Governing Board Meeting

Agenda and Meeting Information

June 25, 2019

9:00 AM

Tampa Bay Water
2575 Enterprise Road • Clearwater, Florida
(727) 796-2355
Final Agenda

GOVERNING BOARD MEETING

JUNE 25, 2019

9:00 AM

Tampa Bay Water
2575 ENTERPRISE ROAD, CLEARWATER, FL 33763
(727) 796-2355

All meetings are open to the public.

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

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

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

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

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

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

The current Governing Board agenda and minutes of previous meetings are on the District's web site: www.WaterMatters.org
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. Election of Governing Board Officers
5. Additions/Deletions to Agenda
6. Public Input for Issues Not Listed on the Published Agenda

CONSENT AGENDA (TAB B)

Resource Management Committee
7. FY2019 Springs Septic and Package Plant Conversion Projects Update

Finance/Outreach & Planning Committee
8. Independent Auditing Services Contract
9. Knowledge Management: Travel Governing Board Policy
10. Governing Board Travel - Annual Environmental Permitting Summer School
11. District Agricultural - Type Tractor Replacement
12. Budget Transfer Report

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

General Counsel’s Report
14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
   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

15. Rulemaking-None

Executive Director’s Report
16. Approve CFI Southern Region Meeting Minutes – April 3, 2019
17. Approve CFI Heartland Region Meeting Minutes – April 4, 2019
18. Approve CFI Northern Region Meeting Minutes – April 10, 2019
19. Approve CFI Tampa Bay Region Meeting Minutes – April 11, 2019
20. Approve Governing Board Minutes – May 21, 2019

RESOURCE MANAGEMENT COMMITTEE (TAB C)

Discussion
21. Consent Item(s) Moved for Discussion
22. Tampa Bay Water Update
23. City of Punta Gorda Reverse Osmosis Water Treatment Facility (N780) – Cost Change

Submit & File Reports – None

Routine Reports
24. Minimum Flows and Levels Status Report
25. Significant Water Resource and Development Projects
26. Consent Item(s) Moved for Discussion
27. Fiscal Year 2020 Recommended Annual Service Budget

Submit & File Reports
28. Knowledge Management: Legislative Coordination

Routine Reports
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

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB E)

Discussion
33. Consent Item(s) Moved for Discussion
34. 2019 Hurricane Preparedness
35. Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures

Submit & File Reports
36. Hydrologic Conditions Report

Routine Reports
37. Surplus Lands Update
38. Structure Operations
39. Significant Activities

REGULATION COMMITTEE (TAB F)

Discussion
40. Consent Item(s) Moved for Discussion
41. Denials Referred to the Governing Board

Submit & File Reports – None

Routine Reports
42. DPWUCA Flow Meter AMR Implementation Program Update
43. Overpumpage Report
44. Individual Permits Issued by District Staff

GENERAL COUNSEL’S REPORT (TAB G)

Discussion
45. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports
46. June 2019 Litigation Report
47. June 2019 Rulemaking Report

COMMITTEE/LIAISON REPORTS (TAB H)

48. Agricultural & Green Industry Advisory Committee
49. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR’S REPORT (TAB I)

50. Executive Director’s Report

CHAIR’S REPORT (TAB J)

51. Chair’s Report
52. Other
53. Employee Milestones

ADJOURNMENT

★★★ RECESS PUBLIC HEARING ★★★
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 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., Tampa Office)
August 27, 2019 (9:00 a.m., Brooksville Office)
September 24, 2019 (3:00 p.m., Tampa Office)

Governing Board Public Budget Hearings – 5:01 p.m., Tampa Office
2019 – September 10 & 24

Public Meeting for Pending Permit Applications – 9:00 a.m., Tampa Office
2018 – October 3; November 7; December 5
2019 – January 2; February 6; March 6; April 3; May 1; June 5; July 10; August 7; September 4

Environmental Resource Permitting Advisory Group – 10:00 a.m., and
Water Use Permitting Advisory Group – 2:00 p.m., Tampa Office
2018 – November 28
2019 – March 27; July 24

Agricultural & Green Industry Advisory Committee – 9:00 a.m., Tampa Office
2018 – December 6
2019 – March 7, June 6, September 5

Environmental Advisory Committee – 1:30 p.m., Tampa Office
2018 – October 2
2019 – January 8, April 9, July 9

Industrial Advisory Committee – 10:00 a.m., Tampa Office
2018 – November 6
2019 – February 19, May 14, August 13

Public Supply Advisory Committee – 1:00 p.m., Tampa Office
2018 – November 6
2019 – February 19, May 14, August 13

Well Drillers Advisory Committee – 1:30 p.m., Tampa Office
2018 – October 10
2019 – January 9; April 10; July 10;

Springs Coast Management Committee – 1:30 p.m., Brooksville Office
2018 – October 31, December 12
2019 – January 9, February 27, May 15, August 21

Springs Coast Steering Committee – 2:00 p.m., Brooksville Office
2019 – Jan 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
Executive Summary
GOVERNING BOARD MEETING

JUNE 25, 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. Election of Governing Board Officers
5. Additions/Deletions to Agenda
6. Public Input for Issues Not Listed on the Published Agenda

CONSENT AGENDA (TAB B)

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

Resource Management Committee
7. FY2019 Springs Septic and Package Plant Conversion Projects Update
   At the August 2017 Budget Workshop, the Board prioritized combining District funds with state and local funds in an efficient manner that incentivizes septic to sewer conversions in the five first-magnitude springsheds. The Board also identified the need to protect District investment by ensuring controls were put in place to prevent additional pollution from new septic systems.

   Draft controls were developed for CFI septic conversion projects and presented to the Board in January and April 2018. These controls include: the project must be within a Priority Focus Area (PFA) of a Basin Management Action Plan (BMAP); the project must be funded by the Florida Department of Environmental Protection (FDEP) Springs funding at a 50 percent cost share; the cooperator must have a local ordinance in place requiring connection; the cooperator must also have a local ordinance in place restricting conventional septic systems on lots less than one acre. These conditions will be part of the District’s cooperative funding agreement and repayment will be required if the conditions are not met.

   For the FY2019 CFI cycle, the following four springs septic conversion projects were recommended by the Northern Region Subcommittee in April 2018, approved by the full Governing Board in May 2018, and submitted to the State for their funding consideration.
- W430 - Indian Waters Septic to Sewer Phase II
- W432 - Cambridge Greens Septic to Sewer
- W434 - Southern Septic to Sewer
- WH04 - Old Homosassa West Septic to Sewer

Funding for these projects was not included in the District’s FY2019 adopted budget since the State’s approval process was not finalized. The State funding has since been appropriated by the Florida Legislature in May 2019 for FY2020.

The four FY2019 springs septic conversion projects are located within the PFA of a BMAP. Cumulatively, they will reduce nitrogen loading by an estimated 12,950 pounds per year. The FY2019 and FY2020 funding requests for FDEP’s share and the District’s share for all four of these projects have been included in the District’s FY2020 Recommended Annual Service Budget (RASB). Funding for these projects is summarized in the following table.

<table>
<thead>
<tr>
<th>Project</th>
<th>Cooperator</th>
<th>Title</th>
<th>FDEP</th>
<th>District</th>
<th>Cooperator</th>
<th>Legislative</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>W430</td>
<td>Crystal River</td>
<td>Indian Waters Septic to Sewer Phase II</td>
<td>$2,250,000</td>
<td>$1,125,000</td>
<td>$1,125,000</td>
<td>0</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>W432</td>
<td>Citrus County</td>
<td>Cambridge Greens Septic to Sewer</td>
<td>$3,250,000</td>
<td>$1,450,500</td>
<td>$1,450,500</td>
<td>$349,000</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>W434</td>
<td>Crystal River</td>
<td>Southern Septic to Sewer</td>
<td>$3,250,000</td>
<td>$1,625,000</td>
<td>$1,625,000</td>
<td>0</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>WH04</td>
<td>Citrus County</td>
<td>Old Homosassa West Septic to Sewer</td>
<td>$3,000,000</td>
<td>$1,382,200</td>
<td>$1,382,200</td>
<td>$235,600</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$11,750,000</td>
<td>$5,582,700</td>
<td>$5,582,700</td>
<td>$584,600</td>
<td>$23,500,000</td>
</tr>
</tbody>
</table>

Revised project evaluations for W430, W432, W434 and WH04 are included as Exhibit 1 with the Funding tables updated to reflect the FY2020 RASB.

Staff recommends 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**

Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging James Moore & Co., P.L.(JMCO) to perform the fiscal year 2018-19 auditing services.

On July 25, 2017, the Governing Board approved the hiring of JMCO, Certified Public Accountants, to perform the annual audit of the District’s financial statements and the necessary federal and state single audits as a result of the District’s bid. The contract was awarded to JMCO for one-year, with four one-year renewals in accordance with the provisions of the bid. This renewal represents the second one-year renewal.

In accordance with terms of the contract, JMCO has requested an increase in compensation of 1.2 percent which equates to an approximate increase of $1,056 depending on how many single audits are required.
### Basic Financial Statements

<table>
<thead>
<tr>
<th>Services</th>
<th>FY2019</th>
<th>FY2018</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Financial Statements</td>
<td>$83,996</td>
<td>$83,000</td>
<td>$996</td>
</tr>
<tr>
<td>Each Federal Single Audit</td>
<td>3,036</td>
<td>3,000</td>
<td>36</td>
</tr>
<tr>
<td>Each State Single Audit</td>
<td>2,024</td>
<td>2,000</td>
<td>24</td>
</tr>
<tr>
<td>Total</td>
<td>$89,056</td>
<td>$88,000</td>
<td>$1,056</td>
</tr>
</tbody>
</table>

Actual costs for the previous audits included under this contract is as follows:

<table>
<thead>
<tr>
<th>Services</th>
<th>FY2018</th>
<th>FY2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Financial Statements</td>
<td>$83,000</td>
<td>$83,000</td>
</tr>
<tr>
<td>Federal Single Audits @ $3,000 each</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>State Single Audits @ $2,000 each</td>
<td>2,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Total</td>
<td>$85,000</td>
<td>$87,000</td>
</tr>
</tbody>
</table>

Apart from the slight increase in fees, there are no significant changes to the contract other than the time requirements, reflecting that the audit is for the fiscal year 2018-19 financial audit.

**Staff recommends the Board:**
- Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging 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.

### Knowledge Management: Travel 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.

As discussed at the May 2019 Governing Board meeting, staff performed a review of the Travel Governing Board Policy and deemed it necessary to update the policy. The minor modifications include adding language clarifying that the Executive Director can delegate the authorization and approval of staff travel and to remove procedural language that is included in the District’s Travel Procedure. The revised policy has been provided as an attachment.

**Staff recommends the Board** approve the Travel Governing Board Policy as revised.

### Governing Board Travel – Annual Environmental Permitting Summer School

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Travel to any conference or convention requires prior approval.

Within the geographic boundaries of the District, Governing Board members may incur travel expenses to attend Governing Board meetings or for other purposes beneficial to the District, excluding conferences and conventions. Scheduled travel for Governing Board members outside the District or to attend conferences or conventions requires prior approval through the consent agenda of a regular monthly Governing Board meeting. Non-scheduled travel...
outside the District or to attend any conference or convention requires prior approval of the Governing Board Chair, or in his absence, the Vice Chair.

### 33th Annual Environmental Permitting School Marco Island July 15- July 19, 2019

<table>
<thead>
<tr>
<th>Name</th>
<th>Registration</th>
<th>Lodging $181/Night</th>
<th>Mileage Cost</th>
<th>Meals</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Henslick</td>
<td>(Early) Registration $600</td>
<td>$720</td>
<td>$117</td>
<td>$104</td>
</tr>
<tr>
<td>Jim Murphy</td>
<td>Registration $650 Early Bird $75</td>
<td>$720</td>
<td>$142</td>
<td>$104</td>
</tr>
<tr>
<td>Paul Senft</td>
<td>(Early) Registration $550 Early Bird $75</td>
<td>$720</td>
<td>$155</td>
<td>$104</td>
</tr>
<tr>
<td>Rebecca Smith</td>
<td>Registration $650 Early Bird $75</td>
<td>$720</td>
<td>$164</td>
<td>$104</td>
</tr>
</tbody>
</table>

Staff recommends the Board approve Governing Board travel as presented.

11. **District Agricultural – Type Tractor Replacement**
   The District purchased a Massey Ferguson Model 4370 agricultural-type tractor in 2004. It is used by the Field Operations Section. Its primary function is for the management of District conservation lands, U.S. Army Corps of Engineers dams and canals, reservoirs, and treatment wetland. Agricultural-type tractors are used by the District primarily to pull implements to perform required maintenance activities such as mowing, disking, and restoration of uplands.

   The current agricultural-type tractor was purchased in 2004 for $38,754. It is 15 years old and has reached the end of its useful life. The tractor has 4,297 hours of use and has a life-to-date maintenance cost of $39,048. Repair costs are expected to rise further due to the age of the asset. Availability of parts for older machines is also a consideration that can affect the downtime and use of the tractor.

   In accordance with Board Policy 150-1, the proposed replacement unit has been competitively quoted resulting in a replacement cost of $94,891.40. Replacing this unit will ensure conservation land maintenance, land management activities, and District works continue to be completed efficiently.

   Staff recommends 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**
   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 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)**

This is a new Water Use Permit for agricultural use. This new WUP results from the partial transfer of quantities resulting from the sale of a portion of property associated with WUP No. 20020253.001. The permit authorizes an annual average quantity of 674,000 gallons per day (gpd) and a peak month quantity 2,720,700 gpd. There are no changes in Use Type from the originating permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD, for row crops. This permit is located within the Southern Water Use Caution Area (SWUCA). The Permittee is not using alternative water supply (AWS) sources because none are available at this location at this time.

Special Conditions include those that require the Permittee to report monthly meter readings, perform meter accuracy checks every five years (next report due September 1, 2020), comply with the allocated quantities and submit an overpumpage report upon request, to implement water conservation and best management practices and provide an update to the Water Conservation Plan at permit midterm (by July 1, 2029), evaluate the feasibility of reclaimed water use upon notice by the District, modify the permit upon incorporating an AWS, submit seasonal crop reports by February 1 and September 1 of each year; 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. 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 274,000 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 Farm 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 annual average and peak month quantities increased based on an updated version of AGMOD and an additional 40 acres of blueberries. 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

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


James Barfield is a licensed water well contractor, holding License No. 9387 (“License”), whose mailing address is PO Box 634, Ellenton, Florida. Mr. Barfield is President of Mudd’s Power and Pumps, Inc., and conducts business under that name.

On March 22, 2019, District staff received a complaint regarding the attempted construction of an irrigation well at 1824 Paleo Point Drive, Ruskin, Florida (“Property”). The property owner advised the District that he had retained Mudd’s Power and Pumps, Inc. for the purpose of constructing an irrigation well. On March 26, 2019, District staff conducted a well construction inspection at the property and observed the attempted well construction. District staff noted partially driven casing that did not meet appropriate casing and pipe standards, the well did not have the required bentonite added to the casing and finally, that the well head was not sealed with a watertight cover. District staff determined that Mr. Barfield had also failed to obtain a well construction permit to construct the well.

On March 27, 2019, District staff spoke with Mr. Barfield to discuss these violations. Mr. Barfield acknowledged he was unable to complete the irrigation well.

On Friday April 26, 2019, District Staff sent a Notice of Violation and a proposed Consent Order to Mr. Barfield assessing 23 points against his License and providing for an administrative penalty in the amount of $2,500.00 the violations. Mr. Barfield has not contacted the District in response to the Notice of Violation and proposed Consent Order.

Staff recommends 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.


Ryan Etheridge is a water well contractor operating under License No. 9467 (“License”) issued by the Southwest Florida Water Management District (“District”). The District received a complaint that a water well Mr. Etheridge constructed for domestic supply use (“Water Well”) was producing sand. District staff conducted a site assessment at the property where the Water Well was constructed and were informed that Mr. Etheridge made multiple attempts to construct the Water Well, at least two of which were unsuccessful due to borehole collapse. Mr. Etheridge subsequently verified this information.

Based on the site assessment and discussions with Mr. Etheridge and the property owners, District staff determined that the failure to obtain a permit to properly plug and abandon the second incomplete well, the failure to obtain a new permit after the last failed
attempt, the failure to include two failed attempts in the well completion report, and the
failure to properly construct the Water Well were violations of state law and District rules.
District staff issued a Notice of Violation and proposed Consent Order to Mr. Etheridge
that provided for an administrative penalty in the amount of $2,100.00 and assessment of
points and probation on Mr. Etheridge’s License. Mr. Etheridge did not respond to the
Notice of Violation and proposed Consent Order.

As a result, District staff now seek authorization to issue an Administrative Complaint and
Order to resolve this matter.

Staff recommends 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

The Links at River Ridge, LLC (“The Links”), is the owner of the River Ridge Golf Club
(“Golf Club”) in Pasco County. The District issued Water Use Permit No. 20008118.003
(“Permit”) to the prior owner of the Golf Club. The Permit expired and the prior owner
subsequently transferred ownership of the Golf Club to The Links.

District staff notified The Links that the Permit was expired and offered an opportunity to
obtain a new permit without further compliance efforts. The Links did not respond. District
staff conducted a site visit at the Golf Club and observed active irrigation. Based on this
information, District staff determined that the failure to obtain a water use permit prior to
the withdrawal of water was and continues to be a violation of state law and District rules.
District staff issued a Notice of Violation and proposed Consent Order to The Links that
provided for an administrative penalty and costs in the amount of $4,250.00. The Links
did not respond to the Notice of Violation and proposed Consent Order.

As a result, District staff now seek authorization to issue an Administrative Complaint and
Order to resolve this matter.

Staff recommends 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 recommends the Board approve the minutes as presented.

17. **Approve CFI Heartland Region Meeting Minutes – April 4, 2019**
   Staff recommends the Board approve the minutes as presented.

18. **Approve CFI Northern Region Meeting Minutes – April 10, 2019**
   Staff recommends the Board approve the minutes as presented.

19. **Approve CFI Tampa Bay Region Meeting Minutes – April 11, 2019**
   Staff recommends the Board approve the minutes as presented.

20. **Approve Governing Board Minutes – May 21, 2019**
   Staff recommends the Board approve the minutes as presented.

---

**RESOURCE MANAGEMENT COMMITTEE (TAB C)**

Discussion

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

22. **Tampa Bay Water Update**
   Tampa Bay Water has continued to fulfill its mission to reliably provide clean, safe water for more than 2.5 million residents and businesses throughout their service area. The District and Tampa Bay Water continue to closely coordinate on important items including long-term water resource planning, cooperative funding initiative opportunities, shared operational and land use activities, Minimum Flows and Levels, and regulatory items.

   Tampa Bay Water’s General Manager Matt Jordan will provide an overview to the Board on Tampa Bay Water activities.

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

23. **City of Punta Gorda Reverse Osmosis Water Treatment Facility (N780) – Cost Change**
   The purpose of this item is to consider a request from the City of Punta Gorda to amend an existing Cooperative Funding Agreement for the Reverse Osmosis (RO) Water Treatment Facility Project (N780) to increase total project costs from $32,200,000 to $36,600,000, an increase of $4,400,000, with the District share increasing by $2,200,000.

   The City of Punta Gorda (City) obtains potable water from the Shell Creek in-stream reservoir constructed in 1964. The reservoir’s active capacity is approximately 320 million gallons and the City is permitted (Water Use Permit #871) for withdrawals up to 8.088 million gallons per day (mgd) annual average. The reservoir water quality has historically been impacted by elevated Total Dissolved Solids (TDS) concentrations and in 2011, and again in 2016, the Florida Department of Environmental Protection granted a TDS exemption to the City to exceed secondary drinking water quality standards.

   The City is developing a 4.0 mgd RO water treatment facility co-located with the existing Shell Creek Surface Water Treatment Facility, primarily to add a blending source to ensure the facility can meet drinking water standards year-round. Additional project benefits include providing a regional back-up water supply via connection to the Peace River Manasota Regional Water Supply Authority’s (PRMRWSA) Regional Loop System Phase 1
Interconnect, which is scheduled for construction at the same time, along with reductions of surface water withdrawals to meet minimum flows in Lower Shell Creek.

The District’s Governing Board discussed the project and approved initial funding in July 2014. The total project cost at the time was $32,200,000 based on a preliminary design estimate. A cooperative funding agreement with the City was executed in April 2016. The agreement included conditions for conducting two sequential District-implemented Third-Party Reviews (TPR), first on a brackish wellfield feasibility study and second on the RO water treatment facility’s design. Governing Board authorization was required to proceed with the project following each TPR. The brackish wellfield study TPR was approved in September 2017 and the TPR of the RO water treatment facility was approved in December 2017.

At the December 2017 Governing Board meeting, staff provided the Board a revised cost estimate from the City of $39,400,000 which was $7,200,000 above the original project estimate. At this meeting the City did not request additional funds from the District associated with the cost increase. As required by the Cooperative Funding Agreement executed in April of 2016, the City intended to provide all funds above the original project estimate ($7.2 million) necessary to complete the project.

The District is also scheduled to finalize minimum flows for the Lower Shell Creek estuary system in 2020. Much of the technical analysis to establish the minimum flow has been completed. This analysis has indicated that both the RO treatment facility and the PRMRWSA pipeline will be required as a recovery strategy to meet the minimum flow while also maintaining the water supply system reliability at existing levels over the next 20 years. In addition, the City will likely need to construct a weir bypass pipeline/structure to allow minimum flows to route around the dam.

