020 09/30/2020	1.916 1.885	10,054.64	2,004,531.26	2,002,050.32 2,012,104.97	2,002,812.00 2,012,866.64
912828PC8 UNITED STATES TREASURY US GOV	1.239%	Fixed	N	1.349	AA+ Aaa	4,500,000.00	11/15/2020 11/15/2020	2.732 1.867	15,086.62	4,489,277.36	4,493,565.98 4,508,652.60	4,546,228.50 4,561,315.12
912828A42 UNITED STATES TREASURY US GOV	0.245%	Fixed	N	1.396	AA+ Aaa	900,000.00	11/30/2020 11/30/2020	1.367 1.852	1,524.59	926,063.63	907,962.41 909,487.00	901,863.00 903,387.59
912828A42 UNITED STATES TREASURY US GOV	0.333%	Fixed	N	1.396	AA+ Aaa	1,220,000.00	11/30/2020 11/30/2020	1.218 1.852	2,066.67	1,262,271.09	1,233,350.00 1,235,416.67	1,222,525.40 1,224,592.07
912828X6 UNITED STATES TREASURY US GOV	1.137%	Fixed	N	1.585	AA+ Aaa	4,125,000.00	02/15/2021 02/15/2021	2.513 1.825	34,868.78	4,095,512.69	4,107,841.80 4,142,710.58	4,153,037.63 4,187,906.41
912828B90 UNITED STATES TREASURY US GOV	0.067%	Fixed	N	1.630	AA+ Aaa	243,725.49	02/28/2021 02/28/2021	1.312 1.816	1,629.25	251,684.66	246,480.63 248,109.88	244,458.62 246,087.87
912828B90 UNITED STATES TREASURY US GOV	0.243%	Fixed	N	1.630	AA+ Aaa	886,274.51	02/28/2021 02/28/2021	1.349 1.816	5,924.55	912,724.26	895,745.80 901,670.36	888,940.42 894,864.98
9128284B3 UNITED STATES TREASURY US GOV	1.009%	Fixed	N	1.665	AA+ Aaa	3,655,000.00	03/15/2021 03/15/2021	2.490 1.800	25,475.75	3,643,007.03	3,648,029.68 3,673,505.43	3,690,263.44 3,715,739.19
9128284G2 UNITED STATES TREASURY US GOV	1.144%	Fixed	N	1.747	AA+ Aaa	4,150,000.00	04/15/2021 04/15/2021	2.525 1.798	20,735.83	4,132,167.99	4,139,171.90 4,159,907.72	4,192,147.40 4,212,883.23
912828WG1 UNITED STATES TREASURY US GOV	0.275%	Fixed	N	1.791	AA+ Aaa	1,000,000.00	04/30/2021 04/30/2021	1.151 1.783	3,790.76	1,050,039.06	1,019,863.70 1,023,654.46	1,008,398.00 1,012,188.76
912828S27 UNITED STATES TREASURY US GOV	0.141%	Fixed	N	1.960	AA+ Aaa	525,000.00	06/30/2021 06/30/2021	1.162 1.750	16.05	524,077.14	524,615.74 524,631.78	518,560.35 518,576.40
912828WR7 UNITED STATES TREASURY US GOV	0.274%	Fixed	N	1.937	AA+ Aaa	1,000,000.00	06/30/2021 06/30/2021	1.166 1.759	57.74	1,045,156.25	1,018,886.28 1,018,944.03	1,007,188.00 1,007,245.74
912828Y20 UNITED STATES TREASURY US GOV	0.349%	Fixed	N	1.966	AA+ Aaa	1,250,000.00	07/15/2021 07/15/2021	2.769 1.760	15,137.26	1,244,921.88	1,246,464.65 1,261,601.91	1,271,631.25 1,286,768.51
912828RC6 UNITED STATES TREASURY US GOV	0.821%	Fixed	N	2.063	AA+ Aaa	2,975,000.00	08/15/2021 08/15/2021	2.897 1.759	23,750.69	2,911,781.25	2,928,002.02 2,951,752.71	2,997,660.58 3,021,411.27
912828D72 UNITED STATES TREASURY US GOV	0.687%	Fixed	N	2.107	AA+ Aaa	2,500,000.00	08/31/2021 08/31/2021	1.311 1.749	16,711.96	2,581,250.00	2,536,655.92 2,553,367.88	2,513,280.00 2,529,991.96
912828F21 UNITED STATES TREASURY US GOV	1.446%	Fixed	N	2.186	AA+ Aaa	5,250,000.00	09/30/2021 09/30/2021	2.687 1.742	28,043.03	5,171,455.07	5,186,062.87 5,214,105.91	5,294,299.50 5,322,342.53
9128285L0 UNITED STATES TREASURY US GOV	1.818%	Fixed	N	2.292	AA+ Aaa	6,500,000.00	11/15/2021 11/15/2021	2.698 1.741	23,867.19	6,531,738.28	6,526,189.63 6,550,056.82	6,671,132.00 6,694,999.19

Security Type GASB 40 Trade Date

SWFWMD Agg (70823)

As of 06/30/2019

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Dated: 07/05/2019

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
912828U85 UNITED STATES TREASURY US GOV	0.414%	Fixed	N	2.360	AA+ Aaa	1,520,000.00	11/30/2021 11/30/2021	1.864 1.737	2,253.01	1,512,696.87	1,515,919.21 1,518,172.22	1,520,474.24 1,522,727.25
912828U81 UNITED STATES TREASURY US GOV	0.273%	Fixed	N	2.412	AA+ Aaa	1,000,000.00	12/31/2021 12/31/2021	1.989 1.725	54.35	1,000,507.81	1,000,271.88 1,000,326.23	1,006,719.00 1,006,773.35
912828SF8 UNITED STATES TREASURY US GOV	0.276%	Fixed	N	2.538	AA+ Aaa	1,000,000.00	02/15/2022 02/15/2022	1.760 1.724	7,513.81	1,010,585.94	1,006,115.09 1,013,628.90	1,007,070.00 1,014,583.81
912828J43 UNITED STATES TREASURY US GOV	0.277%	Fixed	N	2.587	AA+ Aaa	1,015,000.00	02/28/2022 02/28/2022	1.834 1.726	5,936.92	1,011,352.34	1,012,781.60 1,018,718.52	1,015,634.38 1,021,571.30
912828W89 UNITED STATES TREASURY US GOV	0.548%	Fixed	N	2.665	AA+ Aaa	2,000,000.00	03/31/2022 03/31/2022	2.624 1.710	9,426.23	1,944,140.62	1,960,550.12 1,969,976.35	2,008,828.00 2,018,254.23
912828X47 UNITED STATES TREASURY US GOV	0.037%	Fixed	N	2.747	AA+ Aaa	135,000.00	04/30/2022 04/30/2022	1.934 1.729	426.46	134,620.31	134,780.68 135,207.14	135,543.11 135,969.57
912828SV3 UNITED STATES TREASURY US GOV	0.272%	Fixed	N	2.792	AA+ Aaa	1,000,000.00	05/15/2022 05/15/2022	1.799 1.723	2,235.05	997,695.31	998,629.93 1,000,864.98	1,000,742.00 1,002,977.05
912828XG0 UNITED STATES TREASURY US GOV	0.330%	Fixed	N	2.873	AA+ Aaa	1,200,000.00	06/30/2022 06/30/2022	1.912 1.721	69.29	1,211,484.37	1,207,399.05 1,207,468.34	1,214,156.40 1,214,225.69
912828XW5 UNITED STATES TREASURY US GOV	0.347%	Fixed	N	2.891	AA+ Aaa	1,275,000.00	06/30/2022 06/30/2022	1.944 1.707	60.63	1,263,345.71	1,267,839.43 1,267,900.06	1,276,593.75 1,276,654.38
912828L24 UNITED STATES TREASURY US GOV	0.275%	Fixed	N	3.052	AA+ Aaa	1,000,000.00	08/31/2022 08/31/2022	1.822 1.729	6,266.98	1,002,500.00	1,001,632.17 1,007,899.15	1,004,492.00 1,010,758.98
912828W9 UNITED STATES TREASURY US GOV	0.274%	Fixed	N	3.134	AA+ Aaa	1,000,000.00	09/30/2022 09/30/2022	2.148 1.719	4,713.11	987,578.12	991,468.68 996,181.80	1,004,922.00 1,009,635.11
912828M80 UNITED STATES TREASURY US GOV	0.343%	Fixed	N	3.293	AA+ Aaa	1,250,000.00	11/30/2022 11/30/2022	2.152 1.727	2,117.49	1,241,064.45	1,243,767.86 1,245,885.34	1,261,278.75 1,263,396.24
--- UNITED STATES TREASURY US GOV	40.668%	Fixed	N	1.200	AA+ Aaa	148,690,000.00	09/21/2020 09/21/2020	1.979 1.942	666,256.23	149,054,569.16	148,661,549.82 149,327,806.05	149,068,290.84 149,734,547.07

Summary

Identifier, Description, Security Type	% of Market Value + Accrued	Coupon Type	Callab le	Duration	S&P Rating, Moody's Rating	Ending Current Units	Ending Effective Maturity, Final Maturity	Book Yield, Yield	Ending Accrued Balance	Original Cost	Ending Book Value, Book Value + Accrued	Market Value, Ending Market Value + Accrued
---	100.000%	---	---	0.926	AA Aa2	366,322,177.77	06/16/2020 06/18/2020	2.159 2.044	1,419,816.13	365,661,295.74	365,863,152.53 367,282,968.66	366,771,322.00 368,191,138.13

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Filtered By: Description ≠ "Payable" and Description ≠ "Receivable". * Weighted by: Ending Market Value + Accrued, except Book Yield by Base Book Value + Accrued.

Attachment: 07-19 FOP-FIN Exhibit-Investment Strategy Dashboard Qtrly Rpt-3rd Qtr FY19 (4486 :

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Discussion Item

Fiscal Year 2020 Budget Development

- a. **FY2020 Budget Update**
- b. **Adoption of Proposed District Millage Rate for FY2020**
- c. **Approval of August 1 *Standard Format Tentative Budget Submission***

Purpose

- a. Provide an update on budget changes that have been made since the FY2020 Recommended Annual Service Budget (RASB) which was provided to the Governing Board on June 25, 2019.
- b. Report the results of the July 1 certifications of taxable value from the District's 16 county property appraisers and recommend adoption of a proposed FY2020 millage rate.
- c. Request approval to submit the District's Tentative Budget to the Executive Office of the Governor (EOG), Department of Environmental Protection (DEP), Florida Legislature and other parties, as required by statute, for delivery by August 1, 2019.

Background

In June, staff submitted the FY2020 RASB to the Governing Board for consideration. The RASB document included underlying revenue and expenditure tables, variance analysis and detailed project descriptions for all District projects. On June 25, staff provided an overview of the RASB to the Governing Board including revenues and expenditures by category, program area, and area of responsibility. Following discussion of the budget, the Governing Board took action to authorize staff to (1) prepare the *Standard Format Tentative Budget Submission* for FY2020 based on the RASB as presented, adjusted for Governing Board actions at the meeting; (2) reflect the final estimated ad valorem revenue based on the July 1 certifications of taxable value, and (3) add any additional funding provided by the state.

On July 23, staff will provide a budget update to the Governing Board including the certifications of taxable value and the proposed FY2020 millage rate for adoption, which must be certified to the county property appraisers by August 4. The proposed millage rate is the rate that will be used for Truth in Millage (TRIM) *Notices of Proposed Property Taxes*. Prior to the July 23 Governing Board meeting, staff will provide the Board members with a draft of the August 1 *Standard Format Tentative Budget Submission* for FY2020 for consideration to approve for submission by August 1 per s. 373.536 Florida Statutes (F.S.).

The District's FY2020 budget will be adopted in September following two public TRIM hearings. The first hearing is scheduled for September 10, 2019 at 5:01 p.m. at the Tampa Office. Written disapproval of any portion of the budget must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget adoption hearing. The second and final hearing is scheduled for September 24, 2019 at 5:01 p.m., also at the Tampa Office.

Discussion

a. **FY2020 Budget Update**

Staff will review the board-approved budget changes presented at the June 25, 2019 Governing Board meeting and proposed budget changes that have occurred since June 25. If approved, the proposed budget changes presented at the July 23, 2019 Governing Board meeting will be incorporated in the August 1 *Standard Format Tentative Budget Submission*.

Board-approved budget changes at the June 25 Governing Board meeting increasing the proposed budget from \$196,465,002 to \$198,665,002:

Expenditure Budget:

- Cooperative Funding increased by \$2,200,000 for the District's share of the \$4,400,000 cost increase for the City of Punta Gorda for the Reverse Osmosis Water Treatment Facility Project (N780).

Revenue Budget:

- Use of Reserves increased by \$2,200,000 to balance the budget.

Proposed budget changes for the July 23 Governing Board meeting:

Revenue Budget:

- Ad valorem tax revenue decreased by \$393,905 based on July 1 certifications of taxable value from the 16 county property appraisers and adjustment of the millage rate to the rolled-back rate of 0.2801.
- Use of Reserves increased by \$393,905 to balance the budget.

b. **Adoption of Proposed District Millage Rate for FY2020**

Staff will present the certifications of taxable value and the proposed FY2020 District millage rate, in compliance with s. 373.503, F.S., and s. 200.065, F.S. Overall taxable property values in the District increased by 8.05 percent. Of the increase, 5.51 percent is related to existing property values and 2.54 percent is related to new construction. The rolled-back millage rate based on s. 200.065, F.S., equates to 0.2801, which is 5.2 percent less than the 0.2955 adopted for FY2019. Based on the July 1 certifications of taxable value and the rolled-back millage rate, staff has reduced ad valorem revenue by \$393,905 to \$113,153,713. Staff will recommend the Governing Board adopt Resolution No. 19-09, *Adoption of Proposed Millage Rate for Fiscal Year 2020*. A copy of the draft resolution is attached as an exhibit to this Item.

Item 17

c. **Approval of August 1 Standard Format Tentative Budget Submission**

Staff requests approval to submit the *Standard Format Tentative Budget Submission* for FY2020 to the EOG, DEP, Florida Legislature and other parties, as required by statute, for delivery by August 1, 2019. The draft report reflects the budget as presented to the Governing Board on June 25 and adjusted for the changes discussed in item a. above for a total budget of \$198,665,002.

Exhibit of the draft *Standard Format Tentative Budget Submission* will be provided separately.

Staff Recommendation:

- a. Approve the proposed budget changes that have been made since the June 25, 2019 Governing Board meeting.
- b. Approve Resolution No. 19-09, *Adoption of Proposed Millage Rate for Fiscal Year 2020*.
- c. Approve the August 1 submittal of the *Standard Format Tentative Budget Submission* report for FY2020, with the budget modifications approved by the Governing Board on July 23, 2019.

Presenter: John J. Campbell, Division Director, Management Services

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 19-09

ADOPTION OF PROPOSED MILLAGE RATE FOR FISCAL YEAR 2020

WHEREAS, the Governing Board of the Southwest Florida Water Management District (District), by authority of Article VII, Section 9(b) of the Florida Constitution, and Chapters 200 and 373, Florida Statutes, is authorized to levy ad valorem taxes on taxable property within the District; and

WHEREAS, the Governing Board of the District must advise the county property appraisers of its proposed millage rate to be levied upon all taxable property in the District subject to county taxes to be applied on the tax rolls for the year 2019, for the purpose of preparing the notice of proposed property taxes; and

WHEREAS, the Governing Board of the District must provide the county property appraisers preliminary disclosure of the maximum millage levy calculation and certify the appropriate vote was taken by the Governing Board for the proposed millage rate adopted in compliance with Section 200.065, Florida Statutes.

THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District by a vote of _____ in favor, _____ against and _____ not present:

That there is adopted a proposed District millage rate, as provided for in Sections 373.503(3) and 373.536, Florida Statutes, and in compliance with the maximum millage rate established by Section 200.065, Florida Statutes, for fiscal year 2020, to be assessed on the tax rolls for the year 2019, for the purpose of levying a uniform ad valorem tax on all taxable property in the counties within the District as certified by the county property appraisers pursuant to Section 200.065, Florida Statutes, excluding lands held by the Trustees of the Internal Improvement Trust Fund to the extent specified in Section 373.543, Florida Statutes, as follows:

<u>District</u>	<u>Rolled-back Rate</u>	<u>Proposed Millage Rate</u>	<u>Percent Over Rolled-back Rate</u>	<u>Counties Applied To</u>
Districtwide	0.2801	0.2801	0.00%	Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, Sumter

APPROVED AND ADOPTED this twenty-third day of July 2019 by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

Attest:

By: _____
Mark Taylor, Chair

Joel Schleicher, Secretary

CERTIFICATE AS TO RESOLUTION NO. 19-09

STATE OF FLORIDA
COUNTY OF HERNANDO

We, the undersigned, hereby certify that we are, Chair and Secretary, respectively, of the Southwest Florida Water Management District, organized and existing under and by virtue of the Laws of the State of Florida, and having its office and place of business at 2379 Broad Street, Brooksville, Hernando County, Florida, and that, on the twenty-third day of July 2019, at a duly called and properly held meeting of the Governing Board of the Southwest Florida Water Management District, at 2379 Broad Street, Brooksville, Hernando County, Florida, at which meeting a majority of the members of the Governing Board were present, the resolution, which is attached hereto and which this certificate is a part thereof, was adopted and incorporated in the minutes of that meeting.

Dated at Brooksville, Florida, this twenty-third day of July 2019.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

By: _____
Mark Taylor, Chair

Attest:

Joel Schleicher, Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this twenty-third day of July 2019, by Mark Taylor, and Joel Schleicher, Chair and Secretary, respectively, of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation. They are personally known to me.

WITNESS my hand and official seal on this twenty-third day of July 2019.

Notary Public
State of Florida at Large
My Commission Expires:

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Discussion Item

Knowledge Management: Capital Assets Governing Board Policy

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 Fiscal Year (FY) 2016 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 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 Governing Board Policy District Tangible Personal Property (title revised to Capital Assets) and deemed it necessary to update the policy. The revised policy has been provided as an attachment. The modifications include changing the title to better reflect the Policy's content which includes both tangible and intangible assets, adding new language to include intangible assets, and to remove procedural language that is included in the District's Capital Assets Procedure.

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 Capital Assets Policy will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Capital Assets
Document Owner: Brian Armstrong, Executive Director

Approved By: Mark Taylor; Chair

Effective Date: 08/27/2019

Supersedes: 05/01/2013

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PURPOSE

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

SCOPE

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

AUTHORITY

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

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

Governmental Accounting and Financial Reporting Standards

DEFINITIONS

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

Tangible Personal Property – Fixtures or other tangible personal property with a value or cost threshold as established by Rule 69I-73.002, F.A.C. (current threshold \$1,000), and a projected useful life of one year or more. This definition is expanded to include disposals of land-based renewable resources such as, timber and other silvicultural products and native seed.

GOVERNING BOARD POLICY

Title: Capital Assets

Effective Date: 08/27/2019

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

STANDARDS

All applicable Governmental Accounting and Financial Reporting Standards

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

POLICY

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

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

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

The District Governing Board authorizes the Executive Director or respective designees to declare tangible personal property as surplus property, and to dispose of any item with a current market value of \$25,000 or less, in compliance with Rule 69I-73.003, F.A.C. The Governing Board will approve the disposition of any surplus tangible property item with a current market value greater than \$25,000, with authorization recorded in the minutes of the meeting.

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

DISTRIBUTION

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

REFERENCES

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

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

Governmental Accounting and Financial Reporting Standards

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

Board Policy, Procurement (in reference to Chapter 274.07)

GOVERNING BOARD POLICY

Title: Capital Assets

Effective Date: 08/27/2019

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REVIEW PERIOD

This Policy will be reviewed every five years.

DOCUMENT DETAILS

Document Name	Tangible Personal Property and Intangible Assets
Formerly Known As	District Tangible Personal Property
Document Type	Policy
Author(s)	Melisa Lowe
Reviewing Stakeholder(s)	Office of General Counsel, Office of Inspector General, Senior staff, and Executive staff
Document Owner Name	Brian Armstrong
Document Owner Title	Executive Director
Review Period (in days)	1825
Span of Control	Governing Board
Supersedes Date	05/01/2013
Effective Date	08/27/2019

APPROVAL

Mark Taylor
Chair

Date

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Discussion Item

Knowledge Management: Office of Inspector General Charter Governing Board Policy

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 Fiscal Year (FY) 2016 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 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 the Board Policies for the Inspector General Charter and the Inspector General - Roles and Responsibilities. Staff is proposing to merge these two Board Policies into one and deemed it necessary to update the policy. The substantive modifications is to create new sections for Independence and Objectivity, Access, Audits, Investigations, Annual Report; eliminate the 18-month reporting requirement to the Auditor General, duplicative language between both policies or already stated in Florida Statutes and Auditing Standards; change the Annual Report due date from October 31 to September 30; and add language to require the audit plan to include a long-term component.

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 Office of Inspector General Charter will be included as a consent item in the August 2019 Board packet and approval will be requested at that time.

Presenter: Brian Werthmiller, Inspector General

BOARD POLICY
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TITLE: INSPECTOR GENERAL - ROLES AND RESPONSIBILITIES

SECTION/DEPT.: OFFICE OF INSPECTOR GENERAL

NUMBER: 140-3

PAGE: 1 OF 4

APPROVED BY:



THOMAS G. DABNEY, CHAIR

EFFECTIVE DATE:

09/24/03

SUPERSEDES: 3/25/97

A. BACKGROUND:

The Office of Inspector General (OIG) was established "to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in"¹ District operations. The Inspector General "shall report to and be under the general supervision of the agency head and shall not be subject to supervision by any other employee of the state agency"². The District's agency head is the Governing Board.

The purpose of this document is to provide role clarifications to allow the OIG to effectively fulfill its purpose as stated in its Charter and Florida Statutes and meet the expectations of the Governing Board.

B. GOVERNING BOARD

The Governing Board recognizes that the OIG responsibilities outlined in the Florida Statutes and in the Inspector General Charter are quite broad, encompassing operational, compliance, and many other types of issues. Therefore, the Governing Board, as the immediate supervisor of the OIG, expects that, in order to effectively and efficiently fulfill the responsibilities outlined in the Charter, the OIG will need to:

- Continually seek input from management and the Governing Board on issues relating to scope, objectives, and proposed recommendations.
- Keep the Executive Director, the Governing Board, and other appropriate management individuals informed on District issues and audit progress.
- Use a facilitative approach to problem solving by helping auditees to develop solutions.
- Inform the Governing Board and/or the Executive Director immediately of significant issues relating to accountability, controls, or performance.

The responsibilities of the Governing Board, acting through the Finance and Administration Committee, are listed in Board Policy 140-1, Inspector General Charter, under "Governing Board." With regard to item 5 under that policy section, the Finance and Administration Committee should:

- Ensure the OIG has direct access to the Governing Board.
- Request updates (quarterly or semi-annually) from the OIG, on status of work and performance measures in addition to the items already in the charter.
- Assist the Governing Board to establish and update objective performance measures, which can be used as a basis for the Inspector General's performance evaluation.
- Provide input to the Governing Board regarding the annual evaluation of the Inspector General, which will be drafted by Governing Board using performance measures established by the Finance and Administration Committee, and other available information such as audit survey results. The evaluation will be conducted in accordance

¹ Florida Statutes, Ch. 20.055(2)

² Florida Statutes, Ch. 20.055(3)

BOARD POLICY		
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT		
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APPROVED BY: <i>Twalmy</i> THOMAS G. DABNEY, CHAIR	EFFECTIVE DATE: 09/24/03	SUPERSEDES: 3/25/97

with the terms of Board Policy No. 710-2. The evaluation will then be submitted to the Governing Board for review and, upon approval by the full Board, signature by the Governing Board Chair.

C. THE OFFICE OF INSPECTOR GENERAL (OIG)

The Governing Board relies upon the OIG to monitor the District's activities and alert it to risks and possible problems. The OIG should, when possible, act as information gatherers and process facilitators to mitigate risks or implement improvement plans while remaining independent in its reporting. However, in situations involving whistleblower, fraud or other similar activities, the policies and procedures with respect to those issues must be followed.

The OIG will seek to educate District employees about controls and risks and help those individuals understand that "findings" are catalysts for improvement. Further, the OIG will help auditees find solutions and implement changes arising from findings. Through education and facilitation, the OIG will more effectively meet expectations and achieve its purpose while concurrently helping to improve efficiency and effectiveness within the District.

The OIG recognizes that its supervisor, the Governing Board, expects the OIG to be effective, efficient, and accountable for results and that the OIG should use the approaches outlined by the Governing Board.

Scopes and audit plan

The Inspector General determines the scope of audits and has direct access to the Governing Board. The OIG will seek input from the Finance and Administration Committee, Executive Director, and management before audit scopes are set for the overall audit plan as well as for individual audits. Just as management should utilize the OIG as a resource, the OIG should utilize management, the Executive Director, the Finance and Administration Committee and the Governing Board as resources for improving the effectiveness of OIG activities.

D. REPORTING

Reporting to the auditees, management, Executive Director, Finance and Administration Committee and Governing Boards, as appropriate, should be timely, concise and actionable. Reports will identify findings including progress towards agreed-upon performance criteria, compliance and efficiency opportunities, management action plans, and an implementation timeline. Follow-up action reports will be completed as part of each audit assignment.

E. PERFORMANCE MEASURES

The OIG will calculate and report, at least semi-annually its performance against the performance measures defined by the Finance and Administration Committee and approved by the Governing Board. Supporting documentation should be readily available to those requesting it (the Governing Board, the Finance and Administration Committee, the Executive Director) and should be included in the scope of the periodic quality assurance review.

BOARD POLICY			
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT			
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APPROVED BY: <i>T. Walney</i>	THOMAS G. DABNEY, CHAIR	EFFECTIVE DATE: 09/24/03	SUPERSEDES: 3/25/97

F. INTERACTION WITH THE EXECUTIVE DIRECTOR

The Inspector General reports functionally to the Governing Board as the agency head. Staff in the Office of Inspector General operates independently to provide appropriate policy, fiscal and ethical advice to the Board. However, the Governing Board recognizes as a practical matter that staff in the Office of Inspector General must work in concert with other District staff on many issues facing the District. Further, the Inspector General reports administratively to the Executive Director and is expected to work in accordance with the operational policies, guidelines and procedures set by the Executive Director for the proper conduct of the District's business.

The OIG will work cooperatively with management unless the circumstances prevent such an approach (for example, fraud suspected at a high level of management). As such, the OIG should seek input and keep management apprised of progress through meetings between the Executive Director and the OIG to be held no less than monthly. During these meetings, the OIG should report, if appropriate, the following information to the Executive Director:


- Status of audit plan.
- Actual results on the OIG's performance measures.
- Significant control, efficiency, or other findings in recently completed audits.
- An overview of work planned for the upcoming month.
- Information to be covered at the next Finance and Administration Committee meeting, if appropriate.

In certain circumstances, the Inspector General may not be able to cover certain matters with the Executive Director and may report these directly to the Finance and Administration Committee or Governing Board. The OIG expects those situations to be limited to situations involving fraud at a high level of management, unresolved scope limitations, or other similar issues to be determined through the Inspector General's professional judgment.

G. EXECUTIVE DIRECTOR

The "tone at the top" is critical to the success of the OIG achieving its purpose and meeting expectations set for the OIG. The Executive Director should keep abreast of the OIG's status of activities and ensure cooperation among the OIG, management, and auditees. The Executive Director should encourage management to go to the OIG when a concern or potential problem arises and should set an example by exhibiting an open attitude toward the OIG's findings.

The Executive shall have input into the performance evaluation of the Inspector General, in accordance with Board Policy No. 710-2. However, Florida statutes make it clear that the Executive Director is not the Inspector General's supervisor. Therefore, the Executive Director should take great care that input be based on objective criteria and adequately supported. For example, input should report performance measure results compared to goals. Subjective comments in the evaluation should be supported through audit surveys of the Governing Board, auditees and/or management, and shall be discussed with the Inspector General prior to providing the comments to the Governing Board.

BOARD POLICY			
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT			
TITLE: INSPECTOR GENERAL - ROLES AND RESPONSIBILITIES			
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Other roles and responsibilities with respect to the OIG are outlined above in the areas relating to the OIG, and the Governing Board.

H. MANAGEMENT

During an audit, management should encourage cooperation from all department members. Management should participate in overall risk and scope setting procedures. In addition, management should alert the OIG of risks or potential problems to help the OIG design an effective audit. Management should work with the OIG to reach a mutual understanding of the findings and to develop effective recommendations and an action plan.

I. PROCESS FOR CONFLICT RESOLUTION

In the normal course of providing services mandated and defined in Section D. of the Office of Inspector General Charter (Board Policy 140-1), conflict may be encountered between parties. It is necessary to ensure conflicts are resolved in a timely and fair manner for all parties involved. Following is the process for resolving conflict between an auditee, OIG, management or any other District member as it relates to the duties and responsibilities of the OIG.

When a conflict arises, an attempt should first be made by the parties to resolve the conflict by listening to each party's point of view. If a resolution cannot be reached, the parties shall hold a meeting with the next level of management following the same process. The parties should attempt to schedule the meeting as quickly as possible, but if the meeting cannot be scheduled within 10 working days, the OIG or auditee may choose to approach the next level of management. If a resolution is not reached, the process should continue up through the Executive Director level. A written summary documenting the nature of the conflict, the alternatives presented, and the ultimate resolution with input from other parties involved, will be maintained by the OIG.

If the parties cannot agree even after the Executive Director is involved, the OIG should formally discuss the matter with the Finance and Administration Committee, which will set forth a course of action on the issue.

Significant matters such as legal issues, scope limitations, critical control deficiencies, etc. may need to be brought to the attention of some or all of the following: management, Executive Director, Legal Counsel, Finance and Administration Committee Chair or Governing Board Chair, as appropriate prior to or subsequent to final resolution. This may be necessary even when agreement has been reached regarding appropriate resolution. Discussion regarding such matter may include the nature of the issue and the solution agreed upon by the respective parties.

During this process, a degree of judgment by all parties will be necessary as to the appropriate time to notify another party.

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Office of Inspector General Charter

Document Owner: Brian Werthmiller, Inspector General

Approved By: Mark Taylor, Chair

Effective Date:

Supersedes: 09/24/2003

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PURPOSE:

It is the express interest of the Governing Board of the Southwest Florida Water Management District and Executive Director to promote accountability, integrity, and efficiency in District operations. This policy establishes a District Office of Inspector General (OIG), which shall be considered an essential element in achieving the goals and objectives of the District.

It is the objective of the OIG to provide independent, objective assurance and consulting activities designed to add value and improve the District's operations. To this end, the Office will bring a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

AUTHORITY:

Section 373.079(4)(b) Florida Statutes, (F.S.) provides that the Governing Board of each water management District shall employ an Inspector General.

