

Governing Board Meeting

Agenda and Meeting Information

June 23, 2026

9:00 a.m.

Brooksville Office

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

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



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

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The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs, services and activities. Anyone requiring reasonable accommodation, or who would like information as to the existence and location of accessible services, activities, and facilities, as provided for in the Americans with Disabilities Act, should contact the Human Resources Office Chief, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only); or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955- 8771 (TDD) or 1- 800-955- 8770 (Voice). If requested, appropriate auxiliary aids and services will be provided at any public meeting, forum, or event of the District. In the event of a complaint, please follow the grievance procedure located at WaterMatters.org/ADA.

Final Agenda GOVERNING BOARD MEETING

**JUNE 23, 2026
9:00 AM**

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

All meetings are open to the public

MEETING NOTICE

- › Viewing of the Board meeting will be available through the District's website at WaterMatters.org.
- › Public input will be taken only at the meeting location.
- › Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

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

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

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

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

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

The current Governing Board agenda and minutes of previous meetings are available at WaterMatters.org.

Bartow Office

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

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office

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

1. CONVENE PUBLIC MEETING

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

2. CONSENT AGENDA

- 2.1 **Finance/Outreach & Planning Committee:** Adopt Resolutions to Identify New Slate of Officers for Financial Documents
- 2.2 **Finance/Outreach & Planning Committee:** Governing Board Travel – Annual Environmental Permitting Summer School
- 2.3 **Finance/Outreach & Planning Committee:** Independent Auditing Services Contract
- 2.4 **Resource Management Committee:** FARMS – Longino Ranch, Inc. – Flint Farm – H839 (Sarasota County)
- 2.5 **Resource Management Committee:** FARMS – Seaboard Berry Farms, LLC – H850 (Hillsborough County)
- 2.6 **Resource Management Committee:** Hammock Creek Watershed Management Plan Floodplain Information for Regulatory Use and Insurance Rate Maps – Q013 (Pasco County)
- 2.7 **Resource Management Committee:** SR 200 Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q058 (Marion County)
- 2.8 **Resource Management Committee:** West Ocala Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q207 (Marion County)
- 2.9 **Operations, Lands & Resource Monitoring Committee:** Perpetual Easement – Punta Gorda Heights Hawthorn Data Collection Site – SWF Parcel No. 20-020-201 (Charlotte County)
- 2.10 **Regulation Committee:** Water Use Permit No. 20 021046.002 – Hillsborough County and Tampa Bay Water / Balm Farm (Hillsborough County)
- 2.11 **Regulation Committee:** Water Use Permit No. 20 020500.002 – Dillard Cattle Company, LLC and Tampa Bay Water / Big Fish Lake Augmentation (Pasco County)
- 2.12 **Regulation Committee:** Water Use Permit No. 20 008036.011 – Leffie M. Carlton Jr Family LLLP / Grange Hall Loop Berries (Hillsborough County)
- 2.13 **Regulation Committee:** Approval of Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Southwest Florida Water Management District – State Programmatic General Permit VI Addendum (SPGP-VI)
- 2.14 **General Counsel's Report:** Approval of Second Amendment to Emergency Order No. SWF 26-004 – Declaration of Emergency Regarding the Lower and Middle Pools of the Tampa Bypass Canal (Hillsborough County)

- 2.15 **General Counsel's Report:** Approval of First Amendment to Emergency Order No. SWF 26-006 – Declaration of Emergency Regarding the Peace River Manasota Regional Water Supply Authority's Use of the Peace River (DeSoto County)
- 2.16 **General Counsel's Report:** Approval of First Amendment to Emergency Order No. SWF 26-007 – Declaration of Emergency Regarding the City of Punta Gorda's Use of Shell Creek (Charlotte County)
- 2.17 **Executive Director's Report:** Approve Governing Board Minutes – May 19, 2026
- 3. FINANCE/OUTREACH & PLANNING COMMITTEE**
 - 3.1 **Discussion:** Consent Item(s) Moved to Discussion
 - 3.2 **Discussion:** Action Item: Recommended Annual Service Budget for Fiscal Year 2027
 - 3.3 **Discussion:** Information Item: Knowledge Management: Governing Board Committee Responsibilities
 - 3.4 **Submit & File:** Information Item: Budget Transfer Report
- 4. OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE**
 - 4.1 **Discussion:** Consent Item(s) Moved to Discussion
 - 4.2 **Discussion:** Information Item: 2026 Hurricane Season Preparedness
- 5. REGULATION COMMITTEE**
 - 5.1 **Discussion:** Consent Item(s) Moved to Discussion
 - 5.2 **Discussion:** Information Item: Hydrologic Conditions Report
 - 5.3 **Discussion:** Action Item: Extend Modified Phase III Water Shortage Order SWF 25-015
- 6. RESOURCE MANAGEMENT COMMITTEE**
 - 6.1 **Discussion:** Consent Item(s) Moved to Discussion
- 7. GENERAL COUNSEL'S REPORT**
 - 7.1 **Discussion:** Consent Item(s) Moved to Discussion
 - 7.2 **Discussion:** Action Item: Consideration of Orders Denying Petitions to Initiate Rulemaking – Aja Moore, Vaughn E. Hoehn, and Lisa Hoehn – Rules 40D-2 and 40D-21, Florida Administrative Code (Hernando County)
 - 7.3 **Discussion:** Action Item: Affirm Governing Board Committee Actions
- 8. COMMITTEE/LIAISON REPORTS**
 - 8.1 **Discussion:** Information Item: Industrial, Commercial & Institutional Advisory Committee
 - 8.2 **Discussion:** Information Item: Public Supply Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

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

10. CHAIR'S REPORT

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

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

ADJOURNMENT



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1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved June 2026

OFFICERS	
Chair	Jack Bispham
Vice Chair	Ashley Bell Barnett
Secretary	John E. Hall
Treasurer	Dustin Rowland

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Chair James Holton

RESOURCE MANAGEMENT COMMITTEE
Chair Robert Stern

REGULATION COMMITTEE
Chair Nancy Watkins

FINANCE/OUTREACH AND PLANNING COMMITTEE
Chair Dustin Rowland*

All Governing Board members are a member of each committee.

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

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Michelle Williamson
Environmental Advisory Committee	Josh Gamblin
Industrial, Commercial & Institutional Advisory Committee	James Holton
Public Supply Advisory Committee	Robert Stern

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

Jack Bispham
Chair, Manatee

Ashley Bell Barnett
Vice Chair, Polk

John E. Hall
Secretary, Polk

Dustin Rowland
Treasurer, Pasco

John R. Mitten
Former Chair, Hernando, Marion

Kelly S. Rice
Former Chair, Citrus, Lake, Levy, Sumter

Michelle Williamson
Former Chair, Hillsborough

Brian Aungst Jr.
Pinellas

Josh Gamblin
DeSoto, Hardee, Highlands

James Holton
Pinellas

Robert Stern
Hillsborough

Jim Turner
Charlotte, Sarasota

Nancy Watkins
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

Southwest Florida Water Management District Schedule of Meetings Fiscal Year 2026

Governing Board Meeting

October 28, 2025 – 9:00 a.m., Brooksville Office
November 18, 2025 – 9:00 a.m., Tampa Office
December 16, 2025 – 9:00 a.m., Brooksville Office
January 27, 2026 – 9:00 a.m., Tampa Office
February 24, 2026 – 9:00 a.m., Brooksville Office
March 24, 2026 – 9:00 a.m., Tampa Office
April 28, 2026 – 9:00 a.m., Brooksville Office
May 19, 2026 – 9:00 a.m., Tampa Office
June 23, 2026 – 9:00 a.m., Brooksville Office
July 28, 2026 – 9:00 a.m., Tampa Office
August 25, 2026 – 9:00 a.m., Brooksville Office
September 22, 2026 – 3:00 p.m., Tampa Office

Governing Board Workshop

December 16, 2025 – 9:30 a.m., Brooksville Office

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

2026 – September 8 & 22

Agricultural and Green Industry Advisory Committee – 10 a.m.

2025 – December 2

2026 – March 10 (replaced with March 27 tour), June 9, September 8

Environmental Advisory Committee – 10 a.m.

2025 – October 14

2026 – January 13, April 14, July 14

Industrial, Commercial, Institutional Advisory Committee – 10 a.m.

2025 – November 4

2026 – February 10 (replaced with Feb. 20 tour), May 5, August 11

Public Supply Advisory Committee – 1 p.m.

2025 – November 4

2026 – February 10 (replaced with Feb. 20 tour), May 5, August 11

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

2026 – February 18, July 8

Springs Coast Steering Committee – 2 p.m.

2026 – March 4, July 29

Meeting Locations

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

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

Governing Board Meeting
June 23, 2026

1. CONVENE PUBLIC MEETING

1.1 Call to Order..... 7

1.2 Invocation and Pledge of Allegiance..... 8

1.3 Employee Recognition 9

1.4 Additions/Deletions to Agenda 10

1.5 Public Input for Issues Not Listed on the Published Agenda..... 11

CONVENE PUBLIC MEETING

June 23, 2026

Call to Order

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

Presenter:

Jack Bispham, Chair

CONVENE PUBLIC MEETING

June 23, 2026

Invocation and Pledge of Allegiance

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

Presenter:

Jack Bispham, Chair

CONVENE PUBLIC MEETING

June 23, 2026

Employee Recognition

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

Presenter:

Jack Bispham, Chair

CONVENE PUBLIC MEETING

June 23, 2026

Additions/Deletions to Agenda

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

ADDITIONS: The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff's analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting. Therefore, it is the District staff's recommendation that good cause has been demonstrated and should be considered during the Governing Board's meeting.

Staff Recommendation:

Approve the recommended additions and deletions to the published agenda if necessary.

Presenter:

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

CONVENE PUBLIC MEETING

June 23, 2026

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:

Jack Bispham, Chair

Governing Board Meeting

June 23, 2026

2. CONSENT AGENDA

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

2.1	Finance/Outreach & Planning Committee: Adopt Resolutions to Identify New Slate of Officers for Financial Documents.....	12
2.2	Finance/Outreach & Planning Committee: Governing Board Travel – Annual Environmental Permitting Summer School.....	17
2.3	Finance/Outreach & Planning Committee: Independent Auditing Services Contract	18
2.4	Resource Management Committee: FARMS – Longino Ranch, Inc. – Flint Farm – H839 (Sarasota County).....	40
2.5	Resource Management Committee: FARMS – Seaboard Berry Farms, LLC – H850 (Hillsborough County).....	42
2.6	Resource Management Committee: Hammock Creek Watershed Management Plan Floodplain Information for Regulatory Use and Insurance Rate Maps – Q013 (Pasco County)	45
2.7	Resource Management Committee: SR 200 Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q058 (Marion County).....	47
2.8	Resource Management Committee: West Ocala Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q207 (Marion County)	49
2.9	Operations, Lands & Resource Monitoring Committee: Perpetual Easement – Punta Gorda Heights Hawthorn Data Collection Site – SWF Parcel No. 20-020-201 (Charlotte County).....	51
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2.11	Regulation Committee: Water Use Permit No. 20 020500.002 – Dillard Cattle Company, LLC and Tampa Bay Water / Big Fish Lake Augmentation (Pasco County)	78
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2.17	Executive Director's Report: Approve Governing Board Minutes – May 19, 2026	215

CONSENT AGENDA

June 23, 2026

Finance/Outreach & Planning Committee: Adopt Resolutions to Identify New Slate of Officers for Financial Documents

Purpose

1. Authorize the new slate of officers to apply their signatures to the required financial documents and;
2. Request that the Governing Board adopt District *Resolution No. 26-03* authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District and;
3. Adopt the *Truist Resolution for Deposit Account* document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit account(s) and;
4. Adopt the *Corporate Resolution* document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.

Background

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

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

Strategic Plan

This action supports the District's strategic focus on strong governance and fiscal accountability by ensuring newly elected officers are formally authorized to manage financial documents and accounts. Updating these resolutions maintains compliance with statutory requirements and safeguards the continuity and integrity of the District's financial operations.

Exhibits

Exhibit 1 – Resolution 26-03

Exhibit 2 – Truist Resolution for Deposit Account

Exhibit 3 – Corporate Resolution

Staff Recommendation:

1. Authorize the new slate of officers to apply their signatures to the required financial documents and;
2. Adopt *Resolution No. 26-03* authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District and;
3. Adopt the *Truist Resolution for Deposit Account* document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's deposit accounts and;
4. Adopt the *Corporate Resolution* document to identify the new slate of officers as authorized signers on existing accounts and give the officers the authority to give direction or confirmation to the Bank on all matters regarding the District's custody accounts.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 26-03

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District that the following officers of the Governing Board have assumed their offices effective June 22, 2026, and shall have the authority, pursuant to Section 373.553, F.S., to sign all warrants or checks of the District:

_____, Treasurer and Assistant Secretary SIGNS

_____, Secretary and Assistant Treasurer SIGNS

_____, Chair COUNTERSIGNS

_____, Vice Chair COUNTERSIGNS

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

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

APPROVED AND ADOPTED this 23rd day of June 2026, by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SEAL

By: _____
Chair

Attest:

Secretary



Resolution for
Deposit Account

☐ Corporation
☐ General Partnership
☐ Government Entity

☐ Sole Proprietorship
☐ Limited Partnership
☐ Limited Liability Company

☐ Unincorporated Association
☐ Non-Profit Corporation
☐ Other

Entity Name _____

TIN _____

The undersigned, acting in the capacity as corporate secretary or custodian of records for the above-named Entity, organized and existing under the laws of _____, represents to Truist Bank ("Bank") that I have reviewed the governing documents and relevant records of the Entity and certify that resolutions or requirements similar to those below are adopted by and, are not inconsistent with the governing documents or records of the Entity, and that such resolutions or requirements are current and have not been amended or rescinded.

1. That the Bank is designated as a depository institution for the Entity and that by execution and delivery of this Resolution for Deposit Account the Entity will be bound by the Bank's deposit account agreement now existing or as may be amended. Any officer, agent or employee of the Entity is authorized to endorse for deposit any check, drafts or other instruments payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing.

2. That any one individual named below (a "Designated Representative") is authorized to open accounts on behalf of the Entity, to close any account or obtain information on any account. Any one Designated Representative may appoint others (an "Authorized Signer") to conduct transactions on an account by authorizing them to sign their name to the signature card.

Designated Representatives' Signatures

Printed Name

Title

3. That the Bank is authorized upon the signature of any one signer on a signature card to honor, pay and charge the account of the Entity, all checks, drafts, or other orders of payment, withdrawal or transfer of money for whatever purpose and to whomever payable.

4. That any one Designated Representative may appoint, remove or replace an Authorized Signer, enter into a night depository agreement, enter into an agreement for cash management services, enter into an agreement for treasury services or products, lease a safe deposit box, enter into an agreement for deposit access devices, enter into an agreement for credit cards, enter into an agreement relating to foreign exchange and obtain foreign exchange services related thereto, or enter into any other agreements regarding an account of the Entity.

5. That any prior resolutions or requirements have been revoked or are no longer binding, and that this Resolution for Deposit Account applies to all accounts at the Bank and will remain in full force and effect until rescinded, replaced or modified in writing in a form acceptable to the Bank and after the Bank has had a reasonable time to act on such change.

6. That any transaction by an officer, employee or agent of the Entity prior to the delivery of this Resolution for Deposit Account is hereby ratified and approved.

Signature (Corporate Secretary/Custodian of Records)

Printed Name

Date

FOR BANK USE ONLY

Prepared By _____ Center _____ Bank Number _____ State _____ Date _____

Forward to: Centralized Document Scanning Operations M/C 100-99-15-11

CORPORATE RESOLUTION

I, the undersigned Secretary of the below named Corporation, which is organized and existing under the laws of the State of Florida and having its principal place of business at the below named address, hereby certify to Truist Bank (the “Bank”) that the following is a true copy of a Resolution adopted by the governing authority of this entity in accordance with its By-Laws, at a meeting held on June 23rd, 2026, and not subsequently modified.

RESOLVED:

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

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

<u>Officer or Representative Title</u>	<u>Name</u>	<u>Signature</u>
Chair	_____	_____
Vice Chair	_____	_____
Secretary	_____	_____
Treasurer	_____	_____

Number of signatures required, if applicable: 1

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

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

Secretary

Date (Corporate Seal)

CONSENT AGENDA**June 23, 2026****Finance/Outreach & Planning Committee: 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.

Request for Attendance to the Florida Environmental Permitting Network Summer School at 400 South Collier Boulevard, Marco Island, Florida.

40th Annual Florida Environmental Permitting Summer School**Marco Island****July 20 - July 24, 2026****These are approximate costs**

Name	Registration	Lodging \$250/Night (Includes Daily Resort Fee/Parking)	Mileage Costs	Meals/Per Diem
Jack Bispham	\$795	\$750	\$116	\$141
Brian Aungst	\$795	\$750	\$165	\$141
John Mitten	\$795	\$1,000	\$191	\$178
Kelly Rice	\$795	\$1,000	\$206	\$178
Robert Stern	\$795	\$500	\$161	\$110
Michelle Williamson	\$795	\$750	\$164	\$141

Strategic Plan

This item aligns with the District's core business processes of Engagement and Regulation.

Exhibits

None.

Staff Recommendation:

Approve Governing Board travel as presented.

Presenter:

Virginia Singer, Manager, Communications & Board Services Bureau

CONSENT AGENDA

June 23, 2026

Finance/Outreach & Planning Committee: Independent Auditing Services Contract

Purpose

Exercise the renewal option within the current contract and approve the fifth amendment to the agreement engaging James Moore & Co., P.L.(JMCO) to perform the fiscal year (FY) 2025-26 auditing services.

Background

On August 23, 2022, 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 fourth and final one-year renewal.

In accordance with the terms of the contract, JMCO has requested an increase in compensation of 1.9 percent for the basic financial statements, which includes 1 federal and 1 state single audit, and an additional federal or state single audit, if needed, which equates to an approximate increase of \$2,137. The actual amount will depend on how many single audits are required. In addition, the District plans to implement GASB Statement No. 105, Financial Reporting Model Improvements, for a flat fee of \$2,500, if additional auditing procedures are needed.

Services	FY2026	FY2025	FY2024	FY2023	FY2022
Basic Financial Statements (including 1 federal and 1 state single audit)	\$106,525	\$104,539	\$101,692	\$98,348	\$92,000
Each additional federal single audit	4,631	4,545	4,421	4,276	4,000
Each additional state single audit	3,474	3,409	3,316	3,207	3,000
New GASB Implementation	2,500	2,500	2,500	0	0
Estimated Total	\$117,130	\$114,993	\$111,929	\$105,831	\$99,000

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

Services	FY2025	FY2024	FY2023	FY2022
Basic Financial Statements (including 1 federal and 1 state single audit)	\$104,539	\$101,692	\$98,348	\$92,000
Each additional federal single audit	0	4,421	0	0
Each additional state single audit	0	6,632 ¹	3,207 ²	0
New GASB Implementation	2,500	2,500	N/A	N/A
Total	\$107,039	\$115,245	\$101,555	\$92,000

¹ Reflects audit fees assessed for two additional state programs performed in FY2024.

² Reflects audit fee assessed for one additional state program performed in FY2023.

In addition to the fee increase, the engagement letter with the latest peer review for JMCO included, a change in project manager, and the time requirements have been updated to reflect the audit for the FY2025-26 financial audit. There are no other changes to the contract.

Strategic Plan

An audit helps the district prove that it is using public resources responsibly, operating efficiently, and staying aligned with long-term goals. The audit is a built-in accountability mechanism that supports strategic execution.

Exhibit

Fifth Amendment To Agreement Between The Southwest Florida Water Management District and James Moore & Co., P.L. for Independent Auditing Services

Staff Recommendation:

1. Exercise the renewal option within the current contract and approve the fifth and final amendment to the agreement engaging JMCO to perform the FY 2025-26 auditing services; and
2. Authorize the Executive Director or designee to execute the fifth amendment to the current contract with JMCO to perform the FY2025-26 auditing services.

Presenter:

Brandon Baldwin, Division Director, Business & IT Services Division

FIFTH AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
JAMES MOORE & CO., P.L.
FOR
INDEPENDENT AUDITING SERVICES

This FIFTH AMENDMENT effective July 31, 2026, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT," and JAMES MOORE & CO., P.L., a Florida Limited Liability Company, having an address of 5931 NW 1st Place Gainesville, Florida 32607, hereinafter referred to as the "AUDITOR."

WITNESSETH:

WHEREAS, the DISTRICT and the AUDITOR entered into an agreement effective August 29, 2022, as amended July 31, 2023, July 31, 2024, February 27, 2025, and July 31, 2025 (Agreement No. 23CN0004035) hereinafter referred to as the "Existing Agreement" for Independent Auditing Services; and

WHEREAS, the parties hereto wish to amend the Existing Agreement to engage the AUDITOR to perform the fiscal year 2026 auditing services in accordance with the renewal option set forth in the Paragraph 5, CONTRACT PERIOD, of the Existing Agreement, increase compensation, extend the expiration date, modify documents, and modify the Schedule of Proposed Progress Payments and Engagement Letter.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties hereby mutually agree to amend the Existing Agreement as follows:

1. Paragraph 2, PROJECT MANAGER AND NOTICES, is hereby amended to replace the DISTRICT'S Project Manager with:

Sue Ellen Ramos
Accounting Manager, Finance Bureau
2379 Broad Street
Brooksville, Florida 34604
(352) 224-9420
sueellen.amos@watermatters.org

2. Paragraph 4, COMPENSATION, is hereby amended as follows to recognize that the DISTRICT has approved One Hundred Twenty-Four Thousand One Hundred Twenty-Five Dollars (\$124,125.00) for the PROJECT for Fiscal Year 2026.

COMPENSATION. For satisfactory completion of the PROJECT, the DISTRICT agrees to pay the AUDITOR an amount not to exceed One Hundred Twenty- Four Thousand One Hundred Twenty-Five Dollars (\$124,125.00), for fiscal year 2026, in accordance with the percentage of completion as outlined in the Schedule of Proposed Progress Payments set forth in Exhibit "A-5" and the Local Government Prompt Payment Act, Part VII of Chapter 218, Florida Statutes, upon receipt of a properly documented invoice.

Invoices will be submitted as tasks are completed by the AUDITOR to the DISTRICT electronically at invoices@WaterMatters.org, or at the following address:

Accounts Payable Section
Southwest Florida Water Management District
Post Office Box 15436
Brooksville, Florida 34605-1166

3. Paragraph 5, CONTRACT PERIOD, is hereby amended to extend the expiration date from July 31, 2026, to July 31, 2027.
4. Exhibit "A-4," Schedule of Proposed Progress Payments for the Audit of the September 30, 2025, Financial Statements, is hereby amended to include Exhibit "A-5," attached hereto.
5. Exhibit "B-3," Engagement Letter, is hereby amended to include Exhibit "B-4," attached hereto.
6. Exhibit "C-2," Time Requirements, is hereby amended to include Exhibit "C-3," attached hereto.
7. The terms, covenants and conditions set forth in the Existing Agreement that have not been specifically amended herein will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

The remainder of this page intentionally left blank.

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this FIFTH AMENDMENT on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____ Date _____
Amanda Rice, P.E.
Assistant Executive Director

JAMES MOORE & CO., P.L.

By: _____ Date _____
Suzanne Forbes, Partner
Authorized Agent for Company

FIFTH AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
JAMES MOORE & CO., P.L.
FOR
INDEPENDENT AUDITING SERVICES

EXHIBIT "A-5"

SCHEDULE OF PROPOSED PROGRESS PAYMENTS
FOR THE AUDIT OF THE SEPTEMBER 30, 2026, FINANCIAL STATEMENTS

Total not to exceed amount \$124,125.00

- 1) Basic Financial Statements
One state single audit
One federal single audit

	Percentage of Completion	Progress Payment Due
Completion of Interim Audit	50%	\$53,262.50
Completion of Year End Field Work	30%	\$31,957.50
Issuance of Final Report	20%	\$21,305.00
*The total below includes all direct and indirect costs including all out-of-pocket expenses. In addition, this fee is inclusive of one state single audit, and one federal single audit.		

Total *\$106,525.00

- 2) Contingency for additional Federal and State Single Audits
and implementation of GASB 105:

**\$17,600.00

Each additional federal single audit.....\$4,631.00
Each additional state single audit.....\$3,474.00
Implementation of GASB 103.....\$2,500.00

Completion of Year End Field Work	50%	<u>\$TBD</u>
Issuance of Federal and State Single Audit Reports	50%	<u>\$TBD</u>

**The number of required single audits varies from year to year depending on the level of expenditures incurred, total federal and state funds received, prior two years single audits performed and the nature of the funding source for those expenditures.



EXHIBIT "B-4"

February 19, 2026

To the Governing Board of,
Southwest Florida Water Management District:

You have requested that we audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Southwest Florida Water Management District (the District) as of September 30, 2026, and for the year then ended, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In addition, if applicable, we will audit the District's compliance over major federal award programs and major state projects for the year ended September 30, 2026. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the District's major federal award programs and major state projects.

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS), and in accordance with Government Auditing Standards, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the District complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and Government Auditing Standards, if any, and perform procedures to address those requirements.

Accounting principles generally accepted in the United States of America (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that supplementary information, such as management's discussion and analysis (MD&A) or budgetary comparison information, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP.

This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's discussion and analysis
2. Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual – Major Funds
3. Other Post-Employment Benefits (OPEB) Required Supplementary Schedules
4. Florida Retirement Systems (FRS) Required Supplementary Schedules
5. Health Insurance Subsidy (HIS) Required Supplementary Schedules

Supplementary information other than RSI will accompany the District's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with GAAS. We intend to provide an opinion on whether the following supplementary information is presented fairly in all material respects in relation to the basic financial statements as a whole:

- 1) Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual – Capital Projects Fund
- 2) Schedule of Expenditures of Federal Awards and State Financial Assistance (if applicable)

Also, the document we submit to you will include the following other additional information which will not be subjected to the auditing procedures applied in our audit of the basic financial statements:

- 1) Introductory section
- 2) Statistical section

Data Collection Form

If applicable, prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility, if the Data Collection Form is applicable. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form, if applicable, is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audits in accordance with GAAS and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America (if applicable); the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, Audit Requirements for Federal Awards (Uniform Guidance) (if applicable); Section 215.97, Florida Statutes, *Florida Single Audit Act* (if applicable), and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General (if applicable). As part of an audit of financial statements in accordance with GAAS, and in accordance with Government Auditing Standards, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of controls.
- Obtain an understanding of the system of internal control in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General. Please note that the determination of abuse is subjective and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the District's basic financial statements. Our report will be addressed to the governing body of the District. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditors' report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

We also will issue a written report as required by Chapter 10.550, Rules of the State of Florida, Office of the Auditor General upon completion of our audit.

We will provide copies of our reports to the District; however, management is responsible for the distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

Significant Risks Identified

We have identified the following preliminary significant risks of material misstatement as part of our audit planning, which are being communicated to comply with auditing standards and do not represent any specific finding and/or concerns related to the audit:

- Override of internal controls by management
- Improper revenue recognition due to fraud
- Improper use of restricted resources

Our final communication of significant risks identified will take place upon completion of our audit.

Audit(s) of Major Program and/or Major Project Compliance

If applicable, our audit(s) of the District's major federal award program(s) and/or state project(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; the Uniform Guidance; and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General; and will include tests of accounting records, a determination of major programs and/or projects in accordance with the Uniform Guidance, Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, and other procedures we consider necessary to enable us to express such an opinion on major federal award program and/or major state project compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance

requirements occurred, whether due to fraud or error, and express an opinion on the District's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the District's compliance with the requirements of the federal programs as a whole.

Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the District's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the District's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the District's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the District's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

Chapter 10.550, Rules of the State of Florida, Office of the Auditor General requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major state projects, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the District's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the District's compliance with the requirements of the state projects as a whole.

Our procedures will consist of tests of transactions and other applicable procedures described in the State of Florida State Projects Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the Organization's major state projects, and performing such other procedures as we consider necessary in the circumstances. The purpose of these procedures will be to express an opinion on the District's compliance with requirements applicable to each of its major state projects in our report on compliance issued pursuant to Chapter 10.550, Rules of the State of Florida, Office of the Auditor General.

Also, as required by Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, we will obtain an understanding of the District's internal control over compliance relevant to the audit in order to design and perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major state project. Our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Chapter 10.550, Rules of the State of Florida, Office of the Auditor General. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

As part of a compliance audit in accordance with GAAS, and in accordance with Government Auditing Standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the District's major federal award programs and/or major state projects, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management's Responsibilities

Our audit will be conducted on the basis that management acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of the system of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;
3. For identifying, in its accounts, all federal awards received and state financial assistance expended during the period and the federal programs under which they were received;
4. For maintaining records that adequately identify the source and application of funds for federally funded activities;
5. For preparing the schedule of expenditures of federal awards and/or state financial assistance (including notes and noncash assistance received) in accordance with the Uniform Guidance (if applicable) and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General requirements (if applicable);
6. For the design, implementation, and maintenance of internal control over federal awards, state financial assistance, and compliance;
7. For establishing and maintaining effective internal control over federal awards and state financial assistance that provides reasonable assurance that the entity is managing federal awards and state projects in compliance with federal and state statutes, regulations, and the terms and conditions of the federal awards and state financial assistance;
8. For identifying and ensuring that the District complies with federal laws and state statutes, regulations, and the terms and conditions of federal award programs and state financial assistance projects and implementing systems designed to achieve compliance with applicable federal and

- state statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs and state financial assistance projects;
9. For disclosing accurately, currently, and completely the financial results of each federal award and major state project in accordance with the requirements of the award;
 10. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
 11. For taking prompt action when instances of noncompliance are identified;
 12. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
 13. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
 14. For submitting the reporting package and data collection form to the appropriate parties;
 15. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
 16. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, including the disclosures, and relevant to federal award programs and state financial assistance projects, such as records, documentation, and other matters;
 - b. Additional information that we may request from management for the purpose of the audit;
 - c. Unrestricted access to persons within the District from whom we determine it necessary to obtain audit evidence.
 - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report; and
 - e. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditors' report
 17. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
 18. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
 19. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
 20. For informing us of any known or suspected fraud affecting the District involving management, employees with significant role in the system of internal control and others where fraud could have a material effect on compliance;
 21. For the accuracy and completeness of all information provided;
 22. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information;
 23. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter; and
 24. For identifying and ensuring that the District complies with applicable laws, regulations, contracts, agreements, and grants.

25. Additionally, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility (a) for the preparation of the supplementary information in accordance with the applicable criteria, (b) to provide us with the appropriate written representations regarding supplementary information, (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information, and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

We are pleased to confirm our acceptance and our understanding of this examination engagement by means of this letter. Our examination will be conducted with the objective of expressing an opinion as to whether the District complied in all material respects with Section 29.008 and 29.0085, Florida Statutes, subject to the same procedures and standards as outlined in the Additional Examination Engagements section of this letter.

Additional Examination Engagements

You have requested that we examine the Entity's compliance for the fiscal year ended September 30, 2026, with the following statutes (collectively, "the Statutes"):

- Section 218.415, Florida Statutes, *Local Government Investment Policies*

We are pleased to confirm our acceptance and our understanding of this direct examination engagement by means of this letter. Our examination will be conducted with the objective of obtaining reasonable assurance by evaluating whether the Entity complied in all material respects with the Statutes and performing other procedures to obtain sufficient appropriate evidence to express an opinion in a written practitioner's report that conveys the results of our evaluation.

Practitioner Responsibilities

We will conduct our examination in accordance with the attestation standards established by the AICPA. An examination involves performing procedures to obtain attest evidence about whether the District complied with the Statutes, in all material respects. An examination involves performing procedures to obtain evidence about the Entity's compliance with the Statutes. The nature, timing, and extent of procedures selected depend on the practitioner's judgment, including the assessment of the risks of material misstatement of the underlying subject matter, whether due to fraud or error.

Because of the inherent limitations of an examination engagement, together with the inherent limitations of internal control, an unavoidable risk exists that some material misstatements may not be detected, even

though the examination is properly planned and performed in accordance with the attestation standards. However, we will inform you of any material noncompliance with laws or regulations, uncorrected misstatements, fraud, and when relevant to the underlying subject matter or subject matter information, internal control deficiencies that comes to our attention, unless clearly inconsequential.