The City has acknowledged that the RO water treatment facility, as well as the PRMRWSA interconnect pipeline, will be needed to meet the Lower Shell Creek minimum flow and has requested the District consider funding a portion of the project cost increase. The total project cost is estimated at $39,400,000; however, $2,800,000 of the total estimated project cost is associated with expanding certain components of the RO plant to efficiently accommodate a future capacity increase from 4.0 to 8.0 mgd. Therefore, the City considers the actual project cost of the 4.0 mgd capacity facility to be $36,600,000, which is $4,400,000 or 13.7 percent above the original estimate of $32,200,000. The City has requested the District consider funding $2,200,000 or 50 percent of this cost increase. The City has also received $900,000 in State funding which was applied to final design work. The State funds reduce both parties’ share, bringing the District’s total requested share to $17,850,000.

Construction of the RO treatment facility is on schedule and is estimated to be complete in June of 2020. Construction of the PRMRWSA Regional Loop System Phase 1 Interconnect is also on schedule and is estimated to be complete by May 2020.

The total project cost estimate for the 4.0 mgd RO treatment facility cooperative funding request is now $36,600,000. The project will provide 4.0 mgd of brackish groundwater supply (expandable to 8.0 mgd) for blending at the City’s co-located Shell Creek surface water treatment facility to improve water supply reliability while also meeting drinking water standards. The project will also allow the City to meet minimum flow requirements in the Lower Shell Creek estuary system.
Staff recommends 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.

Submit & File Reports – None

Routine Reports
The following items are provided for the Committee’s information, and no action is required.
24. Minimum Flows and Levels Status Report
25. Significant Water Resource and Development Projects

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB D)

Discussion
26. Consent Item(s) Moved for Discussion

27. Fiscal Year 2020 Recommended Annual Service Budget
Submit fiscal year (FY) 2020 Recommended Annual Service Budget (recommended budget) for consideration by the Governing Board as required by statute; and authorize staff to prepare the Standard Format Tentative Budget Submission based on the recommended budget, 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.

Pursuant to Section 373.536(2), Florida Statutes (F.S.), the District shall, on or before July 15 of each year, submit for consideration by the Governing Board a tentative budget for the District covering its proposed operations and funding requirements for the ensuing fiscal year. On June 25, staff will present the recommended budget to the Governing Board.

Pursuant to Section 373.536(5)(d), F.S., by August 1 of each year, the District shall submit for review a tentative budget and a description of any significant changes from the preliminary budget submitted to the Florida Legislature to the Executive Office of the Governor (EOG), President of the Senate, Speaker of the House of Representatives, chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over water management districts, Secretary of the Department of Environmental Protection, and the governing body of each county in which the District has jurisdiction or derives any funds for the operations of the District. This tentative budget is known as the Standard Format Tentative Budget Submission.

Staff will provide an overview of the FY2020 recommended budget including a review of proposed expenditures and revenues. Expenditures will be reviewed by fund, category, program and area of responsibility. The recommended budget provided to each Governing Board member as an exhibit to the overview includes charts, variance analysis and detailed descriptions of each project.

At the July 23 Governing Board meeting, staff will present the 16-county property appraisers’ certifications of taxable value and the proposed FY2020 millage rate in compliance with s. 373.503(4) and s. 200.065, F.S. The Governing Board will be requested to adopt the proposed
FY2020 millage rate to ensure certification 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. In addition, the Governing Board will be requested to authorize staff to submit the District’s Standard Format Tentative Budget Submission for FY2020 to the EOG, Florida Legislature and other parties, as required by statute, to be received by August 1, 2019.

The District’s FY2020 final millage rate and budget will be adopted in September following two public budget 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 Tentative Budget Submission must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget hearing. The second and final hearing is scheduled for September 24, 2019 at 5:01 p.m. also at the Tampa Office.

Exhibit of the recommended budget will be provided separately.

Staff recommends 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.

Submit & File Reports
28. Knowledge Management: Legislative Coordination

Routine Reports
The following items are provided for the Committee’s information, and no action is required.
29. Treasure’s Report and Payment Register
30. Monthly Financial Statement
31. Monthly Cash Balances by Fiscal Year
32. Comprehensive Plan Amendment and Related Reviews Report

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)

Discussion
33. Consent Item(s) Moved for Discussion

34. 2019 Hurricane Preparedness
Water Management Districts are members of the State’s Emergency Response Team (SERT) and serve as support agencies to the Department of Transportation and the Department of Environmental Protection during statewide emergency activations. Statewide communication and coordination is achieved through the State Emergency Operations Center. The District is a party to the Statewide Mutual Aid Agreement and the Florida Water Management Districts Mutual Aid Agreement for Catastrophic Emergency Response/Recovery. These agreements provide reciprocal emergency aid and assistance during an emergency.

The District has an updated (2018) Comprehensive Emergency Management Plan (CEMP), in line with Florida Statute, Chapter 252, Emergency Management. The CEMP outlines a comprehensive and effective program to ensure an effective response to a full range of potential emergencies, including major weather-based events such as hurricanes. In the event of a hurricane, or any other emergency that could potentially impact the District’s 16-county area, the District’s Emergency Operations Center is prepared for activation to monitor and respond.
This item is provided for the Board's information only, and no action is required.

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

Staff performed a review of the New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Board Policy and deemed it necessary to update the policy. The revised policy has been provided as an exhibit. The primary modification is to provide staff direction to conduct risk-based prioritization and planning of water control structure refurbishments and replacements. This is consistent with the District’s ongoing effort to create a risk-based capital improvement plan for its water control structures.

This item is presented for the Board's information and no action is requested. The attached revised New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Policy will be included as a consent item in the July 2019 Board packet and approval will be requested at that time.

**Submit & File Reports**

36. **Hydrologic Conditions Report**

**Routine Reports**

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

37. **Surplus Lands Update**

38. **Structure Operations**

39. **Significant Activities**

---

**REGULATION COMMITTEE (TAB F)**

**Discussion**

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

41. **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.
42. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update
43. Overpumpage Report
44. Individual Permits Issued by District Staff

**GENERAL COUNSEL’S REPORT (TAB G)**

Discussion
45. 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.
46. June 2019 Litigation Report
47. June 2019 Rulemaking Update

**COMMITTEE/LIAISON REPORTS (TAB H)**

48. Agricultural & Green Industry Advisory Committee
49. Other Committee/Liaison Reports

**EXECUTIVE DIRECTOR’S REPORT (TAB I)**

50. Executive Director’s Report

**CHAIR’S REPORT (TAB J)**

51. Chair's Report
52. Other
53. Employee Milestones

**RECESS PUBLIC HEARING**

**ADJOURNMENT**
Governing Board Meeting
June 25, 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 – Adam Hange, Field Services Supervisor
   - 20 years – Teri Rhodes, Well Construction Technician
   - 20 years – Lisann Morris, Water Supply Projects Supervisor
   - 25 years – Xinjian Chen, Chief Professional Engineer
   - 30 years – William Overstreet, Survey Party Chief
   - 40 years – Alan Saxton, Senior Heavy Equipment Operator

4. **Election of Governing Board Officers**
According to Board Policy 110-7, election of officers shall occur annually in May. Elections will take place during the beginning of the District Business portion of the May Governing Board meeting. New officers will assume offices twenty-four hours prior to the June Governing Board meeting.

5. **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
6. **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:** Bryan K. Beswick, Chair
CONSENT AGENDA

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

Resource Management Committee

7. FY2019 Springs Septic and Package Plant Conversion Projects Update ........................................ 6

Finance/Outreach & Planning Committee

8. Independent Auditing Services Contract......................................................................................... 12
9. Knowledge Management: Travel Governing Board Policy ............................................................ 14
10. Governing Board Travel - Annual Environmental Permitting Summer School.............................. 16
11. District Agricultural - Type Tractor Replacement........................................................................... 17
12. Budget Transfer Report.................................................................................................................. 18

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) ...................................................................................................................... 20
   b. WUP No. 20020376.002 - Bennett Road / Pebbledale Farms, Inc. (Hardee County) ......... 32

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 ..................................................................................................................... 45
   b. Authorization to Issue Administrative Complaint and Order - Water Well Construction
      Violations - Ryan Etheridge - License No. 9467 - CT No. 403619 - Hillsborough
      County, Florida ..................................................................................................................... 46
   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 ........................................................................................................... 47

15. Rulemaking – None
Executive Director’s Report

16. Approve CFI Southern Region Meeting Minutes – April 3, 2019.............................................48
17. Approve CFI Heartland Region Meeting Minutes – April 4, 2019.............................................51
18. Approve CFI Northern Region Meeting Minutes – April 10, 2019 ...........................................54
19. Approve CFI Tampa Bay Region Meeting Minutes – April 11, 2019...........................................57
20. Approve Governing Board Meeting Minutes – May 21, 2019..................................................60
FY2019 Springs Septic and Package Plant Conversion Projects Update

Purpose
To request approval of revised fiscal year (FY) 2019 Springs project evaluations for W430, W432, W434, and WH04 with updated fiscal year budget appropriations.

Background/History
At the August 2017 Budget Workshop, the Board prioritized combining District funds with state and local funds in an efficient manner that incentivizes septic to sewer conversions in the five first-magnitude springsheds. The Board also identified the need to protect District investment by ensuring controls were put in place to prevent additional pollution from new septic systems.

Draft controls were developed for CFI septic conversion projects and presented to the Board in January and April 2018. These controls include: the project must be within a Priority Focus Area (PFA) of a Basin Management Action Plan (BMAP); the project must be funded by the Florida Department of Environmental Protection (FDEP) Springs funding at a 50 percent cost share; the cooperator must have a local ordinance in place requiring connection; the cooperator must also have a local ordinance in place restricting conventional septic systems on lots less than one acre. These conditions will be part of the District’s cooperative funding agreement and repayment will be required if the conditions are not met.

For the FY2019 CFI cycle, the following four springs septic conversion projects were recommended by the Northern Region Subcommittee in April 2018, approved by the full Governing Board in May 2018, and submitted to the State for their funding consideration.

- W430 - Indian Waters Septic to Sewer Phase II
- W432 - Cambridge Greens Septic to Sewer
- W434 - Southern Septic to Sewer
- WH04 - Old Homosassa West Septic to Sewer

Funding for these projects was not included in the District’s FY2019 adopted budget since the State’s approval process was not finalized. The State funding has since been appropriated by the Florida Legislature in May 2019 for FY2020.

Benefits/Costs
The four FY2019 springs septic conversion projects are located within the PFA of a BMAP. Cumulatively, they will reduce nitrogen loading by an estimated 12,950 pounds per year. The FY2019 and FY2020 funding requests for FDEP’s share and the District’s share for all four of these projects have been included in the District’s FY2020 Recommended Annual Service Budget (RASB). Funding for these projects is summarized in the following table.
<table>
<thead>
<tr>
<th>Project</th>
<th>Cooperator</th>
<th>Title</th>
<th>FDEP</th>
<th>District</th>
<th>Cooperator</th>
<th>Legislative Appr.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>W430</td>
<td>Crystal River</td>
<td>Indian Waters Septic to Sewer Phase II</td>
<td>$2,250,000</td>
<td>$1,125,000</td>
<td>$1,125,000</td>
<td>$0</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>W432</td>
<td>Citrus County</td>
<td>Cambridge Greens Septic to Sewer</td>
<td>$3,250,000</td>
<td>$1,450,500</td>
<td>$1,450,500</td>
<td>$349,000</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>W434</td>
<td>Crystal River</td>
<td>Southern Septic to Sewer</td>
<td>$3,250,000</td>
<td>$1,625,000</td>
<td>$1,625,000</td>
<td>$0</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>WH04</td>
<td>Citrus County</td>
<td>Old Homosassa West Septic to Sewer</td>
<td>$3,000,000</td>
<td>$1,382,200</td>
<td>$1,382,200</td>
<td>$235,600</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>$11,750,000</td>
<td>$5,582,700</td>
<td>$5,582,700</td>
<td>$584,600</td>
<td>$23,500,000</td>
</tr>
</tbody>
</table>

Revised project evaluations for W430, W432, W434 and WH04 are included as Exhibit 1 with the Funding tables updated to reflect the FY2020 RASB.

Staff Recommendation:

Approve the revised project evaluations for W430, W432, W434, and WH04 provided as Exhibit 1.

Presenter: Vivianna Bendixson, Project Manager 2, Project Management Office
### Project No. W430

**Springs - Crystal River Indian Waters Septic to Sewer Phase 2**

**Crystal River**

#### Risk Level:
Type 2

**Multi-Year Contract:** No

### Description
Design, permitting, and construction of a municipal sewer system including connection fees, plant demolition and tank abandonment, and necessary components. This project will allow for the connection of a private wastewater package plant and provide City central sewer to areas currently served by septic systems within the Crystal River/Kings Bay Priority Focus Area (PFA).

### Measurable Benefit:
The contractual Measurable Benefit will be the construction of a municipal sanitary sewer line and any necessary components for a fully operational system that will result in the connection of a minimum of 178 septic tanks and one package plant. Construction will be done in accordance with the permitted plans.

### Costs:
- Total Project Costs: $4,500,000 (Design, permitting, and construction)
  - FDEP: $2,250,000
  - City of Crystal River: $1,125,000
  - District: $1,125,000

### Evaluation

#### Application Quality:
Medium

Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperator to obtain remaining required information.

#### Project Benefit:
High

The benefit of this water quality project is the reduction of pollutant loads by an estimated 2,860 lbs/yr of TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Crystal River/Kings Bay basin management action plan (BMAP), a SWIM priority water body. This benefit calculation differs from the standard FDEP methodology as this project includes nitrogen savings from a package plant and a commercial septic tank.

#### Cost Effectiveness:
High

For wastewater projects, the estimated cost/lb of TN ($52/lb) is lower than what would be considered a highly cost-effective project of $100/lb.

#### Past Performance:
High

Based on the cooperator having no ongoing project with the District they are ranked high.

#### Complementary Efforts:
Medium

The Cooperator has an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability.

#### Project Readiness:
High

Project is ongoing and on schedule.

### Strategic Goals

#### Strategic Goals:
High

- **Strategic Initiative - Water Quality Maintenance and Improvement:** Develop and implement programs, projects and regulations to maintain and improve water quality.
- **Northern Region Priority:** Improve northern coastal spring systems.

### Overall Ranking and Recommendation

**Fund as High Priority.** This project is located within the Crystal River/Kings Bay PFA, a SWIM Priority water body and will continue efforts by the City to improve water quality. The District will only fund the project if FDEP also contributes funds and the Cooperator demonstrates appropriate controls are in place.

### Funding

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Prior</th>
<th>FY2020</th>
<th>Future</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDEP</td>
<td>$0</td>
<td>$2,250,000</td>
<td>$0</td>
<td>$2,250,000</td>
</tr>
<tr>
<td>City of Crystal River</td>
<td>$0</td>
<td>$1,125,000</td>
<td>$0</td>
<td>$1,125,000</td>
</tr>
<tr>
<td>District</td>
<td>$0</td>
<td>$1,125,000</td>
<td>$0</td>
<td>$1,125,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$0</td>
<td>$4,500,000</td>
<td>$0</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Project No. W432</td>
<td>Springs - Citrus Co. Cambridge Green Septic to Sewer Project</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>---------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citrus County</td>
<td>FY2020</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk Level</td>
<td>Type 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-Year Contract</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>30% design, third-party review (TPR), final design, permitting, and construction of a regional wastewater collection system necessary for connection of a existing septic tanks in the Cambridge Greens area of the Crystal River/Kings Bay Priority Focus Area (PFA). The District requires a TPR because the conceptual construction estimate was greater than $5 million.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Measurable Benefit:</strong></td>
<td>The contractual Measurable Benefit will be the completion of the 30% design of this proposed project to construct a regional wastewater collection system that will result in the connection of a minimum of 240 existing septic tanks. If TPR is approved by the Governing Board, final design, permitting, and construction will be added to the contractual Measurable Benefit.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **Costs:** | Total project cost: $6,500,000 (design, third-party review, permitting, and construction)  
Citrus County: $1,450,500  
District: $1,450,500  
FDEP: $3,250,000  
Legislative Appropriation: $349,000 |
| **Evaluation** | Application Quality: Medium  
Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperators to obtain remaining required information.  
Project Benefit: High  
The benefit of this water quality project, if constructed, is the reduction of pollutant loads by an estimated 2,370 lbs/yr TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Crystal River/Kings Bay basin management action plan (BMAP), a SWIM priority water body.  
Cost Effectiveness: High  
For wastewater projects, the estimated cost/lb of TN ($91/lb) is lower than what would be considered a highly cost-effective project of $100/lb.  
Past Performance: High  
Based upon an assessment of the schedule and budget for the 2 ongoing projects.  
Complementary Efforts: Medium  
The Cooperators have an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability.  
Project Readiness: High  
Project is ongoing and on schedule. |
| **Strategic Goals:** | High  
Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality.  
Strategic Initiative - Conservation and Restoration: Restoration and maintenance of natural ecosystem for the benefit of water and water-related resources.  
Northern Region Priority: Improve northern coastal spring systems. |
| **Overall Ranking and Recommendation:** | 30% design and TPR is anticipated to be completed in FY2020. Contractually, the County needs Governing Board approval to proceed beyond this task. Anticipating favorable information from the TPR, and with the understanding that the Governing Board will need to provide approval to proceed, staff recommends including funding for final design, permitting, and construction in the FY2020 budget. This project is located within the Crystal River/Kings Bay PFA, a SWIM Priority water body and will continue efforts by the County to improve water quality. The District will only fund the project if FDEP also contributes funds and the Cooperators demonstrates appropriate controls are in place. |
| **Funding** | Funding Source  
Legislation  
FDEP  
Citrus County  
District  
Total  
Prior  
$349,000  
$0  
$0  
$0  
$349,000  
FY2020  
$0  
$3,250,000  
$1,450,500  
$1,450,500  
$6,151,000  
Future  
$0  
$0  
$0  
$0  
$0  
Total  
$349,000  
$3,250,000  
$1,450,500  
$1,450,500  
$6,500,000  |
<table>
<thead>
<tr>
<th>Project No. W434</th>
<th>Springs - Crystal River Southern Septic To Sewer Project</th>
<th>FY2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crystal River</td>
<td>--------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Risk Level:</td>
<td>Type 2</td>
<td></td>
</tr>
<tr>
<td>Multi-Year Contract:</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Description:</td>
<td>30% design, third-party review (TPR), final design, permitting, and construction of a municipal sewer system necessary for connection of existing septic tanks in the Southern area of the City and within the Crystal River/Kings Bay Priority Focus Area (PFA). The District requires a TPR because the conceptual construction estimate was greater than $5 million.</td>
<td></td>
</tr>
<tr>
<td>Measurable Benefit:</td>
<td>The contractual Measurable Benefit will be the completion of the 30% design of this proposed project to construct a municipal sewer system that will result in the connection of a minimum of 722 existing septic tanks. If TPR is approved by the Governing Board, final design, permitting, and construction will be added to the contractual Measurable Benefit.</td>
<td></td>
</tr>
</tbody>
</table>
| Costs:          | Total Project Cost: $6,500,000 (design, third-party review, permitting, and construction)  
City of Crystal River: $1,625,000  
FDEP: $3,250,000  
District: $1,625,000 |        |
| Evaluation:     | Application Quality: Medium  
Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperators to obtain remaining required information. |        |
|                 | Project Benefit: High  
The benefit of this water quality project, if constructed, is the reduction of pollutant loads by an estimated 6,815 lbs/yr TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Crystal River/Kings Bay basin management action plan (BMAP), a SWIM priority water body. This benefit calculation differs from the standard FDEP methodology as this project includes nitrogen savings from commercial septic tanks. |        |
|                 | Cost Effectiveness: High  
For wastewater projects, the estimated cost/lb of TN ($32/lb) is lower than what would be considered a highly cost-effective project of $100/lb. |        |
|                 | Past Performance: High  
Based on the cooperators having no ongoing projects with the District, they are ranked high. |        |
|                 | Complementary Efforts: Medium  
The Cooperators have an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability. |        |
|                 | Project Readiness: High  
Project is ongoing and on schedule. |        |
| Strategic Goals:| Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality.  
Northern Region Priority: Improve northern coastal spring systems. |        |
| Overall Ranking and Recommendation: | 30% design and TPR is anticipated to be completed in FY2020. Contractually, the City needs Governing Board approval to proceed beyond this task. Anticipating favorable information from the TPR, the District is hoping that the Governing Board will provide approval to proceed, staff recommends including funding for final design, permitting and construction in the FY2020 budget. This project is located within the Crystal River/Kings Bay Priority Focus Area, a SWIM Priority water body and will continue efforts by the City to improve water quality. The District will only fund the project if FDEP also contributes funds and the Cooperators demonstrates appropriate controls are in place. |        |
| Funding:        | Funding Source | Prior | FY2020 | Future | Total |
|                 | District | $0 | $1,625,000 | $0 | $1,625,000 |
|                 | FDEP | $0 | $3,250,000 | $0 | $3,250,000 |
|                 | City of Crystal River | $0 | $1,625,000 | $0 | $1,625,000 |
|                 | Total | $0 | $6,500,000 | $0 | $6,500,000 |
### Project No. WH04

**Springs - Citrus Co. Old Homosassa Septic to Sewer Project**

**Citrus County**

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Multi-Year Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 2</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Description

30% design, third-party review (TPR), final design, permitting, and construction of a regional wastewater collection system necessary for connection of existing septic tanks in the Old Homosassa West area of the Chassahowitzka/Homosassa Priority Focus Area (PFA). The District requires a TPR because the conceptual construction estimate is greater than $5 million.