ORGANIZATION:

To promote independence, the Inspector General reports functionally to the Governing Board as the agency head. The OIG operates independently to provide appropriate policy, fiscal and ethical recommendations to the Board. The Inspector General also reports administratively to the Executive Director and is expected to work in accordance with the operational policies, guidelines and procedures set by the Executive Director for the proper conduct of the District's business.

The OIG will work cooperatively with management. As such, the OIG should seek input and keep management apprised of progress through meetings between the Executive Director or designee and the Inspector General to be held no less than monthly. During these meetings, the Inspector General should report, if appropriate, the following information to the Executive Director or designee:

- Status of audit plan.
- Actual results on the OIG's performance measures.

GOVERNING BOARD POLICY

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- Significant control, efficiency, or other findings in recently completed audits.
- An overview of work planned for the upcoming month.
- Information to be covered at the next Finance/Outreach and Planning Committee meeting, if appropriate.

In certain circumstances, it may be appropriate for the Inspector General to cover certain matters directly with the Finance/Outreach and Planning Committee or Governing Board. The Inspector General expects those situations to be limited to situations involving fraud at a high level of management, unresolved limitations to the scope of work, or other similar issues to be determined through the Inspector General's professional judgment.

INDEPENDENCE AND OBJECTIVITY:

The OIG conducts its work free from actual or perceived impairments to independence and with objectivity. The Inspector General and the staff may review and provide recommendations for management's consideration; however, the OIG will not implement internal controls, develop and write policies or procedures, design or install systems, or engage in any other activity external to the OIG that may impair independence or objectivity. Thus, audit and review activities do not relieve District employees of the responsibilities assigned to them.

ACCESS:

The Inspector General and the staff shall have timely, unlimited, and unrestricted access to all facilities and assets owned, leased, or borrowed by the District and any records, data, and other information of the District deemed necessary to carry out their duties, including those exempt from the Public Records laws. The Inspector General is also authorized to request such information or assistance as may be necessary from the District, its employees and independent contractors hired by the District, or from any federal, state, or local government entity. In addition, the OIG shall have unrestricted access to the Governing Board.

INSPECTOR GENERAL:

The Inspector General must have the qualifications prescribed and perform the applicable duties as provided in Section 20.055 F.S.

AUDITS:

The Inspector General shall develop an annual and long-term audit plan based on the findings of periodic risk assessments. The plan shall be submitted annually to the Governing Board for approval. A copy of the approved plan shall be submitted to the Auditor General.

In carrying out the auditing duties and responsibilities of this policy, the OIG shall review and evaluate controls necessary to ensure the fiscal accountability of the District. The OIG shall conduct financial, compliance, information system, performance, and operational audits of the District and prepare audit reports of findings. The OIG shall determine the scope and assignment of the audits; however, the Governing Board may at any time direct the Inspector General to perform an audit of a special program, function, or organizational unit. The performance of the audit shall be under the direction of the Inspector General.

Such audits shall be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing as published by the Institute of Internal Auditors, Inc., or, where appropriate, in accordance with generally accepted governmental auditing standards

GOVERNING BOARD POLICY

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commonly referred to as the "Yellow Book". All audit reports issued by the OIG shall include a statement that the audit was conducted pursuant to the appropriate standards.

Audit work papers and reports shall be public records to the extent that they do not include information which has been made confidential and exempt from the provisions of Section 119.071, F.S.

At the conclusion of each audit, the Inspector General shall submit preliminary findings and recommendations to the person responsible for the supervision of the program function or operational unit who shall respond to any adverse findings within 20 working days after receipt of the tentative findings. A copy of the preliminary findings shall be delivered to the Executive Director. Such response and the Inspector General's rebuttal to the response shall be included in the final report.

The Inspector General shall submit the final report to the Executive Director and to the Finance/Outreach and Planning Committee, subject to final approval by the Governing Board. Upon final approval by the Governing Board, the Inspector General shall deliver copies of the final report to the Auditor General and independent public accountants.

The Inspector General shall monitor the implementation of the District's response to any audit of the District conducted by the Inspector General, external auditors, federal auditors, Auditor General, or any other auditors. For any report issued by the Auditor General or the Office of Program Policy Analysis and Government Accountability, the Inspector General shall report to the Governing Board on the status of corrective actions taken no later than 6 months after the audit report is published and provide a copy of such to the Executive Director, Governing Board, and the Legislative Auditing Committee.

INVESTIGATIONS:

In carrying out the investigative duties and responsibilities specified in this Policy, the Inspector General shall initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses committed by an employee or agent of the District, or an employee or agent of the federal, state, local government, or an independent contractor hired by the District, or working in partnership with the District in accordance with applicable standards. For these purposes, the District's OIG shall:

- a) Receive complaints and coordinate all activities of the District as required by the Whistle-blower's Act pursuant to Sections 112.3187-112.31895, F.S.
- b) Receive and consider the complaints that do not meet the criteria for an investigation under the Whistle-blower's Act and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the Inspector General deems appropriate.
- c) Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the Inspector General has reasonable grounds to believe there has been a violation of criminal law.
- d) Conduct investigations and other inquiries free of actual or perceived impairment to the independence of the OIG.
- e) Have freedom from any interference with investigations and timely access to records and other sources of information.

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- f) Submit in a timely fashion final reports on investigations conducted by the OIG to the Executive Director and Governing Board, except for whistle-blower's investigations, which shall be conducted and reported pursuant to the District's Whistle-blower's procedure.
- g) Monitor the implementation of the District's response to any investigation conducted by the OIG.

ANNUAL REPORT:

The Inspector General shall, not later than September 30 of each year, prepare an annual report summarizing the activities of the office during the immediately preceding fiscal year. The final report shall be furnished to the Executive Director and Governing Board. Such report shall include, but need not be limited to:

- a) A summary of each audit and investigation completed during the reporting period.
- b) A description of significant abuses and deficiencies relating to the administration of programs and operations of the agency disclosed by investigations, audits, reviews, or other activities during the reporting period.
- c) A description of the recommendations for corrective action made by the Inspector General during the reporting period with respect to significant problems, abuses, or deficiencies identified.
- d) The identification of each significant recommendation described in previous annual reports on which corrective action has not been completed.

The Governing Board when completing the annual performance evaluation of the Inspector General in accordance with the Employee Evaluations of the Executive Director and Inspector General Board Policy shall consider this report.

PROCESS FOR CONFLICT RESOLUTION:

In the normal course of providing services, conflict may be encountered between parties. It is necessary to ensure conflicts are resolved in a timely and fair manner for all parties involved. Following is the process for resolving conflict between an auditee, OIG, Management or any other District member as it relates to the duties and responsibilities of the OIG.

When a conflict arises, an attempt should first be made by the parties to resolve the conflict by listening to each party's point of view. If a resolution cannot be reached, the parties shall hold a meeting with the next level of management following the same process. The parties should attempt to schedule the meeting as quickly as possible, but if the meeting cannot be scheduled within 10 working days, the OIG or auditee may choose to approach the next level of management. If a resolution is not reached, the process should continue up through the Executive Director level. A written summary documenting the nature of the conflict, the alternatives presented, and the ultimate resolution with input from other parties involved, will be maintained by the OIG.

If the parties cannot agree even after the Executive Director is involved, the OIG should formally discuss the matter with the Finance/Outreach and Planning Committee, which will set forth a course of action on the issue.

Significant matters such as legal issues, scope limitations, critical control deficiencies, etc. may need to be brought to the attention of some or all of the following: management, Executive

GOVERNING BOARD POLICY

Title: Office of Inspector General Charter

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Director, General Counsel, Finance/Outreach and Planning Committee Chair or Governing Board Chair, as appropriate prior to or subsequent to final resolution. This may be necessary even when agreement has been reached regarding appropriate resolution. Discussion regarding such matter may include the nature of the issue and the solution agreed upon by the respective parties.

During this process, a degree of judgment by all parties will be necessary as to the appropriate time to notify another party.

GOVERNING BOARD:

The responsibility of the Governing Board is to provide assurance that the District is in compliance with pertinent laws and regulations relating to accounting and financial matters, is operating in accordance with sound business practices, is conducting its affairs ethically and is maintaining effective controls against employee conflict of interest, errors, and fraud. To accomplish this, the Finance/Outreach and Planning Committee, acting as the Board's audit committee will:

- 1) Ensure the OIG has direct access to the Governing Board.
- 2) As appropriate, review and recommend changes to the Board Policy regarding the OIG, subject to Governing Board approval
- 3) Provide input to the Governing Board regarding the appointment of a new Inspector General in the event the position becomes vacant.
- 4) Recommend discharge of the Inspector General, subject to Governing Board approval.
- 5) Provide input to the Governing Board regarding the performance of the Inspector General.
- 6) Review plans and budgets of the District Office of Inspector General to determine that audit objectives and goals, staffing plans, financial budgets and audit schedules provide for adequate support of the Governing Board's responsibilities, subject to Governing Board approval.
- 7) Review and accept all audit reports and recommendations received from the independent public accountants, Inspector General, Auditor General, and other auditors, subject to Governing Board approval.
- 8) Meet with the independent public accountants at least annually and the District's Inspector General at least quarterly to discuss pertinent matters, including status of work, quality of management, financial, accounting, and the District's Inspector General personnel, and to determine if any restrictions have been placed by management on the scope of their examination or if there are other matters that should be discussed with the Governing Board.
- 9) Assist the Governing Board to establish and update objective performance measures which can be used as a basis for the Inspector General's performance evaluation in accordance with the Employee Evaluations of the Executive Director and Inspector General Governing Board Policy.
- 10) Florida Statutes make it clear that the Executive Director is not the Inspector General's supervisor. Therefore, the Executive Director should take great care that input be based on objective criteria that is adequately supported. For example, input should report performance measure results compared to goals. Subjective comments in the evaluation should be supported through audit surveys of the Governing Board, auditees and/or management, and shall be discussed with the Inspector General prior to providing the comments to the Governing Board.
- 11) Request updates at least semi-annually on the status of OIG performance measures.

GOVERNING BOARD POLICY

Title: Office of Inspector General Charter

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- 12) Provide for periodic quality assurance reviews to ensure that the OIG function is operating in accordance with applicable standards.
- 13) Request information on the results of the most recent peer review of the independent public accountants as it relates to the District and the nature of any needed corrective measures.
- 14) Review different aspects of the District on a planned basis to ensure that the Committee and Governing Board have a general understanding of the operations and functional areas of the organization.
- 15) Direct special investigations, subject to approval by the Governing Board, into significant matters brought to the Committee's attention within the scope of its duties.
- 16) Assure full cooperation of management in promoting the use of the OIG concept as an independent and constructive process.

DISTRIBUTION

This document will be uploaded to the Governing Document Repository.

REFERENCES

Section 373.079(4)(b) F.S., Section 373.079(4)(b) F.S., Section 20.055, F.S., Section 119.071, F.S., Sections 112.3187-112.3189, F.S., Governing Board Policy – Employee Evaluations of the Executive Director and Inspector General

REVIEW PERIOD

This Policy will be reviewed annually.

GOVERNING BOARD POLICY

Title: Office of Inspector General Charter

Effective Date: MM/DD/YYYY

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DOCUMENT DETAILS

Document Name	Office of Inspector General Charter
Formerly Known As	N/A
Document Type	Policy
Author(s)	Brian Werthmiller
Reviewing Stakeholder(s)	Senior Staff, Office of General Counsel
Document Owner Name	Brian Werthmiller
Document Owner Title	Inspector General
Review Period (in days)	365
Span of Control	Governing Board
Supersedes Date	09/24/2003
Effective Date	

APPROVAL

Mark Taylor
Chair

Date

Attachment: Office of Inspector General Charter (4494 : Knowledge Management: IG Charter GB Policy)

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Submit and File Report

Inspector General Quarterly Update - April 1, 2019 to June 30, 2019

Background and Purpose:

In accordance with Governing Board Policies 140-1 and 140-3, the Inspector General is required, on a quarterly basis, to update the Committee regarding work and other matters.

Staff Recommendation:

This item is for the Board's information; no action is needed.

Presenter: Brian Werthmiller, Inspector General



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Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

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

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
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Sarasota Office

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Bryan K. Beswick

Chair, DeSoto, Hardee,
Highlands

Michelle Williamson

Secretary, Hillsborough

H. Paul Senft, Jr.

Former Chair, Polk

John Henslick

Manatee

James G. Murphy

Polk

Kelly S. Rice

Citrus, Lake, Levy, Sumter

Joel Schleicher

Charlotte, Sarasota

Rebecca Smith

Hillsborough, Pinellas

Mark Taylor

Hernando, Marion

Brian J. Armstrong, P.G.

Executive Director

July 23, 2019

MEMORANDUM

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

FROM: Brian Werthmiller, CPA, CIG, Inspector General

SUBJECT: Office of Inspector General (OIG) Quarterly Update – April 1, 2019 to June 30, 2019

The purpose of this memo is to satisfy Governing Board Policies 140-1 and 140-3 regarding quarterly OIG updates with the Finance/Outreach and Planning Committee.

I am pleased to provide you the most recent quarterly update. During the quarter ending June 30, 2019:

- The IG quarterly update for the quarter ending March 31, 2019 was submitted to the Governing Board on April 23, 2019.
- One complaint was made regarding destruction of public records. The OIG performed an investigation in accordance with the Quality Standards for Investigations found within the *Principles and Standards for Offices of Inspector General*. In communication to the Governing Board on May 31, 2019, the OIG concluded the complaint was unsubstantiated and no further investigation was considered necessary.
- 2 reviews requested prior to April 1, 2019, one from management and one from the Governing Board, were closed.
- 14 requests for a review were made by management, 12 are closed and 2 are in progress.
- Audit work over the Auditor General findings for competitive procurement, vehicle use, self-insurance programs, and IT access privileges is in progress.
- The progress of OIG performance measures are as follows:

Attachment: Memo - 4.1.19 - 6.30.19 - OIG Quarterly Update (4495 : IG Quarterly Update)

Office of Inspector General Performance Measures		
Performance Measure	Goal	Status Through 6/30/19
Appropriate Time Allocated to Auditing	55% of chargeable hours	55%
Quarterly Updates to the Finance/Outreach & Planning Committee	100%	75%
Meet with the Executive Director Monthly	100%	75%
External Peer Review <small>Error! Bookmark not defined.</small>	Once every 3 years. Contract by December 2019.	Open
Annual Continuing Professional Education	40 Hours	36 Hours
Pass Certified Inspector General (CIG) Exam	Certification required within first year by October 2019	Passed and obtained CIG certification March 2019.

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

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 June 30, 2019, reflects total cash and investments.

In accordance with Board Policy, *Disbursement of Funds*, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic fund transfers (EFTs).