Management Responsibilities

Our examination will be conducted on the basis that *management and, when appropriate, those charged with governance*, acknowledge and understand that they have responsibility:

1. For ensuring the Entity complies with the Statutes;
2. For the design, implementation, and maintenance of internal control to prevent, or detect and correct, misstatement of or noncompliance with the Statutes, due to fraud or error;
3. For selecting the criteria for the evaluation of the Entity's compliance with the Statutes;
4. Determining that such criteria are suitable, will be available to the intended users, and are appropriate for the purpose of the engagement; and
5. To provide us with:
 - a. Access to all information of which *management* is aware that is relevant to compliance with the Statutes, such as records, documentation, and other matters and that you are responsible for the accuracy and completeness of that information;
 - b. Additional information that we may request from *management* for the purpose of the examination; and
 - c. Unrestricted access to persons within the District from whom we determine it necessary to obtain attest evidence.

As part of our examination process, we will request from you written confirmation concerning representations made to us in connection with the examination.

Reporting

We will issue a written report upon completion of our examination of the District's compliance with the Statutes. Our report will be addressed to the governing body. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents or support for any other transactions we select for testing.

We do not host, are not the custodian of, and accept no responsibility for your financial and non-financial data. You acknowledge that you have sole responsibility for the storage and preservation of your financial and non-financial data.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditors' report to the date the financial statements are issued.

James Halleran is the service leader for the audit services specified in this letter. The service leader's responsibilities include supervising the services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the reports.

This engagement letter covers the audit for the year ending September 30, 2026. Our fees for the audit of the financial statements and related services, including expenses, for the year ended September 30, 2026, is included in our fee increase letter dated February 16, 2026.

Our ability to provide services in accordance with our estimated fees depends on the quality, timeliness, and accuracy of the District's records, and, for example, the number of general ledger adjustments required as a result of our work. We will also need your personnel to be readily available during the engagement to respond in a timely manner to our requests. Lack of preparation, poor records, general ledger adjustments and/or untimely assistance may result in an increase of our fees.

We will not increase the fee over the agreed amount as long as the scope of the audit is consistent with the scope outlined in the Request for Proposal (RFP). The District is not completely in control of the scope of work for future years. Significant required changes may be mandated by federal, state, other regulatory agencies or accounting and auditing standards boards or by significant staff changes within the District. For these reasons, if the scope of the audit changes significantly from the scope outlined in the RFP, we would present for approval, prior to commencing work, why an adjustment in fee is warranted.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the District's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

The audit documentation for this engagement is the property of James Moore & Co., P.L. and constitutes confidential information. However, we may be requested to make certain audit documentation available to a grantor or their designee, a federal or state agency providing direct or indirect funding, or the U.S. Government Accountability Office pursuant to authority given to it by laws or regulation, or to peer reviews. If requested, access to such audit documentation will be provided under the supervision of James Moore & Co., P.L. personnel. We will notify you of any such request. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

In the normal course of business, we use the services of third parties and individual contractors, which are not employees of James Moore & Co., P.L. Those services are performed at various levels and in various aspects of our engagements including bookkeeping, tax return preparation, consulting, audit and other attest services and clerical and data entry functions. It is possible that during the course of the engagement we may utilize such third-party and individual contractor sources. Additionally, the engagement will, of necessity, require us to handle confidential information and we expect third-party service providers and individual contractors to maintain the confidentiality of such information. To be reasonably assured that unauthorized release of confidential client information does not occur, we require those individuals and third-party service providers to enter into a written agreement to maintain the confidentiality of such information. Your acceptance of this arrangement acknowledges and accepts our handling of confidential information including access by third-party and individual service providers.

We appreciate the opportunity to be of service to the Southwest Florida Water Management District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



JAMES MOORE & CO., P.L.

RESPONSE:

This letter correctly sets forth the understanding of the Southwest Florida Water Management District.

By _____

Title _____

Date _____

WARREN, STONE & ASSOCIATES, LLC

CERTIFIED PUBLIC ACCOUNTANTS AND BUSINESS ADVISORS

Report on the Firm's System of Quality Control

April 23, 2024

To the Members of
James Moore & Co., P.L.
and the Peer Review Committee of the Florida Institute of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of James Moore & Co., P.L. (the firm) in effect for the year ended October 31, 2023. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act, and audits of employee benefit plans.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of James Moore & Co., P.L. in effect for the year ended October 31, 2023, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. James Moore & Co., P.L. has received a peer review rating of *pass*.

Warren, Stone & Associates, LLC

Warren, Stone & Associates, LLC

EXHIBIT "C-3"
TIME REQUIREMENTS

1. **SCHEDULE FOR THE 2026 FISCAL YEAR AUDIT.** (Schedule listed below is preliminary and may be modified as agreed upon by the District and the Auditor. A similar schedule will be developed for audits of future fiscal years if the District exercises its option for additional audits.)

Each of the following will be completed by the Auditor no later than the dates indicated.

- 1.1 Yearly Assistance.** The Auditor will be available throughout the year to discuss issues with staff that arise throughout the year, such as implementation of new standards and unique transactions. This should be minimal assistance and interactions are typically email and phone.
- 1.2 Interim Work.** The Auditor will complete all interim work by a date agreed upon by the District and Auditor. The Auditor will provide the District a list of all schedules that need to be prepared, at least two weeks prior to the start of interim field work.
- 1.3 Detailed Audit Plan.** The Auditor will provide the District by November 13, 2026, a detailed audit plan and a list of all schedules to be prepared by the District prior to the start of year end field work.
- 1.4 Date Audit May Commence.** The District will attempt to have a trial balance and the basic financial statements ready for year-end audit work and all management personnel available to meet with the Auditor's personnel by January 25, 2027.
- 1.5 ACFR Components.** The Auditor will provide all recommendations, revisions, and suggestions for improvement to the Finance Bureau Chief (or designee) by February 8, 2027.
- 1.6 Field Work.** The Auditor will complete all fieldwork by February 15, 2027.

In coordination with the Auditor, the District may revise schedule dates if necessary.

2. **ENTRANCE CONFERENCES, PROGRESS REPORTING, AND EXIT CONFERENCES.** (Schedule listed below is preliminary and may be modified. A similar time schedule will be developed for audits of future fiscal years if the District exercises its option for additional audits.)

At a minimum, the following conferences will be held during the dates indicated on the schedule:

Entrance conference (if needed) to begin Interim Work.....To Be Determined

- The purpose of this meeting will be to discuss prior audit problems, to identify the key internal controls or other matters to be tested, and the interim work to be performed. This meeting will also be used to establish overall liaison for the audit and to make arrangements for workspace and other needs of the Auditor.

Progress conference (if needed) with Finance Bureau Chief (or designees), key Finance Bureau personnel and other department heads of key offices or programsTo Be Determined

- The purpose of this meeting will be to discuss the year-end work to be performed.

Entrance conference (if needed) with Finance Bureau Chief to commence year-end audit work.....January 25, 2027 through January 27, 2027

Exit conference with Finance Bureau Chief and department heads of key offices or programs.....Prior to taking ACFR to the Board for Approval

- The purpose of this meeting will be to summarize the results of the field work, to review significant findings, and to discuss any management comments.

3. **DATE FINAL REPORT IS DUE.** The Auditor will provide a draft of all reports required for inclusion in the ACFR to the District by no later than February 12, 2027. The District will provide a complete draft of the ACFR, including the Letter to the Citizens, financial statements, notes, and all required supplementary information, to the Auditor on or before February 19, 2027. The Auditor is expected to be available for meetings and phone consultation during the period following the end of field work until completion of the ACFR.

The Auditor will complete their review of the draft ACFR and deliver a signed opinion letter “*Report of Independent Certified Public Accountants*”, single audit reports, and management letter to the District by no later than February 26, 2027. The Auditor will attend the District’s Governing Board meeting when the District’s ACFR is presented for acceptance. The Auditor will make the required disclosures to the Governing Board, review the audit process, present audit results, and be available to answer any questions the Board members may have.

The remainder of this page intentionally left blank.

AFFIDAVIT

**Statement Under Section 787.06(13), Florida Statutes
Use of Coercion for Labor or Services**

Pursuant to section 787.06(13), Florida Statutes, this form must be completed by an officer or representative of the nongovernmental entity executing, renewing, or extending a contract with a governmental entity.

The entity identified below does not use coercion for labor or services as defined in section 787.06, Florida Statutes.

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

Entity Name: _____

Authorized Representative/Officer's Printed Name: _____

Authorized Representative/Officer's Title: _____

Signature: _____ Date: _____

AFFIDAVIT

**Statement Under Section 287.138, Florida Statutes
Contracting with Entities of Foreign Countries of Concern**

Pursuant to section 287.138, Florida Statutes, this statement must be signed by an officer or representative of an entity submitting a bid, proposal, or reply to, or entering into, renewing, or extending, a contract with a governmental entity which would grant the entity access to an individual's personal identifying information.

The entity identified below is not owned by the government of a "foreign country of concern" as defined in section 287.138(1)(c), Florida Statutes; the government of a foreign country of concern does not have a "controlling interest" as defined in section 287.138(1)(a), Florida Statutes, in the entity; nor is the entity organized under the laws of or has its principal place of business in a foreign country of concern.

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

Entity Name: _____

Authorized Representative/Officer's Printed Name: _____

Authorized Representative/Officer's Title: _____

Signature: _____ Date: _____

CONSENT AGENDA

June 23, 2026

Resource Management Committee: FARMS – Longino Ranch, Inc. – Flint Farm – H839 (Sarasota County)

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Longino Ranch, Inc., and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$422,161 (48 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$887,326.

Project Proposal

The District received a project proposal from Longino Ranch, Inc. for their Flint Farm, which is a 771-acre property located 14 miles west of Arcadia in eastern Sarasota County, within the Southern Water Use Caution Area (SWUCA). The proposal is for an alternative water supply project and will involve the development of a new three-acre reservoir to collect tailwater and surface water from the property and surrounding watershed to offset Upper Floridan aquifer groundwater used for the supplemental irrigation of 182 acres of sod. This portion of the property is permitted to use 439,100 gallons per day (gpd) for supplemental irrigation. The Water Use Permit (WUP) for the entire property authorizes annual average withdrawals of 673,300 gpd. FARMS project components consist of a surface water irrigation pump station, pump automation, valve automation, weather station with a soil moisture monitoring system, water control structures, and mainline piping necessary to tie into the existing irrigation system.

Benefits/Costs

The proposed project involves water quantity best management practices (BMPs) for supplemental irrigation and qualifies for a 50 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce groundwater use by about 18 percent, or 120,000 gpd for supplemental irrigation. Based on the estimated groundwater offset and a proposed six-year contract term, the cost per thousand gallons of water saved at \$3.73. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation technique BMPs for sod operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$1,053,898 remaining in its FARMS Program budget.

Strategic Plan

This project supports the District's Water Supply Alternative Water Supplies Strategic Initiative and the Southern Planning Region – SWUCA Recovery Regional Priorities and Objectives.

Exhibit

Location Map

Staff Recommendation:

1. Approve the Longino Ranch, Inc. project for a not-to-exceed project reimbursement of \$422,161 provided by the Governing Board;
2. Authorize the transfer of \$422,161 from fund 010 H017 Governing Board FARMS Fund to the H839 Longino Ranch, Inc. project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

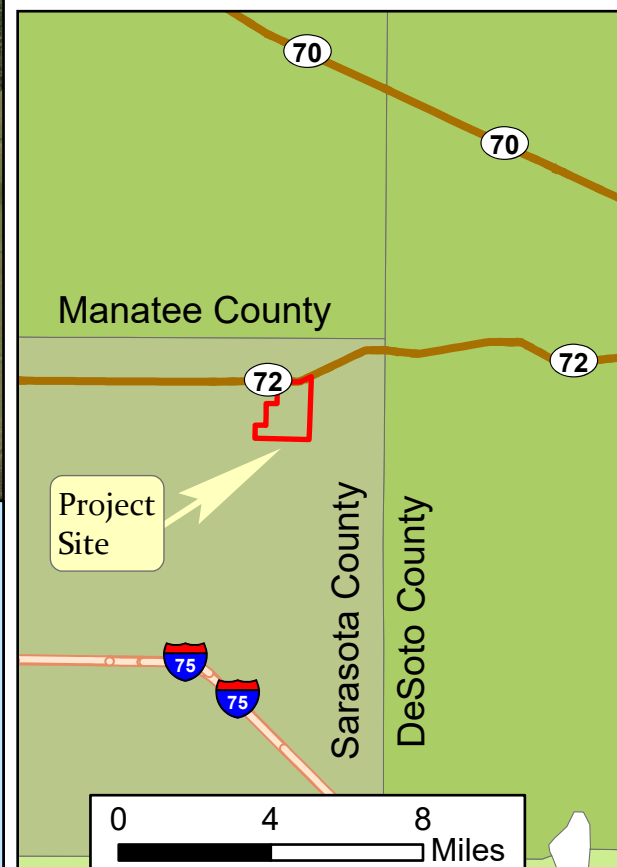
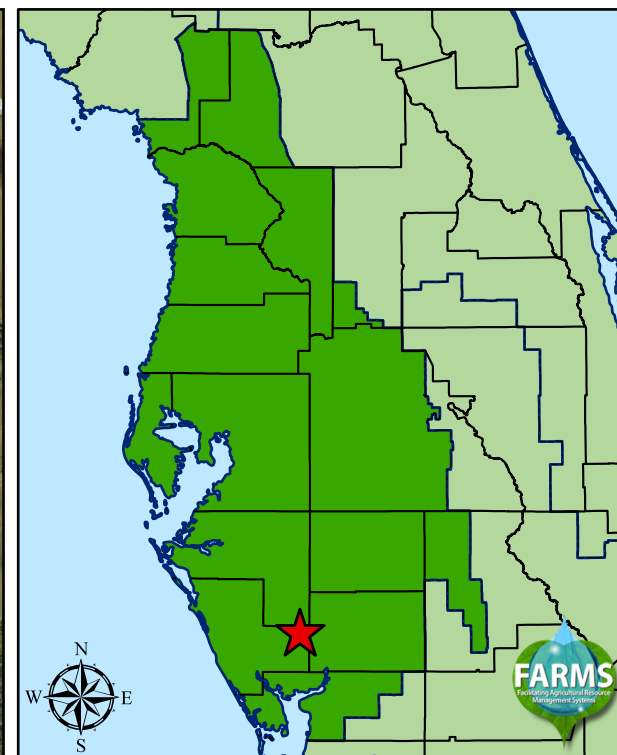
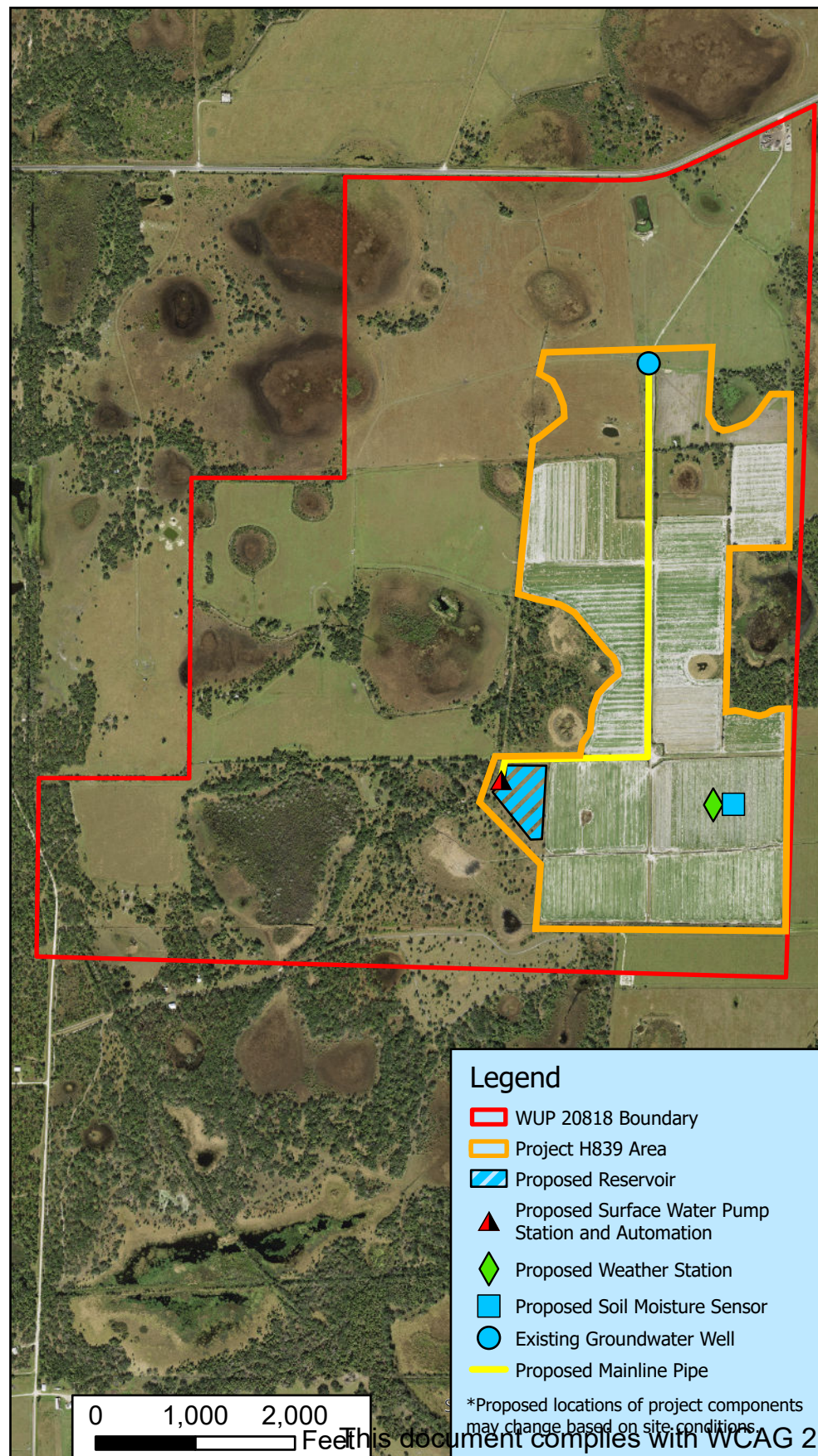
Presenter:

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

Location Map

Longino Ranch, Inc. - Flint Farm

FARMS Project H839



CONSENT AGENDA

June 23, 2026

Resource Management Committee: FARMS – Seaboard Berry Farms, LLC – H850
(Hillsborough County)

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Seaboard Berry Farms, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$46,038 (75 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$61,384.

Project Proposal

The District received a project proposal from Seaboard Berry Farms, LLC for their portion of a 160-acre property located five miles southeast of Wimauma in southern Hillsborough County, within the Southern Water Use Caution Area (SWUCA). The proposal is for a precision irrigation project and will involve automation of an irrigation pump station to offset Upper Floridan aquifer groundwater used for the irrigation of 71 acres of strawberries. This portion of the property is permitted to use 190,000 gallons per day (gpd) for supplemental irrigation. The Water Use Permit (WUP) for the entire property authorizes annual average groundwater withdrawals of 576,000 gpd. FARMS project components consist of one groundwater pump automation, fertigation, valve automation, and a soil moisture monitoring system.

Benefits/Costs

The proposed project involves water quantity and water quality best management practices (BMPs) for bed preparation, crop establishment, and supplemental irrigation. The combination of BMPs qualifies for 75 percent cost-share reimbursement under the FARMS Program. The project is expected to reduce groundwater use by approximately two percent, or 13,300 gpd for bed preparation, crop establishment, supplemental irrigation, and expected to reduce nitrogen applications by 160 pounds per year. The conservation components are integrated with the nutrient reduction components to maximize nutrient reduction. Based on the estimated groundwater offset, a reduction of nitrogen application, and a proposed five-year contract term, the cost per thousand gallons of water saved is \$2.75, and the cost per pound of nitrogen reduced per year is \$16.87 (based on the fertigation components). This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques, and nutrient reduction BMPs for strawberry operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$1,053,898 remaining in its FARMS Program budget.

Strategic Plan

This project supports the District's Water Supply Strategic Initiative and the Tampa Bay Planning Region – SWUCA Recovery Regional Priorities and Objectives.

Exhibit

Location Map

Staff Recommendation:

1. Approve the Seaboard Berry Farms, LLC project for a not-to-exceed project reimbursement of \$46,038 provided by the Governing Board;
2. Authorize the transfer of \$46,038 from fund 010 H017 Governing Board FARMS Fund to the H850 Seaboard Berry Farms, LLC project fund;
3. Authorize the Division Director to sign the agreement.

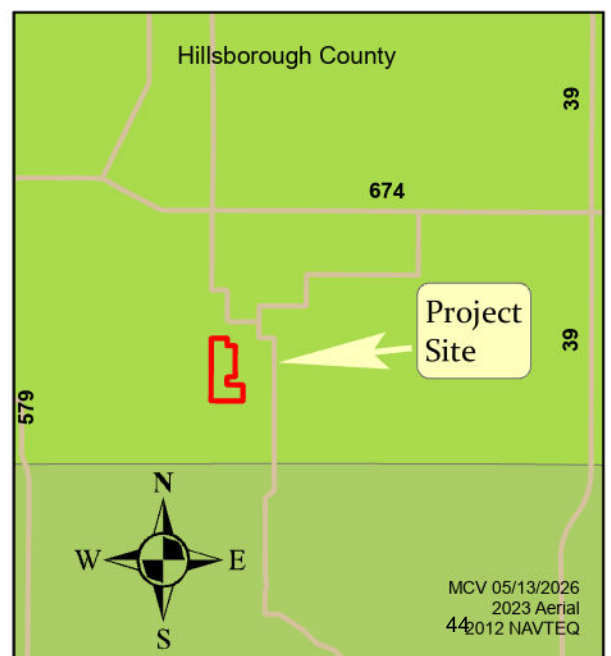
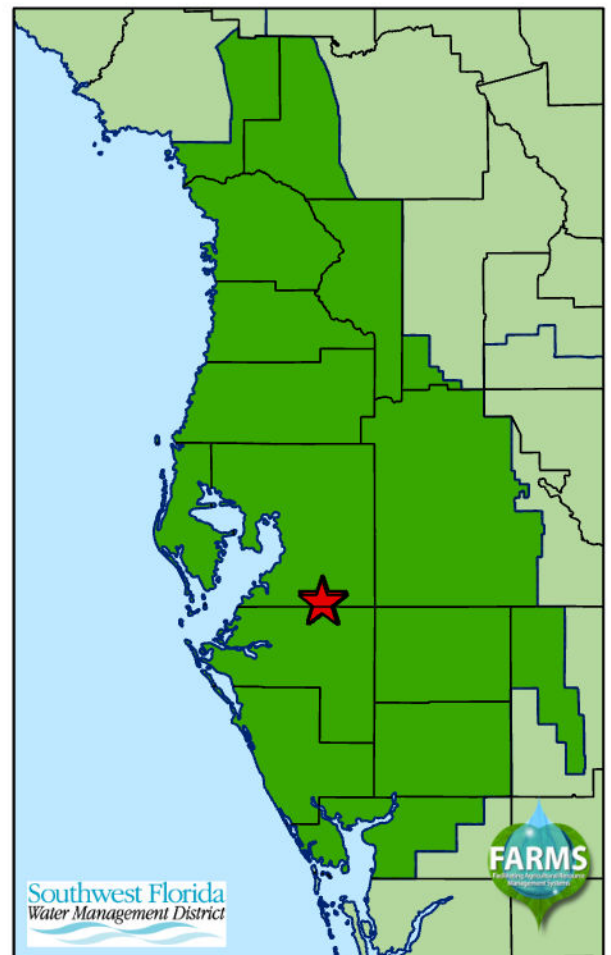
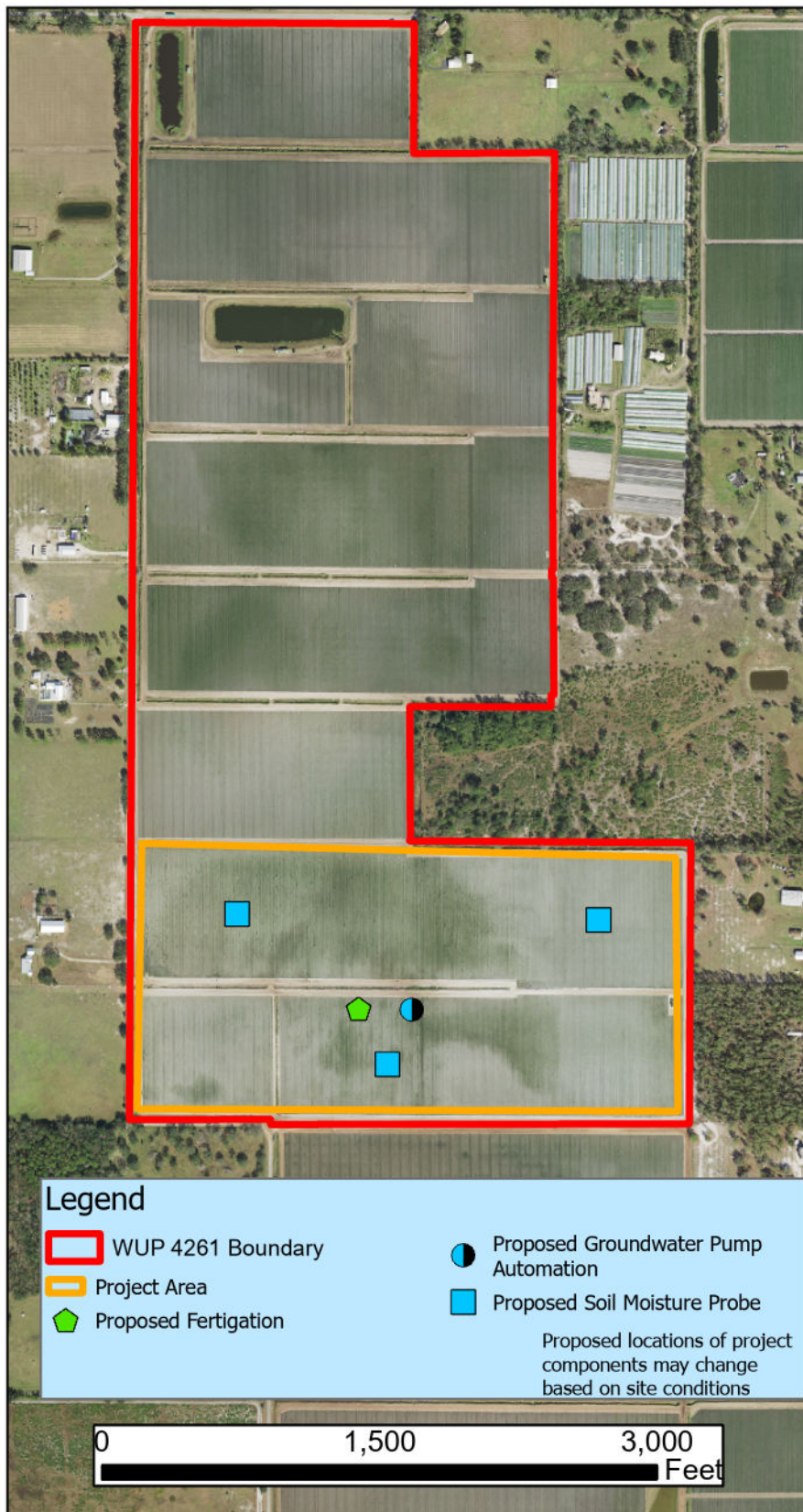
Presenter:

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

Location Map

Seaboard Berry Farms, LLC

FARMS Project H850



CONSENT AGENDA

June 23, 2026

Resource Management Committee: Hammock Creek Watershed Management Plan Floodplain Information for Regulatory Use and Insurance Rate Maps – Q013 (Pasco County)

Purpose

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

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2025-2029. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the Hammock Creek watershed was prepared by a District-hired consultant Inwood Consulting Engineers, Engineering Firm of Record, reviewed by District and County staff, and then reviewed by the District's independent peer review consultant, Collective Water Resources. Floodplain information for the watershed was presented for public review and comment through a virtual public outreach in September 2025. During the outreach period, the District received 194 public comments. This data was used to make model refinements where appropriate. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent the most accurate floodplain information available for the watershed.

Strategic Plan

This Watershed Management Plan supports the District's Flood Protection Strategic Initiative.

Exhibits

None.

Staff Recommendation:

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

Presenter:

Terese Power, P.E., CFM, Manager, Engineering and Project Management Bureau

CONSENT AGENDA

June 23, 2026

Resource Management Committee: SR 200 Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q058 (Marion County)

Purpose

Request the Board's approval to use the SR 200 Watershed Management Plan (WMP) Update floodplain information for regulatory purposes and to update Flood Insurance Rate Maps (FIRMs) in Marion County (County). The WMP evaluates the capacity of the watershed to achieve flood protection primarily through computer modeling. The watershed model and floodplain information have gone through the District's process that includes internal review and external peer review by experienced licensed professional engineers. The WMP floodplain information serves as the basis for updating the FIRMs for the Federal Emergency Management Agency (FEMA). The County may coordinate with FEMA to produce the preliminary FIRMs at a future date. This coordination may include additional public meetings to present the preliminary floodplain information, provide an opportunity for additional comments, and incorporate this information into FEMA's mapping specifications.

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2025-2029. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the SR 200 watershed was prepared by a District hired consultant DRMP, Engineering Firm of Record, reviewed by District and County staff, and then reviewed by the District's independent peer review consultant, Kimley-Horn and Associates. Floodplain information for the watershed was presented for public review and comment through a virtual public outreach in November 2025. During the outreach period, the District received 30 public comments. This data was used to make model refinements where appropriate. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent the most accurate floodplain information available for the watershed.

Strategic Plan

This Watershed Management Plan supports the District's Flood Protection Strategic Initiative.

Exhibits

None.

Staff Recommendation:

Approve use of the SR 200 Watershed Management Plan Update floodplain information for best information available by the District ERP program and to update Flood Insurance Rate Maps in Marion County.

Presenter:

Terese Power, P.E., CFM, Manager, Engineering and Project Management Bureau

CONSENT AGENDA

June 23, 2026

Resource Management Committee: West Ocala Watershed Management Plan Update Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps – Q207 (Marion County)

Purpose

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

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2025-2029. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the West Ocala watershed was prepared by a District hired consultant Atkins Realis, Engineering Firm of Record, reviewed by District and County staff, and then reviewed by the District's independent peer review consultant, Kimley-Horn and Associates. Floodplain information for the watershed was presented for public review and comment through a virtual public outreach in May 2025. During the outreach period, the District received 11 public comments. This data was used to make model refinements where appropriate. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent the most accurate floodplain information available for the watershed.

Strategic Plan

This Watershed Management Plan supports the District's Flood Protection Strategic Initiative.

Exhibits

None.

Staff Recommendation:

Approve use of the West Ocala Watershed Management Plan Update floodplain information for best information available by the District ERP program and to update Flood Insurance Rate Maps in Marion County.

Presenter:

Terese Power, P.E., CFM, Manager, Engineering and Project Management Bureau

CONSENT AGENDA

June 23, 2026

Operations, Lands & Resource Monitoring Committee: Perpetual Easement – Punta Gorda Heights Hawthorn Data Collection Site – SWF Parcel No. 20-020-201 (Charlotte County)

Purpose

The purpose of this item is to recommend the Governing Board accept a donation of a Perpetual Easement from Charlotte County (County) for access to the existing Punta Gorda Heights Hawthorn well site in Punta Gorda, Florida.

Background/History

The Punta Gorda Heights Hawthorn data collection site, identified as Station ID 25102, is a critical hydrologic monitoring site for the District, providing nearly six decades of reliable data since its establishment by the United States Geological Survey (USGS) in 1967. This well is one of only a few Peace River aquifer wells with such an extensive period of record, and its long-term data are considered invaluable. The well has been integral to the development of minimum levels for the Hawthorn aquifer system. Data from the well are vital to assess Southern Water Use Caution Area (SWUCA) recovery efforts through monitoring of saltwater intrusion and long-term water level trends. These data are also essential for the SWUCA Saltwater Intrusion Groundwater transport model and the District-Wide Regulatory Model (DWRM) used for permitting.