#### Measurable Benefit

The contractual Measurable Benefit will be the completion of the 30% design of this proposed project to construct a regional wastewater collection system that will result in the connection of a minimum of 95 existing septic tanks. If TPR is approved by the Governing Board, final design, permitting, construction will be added to the contractual Measurable Benefit.

#### Costs

- Total project cost: $6,000,000 (design, third-party review, permitting, and construction)
- Citrus County: $1,382,200
- District: $1,382,200
- FDEP: $3,000,000
- Legislative appropriation: $235,600

#### Evaluation

**Application Quality**: Medium  
Application included most of the required information identified in the CFI guidelines. District PM/CM had to work with cooperators to obtain remaining required information.

**Project Benefit**: High  
The benefit of this project, if constructed, is the reduction of pollutant loads by an estimated 907 lbs/yr TN. There will be no monitoring or performance testing requirements. The project is located within the PFA of the Chassahowitzka/Homosassa Springs basin management action plan (BMAP), a SWIM priority water body. This benefit calculation differs from the standard FDEP methodology as this project will impact the adjacent surface water body (Homosassa river) instead of the nearby spring vents.

**Cost Effectiveness**: Medium  
For wastewater projects, the estimated cost/lb of TN ($221/lb) is lower than the historical average of $224/lb for District funded stormwater projects and is above what would be considered a highly cost-effective project of $100/lb. Cost effectiveness is based on the FY2019 metrics.

**Past Performance**: High  
Based upon an assessment of the schedule and budget for the 2 ongoing projects.

**Complementary Efforts**: Medium  
The Cooperator has an ordinance in line with F.S. 381.00655 to require sewage hookup within 365 days of availability.

**Project Readiness**: High  
Project is ongoing and on schedule.

#### Strategic Goals

**Strategic Goals**: High  
**Strategic Initiative - Water Quality Maintenance and Improvement**: Develop and implement programs, projects and regulations to maintain and improve water quality.

**Northern Region Priority**: Improve northern coastal spring systems.

#### Overall Ranking and Recommendation

30% design and TPR is anticipated to be completed in FY2020. Contractually, the County needs Governing Board approval to proceed beyond this task. Anticipating favorable information from the TPR, and with the understanding that the Governing Board will need to provide approval to proceed, staff recommends including funding for final design, permitting, and construction in the FY2020 budget. This project is located within the Chassahowitzka/Homosassa PFA, a SWIM Priority water body and continues the County’s efforts to improve water quality. The District will only fund the project if FDEP also contributes funds and the Cooperators demonstrates appropriate controls are in place.

#### Funding

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Prior</th>
<th>FY2020</th>
<th>Future</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislation</td>
<td>$235,600</td>
<td>$0</td>
<td>$0</td>
<td>$235,600</td>
</tr>
<tr>
<td>FDEP</td>
<td>$0</td>
<td>$3,000,000</td>
<td>$0</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>District</td>
<td>$0</td>
<td>$1,382,200</td>
<td>$0</td>
<td>$1,382,200</td>
</tr>
<tr>
<td>Citrus County</td>
<td>$0</td>
<td>$1,382,200</td>
<td>$0</td>
<td>$1,382,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$235,600</td>
<td>$5,764,400</td>
<td>$0</td>
<td>$6,000,000</td>
</tr>
</tbody>
</table>
FINANCE/OUTREACH & PLANNING COMMITTEE
June 25, 2019

Consent Agenda

Independent Auditing Services Contract

Purpose
Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging James Moore & Co., P.L.(JMCO) to perform the fiscal year 2018-19 auditing services.

Background
On July 25, 2017, the Governing Board approved the hiring of JMCO, Certified Public Accountants, to perform the annual audit of the District’s financial statements and the necessary federal and state single audits as a result of the District’s bid. The contract was awarded to JMCO for one-year, with four one-year renewals in accordance with the provisions of the bid. This renewal represents the second one-year renewal.

In accordance with terms of the contract, JMCO has requested an increase in compensation of 1.2 percent which equates to an approximate increase of $1,056 depending on how many single audits are required.

<table>
<thead>
<tr>
<th>Services</th>
<th>FY2019</th>
<th>FY2018</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Financial Statements</td>
<td>$83,996</td>
<td>$83,000</td>
<td>$996</td>
</tr>
<tr>
<td>Each Federal Single Audit</td>
<td>3,036</td>
<td>3,000</td>
<td>36</td>
</tr>
<tr>
<td>Each State Single Audit</td>
<td>2,024</td>
<td>2,000</td>
<td>24</td>
</tr>
<tr>
<td>Total</td>
<td>$89,056</td>
<td>$88,000</td>
<td>$1,056</td>
</tr>
</tbody>
</table>

Actual costs for the previous audits included under this contract is as follows:

<table>
<thead>
<tr>
<th>Services</th>
<th>FY2018</th>
<th>FY2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Financial Statements</td>
<td>$83,000</td>
<td>$83,000</td>
</tr>
<tr>
<td>Federal Single Audits @ $3,000 each</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>State Single Audits @ $2,000 each</td>
<td>2,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Total</td>
<td>$85,000</td>
<td>$87,000</td>
</tr>
</tbody>
</table>

Apart from the slight increase in fees, there are no significant changes to the contract other than the time requirements, reflecting that the audit is for the fiscal year 2018-19 financial audit.
Staff Recommendation:

(1) Exercise the renewal option within the current contract and approve the second amendment to the agreement engaging JMCO to perform the fiscal year 2018-19 auditing services; and

(2) Authorize the Executive Director to execute the second amendment to the current contract with JMCO to perform the fiscal year 2018-19 auditing services.

Presenter: Melisa J. Lowe, Bureau Chief, Finance
FINANCE/OUTREACH & PLANNING COMMITTEE

June 25, 2019

Consent Agenda

Knowledge Management: Travel Governing Board Policy

Purpose
Request approval of the revised Travel, Governing Board Policy which applies to all persons authorized to travel for official District business or for a public purpose beneficial to the District.

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 May 2019 Governing Board meeting, staff performed a review of the Travel Governing Board Policy and deemed it necessary to update the policy. The minor modifications include adding language clarifying that the Executive Director can delegate the authorization and approval of staff travel and to remove procedural language that is included in the District’s Travel Procedure. 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 Travel Governing Board Policy as revised.

Presenter: Melisa J. Lowe, Bureau Chief, Finance
GOVERNING BOARD POLICY
Southwest Florida Water Management District

Title: Travel
Document Owner: Finance Bureau Chief
Approved By: Bryan Beswick, Board Chair
Effective Date: 06/25/2019

Last Review Date: 02/01/2019

PURPOSE
Establishment of a District Travel Policy in accordance with Chapter 112, Part 1, Florida Statutes (F.S.).

SCOPE
This policy applies to all persons authorized to travel for official District business or for a public purpose beneficial to the District. Travelers may include Governing Board members, executive staff, District employees, Advisory Committee members, consultants and advisors, and certain employment candidates.

AUTHORITY
This policy is authorized by Chapter 112, Part 1, F.S.

DEFINITIONS
N/A

STANDARDS
N/A

POLICY
It is the policy of the District to comply with the provisions of Chapter 112, Part I, F.S., with respect to the per diem and travel expenses of the District’s officers, employees, and all other authorized persons when incurred for official District business or for a public purpose beneficial to the District.

This policy authorizes the Executive Director to direct and adopt necessary and appropriate procedures to ensure compliance with all applicable statutory provisions. All travel must be authorized and approved by the Executive Director or their delegate.

DISTRIBUTION
This policy will be stored in the designated Governing Board Policy repository.

REFERENCES
Chapter 112, Part I, F.S.
District Procedure, Travel

PERIODIC REVIEW
This policy will be reviewed every five years by the Finance Bureau Chief or their delegate.
FINANCE/OUTREACH & PLANNING COMMITTEE

June 25, 2019

Consent Agenda

Governing Board Travel – Annual Environmental Permitting Summer School

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Travel to any conference or convention requires prior approval.

Within the geographic boundaries of the District, Governing Board members may incur travel expenses to attend Governing Board meetings or for other purposes beneficial to the District, excluding conferences and conventions. Scheduled travel for Governing Board members outside the District or to attend conferences or conventions requires prior approval through the consent agenda of a regular monthly Governing Board meeting. Non-scheduled travel outside the District or to attend any conference or convention requires prior approval of the Governing Board Chair, or in his absence, the Vice Chair.

<table>
<thead>
<tr>
<th>Name</th>
<th>Registration</th>
<th>Lodging $181/Night</th>
<th>Mileage Cost</th>
<th>Meals</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Henslick</td>
<td>(Early) Registration $600</td>
<td>$720</td>
<td>$117</td>
<td>$104</td>
</tr>
<tr>
<td>Jim Murphy</td>
<td>Registration $650</td>
<td></td>
<td>$142</td>
<td>$104</td>
</tr>
<tr>
<td></td>
<td>Early Bird $75</td>
<td>$720</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul Senft</td>
<td>(Early) Registration $550</td>
<td>$720</td>
<td>$155</td>
<td>$104</td>
</tr>
<tr>
<td></td>
<td>Early Bird $75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rebecca Smith</td>
<td>Registration $650</td>
<td></td>
<td>$164</td>
<td>$104</td>
</tr>
<tr>
<td></td>
<td>Early Bird $75</td>
<td>$720</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

33th Annual Environmental Permitting School Marco Island July 15- July 19, 2019
These are approximate costs

Staff Recommendation:

Approve Governing Board travel as presented.

Presenter: Caroline M. Browning, Board and Executive Services Manager
FINANCE/OUTREACH & PLANNING COMMITTEE
June 25, 2019

Consent Agenda

District Agricultural - Type Tractor Replacement

Purpose
Request approval to use budgeted funds from the Capital Field Equipment Replacement Fund and disposal of existing equipment for the replacement of an agricultural-type tractor (Unit #2042).

Background/History
The District purchased a Massey Ferguson Model 4370 agricultural-type tractor in 2004. It is used by the Field Operations Section. Its primary function is for the management of District conservation lands, U.S. Army Corps of Engineers dams and canals, reservoirs, and treatment wetland. Agricultural-type tractors are used by the District primarily to pull implements to perform required maintenance activities such as mowing, disking, and restoration of uplands.

Benefits/Costs
The current agricultural-type tractor was purchased in 2004 for $38,754. It is 15 years old and has reached the end of its useful life. The tractor has 4,297 hours of use and has a life-to-date maintenance cost of $39,048. Repair costs are expected to rise further due to the age of the asset. Availability of parts for older machines is also a consideration that can affect the downtime and use of the tractor.

In accordance with Board Policy 150-1, the proposed replacement unit has been competitively quoted resulting in a replacement cost of $94,891.40. Replacing this unit will ensure conservation land maintenance, land management activities, and District works continue to be completed efficiently.

Staff Recommendation:

Staff recommends the authorization 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.

Presenters:  John Campbell, Management Services Director and  
            Sean Fitzgerald, Fleet Manager
FINANCE/OUTREACH & PLANNING COMMITTEE

June 25, 2019

Consent Agenda

Budget Transfer Report

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
Budget Transfer Report  
May 2019

--- TRANSFERRED FROM ---  |  --- TRANSFERRED TO ---  
--- Bureau / Expenditure Category ---  |  --- Bureau / Expenditure Category ---  |  Reason For Transfer  |  Transfer Amount  
--- ITEM NO. ---

**Executive Approved**

1. General Services  
   Fuels and Lubricants  
   General Services  
   Other Contractual 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 to ensure documents accessed by the public via the District’s website, such as Governing Board agendas and notebooks, are Americans with Disabilities Act (ADA) and Section 508 compliant.  
   $15,000.00

**Finance Bureau Chief Approved**

1. Information Technology  
   Lease Capital  
   Information Technology  
   Lease Capital  
   Funds are still needed for the original purpose of the networking infrastructure equipment 5-year capital lease. The funds are being transferred to a new project code for better financial tracking.  
   $140,000.00

2. Human Resources & Risk Mgmt  
   Equipment - Non-Capital Outlay  
   Communications and Board Services  
   Other Contractual Services  
   Funds were budgeted for the purchase of equipment under $1,000 required for compliance with the ADA. Expenditures for ADA equipment under $1,000 have been less than anticipated. The funds are needed for live captioning transcription services to ensure the District’s Governing Board meetings are ADA and Section 508 compliant.  
   $3,000.00

**Total Executive Approved**  
$15,000.00

**Total Finance Bureau Chief Approved**  
$143,000.00

**Total Transfers for Governing Board Ratification**  
$158,000.00

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.
REGULATION COMMITTEE

June 25, 2019

Consent Agenda

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

This is a new Water Use Permit for agricultural use. This new WUP results from the partial transfer of quantities resulting from the sale of a portion of property associated with WUP No. 20020253.001. The permit authorizes an annual average quantity of 674,000 gallons per day (gpd) and a peak month quantity 2,720,700 gpd. There are no changes in Use Type from the originating permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD, for row crops. This permit is located within the Southern Water Use Caution Area (SWUCA). The Permittee is not using alternative water supply (AWS) sources because none are available at this location at this time.

Special Conditions include those that require the Permittee to report monthly meter readings, perform meter accuracy checks every five years (next report due September 1, 2020), comply with the allocated quantities and submit an overpumpage report upon request, to implement water conservation and best management practices and provide an update to the Water Conservation Plan at permit midterm (by July 1, 2029), evaluate the feasibility of reclaimed water use upon notice by the District, modify the permit upon incorporating an AWS, submit seasonal crop reports by February 1 and September 1 of each year; 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
The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** New

**GRANTED TO:** Longino Ranch, Inc.
26111 Turpentine Still Rd
Sidell, FL 34266

**PROJECT NAME:** Longino Ranch - Flint Farm SOUTHERN

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

**COUNTY:** Sarasota

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Average</td>
<td>674,000 gpd</td>
</tr>
<tr>
<td>Peak Month</td>
<td>2,720,700 gpd</td>
</tr>
<tr>
<td>Drought Annual Average</td>
<td>714,200 gpd</td>
</tr>
</tbody>
</table>

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee’s account.

**ABSTRACT:**

This is a new Water Use Permit (WUP) for agricultural use. This new WUP results from the partial transfer of quantities resulting from the sale of a portion of property associated with WUP No. 20020253.001. The permit authorizes an annual average quantity of 674,000 gallons per day (gpd) and a peak month quantity of 2,720,700 gpd. There are no changes in Use Type from the originating permit. Quantities are based on calculations using the District’s irrigation allotment calculation program, AGMOD, for row crops. This permit is located in the Southern Water Use Caution Area (SWUCA). The Permittee is not using Alternative Water Supply (AWS) sources because none are available at this location at this time.

Special conditions include those that require the Permittee to report meter readings monthly, perform a meter accuracy check every five years (next report due September 1, 2020), comply with the allocated quantities and submit an overpumpage report upon request; to implement water conservation and best management practices and provide an update to the Water Conservation Plan at permit midterm (by July 1, 2029), evaluate the feasibility of reclaimed water use upon notice by the District, modify the permit upon incorporating an AWS, submit seasonal crop reports by February 1 and September 1 of each year, and comply with the SWUCA Recovery Strategy.
### WATER USE TABLE (in gpd)

<table>
<thead>
<tr>
<th>USE</th>
<th>ANNUAL AVERAGE</th>
<th>PEAK MONTH</th>
<th>DROUGHT ANNUAL AVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>674,000</td>
<td>2,720,700</td>
<td>714,200</td>
</tr>
</tbody>
</table>

### USES AND IRRIGATION ALLOCATION RATE TABLE

<table>
<thead>
<tr>
<th>CROP/USE TYPE</th>
<th>IRRIGATED ACRES</th>
<th>IRRIGATION METHOD</th>
<th>STANDARD IRRIGATION RATE</th>
<th>DROUGHT IRRIGATION RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melons</td>
<td>157.00</td>
<td>Seepage Without Plastic</td>
<td>15.00&quot;yr.</td>
<td>15.79&quot;yr.</td>
</tr>
<tr>
<td>Vegetables Small</td>
<td>130.00</td>
<td>Seepage Without Plastic</td>
<td>10.10&quot;yr.</td>
<td>11.04&quot;yr.</td>
</tr>
<tr>
<td>Vegetables Small</td>
<td>240.00</td>
<td>Seepage Without Plastic</td>
<td>16.00&quot;yr.</td>
<td>16.66&quot;yr.</td>
</tr>
<tr>
<td>Vegetables Small</td>
<td>260.00</td>
<td>Seepage Without Plastic</td>
<td>5.80&quot;yr.</td>
<td>6.27&quot;yr.</td>
</tr>
</tbody>
</table>

### Withdrawal Point Quantity Table

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

<table>
<thead>
<tr>
<th>I.D. NO.</th>
<th>DIAM (in.)</th>
<th>DEPTH TTL./CSD.FT.</th>
<th>USE DESCRIPTION</th>
<th>AVERAGE (gpd)</th>
<th>PEAK MONTH (gpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-13 / 5</td>
<td>4</td>
<td>300 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>S-9 / 6</td>
<td>6</td>
<td>800 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>S-6 / 12</td>
<td>4</td>
<td>400 / UNK</td>
<td>Personal Sanitary</td>
<td>100</td>
<td>500</td>
</tr>
<tr>
<td>S-12 / 13</td>
<td>8</td>
<td>500 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>S-17 / 14</td>
<td>3</td>
<td>100 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>S-10 / 16</td>
<td>6</td>
<td>200 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>S-8 / 17</td>
<td>6</td>
<td>400 / UNK</td>
<td>Livestock</td>
<td>700</td>
<td>2,400</td>
</tr>
<tr>
<td>P-20 / 20</td>
<td>16</td>
<td>1,400 / 520</td>
<td>Irrigation</td>
<td>669,700</td>
<td>2,705,800</td>
</tr>
</tbody>
</table>

### Withdrawal Point Location Table

<table>
<thead>
<tr>
<th>DISTRICT I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>27° 11’ 13.60&quot;/82° 05’ 17.60&quot;</td>
</tr>
<tr>
<td>6</td>
<td>27° 10’ 36.60&quot;/82° 05’ 19.80&quot;</td>
</tr>
<tr>
<td>12</td>
<td>27° 10’ 44.30&quot;/82° 06’ 05.40&quot;</td>
</tr>
<tr>
<td>13</td>
<td>27° 11’ 13.40&quot;/82° 05’ 24.20&quot;</td>
</tr>
<tr>
<td>14</td>
<td>27° 11’ 04.80&quot;/82° 05’ 38.60&quot;</td>
</tr>
<tr>
<td>16</td>
<td>27° 10’ 41.60&quot;/82° 05’ 13.10&quot;</td>
</tr>
<tr>
<td>17</td>
<td>27° 10’ 29.90&quot;/82° 05’ 08.70&quot;</td>
</tr>
<tr>
<td>20</td>
<td>27° 11’ 19.20&quot;/82° 05’ 22.00&quot;</td>
</tr>
</tbody>
</table>
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 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)

3. 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)

4. 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)

5. 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)

6. 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)

7. 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)

8. The Permittee shall immediately implement the District-approved water conservation plan dated March 27, 2019 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 at permit midterm (by July 1, 2029). (449)

9. 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)

10. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID No. 20, Permittee ID No. P-20:
   1. Crop type
   2. Irrigated acres per crop for the appropriate season,
   3. Dominant soil type or acres by dominant soil type,
   4. Irrigation method (NTBWUCA only),
   5. Use or non-use of plastic mulch,
   6. Planting dates, and
   7. Season length.
   This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop. (476)

11. 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)

12. 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

Packet Pg. 25
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)

13. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No. 20, Permittee ID No. P-20. 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)

14. The permittee is eligible for water conserving credits on June 25, 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)
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 onsite 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 introduction 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.
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.swfmd.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-repeatable, totaling 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 manufacturers instructions for achieving accurate flow to the specifications above, or if 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 Statues 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
June 25, 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 274,000 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 Farm 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 annual average and peak month quantities increased based on an updated version of AGMOD and an additional 40 acres of blueberries. 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: June 25, 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.
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)

<table>
<thead>
<tr>
<th>Category</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Average</td>
<td>1,027,400 gpd</td>
</tr>
<tr>
<td>Peak Month 1</td>
<td>2,192,600 gpd</td>
</tr>
<tr>
<td>Drought Annual Average 2</td>
<td>1,027,400 gpd</td>
</tr>
<tr>
<td>Crop Protection/Maximum 3</td>
<td>23,070,000 gpd</td>
</tr>
</tbody>
</table>

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 274,000 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 Farm 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 annual average and peak month quantities increased based on an updated version of AGMOD and an additional 40 acres of blueberries. 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)

<table>
<thead>
<tr>
<th>USE</th>
<th>ANNUAL AVERAGE</th>
<th>PEAK MONTH</th>
<th>DROUGHT ANNUAL AVERAGE</th>
<th>CROP PROTECTION MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>1,027,400</td>
<td>2,192,600</td>
<td>1,027,400</td>
<td>23,070,000</td>
</tr>
</tbody>
</table>

### USES AND IRRIGATION ALLOCATION RATE TABLE

<table>
<thead>
<tr>
<th>CROP/USE TYPE</th>
<th>IRRIGATED ACRES</th>
<th>IRRIGATION METHOD</th>
<th>STANDARD IRRIGATION RATE</th>
<th>DROUGHT IRRIGATION RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blueberries</td>
<td>236.00</td>
<td>Drip Without Plastic</td>
<td>57.95&quot;/yr.</td>
<td>57.95&quot;/yr.</td>
</tr>
<tr>
<td>Other (Non-Crop Miscellaneous Water Needs)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### WITHDRAWAL POINT QUANTITY TABLE