Staff Recommendation:

These items are presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
June 30, 2019

CUSTODIAN HELD INVESTMENTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	AMORTIZED COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
PUBLIC TRUST ADVISORS						
<u>SWFWMD-Enhanced Cash Portfolio</u>						
7951619	Investments	2.41	\$153,257,682	\$153,497,687	\$491,375	
7951619	Cash / Money Market Fund	2.24	238,068	238,068	0	
			Subtotal	\$153,495,750	\$153,735,755	\$491,375
7951619	Accounts Receivable-Trade date prior to 6/30/19, Settlement date after 6/30/19			10,155,705	10,155,705	0
			Total	\$163,651,455	\$163,891,460	\$491,375
						32.43
<u>SWFWMD- 1-3 Year Portfolio</u>						
7951620	Investments	1.98	\$212,187,170	\$212,855,335	\$928,441	
7951620	Cash / Money Market Fund	2.24	180,232	180,232	0	
			Subtotal	\$212,367,402	\$213,035,567	\$928,441
7951620	Accounts Receivable-Trade date prior to 6/30/19, Settlement date after 6/30/19			81,907	81,907	0
			Total	\$212,449,309	\$213,117,474	\$928,441
						42.10
TOTAL CUSTODIAN HELD INVESTMENTS			\$376,100,764	\$377,008,934	\$1,419,816	74.53

STATE BOARD OF ADMINISTRATION (SBA) INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
STATE BOARD OF ADMINISTRATION						
<u>Florida PRIME (Formerly Local Government Investment Pool)</u>						
271413	SBA General Investments	2.55	\$97,225,489	\$97,225,489		
271414	SBA Land Resources	2.55	17,258,278	17,258,278		
271415	SBA Advanced State Funding (Eco System Trust Fund)	2.55	394,715	394,715		
271416	SBA Advanced State Funding (FDOT)	2.55	13,421,736	13,421,736		
271417	SBA Advanced State Funding (WRAP)	2.55	9,806	9,806		
271418	SBA Advanced State Funding (WPSTF-AWS)	2.55	232,669	232,669		
	TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS		\$128,542,693	\$128,542,693		25.47
	TOTAL INVESTMENTS		\$504,643,457	\$505,551,627		100.00
	CASH, SUNTRUST DEMAND ACCOUNT		1,598,855	1,598,855		
	TOTAL CASH AND INVESTMENTS		\$506,242,312	\$507,150,482		

Weighted average yield on portfolio at June 30, 2019 is 2.26%.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
June 30, 2019

EQUITY - CASH AND INVESTMENTS

DISTRICT AND BASINS

District General Fund	\$444,948,398	87.88%
Restricted for Alafia River Basin	588,218	0.12%
Restricted for Hillsborough River Basin	15,790,516	3.12%
Restricted for Coastal Rivers Basin	309,265	0.06%
Restricted for Pinellas-Anclote River Basin	13,508,580	2.67%
Restricted for Withlacoochee River Basin	1,186,396	0.23%
Restricted for Peace River Basin	1,612,014	0.32%
Restricted for Manasota Basin	3,272,125	0.65%
Total District General Fund	<u>\$481,215,512</u>	<u>95.05%</u>
 FDOT Mitigation Program	 13,091,542	 2.59%
Florida Forever Program	11,935,258	2.36%
 TOTAL EQUITY IN CASH AND INVESTMENTS	 <u>\$506,242,312</u>	 <u>100.00%</u>

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

Routine Report

Monthly Financial Statement

Purpose

Presentation of the June 30, 2019, 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 Ninth Month Ended June 30, 2019."

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Statement of Sources and Uses of Funds For the Nine Months Ended June 30, 2019

The attached "Statement of Sources and Uses of Funds" statement is provided for your review. This financial statement provides summary-level revenues (i.e., sources) and expenditures by program (i.e., uses). **This unaudited financial statement is provided as of June 30, 2019, with 75.0 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District's FY2018-19 available budget of \$362.9 million. Encumbrances represent orders for goods and services which have not yet been received.

Revenues (Sources) Status:

- Overall, as of June 30, 2019, 91 percent of the District's budgeted revenues/balances have been recognized.
- As of June 30, 2019, the District has received \$110,861,676 of ad valorem tax revenue representing 100 percent of the budget. This is in-line with the nine-months prior year collection rates of 100 percent for FY2017-18 and 100 percent for FY2016-17. The budget represents 96 percent of estimated proceeds based on the taxable property values as certified by the District's sixteen counties multiplied by the Governing Board approved millage rate. Projections are based on historical collections.
- Intergovernmental Revenues are recognized as soon as they are both measurable and available. Revenues are considered available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For FY2018-19, \$3,342,052 revenues have been recognized, representing 9 percent of the budget. From year to year, the budgeted amount of intergovernmental revenue compared to the recognized amount can fluctuate for various reasons; projects can be in the planning stages and have not incurred a significant amount of expenditures, or anticipated projects may be canceled (e.g., cooperative funding projects).
- The FY2018-19 interest earnings budget was based on a 1.90 percent expected rate of return. The District's investment portfolio at June 30, 2019, is earning a weighted average yield of 2.26 percent. For the nine months ended June 30, 2019, the District has earned 2.07 percent yield on its investments. Interest earnings on invested funds in the amount of \$8,002,686 have been recognized representing 90 percent of the budgeted amount.
- License and Permit Fees consist of revenue from water use permits, environmental resource permits, water well construction permits, and water well construction licenses. Revenue recognized represents 75 percent of the budgeted amount as of June 30, 2019.
- As of June 30, other revenue earned is 368 percent of budget. Each year, items that fall within the "Other" revenue category are budgeted conservatively due to the uncertainty of the amounts to be collected. For example, revenues from timber sales, hog hunts, insurance recoveries and the sale of capital assets can vary significantly from year to year. The majority of the increase is due to a refund from a cooperator in the amount of \$522,443 for deliverables not being satisfied and sales of capital assets in the amount of \$488,542.

- Fund Balance consists of balance from prior years (budgeted for the current year) plus fund balance associated with the ad valorem funded encumbrances that rolled into the current year.

Expenditures (Uses) Status:

Overall, as of June 30, 2019, the District had obligated 80 percent of its total budget.

Summary of Expenditures by Program

This financial statement illustrates the effort to date for each of the District's six statutory program areas (Section 373.536(5)(e)4, Florida Statutes). A discussion of the expenditures by program follows.

- The **Water Resource Planning and Monitoring Program** includes all water management planning, including water supply planning, development of minimum flows and levels, and other water resource planning; research, data collection, analysis, and monitoring; and technical assistance (including local and regional plan and program review). Of the \$42.0 million budgeted for this program, the District has obligated 76 percent of the budget (39 percent expended, and 37 percent encumbered).
- The **Land Acquisition, Restoration and Public Works Program** includes the development and construction of all capital projects (except for those contained in the Operation and Maintenance of Works and Lands Program), including water resource development projects/water supply development assistance, water control projects, and support and administrative facilities construction, land acquisition (i.e., Florida Forever program), and the restoration of lands and water bodies. Of the \$258.5 million budgeted for this program, the District has obligated 82 percent of the budget (7 percent expended, and 75 percent encumbered).
- The **Operation and Maintenance of Works and Lands Program** includes all operation and maintenance of facilities, flood control and water conservation structures, lands, and other works authorized by Chapter 373, Florida Statutes. Of the \$24.9 million budgeted for this program, the District has obligated 74 percent of the budget (52 percent expended, and 22 percent encumbered).
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration, compliance and enforcement, and any delegated regulatory program. Of the \$22.3 million budgeted for this program, the District has obligated 69 percent of the budget (62 percent expended, and 7 percent encumbered).
- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resources education; public information activities; all lobbying activities relating to local, regional, state, and federal governmental affairs; and all public relations activities and advertising in any media. Of the \$2.8 million budgeted for this program, the District has obligated 63 percent of the budget (42 percent expended, and 21 percent encumbered).

- The **Management and Administration Program** includes executive management, executive support, governing board support, ombudsman, general counsel, inspector general, administrative support (general), procurement, finance, human resources, and risk management. Of the \$12.5 million budgeted for this program, the District has obligated 81 percent of the budget (73 percent expended, and 8 percent encumbered).

Based on the financial activities for the nine months ended June 30, 2019, the financial condition of the District is positive and budget variances are generally favorable. There are no reported or identified major trends, conditions or variances that warrant additional management attention.

**Southwest Florida Water Management District
Statement of Sources and Uses of Funds
For the Nine Months Ended June 30, 2019
(Unaudited)**

	Current Budget	Actuals Through 6/30/2019	Variance (under)/Over Budget	Actuals As A % of Budget (rounded)
Sources				
Ad Valorem Property Taxes	\$ 110,599,432	\$ 110,861,676	\$ 262,244	100%
Intergovernmental Revenues	37,350,115	3,342,052	(34,008,063)	9%
Interest on Invested Funds	8,900,000	8,002,686	(897,314)	90%
License and Permit Fees	1,989,800	1,489,477	(500,323)	75%
Other	457,800	1,686,871	1,229,071	368%
Fund Balance	203,645,703	203,645,703	-	100%
Total Sources	\$ 362,942,850	\$ 329,028,465	\$ (33,914,385)	91%

	Current Budget	Expenditures	Encumbrances¹	Available Budget	% Expended (rounded)	% Obligated² (rounded)
Uses						
Water Resource Planning and Monitoring	\$ 41,999,100	\$ 16,417,582	\$ 15,404,512	\$ 10,177,006	39%	76%
Land Acquisition, Restoration and Public Works	258,487,602	18,330,904	192,697,258	47,459,440	7%	82%
Operation and Maintenance of Works and Lands	24,925,831	12,900,493	5,596,553	6,428,785	52%	74%
Regulation	22,255,031	13,793,236	1,611,653	6,850,142	62%	69%
Outreach	2,808,598	1,175,407	599,295	1,033,896	42%	63%
Management and Administration	12,466,688	9,098,947	1,055,792	2,311,949	73%	81%
Total Uses	\$ 362,942,850	\$ 71,716,569	\$ 216,965,063	\$ 74,261,218	20%	80%

¹ Encumbrances represent unexpended balances of open purchase orders and contracts.

² Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited preliminary financial statement is prepared as of June 30, 2019, and covers the interim period since the most recent audited financial statements.

FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

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 June 30, 2019.

Background

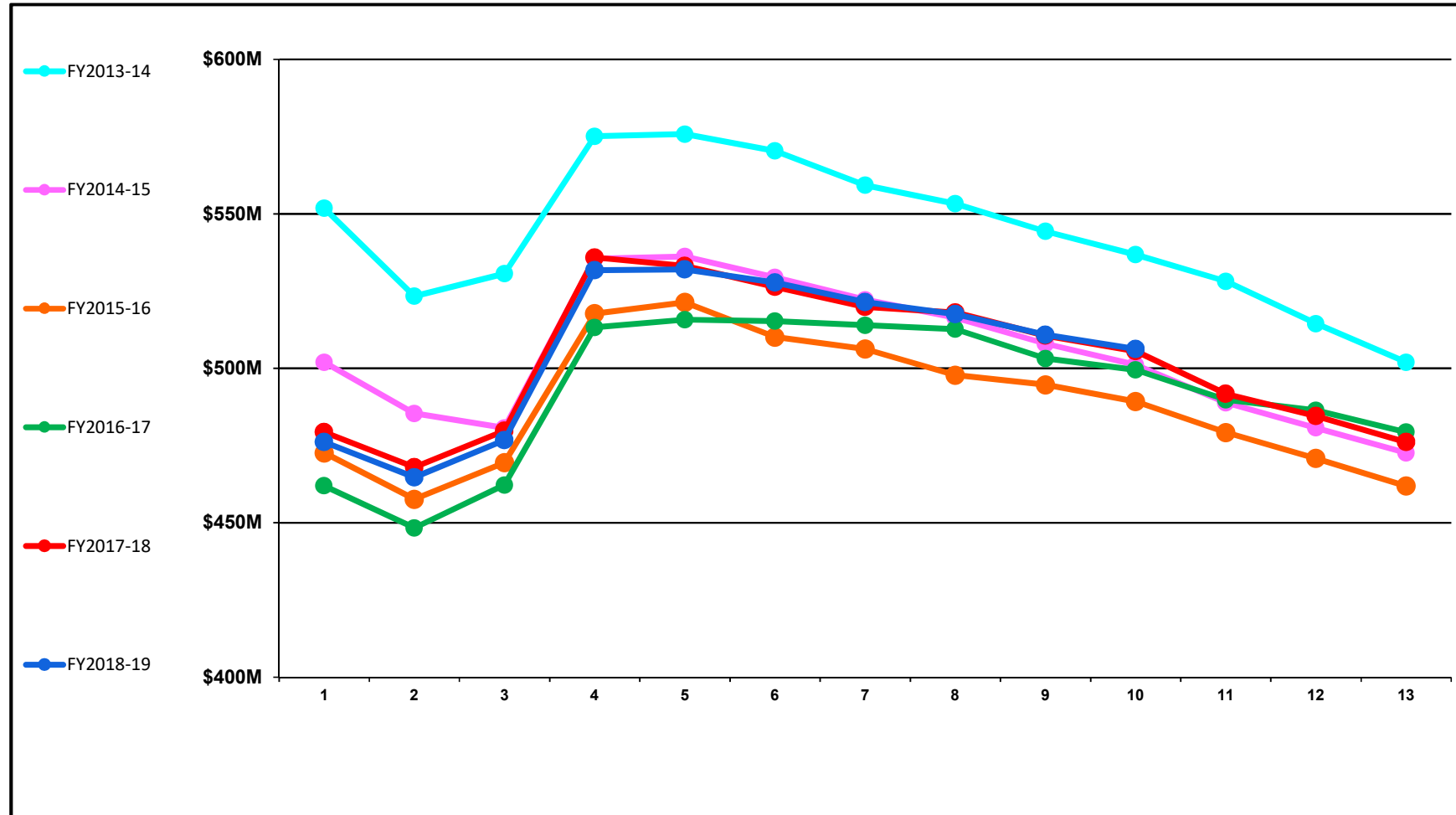
This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves are utilized for projects.