The data collection site is on a vacant parcel owned by the County. Originally part of the USGS monitoring network, the District is seeking access to monitor and maintain the site due to USGS budget cuts. Currently, the District does not have legal access to the well site; however, the County has agreed to grant a Perpetual Easement to ensure the District has ongoing access for monitoring, maintenance, repair, and replacement of the well and associated data collection equipment.

Benefit/Costs

Acceptance of this Perpetual Easement will benefit the District by ensuring permanent access to the Punta Gorda Heights Hawthorn data collection site. The County is granting this Perpetual Easement to the District at no cost. The annual estimated maintenance and monitoring costs of the well site are \$280 per year.

Strategic Plan

This Perpetual Easement supports the District's Water Resources Planning and Monitoring.

Exhibits

Exhibit 1 – Location Map

Exhibit 2 – Site Map

Exhibit 3 – Perpetual Easement

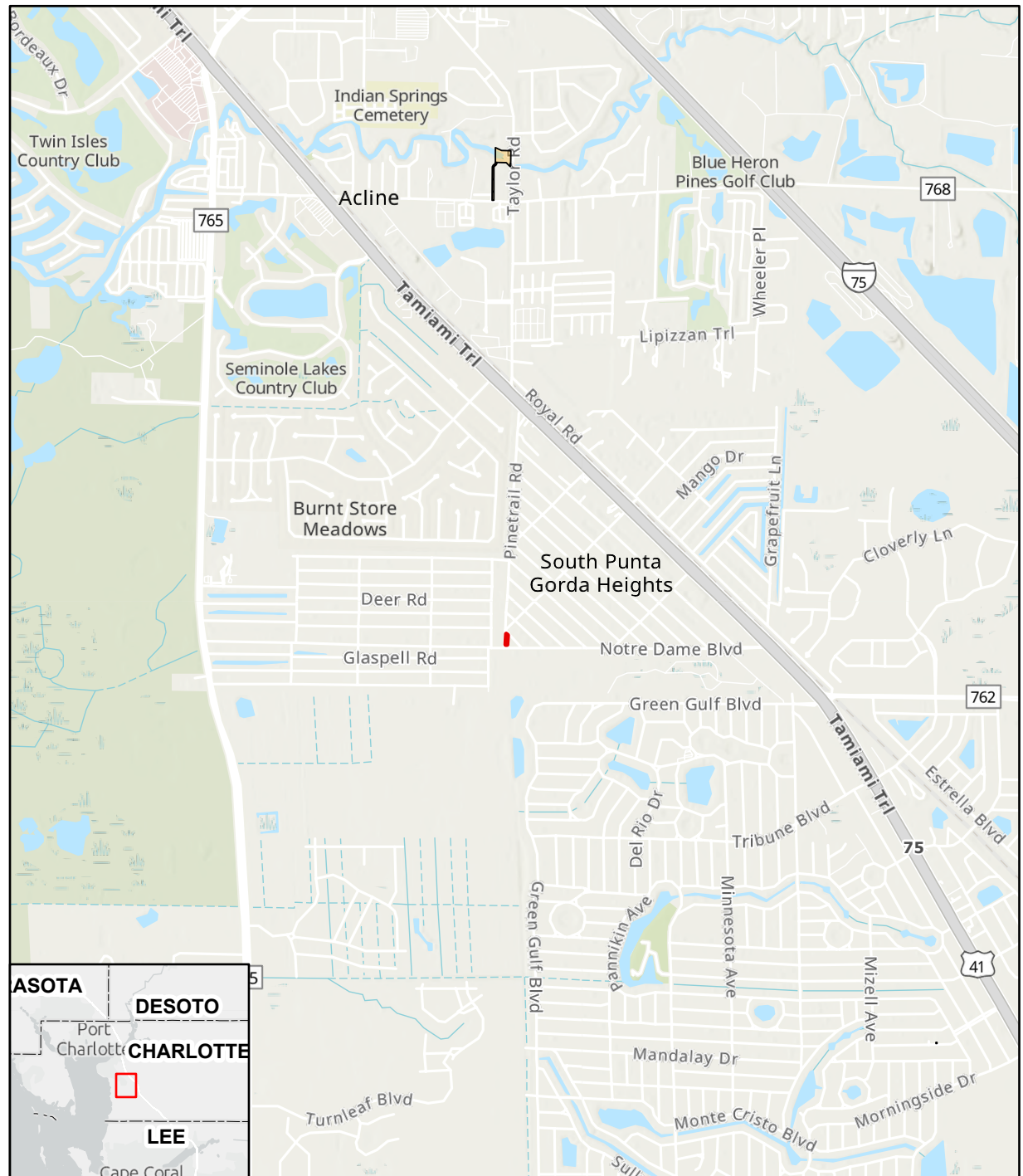
Staff Recommendation:

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

Presenter:

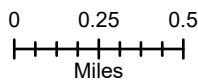
Ellen Morrison, Bureau Chief, Land Resources Bureau

Exhibit 1 Punta Gorda Heights Hawthorn Data Collection Site - SWF Parcel No. 20-020-201 Location Map



Esn, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- Proposed Easement
- District Owned Lands Fee Simple
- District Owned Land Easements



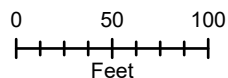
Southwest Florida
Water Management District

Exhibit 2
Punta Gorda Heights Hawthorn Data Collection Site - SWF Parcel No. 20-020-201
Site Map



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Charlotte County, State of Florida, Microsoft, Vantor

- Groundwater Site
- Proposed Easement



Southwest Florida
 Water Management District

Prepared by:
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604

Return recorded original to:
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
Attn. Land Resources Bureau

PERPETUAL EASEMENT

This Easement ("Easement") is made and entered into this ____ day of _____ 2026, by and between Charlotte County, a political subdivision of the State of Florida, having a mailing address of 18500 Murdock Circle, Suite B-208, Port Charlotte, Florida 33948, hereinafter called "Grantor", and the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as "Grantee".

Grantor, for and in consideration of the sum of Ten Dollars and no cents (\$10.00) and other good and valuable consideration from Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee a non-exclusive, perpetual easement to enter upon, over and across and to use any and all lands more particularly described below solely for the following purposes:

- a. To maintain, repair or replace a monitoring well and data monitoring equipment over the land more particularly described on **Exhibit "A"** (the "Easement Area"); and
- b. For ingress and egress upon, over and across the land more particularly described on **Exhibit "A"** (the "Easement Area") to access the monitoring well and equipment to perform hydrologic measurements.

Grantee shall exercise all of its rights contained in this Easement in the least intrusive manner so as not to interfere with Grantor's use of its property. Grantor reserves the right to use the Easement Area in any manner not inconsistent with this Easement; provided, however, that Grantor shall avoid disturbing the well casing or cover (water meter box) of the monitoring well or wells without securing Grantee's prior written consent, which consent shall not be unreasonably withheld. Grantee hereby agrees to restore the Easement Area to its prior condition following any construction, maintenance, repair or access by Grantee.

Grantee agrees to indemnify and hold harmless the Grantor, its agents, employees, and officers from and against all liabilities, claims, damages, expenses, or actions, either at law or in equity, including attorney's fees and costs and attorney fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by Grantee, or anyone for whose acts or omissions Grantee may be liable as a result of Grantee's rights under this instrument. Upon receiving knowledge of any suit, claim or demand asserted by a third party that Grantor believes is covered by this indemnity, the Grantor shall give the Grantee notice of the matter within a reasonable time. The failure or delay of the Grantor to notify the Grantee of any such suit, claim or demand shall not relieve the Grantee of its obligations under this provision but shall reduce such obligations to the extent of any increase in those obligations caused solely by any such

failure or delay. Nothing contained herein will be construed to constitute a waiver of Grantee's sovereign immunity under Section 768.28, F.S., or to extend the limits of liability or recovery under Section 768.28, F.S. This provision will survive the termination of this instrument.

All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and inure to the benefit of the respective assigns, successors, and tenants of the parties hereto. This Easement may be amended or modified only by an instrument signed by Grantor and Grantee.

The formation, interpretation and performance of this Easement shall be construed pursuant to and governed by the laws of the State of Florida. Except as otherwise specified herein, the Grantor and Grantee will each be responsible for its own legal and attorneys' fees, costs, and expenses incurred in connection with any dispute or any litigation arising out of, or relating to this instrument, including attorneys' fees, costs, and expenses incurred for any appellate or bankruptcy proceedings.

This grant shall not constitute a dedication to the public, and no parties shall have any rights or entitlements pursuant to the terms of this Easement except as specifically set forth herein.

[signature pages follow]

IN WITNESS WHEREOF, Grantee has caused these presents to be executed in its name the day and year aforesaid.

Witnesses:

GRANTOR:

Charlotte County

Signature of First Witness

Printed Name

Address

By: _____
Name: Joseph M. Tiseo
Title: Chairman

ATTEST:
Roger D. Eaton, Clerk of Circuit Court and
Ex-officio Clerk of the Board of County
Commissioners

Signature of Second Witness

Printed Name

Address

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

By: _____
Thomas M. David, County Attorney
LR26-0138

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of ☐ physical
presence or ☐ online notarization, this _____ day of _____, 2026, by
_____, who is personally known to me or produced
_____ as identification.

Notary Public

(Notary Seal)

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

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Governing Board acting by the Chair or Vice Chair of said board, the day and year aforesaid.

Witnesses:

GRANTEE:

Southwest Florida Water
Management District

Signature of First Witness

Printed Name

Address

Signature of Second Witness

Printed Name

Address

By: _____
Paul J. Bispham, Chair

2379 Broad Street
Brooksville, Florida 33604-6899

ATTEST:

By: _____
John E. Hall, Secretary

2379 Broad Street
Brooksville, Florida 33604-6899

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2026, by Paul J. Bispham, Governing Board Chair, who is personally known to me or produced _____ as identification.

Notary Public

(Notary Seal)

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

EXHIBIT “A”

The WESTERLY Thirty feet (30') of Parcel P15, Notre Dame Park, as recorded in Plat Book 5, Pages 17A-17C, of the Amended Plat of South Punta Gorda Heights and Its First Addition, of the Public Records of Charlotte County, Florida; with a short legal description of SPG 000 CNTY PARK, and identified in the Property Appraiser's Records as Parcel ID # 412334352001, and more commonly known as 27020 Notre Dame Boulevard, Punta Gorda, Florida, 33955

DRAFT

CONSENT AGENDA

June 23, 2026

Regulation Committee: Water Use Permit No. 20 021046.002 – Hillsborough County and Tampa Bay Water / Balm Farm (Hillsborough County)

This is a modification of an existing water use permit for public supply use. The permit authorizes an increase in the annual average quantity from 775,000 gallons per day (gpd) to 3,722,800 gpd. The increase in the annual average is based on demand projections for Hillsborough County. This modification provides a Net Benefit of 2,947,800 gpd in the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA) through the transfer of annual average quantities from Water Use Permit Nos. 20000655.016, 20000656.015, 20006678.011, and 20008450.005. The authorized quantities are a part of the Tampa Bay Water regional system needed to meet the Hillsborough County public supply demand which also utilizes alternative water supplies, such as surface water and water from the desalination plant.

Special conditions include those that require the permittee to report monthly meter readings, perform meter accuracy tests and submit meter accuracy test reports every five years, modify the permit to reflect the incorporation of any new alternative sources of water, submittal of an annual water conservation plan update, submittal of an annual monitoring report for aquifer levels and water quality data, and compliance with the SWUCA Recovery Strategy.

This permit application meets all Conditions for Issuance pursuant to Florida Administrative Code Rule 40D-2.301.

Benefits

Authorizes beneficial use of water supply for Hillsborough County and Tampa Bay Water.

Strategic Plan

The District's Water Use Permit Program establishes effective conservation practices for authorized users.

Exhibit

Water Use Permit

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

April D. Breton, Bureau Chief, Water Use Permit Bureau



An Equal
Opportunity
Employer

Southwest Florida Water Management District

Bartow Service Office

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

Sarasota Service Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office

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

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

DRAFT

June 03, 2026

Hillsborough County/ Attn: John Turbiville
P.O. Box 1110
Tampa, FL 33624

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

Subject: **Notice of Intended Agency Action Letter -- Approval**

Water Use Permit No.: 20 021046.002
Project Name: Balm Farm
County: Hillsborough

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 021046.002. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau

cc: Ross Dickerson



An Equal
Opportunity
Employer

Southwest Florida Water Management District

Bartow Service Office

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

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On the Internet at: WaterMatters.org

June 03, 2026

DRAFT

Hillsborough County/ Attn: John Turbiville
P.O. Box 1110
Tampa, FL 33624

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

Subject: **Notice of Agency Action -- Approval**
Water Use Permit No.: 20 021046.002
Project Name: Balm Farm
County: Hillsborough

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 021046.002. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

The ID tags for your withdrawals shall be installed by a District representative. This representative will attempt to contact you within 30 days to discuss placement of your tags. If you have any questions or concerns regarding your tags, please contact Joseph Hagin at extension 8132787784, in the Tampa Service Office. If you have any questions or concerns regarding your permit or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau
Regulation Division

Encl: Permit
Notice of Rights

cc: Ross Dickerson

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 021046.002**

DRAFT

PERMIT ISSUE DATE: May 15, 2026

EXPIRATION DATE: July 22, 2042

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: Hillsborough County/ Attn: John Turbiville
P.O. Box 1110
Tampa, FL 33624

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

PROJECT NAME: Balm Farm

WATER USE CAUTION AREA(S): Most Impacted Area, SOUTHERN WATER USE CAUTION AREA

COUNTY: Hillsborough

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

ANNUAL AVERAGE	3,722,800 gpd
PEAK MONTH ¹	0 gpd

1. Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a modification of an existing water use permit for public supply use. The permit authorizes an increase in the annual average quantity from 775,000 gallons per day (gpd) to 3,722,800 gpd. The increase in the annual average is based on demand projections for Hillsborough County. This modification provides a Net Benefit of 2,947,800 gpd in the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA) through the transfer of annual average quantities from Water Use Permit Nos. 20000655.016, 20000656.015, 20006678.011, and 20008450.005. The authorized quantities are a part of the Tampa Bay Water regional system needed to meet the Hillsborough County public supply demand which also utilizes alternative water supplies, such as surface water and water from the desalination plant.

Special conditions include those that require the permittee to report monthly meter readings, perform meter accuracy tests and submit meter accuracy test reports every five years, modify the permit to reflect the incorporation of any new alternative sources of water, submittal of an annual water conservation plan update, submittal of an annual monitoring report for aquifer levels and water quality data, and compliance with the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>
Public Supply	3,722,800

USE TYPE

Regional Public Supply
System

PUBLIC SUPPLY:

Population Served:

Per Capita Rate:

WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
1 / 1	12	960 / 320	Public Supply	930,700	N/A
2 / 2	10	935 / 345	Public Supply	930,700	N/A
3 / 3	12	1,070 / 350	Public Supply	930,700	N/A
11 / 11	12	1,245 / 185	Public Supply	930,700	N/A

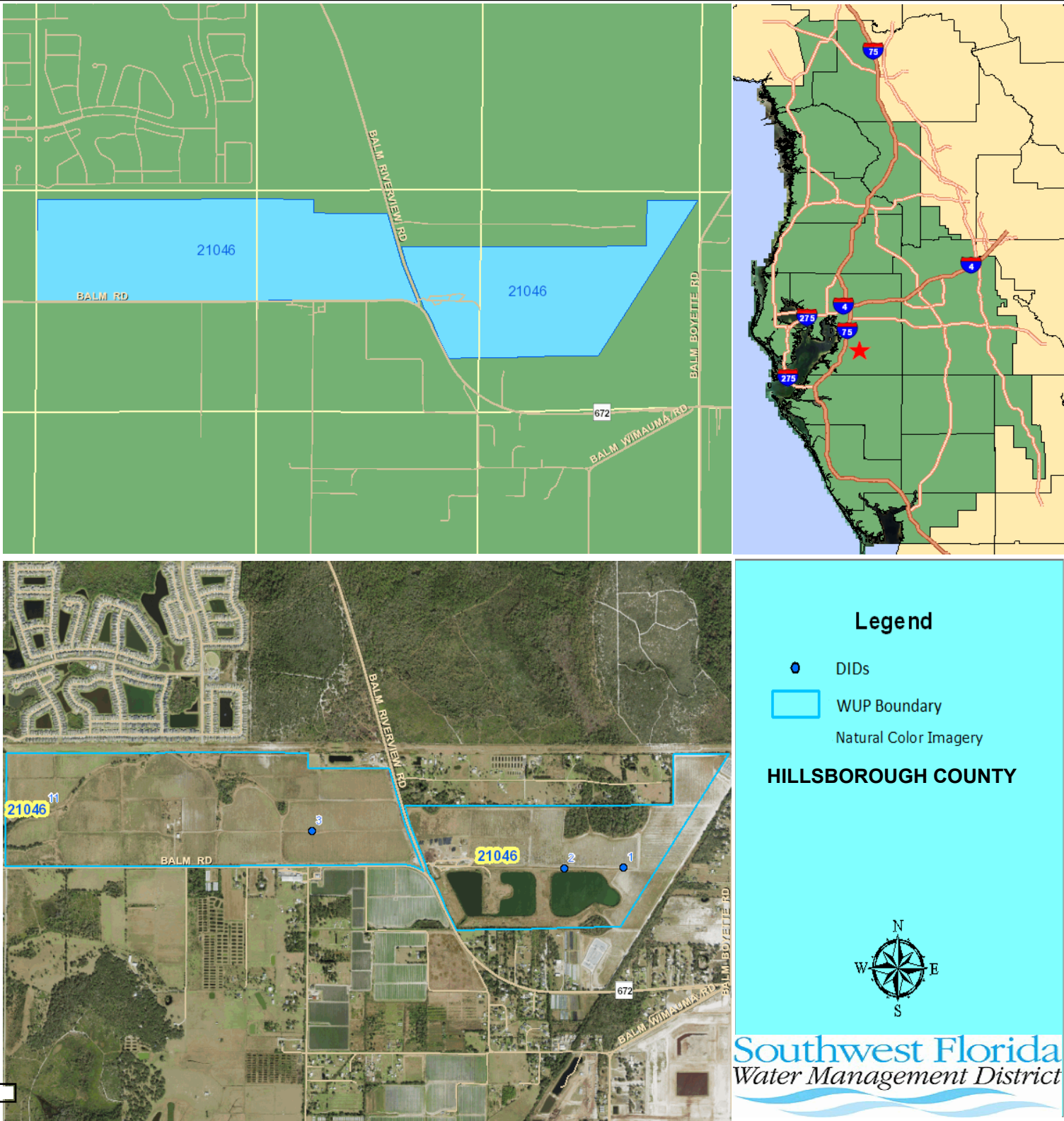
WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 46' 12.90"/82° 15' 36.80"
2	27° 46' 12.70"/82° 15' 51.00"
3	27° 46' 20.60"/82° 16' 52.40"
11	27° 46' 25.26"/82° 17' 57.63"

Location Map

Hillsborough County/ Attn: John Turbiville

WUP No. 20 021046.002



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 fifteenth 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 annual average daily quantities for District ID Nos. 1, 2, 3, and 11, Permittee ID Nos. 1, 2, 3, and 11, 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 3,722,800 gallons per day on an annual average basis, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal are limited to the quantities set forth above.(221)
3. The District reserves the right to set chloride, sulfate or total dissolved solids concentration limits on any production well in the future, based on data collected and after a sufficient data base has been established to determine limits. These limits shall be required after discussions with the Permittee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Permittee shall take appropriate action to reduce concentrations to below those set for the particular well. If the District determines that long-term upward trends or other significant water quality changes are occurring, the District may reconsider the quantities permitted.(276)
4. The Permittee shall submit an Annual Wellfield Report that is a comprehensive but concise assessment of the water resources of the wellfield area based on the subject areas listed below. This report shall concisely summarize the elements listed below, with emphasis on the interactions between these elements, where appropriate. Data sources shall be referenced, but no raw data shall be included in the report. Only essential text, graphs, and tables should be included in the report. Reports shall be submitted to the Water Use Permit Bureau, by July 1 of each year. Any color part of the report that is scanned shall be scanned in color. The report shall cover all activities and conditions pertaining to Balm Farm and service area for the preceding water year (October 1 to September 30). The specific elements of this report are listed below:

Hydrologic Analyses

Statistical trend analysis, such as double-mass curve analysis, multiple linear regression, time series analysis, and factor analysis shall be performed for the annual reporting period and the period of

record to analyze the interactions of rainfall and pumpage on changes in the potentiometric surface within and adjacent to the wellfield, water quality, water levels, wetlands, or stream flow. A brief summary of any recommended changes to the monitoring requirements shall be provided noting that some changes may necessitate a modification of the permit.

Wellfield Operation

A brief overview of wellfield operations including withdrawal point rotation within the wellfield for the previous 12 months shall include discussion of wells used most often, and wells used less often, and why their routine use was altered, future changes or modifications to the wellfield rotation plan due to the yield from the various wells, future annexation sites, potential future production well sites, etc. Any proposed production or monitor wells that were completed, wells retired and their current status, or wells converted from other uses to public supply use since the last Annual Wellfield Report will be noted.

Water Quality Monitoring

Water quality sampling collected as a condition of this permit shall be analyzed and summarized into graphs and statistical analysis for the annual reporting period and related to the historical water quality sampling results as well as to pumpage. The report shall delineate areas of concern with respect to water quality degradation, horizontal or vertical movement in the fresh water/saltwater interface, or other trends which have occurred. Changes in water quality specifically in Upper Floridan aquifer shall be discussed.

Water Level Monitoring

Water levels collected as a condition of this permit shall be analyzed, summarized into graphs and statistical analysis for the annual reporting period, and related to pumpage as well as to historic water levels. The report should delineate any areas of concern with respect to water levels within the aquifers monitored, changes in sampling locations, number of wells included in the program, etc., or any other information which may be deemed appropriate in order to protect the resource.

Capital Improvement Program Status

A summary of completed water supply system improvements shall be provided. In addition, an update to any documented system weaknesses or anticipated system improvements shall be described.

Wellfield Management Updates

The Permittee shall summarize the development, implementation, and events that may affect the approved wellfield management plan over the previous reporting period. If additional information became available that necessitates a change to the plan, the Permittee shall submit an application to modify the permit to effect the changes.

Water Resources Summary

The Permittee shall submit an annual water resources summary including but not limited to: hydrologic data, water quality data, groundwater production data, atmospheric (rainfall) data, and well mitigation data in accordance with Tampa Bay Water's Well Mitigation Policy.
(524)

5. 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)
6. The Permittee shall comply with their authorized quantities. If the authorized quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the authorized quantities were exceeded, measures taken to attempt to meet the authorized quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their authorized 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)
7. 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)

8. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 1, 2, 3, and 11, Permittee ID No(s). 1, 2, 3, and 11. 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)
9. The Permittee shall submit an Environmental Monitoring Plan in support of proposed Balm Farm Wellfield at the time of the modification when the Permittee is requesting to install the permanent production withdrawals. Until such time the Permittee will submit background water level and water quality data for the Upper Floridan aquifer and water level data for the Surficial Aquifer as referenced in the Wellfield Monitoring Plan to the District on or before the 15th day of the following month.(990)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

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

from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

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

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

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

April Breton

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.

Notice of Rights**DRAFT****ADMINISTRATIVE HEARING**

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW**DRAFT**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

CONSENT AGENDA

June 23, 2026

Regulation Committee: Water Use Permit No. 20 020500.002 – Dillard Cattle Company, LLC and Tampa Bay Water / Big Fish Lake Augmentation (Pasco County)

This is a renewal with modification of an existing water use permit for environmental augmentation of Big Fish Lake. The authorized quantities are changed from the previous permit. The authorized annual average quantity decreased from 1,540,000 gallons per day (gpd) to 1,310,000 gpd and the authorized peak month quantity decreased from 2,540,000 gpd to 2,140,000 gpd. The quantity decrease is related to actual reported pumpage. There is no change in Use Type from the previous permit. Quantities are based on reported pumpage and calculations submitted by the permittee. This is one of several lakes environmentally augmented in part to meet Special Condition No. 14 of Tampa Bay Water's Consolidated Water Use Permit (WUP No. 20011771.002) as part of the Recovery Assessment, dated September 29, 2020, which designated Big Fish Lake as improved, but not fully recovered. This permit is located in Pasco County in the Northern Tampa Bay Water Use Caution Area (NTBWUCA).

Special conditions include those that require the Permittee to report monthly meter readings and pumpage, report water levels twice a month, comply with the augmentation schedule, submit an annual augmentation report, and collect water quality samples from the production wells.

This permit application meets all Conditions for Issuance pursuant to Florida Administrative Code Rule 40D-2.301.

Benefits

Authorizes beneficial use of water supply for environmental augmentation user.

Strategic Plan

The District's Water Use Permit Program establishes effective conservation practices for authorized users.

Exhibit

Water Use Permit

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

April D. Breton, Bureau Chief, Water Use Permit Bureau



An Equal
Opportunity
Employer

Southwest Florida Water Management District

Bartow Service Office

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

Sarasota Service Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office

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

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

DRAFT

June 03, 2026

Dillard Cattle Company, LLC/ Attn: James E. Dillard
15995 Bellamy Brothers Blvd.
Dade City, FL 33523

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

Subject: **Notice of Intended Agency Action Letter -- Approval**
Water Use Permit No.: 20 020500.002
Project Name: Big Fish Lake Augmentation
County: Pasco

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 020500.002. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau



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Opportunity
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Southwest Florida Water Management District

Bartow Service Office

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

Sarasota Service Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office

7601 Highway 301 North
Tampa, Florida 33637-6759
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On the Internet at: WaterMatters.org

June 03, 2026

DRAFT

Dillard Cattle Company, LLC/ Attn: James E. Dillard
15995 Bellamy Brothers Blvd.
Dade City, FL 33523

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

Subject: **Notice of Agency Action -- Approval**
Water Use Permit No.: 20 020500.002
Project Name: Big Fish Lake Augmentation
County: Pasco

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 020500.002. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

The ID tags for your withdrawals shall be installed by a District representative. This representative will attempt to contact you within 30 days to discuss placement of your tags. If you have any questions or concerns regarding your tags, please contact Deborah Ammendola at extension 3525549773, in the Brooksville Service Office. If you have any questions or concerns regarding your permit or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau
Regulation Division

Encl: Permit
 Notice of Rights

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 020500.002**

DRAFT

PERMIT ISSUE DATE: May 05, 2026

EXPIRATION DATE: May 05, 2031

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

TYPE OF APPLICATION: Renewal

GRANTED TO: Dillard Cattle Company, LLC/ Attn: James E. Dillard
15995 Bellamy Brothers Blvd.
Dade City, FL 33523

Tampa Bay Water/ Attn: Erin Hayes
2575 Enterprise Road
Clearwater, FL 33763

PROJECT NAME: Big Fish Lake Augmentation

WATER USE CAUTION AREA(S): Northern Tampa Bay

COUNTY: Pasco

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	1,310,000 gpd
PEAK MONTH ¹	2,140,000 gpd

¹ Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a renewal with modification of an existing water use permit for environmental augmentation of Big Fish Lake. The authorized quantities are changed from the previous permit. The authorized annual average quantity is decreased from 1,540,000 gallons per day (gpd) to 1,310,000 gpd and the authorized peak month quantity is decreased from 2,540,000 gpd to 2,140,000 gpd. The quantity decrease is related to actual reported pumpage. There is no change in Use Type from the previous permit. Quantities are based on reported pumpage and calculations submitted by the permittee. This is one of several lakes environmentally augmented in part to meet Special Condition No. 14 of Tampa Bay Water's Consolidated Water Use Permit (WUP No. 20011771.002) as part of the Recovery Assessment, dated September 29, 2020, which designated Big Fish Lake as improved, but not fully recovered. This permit is located in Pasco County in the Northern Tampa Bay Water Use Caution Area (NTBWUCA).

Special conditions include those that require the Permittee to report monthly meter readings and pumpage, report water levels twice a month, comply with the augmentation schedule, submit an annual augmentation report, and collect water quality samples from the production wells.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Other	1,310,000	2,140,000

USE TYPE

Augmentation For
Environmental

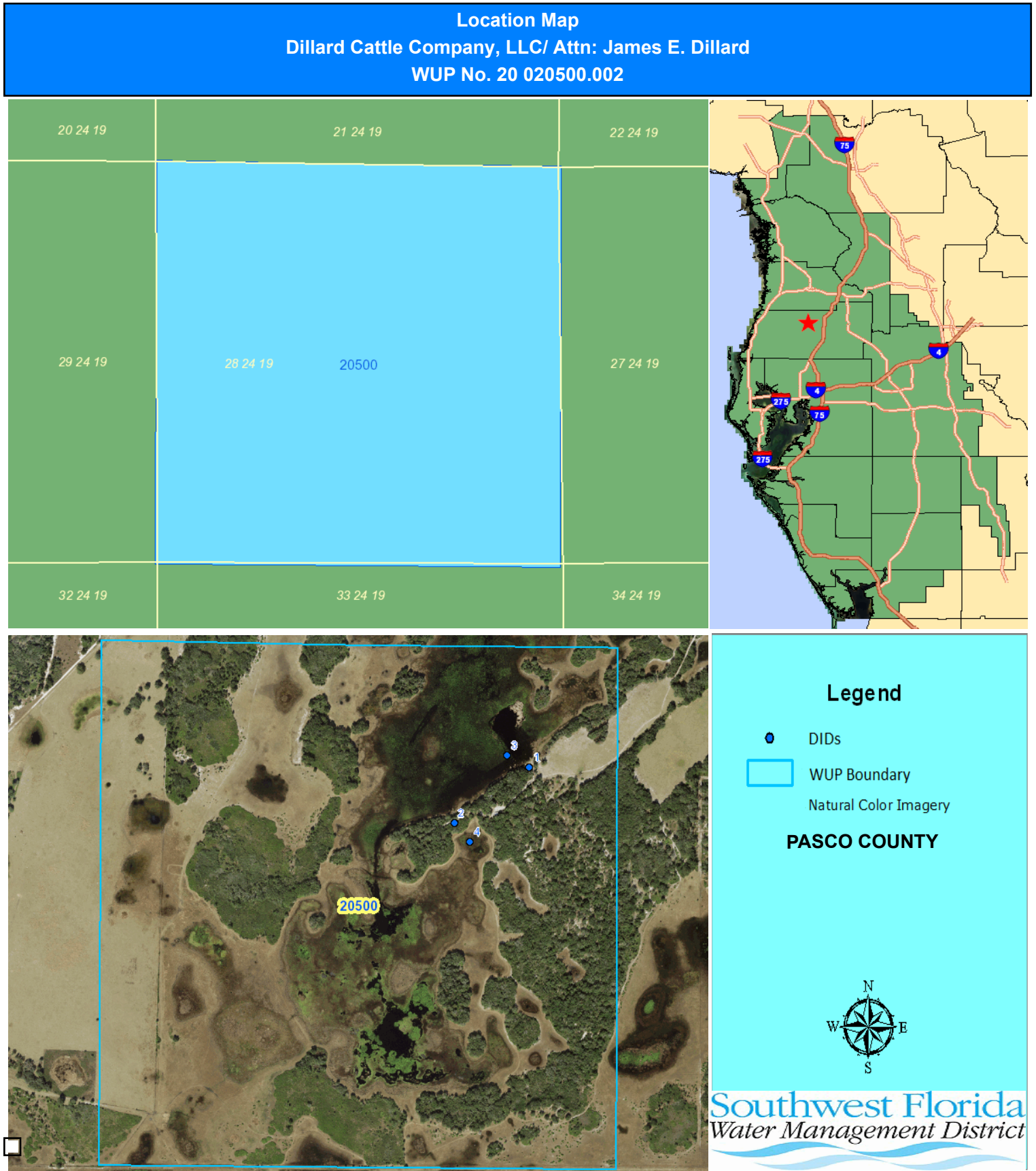
WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
AUG1 / 1	8	543 / 126	Augmentation	310,000	540,000
AUG2 / 2	16	700 / 130	Augmentation	1,000,000	1,600,000

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	28° 22' 20.02"/82° 24' 22.31"
2	28° 22' 14.39"/82° 24' 30.84"



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 annual average and peak month quantities for District ID Nos. 1 and 2, Permittee ID Nos. AUG1 and AUG2, 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 1,310,000 gallons per day on an annual average basis, and up to 2,140,000 gallons per day on a peak month basis, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal and the total peak month daily withdrawal are limited to the quantities set forth above.
(221)
3. The Permittee shall maintain a backflow prevention system on District ID Nos. 1 and 2, Permittee ID Nos. AUG1 and AUG2.
(315)
4. 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)
5. **Non-Water Shortage**
Augmentation of Big Fish Lake shall be allowed only when the water levels drop below elevation 70.6 feet North American Vertical Datum of 1988 (NAVD 88). Augmentation shall cease once the adopted Minimum Lake Level (MLL) of 71.9 feet NAVD 88 is reached. Water levels must then be allowed to recede to 70.6 feet (NAVD 88) before augmentation up to the MLL may be resumed.