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

<table>
<thead>
<tr>
<th>I.D. NO. PERMITTEE/DISTRICT</th>
<th>DIAM (in.)</th>
<th>DEPTH TTL./CSD. FT. (feet lbs)</th>
<th>USE DESCRIPTION</th>
<th>AVERAGE (gpd)</th>
<th>PEAK MONTH (gpd)</th>
<th>CROP PROTECTION (gpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 / 1</td>
<td>16</td>
<td>1,300 / 210</td>
<td>Irrigation</td>
<td>148,700</td>
<td>271,300</td>
<td>3,910,200</td>
</tr>
<tr>
<td>2 / 2</td>
<td>16</td>
<td>1,250 / 210</td>
<td>Irrigation</td>
<td>148,700</td>
<td>271,300</td>
<td>3,910,200</td>
</tr>
<tr>
<td>3 / 3</td>
<td>16</td>
<td>1,380 / 231</td>
<td>Irrigation</td>
<td>148,700</td>
<td>271,300</td>
<td>3,910,200</td>
</tr>
<tr>
<td>4 / 4</td>
<td>16</td>
<td>1,270 / 210</td>
<td>Irrigation</td>
<td>148,600</td>
<td>271,300</td>
<td>3,910,200</td>
</tr>
<tr>
<td>6 / 6</td>
<td>14</td>
<td>1,370 / 231</td>
<td>Irrigation</td>
<td>148,700</td>
<td>271,300</td>
<td>3,500,000</td>
</tr>
<tr>
<td>7 / 7</td>
<td>6</td>
<td>400 / 189</td>
<td>General Agricultural</td>
<td>10,000</td>
<td>22,000</td>
<td>410,100</td>
</tr>
<tr>
<td>8 / 8</td>
<td>16</td>
<td>N/A / N/A</td>
<td>FARMS Withdrawal Point</td>
<td>92,000</td>
<td>271,300</td>
<td>1,173,100</td>
</tr>
<tr>
<td>9 / 9</td>
<td>16</td>
<td>N/A / N/A</td>
<td>FARMS Withdrawal Point</td>
<td>92,000</td>
<td>271,400</td>
<td>1,173,000</td>
</tr>
<tr>
<td>10 / 10</td>
<td>16</td>
<td>N/A / N/A</td>
<td>FARMS Withdrawal Point</td>
<td>90,000</td>
<td>271,400</td>
<td>1,173,000</td>
</tr>
</tbody>
</table>

### WITHDRAWAL POINT LOCATION TABLE

<table>
<thead>
<tr>
<th>DISTRICT I.D. NO.</th>
<th>LATITUDE/LONGITUDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>27° 28' 07.28&quot;/81° 58' 30.70&quot;</td>
</tr>
<tr>
<td>2</td>
<td>27° 28' 06.88&quot;/81° 58' 44.83&quot;</td>
</tr>
<tr>
<td>3</td>
<td>27° 28' 21.29&quot;/81° 58' 45.59&quot;</td>
</tr>
<tr>
<td>4</td>
<td>27° 28' 33.10&quot;/81° 58' 45.09&quot;</td>
</tr>
<tr>
<td>6</td>
<td>27° 28' 14.02&quot;/81° 58' 27.50&quot;</td>
</tr>
<tr>
<td>7</td>
<td>27° 28' 20.88&quot;/81° 58' 41.68&quot;</td>
</tr>
<tr>
<td>8</td>
<td>27° 28' 00.66&quot;/81° 58' 34.09&quot;</td>
</tr>
<tr>
<td>9</td>
<td>27° 28' 00.40&quot;/81° 58' 32.79&quot;</td>
</tr>
<tr>
<td>10</td>
<td>27° 28' 24.00&quot;/81° 58' 31.49&quot;</td>
</tr>
</tbody>
</table>
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/permitting/) 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 790,500 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.\textsuperscript{(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.\textsuperscript{(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.\textsuperscript{(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.\textsuperscript{(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.\textsuperscript{(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.\textsuperscript{(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.\textsuperscript{(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 introduction 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.
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.swfwmrd.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.

<table>
<thead>
<tr>
<th>Month</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>Hillsborough</td>
</tr>
<tr>
<td>February</td>
<td>Manatee, Pasco</td>
</tr>
<tr>
<td>March</td>
<td>Polk (for odd numbered permits)*</td>
</tr>
<tr>
<td>April</td>
<td>Polk (for even numbered permits)*</td>
</tr>
<tr>
<td>May</td>
<td>Highlands</td>
</tr>
<tr>
<td>June</td>
<td>Hardee, Charlotte</td>
</tr>
<tr>
<td>July</td>
<td>None or Special Request</td>
</tr>
<tr>
<td>August</td>
<td>None or Special Request</td>
</tr>
<tr>
<td>September</td>
<td>Desoto, Sarasota</td>
</tr>
<tr>
<td>October</td>
<td>Citrus, Levy, Lake</td>
</tr>
<tr>
<td>November</td>
<td>Hernando, Sumter, Marion</td>
</tr>
<tr>
<td>December</td>
<td>Pinellas</td>
</tr>
</tbody>
</table>

   *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.
GENERAL COUNSEL'S REPORT

June 25, 2019

Consent Agenda

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

James Barfield is a licensed water well contractor, holding License No. 9387 (“License”), whose mailing address is PO Box 634, Ellenton, Florida. Mr. Barfield is President of Mudd’s Power and Pumps, Inc., and conducts business under that name.

On March 22, 2019, District staff received a complaint regarding the attempted construction of an irrigation well at 1824 Paleo Point Drive, Ruskin, Florida (“Property”). The property owner advised the District that he had retained Mudd’s Power and Pumps, Inc. for the purpose of constructing an irrigation well. On March 26, 2019, District staff conducted a well construction inspection at the property and observed the attempted well construction. District staff noted partially driven casing that did not meet appropriate casing and pipe standards, the well did not have the required bentonite added to the casing and finally, that the well head was not sealed with a watertight cover. District staff determined that Mr. Barfield had also failed to obtain a well construction permit to construct the well.

On March 27, 2019, District staff spoke with Mr. Barfield to discuss these violations. Mr. Barfield acknowledged he was unable to complete the irrigation well.

On Friday April 26, 2019, District Staff sent a Notice of Violation and a proposed Consent Order to Mr. Barfield assessing 23 points against his License and providing for an administrative penalty in the amount of $2,500.00 the violations. Mr. Barfield has not contacted the District in response to the Notice of Violation and proposed Consent Order.

Staff Recommendation:

(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.

Presenter: Elizabeth M. Fernandez, Staff Attorney
GENERAL COUNSEL'S REPORT

June 25, 2019

Consent Agenda

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

Ryan Etheridge is a water well contractor operating under License No. 9467 (“License”) issued by the Southwest Florida Water Management District (“District”). The District received a complaint that a water well Mr. Etheridge constructed for domestic supply use (“Water Well”) was producing sand. District staff conducted a site assessment at the property where the Water Well was constructed and were informed that Mr. Etheridge made multiple attempts to construct the Water Well, at least two of which were unsuccessful due to borehole collapse. Mr. Etheridge subsequently verified this information.

Based on the site assessment and discussions with Mr. Etheridge and the property owners, District staff determined that the failure to obtain a permit to properly plug and abandon the second incomplete well, the failure to obtain a new permit after the last failed attempt, the failure to include two failed attempts in the well completion report, and the failure to properly construct the Water Well were violations of state law and District rules. District staff issued a Notice of Violation and proposed Consent Order to Mr. Etheridge that provided for an administrative penalty in the amount of $2,100.00 and assessment of points and probation on Mr. Etheridge’s License. Mr. Etheridge did not respond to the Notice of Violation and proposed Consent Order.

As a result, District staff now seek authorization to issue an Administrative Complaint and Order to resolve this matter.

Staff Recommendation:

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.

Presenter: Christopher A. Tumminia, Deputy General Counsel
GENERAL COUNSEL'S REPORT

June 25, 2019

Consent Agenda

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

The Links at River Ridge, LLC (“The Links”), is the owner of the River Ridge Golf Club (“Golf Club”) in Pasco County. The District issued Water Use Permit No. 20008118.003 (“Permit”) to the prior owner of the Golf Club. The Permit expired and the prior owner subsequently transferred ownership of the Golf Club to The Links.

District staff notified The Links that the Permit was expired and offered an opportunity to obtain a new permit without further compliance efforts. The Links did not respond. District staff conducted a site visit at the Golf Club and observed active irrigation. Based on this information, District staff determined that the failure to obtain a water use permit prior to the withdrawal of water was and continues to be a violation of state law and District rules. District staff issued a Notice of Violation and proposed Consent Order to The Links that provided for an administrative penalty and costs in the amount of $4,250.00. The Links did not respond to the Notice of Violation and proposed Consent Order.

As a result, District staff now seek authorization to issue an Administrative Complaint and Order to resolve this matter.

Staff Recommendation:

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.

Presenter: Christopher A. Tumminia, Deputy General Counsel
EXECUTIVE DIRECTOR’S REPORT
June 25, 2019

Consent Agenda

Approve CFI Southern Region Meeting Minutes – April 3, 2019

Staff Recommendation:

Approve Minutes as presented.

Presenter:  Brian J Armstrong, P.E., Executive Director
The Southern Region Cooperative Funding Initiative Public Meeting hosted by the Southwest Florida Water Management District Governing Board convened at 10:00 a.m. on Wednesday, April 3, 2019 at the Southwest Florida Water Management District Sarasota Office, 6750 Fruitville Road, Sarasota, Florida.

Governing Board Members Present
Bryan Beswick, Committee Chair
Joel Schleicher
John Henslick

Staff Members Present
Jennette Seachrist
Brian Werthmiller
Vivianna Bendixson
Eric Dehaven
J.P. Marchand
Jay Hoecker
Tamera McBride
Lisann Morris
Terese Power
Cortney Cameron
Dennis Ragosta

A list of others who signed the attendance roster is filed in the permanent records of the District. Approved minutes can be found on the District’s Web site (www.WaterMatters.org).

The numbers preceding the items below correspond with the published agenda.

1. **Call to Order and Pledge Allegiance**
   Committee Chair Beswick called the meeting to order and led the pledge of allegiance.

2. **Introductions**
   Committee Chair Beswick introduced the other members of the committee.

3. **Action Item: Approval of February 13, 2019 Meeting**
   A motion was made to approve the minutes from the February 13 meeting. The motion was seconded and carried unanimously.

4. **CFI Final Staff Rankings and Recommendations**
   Ms. Vivianna Bendixson, project manager, provided a presentation that included: an overview of the cooperative funding process; summary of last five-year funding requests; comparison of cooperative funding project requests per region; a location map of applications within the Southern region and project requests with final rankings.

   Ms. Bendixson stated an updated project ranking table of contents was distributed.

   Ms. Bendixson highlighted project Q079. She stated this project was moved to a high ranking based on the Governor’s Executive Order that required the water management districts to prioritize funding to address harmful algal blooms and nutrient reduction.
Ms. Bendixson highlighted high ranked projects W212, W502, W505, and W642.

Mr. Bendixson highlighted medium ranked projects Q050 and Q080. She stated a new project evaluation was distributed for Q080.

Ms. Bendixson highlighted low ranked projects N786, Q052 and Q077.

a. **Project Presentations**
   Ms. Terese Powers, Water Resources Engineering supervisor, provided a presentation regarding medium ranked project Q080, Spring Lake stormwater improvements. Ms. Power stated this was initially a low ranked project. She provided historical information and an overview of the project. Mr. Mike Giardullo, representing DeSoto County, responded to questions from the Committee.

   A motion was made to present project Q080, with additional supporting information, at the May Governing Board meeting. The motion was seconded and passed with two votes in favor and one vote against.

   Mr. Randy Smith, Natural Systems Restoration Bureau chief, provided presentations regarding high ranked project Q079, stormwater outfall monitoring and high ranked project N642 Bowles Creek water quality plan.

   Mr. Chris Oliver, representing the Florida Department of Environmental Protection, provided a presentation regarding high ranked project W505.

   Ms. Cortney Cameron, Resource Evaluation hydrogeologist, provided a presentation regarding medium ranked project Q050. Mr. Javier Vargas, representing the City of Venice, responded to questions from the committee.

5. **Receive Additional Public Comment**
   No Request to Speak Cards were received.

6. **Action Item: Approve Project Rankings and Recommendations**
   Staff recommended the Committee approve the project rankings for the cooperative funding projects in the Southern Region ranked 1A, High and Medium; recommended the Governing Board include these projects in the District’s budget for Fiscal Year 2019-20; and drop from consideration those projects ranked low.

   A motion was made to approve staff’s recommendation, with the exclusion of project Q080. It was required that project Q080 be presented at the May Governing Board meeting. The motion was seconded and passed unanimously. (00:58:26)

7. **Adjournment**
   There being no further discussion, Committee Chair Beswick thanked everyone who attended.

The meeting was adjourned at 11:00 a.m.
EXECUTIVE DIRECTOR’S REPORT
June 25, 2019

Consent Agenda

Approve CFI Heartland Region Meeting Minutes – April 4, 2019

Staff Recommendation:

Approve Minutes as presented.

Presenter:  Brian J Armstrong, P.E., Executive Director
The Heartland Region Cooperative Funding Initiative Public Meeting hosted by the Southwest Florida Water Management District Governing Board convened at 10:00 a.m. on Thursday, April 4, 2019 at the Bartow City Hall/Commission Chambers, 450 North Wilson Avenue, Bartow, Florida.

Governing Board Members Present
Paul Senft, Committee Chair
Bryan Beswick* via Phone
James Murphy * via Phone

Staff Members Present
Jennette Seachrist
Eric DeHaven
J.P. Marchand
Jay Hoecker
Vivianna Bendixson
Terese Power
Lisann Morris
Cindy Rodriguez

Recording Secretary
Caroline Browning

A list of others who signed the attendance roster is filed in the permanent records of the District. Approved minutes can be found on the District’s Web site (www.WaterMatters.org).

The numbers preceding the items below correspond with the published agenda.

1. **Call to Order and Pledge of Allegiance**
   Committee Chair Senft called the meeting to order and led the pledge of allegiance.

2. **Introductions**
   Committee Chair Senft introduced the other members of the committee.

3. **Action Item: Approval of February 7, 2019 Meeting**
   A motion was made to approve the minutes from the February 7 meeting. The motion was seconded and carried unanimously.

4. **CFI Final Staff Rankings and Recommendations**
   Ms. Vivianna Bendixson, project manager, provided a presentation that included: an overview of the cooperative funding process; summary of last five-year funding requests; comparison of cooperative funding project requests per region; a location map of applications within the Heartland region and project requests with final rankings.

   Ms. Bendixson highlighted six projects that were identified by the Governor’s Executive Order that required the water management districts to prioritize water quality projects. Ms. Bendixson recognized projects N898, N899, Q066, Q067, N940 and Q056.

   Ms. Bendixson highlighted project N898. She explained because the third-party review has been completed, this project has been moved from a medium ranking to 1A.
Ms. Bendixson highlighted project Q118. She stated because this project has changed to a water quality project, it has been moved from a low to a medium ranking.

Ms. Bendixson highlighted low ranked projects and stated Q081 has been withdrawn.

a. **Project Presentations**
   Ms. Terese Powers, Water Resources Engineering supervisor, provided a presentation regarding medium ranked project Q118. Ms. Powers provided a history of the project, outlining the project phases. She discussed the benefits of revising the project from flood protection to a water quality and outlined the staff recommendation.

5. **Receive Additional Public Comment**
   No request to speak cards were received.

6. **Action Item: Approve Project Rankings and Recommendations**
   Staff recommended the Committee approve the project rankings for the cooperative funding projects in the Heartland Region ranked 1A, High and Medium; recommended the Governing Board include these projects in the District’s budget for Fiscal Year 2019-20; and drop from consideration those projects ranked low.

   A motion was made to approve staff’s recommendation. The motion was seconded and passed unanimously. (00:21:58)

7. **Adjournment**
   There being no further discussion, Committee Chair Senft thanked everyone who attended.

   The meeting was adjourned at 11:23 a.m.
EXECUTIVE DIRECTOR'S REPORT
June 25, 2019

Consent Agenda

Approve CFI Northern Region Meeting Minutes – April 10, 2019

Staff Recommendation:

Approve Minutes as presented.

Presenter: Brian J Armstrong, P.E., Executive Director
The Northern Region Cooperative Funding Initiative (CFI) public meeting hosted by the Southwest Florida Water Management District Governing Board convened at 10:00 a.m. on Wednesday, April 10, 2019 at the District's Brooksville Office, 2379 Broad Street, Brooksville, Florida.

Governing Board Members Present
Kelly Rice, Committee Chair
Mark Taylor

Staff Members Present
Amanda Rice
Jennette Seachrist
Michael Molligan
John Campbell
Eric DeHaven
Vivianna Bendixson
J.P. Marchand
Scott Letasi
Jay Hoecker
Frank Gargano
Caroline Browning

A list of others who signed the attendance roster is filed in the permanent records of the District. Approved minutes can be found on the District’s Web site (www.WaterMatters.org).

The numbers preceding the items below correspond with the published agenda.

1. **Call to Order and Pledge of Allegiance**
   Committee Chair Rice called the meeting to order and led the pledge of allegiance.

2. **Introductions**
   Committee Chair Rice introduced the other members of the committee.

3. **Action Item: Approval of February 6, 2019 Meeting Minutes**
   A motion was made to approve the minutes from the February 6 meeting. The motion was seconded and carried unanimously.

4. **CFI Final Staff Rankings and Recommendations**
   Ms. Vivianna Bendixson, project manager, provided a presentation that included: an overview of the cooperative funding process; summary of last five-year funding requests; comparison of cooperative funding project requests per region; a location map of applications within the Northern region and project requests with final rankings.

   Ms. Bendixson highlighted ten projects that were identified per the Governor’s Executive Order that required the water management districts to prioritize water quality projects. Ms. Bendixson recognized the following projects: W430, WW05, Q047, Q105, Q123, W432, W433, W434, WH04 and Q134.

   Ms. Bendixson highlighted high ranked project Q062. She stated that this project will be withdrawn and resubmitted in Fiscal Year (FY) 2021.

   Ms. Bendixson highlighted project Q051. She distributed a new evaluation for this project. She stated this project was initially submitted as a flood protection project. Staff received
additional information and this project was re-evaluated as a water quality project. Ms. Bendixson stated the ranking for this project is now medium.

Ms. Bendixson highlighted medium ranked project Q075. She distributed a new evaluation for this project. She stated additional language was added regarding the conservation easement.

a. **Project Presentations**

Ms. Terese Power, Engineering supervisor, provided a presentation regarding medium ranked project Q051 and low ranked project Q092. She stated staff met with Yankeetown to re-evaluate these projects.

Mr. Jack Schofield, Mayor of Yankeetown, provided a presentation that supplied additional information regarding projects that were submitted for funding.

Mr. Randy Smith, Natural Systems & Restoration Bureau chief, provided a presentation regarding medium ranked project Q075.

Ms. Bendixson highlighted projects associated with springs funding requests from the Florida Department of Environmental Protection (FDEP). These projects included: W430, W432, W434, WH04, Q134, Q060, Q065, Q120, Q124 and Q131.

Mr. Gordon Onderdonk, representing Hernando County, provided a presentation and responded to questions from the Committee regarding low ranked projects Q065 and APP14.

Ms. Jennette Seachrist, Resource Management director, stated the Springs Coast Management and Steering Committees recognized the importance of projects Q065 and APP14. Ms. Seachrist stated the District is confident a thorough review was provided for these projects.

Committee Chair Rice requested that project Q065 be presented at the May Governing Board meeting.

b. **FDEP Springs Funding Update**

Mr. Sky Notestein, Springs and Environmental Flows manager, provided a presentation regarding updated FY2020 springs funding request submittals to FDEP. He provided an overview of the applications that were received for requested springs funding.

5. **Receive Additional Public Comment**

No Request to speak cards were received.

6. **Action Item: Approve Project Rankings and Recommendations**

Staff recommended the Committee approve the project rankings for the cooperative funding projects in the Northern Region ranked 1A, High and Medium; recommended the Governing Board include these projects in the District’s budget for Fiscal Year 2019-20; and drop from consideration those projects ranked low.

A motion was made to approve staff’s recommendation with the exclusion of project Q065. A request was made to present project Q065 at the May Governing Board meeting. The motion was seconded and passed unanimously. (01:14:26)

7. **Adjournment**

The meeting was adjourned at 11:15 a.m.
EXECUTIVE DIRECTOR'S REPORT

June 25, 2019

Consent Agenda

Approve CFI Tampa Bay Region Meeting Minutes – April 11, 2019

Staff Recommendation:

Approve Minutes as presented.

Presenter: Brian J Armstrong, P.E., Executive Director
The Tampa Bay Region Cooperative Funding Initiative Public Meeting hosted by the Southwest Florida Water Management District Governing Board convened at 10:00 a.m. on Thursday, April 11, 2019 at the District’s Tampa Office, 7601 Highway 301 North, Tampa, Florida.

Governing Board Members Present
Jeff Adams, Committee Chair  
Randall Maggard  
Ed Armstrong  
Michelle Williamson  
Rebecca Smith  
Scott Wiggins  

Staff Members Present
Amanda Rice  
Jennette Seachrist  
Michael Molligan  
Eric DeHaven  
J.P. Marchand  
Randy Smith  
Vivianna Bendixson  
Terese Powers  
Will VanGelder  
Tamera McBride  
Jay Hoecker  
Joel Brown  
Caroline Browning

A list of others who signed the attendance roster is filed in the permanent records of the District. Approved minutes can be found on the District’s Web site (www.WaterMatters.org).

The numbers preceding the items below correspond with the published agenda.