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Southwest Florida Water Management District
Monthly Cash Balances by Fiscal Year
 (FY2013-14 - FY2017-18 and FY2018-19 To-Date)



FINANCE/OUTREACH & PLANNING COMMITTEE

July 23, 2019

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 July 03, 2019

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Arcadia 19-1	ESR	4/15/2019	4/26/2019	No substantive comments.	<input type="checkbox"/>
Auburndale 19-2	ESR	5/24/2019	6/21/2019	Comments addressed existing wells and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Bradenton 19-1	ESR	4/12/2019	4/26/2019	Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.	<input type="checkbox"/>
Citrus 19-2	ESR	6/11/2019		Map and text amendments.	<input type="checkbox"/>
Hernando 19-1	ESR	5/16/2019	6/20/2019	No substantive comments.	<input type="checkbox"/>
Highland Park 19-1	ESR	5/6/2019	5/23/2019	Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.	<input type="checkbox"/>
Highlands 19-2	ESR	4/2/2019	4/12/2019	No substantive comments.	<input type="checkbox"/>
Lake 19-1	ESR	4/12/2019	5/21/2019	Advised amendment is in the SJRWMD.	<input type="checkbox"/>
Levy 19-1	ESR	5/9/2019	6/3/2019	Water Supply Facilities Work Plan. No substantive comments.	<input checked="" type="checkbox"/>
Longboat Key 19-1	ESR	6/7/2019		Text amendments.	<input type="checkbox"/>
Manatee 19-1	ESR	4/19/2019	5/9/2019	No substantive comments.	<input type="checkbox"/>
Manatee 19-2	ESR	4/19/2019	5/9/2019	No substantive comments.	<input type="checkbox"/>
North Port 19-1	ESR	5/7/2019	5/30/2019	Comments addressed the statutory requirement to provide a potable water analysis, conservation, an existing WUP and continuing coordination with ERP staff.	<input type="checkbox"/>
Pasco 19-10	ESR	5/24/2019	6/27/2019	Comments addressed water supply availability, water conservation and encouraged continued cooperation with regulatory staff for issuance of the ERP.	<input type="checkbox"/>
Pasco 19-11	ESR	5/27/2019	6/28/2019	Comments addressed water supply availability, water conservation, flood prone areas, wetlands and encouraged scheduling a preapplication meeting for issuance of the ERP.	<input type="checkbox"/>
Pasco 19-12	ESR	6/11/2019		Text amendment.	<input type="checkbox"/>

Attachment: CPARR (4472 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Pasco 19-5	ESR	4/4/2019	5/6/2019	Comments addressed water conservation, expansive floodplain/wetland areas, protection of District's data collection sites and early coordination with regulatory staff for issuance of the ERP permit.	<input type="checkbox"/>
Pasco 19-6	ESR	4/25/2019	5/17/2019	Comments addressed potable supply availability, water conservation, floodplains and wetlands and encouraged early coordination with ERP staff.	<input type="checkbox"/>
Pasco 19-7	ESR	4/25/2019	5/7/2019	No substantive comments.	<input type="checkbox"/>
Pasco 19-8	ESR	4/25/2019	5/17/2019	Comments addressed potable supply availability and encouraged continued cooperation with District staff for issuance of the ERP.	<input type="checkbox"/>
Pasco 19-9	ESR	4/29/2019	5/24/2019	Comments addressed potable supply availability, water conservation, floodplains and wetlands and encouraged early coordination with ERP staff.	<input type="checkbox"/>
Pinellas 19-1	ESR	4/2/2019	4/26/2019	No substantive comments.	<input type="checkbox"/>
Polk 19-4ACSC	Regular	5/6/2019	5/23/2019	No substantive comments.	<input type="checkbox"/>
Polk 19-5	ESR	5/6/2019	5/30/2019	Comments addressed confirmation of available potable water capacity from other utility providers, conservation, reuse, floodplains, wetlands, existing wells and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
St Pete 19-2	ESR	6/7/2019		Text amendments.	<input type="checkbox"/>
Sumter 19-1	ESR	5/17/2019	6/21/2019	Comments addressed water conservation, proper abandonment of wells, use of LID strategies to avoid/minimize encroachment to floodplains and wetlands and encouraged continued coordination with regulatory for issuance of the ERP.	<input type="checkbox"/>
Sumter 19-2	ESR	5/31/2019	7/3/2019	No substantive comments.	<input type="checkbox"/>
Sumter 19-3	ESR	5/31/2019	7/26/2019	No substantive comments.	<input type="checkbox"/>

Abbreviations:

ACSC Area of Critical State Concern
ESR Expedited State Review

**Governing Board Meeting
July 23, 2019**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

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Submit & File Reports – None

Routine Reports

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28. Significant Water Resource and Development Projects..... 140

RESOURCE MANAGEMENT COMMITTEE

July 23, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

RESOURCE MANAGEMENT COMMITTEE

July 23, 2019

Discussion Item

Knowledge Management: Cooperative Funding Initiative Governing Board Policy

Purpose

As part of the District's Knowledge Management initiative, all the District's Governing Board Policies are being reviewed and updated as needed by the respective divisions.

Background/History

The District's Knowledge Management initiative 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. As part of this initiative, updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

Staff will discuss proposed revisions to the Cooperative Funding Initiative (CFI) Policy 130-4. The specific changes to the policy are:

- 1) Change the policy format to match current format standards;
- 2) Correct several grammatical and format errors to improve readability;
- 3) Add an additional paragraph (#11) to describe the role of the Governing Board sub-committees in the selection of projects for District funding;
- 4) Add a sentence in the introduction to the guidelines for alternative water supply projects that states indirect and direct potable reuse (IPR/DPR) projects are alternative water supply projects and are subject to the guidelines within this policy.

Staff have developed proposed revisions to the policy for Governing Board review (see exhibit). Staff will seek Governing Board input on the proposed revisions and will bring this item back to the Governing Board for any additional review and final approval at a future Governing Board meeting.

Staff Recommendation:

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

Presenter: Eric DeHaven, Assistant Director, Resource Management

Governing Board Policy

Southwest Florida Water Management District

Title: Cooperative Funding Initiative

Document Owner: Resource Management Division Director

Approved By: Chair

Effective Date: MM/DD/YYYY

Supersedes: 06/27/2017

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PURPOSE

In accordance with Chapter 373, Florida Statutes, the Governing Board (Board) may participate and cooperate with county governments, municipalities, water supply authorities, and other interested entities in water management programs and projects of mutual benefit, provided such programs and projects are consistent with the District's statutory authority and will ensure proper development, utilization, and conservation of the water resources and ecology within the jurisdictional boundaries of the District. In addition, the Governing Board will implement the state's Water Protection and Sustainability Program through its Cooperative Funding Initiative if state funds are appropriated for this program.

SCOPE

This policy applies to projects submitted by cooperators as a part of the Cooperative Funding Initiative.

AUTHORITY

Chapter 373, Florida Statutes, (F.S.)

POLICY GUIDELINES:

The following guidelines apply to all projects. The Board may deviate from the guidelines for a specific project if it determines that such deviation would be appropriate.

1. The Board will give priority consideration to those projects designed to further the implementation of the District Strategic Plan, Water Management Plan, Comprehensive Watershed Management Plans, Surface Water Improvement and Management Plans, and Regional Water Supply Plan.

2. The District is committed to supplier diversity in the performance of all contracts associated with District Cooperative Funding projects. The District requires the second party to make good faith efforts to encourage the participation of minority and women-owned business enterprises, both as prime contractors and sub-contractors, in accordance with applicable laws. Applicants will be required to document all contractors and sub-contractors who perform work in association with the project, including the amount spent and, to the extent such information is known, whether each contractor or sub-contractor was a minority owned or small business enterprise. The applicant will be required to provide the District a report of this information upon completion of the project prior to final payment, or within 30 days of the execution of any amendment of an agreement that increases project funding and prior to disbursement of any additional funds by the District.
3. The Board will consider the applicant's efforts in developing, implementing, and enforcing best water management practices, including but not limited to, conservation-oriented water rate structures and irrigation, landscape and flood protection ordinances.
4. Funding may be provided to assist with the cost of data collection, research, feasibility studies, conservation and environmental education initiatives; ecosystem restoration, water resource investigation and plan development; and design, permitting and construction of capital projects. Funding is not available for operation and maintenance, payment of debtor submittal, and responses to required District permits.
5. Funding assistance will be contingent upon concurrent project action and commitment by the county, municipality, water supply authority, or other interested entity to ensure the project goals will be implemented.
6. The Board will consider funding based on the applicant's ability to demonstrate that such funding is necessary to make the project economically feasible.
7. The cooperating entity must demonstrate any matching funds have been appropriated, are contained within a Capital Improvement Plan, or otherwise committed to the project.
8. Any state or federal appropriations or grant monies received by a county government, a municipality, or a water supply authority for a specific project shall be first applied toward the total cost of the cooperator's proposed project. The District will typically fund up to 50 percent of the remaining project costs with a similar match from the cooperator.
9. Pursuant to the provisions of Section 288.06561, Florida Statutes, the Board may reduce or waive requirements for matching funds when requested by rural counties or municipalities, as defined by Subsection 288.0656(2), F.S.
10. All applications submitted for funding consideration by the Board must be signed by a single Senior Administrator acting as a coordinator for the Cooperative Funding Initiative for the county, municipality, water supply authority, or interested entity. If an entity submits multiple applications, an overall ranking of the projects is required. Final decisions regarding the funding of project proposals are the exclusive responsibility of the Board.

11. The Board will create four regional sub-committees that match the District's regional water supply planning areas. The subcommittees will consist of Governing Board members from those areas and Board members from other areas as needed to create a committee of at least three members who will be appointed by the Board Chair. The regional sub-committees will hold two public meetings to review project applications. The role of the sub-committees will be to:
- a. Review project information, project rankings, and funding recommendations;
 - b. Accept cooperator and general public comments on projects;
 - c. Identify any projects that need to be presented for full Board consideration;
 - d. Provide funding recommendations to the Board for all projects in that region.

The Board will provide final funding approval on all projects.

12. Construction projects estimated to cost more than \$5,000,000 will undergo a third-party review at the completion of the 30 percent design stage. This review is to confirm the project cost, schedule, and ability of the project to meet the proposed resource benefit. Additionally, projects that cost between \$1,000,000 and \$5,000,000 that staff has determined will benefit from a third-party review will also undergo such review at the completion of the 30-percent design stage. Results of the third-party review will be presented to the Board before the project can proceed to final design.

The following additional guidelines apply to potable alternative water supply projects:

It is the express intent of the Board to utilize its incentive based funding to encourage the development of fully integrated, robust, multijurisdictional water supply systems composed of diverse sources (i.e., groundwater, surface water, off-stream reservoirs, desalination, etc.), managed in a manner that takes full advantage of Florida's intense climatic cycles to ensure reliable, sustainable and drought resistant systems, which maximize the use of alternative supplies to the greatest extent practicable. Alternative water supplies include indirect and direct potable reuse (IPR/DPR) projects. Multijurisdictional means two or more water utilities or local governments that have been organized into a larger entity or have entered into an interlocal agreement or contract for the purpose of more efficiently pursuing water supply development or alternative water supply development projects pursuant to a regional water supply plan. The water supply systems of the multijurisdictional entity must be interconnected and must have a formalized operational management agreement that ensures the interconnected supplies are managed in a manner consistent with the Board's intent as described herein. All operational agreements between multijurisdictional entities will be evaluated by the District and must be deemed consistent with the Board's intent as described herein. Consistent with Section 373.707, Florida Statutes, the District shall prioritize funding for alternative water supply projects as follows:

- Highest priority - Alternative water supply projects owned, operated and controlled, or perpetually controlled by a Regional Water Supply Authority (RWSA) or a regional entity created by an interlocal agreement that establishes a separate legal entity, with sufficient authority to fund, own, construct, operate and maintain alternative potable water supply systems. The regional entity must be recognized by the Board through a commitment of funds that assist in the establishment of the entity.

- Medium priority - Alternative water supply projects that are not owned, operated and controlled, or perpetually controlled by a RWSA, but meet the definition of multijurisdictional.
 - Lowest priority - Projects that do not meet the multijurisdictional criteria.
13. If a member government of a RWSA proposes a potable water supply project, it must be submitted by the RWSA to be considered for District funding.
 14. Projects submitted by non-member governments within the service area of a RWSA will be considered for funding only if the non-member government has reviewed its plan with the RWSA to ensure the project is not inconsistent with the RWSA plan. The non-member government must submit an affirmative written statement from the RWSA indicating that the project is not inconsistent with RWSA plan.
 15. All potable alternative water supply projects will be required to identify the quantity of alternative water supply that will be made available upon completion of the project. It is the intent of the Board that the quantity made available will be used as “base supply”. The base supply will be clearly defined by the cooperator on a project-by-project basis and will include, but not be limited to, the overall alternative water supply system capacity, typically expressed in million gallons per day, the expected annual average use for the life of the project, as well as the frequency and timing of use of the available alternative water supply quantities. The base supply defined by the cooperator will be reviewed and approved by the Board as a part of the Cooperative Funding Initiative project review and budgeting process. The cooperative funding agreement between the District and the cooperator will include the base supply requirements approved by the Board. The Board may consider adjustments to a project’s base supply quantity and definition by amendment of the cooperative funding agreement.
 16. In determining whether, and how much funding will be provided by the District, the District will consider the project’s total cost per 1,000 gallons and the cost per gallon of water supply produced. These costs shall exclude distribution system components and will be compared to, among other things:
 - a. The cost of other available potable water supply that could be purchased by the applicant from a supplier who can meet the demand.
 - b. The cost to develop other viable alternative water supplies.
 - c. The unitary rate or wholesale water cost of the RWSA in the area where the applicant is located. For applicants outside the area of a RWSA or within the service area of a RWSA that does not own, operate and control an alternative water supply project, cost information from other RWSAs with alternative water supplies can be used for comparison purposes.
 - d. The applicant’s current cost of water supply and projected cost of water supply after the project is in operation.

All cost information must be certified and adjusted to reflect present values for the current fiscal year.

17. The District will consider the applicant’s conservation-oriented water rate structure(s) and per capita water use as factors in its incentive-based funding. Where an applicant has not achieved the District per capita water use requirements as described in Chapter 40D-2,

Florida Administrative Code, or where they have not adopted an effective conservation rate structure, District funding may be limited to consideration of water conservation projects only.

DISTRIBUTION

This Policy will be stored in the Governing Board Policy Repository.

REFERENCES

Chapter 373, Florida Statutes

Chapter 40D-2, Florida Administrative Code

PERIODIC REVIEW

This Policy will be reviewed annually by staff. Any necessary changes will be brought to the Governing Board.

DRAFT

RESOURCE MANAGEMENT COMMITTEE

July 23, 2019

Routine Report

Minimum Flows and Levels Status Report

Section 373.042 of the Florida Statutes requires the state water management districts or Department of Environmental Protection (DEP) to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses and other surface water bodies. MFLs are the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area and are used in District permitting programs and for water-supply planning.

Summary information concerning the status of five major tasks for water bodies scheduled for MFLs adoption by December 2019 is summarized below. Data collection and analyses for priority water bodies scheduled for MFLs adoption in 2020 through 2027 is also ongoing, but is not summarized in this current status report.

MFLs Development Tasks

- Draft MFLs reports are completed for stakeholder review, and in some cases are subjected to independent scientific peer review.
- Independent, scientific peer review is voluntarily initiated and completed for draft reports addressing river, spring and aquifer MFLs. Draft reports for lake and wetland MFLs are not typically subjected to voluntary peer review. The methods used to establish lake and wetland MFLs were, however, peer reviewed prior to those methods being adopted in rule. Voluntary peer review for individual lakes and wetlands may be conducted based on requests from affected stakeholders or by District decision.
- Public workshops are completed to provide opportunities for stakeholders to learn about and provide input on proposed MFLs.
- Final MFLs reports that incorporate peer review findings and stakeholder input are prepared for Governing Board approval.
- Rulemaking for proposed MFLs and any necessary MFLs prevention or recovery strategies is approved by the Governing Board, initiated through legal noticing of proposed rules, and completed with adoption and incorporation of effective MFLs and necessary strategies into District rules.

Status for Water Bodies Scheduled for MFLs Establishment by December 2019 (Recent Status Changes Highlighted)

Water Body	Draft MFLs Report	Independent, Scientific Peer Review	Public Workshop	Final MFLs Report	Rulemaking
Allen, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Brant Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Dosson, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Harvey, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed

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Sunshine, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Virginia, Lake ^a	Completed	Completed ^b	Completed	Approved	Completed
Pierce, Lake ^a	Completed	Completed ^b	Completed	Approved	Approved
Calm Lake		Completed ^b			
Charles, Lake		Completed ^b			
Church Lake		Completed ^b			
Echo Lake		Completed ^b			
Linda, Lake		Completed ^b			
Pasco Lake		Completed ^b			
Sapphire, Lake		Completed ^b			
20 Northern Tampa Bay Wetlands		Completed ^b			
Water Body	Draft MFLs Report	Independent, Scientific Peer Review	Public Workshop	Final MFLs Report	Rulemaking
Chassahowitzka River	Completed	Completed	Completed		
Chassahowitzka Spring Group	Completed	Completed	Completed		
Blind Spring	Completed	Completed	Completed		
Homosassa River	Completed	Completed	Completed		
Homosassa Spring Group	Completed	Completed	Completed		
Rainbow River	Completed	Completed	Completed	Approved	Initiated
Rainbow Spring Group	Completed	Completed	Completed	Approved	Initiated

^a Scheduled for completion in 2018.

^b Peer review completed for lake and wetland MFLs methods.

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

July 23, 2019

Routine Report

Significant Water Resource and Development Project

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen.