Water Shortage is Declared

When a Water Shortage is declared under Chapter 40D-21, F.A.C., augmentation shall only be allowed
This document complies with WCAG 2.2 AA standards

when the water level drops below 68.0 feet NAVD 88. Augmentation shall cease once the adopted Low Guidance Level (LGL) of 69.3 feet NAVD 88 is reached. Water levels must then be allowed to recede to 68.0 feet (NAVD 88) before augmentation up to the LGL may be resumed.

Lake Cyclic Variation

At least once every five (5) years, water levels in Big Fish Lake shall be allowed to recede below the Low Guidance Level of 69.3 feet NAVD 88, if possible given hydrologic conditions, to allow historical cyclic variations to occur.

If the established MLL and LGL of Big Fish Lake are modified in any way by the District as set forth in Chapter 40D-8, F.A.C. during the duration of this permit, the District shall initiate a letter modification of this permit to reflect the new established MLL and LGL levels for Big Fish Lake.

(373)

6. The Permittee shall immediately implement the District-approved water conservation plan dated February 25, 2026 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.(449)
7. 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)
8. 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)
9. The following existing Environmental Augmentation withdrawal facilities shall continue to be metered: District ID Nos. 1 and 2, Permittee ID Nos. AUG1 and AUG2. 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. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the fifteenth day of the following month for monthly reporting frequencies.(731)
10. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed below according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit. If the report or data is received on or before the 15th day of the month following data collection, it shall be deemed as a timely submittal.

Existing District ID No. 2, Permittee ID No. AUG2, continue to sample for pH, Hardness, and Specific Conductance, after a minimum pumping time of 20 minutes, on a Quarterly basis.

Existing District ID No. 1, Permittee ID No. AUG1, which is temporarily disconnected from power, begin sampling a minimum of 30 days prior to reinitiating pumping operations, for pH, Hardness, and Specific Conductance, after a minimum pumping time of 20 minutes, on a Quarterly basis.(752)

11. The Permittee shall maintain the District-approved staff gauges in the water bodies at the locations specified below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated.

District ID Nos. 3 and 4, Permittee ID Nos. SG1 and SG2 on Big Fish Lake (north lobe and south lobe of the lake) record on a twice-monthly basis.

To the maximum extent possible, water levels shall be recorded on the same day of every two weeks during the first and third weeks of the month (twice monthly) and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the 15th day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

12. Coordination with Tampa Bay Water's Permit Recovery Assessment Plan, Special Condition 11 of Water Use Permit No. 20011771.001, Consolidated Water Use Permit (WUP):

The Owner shall provide reasonable access for continued hydrologic and ecologic monitoring and mitigation by Tampa Bay Water consistent with the Permit Recovery Assessment Plan of the Consolidated WUP. The withdrawals authorized by this Water Use Permit are part of a recovery program to augment and sustain wetlands and lakes affected by groundwater withdrawals. The withdrawals authorized by this permit shall not be modified for any other use other than environmental augmentation.

(990)

13. By March 1 of each year of the permit term for the preceding water year (October 1 - September 30), the Permittee shall submit a report that includes meter readings, staff gauge readings, and days/times of augmentation for all days when the augmentation pump(s) are turned on. The report shall include a data summary, including a spreadsheet with raw data, as well as essential graphs to display trends. This report will also outline the relationship between lake water levels, augmentation, Cross Bar Ranch wellfield pumpage, and rainfall. Interpretive evaluation shall present the Permittee's analyses and interpretation of the data.

(991)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

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

from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

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

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

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).
8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

<u>Frequency</u>	<u>Timetable</u>
Weekly	Same day of each week
Quarterly	Same week of February, May, August, November
Semi-annually	Same week of May, November
Monthly	Same week of each month

April Breton

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.

Notice of Rights**DRAFT****ADMINISTRATIVE HEARING**

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW**DRAFT**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

CONSENT AGENDA

June 23, 2026

Regulation Committee: Water Use Permit No. 20 008036.011 – Leffie M. Carlton Jr Family LLLP / Grange Hall Loop Berries (Hillsborough County)

This is a modification of an existing water use permit for agricultural use. The quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 593,700 gallons per day (gpd) to 696,700 gpd, an increase in the drought annual average quantity from 593,700 gpd to 696,700 gpd, and an increase in the peak month quantity from 3,473,400 gpd to 4,077,800 gpd. The crop protection quantity will remain the same at 16,855,200 gpd. The change in quantities is due to an increase in irrigated acreage from 260 to 305 acres of strawberries. There is no change in use type from the previous permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This modification reflects a self-relocation of quantities (103,000 gpd) from Water Use Permit No. 20010742.006 to allow for an increase near the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA). The Permittee does not utilize Alternative Water Supply (AWS) sources, as none are currently available, but is required to submit a reclaimed water feasibility study upon District request.

Special Conditions include those that require the Permittee to continue to record and report monthly meter readings, record and report pumpage during a freeze event, implement the District approved water conservation plan, submit seasonal crop reports, conduct meter accuracy tests every five years, submit an overpumpage report upon District request, adhere to the well construction specifications, and adhere to the SWUCA Recovery Strategy.

This permit application meets all Conditions for Issuance pursuant to Florida Administrative Code Rule 40D-2.301.

Benefits

Authorizes beneficial use of water supply for Leffie M. Carlton Jr Family LLLP.

Strategic Plan

The District's Water Use Permit Program establishes effective conservation practices for authorized users.

Exhibit

Water Use Permit

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

April D. Breton, Bureau Chief, Water Use Permit Bureau



An Equal
Opportunity
Employer

Southwest Florida Water Management District

Bartow Service Office

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

Sarasota Service Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office

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

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

June 03, 2026

DRAFT

Leffie M. Carlton Jr Family LLLP/Attn: C. Dennis Carlton Jr
4143 Moores Lake Rd
Dover, FL 33527

Subject: **Notice of Intended Agency Action Letter -- Approval**

Water Use Permit No.: 20 008036.011
Project Name: Grange Hall Loop Berries
County: Hillsborough

Dear Sir/Madam:

The Southwest Florida Water Management District (District) has completed its review of the application for Water Use Permit No. 20 008036.011. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/Search/Search/SearchWupSimple.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Water Use Permit Bureau in the Tampa Service Office.

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau



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Southwest Florida Water Management District

Bartow Service Office

170 Century Boulevard
Bartow, Florida 33830-7700
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On the Internet at: WaterMatters.org

June 03, 2026

DRAFT

Leffie M. Carlton Jr Family LLLP/Attn: C. Dennis Carlton Jr
4143 Moores Lake Rd
Dover, FL 33527

Subject: **Notice of Agency Action -- Approval**
Water Use Permit No.: 20 008036.011
Project Name: Grange Hall Loop Berries
County: Hillsborough

Dear Sir/Madam:

The Southwest Florida Water Management District (District) is in receipt of your application for Water Use Permit No. 20 008036.011. Based upon a review of the information you submitted, the application is approved. A copy of the permit is enclosed for your records. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

Please be advised that the Governing Board has formulated a water shortage plan referenced in a Standard Water Use Permit Condition (Exhibit A) of your permit, and will implement such a plan during periods of water shortage. You will be notified during a declared water shortage of any change in the conditions of your Permit or any suspension of your Permit, or of any restriction on your use of water for the duration of any declared water shortage. Please further note that water conservation is a condition of your Permit and should be practiced at all times.

The ID tags for your withdrawals shall be installed by a District representative. This representative will attempt to contact you with information, please contact the Water Use Permit Bureau in the Tampa Service Office .

Sincerely,

April Breton
Bureau Chief, Water Use Permit
Water Use Permit Bureau
Regulation Division

Encl: Permit
 Notice of Rights

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 008036.011**

DRAFT

PERMIT ISSUE DATE: May 08, 2026

EXPIRATION DATE: January 24, 2029

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: Leffie M. Carlton Jr Family LLLP/Attn: C. Dennis Carlton Jr
4143 Moores Lake Rd
Dover, FL 33527

PROJECT NAME: Grange Hall Loop Berries

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

COUNTY: Hillsborough

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

ANNUAL AVERAGE	696,700 gpd
PEAK MONTH ¹	4,077,800 gpd
DROUGHT ANNUAL AVERAGE ²	696,700 gpd
CROP PROTECTION/MAXIMUM ³	16,855,200 gpd

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

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 593,700 gallons per day (gpd) to 696,700 gpd, an increase in the drought annual average quantity from 593,700 gpd to 696,700 gpd, and an increase in the peak month quantity from 3,473,400 gpd to 4,077,800 gpd. The crop protection quantity will remain the same at 16,855,200 gpd. The change in quantities is due to an increase in irrigated acreage from 260 to 305 acres of strawberries. There is no change in use type from the previous permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This modification reflects a self-relocation of quantities (103,000 gpd) from Water Use Permit No. 20010742.006 to allow for an increase near the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA). The Permittee does not utilize Alternative Water Supply (AWS) sources, as none are currently available, but is required to submit a reclaimed water feasibility study upon District request.

Special Conditions include those that require the Permittee to continue to record and report monthly meter readings, record and report pumpage during a freeze event, implement the District approved water conservation plan, submit seasonal crop reports, conduct meter accuracy tests every five years, submit an overpumpage report upon District request, adhere to the well construction specifications, and adhere to the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	696,700	4,077,800	696,700	16,855,200

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Strawberries	68.00	Drip With Plastic	30.46"/yr.	30.46"/yr.
Strawberries	192.00	Drip With Plastic	30.77"/yr.	30.76"/yr.
Strawberries	45.00	Drip With Plastic	30.76"/yr.	30.77"/yr.

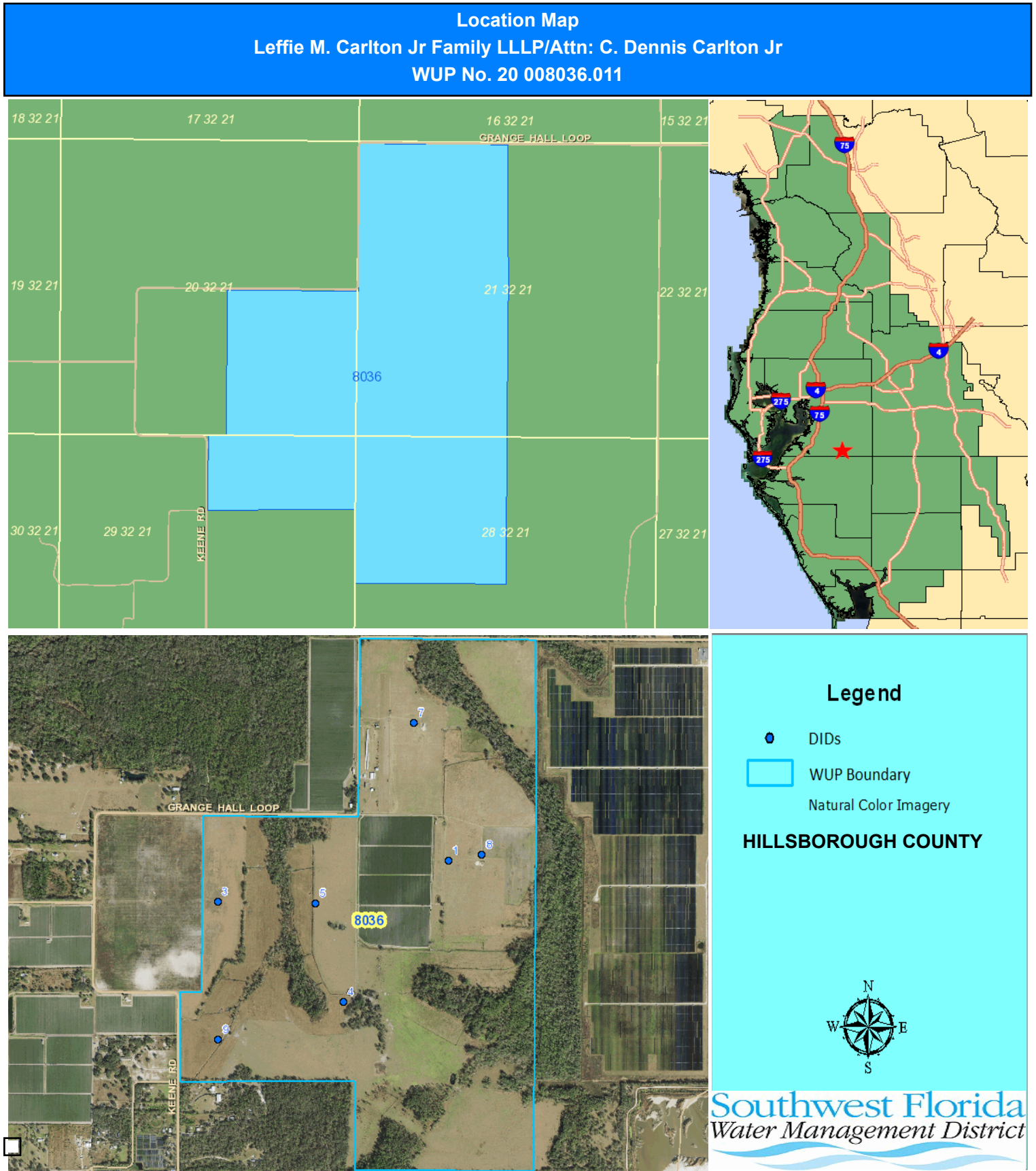
WITHDRAWAL POINT QUANTITY TABLE

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

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
1 / 1	8	360 / UNK	Irrigation	57,200	335,800	N/A
3 / 3	8	975 / UNK	Irrigation	64,800	370,800	N/A
4 / 4	12	840 / 340	Irrigation	57,200	335,800	1,440,000
5 / 5	16	1,140 / 332	Irrigation	89,300	523,800	4,800,000
7 / 7	16	1,220 / 306	Irrigation	162,600	953,600	4,800,000
8 / 8	16	900 / 290	Irrigation	162,600	953,600	4,800,000
9 / 9	16	1,200 / 330	Irrigation	103,000	604,400	1,015,200

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 40' 51.77"/82° 12' 57.82"
3	27° 40' 45.60"/82° 13' 36.45"
4	27° 40' 30.79"/82° 13' 15.41"
5	27° 40' 45.40"/82° 13' 20.14"
7	27° 41' 12.10"/82° 13' 03.70"
8	27° 40' 52.61"/82° 12' 52.22"
9	27° 40' 25.24"/82° 13' 36.37"



STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

(499)

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

(1)

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

District ID No. 9, Permittee ID No. 9, having a surface diameter of 16 inches, with a minimum casing depth of 330 feet drilled to a maximum depth of 1,200 feet.

(240)

4. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)

5. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
6. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
7. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
8. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
9. The Permittee shall geophysically (caliper) or video log District ID Nos. 1 and 3, Permittee ID Nos. 1 and 3, if the pump assembly is removed for maintenance or replacement within the term of this permit. If the Permittee does not have to remove the pump assembly during the term of this permit, he or she shall notify the District in writing upon submittal of their application to renew their water use permit (WUP). Such notification will not prejudice the Permittee's application. The District does not require the Permittee to remove the well assembly for the single purpose of logging the well.

The geophysical or video log must clearly show the diameter and total depth of each well, and the casing depth and casing continuity in each well. If a video log is made of the well, it shall clearly show the WUP number, Permittee name, and well identification number on the tape itself. One copy of the log shall be submitted to the District within 30 days of the logging event. Upon sufficient notice (approximately two to three weeks), the District can caliper log the well(s) at no cost to the Permittee; however, the Permittee shall remove the pump assembly at their own cost and prior to the arrival of the District logging vehicle on location.

Until such time as the logging is performed, the District shall continue to assess withdrawal impacts, and credit existing use per aquifer based on the assumption that multiple aquifers are open in the well bore. If an analysis of the log with respect to geology or hydrogeology is made, the report must be signed and sealed by a Professional Geologist who is registered and in good standing with the Florida Department of Business and Professional Regulation.
(408)

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

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

11. The Permittee shall immediately implement the District-approved water conservation plan dated March 21, 2024 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. (449)

12. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit . The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.
(458)
13. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. Nos. 1, 3, 4, 5, 7, 8, and 9, Permittee ID Nos. 1, 3, 4, 5, 7, 8, and 9:
 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)
14. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
15. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
16. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
17. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
18. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 9, Permittee ID No. 9. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
19. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 1, 3, 4, 5, 7, and 8, Permittee ID Nos. 1, 3, 4, 5, 7, and 8. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

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

This document complies with WCAG 2.2 AA standards

60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

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

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

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

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

1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition in accordance with requirements per Chapter 40D-3, Florida Code and/or any specific requirements of an associated Well Construction Permit.
2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality.
3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.

April Breton

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.

Notice of Rights**DRAFT****ADMINISTRATIVE HEARING**

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW**DRAFT**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

CONSENT AGENDA

June 23, 2026

Regulation Committee: Approval of Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Southwest Florida Water Management District – State Programmatic General Permit VI Addendum (SPGP-VI)

Purpose

The purpose of this agenda item is to request that the Board approve an addendum to the Coordination Agreement between the U.S. Army Corps of Engineers (Corps) Jacksonville District and the District extending the Corps' State Programmatic General Permit (SPGP VI) for certain low risk activities. A copy of the SPGP VI Addendum Public Notice and SPGP VI Addendum to Coordination Agreement are attached as Exhibits "A" and "B", respectively.

Background/History

In July 2011, the Corps' Jacksonville District issued SPGP IV-R1, which authorized the Florida Department of Environmental Protection (FDEP) or a designee, to administer Section 404 of the Clean Water Act (33 U.S.C. § 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) on behalf of the Corps for certain low risk activities. The purpose of the delegation was to reduce duplication of permitting efforts. That agreement, which was valid for 5 years, expired on July 25, 2016.

Based on direction received from the Governing Board in 2014, District staff worked with the Corps in 2015 on a coordination agreement between the Corps and the District that would delegate to the District authority to implement the SPGP IV-R1 in the applicable areas of the District. That coordination agreement, approved by the Governing Board in July 2015, ran concurrent with the Corps' SPGP IV-R1 and also expired on July 25, 2016.

District staff then worked with the Corps on a new Coordination Agreement for the implementation of SPGP V, the successor to SPGP IV-R1. SPGP V was then modified in 2019 and issued under SPGP V-R1, which expired on July 26, 2021. The FDEP then worked with the Corps on a replacement SPGP, and SPGP VI was issued on July 27, 2021. SPGP VI was essentially unchanged from the previous SPGP V-R1.

As with the previous version of the SPGP, the SPGP VI delegates authority for five specific types of certain low risk activities:

1. Shoreline stabilization;
2. Boat ramps;
3. Docks, piers, associated facilities, and other minor piling-supported structures;
4. Removal of derelict vessels; and
5. Transient activities related to scientific sampling, measurement, and monitoring devices.

SPGP VI is set to expire on July 27, 2026. The FDEP and Water Management Districts have been working with the Corps on a replacement SPGP to be titled SPGP VII. However, the replacement SPGP will not be ready until after the expiration of the current SPGP VI. Therefore, to maintain continuity with implementation of the SPGP, the current SPGP VI will be extended via the attached addendum to the Coordination Agreement.

Benefits

Helps ensure continued permit streamlining and agency coordination of the SPGP program.

Strategic Plan

Extension of this interagency coordination agreement supports the District's core mission of protecting water resources through streamlined and efficient regulatory programs.

Exhibits

Exhibit A – SPGP VI Addendum Public Notice

Exhibit B – SPGP VI Addendum to Coordination Agreement

Staff Recommendation:

Approve the Coordination Agreement between the U.S. Army Corps of Engineers Jacksonville District and the District regarding the Corps' State Programmatic General Permit (SPGP VI).

Presenter:

Dave Kramer, PE, Bureau Chief, Environmental Resource Permit Bureau



**US Army Corps
of Engineers®**

PUBLIC NOTICE

**Jacksonville District
Permit Application
No. SAJ-2015-
02575(PGP-DEB)**

Published: May 5, 2025
Expires: June 3, 2026

Interested parties are hereby notified that the Jacksonville District, U.S. Army Corps of Engineers (USACE) proposes to reissue the State Programmatic General Permit (SPGP) VI for minor, in-water activities located throughout the State of Florida. The SPGP VI serves to reduce duplicative Federal, State, and local government Agency permitting effort for certain categories of minor work in waters of the U.S. The SPGP VI was issued on 27 July 2021 for a period of five years. The next iteration of SPGP (VII) is being evaluated in tandem with the current re-issuance of SPGP VI. Since, the next iteration (SPGP VII) of SPGP may not be authorized prior to the current SPGP VI expiration date of 27 July 2026, re-issuance of the current SPGP VI will allow continued implementation under Operating Agreements (OA) between the District and five local and State government Agencies.

The proposed re-issuance of the SPGP VI will authorize minor in-water activities pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344), and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The purpose of this public notice is to solicit comments from the public and information necessary to evaluate the probable impact on the public interest regarding the proposed activity as described below and as shown on the enclosed drawings. If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at dale.e.beter@usace.army.mil

APPLICANT: Jacksonville District
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

LOCATION OF PROPOSED ACTIVITY: The proposed activities would occur in navigable Waters of the United States located throughout the State of Florida.

PROPOSED ACTIVITY: Minor activities currently authorized, and proposed for re-issuance, under the SPGP VI include the following:

1. Docks, piers, associated facilities, and other minor piling-supported structures,
2. Shoreline stabilization,
3. Boat ramps,
4. Derelict vessel removal,
5. Aids to navigation, and
6. Scientific survey devices.

The SPGP VI instrument re-issuance will incorporate the following changes:

1. Modifications authorized on 16 August 2021, to address errors in Section I.6.a.(1), Section II.1.b.(6), and Section IV paragraph 24.
2. Removal of permit conditions and Project Design Criteria (PDCs) applicable to Johnson's seagrass (*Halophila ovalis* formerly *Halophila johnsonii*), which is no longer protected by the Endangered Species Act (ESA).
3. Removal of the following Attachments:
 - a) Att. 1: Johnson's Seagrass Range Map
 - b) Att. 2: Smalltooth Sawfish Critical Habitat Maps
 - c) Att. 3: Smalltooth Sawfish Critical Habitat Maps essential features table
4. Activities are excluded in any wild and scenic rivers protected under the Wild and Scenic Rivers Act (16 U.S.C. § 1278).

All activities would occur within navigable waters of the United States throughout Florida, not including geographic exclusion areas listed in the permit or areas otherwise excluded by the terms and conditions of the permit. Currently, the SPGP is administered by the following five (5) State and local government Agencies through individual OAs:

1. Florida Department of Environmental Protection (FDEP)
2. Southwest Florida Water Management District (SWFWMD)
3. St. John's River Water Management District (SJRWMD)
4. Broward County
5. Hillsborough County

Implementation of the re-issued SPGP VI will be outlined in an Addendum to each OA with the five partnering Agencies.

MITIGATION: The SPGP would authorize activities that are determined to have minimal adverse effects on the aquatic environment, with adherence to certain terms and conditions and PDCs. Measures to avoid and minimize impacts to aquatic resources, include geographic exclusions and restrictions on certain activities. These conditions, PDCs, exclusions and restrictions also serve to minimize effects on resources protected under the Endangered Species Act (ESA), Magnuson Stevens Fisheries Management, and Conservation Act (MSA), and the National Historic Preservation Act (NHPA). The SPGP would not authorize activities which would result in losses to wetlands or any other special aquatic sites. Due to the minor nature of impacts, no compensatory mitigation will be required for the authorized activities pursuant to 33 CFR § 332.

HISTORIC PROPERTIES/CULTURAL RESOURCES: The USACE has determined that the reissuance of the SPGP VI will have no effect on historic properties. Specifically, the SPGP activities are excluded from locations, which are listed, or proposed for listing, in the Master Site File. Additionally, any authorized work under construction, which reveals previously unidentified archaeological or historic artifacts or remains, will be required to cease further construction and immediately coordinate with the State Historic Preservation Officer and Tribal Historic Preservation Officer, when

applicable. The USACE may use discretionary authority to elevate an activity to a higher category of permit review in the event of such discovery.

The USACE evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act utilizing 36 CFR § 800 and program-specific regulations and procedures found at 33 CFR § 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted the latest published version of the National Register of Historic Places and initially determines that:

Should historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) be present within the USACE's permit area, the proposed activity requiring the DA permit (the undertaking) is a type of activity that has no potential to cause an effect to a historic property. Specifically, no resources listed in or eligible for inclusion in the National Register of Historic Places are known to be present in the vicinity; however, the permit area has not been formally surveyed for the presence of cultural resources. The SPGP VI includes a discovery condition that requires all work cease in the event of finding a cultural or historic resource. Additional work may be necessary to identify and assess any cultural resources that may be present. Further, the SPGP VI includes criteria that deem projects ineligible if within a certain distance from a known or eligible historic or cultural resource. This notice serves as a request to the State and/or Tribal Historic Preservation Officers and other interested parties to provide any information they may have regarding historic properties.

The USACE's final eligibility and effect determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes, and other interested parties, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (ESA) (16 U.S.C. § 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat (or critical habitat proposed such designation). Each request for verification under the SPGP VI will be confirmed by the partnering Agency to ensure whether the activity meets all applicable terms and conditions. Specifically, to meet responsibilities under the Endangered Species Act, an activity must comply with the following Agency consultation documents:

1. Jacksonville Biological Opinion (JaxBO), National Marine Fisheries Service (NMFS)
2. Effect Determination Key for the Manatee (USFWS), 2013, and Addendum, 2019, U.S. Fish and Wildlife Service (USFWS)

Activities, which do not meet the requirements of the above referenced consultation documents, will not be eligible for verification under the SPGP. The USACE has made a preliminary determination that the proposed re-issuance of SPGP VI will not affect any listed species or critical habitat protected under the ESA. This determination will be coordinated with the USFWS under separate correspondence.

ESSENTIAL FISH HABITAT: Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as amended (16 U.S.C. § 1855), requires Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSFA) 1996, the USACE reviewed the project area, examined information provided by the applicant, and consulted available species information.

Essential Fish Habitat (EFH) and federally managed fisheries protected under the MSFA are addressed through the JaxBO Regional Biological Opinion and use of the 'Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat' (NMFS), 2017. Our initial determination is that the proposed re-issuance may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the NMFS. Implementation of the proposed project would have minimal adverse impact to EFH based on the terms and conditions, which contain geographic exclusions, construction restrictions, and PDCs designed to protect both EFH and resources protected under the ESA. A list of EFH and protected resources is included in the JaxBO. This determination will be coordinated with the NMFS under separate correspondence.

NAVIGATION: Proposed structures or activities are not authorized in the vicinity of a federal navigation channel. The proposed re-issuance of the SPGP VI will require minimum mandatory setbacks to the near edge of a federal channel. Partnering Agencies will utilize GIS data provided by the Corps' project Notebook to identify channel edges, easements, and setbacks..

SECTION 408: Activities authorized under the re-issued SPGP VI will not require coordination under Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 408) because the activities, in whole or in part, would not alter, occupy, or use a USACE Civil Works project. Partnering Agencies will use GIS data to identify federal project boundaries and applicable setbacks.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the FDEP pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341). Under separate correspondence, the Corps will request general water quality certification from the FDEP.

COASTAL ZONE MANAGEMENT: Coastal Zone Consistency Concurrence is required from the FDEP pursuant to Section 307 of the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451). In Florida, the State approval constitutes compliance with the

approved Coastal Zone Management Plan. Under separate correspondence, the Corps will request general coastal zone consistency concurrence from the FDEP.

NATIONAL WILD AND SCENIC RIVERS: Coordination with the U.S. Forest Service pursuant to Section 7 of the Wild and Scenic Rivers Act (16 U.S.C. § 1278) will not be required as the SPGP VI is excluded in Wild and Scenic Rivers.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the USACE jurisdiction has been verified by USACE personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Tribal Nations; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permit for the proposed activities. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activities. Any comments or objections which are received during this period may be forwarded to the applicant for possible resolution before the

determination is made whether to issue or deny the requested permit. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

The Jacksonville District will receive written comments on the proposed activity, as outlined above, until June 3, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs/public-notice>. Alternatively, you may submit written or oral comments within 30 days from the date of this notice to Mr. Dale Beter at the mailing address under 'APPLICANT' above, the following email address: dale.e.beter@usace.army.mil, or by telephone at (904) 835-2044. Please refer to the permit application number "**SAJ-2015-02575(PGP-DEB)**" in your comments.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

MMMM DD, 2026

Regulatory Division

**DEPARTMENT OF THE ARMY PERMIT
STATE PROGRAMMATIC GENERAL PERMIT (SPGP) VI
for Minor In-Water Activities Located Throughout the State
of Florida**

Permittee: Recipient of a verification of a State of Florida Exemption or General permit from the Florida Department of Environmental Protection (FDEP), a water management district (Designee), or a local government with delegated authority under section 373.441, F.S. (Designee).

Effective Date of SPGP VI: July 28, 2026

Expiration Date: July 28, 2031

Issuing Office: U.S. Army Corps of Engineers District, Jacksonville.

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

NOTE: The term "Applicant", as used in this permit, means a person or authorized agent submitting an application for verification of a State of Florida Exemption or General Permit from the FDEP, a water management district (Designee), or a local government with delegated authority under section 373.441, F.S. (Designee). After you receive written verification for your project under this State Programmatic General Permit (SPGP VI), you are authorized to perform work in accordance with the terms and conditions specified below.

Coordination Agreements between the Corps and the FDEP and Designees outline the steps each agency will take during the processing of an application under the SPGP VI. For the prior State Programmatic General Permit (SPGP V-R1), agreements were in place with the following agencies: FDEP, the St. Johns River Water Management District, Hillsborough County Environment Protection Commission (EPC), and the Southwest Florida Water Management District. These agencies, and others, may implement SPGP VI upon execution of updated agreements.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

I. Procedures:

1. Applicants requesting verification of activities covered under SPGP VI will submit their application to the appropriate FDEP or Designee office and not submit a separate application to the Corps.
2. Applicants will also fill in and concurrently submit the applicable Jacksonville District's Programmatic Biological Opinion (JAXBO) checklists. Every project will submit the summary checklist and all the checklists applicable to the activities included in the Project. For example, a project proposing the installation of a dock and a seawall will submit the summary checklist, activity 1 checklist, and activity 2 checklist. The checklists are titled:
 - a. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Summary Checklist",
 - b. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Activity 1: Shoreline Stabilization",
 - c. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Activity 2: Pile Supported",
 - d. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Activity 5: Scientific Survey",
 - e. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Activity 6: Boat Ramps", and
 - f. "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Activity 9: Marine Debris Removal".