1. **Call to Order and Pledge of Allegiance**
   Committee Chair Adams called the meeting to order and led the pledge of allegiance.

2. **Introductions**
   Committee Chair Adams introduced the other members of the committee.

3. **Action Item: Approval of February 14, 2019 Meeting Minutes**
   A motion was made to approve the minutes from the February 14 meeting. The motion was seconded and carried unanimously.

4. **CFI Final Staff Rankings and Recommendations**
   Ms. Vivianna Bendixson, project manager, provided a presentation that included: an overview of the cooperative funding process; summary of last five-year funding requests; comparison of cooperative funding project requests per region; a location map of applications within the Tampa Bay region and project requests with final rankings.

   Ms. Bendixson highlighted 19 projects that were identified by the Governor’s Executive Order that required the water management districts to prioritize water quality projects.
Ms. Bendixson recognized the following projects: Q012, Q027, Q036, N850, N855, Q057, Q064, Q084, Q088, Q098, Q113, Q117, Q125, Q130, W300, Q076, Q100, Q108 and Q101.

Ms. Bendixson outlined high ranked projects N773, Q063, Q064 and Q109.

Ms. Bendixson outlined medium ranked project Q096 and low ranked projects Q071, Q101, Q107, Q122 and Q128.

a. **Project Presentations**
   Mr. Randy Smith, Natural Systems Restoration Bureau chief, provided a presentation regarding low ranked project Q128.

   Mr. Jay Hoecker, Water Supply manager, provided a presentation regarding high ranked project Q109.

   Mr. Charles Cullen, representing Pasco County Utilities, provided information and responded to questions from the Committee regarding project Q109.

   Mr. Hoecker provided a presentation regarding high ranked project Q063.

   Mr. Ken Herd, representing Tampa Bay Water, provided information and responded to questions from the Committee regarding project Q063.

5. **Receive Additional Public Comment**
   No Request to Speak cards were received.

6. **Action Item: Approve Project Rankings and Recommendations**
   Staff recommendation: Approve the project rankings (with the exceptions of projects Q096, Q071 and Q107) for the Cooperative Funding projects in the Tampa Bay Region ranked 1A, High and Medium; recommend the Governing Board include these projects in the District's budget for Fiscal Year 2019-20; and drop from consideration those projects ranked Low.

   A motion was made to approve staff’s recommendation. The motion was seconded and passed unanimously. (01:14:30)

7. **Adjournment**
   There being no further discussion, Committee Chair Adams thanked everyone who attended.

   The meeting was adjourned at 11:15 a.m.
EXECUTIVE DIRECTOR’S REPORT

June 25, 2019

Consent Agenda

Approve Governing Board Minutes – May 21, 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  
TAMPA, FLORIDA  
MAY 21, 2019  

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on May 21, 2019, at the District’s Tampa Office. The following persons were present:

Board Members Present  
Bryan Beswick, Chair  
Michelle Williamson, Secretary  
H. Paul Senft, Member  
Randall S. Maggard, Member  
John Henslick, Member  
Kelly S. Rice, Member  
Mark Taylor, Member  
Joel Schleicher, Member  
Rebecca Smith, Ph.D., Member  
James G. Murphy, 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 Maggard 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: Ann Kenny, Janie Hagberg, Mark Pike, Edouard Kouadio, George Gleaton and Robin McGill.

4. **Election of Governing Board Officers**
   Chair Beswick made a motion to delay the election of officers until the June meeting. The motion was seconded and carried unanimously. (00:06:22)

5. **Additions/Deletions to Agenda**
   Mr. Brian Armstrong, executive director, stated there were no additions or deletions to the agenda.

   Board Member Taylor asked for the following item to be moved to discussion:

   9. **Clearwater Groundwater Replenishment Project (N665) – Scope Change and Proposed Contract Amendment**

   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. (00:07:42)

6. **Public Input for Issues Not Listed on the Published Agenda**
   Mr. David Ballard Geddes spoke regarding Florida Statutes as related to the Book of Common Rebellion.

**Resource Management Committee**

7. **Approve Use of the East Citrus Withlacoochee River Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Citrus County (N090)**
   Staff recommended the Board approve use of the East Citrus Withlacoochee River Watershed Management Plan floodplain information to update Flood Insurance Rate Maps in Citrus County.

8. **Approve Use of the Jumper Creek Watershed Management Plan Floodplain Information to Update Flood Insurance Rate Maps in Sumter County (N487)**
   Staff recommended the Board approve use of the Jumper Creek Watershed Management Plan floodplain information to update Flood Insurance Rate Maps in Sumter County.

9. **Clearwater Groundwater Replenishment Project (N665) – Scope Change and Proposed Contract Amendment**
   Staff recommended the Board approve 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, and to authorize the Executive Director or his designee to execute an amended agreement for the City of Clearwater Groundwater Replenishment Project (N665).

10. **Citrus County Water Sense Labeled Irrigation Controller Installation Phase 2 (N958) – Scope Change**
    Staff recommended the Board approve the scope change for the Citrus County Water Sense Labeled Irrigation Controller Installation Phase 2 (N958) to make available approximately 95 Water Sense Labeled Irrigation Controllers increasing the project benefit to an estimated 21,101 gpd of water conserved with no change in total project cost. Approve additional installations if further efficiencies are realized at no additional cost.
Finance/Outreach & Planning Committee
11. Water Reuse Week
Staff recommended the Board approve and execute Resolution No. 19-07 declaring May 19 through May 25, 2019 as “Water Reuse Week.”

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

Operations, Lands and Resource Monitoring Committee
13. First Amendment to Non-Exclusive Perpetual Easement with City of St. Petersburg – Clam Bayou – SWF Parcel No. 16-728-129X
Staff recommended the Board approve the First Amendment to the Original Non-Exclusive Perpetual Easement for Clam Bayou - SWF Parcel No. 16-728-129X and authorize the Governing Board Chairman and Secretary to execute the Amendment on behalf of the District.

Regulation Committee
14. Individual Water Use Permits Referred to the Governing Board
   a. WUP No. 20012523.004 – IFAS Research Center (Balm) / UF Institute of Food and Agricultural Sciences (Hillsborough County)
      Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report
15. Authorization, Enforcement and Litigation Activities that Require Governing Board Approval
   a. Authorization to Issue Administrative Complaint and Order – Overpumpage – Kelly Family Holdings, LLC – WUP No. 20002588.010 – CT No. 390610 – Charlotte County
      Staff recommended the Board:
      1. Authorize District staff to issue an Administrative Complaint and Order to the Permittee, and any other necessary parties, to obtain compliance with the terms and conditions of the Permit Modification.
      2. Authorize District staff to temporarily revoke Water Use Permit No. 20002588.012 until the Permittee complies with the Administrative Complaint and Order for the Permittee’s willful violation of the conditions of the Permit Modification.
      3. Authorize District staff to initiate an action in Circuit Court to enforce the permit revocation and 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. Authorization to Issue Administrative Complaint and Order – Unauthorized Activities – Seagrass Resort – CT No. 395970 – Citrus County, Florida
      Staff recommended the Board:
      1. Authorize District staff to issue an Administrative Complaint and Order to the Resort, and any other necessary parties, to obtain compliance with the terms and conditions of the Second Exemption.
      2. Authorize District staff to initiate an action in Circuit Court to enforce 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.

16. Rulemaking – None

Executive Director's Report
17. Approve Governing Board Minutes – April 23, 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. (00:12:27)

Chair Beswick relinquished the gavel to the Resource Management Committee Chair Rice, who called the meeting to order. (00:12:48)

Resource Management Committee Discussion
18. Consent Item(s) Moved for Discussion


Board Member Taylor stated he requested this item be moved to consent to allow for discussion as to how this project compares to other cooperative funding projects.

Mr. JP Marchand explained the City of Clearwater wastewater treatment facilities currently treat to Advanced Wastewater Treatment (AWT) standards. This project will allow for treatment beyond AWT standards, exceeding drinking water standards. Mr. Marchand responded to questions from the Board.

Staff recommended the Board approve 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, and to authorize the Executive Director or his designee to execute an amended agreement for the City of Clearwater Groundwater Replenishment Project (N665).

A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (00:21:40)

19. Fiscal Year (FY) 2019-2020 Cooperative Funding Update

Ms. Vivianna Bendixson, project manager, provided a presentation updating the Board on FY19-20 cooperative funding. Ms. Bendixson outlined the timeline, subcommittee structure planning regions, comparison of funding requests for 2016-2020, funding requests by regions, a map outlining the recommended projects, funding breakdown by areas of responsibilities and summaries of regional subcommittees.

Ms. Bendixson addressed low ranked project Q071. She stated this project ranking will change to high when Tampa Bay Water and Hillsborough County execute an agreement.

Ms. Bendixson addressed low ranked project Q107. She stated this project was postponed by the Tampa Bay Water Board of Directors (TBW) until June 2020. In addition, TBW has agreed to fund fifty percent since state appropriations were not received for this project.

Ms. Bendixson stated that project Q080 was withdrawn.

Ms. Bendixson addressed medium ranked project Q096. She explained staff’s recommendation not to fund this project. Ms. Bendixson responded to questions from the Board.

Staff recommended the Board Consider the Tampa Bay Regional Subcommittee request to not fund Q096 - Conservation - St. Petersburg Clothes Washer Rebate Phase 2.

A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (00:30:54)
Mr. Jay Hoecker, Water Supply Section manager, provided a presentation regarding low ranked project Q065. He provided an overview of the project description and staff evaluation. Mr. Hoecker outlined staff’s decision regarding ranking the project low.

Mr. Gordon Onderdonk, representing Hernando County, spoke in favor of funding project Q065. Mr. Onderdonk responded to questions from the Board.

Board Member Taylor suggested the District consider reviewing the guidelines regarding project rankings when a project is meeting strategic goals.

Mr. Brian Armstrong, executive director, stated that setting precedence should be considered when approving funding.

Board Member Murphy asked why the project was ranked low. Ms. Jennette Seachrist explained the Governing Board’s policy is not to fund projects required by rule. She stated this project is required by the Florida Department of Environmental Protection (FDEP) Basin Management Action Plan (BMAP). Ms. Seachrist also explained there is a policy that states that the Board will consider funding based upon the applicant’s ability to demonstrate that funding is necessary to make the project economically feasible. Mr. Onderdonk stated this project will proceed with or without District funding.

Board Member Maggard suggested this topic be a discussion item for the August Board workshop.

Mr. Armstrong reminded the Board that the decision was made to lower reserves within 20 years to 30 million dollars. He cautioned the Board against a decision that could have long lasting financial implications.

Staff recommended the Board approve staff recommendation to not fund Q065 - Hernando County - Springs - Airport Wastewater Treatment Plant Advanced Wastewater Treatment.

A motion was made and seconded to approve staff’s recommendation. The motion carried with nine in favor and one opposed. (01:21:00)

Staff recommended the Board:
- Approve staff recommendation to include 1A, High and Medium ranked projects in the District's recommended annual service budget for Fiscal Year 2019-20.
- Approve staff recommendation to eliminate all Low ranked projects from further funding consideration.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (01:21:10)

20. Lake Hancock Outfall Treatment Project (H014)

Ms. Janie Hagberg, chief professional engineer, provided a presentation that updated the Board on the Lake Hancock Outfall treatment project. This presentation included an overview of Lake Hancock, project goals, historical information, key objectives, the results of flux study and phosphate management costs.

Ms. Hagberg provided information on the use of Phoslock for a pilot scale project. She provided an overview of Phoslock. Ms. Hagberg responded to questions from the Board Members.

Board Members addressed concerns regarding expenses associated with this project and the assurance of future projects not incurring similar circumstances. Ms. Seachrist stated that since this project was implemented, a third-party independent review of project designs has become a requirement for to cooperative funding projects over five million dollars.
This item was provided for the Board's information; no action was required.

Submit & File Reports – None

Routine Reports
The following items were provided for the Committee's information, and no action was required.
22. 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. (01:54:15)

Finance/Outreach & Planning Committee Discussion
23. Consent Item(s) Moved for Discussion - None

24. Fiscal Year (FY) 2020 Ad Valorem New Growth Projections
Mr. John Campbell, Management Services director, provided a presentation regarding FY2020 ad valorem new growth projections. Mr. Campbell provided a graph that depicted new growth projections from 2001 through 2019. He explained that the average growth rate for new construction for 2001 through 2019 was 2.46 percent. He stated the growth rate for the last eleven years has been 1.71 percent. Mr. Campbell explained graphs depicting correlation analysis for construction earnings versus new construction rate and unemployment rate versus new construction. He provided a graph depicting new construction rate forecast through FY24.

Staff recommended the Board approve the ad valorem tax revenue assumption based on the updated new unit construction projection for development of the FY2020 Recommended Annual Service Budget.

A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (01:59:58)

25. Knowledge Management: Travel Governing Board Policy
Ms. Melisa Lowe, Finance Bureau chief, provided a presentation outlining updates for the travel Governing Board policy. Ms. Lowe provided background regarding the policy. She stated additional language was added to the policy to clarify that the Executive Director is authorized to delegate the authorization and approval of staff travel. In addition, the policy was modified to remove procedural language that was included in the District's travel procedure.

This item was presented for the Board's information and no action was requested. The attached revised Travel Policy will be included as a consent item in the June 2019 Board packet and approval will be requested at that time.

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

26. Legislative Update
Ms. Cara Martin, Government and Community Affairs Office chief, provided a presentation that updated the Board on the 2019 Legislative Session. She stated the legislature passed a 91.1 billion dollar budget. Ms. Martin stated there were 3,491 bills filed, 2,997 amendments filed and 197 bills that passed. She provided an overview of some bills that passed this session.

Ms. Martin provided information regarding the 2020 legislative session.

This item was provided for the Board's information; no action was required.
Submit & File Reports – None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
27. Treasurer's Report and Payment Register
28. Monthly Financial Statement
29. Monthly Cash Balances by Fiscal Year
30. Comprehensive Plan Amendment and Related Reviews Report
31. Development of Regional Impact Activity Report

Committee Chair Williamson relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Maggard, who called the meeting to order. (02:10:53)

Operations, Lands and Resource Monitoring Committee Discussion
32. Consent Item(s) Moved for Discussion - None

33. Hydrologic Conditions Report
Mr. Granville Kinsman, P.G., Hydrologic Data manager, provided a presentation on the hydrologic conditions. Mr. Kinsman stated conditions are healthy at the end of the eight-month dry season. The District received above-average rainfall in the northern and central counties during this dry season as a result of a mild El Niño event. Groundwater levels throughout the District were considered in the normal to above normal range. Lake levels are declining in all areas, but remain in the normal range in the northern, Tampa Bay and Polk Upland regions. Lake levels in the Lake Wales Ridge area are declining and have fallen below the base of the annual normal range. Flows on the Withlacoochee River, Hillsborough, Alafia and Peace rivers were in the above normal range. The Bill Young and the Peace River reservoirs remain at healthy levels.

Mr. Kinsman stated that there is a transition toward summer weather patterns. Forecasts project normal rainfall during the rainy season. He stated the hurricane season forecast predicts 13 named storms, 5 hurricanes and 2 major hurricanes. He stated the first named subtropical system has already developed. Mild El Niño conditions are expected for the remainder of the year.

This routine report provided information on the general state of the District’s hydrologic conditions, by comparing rainfall, surface water, and ground water levels for the current month to comparable dates from the historical record.

Mr. Brian Starford, Operations, Lands and Resource Monitoring acting director, updated the Board on the District’s hurricane preparedness. He stated a presentation will be provided at the June meeting.

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

Submit & File Reports - None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
34. Surplus Lands Update
35. Structure Operations
36. Significant Activities

Committee Chair Maggard relinquished the gavel to the Regulation Committee Chair Taylor, who called the meeting to order. (02:19:21)
Regulation Committee
Discussion
37. Consent Item(s) Moved for Discussion - None
38. Denials Referred to the Governing Board
No Denials were presented.

Submit & File Reports - None

Routine Reports
The following items were provided for the Committee’s information, and no action was required.
39. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program
40. Overpumpage Report
41. Individual Permits Issued by District Staff

Committee Chair Taylor relinquished the gavel to Chair Beswick. (02:19:44)

General Counsel’s Report
Discussion
42. Consent Item(s) Moved for Discussion

43. Authorization to Issue Administrative Complaint and Order – Steven B. Zink – Unauthorized Construction at 5322 C-48, Bushnell – Sumter County, Florida
Mr. Jamie Fussell, staff attorney, provided a presentation regarding an administrative complaint for Steven B. Zink. Mr. Fussell provided an overview of the property, detailed the unauthorized activities that have occurred and the corrective actions that are required. Mr. Fussell explained that Mr. Fussell stated that Mr. Zink has agreed to take corrective action, but he has not agreed to pay a penalty. Mr. Fussell stated that due to the inability to come to an agreement, an administrative complaint and order is being requested. Mr. Steven Zink addressed the Board and responded to questions.

Staff recommended the Board:
1. Authorize District staff to issue an Administrative Complaint and Order to the Owner and any other necessary parties to obtain compliance with District rules.
2. Authorize District staff to initiate an action in Circuit Court against the Owner and any other necessary parties to recover a civil penalty/administrative fine, enforcement costs, litigation costs, and attorneys’ fees, if appropriate.
3. Authorize District staff to initiate an action in Circuit Court to enforce the terms of the Administrative Complaint and Order, if necessary.

A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously. (02:41:52)

44. Approval of Consent Order – Failure to Comply with Permit Conditions – MGM of West Florida, LLC – ERP No. 44030586.000 – CT No. 370033 – Manatee County, Florida
Ms. Elizabeth Fernandez, staff attorney, provided a presentation that included historical information and corrective actions required for remediation.

Mr. Darrin Parks, representing MGM West Florida, addressed the Board and responded to questions.

Board Member Henslick asked why penalties were being waived. Ms. Karen West, General Counsel, responded the District’s objective is to achieve compliance and restoration activities in a timely manner. She explained that once penalties are justified and assessed, they are only waived
if the violator complies with the terms of the consent order and successfully completes the remediation in a reasonable amount of time. Ms. West stated that not all penalties have been waived in this case.

Staff recommended the Board:
1. Approve the proposed Consent Order.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms of the approved Consent Order, including proceeding to Circuit Court, if necessary.

**A motion was made and seconded to approve staff’s recommendation. The motion carried unanimously.** (02:51:47)

Ms. West stated there has been a challenge filed by the Rainbow River Group for the Rainbow River Minimum Flows and Levels (MFLs). The Department of Administrative Hearing (DOAH) hearing will be conducting a hearing at the District’s Brooksville Office starting June 10 through June 12.

**Submit & File Reports - None**

**Routine Reports**
The following items were provided for the Committee’s information, and no action was required.
**45. May 2019 Litigation Report**
**46. May 2019 Rulemaking Update**

**Committee/Liaison Reports**
**47. Public Supply Advisory Committee**
Board Member Senft stated there was a request from the PSAC to review the District’s Cooperative Funding Initiative policies relative to the “beneficial” reuse or recharge benefits of wastewater projects within the District’s Northern Planning Region.

A written summary was provided for the May 14 meeting.

**48. Industrial Advisory Committee (IAC)**
Board Member Smith stated there was discussion regarding expanding membership opportunities.

A written summary was provided for the May 14 meeting.

**49. Other Committee/Liaison Reports**

**Executive Director’s Report**
**50. Executive Director’s Report**
Mr. Armstrong, executive director, stated that all members of the Withlacoochee Regional Water Supply Authority have agreed to remain in the authority and the Authority will maintain ownership of the Charles A. Black Wellfield.

**Chair’s Report**
**51. Chair’s Report**
Chair Beswick stated the next meeting is scheduled for June 25 in Clearwater at Tampa Bay Water.
52. Other
53. Employee Milestones

The meeting was adjourned at 11:56 a.m.

Attest:

________________________________________
Chair

________________________________________
Secretary

C. Resource Management
Governing Board Meeting
June 25, 2019

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

21. Consent Item(s) Moved for Discussion ................................................................. 71

22. Tampa Bay Water Update...................................................................................... 72

23. City of Punta Gorda Reverse Osmosis Water Treatment Facility (N780) – Cost Change ...... 73

Submit & File Reports – None

Routine Reports

24. Minimum Flows and Levels Status Report.......................................................... 76

25. Significant Water Resource and Development Projects....................................... 79
RESOURCES MANAGEMENT COMMITTEE

June 25, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Jennette M. Seachrist, P.E., Division Director, Resource Management
Tampa Bay Water Update

To provide the Board with an overview of Tampa Bay Water’s regional water supply activities, including water supply facilities, regional projects, planning and vision for the future.

Background/History
Tampa Bay Water has continued to fulfill its mission to reliably provide clean, safe water for more than 2.5 million residents and businesses throughout their service area. The District and Tampa Bay Water continue to closely coordinate on important items including long-term water resource planning, cooperative funding initiative opportunities, shared operational and land use activities, Minimum Flows and Levels, and regulatory items.

Tampa Bay Water's General Manager Matt Jordan will provide an overview to the Board on Tampa Bay Water activities.

Staff Recommendation:
This item is presented for the Board's information; no action is required.

Presenter: Matt Jordan, General Manager, Tampa Bay Water
RESOURCE MANAGEMENT COMMITTEE
June 25, 2019

Discussion Item
City of Punta Gorda Reverse Osmosis Water Treatment Facility (N780) - Cost Change

Purpose
The purpose of this item is to consider a request from the City of Punta Gorda to amend an existing Cooperative Funding Agreement for the Reverse Osmosis (RO) Water Treatment Facility Project (N780) to increase total project costs from $32,200,000 to $36,600,000, an increase of $4,400,000, with the District share increasing by $2,200,000.