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates (JEA) team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. The recharge well and monitor wells are complete. Rowe Drilling is demobilizing the site. Jones Edmunds and Associates continues work on the design and permitting of the diversion infrastructure. Rowe has demobilized from the site. The drilling is complete. ***New Activities Since Last Meeting:*** JEA is working on the final drilling report for FDEP and the permits for the diversion infrastructure. Staff has started development of the request for bid for construction of the diversion infrastructure. *Project Manager: Lisann Morris*

Lower Hillsborough River MFLs Recovery Strategy - Implementation

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned or completed under the recovery strategy, funded through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. All

projects are constructed and are operating except for the Morris Bridge Sink project. In October 2017, the District completed design for the Morris Bridge Pumping facility, but construction has not begun pending the outcome of analysis the COT is performing associated with the Tampa Augmentation Project (TAP). In addition, the COT, with District co-funding, has completed the LHR Dam Control Gate Facilities (N492) project which constructed a new sluice gate in the dam to allow the city to pass the full quantity of water needed to meet minimum flows. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. The COT has received Water Use Permit (WUP) No. 20020802 from the District for the operation of these pump stations. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, LHR Dam Control Gate Facilities, and the TBC as recovery flow sources, and 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. 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. A draft of the second Five-Year Assessment of the LHR Recovery Strategy was submitted on December 14, 2018 and was reviewed by District staff. The second draft of the assessment was received on March 5, 2019 and District staff provided comments on March 18. A third draft of the assessment was received by the District on March 29 and was revised for circulation to stakeholders. Executive Staff were briefed on April 29, 2019 about the major findings and recommendations of the assessment report. On May 1, the District received the final version of the second Five-Year Assessment of the LHR Recovery Strategy report. District staff met with COT staff on May 22 to discuss data reporting and to visit sites from the Lower Hillsborough River system. The FY2019 Morris Bridge Sink (MBS) Environmental Monitoring required by the WUP (20020574) has been completed. The annual report for compliance with the S-161 WUP No.20020575 was submitted to the Florida Department of Environmental Protection (FDEP) on February 28, 2019. The annual report for compliance with WUP No. 20020574 for the MBS Environmental Monitoring was submitted to FDEP on April 1, 2019. Biological sampling and water quality sampling required for WUP No. 20020574 associated with the Morris Bridge Sink were conducted during May 2019. ***New Activities Since Last Meeting:*** District staff are coordinating with the City of Tampa regarding the second Five-Year Assessment of the LHR Recovery Strategy report. The biological and water quality sampling data collected in association with WUP No. 20020574 for MBS were analyzed by the consultants. Reports of the findings were submitted in June 2019. Vegetation and wildlife monitoring required for WUP No. 20020574 was conducted in June 2019. The annual LHR recovery strategy update will be provided to the Governing Board in August 2019. *Project Manager: Danielle Rogers*

Aquifer Recharge Projects

City of Clearwater - Groundwater Replenishment Project - Phase 3

This ongoing project is temporarily on hold. Work was previously completed 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; and improving groundwater levels in the Northern Tampa Bay Water Use Caution Area. 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 the Upper Floridan aquifer with 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 final design is complete. Three public meetings were conducted by the City between November 2016 and May 2017. The Florida Department of Environmental Protection (FDEP) permits for the advanced water purification plant and recharge and concentrate injection wells were issued on March 30, 2018 and August 17, 2018, respectively. Site development permits, including the FDEP Environmental Resource Permit, Florida Department of Transportation permit, City and County permits are also complete and issued except for naming the chosen general construction contract engineer. This process can only be completed following completion of the project bidding procedures. The City requested a delay to complete a master water plan to assess their existing and potential future water system and supply. This analysis will provide options for improving treatment efficiencies and cost-effective measures to maintain future drinking-water supplies. To release the budgeted construction funds and to allow the City the necessary time to complete their master water plan evaluation, it was decided that the current CFI Agreement would need to be amended. On May 21, 2019, the Governing Board approved the District staff recommendation of reducing the project scope to only include 30 percent design, third-party review, final design, permitting and public outreach at a total project cost of \$2,989,819 and a District share of \$1,494,909 by deleting construction related tasks and associated funds. District staff are currently developing and executing the contract amendment. **New Activities Since Last Meeting:** No changes since last meeting. *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.

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 optimization effort (N943) is on schedule and moving forward. The annual progress technical memo for one year has been completed and received by the District. **New Activities Since Last Meeting:** The completion letter for N666 was received by the District and the final payment was made. The optimization effort (N943) is ongoing in its second year. *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 May and June. The total injected volume for May was approximately 60 MG for the month. Estimated injection volume for June was not available at the time (June 28th) this update was prepared. Total recharge volume through June is approximately 2.91 billion gallons since the beginning of the project. *Project Manager: Don Ellison*

City of Tampa, Tampa Augmentation Project (TAP)

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant (HFCAWTP). The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L. Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has

submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase 1 Feasibility Study is complete and closed. Phase 2 Feasibility Study kick-off meeting was held on January 30, 2019. The Memorandum of Understanding with Tampa Bay Water was tabled until June 2020 when the Phase 2 TAP Feasibility Study is anticipated to have additional answers. Meanwhile, the City initiated recovery at the TAP-1 well collecting water quality samples. The City is working through the Rome Avenue Underground Injection Control permit with Florida Department of Environmental Protection that will use potable water in the test. ***New Activities Since Last Meeting:*** The consultant for the City continues water quality monitoring at HFCWTP. Additional groundwater modeling scenarios with SEAWAT model are continuing with preliminary results expected in the next couple months. *Project Manager: Lisann Morris*

Water Incentives Supporting Efficiency (WISE) Program

This is a cost-share program that supports and promotes water conservation with non-agricultural water users. It will provide a streamlined project implementation/application process and reach cooperators that might not otherwise implement smaller conservation projects. The program was presented to the Governing Board on November 13, 2018 and officially launched December 1, 2018. Funds budgeted for FY2019 total \$50,000 and will allow for a minimum of three projects to receive funding. A communications plan has been developed to help promote the new program. Funds are still available and outreach is ongoing. Six new applications have been received (a total of seven applications since launch). ***New Activities Since Last Meeting:*** One application has been approved for funding. That project is for the replacement of 135 toilets at Courtyard by Marriot hotel in Tampa and will utilize \$14,150 of District funds. Two new applications have been received (a total of nine applications since launch). Applications from Ringling College, and Sarina-Asha Hotels are routing and awaiting approval from management. One application from Jubilee Hotels, LLC is awaiting information from the applicant. Five of the applications are from a management company in St. Pete Beach and did not qualify due to incomplete information or ineligibility. Approximately \$10,000 of the \$50,000 budgeted are available for additional projects for the remainder of FY2019. The proposed budget for WISE in FY2020 is \$100,000. *Project Manager: Josh Madden*

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
July 23, 2019**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE
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Discussion Items

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Submit & File Reports – None

Routine Reports

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OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

July 23, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**July 23, 2019*****Discussion Item*****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 June, 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 (as of June 30) indicate amounts were above-normal 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 averaged 9.82 inches, equivalent to the 131st percentile
- Central region rainfall averaged 9.70 inches, equivalent to the 133rd percentile.
- Southern region rainfall averaged 7.88 inches, equivalent to the 96th percentile.
- District-wide, average rainfall was 9.10 inches, equivalent to the 118th percentile.

Streamflow

Streamflow data for June indicate that flow increased in all three regions of the District, compared to the previous month. Based on the three regional index rivers indicated below, streamflow conditions ended the month within the normal range in the northern and southern regions of the District, while the central region was within the above-normal range. 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 53rd percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 76th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 69th percentile.

Groundwater Levels

Provisional groundwater data (as of June 26) indicate that levels in the Floridan/Intermediate aquifer increased in all three regions of the District, compared to last month. Groundwater levels ended the month at above-normal levels in the northern and central regions, while they were within the normal range in the southern region. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region was in the 81st percentile.

- The average groundwater level in the central region was in the 78th percentile.
- The average groundwater level in the southern region was in the 53rd percentile.

Lake Levels

Water level data for June indicate that regional lake levels increased in all four lake regions within the District, compared to the previous month. The northern and Lake Wales Ridge regions ended the month with levels below the base of the annual normal range, while the Tampa Bay and Polk Uplands regions level ended the month with levels within the annual normal range. 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 increased 0.41 foot and were 0.08 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.43 foot and were 0.96 foot above the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.41 foot and were 1.65 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 0.20 foot and were 0.71 foot below the base of the annual normal range.

Issues of Significance

June marks the start of the official four-month wet season (June through September) and provisional rainfall totals for the month saw accumulations above-normal in all three regions of the District. The District-wide 12-month cumulative rainfall total increased, ending the month at approximately 1.8 inches above the long-term historic average, while the 24-month cumulative total decreased, ending the month at about 9.3 inches above the historic average.

Rainfall during June was generally scattered, regionally variable and associated with several different weather patterns. That is, a typical summertime sea breeze/convective rainstorm pattern occurred during the first week of the month. Then a “reverse summertime” flow pattern that brought heavy rains in from the Gulf occurred during weeks two and three, while a relatively hot and dry spell occurred during the last week of the month.

Hydrologic indicators saw regional groundwater levels and streamflow conditions improve throughout the District. Regional lake levels improved throughout the District, ending the month within the annual normal range in the Tampa Bay and Polk Uplands regions, while at below-normal levels in the northern and Lake Wales Ridge regions. Major public surface water supply reservoirs remain at good levels.

NOAA’s Climate Prediction Center’s three-month weather forecast, as of June 20, 2019, indicates “equal chances” for below-normal, normal or above-normal rainfall throughout the District during July through November 2019, based on current El Niño conditions in the Pacific Ocean continuing throughout the upcoming summer and fall months.

Updated weather forecasts will be available in mid-July. 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.

Item 30

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

July 23, 2019

Routine Report

Surplus Lands Update

Staff Recommendation:

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Surplus Lands Update

Purpose

This report provides a monthly status on the District's surplus lands program. Information is through June 12, 2019.

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	1,664	44	\$8,607,027
Closing pending Includes Annutteliga Hammock (AH)	35	4	\$50,000
Listed with broker with approved minimum sale price	809	11	
Listed with broker without minimum sale price	192	4	
AH Project	547	996	
AH lots offered to adjacent owners	30	37	
Agency request	599	8	
Non-marketable	20	4	
On hold	1,098	13	
Grand Total	4,994	1,121	\$8,657,027

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 three offers signed by the Governing Board Chair and closing is pending.

Activity from 5/16/2019 to 6/12/2019				
SWF Parcel No.	Date Closed	Acres	Contract Price	Appraised Value
15-228-1851S	6/4/19	1.01	\$9,000.00	\$8,700.00
15-228-2044S	6/5/19	2.01	\$18,000.00	\$17,400.00
Total		3.02	\$27,000.00	\$26,100.00

	Previous Month Activity Summary Report (9/25/2019 to 5/15/2019)	Activity Summary Report (9/25/2018 to 6/12/2019)
Parcels	13	15
Acreage	7.98 acres	11.0 acres
Appraised Values	\$60,200.00	\$86,300.00
	\$7,544 per acre	\$7,845 per acre
Contract Values	\$82,542.00 total sales	\$109,542.00 total sales
	\$10,344 per acre	\$9,958 per acre
Basis Values (Average of all parcels)	\$42,637 total purchase price	\$58,773 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.

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**July 23, 2019*****Routine Report*****Structure Operations**

Summary of the operations made from May 15 through June 12, 2019. Refer to Exhibit A for District Structure Sites Location Map.

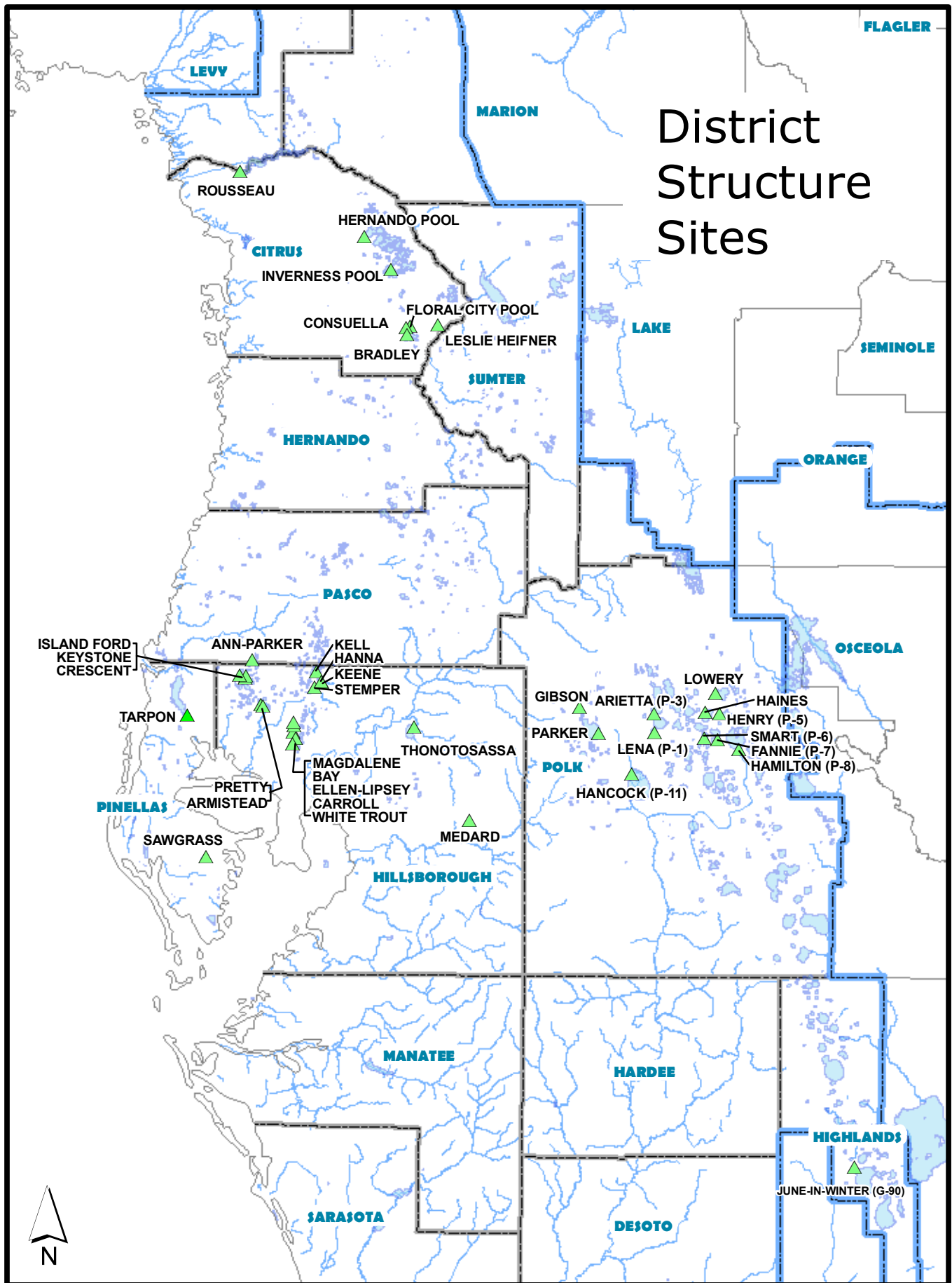
- Inglis Water Control Structures: The Inglis Bypass Spillway and Inglis Main were operated to provide flow to the lower Withlacoochee River while maintaining Lake Rousseau's water level. Lake Rousseau's monthly average elevation was 27.50 feet National Geodetic Vertical Datum (NGVD). The recommended 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 39.66 feet NGVD.
- Alafia River Watershed: The Medard Reservoir structure was operated to maintain the water level. The monthly average water level for the Medard Reservoir was 58.28 feet NGVD, compared to the recommended maintenance level of 59.0 feet NGVD.
- Hillsborough River Watershed: The Thirteen Mile Run system and Flint Creek (Thonotosassa discharge) structure was operated to maintain water levels. The average monthly water level for Lake Thonotosassa was 35.98 feet NGVD, compared to the recommended maintenance level of 36.50 feet NGVD.
- Tampa Bay/Anclote Watershed: Structures in Rocky Creek and Sweetwater Creek were operated to maintain 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 was operated to maintain the lake level. Lake Tarpon's monthly average water level for the month was 3.01 feet NGVD, compared to the recommended maintenance level of 3.20 feet NGVD.
- Peace River Watershed: Lake Hancock structure was operated to maintain the water level. The average monthly water level for Lake Hancock was 99.08 feet NGVD, compared to the recommended maintenance level of 100.10 feet NGVD.
- Lake Wales Ridge Watershed: Structure G-90 was closed to maintain the water level in Lake June-in-Winter. The average monthly water level for Lake June-in-Winter was 74.14 feet NGVD, compared to the recommended level of 74.50 feet NGVD.