The JAXBO Checklists must be filled out electronically using the form fields and then submitted in their original electronic format. For example, a printed and/or scanned version of the checklist is not to be submitted. If the checklists are not filled out electronically, the Project does not qualify for SPGP VI. Through submission of the "Project Design Criteria Checklist for the U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion Summary Checklist" and one or more of the individual activity sheets, the applicant assures the Project complies with the qualifying criteria within the text of this SPGP VI even though not specifically enumerated on the JAXBO Checklists. The relevant Project Design Criteria (PDCs) in the National Marine Fisheries Service's (NMFS) JAXBO dated November 20, 2017 have been transcribed into the SPGP VI instrument checklists.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

3. Applicants must comply with the following procedures when a condition in this permit requires determination of the presence of submerged aquatic vegetation (SAV) or emergent (e.g. marsh habitats) aquatic vegetation:
 - a. Within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia County north of Ponce Inlet) and within freshwater tidal waters, the presence of seagrass and tidal freshwater SAV will be determined using the “Submerged Aquatic Vegetation Survey Guidelines” (Attachment 2) unless a site visit or aerial photography observes absence during the growing season (if water depth and clarity allows) or aquatic vegetation has not been found in the vicinity in the past. Growing season is defined as June 1 and September 30 of each year.
4. The FDEP or Designee will review the application and the JAXBO Checklists to determine whether the Project qualifies for SPGP VI. Projects that qualify for SPGP VI will be processed by the FDEP or Designee. Verification of the State Exemption or General Permit will include language confirming Federal Authorization under SPGP VI. A Project qualifies for SPGP VI when all the following apply:
 - a. it is one of the activities described in the Work Authorized section;
 - b. the FDEP or Designee has reviewed and confirmed the proposed Project meets the conditions outlined in the Work Authorized section as well as the applicable Special Conditions;
 - c. the FDEP or Designee has reviewed and confirmed the proposed Project meets all the relevant PDCs in the JAXBO) dated November 20, 2017 (these have been transcribed into this SPGP VI as special conditions) (Reference: JAXBO Section 2.3, page 236);
 - d. JAXBO Checklists are complete, accurate, and submitted electronically (using the fillable form fields); and
 - e. the FDEP or Designee submits the JAXBO Checklists to NMFS at the following address: nmfs.ser.statewideprogrammatic@noaa.gov , with a copy of the email

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

furnished to spgp@usace.army.mil not later than the date the FDEP or Designee verifies authorization under SPGP VI (Reference: JAXBO Section 2.3, page 237).

5. The FDEP or Designee will review the application and complete the “The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida” to determine the effects of the Project on the West Indian manatee. When using the “The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida” April 2013 and 2019 addendum (Manatee Key, Attachment 3), SPGP VI can only be verified when FDEP or Designee walks the project through the Manatee Key and it results in “May affect, not likely to adversely affect” and no further consultation is required.
6. Self-Certification. The FDEP may authorize certain single-family docks and boatlifts under this SPGP VI through their online, electronic self-certification process, if all the following requirements are implemented:
 - a. Limitations:
 - (1) Construction of boatlifts and repair or replacement of an existing single-family dock with no changes from the previous configuration with a maximum cumulative size of 1,000 square feet, except in an Aquatic Preserve or Outstanding Florida Water where the maximum cumulative size is no more than 500 square feet.
 - (2) Project meets all the terms and conditions of this SPGP VI.
 - (3) Projects are excluded, if meeting any of the following (Reference: JAXBO Section 2.3, page 238):
 - (i) On an unbridged, undeveloped coastal island or undeveloped coastal island segment or undeveloped coastal barrier island;
 - (ii) On sandy beaches fronting the Gulf of Mexico or Atlantic coast shoreline, exclusive of bays, inlets, rivers, bayous, creeks, passes, and the like;
 - (iii) Within 50 feet of the Mean High Water Line (MHWL) at any riparian coastal location fronting the Gulf of Mexico or Atlantic Coast shoreline;
 - (iv) Located in the coastal counties of Wakulla, Taylor, Dixie, Levy, Pasco, and Monroe;
 - (v) Located in Biscayne Bay Aquatic Preserve;

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(vi) In Federal Special Waters (Biscayne Bay National Park, Blackwater Creek, Faka Union Canal, Garfield Point, Loxahatchee River, Okeechobee Waterway, Rock Springs Run, St. Marys River, Tampa Bypass Canal, Timucuan Preserve, Wekiva River);

(vii) Located in any of the following restriction or exclusion zones (described by Section 2.1.1 of JAXBO): Smalltooth Sawfish Critical Habitat Limited Exclusion Zone (Attachment 4); Gulf Sturgeon Critical Habitat Migratory Restriction Zones (Attachment 5); Atlantic Sturgeon Critical Habitat Exclusion Zone (Attachment 6); and North Atlantic Right Whales Educational Sign Zones (Attachment 7); and

(viii) Located in an area with non-ESA listed seagrasses and will result in any impacts or shading to these seagrasses.

b. FDEP cannot verify requests through the Self-Certification process unless they maintain the following revisions to their web pages and/or automated process (Reference: JAXBO Section 2.3, page 239):

(1) The on-line process includes a screen and button by which the Permittee certifies that the Project authorized via the self-certification meets the relevant Project Design Criteria (PDCs) in the National Marine Fisheries Service's (NMFS) Jacksonville District's Programmatic Biological Opinion (JAXBO) dated November 20, 2017 (these will be an attachment on the web page that will then be an attachment to the authorization issued by the Self-Certification process); and

(2) The automated process will include addition of the PDCs attachment, as a separate document, to the email FDEP uses to transmit its authorization to the Applicant. The automated process will concurrently send a copy of FDEP's transmittal email to the Corps at spgp@usace.army.mil.

c. The Corps may, upon written notice to FDEP, terminate or require modification of the restrictions in the self-certification process applicable to the federal authorization. The event triggering such a notice is expected to either be a problem identified during the monthly, quarterly, and annual reviews between the Corps and NMFS, as required by JAXBO (Reference: JAXBO Section 2.4, page 240), or Corps review of FDEP and/or Corps compliance reports. Upon identification of a problem, the Corps and FDEP will identify potential solutions and timing of webpage programming changes to implement those solutions, recognizing that immediate termination would also shut down other (non-SPGP) self-certifications.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

7. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee will provide the following notifications to the Corps, as described in Special Condition 7 or the General Conditions.

- a. *Commencement Notification* form (Attachment 8). Within 10 days from the date of initiating the authorized work.
- b. *Corps Self-Certification Statement of Compliance* form (Attachment 9) within 60 days of completion of the work.
- c. *Permit Transfer* form. Signed by the new owner if transferred to a new owner (Attachment 10).

II. Work Authorized: The Projects authorized by this SPGP VI are those activities that qualify for and are authorized by the specific State of Florida Exemptions and General Permits cited below, as adopted by reference in Chapter 62-330, Florida Administrative Code (F.A.C.) **and** meet the activity description provided below.

1. **Shoreline Stabilization** (Authorities: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344)).

- a. Activity description:

- (1) New vertical seawalls and footers will not be placed further waterward than 1.5 feet (18 inches) MHWL or Ordinary High Water Line (OHWL), unless necessary to align with existing adjacent seawalls, and not to exceed 150ft in length (Reference: JAXBO PDC A1.1.1.). If aligning with adjacent seawalls, this activity is limited to 5 feet as measured from the High Tide Line to the waterward extent of the seawall.

- (2) The repair and replacement of seawalls and footers cannot extend any further than 1.5 ft (18 in) waterward of its previous location, as measured from the waterward face (wet face) of the existing seawall to the waterward face of the replacement seawall, measured wet face to wet face at MHWL or OHWL (Reference: JAXBO PDC A1.1.1.). A SAV survey is not required for repair or replacement within 18 inches of the existing structure.

- (3) Riprap repair and replacement cannot extend any further than 1.5 ft (18 in) waterward of its previous location, as measured from the waterward slope of the existing riprap to the waterward slope of the replacement, measured at toe of slope (Reference: JAXBO PDC A1.1.1.). A SAV survey is not required for repair or replacement within 18 inches of the existing structure.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(4) New riprap (or other materials including articulating blocks or mats, sand cement, geotextile/filter fabric and mattresses) will not be placed more than 10 feet waterward of the MHWL or OHWL, including the toe of slope (Reference: JAXBO PDC A1.1.2.).

(5) Living shorelines can only be constructed in unvegetated, nearshore waters along shorelines to create tidal marshes or mangrove habitat for the purpose of shoreline erosion control or aquatic habitat enhancement. Only native plants can be placed along the shoreline or between the shoreline and the living shoreline structure (Reference: JAXBO PDC A7.4.).

b. Specific State of Florida Exemptions and General Permits:

(1) 62-330.051(12)(a), F.A.C. Synopsis: Seawalls or riprap in artificially created waterways, including backfilling.

(2) 62-330.051(12)(b), F.A.C. Synopsis: Restoration of seawall or riprap at its previous location or upland of, or within 18 inches waterward of, its previous location.

(3) 62-330.051(12)(c), F.A.C. Synopsis: Construction of private vertical seawalls or riprap between and adjoining existing seawalls or riprap at both ends of no more than 150 feet.

(4) 62-330.051(12)(d), F.A.C. Synopsis: Installation of seawall cap, batter piles, or king piles used exclusively to stabilize and repair seawalls and that do not impede navigation.

(5) 62-330.051(12)(e), F.A.C. Synopsis: Living Shorelines (restoration of an eroding shoreline with native wetland vegetative enhancement plantings) no more than 500 linear feet and plantings no more than 10 feet waterward of approx. MHWL or OHWL.

(6) 62-330.431, F.A.C. Synopsis: Installation of no more than 100 linear feet of riprap. The riprap shall be no steeper than two horizontal to one vertical and no more than 10 feet waterward of existing mean high water line (MHWL) or ordinary high water line (OHWL).

2. **Boat Ramps** (Authorities: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344)):

a. Activity description:

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- (1) Private, single-family boat ramp or structure requiring 25 cubic yards of fill material or less.
- (2) Ramp width does not exceed 30 feet (Reference: JAXBO PDC A6.1.2 and 3 but reduced.).
- (3) Maximum of 1 boat lane for either construction of new boat ramps and the repair and/or expansion of existing boat ramps (Reference: JAXBO PDC A6.1.2 but reduced.).
- (4) No more than 2 trailered vehicle parking spaces associated with the boat ramp (Reference: JAXBO PDC A6.1.2 but reduced.).
- (5) Repair and replacement of existing boat ramps occurs within the same footprint of the existing ramp (Reference: JAXBO PDC A6.1.4.).

b. Specific State of Florida Exemptions and General Permits:

- (1) 62-330.051(5)(e), F.A.C. Synopsis: Installation and maintenance to design specifications of boat ramps on artificial bodies of water or public boat ramps on any waters. Boat ramps less than 30 ft wide and will involve the removal of less than 25 cubic yards of material. The material to be removed shall be placed on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state.

3. **Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures** (Authority: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403)).

a. Activity description:

- (1) Pile supported structures:

(a) This SPGP VI authorizes only the following pile-supported and anchored structures: docks and piers; boatlifts; mooring piles and dolphin piles associated with docks/piers; Aids to Navigation (ATONs) and Private Aids to Navigation (PATONs); floating docks; pile-supported chickees (i.e., small, back-country, over-water, pile-supported, primitive camping shelters); boardwalks (as long as they are designed and clearly marked to prohibit fishing and vessel mooring); and other minor pile-supported structures. This does not include structures, such as ferry terminals and large ports, which support large commercial vessels including ferries, tankers, and cargo ships (Reference: JAXBO PDC A2.1.1.).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(b) Pile-supported docks/piers for a single-family residential lot are limited to 4 slips for motorized vessels. This limit is cumulative: existing and proposed/new; wet and dry slips. Slips for non-motorized vessels (e.g., kayak, canoe, and paddleboard) and associated launching areas do not count toward the total slip number (Reference: JAXBO PDC A2.1.2.). A wet slip is defined as a space designated for storing or keeping a boat in or over the water. A dry slip is defined as a space designated for storing or keeping a boat on land.

(c) Pile-supported structures for marinas and multi-family facilities (e.g., condo complexes, trailer parks, subdivisions when the homeowners association owns and controls the in-water structures) are limited to a maximum of 50 total slips (i.e., combination of wet and dry slips for existing plus proposed slips). This numeric limit is the cumulative sum of existing wet and dry slips and proposed/new wet and dry slips (Reference: JAXBO PDC A2.1.3.).

(d) Anchored buoys and temporary pile-supported structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to preconstruction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth (MLLW) under the keel of a vessel and between the keel of a vessel and ESA-listed coral colonies when transiting to the mooring areas (Reference: JAXBO PDC A2.1.4.).

(2) Additional conditions for pile supported structures in Monroe County:

(a) The only minor structures authorized in Monroe County are boatlifts, catwalks around boatlifts, davits, fenders, fender piles, and dolphin piles, and mooring pilings. All minor structures must be associated with an existing boat slip.

(b) If seagrass is present within the footprint of the boatlift, the uncovered boat lift may have a narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard pilings (spaced no closer than 10 feet apart). If grated decking is used for the catwalk, the decking must meet the specifications outlined in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11).

(c) The FDEP or Designee will forward a copy of the application to the Corps Miami Office at SEAPPLS@usace.army.mil.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(d) The Corps Miami Office will reply within 5 working days either:

(i) The FDEP or Designee can authorize the project under the SPGP and, when applicable, the Corps will provide conditions to be included in the authorization measures the Florida Keys National Marine Sanctuary (FKNMS) has developed to avoid, minimize, and/or mitigate any effects on non-listed corals to implement paragraph 20 of the Work Authorized section of this permit (JAXBO PDC AP.14); or

(ii) The FDEP or Designee cannot authorize the project under the SPGP because of navigation, coral, or other concerns. The Corps will then review the project to determine whether can be authorized by the Corps.

b. Specific State of Florida Exemptions and General Permits:

(1) 62-330.051(5)(a), F.A.C. Synopsis: Installation or repair of pilings and dolphins associated with private docking facilities or piers.

(2) 62-330.051(5)(b), F.A.C. Synopsis: Installation of private and government docks where the cumulative square footage of all structures does not exceed 500/1000 square feet.

(3) 62-330.051(5)(c), F.A.C. Synopsis: Construction of private docks of 1,000 square feet or less in artificial waters and residential canal systems.

(4) 62-330.051(5)(d), F.A.C. Synopsis: Replacement or repair of existing docks and piers, including mooring piles, with no more than minor deviations and no larger in size than the existing dock or pier.

(5) 62-330.051(5)(f), F.A.C. Synopsis: Floating vessel platforms and floating boat lifts.

(6) 62-330.051(5)(h), F.A.C. Synopsis: installation of a boat lift in an existing facility.

(7) 62-330.051(8), F.A.C. Synopsis: Installation of aids to navigation and buoys associated with such aids.

(8) 62-330.427, F.A.C. Synopsis: Construction, extension, and removal of certain piers up to 2,000 square feet for a private residential single-family dock and associated structures, excluding fishing piers. Fishing piers are not authorized by SPGP VI.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(9) 62-330.474(1)(a), F.A.C. Synopsis: Piling supported structures, other than docks and piers, provided that the structure is not used for mooring, cumulative total size less than 1,000 square feet outside of Outstanding Florida Waters, or less than 500 square feet in Outstanding Florida Waters.

4. **Derelict vessels** (Authorities: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403)):

a. Activity description: In-water activities are limited to the removal of derelict vessels that poses a threat to human health and safety and/or aquatic natural resources (flora, fauna, and their habitats).

b. Specific State of Florida Exemptions and General Permits:

(1) 62-330.051(5)(g), F.A.C. Synopsis: The removal of derelict vessels by federal, state, and local agencies.

5. **Scientific Devices** (Authorities: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403)):

a. Activity description: Work authorized only covers the installation, repair, and removal of scientific survey devices, including any related equipment and anchors, for up to 24 months if those devices are intended to measure and/or record scientific data in tidal waters, such as staff gages, weirs, tide and current gages, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, vibracore samplings, and similar structures.

b. Specific State of Florida Exemptions and General Permits: 62-330.051(11)(b), F.A.C. Synopsis: Construction, operation, maintenance, and removal of scientific sampling, measurement, and monitoring devices.

III. Work NOT Authorized. The following Projects are not authorized by this SPGP VI:

1. A Project that requires a state individual permit.
2. A Project authorized under FDEP or Designee enforcement or compliance resolution actions.
3. A Project authorized under FDEP or Designee emergency permitting.
4. A Project authorized by FDEP or Designee “after-the-fact”.
5. A Project that is:

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- a. Located in Federal rights-of-way or easements.
 - b. Located between the shoreline and federally authorized navigation channels (Attachment 12) or within 300 feet of the design edge, whichever is less, or within such channels, including but not limited to the Intracoastal Waterways, channels and turning basins of a port or inlet, and wideners (where the width of the channel is widened, for example, when the channel changes direction)
 - c. Located within or crossing a flood control channel/canal or the levees, dikes, dams, or other water retaining structures of a federally authorized project (either federally or locally maintained) or within those channels.
6. A Project located within the following geographic boundaries: Monroe County (except boat lifts and some minor structures to support mooring in boat slips may be authorized under SPGP VI in Monroe County); the Timucuan Ecological and Historical Preserve (Duval County); the Wekiva River from its confluence with the St. Johns River to Wekiwa Springs, Rock Springs Run from its headwaters at Rock Springs to the confluence with the Wekiwa Springs Run, Black Water Creek from the outflow from Lake Norris to the confluence with the Wekiva River; projects that impact mangroves in canals at Garfield Point including Queens Cove (St. Lucie County); the Loxahatchee River from Riverbend Park downstream to Jonathan Dickinson State Park; all areas regulated under the Lake Okeechobee and Okeechobee Waterway Shoreline Management Plan, located between St. Lucie Lock (Martin County) and W.P. Franklin Lock (Lee County); the Biscayne Bay National Park Protection Zone (Miami-Dade County); Harbor Isles (Pinellas County); the Faka Union Canal (Collier County); the Tampa Bypass Canal (Hillsborough County); canals in the Kings Bay/Crystal River/Homosassa/Salt River system (Citrus County); Lake Miccosukee (Jefferson County).
 7. A Project is located in Anastasia Island, Southeastern, Perdido Key, Choctawhatchee, or St. Andrews beach mouse habitat (Attachment 13).
 8. A Project is located on or contiguous to sea turtle nesting beaches on the Atlantic Ocean, Gulf of Mexico, or in the Florida Keys.
 9. A Project is within 2,500 feet of an active wood stork nesting colony (Attachment 14).
 10. Project adversely impacts any other federally listed threatened or endangered species, or a species proposed for such designation, or its designated critical habitat under the purview of National marine Fisheries Service Protected Resource Division unless covered under the Jacksonville District Programmatic Biological Opinion (JAXBO).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

11. A Project which will adversely impact the following Essential Fish Habitats: Estuarine emergent vegetated wetlands (flooded saltmarshes, brackish marsh and tidal creeks), Estuarine scrub/shrub (mangrove fringe), Submerged rooted vascular plants (seagrasses), Oyster Reefs and Shell Banks, Tidal freshwater (palustrine) wetlands, Tidal palustrine forested, Tidal freshwater SAV, Coral and Live/Hard Bottom Habitats.
12. A Project located in a real estate parcel that is substantially submerged and largely covered by seagrass (unless owned by the U.S. Government or State of Florida).
13. Smalltooth Sawfish Critical Habitat Limited Exclusion Zone. Any project within the areas on the Caloosahatchee River (Lee County) shown on page 25 of JAXBO (Attachment 4) (Reference: JAXBO PDCs AP.4, A1.8.5, A2.12.).
14. Gulf Sturgeon Critical Habitat Migratory Restriction Zone. Any project at the mouths of Gulf sturgeon spawning rivers (Escambia River, Blackwater/Yellow Rivers, Choctawhatchee River, Apalachicola River, and Suwannee River) and narrow inlets (Indian Pass and Government Cut in Apalachicola Bay and Destin Pass in Choctawhatchee Bay) shown on the page 28 of JAXBO (Attachment 5) (Reference: JAXBO PDCs AP.4, A.1.9, A2.11).
15. Atlantic Sturgeon Critical Habitat Exclusion Zone. The main stem St. Marys River from the confluence of Middle Prong St. Marys and the St. Marys Rivers downstream to its mouth (river kilometer zero) shown in Attachment 5 (the page from the Federal Register) (Reference: JAXBO PDC AP4.).
16. Projects within shipping safety fairways and anchorage areas defined by 33 C.F.R. § 166.200 (Attachment 15).
17. A Project on canals or channels where the structures extend to more than 25% of the canal/channel width, excluding dense areas of shoreline vegetation such as mangrove, as measured from the Project location to the opposite shoreline (in order to maintain no less than 50% of the open-water portion of the waterbody for public use).
18. For activities other than pile-supported structures, if seagrass is found within the project footprint, the Project is not authorized (Reference: JAXBO PDC AP.13). The presence or absence of seagrass will be determined in accordance with the *I. Procedure* section, paragraph 3.
19. Project located in the Florida panther focus area (Attachment 16).
20. Regarding coral and hard bottom habitat, the design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.14.):

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- a. Projects are not authorized that may affect, directly or indirectly, species of coral listed under the Endangered Species Act found from St. Lucie Inlet, Martin County south to the Dry Tortugas.
- b. Projects occurring within the Florida Keys National Marine Sanctuary (FKNMS) shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals.
- c. Projects outside the boundaries of the FKNMS are not authorized if corals are found within the project footprint.
- d. Projects are not authorized if hard bottom habitat is found within the project footprint. Hard bottom is defined in the following ways:

(1) Natural consolidated hard substrate that is suitable to support corals, coral larval settlement, reattachment and recruitment of asexual coral fragments. These areas of hard bottom or dead coral skeleton must be free from fleshy or turf macroalgae cover and sediment cover.

(2) Nearshore and surf-zone, low-profile hard bottom outcroppings. (e.g., worm-rock reef [sabellariid worm reefs] and eolianite, granodiorite). This habitat can be persistent or ephemeral, cycling through periods of exposure and cover by sand. The range of this hardbottom habitat extends along the southeastern coast of Florida from Cape Canaveral to Miami-Dade County and in the U.S. Caribbean. It is an important developmental habitat for juvenile hawksbill and green sea turtles, which use it for both foraging and refuge.

21. The following shoreline stabilization projects are not authorized by this SPGP VI:

- a. Construction and/or repairs to groins, jetties, breakwaters and beach nourishment/renourishment (Reference: JAXBO PDC A1.5.).
- b. Installation of a seawall or riprap to remove/fill an upland cut area (e.g., boat slip, boat ramp, boat basins).
- c. Living Shorelines (62-330.051(12)(e), F.A.C.), if the work extends water ward past the adjacent shorelines (this provision is to preclude changes in down drift currents).
- d. A Project located in the main channels or tributaries of the following rivers (because of various mussel species): Chipola River, Apalachicola River, Ochlockonee River, Econfinia Creek, Suwannee River, Santa Fe River, New River

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(Bradford-Union County Line), Escambia River, Yellow River, or the Choctawhatchee River.

e. A Project located in designated critical habitat, where the essential physical and biological features (or the terms essential features / primary constituent elements (PCEs) for older designations) are present for:

- (1) American crocodile (Attachment 17), or
- (2) Piping plover (Attachment 18), or
- (3) Freshwater mussels (Attachment 19)

f. Within smalltooth sawfish critical habitat

(1) Living Shorelines placed in waters containing the shallow, euryhaline essential feature (between MHWL and -3 ft mean lower low water (MLLW)) (Reference: JAXBO PDC A7.25.).

(2) For all other shoreline stabilization activities, placement of new shoreline stabilization materials (i.e., riprap, articulated concrete mats) in waters between MHWL and -3 ft MLLW. (Reference: JAXBO PDC A1.8.)

(a) However, repair and replacement of shoreline stabilization materials (i.e., riprap, articulated concrete mats) is allowed within the same footprint of existing materials in depths between the MHWL and -3 ft MLLW (this means that these materials cannot result in the waterward extension or lateral expansion of materials beyond the previous footprint).

(b) However, installation of new or repair/replacement seawalls within 1.5 ft waterward of existing seawall or MHW is allowed.

g. Within Gulf sturgeon critical habitat all new shoreline stabilization materials (e.g., riprap, articulating concrete mats) and living shorelines placed deeper than -6 ft MHW, (i.e., new shoreline stabilization materials and living shorelines can only be placed between the shoreline and where the water reaches a depth of -6 ft MHW) (Reference: JAXBO PDC A1.9.).

h. Within *Acropora* critical habitat (Attachment 20), if essential features are present (table in Attachment 21):

(1) Living Shoreline activities are not allowed (Reference: JAXBO PDC A7.28).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(2) For all other shoreline stabilization activities, new or repair/replacement of shoreline protection cannot occur. However, repair/replacement of shoreline protection within existing footprint is authorized (Reference: JAXBO PDC A1.10.).

i. A Project within Loggerhead sea turtle critical habitat. (Reference: JAXBO PDC A7.30., (Attachment 24)).

j. A Project within North Atlantic right whale critical habitat (Reference: JAXBO PDC A7.27., (Attachment 25)).

k. Mangrove removal or trimming except as provided by Section IV paragraph 23 above, e.g., replacement of a seawall within 18 inches not authorized if involves removal of prop roots that extend into the water below MHWL.

22. The following boat ramp projects are not authorized by this SPGP VI:

a. A Project other than a private single-family boat ramp.

b. A Project located in the following rivers (because of various mussel species): the main channels or tributaries of the Chipola River; Apalachicola River; Ochlockonee River; Econfinia Creek; Suwannee River; Santa Fe River; New River (Bradford-Union County Line); Escambia River, Yellow River; or the Choctawhatchee River.

c. A Project located in designated critical habitat where the essential physical and biological features (or the terms essential features / primary constituent elements (PCEs) for older designations) are present for:

(1) Gulf sturgeon (Gulf sturgeon critical habitat does not include existing developed sites such as dams, piers, marinas, bridges, boat ramps, exposed oil and gas pipelines, oil rigs, and similar structures or designated public swimming areas), or

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- (2) American crocodile (Attachment 17), or
- (3) piping plover (Attachment 18), or
- (4) freshwater mussels (Attachment 19), or
- (5) North Atlantic right whale (Attachment 25).

d. For Projects located within smalltooth sawfish critical habitat (Attachment 26) (Reference: JAXBO PDC A6.7.):

(1) New or expanded ramps cannot result in the loss of an essential feature (table in Attachment 27) of that critical habitat (red mangroves or shallow [MHWL to -3 ft MLLW], euryhaline water).

(2) Boat ramps can be constructed in waters between MHWL and -3 ft MLLW (shallow, euryhaline habitat essential feature), provided that the water depth is not increased to deeper than -3 ft MLLW.

(3) However, a boat ramp in smalltooth sawfish critical habitat is authorized to be repaired and replaced if within the existing footprint.

e. Within *Acropora* critical habitat (Attachment 20), if essential features present (table in Attachment 21), new or expanded boat ramps are not allowed. However, repair/replacement within existing footprint is authorized (Reference: JAXBO PDC A6.8.).

f. A Project located within Loggerhead sea turtle critical habitat (Attachment 24) (Reference: JAXBO PDC A7.30.).

23. The following pile-supported projects are not authorized by this SPGP VI:

a. A Project located in designated critical habitat where the essential physical and biological features (or the terms essential features / primary constituent elements (PCEs) for older designations) are present for:

- (1) American crocodile, or

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- (2) Piping plover, or
- (3) North Atlantic right whale

- b. A Project located in the Florida panther focus area.
- c. Municipal or commercial fishing piers (Reference: JAXBO PDC A2.17.).
- d. Within *Acropora* critical habitat, if essential features present (table in Attachment 21), new or expanded pile supported structures not allowed (Reference: JAXBO PDC A2.10.).

- (1) However, repair/replacement within existing footprint is authorized.

(2) The distance from Aids to Navigation (ATONs) to ESA-listed corals and *Acropora* critical habitat shall ensure there are no impacts to the corals or the essential feature of *Acropora* critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom.

24. The following derelict vessel removal projects are not authorized by this SPGP VI:

- a. A Project for a derelict vessel where that vessel does not pose a threat to human health and safety and/or aquatic natural resources (flora, fauna, and their habitats) (Reference: JAXBO PDC A9.1.).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

b. A Project located in designated critical habitat where the essential physical and biological features (or the terms essential features / primary constituent elements (PCEs) for older designations) are present for:

(1) Acroporid corals (*Acropora* spp. critical habitat (Attachment 20) does not include areas containing existing (already constructed) federally authorized or permitted man-made structures such as aids-to-navigation, artificial reefs, boat ramps, docks, pilings, maintained channels, or marinas), or

(2) American crocodile (Attachment 17), or

(3) Piping plover (Attachment 28), or

(4) North Atlantic right whale (Attachment 25).

25. The following scientific survey device projects are not authorized by this SPGP VI:

a. A Project other than for the following: installation, repair, and removal of scientific survey devices, including any related equipment and anchors, for up to 24 months if those devices are intended to measure and/or record scientific data in tidal waters, such as staff gages, weirs, tide and current gages, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, vibracore samplings, and similar structures (Reference: JAXBO PDC A5.1.).

b. A Project located in designated critical habitat where the essential physical and biological features (or the terms essential features / primary constituent elements (PCEs) for older designations) are present for:

(1) Acroporid corals (*Acropora* spp. critical habitat does not include areas containing existing (already constructed) federally authorized or permitted man-made structures such as aids-to-navigation, artificial reefs, boat ramps, docks, pilings, maintained channels, or marinas), or

(2) American crocodile (Attachment 17), or

(3) Piping plover (Attachment 18), or

(4) North Atlantic right whale (Attachment 25).

26. Activities are excluded in any wild and scenic rivers protected under the Wild and Scenic Rivers Act (16 U.S.C. § 1278).

IV. Special Conditions for all Projects:

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
 8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

Special Conditions for Shoreline Stabilization activities.

16. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
17. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

18. Living shoreline structures and permanent wave attenuation structures can only be constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).

a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.

b. Oyster reef materials shall be placed and constructed in a manner that ensures that materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).

c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.).

d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).

e. Other materials are not authorized by this SPGP VI (Reference: JAXBO PDC A7.5.).

Special Conditions for Boat Ramp activities.

19. Restrictions on Dredged Material and Disposal: Excavation is limited to the area necessary for site preparation. All excavated material shall be removed to an area that is not waters of the United States, as that term is defined and interpreted under the Clean Water Act, including wetlands (Reference: JAXBO PDC A6.2.).

20. Turbidity: The length of new boat ramps and repair and replacement of existing boat ramps to make them longer should ensure a water depth at the end of the ramp is deep enough to minimize sediment resuspension associated with launching vessels in shallow water (Reference: JAXBO PDC A6.5.).

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

21. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
22. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
23. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:
 - a. The width of the piling-supported structure is limited to a maximum of 4 feet.
 - b. Mangrove clearing is restricted to the width of the piling-supported structure.
 - c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
24. Regarding SAV, the design and construction of a Project must comply with the following:
 - a. A pile supported structure
 - (1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and
 - (2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

Inlet):

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's *"Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat"* U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to *"Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat"* U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's *"Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat"* U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure:

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

(f) If a survey is performed in accordance with the methods described in the Procedure Section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) If no survey is performed in accordance with the methods described in the Procedures Section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(h) If a survey is performed in accordance with the methods described in the Procedures Section I.3, and SAV is absent and the project is

i. A dock replacement in the same footprint, no design restrictions are required.

ii. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If a survey is performed in accordance with the methods described in the Procedures Section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

25. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
26. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
- a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>
- (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
- (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
- (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
27. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 - Pile

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

28. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).

29. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).

30. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).

31. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

32. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):

(1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

- (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

Special Conditions for *Derelict vessels*

33. Visual confirmation (e.g., divers, swimmers, and camera) will be completed prior to removal to ensure that the item can be removed without causing further damage to aquatic natural resources.
34. Coral. If an item cannot be removed without causing harm to surrounding coral (ESA listed or non-listed), the item will be disassembled as much as practicable so that it no longer can accidentally harm or trap species.
35. Monofilament debris will be carefully cut loose from coral (ESA listed or non-listed) so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.
36. Marine debris removal methods. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral reefs, coral, or hard bottom habitats. Trawling also cannot be used as a means of marine debris removal. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.
37. An absorbent blanket or boom shall be immediately deployed on the surface of the water around any derelict vessel to be removed if fuel, oil, or other free-floating pollutants are observed during the work.