Background/History
The City of Punta Gorda (City) obtains potable water from the Shell Creek in-stream reservoir constructed in 1964. The reservoir’s active capacity is approximately 320 million gallons and the City is permitted (Water Use Permit #871) for withdrawals up to 8.088 million gallons per day (mgd) annual average. The reservoir water quality has historically been impacted by elevated Total Dissolved Solids (TDS) concentrations and in 2011, and again in 2016, the Florida Department of Environmental Protection granted a TDS exemption to the City to exceed secondary drinking water quality standards.

The City is developing a 4.0 mgd RO water treatment facility co-located with the existing Shell Creek Surface Water Treatment Facility, primarily to add a blending source to ensure the facility can meet drinking water standards year-round. Additional project benefits include providing a regional back-up water supply via connection to the Peace River Manasota Regional Water Supply Authority’s (PRMRWSA) Regional Loop System Phase 1 Interconnect, which is scheduled for construction at the same time, along with reductions of surface water withdrawals to meet minimum flows in Lower Shell Creek.

The District’s Governing Board discussed the project and approved initial funding in July 2014. The total project cost at the time was $32,200,000 based on a preliminary design estimate. A cooperative funding agreement with the City was executed in April 2016. The agreement included conditions for conducting two sequential District-implemented Third-Party Reviews (TPR), first on a brackish wellfield feasibility study and second on the RO water treatment facility’s design. Governing Board authorization was required to proceed with the project following each TPR. The brackish wellfield study TPR was approved in September 2017 and the TPR of the RO water treatment facility was approved in December 2017.

At the December 2017 Governing Board meeting, staff provided the Board a revised cost estimate from the City of $39,400,000 which was $7,200,000 above the original project estimate. At this meeting the City did not request additional funds from the District associated with the cost increase. As required by the Cooperative Funding Agreement executed in April of 2016, the City intended to provide all funds above the original project estimate ($7.2 million) necessary to complete the project.

The District is also scheduled to finalize minimum flows for the Lower Shell Creek estuary system in 2020. Much of the technical analysis to establish the minimum flow has been completed. This analysis has indicated that both the RO treatment facility and the PRMRWSA
pipeline will be required as a recovery strategy to meet the minimum flow while also maintaining the water supply system reliability at existing levels over the next 20 years. In addition, the City will likely need to construct a weir bypass pipeline/structure to allow minimum flows to route around the dam.

The City has acknowledged that the RO water treatment facility, as well as the PRMRWSA interconnect pipeline, will be needed to meet the Lower Shell Creek minimum flow and has requested the District consider funding a portion of the project cost increase. The total project cost is estimated at $39,400,000; however, $2,800,000 of the total estimated project cost is associated with expanding certain components of the RO plant to efficiently accommodate a future capacity increase from 4.0 to 8.0 mgd. Therefore, the City considers the actual project cost of the 4.0 mgd capacity facility to be $36,600,000, which is $4,400,000 or 13.7 percent above the original estimate of $32,200,000. The City has requested the District consider funding $2,200,000 or 50 percent of this cost increase. The City has also received $900,000 in State funding which was applied to final design work. The State funds reduce both parties' share, bringing the District's total requested share to $17,850,000.

Construction of the RO treatment facility is on schedule and is estimated to be complete in June of 2020. Construction of the PRMRWSA Regional Loop System Phase 1 Interconnect is also on schedule and is estimated to be complete by May 2020.

Benefits/Costs
The total project cost estimate for the 4.0 mgd RO treatment facility cooperative funding request is now $36,600,000. The project will provide 4.0 mgd of brackish groundwater supply (expandable to 8.0 mgd) for blending at the City’s co-located Shell Creek surface water treatment facility to improve water supply reliability while also meeting drinking water standards. The project will also allow the City to meet minimum flow requirements in the Lower Shell Creek estuary system.

Staff Recommendation:

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.

*Presenter:* Eric DeHaven, P.G., Assistant Director, Resource Management Division
Project No. N600/N780
City of Punta Gorda
AWS – Punta Gorda RO Facility
FY2020 (Out-of-Cycle)

Risk Level: Type 2
Multi-Year Contract: Yes, Year 6 of 6

Description:
The project consists of the design, wellfield testing study, third-party reviews, permitting, and construction of a 4 mgd brackish groundwater reverse osmosis (RO) facility co-located at the City’s existing 10 mgd Shell Creek surface water treatment facility. Components include the RO facility, water blending facility including 2 mg tank, raw water supply wellfield, and a concentrate disposal well. FY2020 funds are for facility construction.

Measurable Benefit:
The benefit is to complete an exploratory well testing program, provide a final report, and construct the RO facility.

Costs:
The total project cost: $36,600,000 (design, wellfield testing study, third-party review, permitting, and construction).
City share: $17,850,000.
State share: $900,000.
District share: $17,850,000 with $15,650,000 budgeted in previous years (a portion under project number N600) and $2,200,000 requested out-of-cycle in FY2020.

Evaluation

Application Quality: N/A
The project was requested out-of-cycle therefore a CFI application was not provided.

Project Benefit: High
The benefit of this project is to create 4 mgd of alternative water supply, ensure the availability of the alternative water supply from the Shell Creek facility that is currently hampered by poor water quality, and to protect natural systems by increasing flow reliability to the lower Shell Creek Estuary to meet the anticipated MFL schedule.

Cost Effectiveness: Medium
Based on the estimated cost of $36.6 million, the cost effectiveness is $9.15 capital/gallon per day (gpd). Cost effectiveness between $8 to $10 capital/gpd is considered medium per the CFI Evaluation Guidelines.

Past Performance: High
Based on an assessment of the schedule and budget for 1 ongoing project.

Complementary Efforts: Medium
The Cooperator is financially contributing to the PRMRWSA Phase 1 Regional Interconnect. Cooperator’s per capita water use is 124 gpcd. Cooperator also conducts Natural Systems efforts: sensitive land purchases, exotic plant removal, and nature parks.

Project Readiness: High
Project is ongoing.

Strategic Goals

Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability.
Southern Region Priority: Improve Charlotte Harbor, Sarasota Bay and Shell/Prairie/Joshua creeks.

Overall Ranking and Recommendation

Fund as High Priority.
The estimated project cost has increased from $32.2 million to $36.6 million. The City has requested funding for an eligible share of $36.6 million. The City will expend an additional $2.8 million to accommodate a future RO capacity increase from 4 to 8 mgd by upsizing facility components, bringing their actual costs to $39.4 million. The cost effectiveness remains in the medium range for AWS. Recent technical analysis of the anticipated Shell Creek MFL shows that the project is needed to meet the minimum flows, therefore staff recommend as High Priority. The CFI Agreement contains stipulations requiring third-party reviews of the wellfield study and the RO Facility design, as well as commencement of Phase 1 Pipeline construction, before the District reimburses final design and RO facility construction expenses. The third-party reviews were completed and approved in 2017, and the Phase 1 Pipeline construction commenced in January 2019.

Funding

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Prior</th>
<th>FY2020</th>
<th>Future</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>$15,650,000</td>
<td>$2,200,000</td>
<td>$0</td>
<td>$17,850,000</td>
</tr>
<tr>
<td>City of Punta Gorda</td>
<td>$15,650,000</td>
<td>$2,200,000</td>
<td>$0</td>
<td>$17,850,000</td>
</tr>
<tr>
<td>State (City budgeted)</td>
<td>$900,000</td>
<td>$0</td>
<td>$0</td>
<td>$900,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$32,200,000</strong></td>
<td><strong>$4,400,000</strong></td>
<td><strong>$0</strong></td>
<td><strong>$36,600,000</strong></td>
</tr>
</tbody>
</table>
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)

<table>
<thead>
<tr>
<th>Water Body</th>
<th>Draft MFLs Report</th>
<th>Independent, Scientific Peer Review</th>
<th>Public Workshop</th>
<th>Final MFLs Report</th>
<th>Rulemaking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Brant Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Dosson, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Harvey, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Sunshine, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Virginia, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Completed</td>
</tr>
<tr>
<td>Pierce, Lake</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Approved</td>
</tr>
<tr>
<td>Calm Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles, Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Echo Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linda, Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasco Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sapphire, Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Northern Tampa Bay Wetlands</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water Body</th>
<th>Draft MFLs Report</th>
<th>Independent, Scientific Peer Review</th>
<th>Public Workshop</th>
<th>Final MFLs Report</th>
<th>Rulemaking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chassahowitzka River</td>
<td>Completed</td>
<td>Initiated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chassahowitzka Spring Group</td>
<td>Completed</td>
<td>Initiated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blind Spring</td>
<td>Completed</td>
<td>Initiated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homosassa River</td>
<td>Completed</td>
<td>Initiated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homosassa Spring Group</td>
<td>Completed</td>
<td>Initiated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rainbow River</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Initiated</td>
</tr>
<tr>
<td>Rainbow Spring Group</td>
<td>Completed</td>
<td>Completed</td>
<td>Completed</td>
<td>Approved</td>
<td>Initiated</td>
</tr>
</tbody>
</table>

*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

June 25, 2019

Routine Report

Significant Water Resource and Development Projects

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

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroporids. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic’s potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. 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. New Activities Since Last Meeting: Rowe has demobilized from the site. The drilling is complete. JEA is working on the final drilling report for FDEP and the permits for 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 applied for a Water Use Permit 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 Five-Year Assessment of the LHR Recovery Strategy was submitted on December 14, 2018 and was reviewed by District staff. The second draft for the Five-Year Assessment was received on March 5, 2019 and District staff provided comments on March 18. A third draft of the Five-Year Assessment was received by the District on March 29, 2019 and is being revised for circulation to stakeholders in May. The Task Work Assignment (TWA) for the FY2019 Morris Bridge Sink Environmental Monitoring required by the WUP (H404) has been approved. The annual report for compliance with the S-161 WUP No.20020575 has been drafted and was submitted to Florida Department of Environmental Protection on February 28, 2019. The annual report for compliance with WUP No.20020574 for the Morris Bridge Sink Environmental Monitoring has been drafted and submitted to Florida Department of Environmental Protection on April 1, 2019. Revisions to the Five-Year Assessment are in progress and the document is anticipated to be circulated to stakeholders after receiving approval from Executive Staff. Executive Staff were briefed on April 29, 2019 about the Five-Year Assessment reports major findings and recommendations. Vegetation and wildlife monitoring required for WUP No.20020574 associated with the Morris Bridge Sink is planned to occur in June 2019. **New Activities Since Last Meeting:** On May 1, 2019, the District received the final deliverable for the second five-year assessment report. District staff have a meeting scheduled for May 22, 2018 with City of Tampa staff to discuss data reporting and to visit selected metered sites that report data from the Lower Hillsborough River system. Biological sampling and water quality sampling required for WUP No. 20020574 associated with the Morris Bridge Sink were conducted on May 16, 2019 and May 22, 2019. **Project Managers:** Barbara Nordheim-Shell; Nicole Ortega

**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. New Activities Since Last Meeting: 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. Project Manager: Robert Peterson

Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project

Pasco County, in partnership with the Southwest Florida Water Management District (District), has constructed a system of groundwater recharge wetlands on the 4G Ranch in central Pasco County to receive reclaimed water for groundwater recharge. The total project cost (N666), split equally between County and the District, was $14,300,966. The facility consists of 175 acres of constructed wetlands divided into fifteen (15) cells planted with native wetland vegetation. Each cell is operated independently through a valve manifold that includes flow control valves and flow meters and operated based on water elevation setpoints. These water level setpoints should change monthly based on recommendations defined in the Operation and Maintenance Manual to achieve a wetland hydroperiod that mimics natural Florida wetlands, with high levels in the summer wet season and lower levels in the winter dry season. Furthermore, it is expected that the infiltration that can be achieved is a function of the water level in each cell which provides driving hydraulic head for infiltration into the groundwater. The need for recharge together with the need to maintain healthy wetland vegetative communities must be balanced and optimized to ensure project success and achieve the most benefit out of this facility.

Except for ongoing work to correct problems in the SCADA system used to automate cell operation, the facility’s construction was completed in October 2017. Reclaimed water has been applied to all the cells since April 2017, and the long-term mid-summer 2018 average rate of water application has been approximately 3 MGD, with a maximum rate of approximately 8 MGD. As expected, the facility can typically handle higher rates during dry periods, and much lower rates during high rainfall periods.

A follow-up three-year project (N943), began in 2018 to compile and review available applicable operational data to evaluate impacts to the local groundwater system, optimize system
performance, and estimate future operational trends. The total cost of this project is $280,000, split equally between the County and the District. As part of this project, an operational groundwater model of the site will be developed using the information from the consultant combined with the data that County staff is currently collecting. This operational groundwater model will be used to estimate potential future system infiltration rates, impacts and benefits to the Upper Floridan aquifer, and future operational conditions. Consultant scientists will perform biannual vegetation surveys of the 15 cells constructed on the 4G Ranch to assess the performance of the wetlands against the setpoints. The surveys will be completed through photo-interpretation of low-altitude, high resolution photography obtained by the County to determine wetland vegetation cover of each cell. A technical memorandum that includes the results of both the hydrogeologic review and the vegetation hydroperiod review will be provided. This technical memorandum will include recommendations for changes to the monthly water elevation setpoints that will both maximize groundwater recharge while maintaining healthy wetland vegetative communities. The District has issued a no-cost time extension for the construction Agreement through March 31, 2019 to give the County additional time to resolve the SCADA issues. The County continues to work on resolving the SCADA issue with the facility. Meanwhile, the first tasks of the optimization project have been ongoing, including the recalibration of the groundwater model. Groundwater models, files and information collected during the spring vegetative monitoring has been received by the District. While the final deliverable and sign-off on construction is expected any day, a no-cost time extension is being processed to assure the current Agreement deadline is not reached (March 31, 2019). The optimization effort (N943) is on schedule and moving forward. The annual progress technical memo has been received and is being reviewed. The completion letter for the 4G Ranch recharge facility construction was received on March 25, 2019, and the invoice for the final payment on N666 will be processed. District comments and questions were sent to the County on the annual progress report for N943 and have been addressed by the County’s consultant.

**New Activities Since Last Meeting:** The final payment invoice is being processed, and the project is being closed out.  

**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 possible 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 April and May. The total injected volume for April was approximately 60 MG for the month. Estimated injection volume for May was not available at the time (June 3rd) this update was prepared. Total recharge volume through May is approximately 2.9 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. The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase I Feasibility Study is complete and closed. Phase 2 Feasibility Study kick-off meeting was held on January 30, 2019. The Memorandum of Understanding with Tampa Bay Water was tabled until June 2020 when the Phase 2 TAP Feasibility Study is anticipated to have additional answers. Meanwhile, the City initiated recovery at the TAP-1 well collecting water quality samples. New Activities Since Last Meeting: 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. 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. New Activities Since Last Meeting: Six new applications have been received (a total of seven applications since launch). The application from Ringling College is still under review and awaiting additional information from the applicant. Five of the seven applications are from a management company in St. Pete Beach and are upgrading toilets. After a site visit on May 9, 2019, it was determined that two of the applications don’t qualify, leaving three of those still in review and awaiting information from the applicant. The seventh application is from a hotel, Courtyard by Marriott in Tampa, and is requesting $20,000 to upgrade toilets. The application is currently under review. 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
Discussion Items

26. Consent Item(s) Moved for Discussion

27. Fiscal Year 2020 Recommended Annual Service Budget

Submit & File Reports

28. Knowledge Management: Legislative Coordination

Routine Reports

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
FINANCE/OUTREACH & PLANNING COMMITTEE
June 25, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations
FINANCE/OUTREACH & PLANNING COMMITTEE
June 25, 2019

Discussion Item

Fiscal Year 2020 Recommended Annual Service Budget

Purpose
Submit fiscal year (FY) 2020 Recommended Annual Service Budget (recommended budget) for consideration by the Governing Board as required by statute; and authorize staff to prepare the Standard Format Tentative Budget Submission based on the recommended budget, 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.

Background
Pursuant to Section 373.536(2), Florida Statutes (F.S.), the District shall, on or before July 15 of each year, submit for consideration by the Governing Board a tentative budget for the District covering its proposed operations and funding requirements for the ensuing fiscal year. On June 25, staff will present the recommended budget to the Governing Board.

Pursuant to Section 373.536(5)(d), F.S., by August 1 of each year, the District shall submit for review a tentative budget and a description of any significant changes from the preliminary budget submitted to the Florida Legislature to the Executive Office of the Governor (EOG), President of the Senate, Speaker of the House of Representatives, chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over water management districts, Secretary of the Department of Environmental Protection, and the governing body of each county in which the District has jurisdiction or derives any funds for the operations of the District. This tentative budget is known as the Standard Format Tentative Budget Submission.

Discussion
Staff will provide an overview of the FY2020 recommended budget including a review of proposed expenditures and revenues. Expenditures will be reviewed by fund, category, program and area of responsibility. The recommended budget provided to each Governing Board member as an exhibit to the overview includes charts, variance analysis and detailed descriptions of each project.

At the July 23 Governing Board meeting, staff will present the 16-county property appraisers’ certifications of taxable value and the proposed FY2020 millage rate in compliance with s. 373.503(4) and s. 200.065, F.S. The Governing Board will be requested to adopt the proposed FY2020 millage rate to ensure certification 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. In addition, the Governing Board will be requested to authorize staff to submit the District’s Standard Format Tentative Budget Submission for FY2020 to the EOG, Florida Legislature and other parties, as required by statute, to be received by August 1, 2019.

The District’s FY2020 final millage rate and budget will be adopted in September following two public budget 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 Tentative Budget Submission must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget hearing. The second and final hearing is scheduled for September 24, 2019 at 5:01 p.m. also at the Tampa Office.
Exhibit of the recommended budget will be provided separately.

**Staff Recommendation:**

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.

**Presenters:** John J. Campbell, Division Director, Management Services and Jennette Seachrist, Division Director, Resource Management
Brian Starford, Acting Division Director, Operations, Lands & Resource Monitoring
Alba E. Más, Division Director, Regulation and
Michael Molligan, Division Director, Employee and External Relations
Submit and File Report

Knowledge Management: Legislative Coordination

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.

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 Legislative Coordination Policy will be included as a consent item in the July 2019 Board packet and approval will be requested at that time.

Presenter: Cara Martin, Office Chief, Government and Community Affairs Office
Contents
PURPOSE .................................................................................................................................. 1
SCOPE ................................................................................................................................... 1
AUTHORITY .......................................................................................................................... 1
DEFINITIONS ....................................................................................................................... 1
STANDARDS ......................................................................................................................... 1
POLICY .................................................................................................................................. 2
DISTRIBUTION ..................................................................................................................... 2
REFERENCES ....................................................................................................................... 3
PERIODIC REVIEW ............................................................................................................... 3

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

June 25, 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 May 31, 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
### Custodian Held Investments

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>ACCOUNT DESCRIPTION</th>
<th>EFFECTIVE INTEREST RATE (%)</th>
<th>AMORTIZED VALUE</th>
<th>MARKET VALUE</th>
<th>ACCRUED INTEREST</th>
<th>% OF PORTFOLIO</th>
</tr>
</thead>
<tbody>
<tr>
<td>7951619</td>
<td>Investments</td>
<td>2.31</td>
<td>$155,505,235</td>
<td>$155,553,720</td>
<td>$573,159</td>
<td>32.15</td>
</tr>
<tr>
<td>7951619</td>
<td>Cash / Money Market Fund</td>
<td>2.26</td>
<td>7,748,912</td>
<td>7,748,912</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td>$163,254,147</td>
<td>$163,302,632</td>
<td>$573,159</td>
<td></td>
</tr>
<tr>
<td>7951619</td>
<td>Accounts Receivable - Trade date prior to 5/31/19, Settlement date after 5/31/19</td>
<td></td>
<td>4,820</td>
<td>4,820</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$163,258,767</td>
<td>$163,307,252</td>
<td>$573,159</td>
<td>32.15</td>
</tr>
<tr>
<td>7951620</td>
<td>Investments</td>
<td>1.97</td>
<td>$211,997,726</td>
<td>$212,111,227</td>
<td>$940,547</td>
<td>41.77</td>
</tr>
<tr>
<td>7951620</td>
<td>Cash / Money Market Fund</td>
<td>2.26</td>
<td>93,307</td>
<td>93,307</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td>$212,091,033</td>
<td>$212,204,534</td>
<td>$940,547</td>
<td></td>
</tr>
<tr>
<td>7951620</td>
<td>Accounts Receivable - Trade date prior to 5/31/19, Settlement date after 5/31/19</td>
<td></td>
<td>408</td>
<td>408</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$212,091,441</td>
<td>$212,204,942</td>
<td>$940,547</td>
<td>41.77</td>
</tr>
</tbody>
</table>

**Total Custodian Held Investments**

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Interest Rate (%)</th>
<th>Cost</th>
<th>Market</th>
<th>Accrued Interest</th>
<th>% of Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### State Board of Administration (SBA) Investment Accounts