Item 32

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

July 23, 2019

Routine Report

Significant Activities

Staff Recommendation:

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief

Significant Activities

This report provides monthly information through June 11, 2019 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 applied prescribed fire to 10,701 acres of conservation lands during FY2019.
- Staff continue to trap and conduct phased feral hog management hunts on District lands. There have been 809 feral hogs removed from District lands during FY2019.
- Vegetation Management staff have treated invasive exotic vegetation on 17,623 acres on District lands during FY2019.
- Land resource-based revenue to date this fiscal year is \$127,179.
- Staff continue to identify and mechanically treat hazard fuels within the wildland urban interface. Approximately 0.5 miles of fireline enhancements were completed on the Starkey Preserve this reporting period, bringing the total fiscal year boundary hazard mitigation to 16.4 miles.

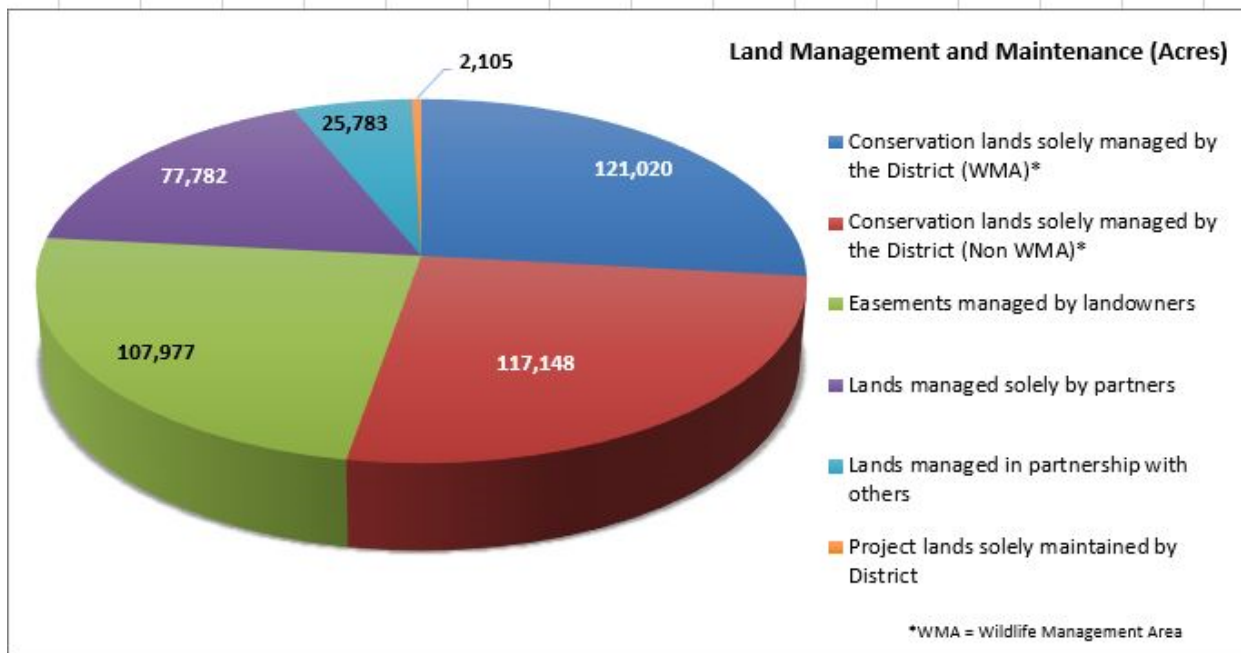
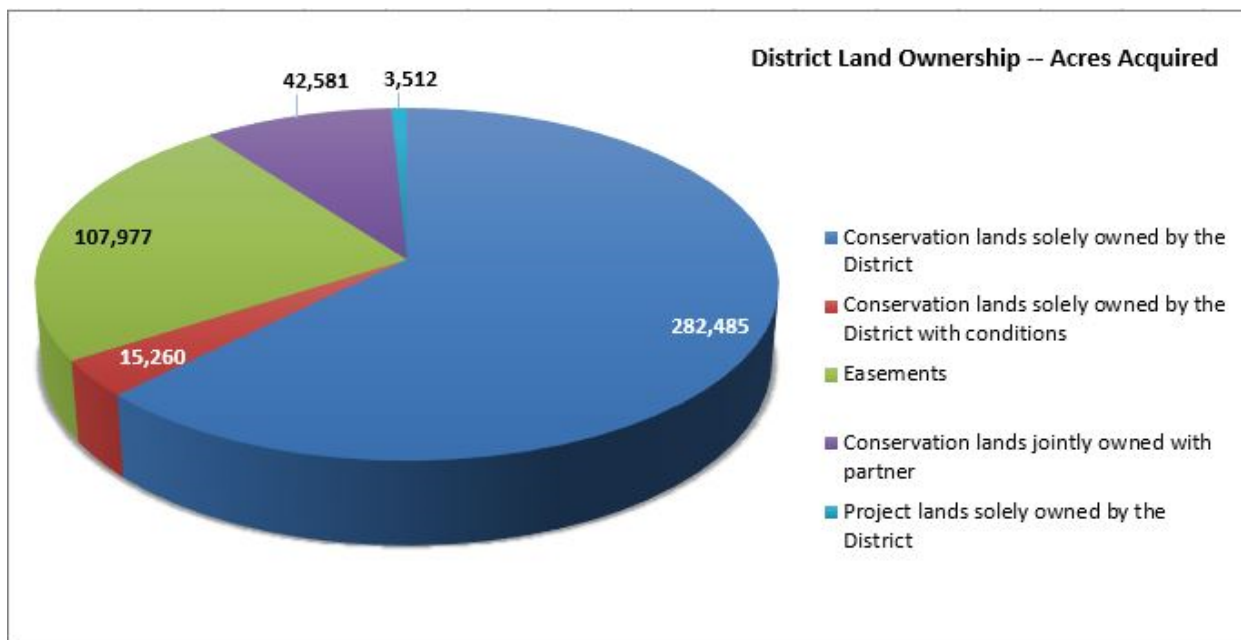
Land Resources/Land Use and Protection

Issued Special Use Authorization to the following:

- Marion County Board of County Commissioners for up to four attendees accompanied by District staff to tour the Camp Izard Battlefield Preserve.
- North American Butterfly Association for vehicle access to parts of the Green Swamp Wilderness Preserve-Hampton Tract as part of a butterfly count.
- Hernando County Department of Public Works for vessel access to portions of the Weekiwachee Preserve to post a total of 12-mile marker signs along the Weeki Wachee River between Shoal Line Boulevard and U.S. 19. to assist with emergency response and provide guidance to kayakers.
- City of St. Petersburg, HDR, Southeastern Surveying and Mapping Corporation and Tierra Inc. for vehicle access to Lake Tarpon Outfall Canal to perform a topographic survey, subsurface utility excavations, geotechnical investigation, design, and construction of a replacement section to the existing 48" water transmission main.
- Audubon of Florida for vehicle access to Potts Preserve, Ed Chance Reserve - Gilley Creek/Coker Prairie, Little Manatee River- Southfork Tract, Prairie/Shell Creek, and Halpata Tastanaki Preserve to conduct Scrub Jay surveys.
- University of South Florida (USF) for pedestrian access to Lower Hillsborough Wilderness Preserve for up to 15 participants to conduct bi-monthly macrofungi (mushroom)

collections. The date, location, habitat, and morphology of the fungi would be recorded into the USF Herbarium.

- Tierra, Inc., Kisinger Campo and Associates (KCA) on behalf of the Florida Department of Transportation for vehicle access to the Lake Hancock Tract to conduct environmental review for wetlands and protected species in connection with planned infrastructure improvements involving an added roadway project between the Polk Parkway and U.S. 17.
- Volunteers provided 159 hours of service at a value of approximately \$3,746.04 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.
- Processed 288 requests and provided 930 camping opportunities on District lands for the period from May 21, 2019 through June 11, 2019.
- 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
July 23, 2019**

REGULATION COMMITTEE

Discussion Items

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Submit & File Reports – None

Routine Reports

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REGULATION COMMITTEE

July 23, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

July 23, 2019

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**July 23, 2019*****Routine Report*****Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**

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 May 1, 2019 estimated a program total of 540 flow meters and 870 AMR devices. This revised assessment is due to expired permits, use change, deletion of withdrawals not required to be metered and have AMR devices and the completion of the Flow Meter Reimbursement Program. 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 current contract was executed on November 14, 2013 and will be completed September 30, 2019. An extension was made to the current contract to include replacement of 495 modems that will no longer be supported by Verizon by December 31, 2019. The modem replacements are to be completed by September 30, 2019. The second phase of work for ongoing maintenance and limited AMR installations will begin on October 1, 2019.

New Activities Since Last Meeting: As of June 1, 2019, a total of 538 flow meters have been installed (99 percent complete) with one meter left to install that the District received reimbursement paperwork prior to December 31, 2018 and 847 AMR units have been installed (97 percent complete). As of June 1, 2019, a total of 456 modems have to be replaced by September 30, 2019. As of June 25, 2019, 200 modems have been replaced (44 percent complete). *Project Manager: Talia M. 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

July 23, 2019

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 May 2019

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>						
10646.003	Safety Harbor Resort and Spa ¹	Industrial/Commercial - Boiler Feed & Miscellaneous	40,000 gpd	10/01/2018 51,504 gpd 28.8%	05/01/2019 53,499 gpd 33.8%	Tampa
1854.008	Panther Trails CDD ¹	Recreation - Lawn/Landscaping	4,600 gpd	02/01/2019 11,573 gpd 151.6%	05/01/2019 11,876 gpd 158.2%	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).

Overpumpage Report May 2019

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
Continuing From Previous Report						
368.010	The Heather Golf and Country Club ¹	Recreation - Lawn/Landscaping and Golf Course	59,700 gpd	11/01/2018 62,726 gpd 5.1%	04/01/2019 74,258 gpd 24.49% (Missing May 2019 data)	Brooksville
3219.007	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	322,600 gpd	11/01/2018 376,121 gpd 16.6%	05/01/2019 436,422 gpd 35.3%	Bartow
12900.002	Minto Bradenton LLC (Perico Island Development) ¹	Recreation - Lawn/Landscaping	130,500 gpd	11/01/2017 196,759 gpd 50.8%	05/01/2019 168,551 gpd 29.2%	Sarasota
696.006	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	210,600 gpd	05/01/2017 293,762 gpd 39.5%	05/01/2019 290,856 gpd 38.1%	Bartow
1156.012	Bay Laurel Center Public Water Supply System ³	Public Supply	2,555,000 gpd	09/01/2016 2,696,799 gpd 5.6%	05/01/2019 3,211,140 gpd 25.7%	Brooksville
2588.010	Kelly Family Holdings, LLC (Kelly Farms) ³	Agriculture – Potatoes and Pasture	1,043,600 gpd	11/01/2016 851,054 gpd 20.8%	05/01/2019 1,267,308 gpd 21.4%	Sarasota
7002.004	MHC FR Utility Systems, LLC ³	Public Supply	97,100 gpd	04/01/2015 104,929 gpd 8.1%	05/01/2019 162,618 gpd 67.5%	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

July 23, 2019

Routine Report

Individual Permits Issued by District Staff

Please see the attached report.

Staff Recommendation:

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

Presenter: Alba Más, P.E., Division Director, Regulation

INDIVIDUAL PERMITS ISSUED: ERPS – JULY 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43041552.009	Del Webb Lakewood Ranch, Phase III, IV, and V	Manatee	Construction of a 577-lot residential subdivision and associated infrastructure.	223.30	59.88	7.27	3.56
43019237.011	The Ridge Estates Phase 1 & 2 and Mass Grading Phase	Pasco	Phase 1 & 2 will have 250 single family residential lots. Phase 3 is the mass grading and for future development of additional 208 single family residential lots.	268.72	61.62	11.06	5.77
43013843.072	Long Lake Ranch Parcel C Mass Grading	Pasco	Mass grading for residential and commercial developments to include construction of ponds.	183.00	33.54	8.45	0.00
43029112.004	North Park Isles	Hillsborough	Construction of a 512-unit residential subdivision with associated stormwater management and wetland conservation areas.	182.34	114.34	8.17	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 – JULY 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
20000047.011	C D McIntosh Power Plant	Polk	Permit for same quantities; reuse is primary source of water.	Industrial & Commercial	2,592,000	2,592,000	20
20008481.006	Marion Utilities – Spruce Creek	Marion	Public supply permit renewal with decrease serving a population of 6,300 in the Spruce Creek community in Marion County.	Public Supply	1,180,000	834,400	20

**Governing Board Meeting
July 23, 2019**

GENERAL COUNSEL'S REPORT

Discussion Items

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Submit & File Reports – None

Routine Reports

40. July 2019 Litigation Report.....	169
41. July 2019 Rulemaking Update	182

GENERAL COUNSEL'S REPORT

July 23, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

July 23, 2019

Routine Report

July 2019 Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
July 2019

(Most recent activity in each case is in **boldface** type)

DELEGATED ADMINISTRATIVE HEARING MATTERS
3 Cases as of July 1, 2019

OPEN ENFORCEMENT CASES
61 Cases as of July 1, 2019

ENFORCEMENT CASES IN ACTIVE LITIGATION
1 Cases as of July 1, 2019
(Including Administrative Complaints)

PERMIT/AGENCY ACTION CHALLENGES
0 Cases as of July 1, 2019

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.