Special Conditions for *Scientific Devices*

38. Aquatic Life Passage. The scientific survey device, including any related equipment and anchors, shall not block access of species to an area. For example, the structures shall not prevent movement in or out of a river or channel.
39. Restoring Affected Area. No later than 24 months after initial installation or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction conditions.
40. Preventing Device Relocation. The scientific survey device, including any related equipment and anchors, shall be inspected and any required maintenance performed at least twice a year and following storm events that may have moved or dislodged the structure to ensure that equipment and anchors are still in place and have not moved to areas containing ESA-listed corals.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

General Conditions for All Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

DEPARTMENT OF THE ARMY PERMIT: SPGP VI

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

This SPGP VI becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

for _____

XXXXXX

(DISTRICT ENGINEER)
Brandon Bowman, P.E.
Colonel, U.S. Army
District Commander

(DATE)

**Attachments to
Department of the Army State Programmatic General Permit (SPGP VI)**

1. ~~Johnson's Seagrass Range Map~~
2. Submerged Aquatic Vegetation Survey Guidelines
3. The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida
4. Smalltooth Sawfish Critical Habitat Limited Exclusion Zones
5. Gulf Sturgeon Critical Habitat Maps
6. Atlantic Sturgeon Critical Habitat Exclusion Zone
7. North Atlantic Right Whales Educational Sign Zones
8. Commencement Notification Form
9. Self-Certification Statement of Compliance
10. Department of the Army Permit Transfer Form
11. Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
12. Federal Navigation Channels
13. Beach Mice Habitat
14. Wood Stork Active Nesting Colony Map
15. Shipping Fairways
16. Florida Panther Focus Area
17. American Crocodile Critical Habitat Map
18. Piping Plover Critical Habitat Maps
19. Freshwater Mussels Critical Habitat Maps
20. Acropora spp. Critical Habitat Maps
21. *Acropora* critical habitat essential features table
22. ~~Johnson's Seagrass Critical Habitat Maps~~
23. ~~Johnson's Seagrass Critical Habitat Maps essential features table~~
24. Loggerhead Turtle Nearshore Reproductive Critical Habitat
25. North Atlantic Right Whale Critical Habitat
26. Smalltooth Sawfish Critical Habitat Maps
27. Smalltooth Sawfish Critical Habitat Maps essential features table
28. PDCs for In-Water Activities
29. Standard Manatee Conditions for In-Water Work (Manatee Construction Conditions)
30. North Atlantic Right Whale Information Form

Strikethrough Documents are no longer applicable to the SPGP VI.

All above Attachments can be accessed by selecting 'State Programmatic General Permit' within the 'Permitting' menu on the left at the following link:

<https://www.sad.usace.army.mil/Missions/Regulatory/Florida/>

Attachment 2

U.S. Army Corps of Engineers, Jacksonville District Submerged Aquatic Vegetation Survey Guidelines (Revised Dec 11, 2025)

The following guidelines apply to surveys for submerged aquatic vegetation (SAV) that may be impacted by actions evaluated in the Jacksonville District Biological Opinion (JAXBO).

Survey Timeframe Windows:

- North of Biscayne Bay: June 1 - September 30
- South of Biscayne Bay: April 1 - October 31

At minimum, the survey report should contain the following:

- Date survey conducted
- Name of person(s) who conducted the survey
- Survey methodology. There are no methodology requirements, as it may vary depending on the nature and size of the project, site characteristics (e.g. visibility, depth, etc.) but the methodology utilized to conduct the survey should adequately assess the site conditions that could be directly or indirectly affect by the proposed project.
- Presence or absence of SAV in the immediate project location and the adjacent areas as practicable.
 - If absent, must provide a brief description of substrate type.
 - If present, must provide the location of SAV and limit relative to proposed project (depicted on an aerial view map with the project drawing)

It is preferred that the survey report contains the following, but may not be *initially* required:

- Species of SAV and density/% coverage
- In most cases, it is recommended that the survey area encompasses a 50-foot radius around the location of the immediate project footprint. However, depending on factors, such as site characteristics, nature of the project, etc., a smaller buffer may be sufficient.
- Site photographs taken at the time the survey was conducted

Depending on the type of project, the results reported by the initial survey, and when the survey was conducted relative to when it was submitted, additional information regarding SAV may be required. This may include a follow up survey and/or a more comprehensive SAV survey.

Furthermore, depending on other natural resources that may be present within a project area, other benthic information may be required as part of a general benthic resource survey.

Applicants should be advised to contact their local Regulatory Division Office for any questions regarding surveys and other benthic resource information that may be needed for a permit application.

Exhibit "B"

**ADDENDUM TO THE COORDINATION AGREEMENT
BETWEEN THE U.S. ARMY CORPS OF ENGINEERS AND THE SOUTHWEST
FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD)
REGARDING RE-ISSUANCE OF
STATE PROGRAMMATIC GENERAL PERMIT (SPGP) VI FOR
MINOR IN-WATER ACTIVITIES LOCATED THROUGHOUT FLORIDA**

This Addendum to the Coordination Agreement (CA) is made by and between the U.S. Army Corps of Engineers (Corps) and the SWFWMD, herein referred to as the SWFWMD. By execution of the Agreement, the Corps authorizes the SWFWMD to verify whether projects are authorized under the reissued SPGP VI on its behalf.

I. WITNESSETH

WHEREAS, under Section 404 of the Clean Water Act, 33 U.S.C. § 1344, the Corps may issue permits for the discharge of dredged or fill material in the waters of the United States;

WHEREAS, under Section 10 of the Rivers and Harbors Act, 33 U.S.C. § 403, the Corps may issue permits for structures and work in navigable waters of the United States;

WHEREAS, the SWFWMD, or a duly authorized SWFWMD, has regulatory jurisdiction over activities regulated under Part IV of Chapter 373 Florida Statutes, which includes dredging and filling in wetlands and other surface waters;

WHEREAS, the SWFWMD has authority to issue permits for minor in-water activities in sovereign submerged lands;

WHEREAS, the categories of activities listed in the SPGP VI would require permit or exemption from both the Corps and SWFWMD under their respective authorities;

WHEREAS, under 33 C.F.R. 325.5(c)(3), the Corps may issue programmatic permits, a type of general permit founded on an existing state, local or other Federal agency program and designed to avoid duplication with that program;

WHEREAS, General Permits may be authorized for five years and cannot be extended beyond the expiration date.

WHEREAS, the SWFWMD has previously verified activities under SPGP VI on behalf of the Corps for minor in-water activities throughout the State of Florida;

WHEREAS, the CA incorporates procedures adopted by the Corps, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service to address potential effects to certain species, which will be implemented by the SWFWMD; and

WHEREAS, the SWFWMD has staff and a structured regulatory program that can expeditiously process requests to verify whether activities are authorized under the SPGP and can effectively supervise compliance with issued verifications, thereby improving efficiency and reducing duplication of regulatory effort within the State of Florida.

II. AUTHORIZATION

The SPGP VI was issued on 27 July 2021 and expires on 27 July 2026. In order to maintain continuity with implementation of the SPGP, the Corps intends to re-issue the SPGP VI to authorize certain categories of activities regulated by the Corps and the SWFWMD on or before its expiration date. For the purpose of maintaining continuity, there will be no change in scope of the re-issued SPGP VI or implementation procedures as outlined in the current Agreement. This Addendum hereby authorizes the SWFWMD to verify eligible projects under the terms and conditions of SPGP VI as long as it remains authorized, is re-issued, or superseded by the SPGP VII and a new CA.

III. SEVERABILITY

If any part of this Addendum to the Agreement is determined to be invalid or unenforceable, the other provisions of this Agreement shall remain in full force and effect, provided that both parties agree that the material purposes of this Agreement can still be effectuated without relying on the invalid or unenforceable provisions.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to the Agreement to be executed by their duly authorized representative(s) on the latest day and year noted below.

U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT:

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Brandon L. Bowman
Colonel, U.S. Army
District Commander

By: _____
Paul . Bispham, Chair

Date

Date

This ____ day of ____ 2026.

This ____ day of ____ 2026.

WITNESS: _____

WITNESS: _____

APPROVED AS TO FORM

By: _____
Office of the SWFWMD Attorney

Attachments

SPGP VI Permit Instrument

<https://publibrary.sec.usace.army.mil/api/downloadAd?id=3629127f-a87a-480d-bf39-12a5d7a36f79&filename=20260505-SAJ-2015-02575-SPGP%20VI%20Reissuance-Florida-0603-DEB.pdf&token=&preview=true>

CONSENT AGENDA

June 23, 2026

General Counsel's Report: Approval of Second Amendment to Emergency Order No. SWF 26-004 – Declaration of Emergency Regarding the Lower and Middle Pools of the Tampa Bypass Canal (Hillsborough County)

Section 373.119, Florida Statutes (F.S.), authorizes the Executive Director to take actions necessary to address an emergency that poses a threat to the public health, safety, welfare, or environment. Such actions may include, among other things, issuing an emergency order reciting the existence of an emergency and requiring action. The Governing Board must affirm the emergency order at the next regularly scheduled Governing Board meeting.

By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

On March 19, 2026, the Executive Director issued Emergency Order No. 26-004 (Emergency Order), authorizing Tampa Bay Water to temporarily lower the Middle Pool of the Tampa Bypass Canal to 10.0 feet NGVD29 to maximize available public water supply, subject to certain operational requirements and other conditions. Due to continued extreme drought conditions, the City of Tampa requested that the District authorize the Lower Pool of the Tampa Bypass Canal to be lowered from the optimal level of 6.0 feet to an elevation of 4.0 feet to maximize available public water supply. On April 13, 2026, the Executive Director issued a First Amendment to Emergency Order No. SWF 26-004 to authorize the Lower Pool to be lowered to 4.0 feet. The First Amendment to Emergency Order No. SWF 26-004 was set to expire on July 1, 2026.

Based on ongoing drought conditions and water supply availability concerns, the Executive Director issued a Second Amendment to Emergency Order No. SWF 26-004 extending the expiration date to October 1, 2026, while all other terms and conditions of the First Amendment to Emergency Order No. SWF 26-004 remain in effect. District staff will continue to monitor conditions and assess whether an extension or early termination is warranted.

Strategic Plan

This Emergency Order supports the District's Strategic Initiatives for Regional Water Supply Planning and Core Business Processes for regulation.

Exhibit

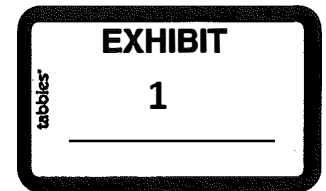
Emergency Order

Staff Recommendation:

Approve the Second Amendment to Emergency Order No. SWF 26-004.

Presenter:

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



BEFORE THE SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY REGARDING THE
LOWER AND MIDDLE POOLS OF THE
TAMPA BYPASS CANAL

SECOND AMENDMENT TO EMERGENCY ORDER NO. SWF 26-004

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Brooksville Office, 2379 Broad Street, Brooksville, FL 34604, received evidence and information from District staff and representatives of Tampa Bay Water and the City of Tampa regarding drought conditions causing a public water supply shortage within the Hillsborough River Reservoir ("Reservoir") and creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.

2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.

3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.

4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1) and (2), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. Tampa Bay Water holds Water Use Permit No. 20006675.006 for the Tampa Bypass Canal Harney Pump Station. Permit No. 20006675.006 authorizes withdrawals of 20 million gallons per day ("mgd") on an annual average basis, and 40 mgd on a peak month basis, from the Tampa Bypass Canal ("TBC") for public supply, specifically to support Water Use Permit No. 20002062 held by the City of Tampa (the "City"). This permit authorizes Tampa Bay Water to augment the Reservoir during periods of low flow to ensure the City has an adequate supply to meet demands.

7. Due to continuing drought conditions in the region, on March 10, 2026, the City requested that Tampa Bay Water obtain an Emergency Order from the District to allow the Middle Pool of the Tampa Bypass Canal to be lowered to 10.0 feet. On March 12, 2026, Tampa Bay Water made such a request to the District. On March 19, 2026, the District's Executive Director executed Emergency Order No. SWF 26-004, authorizing Tampa Bay Water to lower the Middle Pool of the Tampa Bypass Canal to 10.0 feet, subject to certain operational requirements and other conditions. The District's Governing Board approved that Order at its March 24, 2026, meeting.

8. On April 8, 2026, the City requested emergency District action which would allow the Tampa Bypass Canal Lower Pool to be drawn down to a stage elevation of 4 feet NGVD. On April 13, 2026, the District's Executive Director executed the First Amendment to Emergency Order No. SWF 26-004, authorizing the Lower Pool of the Bypass Canal to be drawn down to the requested elevation. A copy of the First Amendment to Emergency Order No. SWF 26-004 is attached hereto as Exhibit "1."

9. Regional water supplies continue to be constrained due to severe drought. District staff have also determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of June 1, 2026, the 12-month moving sum for rainfall within the District's central counties was at the 12th percentile (Severely Abnormal). Tampa Bay Water's C.W. Bill Young Regional Reservoir was at 3.38 billion gallons out of a maximum capacity of 15.5 billion gallons.
- b. As of June 1, 2026, the U.S. Drought Monitor Map shows the District's central counties to be between severe and extreme drought conditions. Although six of nine regional drought indicators have improved since May 2026, three of the indicators have declined since that time.

10. In order to address the emergency conditions, the City has taken the following actions to reduce demand:

- a. The City implemented one-day-per-week watering restrictions well in advance of current drought conditions, and was among the first in the region to take that step as a proactive conservation measure.
- b. The City has made a concerted effort to expand water conservation programs, increase public outreach, and coordinate across departments to reduce potable demand during current drought conditions.
- c. The City has enhanced its public outreach through social media, bill inserts, direct customer emails, website updates, and media engagement to reinforce conservation messaging and current restrictions.
- d. In addition, the City has expanded several targeted conservation programs, including:
 - i. Sensible Sprinkling Program, providing irrigation evaluations and installation of water-saving devices such as rain sensors;
 - ii. Florida-Friendly Landscaping initiatives, in partnership with Hillsborough County and UF/IFAS, to reduce irrigation demand through native and drought-tolerant plantings;
 - iii. Compost distribution events, now held monthly, to support soil health and reduce irrigation needs;
 - iv. Reclaimed water incentive efforts, including a proposed temporary waiver of application and meter fees to encourage conversion to reclaimed water use where available.

11. The City has taken the following actions to enforce current watering restrictions:

- a. The City enforces watering restrictions through a dedicated enforcement program that operates 24 hours a day, 7 days a week across the service area. Violations are addressed upon first observation, with an escalating penalty structure.
- b. The City contracts with a third-party provider to support enforcement patrols and has increased patrol efforts during drought conditions to reinforce compliance.
- c. City residents can report violations through Tampa Connect or the Water Use Violation Hotline, which supports timely response and broader community participation in enforcement.

d. Enforcement activity is tracked and can be reported to the District weekly.

12. The conditions within the service areas of Tampa Bay Water and the City constitute a threat to both the public water supply and to public health, safety, and welfare.

13. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon Tampa Bay Water and the City.

CONCLUSIONS OF LAW

14. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(3), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

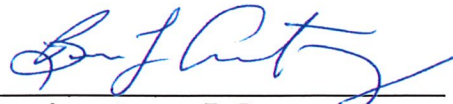
15. Paragraph 26 of the First Amendment to Emergency Order No. SWF 26-004 is hereby amended and shall be replaced with the following:

a. Except as provided herein, all other terms and conditions of Emergency Order No. SWF 26-004 shall remain in full force and effect through October 1, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

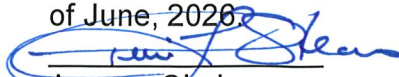
16. Except as provided herein, all other terms and conditions of the First Amendment to Emergency Order No. SWF 26-004 shall remain in full force and effect.

DONE AND ORDERED in Hernando County, Florida, this 5th day of June, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

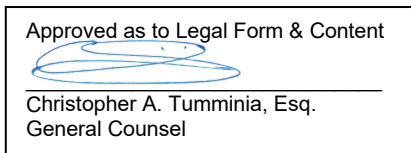
By: 
Brian Armstrong, P.G.
Executive Director

Filed this 5th day
of June, 2026


Agency Clerk

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

Acknowledged this ____ day of June, 2026.



By: _____
Jack Bispham, Chair

Attest: _____
John Hall, Secretary

NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

BEFORE THE SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY REGARDING THE
MIDDLE POOL OF THE TAMPA
BYPASS CANAL

FIRST AMENDMENT TO EMERGENCY ORDER NO. SWF 26-004

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637, received evidence and information from District staff and representatives of the City of Tampa, a Florida municipal corporation, regarding drought conditions causing a public water supply shortage within the Hillsborough River Reservoir ("Reservoir") and creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.
2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.
3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.
4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1), (2) and (3), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. Tampa Bay Water holds Water Use Permit No. 20006675.006 for the Tampa Bypass Canal Harney Pump Station. Permit No. 20006675.006 authorizes withdrawals of 20 million gallons per day ("mgd") on an annual average basis, and 40 mgd on a peak month basis, from the Tampa Bypass Canal ("TBC") for public supply, specifically to support Water Use Permit No. 20002062 held by the City of Tampa (the "City"). This permit authorizes Tampa Bay Water to augment the Reservoir during periods of low flow to ensure the City has an adequate supply to meet demands.

7. Due to continuing drought conditions in the region, on March 10, 2026, the City requested that Tampa Bay Water obtain an Emergency Order from the District to allow the Middle Pool of the Tampa Bypass Canal to be lowered to 10.0 feet. On March 12, 2026, Tampa Bay Water made such a request to the District. On March 19, 2026, the District's Executive Director executed Emergency Order No. 26-004, authorizing Tampa Bay Water to lower the Middle Pool of the Tampa Bypass Canal to 10.0 feet, subject to certain operational requirements and other conditions. The District's Governing Board approved that Order at its March 24, 2026 meeting.

8. On April 8, 2026, the City requested emergency District action which would allow the Tampa Bypass Canal Lower Pool to be drawn down to a stage elevation of 4 feet NGVD. The City states that at the current permitted withdrawal rate of approximately 10.9 cfs, the Lower Pool is declining at about 0.09 feet per day, which equates to an estimated 23 days to reach the proposed 4-foot level.

9. Regional water supplies continue to be constrained due to severe drought. In its request, the City cites the following water supply conditions:

- a. The City's current 12-month running average potable water demand is approximately 80.7 MGD. At current pumping rates, the City has approximately 80 days of supply remaining in the Reservoir before reaching intake limitations due to pump cavitation. This estimate assumes continued releases of 11 cfs through the MFL gate and does not include supplemental supply from Tampa Bay Water.

The City's ASR system currently has approximately 349 million gallons of stored water available for recovery. Operational use of this supply is constrained by water quality considerations, primarily elevated salinity and associated treatment challenges. As a result, ASR recovery has been reduced to producing approximately 3 mgd under current conditions.

10. District staff have also determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of March 31, 2026, the 12-month moving sum for rainfall within the District's central counties was at the 8th percentile, considered extremely abnormal, and the 24-month moving sum for rainfall was at the 23rd percentile, considered moderately abnormal.
- b. As of April 5, 2026, the 7-day average streamflow of the Hillsborough River at Zephyrhills was at the 25th percentile, considered moderately abnormal.
- c. As of April 4, 2026, the 8-week moving average streamflow of the Alafia River at Lithia was at the 8th percentile, considered extremely abnormal. As of April 5, 2026, the 7-day average streamflow of the Alafia River at Lithia was at the 21st percentile, considered moderately abnormal.
- d. As of April 6, 2026, the U.S. Drought Monitor Map shows all of Pinellas County in an extreme drought condition and Hillsborough and Pasco Counties in severe or extreme drought conditions. Drought conditions are expected to continue, as April and May are typically the driest months of the dry season.

11. By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

12. The City has taken the following actions to try to reduce demand:

- a. The City implemented one-day-per-week watering restrictions well in advance of current drought conditions, and was among the first in the region to take that step as a proactive conservation measure.
- b. The City has made a concerted effort to expand water conservation programs, increase public outreach, and coordinate across departments to reduce potable demand during current drought conditions.
- c. The City has enhanced its public outreach through social media, bill inserts, direct customer emails, website updates, and media engagement to reinforce conservation messaging and current restrictions.
- d. In addition, the City has expanded several targeted conservation programs, including:

- i. Sensible Sprinkling Program, providing irrigation evaluations and installation of water-saving devices such as rain sensors;
- ii. Florida-Friendly Landscaping initiatives, in partnership with Hillsborough County and UF/IFAS, to reduce irrigation demand through native and drought-tolerant plantings;
- iii. Compost distribution events, now held monthly, to support soil health and reduce irrigation needs;
- iv. Reclaimed water incentive efforts, including a proposed temporary waiver of application and meter fees to encourage conversion to reclaimed water use where available.

13. The City has taken the following actions to enforce current watering restrictions:

- a. The City enforces watering restrictions through a dedicated enforcement program that operates 24 hours a day, 7 days a week across the service area. Violations are addressed upon first observation, with an escalating penalty structure.
- b. The City contracts with a third-party provider to support enforcement patrols and has increased patrol efforts during drought conditions to reinforce compliance.
- c. City residents can report violations through Tampa Connect or the Water Use Violation Hotline, which supports timely response and broader community participation in enforcement.
- d. Enforcement activity is tracked and can be reported to the District weekly.

14. The conditions within the service areas of Tampa Bay Water and the City constitute a threat to both the public water supply and to public health, safety, and welfare.

15. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon Tampa Bay Water and the City.

CONCLUSIONS OF LAW

16. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(4), F.A.C., to declare a water shortage

emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

17. An emergency is declared for Tampa Bay Water.
18. Emergency Order No. 26-004 is hereby amended and paragraphs 19-24 below are substituted for paragraphs 18-22 of Emergency Order No. 26-004.
19. The Permit is hereby modified to authorize Tampa Bay Water to lower the Middle and Lower Pools of the Tampa Bypass Canal System below the optimal levels to maximize the amount of water available for public supply in response to the water shortage emergency in the region. The authorized lowering is to a water level elevation no less than 10 feet NGVD29 in the Middle Pool and 4 feet NGVD29 in the Lower Pool.
20. Water level differentials upstream and downstream of S-161 and S-162 must not exceed 11 feet and 6 feet, respectively.
21. When the Middle Pool of the Tampa Bypass Canal declines to a level of 12 feet NGVD29, water withdrawals from the Middle Pool shall not continue until the water level in the Reservoir, measured directly upstream of S-161, is 20 ft NGVD29 or less. Withdrawals can continue if the Reservoir's level is maintained below 20.5 ft NGVD29.
22. The Middle Pool must be at or below 10.5 ft NGVD29 before the reduction of the Lower Pool below its optimal level of 6 ft NGVD29 may begin.
23. The water levels in the Middle and Lower Pools of the Tampa Bypass Canal System must not be lowered below their optimal levels at a rate exceeding 0.5 feet per day.
24. Lowering of the Middle and Lower Pools of the Tampa Bypass Canal below their optimal levels creates risks to both the water control structures and the canal. The following field monitoring is required because of these risks:
 - a. Field inspections for water control structures S-159 lower, S-160, S-161, and S-162 must occur twice per week by a consistent inspection team overseen by a qualified licensed professional engineer in the State of Florida qualified to conduct civil and structural inspections.
 - b. Field inspections for the Harney and Tampa Bypass canals must be conducted twice per week starting at Harney Road upstream of S-159 lower and S-161, and terminating at the CSX railroad downstream of S-160.

- c. Subsequent inspections must have a minimum of three days between them.
- d. Field Inspections must begin and continue for the Middle Pool (Inspection Areas 2, 3, and 4) and the Lower Pool (Inspection Area 1) when the canal pools are drawn below their optimal levels of 12 feet NGVD29 and 6 feet NGVD29, respectively.
- e. Structure and canal inspections must be completed using the inspection forms and maps attached hereto as Exhibit "A." One form must be completed for each of the four inspection areas identified in the maps included with the inspection forms.
- f. Deviation in the inspection form or areas must be approved by the District's Project Manager in writing.
- g. Completed inspection forms must be submitted to the District's Project Manager on a weekly basis and no later than 3 business days after the second weekly inspection. Any structural or erosional concerns observed during the inspections must be reported to the District immediately.
- h. The District's Project Manager is Doug Lynch, PE, Structure Operations Engineer, 352-519-1880.

25. Except as provided herein, all other terms and conditions of the Permit shall remain in full force and effect, including but not limited to the stage and head differential parameters associated with the Lower Pool.

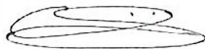
26. Except as provided herein, all other terms and conditions of Emergency Order No. 26-004 shall remain in full force and effect, including its expiration date of July 1, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

DONE AND ORDERED in Hernando County, Florida, this 13th day of April, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Filed this 13 day
of April, 2026.

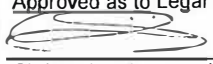
By: 
Brian Armstrong, P.G.
Executive Director



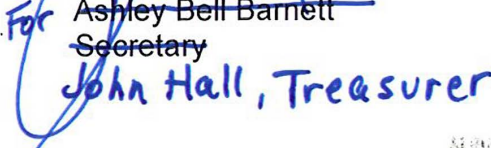
Agency Clerk

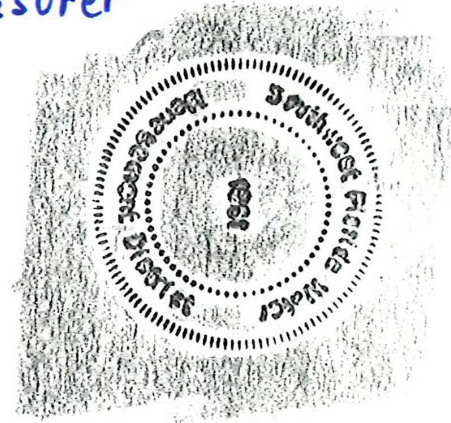
The Governing Board of the Southwest Florida Water Management District concurred with the action taken by the District's Executive Director.

Acknowledged this 28 day of April, 2026.

Approved as to Legal Form & Content

Christopher A. Tumminia, Esq.
General Counsel

By: 
John Mitten
Chair

Attest: 
For Ashley Bell Barnett
Secretary

John Hall, Treasurer



NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

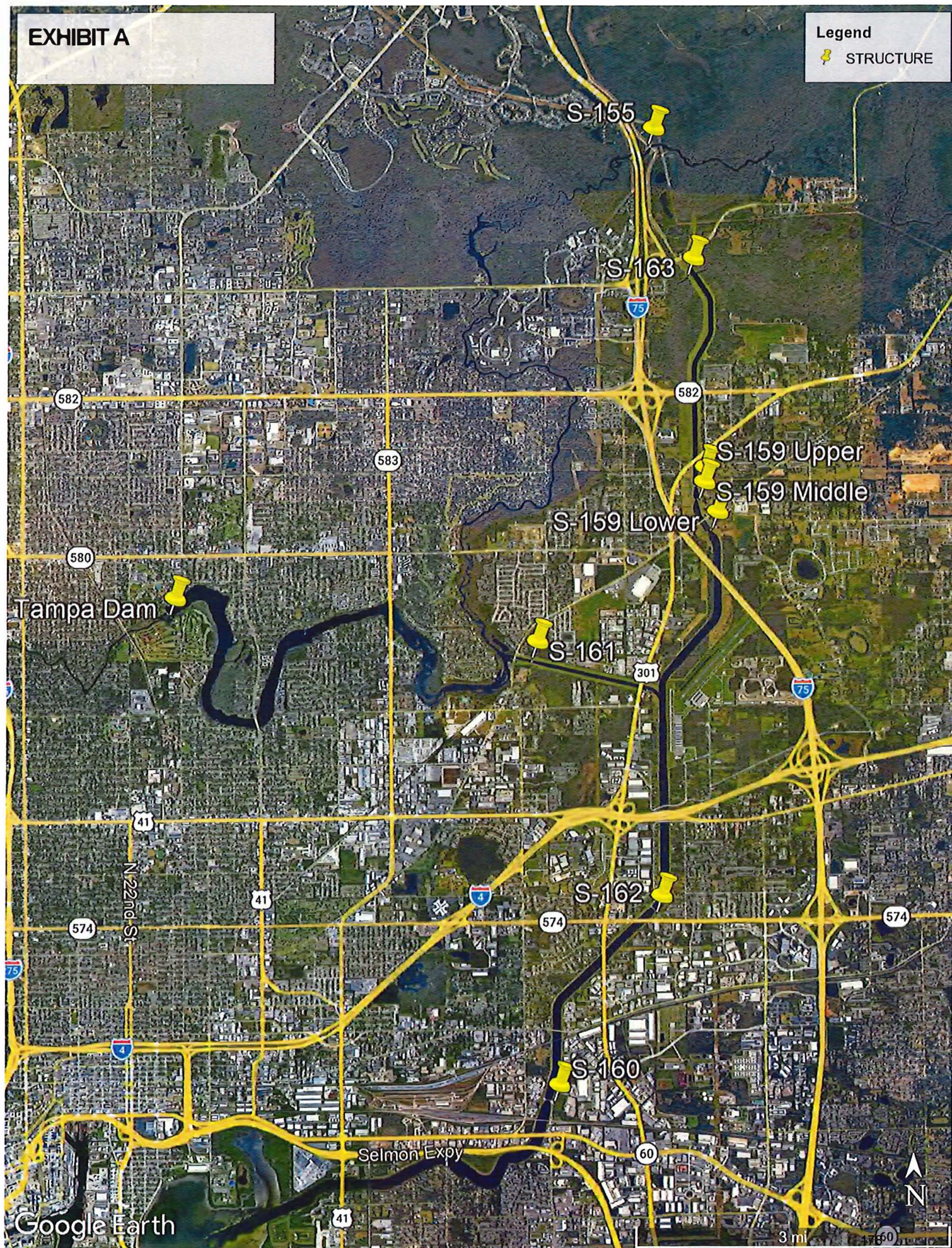
In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

EXHIBIT A

Legend

STRUCTURE





TBC STRUCTURES, CANALS, & EMBANKMENTS INSPECTION CHECKLIST

Location **AREA 1** _____

Inspector _____

Date/Time _____

Weather _____

Check green box upon inspection if no problems are detected. Check red box if problem detected.