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>ACCOUNT DESCRIPTION</th>
<th>EFFECTIVE INTEREST RATE (%)</th>
<th>PURCHASE VALUE</th>
<th>MARKET VALUE</th>
<th>ACCRUED INTEREST</th>
<th>% OF PORTFOLIO</th>
</tr>
</thead>
<tbody>
<tr>
<td>271413</td>
<td>SBA General Investments</td>
<td>2.58</td>
<td>$101,069,469</td>
<td>$101,069,469</td>
<td></td>
<td>47.06</td>
</tr>
<tr>
<td>271414</td>
<td>SBA Land Resources</td>
<td>2.58</td>
<td>17,333,799</td>
<td>17,333,799</td>
<td></td>
<td></td>
</tr>
<tr>
<td>271415</td>
<td>SBA Advanced State Funding (Eco System Trust Fund)</td>
<td>2.58</td>
<td>393,889</td>
<td>393,889</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>271416</td>
<td>SBA Advanced State Funding (FDOT)</td>
<td>2.58</td>
<td>13,393,657</td>
<td>13,393,657</td>
<td></td>
<td></td>
</tr>
<tr>
<td>271417</td>
<td>SBA Advanced State Funding (WRAP)</td>
<td>2.58</td>
<td>11,681</td>
<td>11,681</td>
<td></td>
<td></td>
</tr>
<tr>
<td>271418</td>
<td>SBA Advanced State Funding (WPSTF-AWS)</td>
<td>2.58</td>
<td>232,182</td>
<td>232,182</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total State Board of Administration (SBA) Accounts</strong></td>
<td></td>
<td></td>
<td>$132,434,677</td>
<td>$132,434,677</td>
<td>26.08</td>
<td></td>
</tr>
</tbody>
</table>

**Total Investments**

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Interest Rate (%)</th>
<th>Cost</th>
<th>Market</th>
<th>Accrued Interest</th>
<th>% of Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash, Suntrust Demand Account</td>
<td></td>
<td>3,074,588</td>
<td>3,074,588</td>
<td>0</td>
<td>100.00</td>
</tr>
<tr>
<td>Total Cash and Investments</td>
<td></td>
<td>$510,859,473</td>
<td>$511,021,459</td>
<td>0</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Weighted average yield on portfolio at May 31, 2019 is 2.24%.
## EQUITY - CASH AND INVESTMENTS

**DISTRICT AND BASINS**

<table>
<thead>
<tr>
<th>Fund/Program</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>District General Fund</td>
<td>$449,399,074</td>
<td>87.98%</td>
</tr>
<tr>
<td>Restricted for Alafia River Basin</td>
<td>629,014</td>
<td>0.12%</td>
</tr>
<tr>
<td>Restricted for Hillsborough River Basin</td>
<td>15,812,024</td>
<td>3.10%</td>
</tr>
<tr>
<td>Restricted for Coastal Rivers Basin</td>
<td>317,535</td>
<td>0.06%</td>
</tr>
<tr>
<td>Restricted for Pinellas-Anclote River Basin</td>
<td>13,510,932</td>
<td>2.64%</td>
</tr>
<tr>
<td>Restricted for Withlacoochee River Basin</td>
<td>1,280,736</td>
<td>0.25%</td>
</tr>
<tr>
<td>Restricted for Peace River Basin</td>
<td>1,615,262</td>
<td>0.32%</td>
</tr>
<tr>
<td>Restricted for Manasota Basin</td>
<td>3,267,907</td>
<td>0.64%</td>
</tr>
<tr>
<td><strong>Total District General Fund</strong></td>
<td><strong>$485,832,184</strong></td>
<td><strong>95.11%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDOT Mitigation Program</td>
<td>13,153,099</td>
<td>2.57%</td>
</tr>
<tr>
<td>Florida Forever Program</td>
<td>11,873,290</td>
<td>2.32%</td>
</tr>
</tbody>
</table>

**TOTAL EQUITY IN CASH AND INVESTMENTS**

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$510,859,473</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>
Monthly Investment Report for Period Ended May 31, 2019
Southwest Florida Water Management District All Assets Summary Comparison for the period May 1, 2019 to May 31, 2019

<table>
<thead>
<tr>
<th>Southwest Florida Water Management District All Assets Portfolio</th>
<th>May 1, 2019</th>
<th>May 31, 2019</th>
<th>Portfolio Characteristic</th>
<th>May 1, 2019</th>
<th>May 31, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Book Value Plus Accrued</td>
<td>$517,818,634</td>
<td>$509,293,564</td>
<td>Weighted Book Yield</td>
<td>2.23%</td>
<td>2.24%</td>
</tr>
<tr>
<td>Net Unrealized Gain/Loss</td>
<td></td>
<td>(644,745)</td>
<td>Weighted Duration</td>
<td>0.68 Years</td>
<td>0.66 Years</td>
</tr>
<tr>
<td>Net Pending Transactions</td>
<td>0</td>
<td>5,029</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Value Plus Accrued Net</td>
<td>$517,173,889</td>
<td>$509,460,579</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Individual Portfolio Characteristics

<table>
<thead>
<tr>
<th></th>
<th>May 1, 2019</th>
<th>May 31, 2019</th>
<th>May 31, 2019</th>
<th>May 31, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid Portfolio (SBA-Florida Prime)</td>
<td>$141,619,605</td>
<td>$132,434,677</td>
<td>$300,273</td>
<td>$2,118,074</td>
</tr>
<tr>
<td>Enhanced Cash</td>
<td>163,476,365</td>
<td>163,880,411</td>
<td>313,153</td>
<td>2,378,058</td>
</tr>
<tr>
<td>Short Term 1-3 Year</td>
<td>212,077,919</td>
<td>213,145,491</td>
<td>351,733</td>
<td>2,577,706</td>
</tr>
<tr>
<td>Market Value Plus Accrued Net</td>
<td>$517,173,889</td>
<td>$509,460,579</td>
<td>$965,159</td>
<td>$7,073,838</td>
</tr>
</tbody>
</table>

Less Advisory Fees: $ (9,785) $ (77,439)

Total Earnings Net of Fees $ 955,374 $ 6,996,399

Blended Basis Fee (Annualized) 0.02306% 0.02281%

Maturity Distribution By Type

<table>
<thead>
<tr>
<th>Maturity Distribution By Type</th>
<th>Millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3 Months</td>
<td>$200</td>
</tr>
<tr>
<td>3-6 Months</td>
<td>$150</td>
</tr>
<tr>
<td>6-9 Months</td>
<td>$100</td>
</tr>
<tr>
<td>9-12 Months</td>
<td>$50</td>
</tr>
<tr>
<td>1-2 Years</td>
<td>$50</td>
</tr>
<tr>
<td>2-3 Years</td>
<td>$50</td>
</tr>
<tr>
<td>3-4 Years</td>
<td>$50</td>
</tr>
<tr>
<td>4-5 Years</td>
<td>$50</td>
</tr>
</tbody>
</table>

Portfolio Allocation By Standard and Poors' Rating

<table>
<thead>
<tr>
<th>Rating</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA Rating</td>
<td>53.29%</td>
</tr>
<tr>
<td>A Rating</td>
<td>29.64%</td>
</tr>
<tr>
<td>A-1+</td>
<td>9.84%</td>
</tr>
<tr>
<td>AA Rating</td>
<td>7.23%</td>
</tr>
<tr>
<td>A-1</td>
<td>7.23%</td>
</tr>
</tbody>
</table>

See additional disclosures for footnotes.
Additional Disclosure

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

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

Public Trust Advisors does not have the authority to withdraw funds from or deposit funds to the custodian. Our clients retain responsibility for their internal accounting policies; implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

Pricing sources from our reporting platform are provided by Clearwater reporting platform and are established by Clearwater’s internal pricing procedures. Clearwater utilizes a hierarchical pricing model which starts with one of the industry’s pricing sources, S&P Capital IQ. Securities with short maturities and infrequent secondary market trades are typically priced via mathematical calculations. The Securities in this investment portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by Public trust Advisors, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency, unless otherwise specifically stated. Investment in fixed income securities involves risks, including the possible loss of the amount invested.

Past performance is not an indication of future performance.

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

Public Trust Advisors is an investment advisor registered with the Securities and Exchange Commission, and is required to maintain a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, privacy policy, or code of ethics please contact Service Operations at the address below.

Public Trust Advisors
717 17th Street, Suite 1850
Denver, CO 80202
FINANCE/OUTREACH & PLANNING COMMITTEE

June 25, 2019

Routine Report

Monthly Financial Statement

Purpose
Presentation of the May 31, 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 Eighth Month Ended May 31, 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 Eight Months Ended May 31, 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 May 31, 2019, with 66.7 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 May 31, 2019, 89 percent of the District’s budgeted revenues/balances have been recognized.

• As of May 31, 2019, the District has received $107,998,327 of ad valorem tax revenue representing 98 percent of the budget. This is in-line with the eight-months prior year collection rates of 98 percent for FY2017-18 and 98 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, $2,742,933 revenues have been recognized, representing 7 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 May 31, 2019, is earning a weighted average yield of 2.24 percent. For the eight months ended May 31, 2019, the District has earned 2.05 percent yield on its investments. Interest earnings on invested funds in the amount of $7,072,864 have been recognized representing 79 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 67 percent of the budgeted amount as of May 31, 2019.

• As of May 31, 2019, other revenue earned is 347 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 $447,542.
• 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 May 31, 2019, the District had obligated 78 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 72 percent of the budget (32 percent expended, and 40 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 81 percent of the budget (7 percent expended, and 74 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 68 percent of the budget (46 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 61 percent of the budget (54 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 58 percent of the budget (34 percent expended, and 24 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 73 percent of the budget (64 percent expended, and 9 percent encumbered).

Based on the financial activities for the eight months ended May 31, 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 Eight Months Ended May 31, 2019  
(Unaudited)

<table>
<thead>
<tr>
<th>Sources</th>
<th>Current Budget</th>
<th>Actuals Through 5/31/2019</th>
<th>Variance (under)/Over Budget</th>
<th>Actuals As A % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Valorem Property Taxes</td>
<td>$110,599,432</td>
<td>$107,998,327</td>
<td>$(2,601,105)</td>
<td>98%</td>
</tr>
<tr>
<td>Intergovernmental Revenues</td>
<td>37,350,115</td>
<td>2,742,933</td>
<td>(34,607,182)</td>
<td>7%</td>
</tr>
<tr>
<td>Interest on Invested Funds</td>
<td>8,900,000</td>
<td>7,072,864</td>
<td>(1,827,136)</td>
<td>79%</td>
</tr>
<tr>
<td>License and Permit Fees</td>
<td>1,989,800</td>
<td>1,326,542</td>
<td>(663,258)</td>
<td>67%</td>
</tr>
<tr>
<td>Other</td>
<td>457,800</td>
<td>1,590,718</td>
<td>1,132,918</td>
<td>347%</td>
</tr>
<tr>
<td>Fund Balance</td>
<td>203,645,703</td>
<td>203,645,703</td>
<td>0</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Sources</strong></td>
<td><strong>$362,942,850</strong></td>
<td><strong>$324,377,087</strong></td>
<td><strong>$(38,565,763)</strong></td>
<td><strong>89%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses</th>
<th>Current Budget</th>
<th>Expenditures</th>
<th>Encumbrances¹</th>
<th>Available Budget</th>
<th>% Expended (rounded)</th>
<th>% Obligated ²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Resource Planning and Monitoring</td>
<td>$41,999,100</td>
<td>$13,614,470</td>
<td>$16,689,854</td>
<td>$11,694,776</td>
<td>32%</td>
<td>72%</td>
</tr>
<tr>
<td>Land Acquisition, Restoration and Public Works</td>
<td>258,487,602</td>
<td>16,850,321</td>
<td>192,986,909</td>
<td>48,650,372</td>
<td>7%</td>
<td>81%</td>
</tr>
<tr>
<td>Operation and Maintenance of Works and Lands</td>
<td>24,925,831</td>
<td>11,438,192</td>
<td>5,574,940</td>
<td>7,912,699</td>
<td>46%</td>
<td>68%</td>
</tr>
<tr>
<td>Regulation</td>
<td>22,255,031</td>
<td>11,988,304</td>
<td>1,619,071</td>
<td>8,647,656</td>
<td>54%</td>
<td>61%</td>
</tr>
<tr>
<td>Outreach</td>
<td>2,808,598</td>
<td>959,958</td>
<td>659,366</td>
<td>1,189,274</td>
<td>34%</td>
<td>58%</td>
</tr>
<tr>
<td>Management and Administration</td>
<td>12,466,688</td>
<td>8,038,663</td>
<td>1,079,424</td>
<td>3,348,601</td>
<td>64%</td>
<td>73%</td>
</tr>
<tr>
<td><strong>Total Uses</strong></td>
<td><strong>$362,942,850</strong></td>
<td><strong>$62,889,908</strong></td>
<td><strong>$218,609,564</strong></td>
<td><strong>$81,443,378</strong></td>
<td><strong>17%</strong></td>
<td><strong>78%</strong></td>
</tr>
</tbody>
</table>

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 May 31, 2019, and covers the interim period since the most recent audited financial statements.
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 May 31, 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

June 25, 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
<table>
<thead>
<tr>
<th>Project</th>
<th>Amendment Type</th>
<th>Assigned</th>
<th>Completed</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auburndale 19-2</td>
<td>ESR</td>
<td>5/24/2019</td>
<td></td>
<td>Map amendment.</td>
</tr>
<tr>
<td>Bartow 19-1</td>
<td>ESR</td>
<td>3/11/2019</td>
<td>4/10/2019</td>
<td>Comments addressed statutory requirements for water supply planning, an existing well and encouraged scheduling a preapplication meeting with ERP staff.</td>
</tr>
<tr>
<td>Bradenton 19-1</td>
<td>ESR</td>
<td>4/12/2019</td>
<td>4/26/2019</td>
<td>Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.</td>
</tr>
<tr>
<td>Charlotte 19-1</td>
<td>ESR</td>
<td>3/11/2019</td>
<td>4/10/2019</td>
<td>Comments addressed requirements for a potable water analysis, reuse, conservation and existing WUP/wells. Also commended applicant for designing the development to preserve most on-site wetlands and encouraged scheduling a preapplication ERP meeting.</td>
</tr>
<tr>
<td>Dundee 19-1</td>
<td>ESR</td>
<td>3/1/2019</td>
<td>4/1/2019</td>
<td>Comments addressed statutory requirements for a potable water analysis, wetlands, an existing well, District data collection sites and encouraged scheduling a preapplication meeting with ERP staff.</td>
</tr>
<tr>
<td>Hernando 19-1</td>
<td>ESR</td>
<td>5/16/2019</td>
<td></td>
<td>Text amendment.</td>
</tr>
<tr>
<td>Highlands 19-1</td>
<td>ESR</td>
<td>3/5/2019</td>
<td>4/5/2019</td>
<td>Comments addressed statutory requirements for verification of potable water supply from Town of Lake Placid, reuse, conservation, floodplains, wetlands, existing WUP/wells and encouraged scheduling a preapplication meeting with ERP staff.</td>
</tr>
<tr>
<td>Highlands 19-2</td>
<td>ESR</td>
<td>4/2/2019</td>
<td>4/12/2019</td>
<td>No substantive comments.</td>
</tr>
<tr>
<td>Lake 19-1</td>
<td>ESR</td>
<td>4/12/2019</td>
<td>5/21/2019</td>
<td>Advised amendment is in the SJRWMD.</td>
</tr>
<tr>
<td>Lake Alfred 19-1</td>
<td>ESR</td>
<td>3/1/2019</td>
<td>4/1/2019</td>
<td>Comments addressed statutory requirements for a potable water analysis, reuse, conservation, existing WUP/wells and encouraged scheduling a preapplication meeting with ERP staff.</td>
</tr>
<tr>
<td>Project</td>
<td>Amendment Type</td>
<td>Assigned</td>
<td>Completed</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>North Port 19-1</td>
<td>ESR</td>
<td>5/7/2019</td>
<td>5/30/2019</td>
<td>Comments addressed the statutory requirement to provide a potable water analysis, conservation, an existing WUP and continuing coordination with ERP staff.</td>
</tr>
<tr>
<td>Palmetto 19-1</td>
<td>ESR</td>
<td>3/14/2019</td>
<td>4/12/2019</td>
<td>No substantive comments.</td>
</tr>
<tr>
<td>Pasco 19-10</td>
<td>ESR</td>
<td>5/24/2019</td>
<td></td>
<td>Map amendment.</td>
</tr>
<tr>
<td>Pasco 19-8</td>
<td>ESR</td>
<td>4/25/2019</td>
<td>5/17/2019</td>
<td>Comments addressed potable supply availability and encouraged continued cooperation with District staff for issuance of the ERP.</td>
</tr>
<tr>
<td>Polk 19-1</td>
<td>ESR</td>
<td>3/7/2019</td>
<td>3/12/2019</td>
<td>Comments addressed reuse, conservation, existing wells and encouraged scheduling a preapplication meeting with ERP staff.</td>
</tr>
<tr>
<td>Polk 19-5</td>
<td>ESR</td>
<td>5/6/2019</td>
<td>5/30/2019</td>
<td>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.</td>
</tr>
<tr>
<td>Project</td>
<td>Amendment Type</td>
<td>Assigned</td>
<td>Completed</td>
<td>Description</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------</td>
<td>-------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Sumter 19-1</td>
<td>ESR</td>
<td>5/17/2019</td>
<td></td>
<td>Map amendment.</td>
</tr>
<tr>
<td>Sumter 19-2</td>
<td>ESR</td>
<td>5/31/2019</td>
<td></td>
<td>Text amendment.</td>
</tr>
<tr>
<td>Sumter 19-3</td>
<td>ESR</td>
<td>5/31/2019</td>
<td></td>
<td>Map amendment.</td>
</tr>
</tbody>
</table>

Abbreviations:
ACSC       Area of Critical State Concern
ESR        Expedited State Review
# Operations, Lands & Resource Monitoring Committee

## Discussion Items

33. Consent Item(s) Moved for Discussion.......................................................... 108
34. 2019 Hurricane Preparedness...................................................................... 109
35. Knowledge Management: New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures............................................. 110

## Submit & File Reports

36. Hydrologic Conditions Report.................................................................... 114

## Routine Reports

37. Surplus Lands Update ................................................................................. 117
38. Structure Operations................................................................................... 120
39. Significant Activities................................................................................... 122
OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

June 25, 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

June 25, 2019

Discussion Item

2019 Hurricane Preparedness

Purpose
This presentation will provide an overview of the District’s emergency preparedness for the 2019 hurricane season. Discussion will include actions to prepare District infrastructure and staff for the upcoming hurricane season and detail the District’s responsibilities as a member of the State’s Emergency Response Team (SERT).

Background/History
Water Management Districts are members of the SERT and serve as support agencies to the Department of Transportation and the Department of Environmental Protection during statewide emergency activations. Statewide communication and coordination is achieved through the State Emergency Operations Center. The District is a party to the Statewide Mutual Aid Agreement and the Florida Water Management Districts Mutual Aid Agreement for Catastrophic Emergency Response/Recovery. These agreements provide reciprocal emergency aid and assistance during an emergency.

The District has an updated (2018) Comprehensive Emergency Management Plan (CEMP), in line with Florida Statute, Chapter 252, Emergency Management. The CEMP outlines a comprehensive and effective program to ensure an effective response to a full range of potential emergencies, including major weather-based events such as hurricanes. In the event of a hurricane, or any other emergency that could potentially impact the District’s 16-county area, the District’s Emergency Operations Center is prepared for activation to monitor and respond.

Staff Recommendation:

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

Presenter: Kawika Bailey, Senior Land Management Specialist/Emergency Coordinating Officer
OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

June 25, 2019

Discussion Item

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

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 New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Board Policy and deemed it necessary to update the policy. The revised policy has been provided as an exhibit. The primary modification is to provide staff direction to conduct risk-based prioritization and planning of water control structure refurbishments and replacements. This is consistent with the District’s ongoing effort to create a risk-based capital improvement plan for its water control structures.

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 New Construction, Refurbishment or Replacement of District Flood Control and Water Conservation Structures Policy will be included as a consent item in the July 2019 Board packet and approval will be requested at that time.

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief
GOVERNING BOARD POLICY
Southwest Florida Water Management District

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

Document Owner: Operations and Land Management Bureau Chief

Approved By: Bryan K. Beswick, Chairman Effective Date: 07/23/2019

Last Review: 06/06/2019

Contents
PURPOSE ....................................................................................................................... 1
SCOPE ....................................................................................................................... 1
AUTHORITY ............................................................................................................... 1
DEFINITIONS ............................................................................................................. 2
POLICY ..................................................................................................................... 2
DISTRIBUTION ......................................................................................................... 3
REFERENCES .......................................................................................................... 3
PERIODIC REVIEW ................................................................................................. 3

PURPOSE
The purpose of this policy is to establish guidelines for funding and construction of District structures 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
This policy promotes the conservation, management and beneficial use of surface and ground water resources. The District advocates a non-structural approach to store, manage, protect and convey the State’s water resources. This is consistent with the State Comprehensive Plan, Chapter 187, Florida Statutes, which 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 in the State within the District’s boundaries. Such programs include SWIM, Resource Regulation, Watershed Management Program, Land Management, and the District’s involvement in the 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.
The District will avoid implementing structural water management alternatives unless 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 is 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.
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 May, 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](https://www.swfwmd.state.fl.us/resources/weather-hydrology/hydrologic-conditions-reports)

Rainfall
Rainfall totals for May indicate amounts were within the normal range in all three regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month.

- Northern region rainfall averaged 3.08 inches, equivalent to the 50th percentile
- Central region rainfall averaged 2.99 inches, equivalent to the 55th percentile.
- Southern region rainfall averaged 3.00 inches, equivalent to the 45th percentile.
- District-wide, average rainfall was 3.02 inches, equivalent to the 47th percentile.

Streamflow
Streamflow data for May indicate that flow decreased 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 all three regions of the District. 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 51st percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 35th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 48th percentile.

Groundwater Levels
Groundwater data for May indicates that levels in the Floridan/Intermediate aquifer decreased in all three regions of the District, compared to last month. Groundwater levels ended the month at the upper-end of the normal range in all three regions of the District. 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 71st percentile.

The average groundwater level in the central region was in the 71st percentile.