On January 30, 2019, counsel for the Applicant indicated that the Parties are close to formalizing a written settlement agreement regarding this matter; as such, the Parties will begin drafting a joint motion requesting the Administrative Law Judge cancel the scheduled hearing and place the case in abeyance until the settlement agreement is finally executed. On February 8, 2019, the Parties filed a Joint Motion to relinquish jurisdiction back to the District with the Administrative Law Judge and requested that the file at DOAH be closed. The Administrative Law Judge granted the Motion on February 12, 2019, closing the file at DOAH and sending the matter back to the District for the purpose of issuing the Permit and closing the case. **The Parties currently intend to finalize the settlement agreement within 90 days of the ALJ's Order close closing the case. The file will remain open but in abeyance at the District until the Parties finalize the settlement agreement.**

STYLE: SWFWMD v. FUFLUNS Holdings, LLC
COURT/CASE NO: SWFWMD
ATTORNEY: J. Fussell/ M. Bray
ACTION: Administrative hearing requested pursuant to an Administrative Complaint and Order issued by SWFWMD

DESCRIPTION: The District issued an Administrative Complaint and Order ("ACO") on April 26, 2019, to FUFLUNS Holdings, LLC ("Respondent"), for wetland dredge and fill activities undertaken by the Respondent for the purpose of providing waterway access to the Halls River from the Respondent's place of business, Greenhouse Bistro. The Respondent filed a Request for Hearing with the District on May 10, 2019, to challenge the ACO; the District referred the Request for Hearing to the Division for Administrative Hearings ("DOAH") on May 24, 2019. An Administrative Law Judge ("ALJ") was assigned and an initial order was entered on May 30, 2019. **On June 7, Respondent filed a Crossclaim seeking to add Gary Bartell, Jr., as an additional party. The District filed its Response in Opposition on June 14, and ALJ entered an order dismissing the crossclaim and denying Respondent's motion on June 17, 2019. The Final Hearing is scheduled for August 7 – 9, 2019, at the Homosassa Civics Club in Homosassa, Florida.**

STYLE: Rainbow River Conservation, Inc., Michelle Blasingame, Gretchen Martin, Senator Dennis Jones, Gordon Hart, and William Vibbert v. SWFWMD

COURT/CASE NO: Division of Administrative Hearings, Case No. 19-2517RP

ATTORNEY: A. Vining/ C. Tumminia/ M. Bray/ H. Ryan

ACTION: Administrative hearing challenging proposed amendment to Rule 40D-8.041, F.A.C. (MFL-Rainbow River System)

DESCRIPTION: On May 14, 2019, Rainbow River Conservation, Inc., Michelle Blasingame, Gretchen Martin, Senator Dennis Jones, Gordon Hart, and William Vibbert ("Petitioners") filed a Petition at the Division of Administrative Hearings ("DOAH") challenging the District's proposed adoption of a rule establishing a minimum flow ("MFL") for the Rainbow River System. On May 17, 2019, the DOAH Administrative Law Judge ("ALJ") issued a Notice of Hearing scheduling the hearing in the matter for June 10-12, 2019, at the District's Brooksville Headquarters. The same day the ALJ issued an Order of Pre-Hearing Instructions detailing how the case will be managed. The ALJ later issued an Amended Order of Pre-Hearing Instructions on May 20, 2019, correcting the deadline by which deposition exhibits must be provided. Subsequent to the filing of the petition, written discovery has been served and answered, and multiple depositions have been taken by both the Petitioners and the District. On May 20, 2019, Petitioners filed an Amended Petition. On May 24, 2019, Petitioners filed a Motion for View requesting that the ALJ take a glass-bottom boat ride on the Rainbow River to view the river. The District filed a response in opposition to the Motion for View on May 28, 2019. On June 3, 2019, the ALJ denied the Motion for View.

On June 6, 2019, the District filed motions to dismiss the Petition as well as motions to limit testimony or exclude the Petitioners' witnesses from testifying at the final hearing. Additionally, other factual and legal issues remaining for disposition were identified in the Parties' June 7, 2019 Joint Pre-hearing Stipulation. Argument on these motions was heard at the beginning of the formal administrative hearing, which took place in Brooksville from June 10-12, 2019. The hearing transcript of the final hearing was filed at DOAH on July 1, 2019 and the Parties have until July 31, 2019 to submit Proposed Final Orders. The ALJ's Final Order must be entered on or before September 11, 2019.

MISCELLANEOUS
10 Cases as of July 1, 2019

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 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.

On December 19, 2018, the deposition of Hillsborough County employee, Ronald M. Steijlen, was taken by Plaintiff. The deposition of the Corporate Representative for the Plaintiff has been rescheduled for February. The deposition of Michelle Hopkins will be rescheduled.

On February 28, 2019, the District took the deposition of the corporate representative for the Plaintiff, Tony's Roasted Pepper. Discovery is ongoing and additional depositions are scheduled for March. A mediation is scheduled for April 16, 2019 in this case.

On March 8, 2019, Plaintiff filed a Motion for Leave to Amend Complaint to add 2 new counts against Hillsborough County- Fraudulent Misrepresentation and Negligent Misrepresentation. On March 14, 2019, a Hearing was held on the Plaintiff's Motion for Leave to Amend and the Court granted the Plaintiff's Motion and removed the case from the trial docket. On March 28, 2019, the Court entered an Order granting Plaintiff's Motion for Leave to Amend Complaint. Plaintiff has until April 7, 2019 to file its Amended Complaint. On March 28, 2019, Plaintiff also served the District with a Proposal for Settlement. The District has until April 29, 2019 to respond to the Proposal for Settlement. The mediation scheduled for April 16, 2019 will be rescheduled.

On April 25, 2019, the District and Plaintiff agreed to settle this case. This matter is pending finalization of a Settlement Agreement and proposed Order, which would dismiss the District from this lawsuit.

On June 29, 2019, the Court entered a Final Order of Dismissal with Prejudice dismissing the District from the lawsuit, in accordance with the Settlement Agreement.

**STYLE:
COURT/CASE NO.:**

Uranowski, Christina v. SWFWMD
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 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.

On June 12, 2019, the District received Plaintiff's Second Request for Production of Documents to Defendants. The District's response is due on or before July 12, 2019.

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.

On January 22, 2019, Plaintiffs served Answers to the District's Interrogatories and First Request to Produce. The Plaintiff's deposition is scheduled for June 26, 2019.

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/Pasco 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 Verified Amended Complaint with leave to amend. The Court's order was rendered on November 26, 2018, from which Plaintiffs have 20 days to file their Second Amended Complaint.

On December 17, 2018, the District was served with the Plaintiffs' Second Amended Complaint. The District Intends to file a Motion to Dismiss this Complaint by on or before January 7, 2019.

On January 4, 2019, the District and Brian Armstrong served their Motion to Dismiss Plaintiff's Second Amended Complaint or, in the Alternative, Motion for More Definite Statement. Similar Motions to Dismiss Were served by Defendants, Keene Services, Inc. and the City of Dade City and Keene Services, Inc. on January 8, 2019 and January 22, 2019, respectively. On March 1, 2019, the Plaintiff filed its Motion for Leave to File Third Amended Complaint, and 2 of its 4 attorneys filed Motions to Withdraw as counsel for Plaintiff. The District's Motion to Dismiss is scheduled for hearing on June 14, 2019.

A hearing is scheduled for May 9, 2019 on the Plaintiffs' Motion for Leave to File Third Amended Complaint. The District has filed a Response and Objection to Plaintiffs' Motion for Leave to File Third Amended Complaint.

On May 9, 2019, the Court held a hearing on the District's Response and Objection to Plaintiff's Motion for Leave to File Third Amended Complaint and held the matter in abeyance until the District's Motion to Dismiss is heard on June 14, 2019.

On June 14, 2019, the Court heard the District's Motion to Dismiss and dismissed the Negligence and Writ of Mandamus claims against the District with prejudice, dismissed the Writ of Mandamus against Brian Armstrong with prejudice, and dismissed the Inverse Condemnation claim against the District without prejudice to refile. The Plaintiff has 45 days to amend its Complaint in this matter.

STYLE: Roberto Valdez v. SWFWMD and Brian Armstrong, in his capacity as the SWFWMD Executive Director, et. al.

COURT/CASE NO.: Sixth Judicial Circuit/Pasco 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 January 30, 2019, 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). The District will file its answer or motion to dismiss by no later than March 1, 2019.

On March 1, 2019, the District and Brian Armstrong served their Motion to Dismiss Plaintiff's Verified Complaint or, in the Alternative, Motion for More Definite Statement. The District's Motion to Dismiss is Scheduled for June 20, 2019.

Following the Motions to Dismiss in the Denlinger case on June 14, 2019, the Plaintiff agreed to the same ruling in this case. Therefore, the Court dismissed the Negligence and Writ of Mandamus claims against the District with prejudice, dismissed the Writ of Mandamus against Brian Armstrong with prejudice, and dismissed the Inverse Condemnation claim against the District without prejudice to refile. The Plaintiff has 45 days to amend its Complaint in this matter.

STYLE: Heritage Lake Part Community Development District v. Heritage Lake Partners, LLC; Charlotte County; Charlotte County School District; Charlotte County Tax Collector; SWFWMD, et al.

COURT/CASE NO.: Twentieth Judicial Circuit/Charlotte County; Case No. 2018-CA-001191

ATTORNEY: C. Tumminia

ACTION: Action to Foreclose Liens for Delinquent Special Assessments.

DESCRIPTION: On December 21, 2018, the District was served with a Complaint seeking to foreclose liens on certain Properties in Charlotte County resulting from the property owners' failure to pay special tax assessments levied by Heritage Lake Park Community Development District ("Heritage Lake CDD"). The District is named as a Defendant in this case because the properties at issue also have delinquent ad valorem tax payments owed to the District. Pursuant to Chapter 173, F.S., the District and Heritage Lake CDD's tax liens are coequal and subject to satisfaction determined by the Charlotte County Tax Collector. The District filed an Answer and Affirmative Defenses on January 14, 2019, to ensure that the District receives the appropriate Amounts of proceeds following the foreclosure and sale of the properties. **On June 13, 2019, the Court entered an Order cancelling the mandatory case management conference as a result of the Parties' stipulation to proceed to trial on September 30, 2019.**

STYLE: In re: Cecil Daughtrey; Joseph Gilberti v. United States Trustee; United States Trustee Receiver; MUFG Union Bank, N.A.; SWFWMD

COURT/CASE NO.: U.S. Bankruptcy Court/Middle District of Florida; Case No. 9:19-ap-00104-FMD

ATTORNEY: S. Stichter/C. Tumminia

ACTION: Adversary Complaint in Chapter 7 Bankruptcy Proceeding

DESCRIPTION: On February 28, 2019, the District was served with a Summons and Adversary Complaint in United States Bankruptcy Court for the Middle District of Florida relating to an ongoing Chapter 7 bankruptcy proceeding. The Plaintiff in this case has alleged in the Complaint that the Southwest Florida Water Management District is a participant in a large- scale racketeering conspiracy designed to conceal an underground "fountain of youth." The Plaintiff has argued similar allegations in other civil complaints filed in various state and federal judicial tribunals. The matter has been referred to the District's outside counsel, and on April 4, 2019, the District's Motion to Dismiss the Adversary Complaint was filed. To date, the Court has not entered a ruling on the District's Motion to Dismiss.

STYLE: Cow Hammock LLC v. Suggs, et al.

COURT/CASE NO.: Fifth Judicial Circuit/Sumter County; Case No. 19-CA-000142

ATTORNEY: C. Tumminia

ACTION: Action to Quiet Title

DESCRIPTION: On April 22, 2019, the District was served with a Summons and Complaint seeking to quiet title on property located in Sumter County, Florida ("Property"). The Plaintiff purchased a tax deed and obtained title to the Property on September 13, 2018. The District is named as a Defendant in this case because the Property was previously the subject of an enforcement action initiated by the District against the prior Property owner. On July 9, 2009, the District obtained a judgment in circuit court against the prior Property owner and subsequently recorded a Notice of Sheriff's Levy over the Property in an attempt to collect on the judgment. The District and the prior Property owner entered into a settlement agreement in February 2015, but the recorded Notice of Sheriff's Levy remains a

cloud on the Plaintiff's title. The District's Answer and Affirmative Defenses to the Complaint was filed on May 13, 2019.

STYLE: Joseph D. Gilberti v. Ron DeSantis, SWFWMD, et al.
COURT/CASE NO.: Middle District of Florida; Case No. 2:19-cv-282-FtM – 38 MRM
ATTORNEY: E. Fernandez / C. Tumminia
ACTION: R.I.C.O.
DESCRIPTION: On May 28, 2019, the District was served with a Summons and Complaint in Middle District of Florida. The Plaintiff in this case has alleged in the Complaint that the Southwest Florida Water Management District is a participant in a large-scale racketeering conspiracy designed to conceal an underground “fountain of youth.” The Plaintiff has argued similar allegations in other civil complaints filed in various state and federal judicial tribunals. The District’s deadline to appear and respond is June 18, 2019. On June 17, 2019 the District filed a Motion to Stay the proceedings pending the outcome of the appeal in the case pending before the Court in the District of Columbia. The District filed a Motion to Dismiss on June 19, 2019. The Middle District Judge granted the Motion to Stay on June 20, 2019 and all proceedings are stayed pending the outcome of the appeal. Notice to be provided to the Court 7 days after the appeal is resolved.

STYLE: Joseph D. Gilberti v. Federal Reserve System, SWFWMD, et al.
COURT/CASE NO.: US District Court, District of Columbia; Case No. 1:19-cv-00738
ATTORNEY: C. Tumminia / A. Vining
ACTION: R.I.C.O.
DESCRIPTION: On May 28, 2019, the District was served with a Summons and Complaint for a case in the US District Court in the District of Columbia. The Plaintiff in this case has alleged in the Complaint that the Southwest Florida Water Management District is a participant in a large-scale racketeering conspiracy designed to conceal an underground “fountain of youth.” The Plaintiff has argued similar allegations in other civil complaints filed in various state and federal judicial tribunals. At this time, the District Court has issued a Memorandum of Opinion in which it stated that the “claims are patently insubstantial.” The District Court entered an Order on April 29, 2019 stating the Plaintiff’s Complaint was dismissed without prejudice.

APPEALS

0 Cases as of July 1, 2019

DELEGATED CONSENT ORDERS

0 Cases as of July 1, 2019

GENERAL COUNSEL'S REPORT

July 23, 2019

Routine Report

July 2019 Rulemaking Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

RULEMAKING UPDATE
JULY 2019
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 adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	Effective Approx. September 2019	June 2017
3. 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 as of July 17, 2019	November 2018
4. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lakes Church and Echo in Hillsborough County	September 2019 (projected)	Public Workshop, August 5, 2019	September 2019 (projected)
5. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Charles in Hillsborough County	September 2019 (projected)	Public Workshop, August 6, 2019	September 2019 (projected)
6. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Calm in Hillsborough County	September 2019 (projected)	Public Workshop, August 13, 2019	September 2019 (projected)

Attachment: 7-2019 General Counsel -Rulemaking Update (for July 2019 GB-Meeting) (4475 : July 2019 Rulemaking Report)

COMMITTEE/LIAISON REPORTS

July 23, 2019

Discussion Item

Environmental Advisory Committee

Staff Recommendation:

Presenter: Michelle Williamson, Board Member

COMMITTEE/LIAISON REPORTS

July 23, 2019

Discussion Item

Other Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

July 23, 2019

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

July 23, 2019

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Mark Taylor, Chair

CHAIR'S REPORT

July 23, 2019

Discussion Item

Other

Staff Recommendation:

Presenter: Mark Taylor, Chair

CHAIR'S REPORT

July 23, 2019

Routine Report

Employee Milestones

Staff Recommendation:

Presenter: Mark Taylor, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau
5	07/07/2014	Kelly Everidge	Business Process Technician	Brooksville	Water Resources
15	07/06/2004	Carole Estes	Senior Professional Geologist	Sarasota	Natural Systems and Restoration
15	07/06/2004	Janice Cox	Senior Human Resources Technician	Brooksville	Human Resources Office
15	07/12/2004	Ken Griner	Staff Engineer	Bartow	Environmental Resource Permit
20	07/26/1999	Butch DeVary	Senior Heavy Equipment Operator	Brooksville	Operations and Land Management
25	07/28/1994	Shellie Ferreira-Lee	Records Management Specialist	Brooksville	General Services
30	07/19/1989	James Beasley	Field Operations Supervisor	Brooksville	Operations and Land Management