***IF RED BOX IS CHECKED DESCRIPTION AND PICTURES MUST BE INCLUDED.**

SAFETY AND SECURITY

☐ ☐ Fences: _____

☐ ☐ Boat barrier: _____

☐ ☐ Vandalism: _____

EMBANKMENT DEFORMATION

☐ ☐ Longitudinal Cracks (horizontal; parallel with embankment): _____

☐ ☐ Traverse cracks (vertical; across embankment): _____

☐ ☐ Animal burrows: _____

☐ ☐ Bank/Slope vertical movement (slides, sloughs): _____

☐ ☐ Bank/Slope/Crest depressions/subsidence: _____

☐ ☐ Standing water/saturated toe of slope: _____

☐ ☐ Standing water/saturated along on top of bank: _____

☐ ☐ Springs or boils w/ flowing water (Detail if there is any type of discharge (color, consistency, etc.): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

STRUCTURE

☐ ☐ Floating debris: _____

☐ ☐ Concrete cracks/spalling/delaminating: _____

☐ ☐ Enlarging/Shift of expansion joints: _____

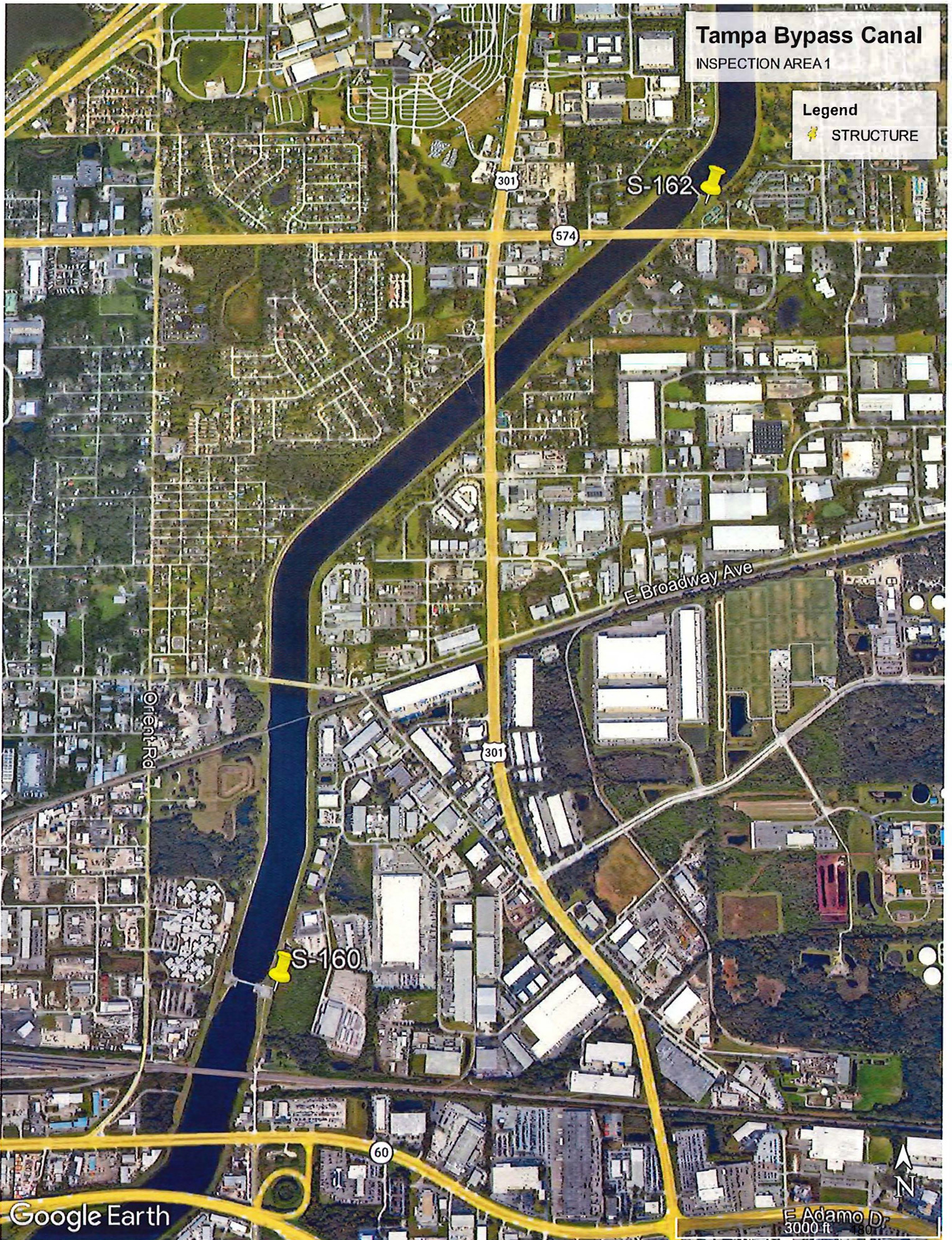
☐ ☐ Erosion around structure: _____

☐ ☐ Headwall drain outlets not flowing or flowing with turbid water: _____

☐ ☐ Are manmade structures generally viewed to be in their designed position? (e.g Is a vertical structure (building, fence, etc.) seeming to lean at an angle not intended for? Is a horizontal guard rail becoming wavy?): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

Additional Notes/Observations:



Tampa Bypass Canal

INSPECTION AREA 1

Legend

STRUCTURE

S-162

S-160

Google Earth



TBC STRUCTURES, CANALS, & EMBANKMENTS INSPECTION CHECKLIST

Location **AREA 2** _____
Inspector _____ Date/Time _____
Weather _____

Check green box upon inspection if no problems are detected. Check red box if problem detected.

***IF RED BOX IS CHECKED DESCRIPTION AND PICTURES MUST BE INCLUDED.**

SAFETY AND SECURITY

☐ ☐ Fences: _____
☐ ☐ Boat barrier: _____
☐ ☐ Vandalism: _____

EMBANKMENT DEFORMATION

☐ ☐ Longitudinal Cracks (horizontal; parallel with embankment): _____
☐ ☐ Traverse cracks (vertical; across embankment): _____
☐ ☐ Animal burrows: _____
☐ ☐ Bank/Slope vertical movement (slides, sloughs): _____
☐ ☐ Bank/Slope/Crest depressions/subsidence: _____
☐ ☐ Standing water/saturated toe of slope: _____
☐ ☐ Standing water/saturated along on top of bank: _____
☐ ☐ Springs or boils w/ flowing water (Detail if there is any type of discharge (color, consistency, etc.): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

STRUCTURE

☐ ☐ Floating debris: _____
☐ ☐ Concrete cracks/spalling/delaminating: _____
☐ ☐ Enlarging/Shift of expansion joints: _____
☐ ☐ Erosion around structure: _____
☐ ☐ Headwall drain outlets not flowing or flowing with turbid water: _____
☐ ☐ Are manmade structures generally viewed to be in their designed position? (e.g Is a vertical structure (building, fence, etc.) seeming to lean at an angle not intended for? Is a horizontal guard rail becoming wavy?): _____
☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

Additional Notes/Observations:



Tampa Bypass Canal
INSPECTION AREA 2

Legend

 STRUCTURE



TBC STRUCTURES, CANALS, & EMBANKMENTS INSPECTION CHECKLIST

Location **AREA 3** _____

Inspector _____

Date/Time _____

Weather _____

Check green box upon inspection if no problems are detected. Check red box if problem detected.

***IF RED BOX IS CHECKED DESCRIPTION AND PICTURES MUST BE INCLUDED.**

SAFETY AND SECURITY

☐ ☐ Fences: _____

☐ ☐ Boat barrier: _____

☐ ☐ Vandalism: _____

EMBANKMENT DEFORMATION

☐ ☐ Longitudinal Cracks (horizontal; parallel with embankment): _____

☐ ☐ Traverse cracks (vertical; across embankment): _____

☐ ☐ Animal burrows: _____

☐ ☐ Bank/Slope vertical movement (slides, sloughs): _____

☐ ☐ Bank/Slope/Crest depressions/subsidence: _____

☐ ☐ Standing water/saturated toe of slope: _____

☐ ☐ Standing water/saturated along on top of bank: _____

☐ ☐ Springs or boils w/ flowing water (Detail if there is any type of discharge (color, consistency, etc.): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

STRUCTURE

☐ ☐ Floating debris: _____

☐ ☐ Concrete cracks/spalling/delaminating: _____

☐ ☐ Enlarging/Shift of expansion joints: _____

☐ ☐ Erosion around structure: _____

☐ ☐ Headwall drain outlets not flowing or flowing with turbid water: _____

☐ ☐ Are manmade structures generally viewed to be in their designed position? (e.g Is a vertical structure (building, fence, etc.) seeming to lean at an angle not intended for? Is a horizontal guard rail becoming wavy?): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

Additional Notes/Observations:

Tampa Bypass Canal

INSPECTION AREA 3

Legend

 STRUCTURE

Temple Terrace Hwy

Davis Rd

Hamey Rd

S-161

301

E Sligh Ave

E Sligh Ave

Orient Rd

301

Google Earth



3000 ft 184



TBC STRUCTURES, CANALS, & EMBANKMENTS INSPECTION CHECKLIST

Location **AREA 4** _____

Inspector _____

Date/Time _____

Weather _____

Check green box upon inspection if no problems are detected. Check red box if problem detected.

***IF RED BOX IS CHECKED DESCRIPTION AND PICTURES MUST BE INCLUDED.**

SAFETY AND SECURITY

☐ ☐ Fences: _____

☐ ☐ Boat barrier: _____

☐ ☐ Vandalism: _____

EMBANKMENT DEFORMATION

☐ ☐ Longitudinal Cracks (horizontal; parallel with embankment): _____

☐ ☐ Traverse cracks (vertical; across embankment): _____

☐ ☐ Animal burrows: _____

☐ ☐ Bank/Slope vertical movement (slides, sloughs): _____

☐ ☐ Bank/Slope/Crest depressions/subsidence: _____

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☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

STRUCTURE

☐ ☐ Floating debris: _____

☐ ☐ Concrete cracks/spalling/delaminating: _____

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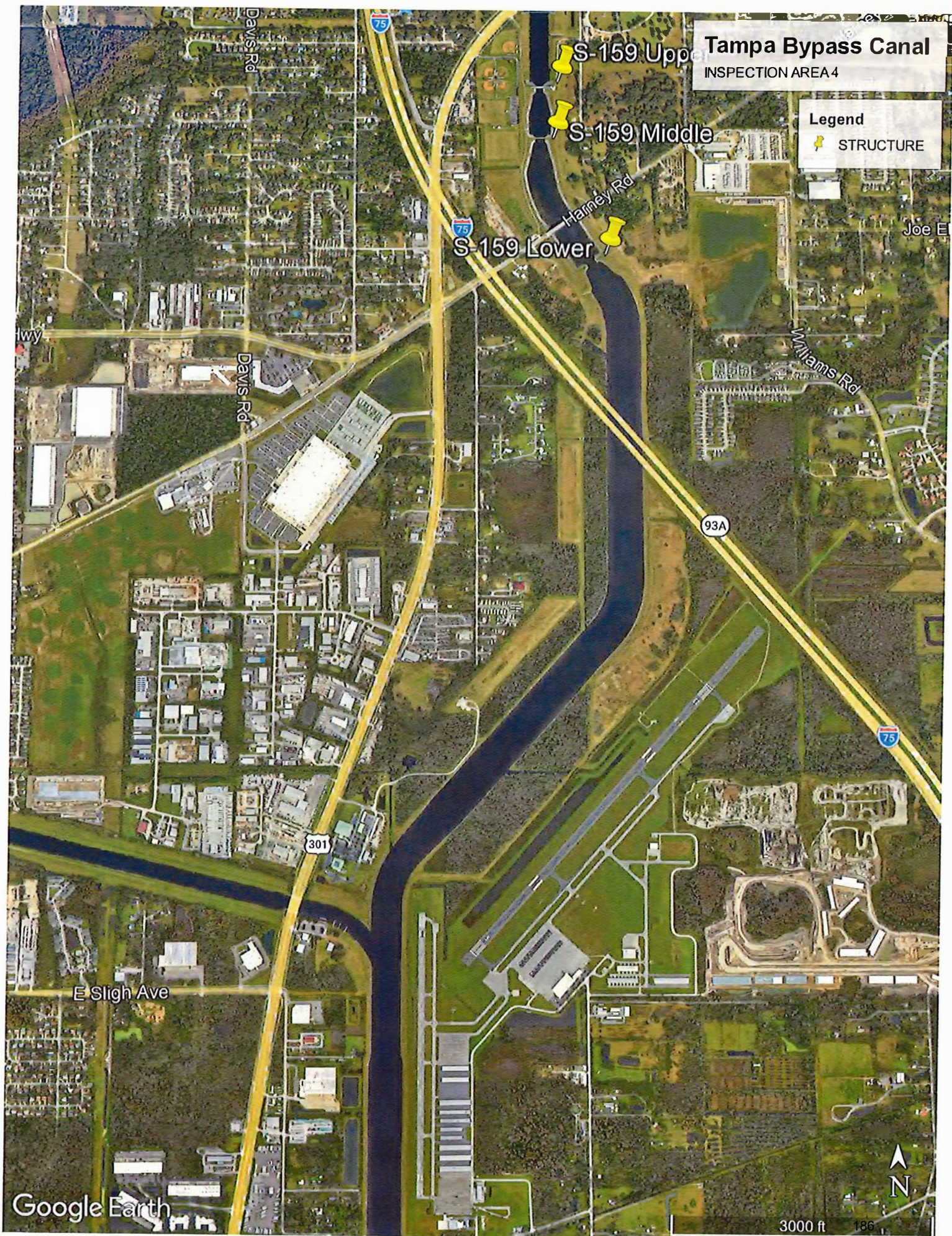
☐ ☐ Erosion around structure: _____

☐ ☐ Headwall drain outlets not flowing or flowing with turbid water: _____

☐ ☐ Are manmade structures generally viewed to be in their designed position? (e.g Is a vertical structure (building, fence, etc.) seeming to lean at an angle not intended for? Is a horizontal guard rail becoming wavy?): _____

☐ ☐ Significant increase or decrease of any of the above if identified since last inspection: _____

Additional Notes/Observations:



CONSENT AGENDA

June 23, 2026

General Counsel's Report: Approval of First Amendment to Emergency Order No. SWF 26-006 – Declaration of Emergency Regarding the Peace River Manasota Regional Water Supply Authority's Use of the Peace River (DeSoto County)

Section 373.119, Florida Statutes (F.S.), authorizes the Executive Director to take actions necessary to address an emergency that poses a threat to the public health, safety, welfare, or environment. Such actions may include, among other things, issuing an emergency order reciting the existence of an emergency and requiring action. The Governing Board must affirm the emergency order at the next regularly scheduled Governing Board meeting.

By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

Severe, ongoing drought conditions have significantly stressed regional water supplies in the District's southern counties. The Peace River Manasota Regional Water Supply Authority (the "Authority") relies on the Peace River as its primary source of water and holds Water Use Permit No. 200010420.013 (the "Permit"). As a result of ongoing drought conditions, the Authority requested authorization to temporarily modify the diversion schedule set forth in Special Condition 6 and Table 1 of the Permit to allow increased withdrawals from the Peace River. The Executive Director issued Emergency Order No. SWF 26-006 on March 18, 2026, which temporarily authorizes a modified diversion schedule to allow the Authority to maximize available water supply from the Peace River while the order is in effect. Emergency Order No. SWF 26-006 expired on May 31, 2026.

On June 3, 2026, the Authority requested that the District extend the expiration date of the Emergency Order based on ongoing drought conditions and water supply availability concerns. On June 4, 2026, the Executive Director issued a First Amendment to Emergency Order No. SWF 26-006 extending the expiration date to October 1, 2026, while all other terms and conditions of the Emergency Order remain in effect. District staff will continue to monitor conditions and assess whether an extension or early termination is warranted.

Strategic Plan

This Emergency Order supports the District's Strategic Initiatives for Regional Water Supply Planning and Core Business Processes for regulation.

Exhibit

Emergency Order

Staff Recommendation:

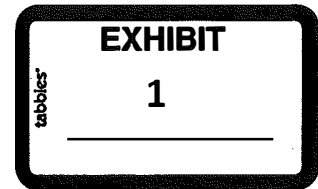
Approve First Amendment to Emergency Order No. SWF 26-006.

Presenter:

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

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY RELATING TO THE
PEACE RIVER MANASOTA REGIONAL
WATER SUPPLY AUTHORITY'S USE
OF THE PEACE RIVER



FIRST AMENDMENT TO EMERGENCY ORDER NO. SWF 26-006

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Brooksville Office, 2379 Broad Street, Brooksville, FL 34604, received evidence and information from District staff and representatives of the Peace River Manasota Regional Water Supply Authority (the "Authority"), a Regional Water Supply Authority, regarding drought conditions causing a public water supply shortage within the Authority's Regional System and low water levels in its reservoirs and ASR wellfields, thereby creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.

2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.

3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.

4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1) and (2), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. The Peace River is the Authority's primary source of water to meet the potable water needs of the public within its service area. The Authority makes withdrawals from the Peace River in accordance with Water Use Permit No. 20010420.013 (the "Permit"). Special Condition 6 of the Permit provides that the Authority's withdrawals from the Peace River are to be made via the schedule in Table 1 of the Permit.

7. Due to continuing drought conditions in the region, the Authority requested emergency District action which would temporarily modify Special Condition 6 and Table 1 of the Permit, such that the Authority would be able to increase withdrawal of low flows of surface water from the Peace River according to a modified diversion schedule while this order is in effect.

8. On March 18, 2026, the Executive Director issued Emergency Order No. SWF 26-006, authorizing a temporary modification to the withdrawal schedule listed in Special Condition 6 and Table 1 of the Permit. A copy of Emergency Order No. SWF 26-006 is attached hereto as Exhibit "1."

9. Regional water supplies continue to be constrained due to severe drought. District staff have also determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of June 1, 2026, within the District's southern counties, the 12-month moving sum for rainfall was at the 7th percentile (Extremely Abnormal), the 7-day average streamflow of the Peace River at Arcadia was at the 15th percentile (Severely Abnormal), and the 24-month moving sum for rainfall was at the 24th percentile (Moderately Abnormal).
- b. As of June 1, 2026, the U.S. Drought Monitor Map shows the District's southern counties to be between severe and extreme drought conditions. Although three of five regional drought indicators have improved since May 2026, two of five indicators have declined since that time.

10. In order to address the emergency conditions, the Authority has taken the following actions:

- a. The Authority has initiated drought planning meetings with its members. Both individual and group meetings have been held with all members' professional staff to discuss current conditions, projections, and actions as well as determine how the drought is affecting their systems. One result of these meetings is Sarasota

County reducing its usage from the Authority by approximately 1.5-2 MGD and increasing production from its groundwater facility. Authority staff will continue to work with its members on conservation and drought response.

- b. The Authority has reduced the water pressure leaving its facility two times over the last few months to reduce demand.
- c. The Authority has issued a press release on drought and water shortage restrictions, encouraging adherence to those restrictions and to water conservation measures. Authority staff has also participated in two television interviews to date on the low levels in the reservoir and the critical importance of water conservation at this time of drought.
- d. The Authority has met with its members to discuss conservation messaging and enforcement of the water shortage order. Members have reported to the Authority concerning the extensive use of their social media platforms, bill inserts, and media interviews to educate the public on the urgency to conserve.
- e. The Authority's members have all reported that they are following the enforcement and reporting requirements.
- f. The Authority is making every effort to identify potential solutions to avoid the need for future emergency authorizations, including constructing an additional reservoir with 9 billion gallons of storage capacity and investigating the feasibility of increasing its groundwater production capacity in the future.

11. The Authority further reports that it has actively sought and utilized water from sources covered by its Operational Flexibility Water Use Permit No. 20012926.002, as follows:

- a. The Englewood Water District has indicated it can provide approximately 300,000-500,000 gallons per day to Charlotte County, which would offset Authority demand.
- b. The City of Punta Gorda is already delivering an extra 1 million gallons per day to the Authority. Punta Gorda can supply up to 2 million gallons per day to the Authority if the District takes action to authorize the use of additional water from Shell Creek.
- c. Manatee County has no water available to the Authority at this time due to low water levels in Lake Manatee.

- d. Sarasota County's facilities are operating near capacity to meet current demands. No additional water is available from the Carlton Memorial Reserve facility.

12. The foregoing measures have not fully mitigated the risk of inadequate supply to meet current and projected demand and protect public health and safety during current drought conditions.

13. The conditions within the service area of the Authority constitute a threat to both the public water supply and to public health, safety, and welfare.

14. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon the Authority.

CONCLUSIONS OF LAW

15. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(4), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

16. Paragraph 25 of Emergency Order No. SWF 26-006 is hereby amended and shall be replaced with the following:

- a. This Order shall expire on October 1, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

17. Except as provided herein, all other terms and conditions of Emergency Order No. SWF 26-006 shall remain in full force and effect.

DONE AND ORDERED in Hernando County, Florida, this 5th day of June, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: 

Brian Armstrong, P.G.
Executive Director

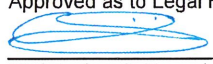
Filed this 5th day
of June, 2026.



Agency Clerk

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

Acknowledged this ____ day of June, 2026.

Approved as to Legal Form & Content


Christopher A. Tumminia, Esq.
General Counsel

By: _____
Jack Bispham, Chair

Attest: _____
John Hall, Secretary

NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY RELATING TO THE
PEACE RIVER MANASOTA REGIONAL
WATER SUPPLY AUTHORITY'S USE
OF THE PEACE RIVER

EMERGENCY ORDER NO. SWF 26-006

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637, received evidence and information from District staff and representatives of the Peace River Manasota Regional Water Supply Authority (the "Authority"), a Regional Water Supply Authority, regarding drought conditions causing a public water supply shortage within the Authority's Regional System and low water levels in its reservoirs and ASR wellfields, thereby creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.
2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.
3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.
4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1), (2) and (3), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. The Peace River is the Authority's primary source of water to meet the potable water needs of the public within its service area. The Authority makes withdrawals from the Peace River in accordance with Water Use Permit No. 20010420.014 (the "Permit").

7. Special Condition 6 of the Permit provides that the Authority's withdrawals from the Peace River are to be made via the schedule in Table 1 of the Permit.

8. The Authority has requested emergency District action which would temporarily modify Special Condition 6 and Table 1 of the Permit, such that the Authority would be able to increase withdrawal of low flows of surface water from the Peace River according to a modified diversion schedule while this order is in effect.

9. Regional demand for the Authority's system for the months ending January 26, 2026, and February 26, 2026, was 32.66 million gallons per day and 30.77 million gallons per day, respectively, reflecting the initiation of ongoing conservation measures.

10. The Authority's average daily withdrawals from the Peace River for the month through February 26, 2026, were only 0.696 million gallons per day. The Authority's average daily withdrawals from the Peace River for the month through February 26, 2026, are and will continue to be lower than regional demand, with the shortfall being supplied by the Authority's reservoirs and the Aquifer Storage and Recovery ("ASR") system.

11. During periods of high river flow, the Authority typically stores raw water in its reservoirs and stores treated water in its ASR system. The Authority's ASR system is providing water at its maximum sustainable capacity of 20 million gallons per day, which is less than current system demands.

12. The Authority characterizes its reservoir storage as stressed. Reservoir no. 1 holds up to 500 million gallons and Reservoir no. 2 holds up to 6.292 billion gallons. As of March 6, 2026, the combined reservoir storage was down to 50% of capacity and continues to decrease each day. This volume represents the lowest historical level for March 6th recorded by the Authority and is approximately 600 million gallons lower than the previous low, which is equivalent to 20 days of supply at the current rate.

13. By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

14. District staff has determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of March 2, 2026, within the District's southern counties, one Drought Indicator was classified as Critically Abnormal, one Drought Indicator was classified as Extremely Abnormal, and three Drought Indicators were classified as Severely Abnormal. Specifically, the 12-month moving sum for rainfall was at the 2nd percentile, the 24-month moving sum for rainfall was at the 9th percentile, the 8-week moving average streamflow of the Peace River at Arcadia was at the 13th percentile, the 7-day average streamflow of the Peace River at Arcadia was at the 16th percentile, and the aquifer resource indicator for the District's southern counties was at the 14th percentile.
- b. As of March 16, 2026, the U.S. Drought Monitor Map shows the District's southern counties to be in an extreme drought condition. Drought conditions are expected to continue, as April and May are typically the driest months of the dry season.

15. The Authority reports that it has taken the following actions:

- a. The Authority has initiated drought planning meetings with its members. Both individual and group meetings have been held with all members' professional staff to discuss current conditions, projections, and actions as well as determine how the drought is affecting their systems. One result of these meetings is Sarasota County reducing their usage from the Authority by approximately 1.5-2 MGD and increasing production from its groundwater facility. Authority staff will continue to work with its members on conservation and drought response.
- b. The Authority has reduced the water pressure leaving its facility two times over the last few months to reduce demand.
- c. The Authority has issued a press release on drought and water shortage restrictions, encouraging adherence to those restrictions and to water conservation measures. Authority staff has also participated in two television interviews to date on the low levels in the reservoir and the critical importance of water conservation at this time of drought.
- d. The Authority has met with its members to discuss conservation messaging and enforcement of the water shortage order. Members have reported to the Authority concerning the extensive use of their social media platforms, bill inserts, and media interviews to educate the public on the urgency to conserve.

- e. The Authority's members have all reported that they are following the enforcement and reporting requirements.
- f. The Authority is making every effort to identify potential solutions to avoid the need for future emergency authorizations, including constructing an additional reservoir with 9 billion gallons of storage capacity and investigating the feasibility of increasing its groundwater production capacity in the future.

16. The Authority further reports that it has actively sought and utilized water from sources covered by its Operational Flexibility Water Use Permit No. 20012926.002, as follows:

- a. The Englewood Water District has indicated it can provide approximately 300,000-500,000 gallons per day to Charlotte County, which would offset Authority demand;
- b. The City of Punta Gorda is already delivering an extra 1 million gallons per day to the Authority. Punta Gorda can supply up to 2 million gallons per day to the Authority if the District takes action to authorize the use of additional water from Shell Creek;
- c. Manatee County has no water available to the Authority at this time due to low water levels in Lake Manatee;
- d. Sarasota County's facilities are operating near capacity to meet current demands. No additional water is available from the Carlton Memorial Reserve facility.

17. The Authority states that the foregoing measures have not fully mitigated the risk of inadequate supply to meet current and projected demand and protect public health and safety during current extreme drought conditions.

18. The conditions within the service area of the Authority constitute a threat to both the public water supply and to public health, safety, and welfare.

19. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon the Authority.

CONCLUSIONS OF LAW

20. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(4), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

21. An emergency is declared for the Authority.

22. The Permit is hereby modified as follows: In lieu of the diversion schedule described in Special Condition 6 and Table 1, the following diversion schedule shall be applicable during the term of this Order:

Block	If Combined Adjusted Flow in cubic feet per second (cfs) on the Previous Day is:	PRMRWSA Diversion Schedule where Q= combined adjusted average flow in cubic feet per second (cfs) on the previous day
1	≤50 cfs	0 cfs
	>50 cfs and ≤145 cfs	15 cfs
	>145 cfs and ≤297 cfs	Q * 13%
2	>297 cfs and ≤335 cfs	Q - 258 cfs
	>335 cfs and ≤622 cfs	Q * 23%
3	>622 cfs and ≤798 cfs	Q * 28% ^a
	>798 cfs	Q * 28% ^b

a = maximum 319 cfs, b = maximum 400 cfs

23. Except as provided in paragraph 21 above, all other terms and conditions of the Permit shall remain in full force and effect.

24. All local governments receiving water from the Authority shall continue to aggressively enforce applicable District water shortage restrictions for the duration of this Order.

25. This Order shall expire on May 31, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

DONE AND ORDERED in Hernando County, Florida, this 18th day of March, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

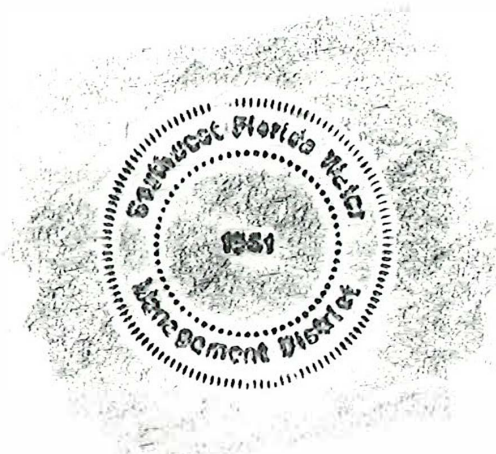
By:



Brian Armstrong, P.G.
Executive Director

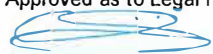
Filed this 19th day
of March, 2026.


Agency Clerk



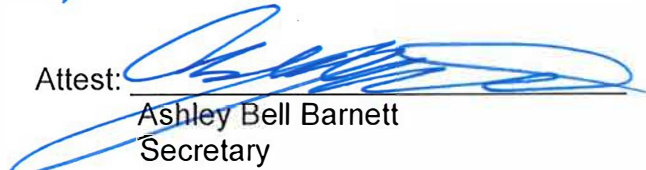
The Governing Board of the Southwest Florida Water Management District
concurred with the action taken by the District's Executive Director.

Acknowledged this 24th day of March, 2026.

Approved as to Legal Form & Content

Christopher A. Tumminia, Esq.
General Counsel

By: 

John Mitten
Chair

Attest: 

Ashley Bell Barnett
Secretary

NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

CONSENT AGENDA

June 23, 2026

General Counsel's Report: Approval of First Amendment to Emergency Order No. SWF 26-007 – Declaration of Emergency Regarding the City of Punta Gorda's Use of Shell Creek (Charlotte County)

Section 373.119, Florida Statutes (F.S.), authorizes the Executive Director to take actions necessary to address an emergency that poses a threat to the public health, safety, welfare, or environment. Such actions may include, among other things, issuing an emergency order reciting the existence of an emergency and requiring action. The Governing Board must affirm the emergency order at the next regularly scheduled Governing Board meeting.

By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

Severe, ongoing drought conditions have significantly stressed regional water supplies in the District's southern counties. The Peace River Manasota Regional Water Supply Authority (the "Authority") relies on the Peace River and other sources to help meet regional demands. The City of Punta Gorda (the "City") is a co-permittee with the Authority on the Operational Flexibility Water Use Permit No. 20012926.002, which authorizes the use of interconnected conjunctive sources, on a short-term basis only, for operational flexibility when the Authority's primary surface water source, the Peace River, is temporarily unavailable. As a result of ongoing drought conditions, the Authority and the City requested authorization to withdraw up to an additional 2.2 mgd from Shell Creek for supply to the Authority under the Operational Flexibility Water Use Permit to help the Authority meet demand. The Executive Director issued Emergency Order No. SWF 26-007 on March 19, 2026, which temporarily authorizes the City to withdraw an additional 2.2 mgd from Shell Creek to provide to the Authority while the order is in effect. Emergency Order No. SWF 26-007 was set to expire on July 1, 2026.

Based on ongoing drought conditions and water supply availability concerns, the Executive Director issued a First Amendment to Emergency Order No. SWF 26-007 extending the expiration date to October 1, 2026, while all other terms and conditions of the Emergency Order remain in effect. District staff will continue to monitor conditions and assess whether an extension or early termination is warranted.

Strategic Plan

This Emergency Order supports the District's Strategic Initiatives for Regional Water Supply Planning and Core Business Processes for regulation.

Exhibit

Emergency Order

Staff Recommendation:

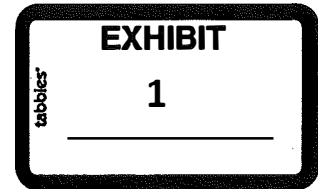
Approve First Amendment to Emergency Order No. SWF 26-007.

Presenter:

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

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY REGARDING THE
CITY OF PUNTA GORDA'S USE
OF SHELL CREEK



FIRST AMENDMENT TO EMERGENCY ORDER NO. SWF 26-007

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Brooksville Office, 2379 Broad Street, Brooksville, FL 34604, received evidence and information from District staff and representatives of the City of Punta Gorda (the "City"), a Florida municipal corporation, regarding drought conditions causing a public water supply shortage within the Peace River Manasota Regional Water Supply Authority's (the "Authority") Regional System and low water levels in its reservoirs and ASR wellfields, thereby creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.

2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.

3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.

4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1) and (2), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. The City is a co-permittee along with the Authority and other local governments on the Operational Flexibility Water Use Permit 20012926.002, which authorizes the use of interconnected conjunctive sources, on a short-term basis only, for operational flexibility when the Authority's primary surface water source, the Peace River, is temporarily unavailable.

7. Due to continuing drought conditions in the region, the Authority and City requested emergency District action which would temporarily allow the City to withdraw up to an additional 2.2 mgd under the Permit to supply to the Authority to assist with meeting regional demands during the current water shortage.

8. On March 19, 2026, the Executive Director issued Emergency Order No. SWF 26-007, authorizing the City to withdraw up to an additional 2.2 mgd under the Permit on a temporary basis. A copy of Emergency Order No. SWF 26-007 is attached hereto as Exhibit "1."

9. Regional water supplies continue to be constrained due to severe drought. District staff have also determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of June 1, 2026, within the District's southern counties, the 12-month moving sum for rainfall was at the 7th percentile (Extremely Abnormal), the 7-day average streamflow of the Peace River at Arcadia was at the 15th percentile (Severely Abnormal), and the 24-month moving sum for rainfall was at the 24th percentile (Moderately Abnormal).
- b. As of June 1, 2026, the U.S. Drought Monitor Map shows the District's southern counties to be between severe and extreme drought conditions.

10. In order to address the emergency conditions, the City cites the Authority's report that it has taken the following actions:

- a. The Authority has initiated drought planning meetings with its members. Both individual and group meetings have been held with all members' professional staff to discuss current conditions, projections, and actions as well as determine how the drought is affecting their systems. One result of these meetings is Sarasota County reducing its usage from the Authority by approximately 1.5-2 MGD and increasing production from its groundwater facility. Authority staff will continue to work with its members on conservation and drought response.