The average groundwater level in the southern region was in the 62nd percentile.

**Lake Levels**

Water level data for May indicates that regional lake levels decreased 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 decreased 0.40 foot and were 0.48 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region decreased 0.30 foot and were 0.73 foot above the base of the annual normal range.
- Average lake levels in the Polk Uplands region decreased 0.39 foot and were 1.25 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region decreased 0.54 foot and were 0.91 foot below the base of the annual normal range.

**Issues of Significance**

May historically marks the last month of the 8-month dry-season (October through May) and rainfall totals for the month saw accumulations within the normal range in all three regions of the District. Analysis of dry-season rainfall, District-wide, indicates October through May totals to be approximately 1.7 inches above the historic average.

Rainfall during the first week of May was associated with a slow moving tropical disturbance from the Atlantic Ocean that moved across the Florida Peninsula, while rainfall during the remainder of the month was generally scattered and associated with summer-like convective thunderstorm/rain shower activity. The District-wide 12-month cumulative rainfall total decreased, ending the month at approximately 0.5 inch above the long-term historic average, while the 24-month cumulative total increased, ending the month at 12.5 inches above the historic average.

Although rainfall accumulations during the month were considered “normal” in all regions, hydrologic conditions throughout the District saw declines. Regional groundwater levels and streamflow conditions saw declines, while remaining within their historical normal ranges. Regional lake levels saw declines, 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. The risk of wildfire continues in some areas.

NOAA’s Climate Prediction Center’s three-month weather forecast, as of May 18, 2019, indicates “equal chances” for below-normal, normal or above-normal rainfall throughout the District during June through August 2019, based on existing El Niño conditions in the Pacific Ocean continuing throughout the upcoming summer and fall months.
Updated weather forecasts will be available in mid-June. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

Staff Recommendation:

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

Presenter: Granville Kinsman, Hydrologic Data Manager
OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

June 25, 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 May 15, 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.

<table>
<thead>
<tr>
<th>Status</th>
<th>Acres</th>
<th>Parcels</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sold, exchanged or transferred</td>
<td>1,636</td>
<td>41</td>
<td>$8,495,027</td>
</tr>
<tr>
<td>Closing pending Includes Annuteliga Hammock (AH)</td>
<td>29</td>
<td>6</td>
<td>$126,000</td>
</tr>
<tr>
<td>Listed with broker with approved minimum sale price</td>
<td>834</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Listed with broker without minimum sale price</td>
<td>192</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>AH Project</td>
<td>547</td>
<td>996</td>
<td></td>
</tr>
<tr>
<td>AH lots offered to adjacent owners</td>
<td>30</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td>Agency request</td>
<td>599</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Non-marketable</td>
<td>20</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>On hold</td>
<td>1,098</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>4,985</td>
<td>1,121</td>
<td><strong>$8,621,027</strong></td>
</tr>
</tbody>
</table>

Annuteliga 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 Annuteliga Hammock Project that are valued less than $25,000. Below is the status of the surplus sales process for this Project. Currently there are five offers signed by the Governing Board Chair and closing is pending.

<table>
<thead>
<tr>
<th>SWF Parcel No.</th>
<th>Date Closed</th>
<th>Acres</th>
<th>Contract Price</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-228-1430S</td>
<td>4/9/2019</td>
<td>0.93</td>
<td>$9,000.00</td>
<td>$8,100.00</td>
</tr>
<tr>
<td>15-228-1451S</td>
<td>5/8/2019</td>
<td>0.92</td>
<td>$14,000.00</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>15-228-1862S</td>
<td>5/3/2019</td>
<td>0.45</td>
<td>$4,000.00</td>
<td>$3,200.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>2.30</td>
<td><strong>$27,000.00</strong></td>
<td><strong>$19,300.00</strong></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcels</td>
<td>10</td>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acreage</td>
<td>5.68 acres</td>
<td>7.98 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appraised Values</td>
<td>$40,900</td>
<td>$60,200.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$7,201 per acre</td>
<td>$7,544 per acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract Values</td>
<td>$55,542 total sales</td>
<td>$82,542.00 total sales</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$9,779 per acre</td>
<td>$10,344 per acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basis Values (Average of all parcels)</td>
<td>$30,348 total purchase price</td>
<td>$42,637 total purchase price</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$5,343 per acre</td>
<td>$5,343 per acre</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Staff Recommendation:**

This item is provided for the Board’s information and no action is required.
Structure Operations

Summary of the operations made from April 16 through May 15, 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 27.56 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 39.81 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 57.85 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 closed to maintain water levels. The average monthly water level for Lake Thonotosassa was 36.05 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 3.26 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 99.72 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 74.41 feet NGVD, compared to the recommended level of 74.50 feet NGVD.

**Staff Recommendation:**

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

**Presenter**: Jerry Mallams, P.G., Operations and Land Management Bureau Chief
OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

June 25, 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 May 20, 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 10,642 acres of conservation lands during FY2019.
- Staff continue to trap and conduct phased feral hog management hunts on District lands. There have been 787 feral hogs removed from District lands during FY2019.
- Vegetation Management staff have treated invasive exotic vegetation on 14,311 acres on District lands during FY2019.
- Land resource-based revenue to date this fiscal year is $124,690.
- Staff continue to identify and mechanically treat hazard fuels within the wildland urban interface. Approximately 3.7 miles of fireline enhancements were completed on the Conner Preserve this reporting period, bringing the total fiscal year boundary hazard mitigation to 15.9 miles.

**Land Resources/Land Use and Protection**

- Executed Second Amendment to the Enhanced Patrol Agreement with Florida Fish and Wildlife Conservation Commission (FWC) to increase the rate of pay for patrol lieutenants and captains from $40 to $42 per hour, with no increase to the District’s allocated budget for security

**Issued Special Use Authorization to the following:**

- Wicked Awesome Racing, LLC for up to 100 participants to participate in an endurance trail bike race event within Green Swamp West.
- Pasco County Sheriff’s Office for up to 40 participants to conduct tactical SWAT training and classroom instruction at the Green Swamp West meeting facility
- Audubon Florida for two members to conduct a nesting bird survey at the Rock Ponds Tract
- Volunteers provided 288 hours of service at a value of approximately $6,785.28 to the District’s conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.
- Processed 527 requests and provided 1,645 camping opportunities on District lands.
The following is a breakdown of District land interests:

- **District Land Ownership -- Acres Acquired**
  - Conservation lands solely owned by the District
  - Conservation lands solely owned by the District with conditions
  - Easements
  - Conservation lands jointly owned with partner
  - Project lands solely owned by the District

- **Land Management and Maintenance (Acres)**
  - Conservation lands solely managed by the District (WMA)*
  - Conservation lands solely managed by the District (Non WMA)*
  - Easements managed by landowners
  - Lands managed solely by partners
  - Lands managed in partnership with others
  - Project lands solely maintained by District

*WMA = Wildlife

Staff Recommendation:

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

Discussion Items

40. Consent Item(s) Moved for Discussion.......................................................................................125

41. Denials Referred to the Governing Board ..................................................................................126

Submit & File Reports – None

Routine Reports

42. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program ...........................................................................................................127

43. Overpumpage Report .................................................................................................................128

44. Individual Permits Issued by District Staff ..................................................................................131
REGULATION COMMITTEE
June 25, 2019

Discussion Item
Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Alba Más, P.E., Division Director, Regulation
REGULATION COMMITTEE
June 25, 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
June 25, 2019

Routine Report

DPWUCA Flow Meter AMR 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 May 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, 847 AMR units have been installed (97 percent complete), and 100 modems have been replaced (20 percent complete). Project Manager: Talia Paolillo

Staff Recommendation:

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

Presenter: Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau
REGULATION COMMITTEE
June 25, 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
## Under Review (1) Permit Application In-House (2) Forwarded to OGC (3)

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type</th>
<th>Permitted Quantity</th>
<th>Original Report Date Annual Avg. Use</th>
<th>Current Report Date Annual Avg. Use</th>
<th>Service Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1345.005</td>
<td>Royal Oaks of Citrus HOA, Inc. ¹</td>
<td>Public Supply</td>
<td>66,800 gpd</td>
<td>01/01/2019 101,528 gpd 51.99%</td>
<td>04/01/2019 73,385 gpd 9.86%</td>
<td>Brooksville</td>
</tr>
</tbody>
</table>

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).
<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Permit Holder</th>
<th>Use Type</th>
<th>Permitted Quantity</th>
<th>Original Report Date</th>
<th>Annual Avg. Use</th>
<th>Percent Over</th>
<th>Current Report Date</th>
<th>Annual Avg. Use</th>
<th>Percent Over</th>
<th>Service Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>3219.007</td>
<td>Gardiner Florida Citrus, Inc.</td>
<td>Agriculture – Citrus</td>
<td>322,600 gpd</td>
<td>11/01/2018</td>
<td>376,121 gpd</td>
<td>16.59%</td>
<td>04/01/2019</td>
<td>433,575 gpd</td>
<td>34.40%</td>
<td>Bartow</td>
</tr>
<tr>
<td>368.010</td>
<td>The Heather Golf and Country Club</td>
<td>Recreation - Lawn/Landscaping and Golf Course</td>
<td>59,700 gpd</td>
<td>11/01/2018</td>
<td>62,726 gpd</td>
<td>5.07%</td>
<td>04/01/2019</td>
<td>74,258 gpd</td>
<td>24.39%</td>
<td>Brookville</td>
</tr>
<tr>
<td>12900.002</td>
<td>Minto Bradenton LLC (Perico Island Development)</td>
<td>Recreation - Lawn/Landscaping</td>
<td>130,500 gpd</td>
<td>11/01/2017</td>
<td>196,759 gpd</td>
<td>50.77%</td>
<td>04/01/2019</td>
<td>161,306 gpd</td>
<td>23.61%</td>
<td>Sarasota</td>
</tr>
<tr>
<td>696.006</td>
<td>Gardiner Florida Citrus, Inc.</td>
<td>Agriculture – Citrus</td>
<td>210,600 gpd</td>
<td>05/01/2017</td>
<td>293,762 gpd</td>
<td>39.49%</td>
<td>04/01/2019</td>
<td>290,367 gpd</td>
<td>37.88%</td>
<td>Bartow</td>
</tr>
<tr>
<td>1156.012</td>
<td>Bay Laurel Center Public Water Supply System</td>
<td>Public Supply</td>
<td>2,555,000 gpd</td>
<td>09/01/2016</td>
<td>2,696,799 gpd</td>
<td>5.55%</td>
<td>04/01/2019</td>
<td>3,103,192 gpd</td>
<td>21.46%</td>
<td>Brookville</td>
</tr>
<tr>
<td>2588.010</td>
<td>Kelly Family Holdings, LLC (Kelly Farms)</td>
<td>Agriculture – Potatoes and Pasture</td>
<td>1,043,600 gpd</td>
<td>11/01/2016</td>
<td>851,054 gpd</td>
<td>20.79%</td>
<td>04/01/2019</td>
<td>1,292,242 gpd</td>
<td>23.83%</td>
<td>Sarasota</td>
</tr>
<tr>
<td>7002.004</td>
<td>MHC FR Utility Systems, LLC</td>
<td>Public Supply</td>
<td>97,100 gpd</td>
<td>04/01/2015</td>
<td>104,929 gpd</td>
<td>8.06%</td>
<td>04/01/2019</td>
<td>162,423 gpd</td>
<td>67.27%</td>
<td>Tampa</td>
</tr>
</tbody>
</table>

(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
June 25, 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
<table>
<thead>
<tr>
<th>PERMIT NUMBER</th>
<th>PROJECT NAME</th>
<th>COUNTY</th>
<th>DESCRIPTION</th>
<th>TOTAL PROJECT ACRES</th>
<th>WETLAND ACRES</th>
<th>WETLAND ACRES IMPACTED</th>
<th>WETLAND MITIGATION ACRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>43042020.002</td>
<td>Hammock Preserve Permit Modification</td>
<td>Sarasota</td>
<td>(1) Revision to all on-site control structures for consistency to approved county concurrent plans and updated ICPR drainage model. (2) Revision to on-site drainage basins originally permitted with rear to front lot grading to mid lot grading and rear lot swales for runoff conveyance to permitted treatment lakes. (3) Addition of berm/wall landscaping features for sound and privacy barrier on the north side of existing wetland Q. (4) Additional wetland buffer impact and preserve area buffer compensation on the north and east side of existing wetland Q. (5) Revision to lake treatment calculations for those specific revised basins and check design volume provided in the permitted lakes.</td>
<td>223.00</td>
<td>64.39</td>
<td>22.43</td>
<td>14.73</td>
</tr>
<tr>
<td>43019397.001</td>
<td>Creek Preserve</td>
<td>Hillsborough</td>
<td>The development of 636 single family lots and associated infrastructure.</td>
<td>174.39</td>
<td>7.34</td>
<td>5.16</td>
<td>0.00</td>
</tr>
</tbody>
</table>

*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 – June 2019

<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Project Name</th>
<th>County</th>
<th>Description</th>
<th>Use Type</th>
<th>Previous Permitted Quantity</th>
<th>New Permitted Quantity</th>
<th>Duration (Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20000493.008</td>
<td>Aubumdale Plant</td>
<td>Polk</td>
<td>Renewal of an industrial/commercial water use permit for a citrus processing facility in Aubumdale. The Applicant is requesting to renew currently permitted quantities with no changes.</td>
<td>Industrial &amp; Commercial</td>
<td></td>
<td>2,500,000</td>
<td></td>
</tr>
<tr>
<td>20008480.009</td>
<td>Piggyback Grove</td>
<td>DeSoto</td>
<td>Renewal of an agricultural water use permit for a citrus irrigation. The Applicant is requesting to renew currently permitted quantities with no changes.</td>
<td>Agricultural</td>
<td></td>
<td>1,267,100</td>
<td></td>
</tr>
</tbody>
</table>
## GENERAL COUNSEL'S REPORT

**Discussion Items**

45. Consent Item(s) Moved for Discussion ................................................................. 134

**Submit & File Reports – None**

**Routine Reports**

46. May 2019 Litigation Report ..................................................................................... 135

47. May 2019 Rulemaking Update .................................................................................. 148
GENERAL COUNSEL'S REPORT

June 25, 2019

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter:   Karen E. West, General Counsel
GENERAL COUNSEL'S REPORT

June 25, 2019

Routine Report

June 2019 Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
June 2019
(Most recent activity in each case is in boldface type)

DELEGATED ADMINISTRATIVE HEARING MATTERS
3 Cases as of June 3, 2019

OPEN ENFORCEMENT CASES
56 Cases as of June 3, 2019

ENFORCEMENT CASES IN ACTIVE LITIGATION
1 Cases as of June 3, 2019
(Including Administrative Complaints)

PERMIT/AGENCY ACTION CHALLENGES
0 Cases as of June 3, 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.
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.

MISCELLANEOUS
8 Cases as of June 2, 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 a
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.

**STYLE:** Uranowski, Christina v. SWFWMD  
**COURT/CASE NO.:** Fifth Judicial Circuit/Hernando County, Case No. 2016-CA-976  
**ATTORNEY:** T. Gonzalez  
**ACTION:** Complaint under the Florida Civil Rights Act alleging Retaliation, Handicap Discrimination, Gender
Discrimination, and Age Discrimination.

**DESCRIPTION:** On September 17, 2015, the District issued a Notice of Discharge ("Notice") to Christina Uranowski
("Plaintiff"), discharging her from her at-will employment from the District effective at 5:00 p.m. that day. In
September 2015, Plaintiff filed a Complaint with the U.S. Equal Employment Opportunity Commission
("EEOC Complaint") alleging that the District discriminated against her on the basis of her gender, age, and disability as well as that the District had retaliated against her based on prior protected activity. The District responded to the EEOC charge on November 4, 2015. The EEOC has not yet rendered a determination relative to the EEOC Complaint.

On September 30, 2016, the District was served with a Complaint filed in Circuit Court for Hernando County alleging violations of the Florida Civil Rights Act including retaliation, handicap discrimination, gender discrimination, and age discrimination related to Plaintiff's discharge from District employment. The matter has 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 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.
Janet Denlinger and Harry Denlinger v. SWFWMD and Brian Armstrong, in his Capacity as the SWFWMD Executive Director, et al.

Sixth Judicial Circuit/Pasco County; Case No. 2018-CA-001241

V. Arenas-Battles/ J. Fussell

Action for Writ of Mandamus, Inverse Condemnation and Negligence arising out the District issuance of an ERP in 2006.

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. Sima 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.
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.

**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.

**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.
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. A response to the Complaint must be filed by May 13, 2019.

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 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 June 3, 2019

DELEGATED CONSENT ORDERS
0 Cases as of June 3, 2019
GENERAL COUNSEL'S REPORT
June 25, 2019

Routine Report

June 2019 Rulemaking Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel
## RULEMAKING UPDATE
### JUNE 2019
### PROPOSED RULES & AMENDMENTS

<table>
<thead>
<tr>
<th>RULE</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
</tr>
<tr>
<td>2. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System</td>
</tr>
<tr>
<td>3. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C. to Adopt Minimum and Guidance Levels for Brant Lake in Hillsborough County</td>
</tr>
<tr>
<td>4. 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</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RULE</th>
<th>INITIATION DATE</th>
<th>NEXT SCHEDULED ACTION</th>
<th>BOARD PROJECTED/ APPROVED DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>June 2017</td>
<td>Effective Approx. July 2019</td>
<td>June 2017</td>
</tr>
<tr>
<td>3.</td>
<td>September 2018</td>
<td>Effective as of April 28, 2019</td>
<td>September 2018</td>
</tr>
<tr>
<td>4.</td>
<td>November 2018</td>
<td>Effective Approx. May 17, 2019</td>
<td>November 2018</td>
</tr>
</tbody>
</table>

NA = NOT APPLICABLE; TBD = TO BE DETERMINED
COMMITTEE/LIAISON REPORTS

June 25, 2019

Discussion Item

Agricultural & Green Industry Advisory Committee

Staff Recommendation:

Presenters: Bryan K. Beswick, Chair and Mark Taylor, Board Member
COMMITTEE/LIAISON REPORTS

June 25, 2019

Discussion Item

Other Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members
EXECUTIVE DIRECTOR'S REPORT

June 25, 2019

Discussion Item

Executive Director's Report

Staff Recommendation:

Presenter: Brian J. Armstrong, P.G., Executive Director
CHAIR'S REPORT
June 25, 2019

Discussion Item

Chair’s Report

Staff Recommendation:

Presenter: Bryan K. Beswick, Chair
CHAIR'S REPORT
June 25, 2019

Discussion Item

Other

Staff Recommendation:

Presenter:  Bryan K. Beswick, Chair
CHAIR'S REPORT

June 25, 2019

Routine Report

Employee Milestones

Staff Recommendation:

Presenter: Bryan K. Beswick, Chair
<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Seniority Date</th>
<th>Preferred Full Name</th>
<th>Position Title</th>
<th>Bureau</th>
<th>Office Location</th>
<th>Supervisor</th>
<th>Sup Mailstop</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>06/09/2014</td>
<td>Corey Kain</td>
<td>Well Driller Assistant 2</td>
<td>Data Collection</td>
<td>Tampa</td>
<td>Tomlinson, Christopher J.</td>
<td>BKV-5-DCB</td>
</tr>
<tr>
<td>5</td>
<td>06/16/2014</td>
<td>Mike Nevins</td>
<td>Desktop Support Specialist 3</td>
<td>Information Technology</td>
<td>Brooksville</td>
<td>Mason, Stephen A.</td>
<td>BKV-2-ITB</td>
</tr>
<tr>
<td>5</td>
<td>06/23/2014</td>
<td>Jeffery Miller</td>
<td>Senior Vegetation Management Specialist</td>
<td>Operations and Land Management</td>
<td>Sarasota</td>
<td>Nelson, Brian V.</td>
<td>BKV-6-OPS</td>
</tr>
<tr>
<td>10</td>
<td>06/29/2009</td>
<td>Jeffery Miller</td>
<td>Government and Community Office Chief</td>
<td>Office of Government &amp; Community</td>
<td>Brooksville</td>
<td>Molligan, Michael O.</td>
<td>BKV-4-EXE</td>
</tr>
<tr>
<td>20</td>
<td>06/01/1999</td>
<td>Adam Hange</td>
<td>Field Services Supervisor</td>
<td>Regulatory Support</td>
<td>Sarasota</td>
<td>Alford, Mark M.</td>
<td>BAR-1-RSB</td>
</tr>
<tr>
<td>20</td>
<td>06/01/1999</td>
<td>Teri Rhodes</td>
<td>Well Construction Technician</td>
<td>Water Use Permit</td>
<td>Tampa</td>
<td>Arnold, David N.</td>
<td>TPA-1-WUP</td>
</tr>
<tr>
<td>20</td>
<td>06/07/1999</td>
<td>Lisann Morris</td>
<td>Water Supply Projects Supervisor</td>
<td>Water Resources</td>
<td>Brooksville</td>
<td>Hoek, Jay G.</td>
<td>BKV-4-WRB</td>
</tr>
<tr>
<td>25</td>
<td>06/06/1994</td>
<td>Xinjian Chen</td>
<td>Chief Professional Engineer</td>
<td>Natural Systems &amp; Restoration</td>
<td>Tampa</td>
<td>Notestein, Sky K.</td>
<td>BKV-4-NSR</td>
</tr>
<tr>
<td>40</td>
<td>06/13/1979</td>
<td>Alan Saxton</td>
<td>Senior Heavy Equipment Operator</td>
<td>Operations and Land Management</td>
<td>Brooksville</td>
<td>Beasley, James W.</td>
<td>BKV-6-OPS</td>
</tr>
</tbody>
</table>