- b. The Authority has reduced the water pressure leaving its facility two times over the last few months to reduce demand.
- c. The Authority has issued a press release on drought and water shortage restrictions, encouraging adherence to those restrictions and to water conservation measures. Authority staff has also participated in two television interviews to date on the low levels in the reservoir and the critical importance of water conservation at this time of drought.
- d. The Authority has met with its members to discuss conservation messaging and enforcement of the water shortage order. Members have reported to the Authority concerning the extensive use of their social media platforms, bill inserts, and media interviews to educate the public on the urgency to conserve.
- e. The Authority's members have all reported that they are following the enforcement and reporting requirements.
- f. The City is making every effort to identify potential solutions to avoid the need for future emergency authorizations, including investigating the feasibility of expanding the reverse osmosis water treatment facility to increase its surface water production capacity in the future.

11. In addition to the City's request that is the subject of this Order, the Authority has actively sought and utilized water from the other sources covered by its Operational Flexibility Water Use Permit No. 20012926.002, as follows:

- a. The Englewood Water District has indicated it can provide approximately 300,000-500,000 gallons per day to Charlotte County, which would offset Authority demand.
- b. The City is already delivering an extra 1 million gallons per day to the Authority. The City can supply up to 2 million gallons per day to the Authority if the District takes action to authorize the use of additional water from Shell Creek.
- c. Manatee County has no water available to the Authority at this time due to low water levels in Lake Manatee.
- d. Sarasota County's facilities are operating near capacity to meet current demands. No additional water is available from the Carlton Memorial Reserve facility.

12. The foregoing measures have not fully mitigated the risk of inadequate supply to meet current and projected demand and protect public health and safety during current drought conditions.

13. The conditions within the service area of the Authority, including the City, constitute a threat to both the public water supply and to public health, safety, and welfare.

14. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon the Authority.

CONCLUSIONS OF LAW

15. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(4), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

16. Paragraph 26 of Emergency Order No. SWF 26-007 is hereby amended and shall be replaced with the following:

- a. This Order shall expire on October 1, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

17. Except as provided herein, all other terms and conditions of Emergency Order No. SWF 26-007 shall remain in full force and effect.

DONE AND ORDERED in Hernando County, Florida, this 5th day of June, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: 
Brian Armstrong, P.G.
Executive Director

Filed this 5th day
of June, 2026.


Agency Clerk

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

Acknowledged this ____ day of June, 2026.

Approved as to Legal Form & Content


Christopher A. Tumminia, Esq.
General Counsel

By: _____
Jack Bispham, Chair

Attest: _____
John Hall, Secretary

NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE: DECLARATION OF
EMERGENCY REGARDING THE
CITY OF PUNTA GORDA'S USE
OF SHELL CREEK

EMERGENCY ORDER NO. SWF 26-007

Brian Armstrong, P.G., Executive Director of the Southwest Florida Water Management District ("District"), at the Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637, received evidence and information from District staff and representatives of the City of Punta Gorda (the "City"), a Florida municipal corporation, regarding drought conditions causing a public water supply shortage within the Peace River Manasota Regional Water Supply Authority's (the "Authority") Regional System and low water levels in its reservoirs and ASR wellfields, thereby creating an acute public health, safety, and welfare emergency. Based upon such evidence and information, the Executive Director finds and determines:

FINDINGS OF FACT

1. Section 373.246, Florida Statutes (F.S.), requires each water management district to adopt a Water Shortage Plan ("Plan") as a means of assuring appropriate responses to droughts and other types of water shortage events.
2. Part III of Chapter 40D-21, F.A.C., sets forth the emergency provisions of the Plan.
3. Rule 40D-21.331(3), F.A.C., specifies that, if the District determines that conditions are rapidly deteriorating, or if the District receives a request for emergency action, the District shall ascertain if emergency actions are necessary to protect public health, safety or welfare, considering such factors as whether the affected users can obtain water from other users or other sources on a temporary basis and whether there are recommendations from, and emergency actions taken by, a local government in the affected area.
4. Rule 40D-21.371(1), F.A.C., specifies that the Executive Director of the District may issue orders containing response mechanisms deemed necessary to address such an emergency, and that these mechanisms may include authorizations to temporarily withdraw from a permitted source in a manner or for a purpose not expressly granted by the applicable Water Use Permit; and restrictions that involve apportioning, rotating, limiting, or prohibiting the use of water.

5. Rules 40D-21.391(1), (2) and (3), F.A.C., allow for such emergency orders to be issued without prior notice, subject to concurrence by the District's Governing Board and proper notice to affected water users and local officials.

6. The Authority is a regional water supplier that provides wholesale drinking water to local governments within its service area. The Peace River is the Authority's primary source of water to meet the potable water needs of the public within that area. The Authority has requested emergency District action which would temporarily allow the Authority to increase withdrawal of low flows of surface water from the Peace River according to a modified diversion schedule. That request is being addressed by the District in Emergency Order No. SWF 26-006, contemporaneously with this Order.

7. The Authority also requested that the City be temporarily permitted to withdraw up to an additional 2.2 mgd to supply to the Authority through the Authority's Operational Flexibility Water Use Permit No. 20012926.002 to help the Authority meet regional demands during the current extreme drought conditions. The City is a co-permittee along with the Authority and other local governments on the Operational Flexibility Water Use Permit, which authorizes the use of interconnected conjunctive sources, on a short-term basis only, for operational flexibility when the Authority's primary surface water source, the Peace River, is temporarily unavailable.

8. On March 18, 2026, the City submitted its own request to this effect. The City is currently maximizing use of the reverse osmosis water treatment facility and its withdrawals under its own Water Use Permit No. 2000871.014, so an emergency order is necessary for the City to be able to withdraw additional water from Shell Creek.

9. Regional demand for the Authority's system for the months ending January 26, 2026, and February 26, 2026, was 32.66 million gallons per day and 30.77 million gallons per day, respectively, reflecting the initiation of ongoing conservation measures.

10. The Authority's average daily withdrawals from the Peace River for the month through February 26, 2026, were only 0.696 million gallons per day. The Authority's average daily withdrawals from the Peace River for the month through February 26, 2026, are and will continue to be lower than regional demand, with the shortfall being supplied by the Authority's reservoirs and the Aquifer Storage and Recovery ("ASR") system.

11. During periods of high river flow, the Authority typically stores raw water in its reservoirs and stores treated water in its ASR system. The Authority's ASR system is providing water at its maximum sustainable capacity of 20 million gallons per day, which is less than the current system demands.

12. The Authority characterizes its reservoir storage as stressed. Reservoir No. 1 holds up to 500 million gallons, and Reservoir No. 2 holds up to

6.292 billion gallons. As of March 6, 2026, the combined reservoir storage was down to 50% of capacity and continues to decrease each day. This volume represents the lowest historical level for March 6th recorded by the Authority and is approximately 600 million gallons lower than the previous low.

13. By State of Florida Executive Order No. 26-33, Governor Ron DeSantis declared that a state of emergency exists based upon the serious threat to public health, safety, and welfare posed by drought conditions throughout the State.

14. District staff has determined that the following hydrologic factors are occurring and are contributing to or exacerbating the local and regional water supply situation:

- a. As of March 2, 2026, within the District's southern counties, one Drought Indicator was classified as Critically Abnormal, one Drought Indicator was classified as Extremely Abnormal, and three Drought Indicators were classified as Severely Abnormal. Specifically, the 12-month moving sum for rainfall was at the 2nd percentile, the 24-month moving sum for rainfall was at the 9th percentile, the 8-week moving average streamflow of the Peace River at Arcadia was at the 13th percentile, the 7-day average streamflow of the Peace River at Arcadia was at the 16th percentile, and the aquifer resource indicator for the District's southern counties was at the 14th percentile.
- b. As of March 16, 2026, the U.S. Drought Monitor Map shows the District's southern counties to be in an extreme drought condition. Drought conditions are expected to continue, as April and May are typically the driest months of the dry season.

15. The City cites the Authority's report that it has taken the following actions:

- a. The Authority has initiated drought planning meetings with its members. Both individual and group meetings have been held with all members' professional staff to discuss current conditions, projections, and actions as well as determine how the drought is affecting their systems. One result of these meetings is Sarasota County reducing their usage from the Authority by approximately 1.5-2 MGD and increasing production from its groundwater facility. Authority staff will continue to work with its members on conservation and drought response.
- b. The Authority has reduced the water pressure leaving its facility two times over the last few months to reduce demand.
- c. The Authority has issued a press release on drought and water shortage restrictions, encouraging adherence to those restrictions

and to water conservation measures. Authority staff has also participated in two television interviews to date on the low levels in the reservoir and the critical importance of water conservation at this time of drought.

- d. The Authority has met with its members to discuss conservation messaging and enforcement of the water shortage order. Members have reported to the Authority concerning the extensive use of their social media platforms, bill inserts, and media interviews to educate the public on the urgency to conserve.
- e. The Authority's members have all reported that they are following the enforcement and reporting requirements.
- f. The City is making every effort to identify potential solutions to avoid the need for future emergency authorizations, including investigating the feasibility of expanding the reverse osmosis water treatment facility to increase its surface water production capacity in the future.

16. In addition to the City's request that is the subject of this Order, the Authority has actively sought and utilized water from the other sources covered by its Operational Flexibility Water Use Permit No. 20012926.002, as follows:

- a. The Englewood Water District has indicated it can provide approximately 300,000-500,000 gallons per day to Charlotte County, which would offset Authority demand;
- b. Manatee County has no water available to the Authority at this time due to low water levels in Lake Manatee;
- c. Sarasota County's facilities are operating near capacity to meet current demands. No additional water is available from the Carlton Memorial Reserve facility.

17. The foregoing measures have not fully mitigated the risk of inadequate supply to meet current and projected demand and protect public health and safety during current extreme drought conditions.

18. The conditions within the service area of the Authority, including the City, constitute a threat to both the public water supply and to public health, safety, and welfare.

19. The exercise of the non-emergency powers under subsections 373.175(1) and (2) and 373.246(1), F.S., and Chapter 40D-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, nor the drinking water supply of persons who depend upon the Authority.

CONCLUSIONS OF LAW

20. An emergency exists requiring immediate action by the Executive Director of the District, as duly authorized by subsections 373.119(2), 373.175(4), and 373.246(7), F.S., and Rule 40D-21.331(4), F.A.C., to declare a water shortage emergency and to issue emergency orders reciting the existence of an emergency and requiring that action be taken as deemed necessary to meet the emergency.

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

21. An emergency is declared for the City.

22. The City's Water Use Permit No. 2000871.014 is hereby modified as follows: The diversion schedule at Special Condition 21 is hereby temporarily modified to increase the maximum withdrawal in flow-based block 1 by 2.2 mgd.

23. Except as provided in paragraph 21 above, all other terms and conditions of the Permit shall remain in full force and effect.

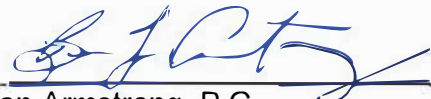
24. The City shall aggressively pursue potential options for additional water supply to avoid the need for similar emergency authorizations in the future, including but not limited to expediting evaluation of the expansion of the City's reverse osmosis facility and the identification of new sources of water.

25. All local governments receiving water from the Authority shall continue to aggressively enforce applicable District water shortage restrictions for the duration of this Order.

26. This Order shall expire on July 1, 2026, unless rescinded or extended by Governing Board or Executive Director action on or before that date.

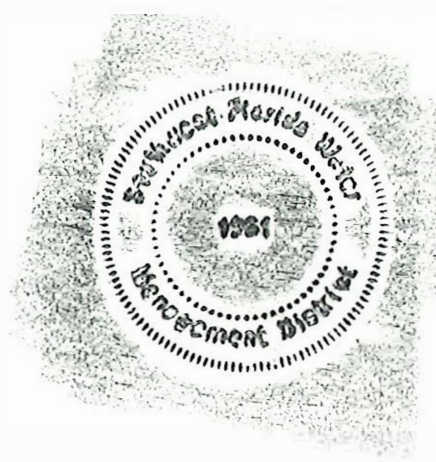
DONE AND ORDERED in Hernando County, Florida, this 19th day of March, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: 
Brian Armstrong, P.G.
Executive Director

Filed this 19th day
of March, 2026.


Agency Clerk



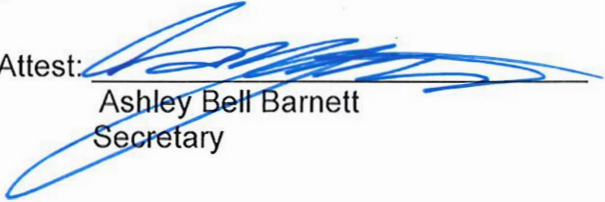
The Governing Board of the Southwest Florida Water Management District
concurred with the action taken by the District's Executive Director.

Acknowledged this 29th day of March, 2026.

Approved as to Legal Form & Content

Christopher A. Tumminia, Esq.
General Counsel

By: 
John Mitten
Chair

Attest: 
Ashley Bell Barnett
Secretary

NOTICE OF RIGHTS

In accordance with Sections 373.119(3), 120.569, and 120.57, Florida Statutes ("F.S."), and Chapter 28-106, Florida Administrative Code ("F.A.C."), persons to whom this Order is directed, or whose substantial interests are affected, may request an administrative hearing. A request for hearing that disputes the material facts on which the District's action is based must contain all elements required by Rule 28-106.201(2), F.A.C., including but not limited to: (1) an explanation of how the substantial interests of each person requesting the hearing will be affected by the District's action; (2) a statement of all disputed issues of material fact; (3) the District Order number; (4) the name, address, any e-mail address and telephone number of the person requesting the hearing and, if applicable, of the person's representative; (5) a statement of when and how the person requesting the hearing received notice of the District's action; (6) a concise statement of the ultimate facts alleged, including the specific facts warranting reversal or modification of the District's action; (7) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's action; and (8) the relief sought, including precisely what action the requester wishes the agency to take. A request for hearing that does not dispute the material facts on which the District's action is based shall state that no material facts are in dispute, and must contain the information set forth above (with the exception of item (2)), and otherwise comply with Rule 28-106.301(2), F.A.C. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759 or by facsimile transfer to (813) 367-9776 within twenty-one (21) days of receipt of this notice. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Failure to file a request for hearing within the specified time period shall constitute a waiver of any right any such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available. A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

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

CONSENT AGENDA

June 23, 2026

Executive Director's Report: Approve Governing Board Minutes – May 19, 2026

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING
TUESDAY, MAY 19, 2026 – 9:00 A.M.
7601 U.S. HIGHWAY 301 NORTH, TAMPA, FLORIDA 33637
(813) 985-7481**

Board Members Present

John Mitten, Chair
Jack Bispham, Vice Chair
Ashley Bell Barnett, Secretary
John Hall, Treasurer*
Kelly Rice, Member
Dustin Rowland, Member
James Holton, Member
Robert Stern, Member
Nancy H. Watkins, Member*
Josh Gamblin, Member*
James Turner, Member
Brian Aungst, Jr., Member

*Attended via Electronic Media

Board Members Absent

Michelle Williamson, Member

Staff Members

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

Board Administrative Support

Virginia Singer, Manager
Lori Manuel, Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting on May 19 at 9:00 a.m., in the Tampa office at 7601 U.S. Highway 301 North, Tampa, Florida 33637. This meeting was available for live viewing through internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair John Mitten called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Mitten stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should complete and submit a "Request to Speak" card. He stated that comments would be limited to three minutes per speaker, and when appropriate, exceptions to the three-minute limit may be granted by the Chair. Chair Mitten also requested that several individuals requesting to speak on the same topic designate a

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

1.2 Invocation and Pledge of Allegiance

Board Member Brian Aungst offered the invocation and led the Pledge of Allegiance.

1.3 Election of Governing Board Officers

Mr. Chris Tumminia, General Counsel, outlined the process for the election of officers.

Board Member Kelly Rice made a motion to nominate a slate of officers as follows: Chair, Jack Bispham; Vice Chair, Ashley Bell Barnett; Secretary, John Hall and Treasurer, Dustin Rowland. The motion was seconded and passed unanimously.

1.4 Employee Recognition

Chair Mitten recognized Chaz LaRiche, Catherine Wolden and Jim Desruisseaux for their milestone years of service with the District.

1.5 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was being removed from Discussion:

Finance/Outreach and Planning Committee

3.3 Office of Inspector General Audit Activity – Quality Assurance Review

There was good cause to amend the published agenda as allowed by Section 120.525, Florida Statutes.

1.6 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis, Jr., spoke regarding the ownership of water.

Mr. David Gore spoke regarding the use of science associated with hydrogeology.

Consent Agenda

Finance/Outreach and Planning Committee

2.1 Water Reuse Week

Staff recommended the Board approve and execute Resolution No. 26-02 declaring May 17-23, 2026, as "Water Reuse Week."

Resource Management Committee

2.2 FARMS – Four Mile Grade LLC – H847 (DeSoto County)

Staff recommended the Board:

1. Approve the Four Mile Grade LLC project for a not-to-exceed project reimbursement of \$689,392 provided by the Governing Board;
2. Authorize the transfer of \$689,392 from fund 010 H017 Governing Board FARMS Fund to the H847 Four Mile Grade LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

2.3 FARMS – Mathis Farms, Inc. – Palm Lake – H849 (Hillsborough County)

Staff recommended the Board:

1. Approve the Mathis Farms, Inc. – Palm Lake project for a not-to-exceed project reimbursement of \$495,927 provided by the Governing Board;

2. Authorize the transfer of \$495,927 from fund 010 H017 Governing Board FARMS Fund to the H849 Mathis Farms, Inc. – Palm Lake project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands & Resource Monitoring Committee

2.4 Amendment to Cattle Lease Agreement – Cypress Creek SWF No. 13-500-402X (Pasco County)

Staff recommended the Board:

- Approve the Amendment to the Lease between the District and Karli Properties, LLC; and
- Authorize the Governing Board Chair to execute the Amendment on behalf of the District; and
- Authorize staff to make minor changes or corrections to conform documents or correct scrivener's errors; any substantive changes will be subject to Governing Board review and approval; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

2.5 Amendment One to Easement Agreement – Inverness DOT Replacement Well Site – SWF Parcel No. 19-020-129 (Citrus County)

Staff recommended the Board:

- Approve Amendment One to Easement Number 33643 and authorize the Chair and Secretary to sign on behalf of the District.
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

General Counsel's Report

2.6 Approval of Amended Well Construction Permitting Delegation Agreement between the Southwest Florida Water Management District and Sarasota County

Staff recommended the Board approve the amended Well Construction Permitting Agreement between the District and Sarasota County, Florida which shall be in effect from June 1, 2026 until May 31, 2031.

Executive Director's Report

2.7 Approve Governing Board Minutes – April 28, 2026

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the amended Consent Agenda. The motion carried unanimously. (Audio – 00:18:28)

Discussion

Finance/Outreach and Planning Committee

Chair John Mitten called the committee to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Fiscal Year 2024-25 Annual Comprehensive Financial Report

Mr. James Halleran, CPA, James Moore & Company, provided an overview of the independent audit for the year ending September 30, 2025. He summarized the financial statements provided by the District and the audit reports prepared by James Moore & Company. Mr. Halleran presented an overview of the report, the requirements associated and confirmed James Moore & Company is current with their peer review requirements. He stated that in addition to meeting its statutory requirements, the District also provided additional information that makes it eligible to receive the Certificate of Achievement for Excellence in Financial Reporting

from the Government Finance Officers Association. Mr. Halleran affirmed the District received an unmodified opinion which is the highest opinion offered. He stated that an "Emphasis of matter" paragraph was added and explained this was associated with the implementation of a new accounting standard. Mr. Halleran provided a summary of what was implemented. He summarized any changes that occurred in the District's General Fund, Florida Forever Capital Project Fund and Capital Projects. A general fund balance comparison table from FY2023 through FY2025 was presented. Mr. Halleran provided information concerning pensions and other post-employment benefits.

Staff recommended the Board accept and place on file the District's Annual Comprehensive Financial Report pursuant to Chapter 10.550, Rules of the Auditor General. The report also includes the Management Letter and Independent Accountants' Report for fiscal year ended September 30, 2025.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 00:30:13)

3.3 Office of Inspector General Audit Activity – Quality Assurance Review
~~This item was for the Board's information only, and no action was required.~~

3.4 Budget Transfer Report
This item was for the Board's information only, and no action was required.

Operations, Lands and Resource Monitoring Committee
Board Member Robert Stern called the committee to order.

4.1 Consent Item(s) Moved to Discussion – None

4.2 Surplus Lands 2026 Biennial Assessment
Ms. Ellen Morrison, Land Resources Bureau Chief, provided a history of the surplus assessments lands, the review criteria, the evaluation process and staff recommendation.

Ms. Morrison stated that there were no lands that met the criteria to recommend for surplus. However, Tampa Bypass Canal-16 parcel was identified to be removed from surplus declaration. She provided information explaining this recommendation. Discussion ensued and staff responded to questions. Mr. Brian Starford, Operations, Land and Resource Monitoring Division Director, stated this parcel is being considered for the staging of equipment and storage of dredge materials associated with the future maintenance of the Tampa Bypass Canal. Discussion ensued and staff responded to questions. Suggest adding Brian Armstrong's summary of the Board discussion.

Staff recommended the Board:

- Accept the 2026 Surplus Lands Biennial Assessment conducted in accordance with Governing Board Policy.
- Approve, by a two-thirds majority vote, removal of the declaration of surplus for TBC-16.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 00:54:50)

4.3 Hydrologic Conditions Report
A Request-to-Speak card was presented.

Mr. David Gore spoke regarding data used for the protection of natural resources.

Ms. Tamera McBride, P.G., Hydrologic Data Manager, presented the Hydrologic Conditions report. May is the last month of the eight-month dry season. Districtwide rainfall for April was below average, as was the 12-month rainfall total. Currently, the rainfall deficit is 11.4 inches below average. Information was presented regarding rainfall, streamflow, groundwater levels, lake levels, public supply reservoirs and climate forecasts. She stated that stored water supplies are in use to offset dry conditions. The Climate Prediction Center's near-term climate forecast for May, June and July indicated chances of above-normal temperatures and precipitation. According to the National Weather Service, the current dry conditions are the most significant the state has experienced since 2012. Staff responded to questions.

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

Resource Management Committee

No items were presented.

5.1 Consent Item(s) Moved to Discussion - None

Regulation Committee

No items were presented.

6.1 Consent Item(s) Moved to Discussion - None

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

7.2 Consideration of Final Order – Polk Regional Water Cooperative v. Tampa Bay Water and Southwest Florida Water Management District (and Mosaic Fertilizer, LLC (Intervenor) – Water Use Permit No. 20011794.003 – Division of Administrative Hearings Case No. 25-5480

Mr. Chris Tumminia, General Counsel, presented information that summarized historical details. He provided an overview of the settlement agreement and the process associated with finalization. Mr. Tumminia summarized the modifications to the Water Use Permit as a result of the agreement.

Staff recommended the Board:

- Approve and enter the Final Order.
- Authorize the General Counsel to execute all documents necessary to implement the Settlement Agreement and to make minor clarifying or technical revisions as needed to correct errors or ensure consistency with the terms of the Agreement.

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 01:09:34)

7.3 Affirm Governing Board Committee Actions

A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (Audio – 01:09:58)

Committee/Liaison Reports

8.1 Environmental Advisory Committee

A written summary of the March 27 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, stated that based on the discussion associated with item 4.2, it would be beneficial for staff to solicit Board Members regarding the creation of a committee to review the policies associated with criteria in determining how surplus lands are selected.

Mr. Armstrong acknowledged the upcoming Memorial Day.

Chair's Report

10.1 Chair's Report

Chair Mitten provided an overview of accomplishments during his tenure as Chair. He conveyed his gratitude to the Board and staff. Chair Mitten congratulated the incoming officers.

The Board expressed their appreciation to Chair Mitten for his leadership.

Chair Mitten asked if the Board had any matters which they would like to present. None were presented.

The next meeting is scheduled for Tuesday, June 23 at 9:00 a.m., at the Brooksville office.

10.2 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 10:23 a.m.

Governing Board Meeting

June 23, 2026

3. FINANCE/OUTREACH & PLANNING COMMITTEE

3.1	Discussion: Consent Item(s) Moved to Discussion	222
3.2	Discussion: Action Item: Recommend Annual Service Budget for Fiscal Year 2027	223
3.3	Discussion: Information Item: Knowledge Management: Governing Board Committee Responsibilities	225
3.4	Submit & File: Information Item: Budget Transfer Report	235

FINANCE/OUTREACH & PLANNING COMMITTEE

June 23, 2026

Discussion: Consent Item(s) Moved to Discussion

Presenters:

Brandon Baldwin, Division Director, Business and IT Services Division

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

FINANCE/OUTREACH & PLANNING COMMITTEE

June 23, 2026

Discussion: Action Item: Recommended Annual Service Budget for Fiscal Year 2027

Purpose

Submit fiscal year (FY) 2027 Recommended Annual Service Budget (proposed budget) for consideration by the Governing Board as required by statute and authorize staff to prepare the *Tentative Budget Submission* based on the proposed budget, adjusted for any modifications made by the Governing Board on June 23, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value, and any additional funding provided by the state.

Background

In accordance with 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 23, staff will present the proposed budget to the Governing Board.

Additionally, under Section 373.536(5)(d), F.S., by August 1 of each year, the District shall submit for review a tentative budget 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 *Tentative Budget Submission* and will include a description of any significant changes from the preliminary budget submitted on January 15, 2026.

Discussion

Staff will provide an overview of the FY2027 proposed budget, including a review of revenues and expenditures in comparison to the FY2026 adopted budget. Revenues will be reviewed by source and expenditures will be reviewed by category, program, and area of responsibility. The proposed 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 28 Governing Board meeting, staff will present the 16 county property appraisers' certifications of taxable value and the proposed FY2027 millage rate in compliance with Sections 373.503(4) and 200.065, F.S. The Governing Board will be requested to adopt the proposed FY2027 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 *Tentative Budget Submission* for FY2027 to the EOG, Florida Legislature, and other parties, as required by statute, to be received by August 1, 2026.

The District's FY2027 final millage rate and budget will be adopted in September following two public budget hearings. The first hearing is scheduled for September 8, 2026, 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 scheduled for September 22, 2026, at 5:01 p.m. also at the Tampa Office.

Strategic Plan

Development of the annual budget serves as the fiscal guide to carry out the priorities and needs identified in the Strategic Plan.

Exhibit

FY2027 Recommended Annual Service Budget (provided separately).

Staff Recommendation:

Authorize staff to prepare the *Tentative Budget Submission* for FY2027 based on the proposed budget as presented, adjusted for any modifications made by the Governing Board on June 23, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value, and any additional funding provided by the state.

Presenters:

Brandon Baldwin, Division Director, Business & IT Services Division

Jennette Seachrist, Division Director, Resource Management Division

Brian Starford, Division Director, Operations, Lands & Resource Monitoring Division

Michelle Hopkins, Division Director, Regulation Division

Michelle Weaver, Division Director, Employee, Outreach & General Services Division

FINANCE/OUTREACH & PLANNING COMMITTEE

June 23, 2026

Discussion: Information Item: Knowledge Management: Governing Board Committee
Responsibilities

Purpose

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

Background/History

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus since FY2018 has been 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.

The Governing Board Committee Responsibilities Governing Board Policy identifies the overall tasks, or topics, over which each of the four Governing Board Committees has oversight. This Policy is reviewed every three years. Minor changes were made to the Policy, including updating the name of the Industrial, Commercial & Institutional Advisory Committee under the Finance/Outreach & Planning Committee as well as some minor wording changes under the Operations, Lands & Resource Monitoring Committee.

Benefits

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

Strategic Plan

The Policy supports the District's Knowledge Management Core Business Process.

Exhibits

Exhibit 1 – Governing Board Committee Responsibilities Policy – Clean Draft

Exhibit 2 – Governing Board Committee Responsibilities Policy – Redline Draft

Staff Recommendation:

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

Presenter:

Robyn Felix, Bureau Chief, Communications and Board Services Bureau

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Governing Board Committee Responsibilities

Document Owner: Communications and Board Services
Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 07/28/2020

CONTENTS

PURPOSE	1
SCOPE	1
AUTHORITY	1
DEFINITIONS	1
POLICY.....	1
DISTRIBUTION.....	3
REFERENCES	3
REVIEW PERIOD	3
DOCUMENT DETAILS	4
APPROVAL	4

PURPOSE

The purpose of this Policy is to outline the Governing Board's committee approach that is used to conduct much of the District's business.

SCOPE

This Policy applies to the Governing Board.

AUTHORITY

Chapter 373, Florida Statutes (F.S.)

DEFINITIONS

N/A

POLICY

To effectively review the many issues to be considered by the Governing Board, the Governing Board has approved a committee as the appropriate forum to conduct much of the business of the District. The committees are: Finance/Outreach & Planning Committee; Operations, Lands & Resource Monitoring Committee; Regulation Committee; and the Resource Management Committee.

GOVERNING BOARD POLICY

Title: Governing Board Committee Responsibilities

Effective Date: MM/DD/YYYY

Page 2 of 4

Each committee is a committee of the whole with all Governing Board members serving as committee members. The Governing Board chair will appoint each committee a chair and vice chair, except that the treasurer shall be the chair of the Finance/Outreach & Planning Committee.

Staff shall develop committee agendas with the Governing Board chair approving the final committee agendas. Committee agendas will be designated based on the following guidelines:

- 1) Review of ongoing initiatives in the realm of the Committee's responsibilities.
- 2) Consideration of new projects and programs in the realm of the Committee's responsibilities.

The following section outlines the responsibilities of each committee:

Finance/Outreach & Planning Committee

The Finance/Outreach & Planning Committee will provide leadership for the District's financial, outreach, and planning activities. The Committee will review all financial and administration activities of the District; ensure adequate internal controls exist to safeguard the assets of the District; assist District management in developing strategies to enhance the workforce of the District; and provide leadership for the District's strategic and long-range planning activities, community and legislative affairs initiatives and communication programs. The Committee also acts as the District's Audit Committee unless the Governing Board Chair appoints an Ad Hoc Audit Committee.

Specific Committee tasks related to Finance include accounting, administration and financial matters of the District; annual budget and millage levy rates; staffing levels; financial plans to address water resource development initiatives; oversight for the District's Office of Inspector General; and any and all other finance and administration related issues that require Committee review.

Specific Committee tasks related to Outreach & Planning include development and updating of the Strategic Plan or other plans; providing guidance and oversight of the District's standing Advisory Committees: the Agricultural and Green Industry; Environmental; Industrial, Commercial & Institutional; and Public Supply committees; providing guidance for strategic communications and public messaging; and any and all other outreach and planning related issues that require Committee review.

Operations, Lands & Resource Monitoring Committee

The Operations, Lands & Resource Monitoring Committee will provide leadership for the District's operations, land resource management and development activities, and monitoring of water resources and conditions, thereby ensuring appropriate resource management.

Specific Committee tasks related to Operations include operation and maintenance of the District's water control structures, including the Structures Capital Improvement Plan. Specific Committee tasks related to Lands include development of the Florida Forever Work Plan; consideration of lands identified for acquisition or surplus; strategies for land management and

GOVERNING BOARD POLICY

Title: Governing Board Committee Responsibilities

Effective Date: MM/DD/YYYY

Page 3 of 4

public use; contracts, leases, and maintenance agreements relating to land ownership and land use; and land use and management plans.

Specific Committee tasks related to Resource Monitoring include the District's hydrologic and geohydrologic conditions; water quality monitoring; Mapping and Geographic Information System programs; and projects and data collection/analysis efforts to support regulatory and rulemaking activities and water resource projects.

Regulation Committee

The Regulation Committee will provide leadership for the District's regulatory and enforcement programs, thereby ensuring appropriate resource management. The Committee will review the District's permitting rules, procedures and support needs relating to various categories of water use, well construction, environmental resource and other regulatory programs, permit fees, and areas determined to be of special hydrologic concern.

Specific Committee tasks related to Regulation include monitoring, reviewing and refining permitting procedures and practices as well as enforcement procedures and practices in compliance with Chapters 40D and 62, F.A.C., and Chapter 373, Florida Statutes; reviewing and updating the permit fee structure and penalty matrices and recommending actions pertaining to Water Shortage Orders.

Resource Management Committee

The Resource Management Committee will provide leadership for the District's water resource management and development activities, thereby ensuring appropriate resource management.

Specific Committee tasks related to Resource Management include reviewing District initiatives and programs, including Water Use Caution Areas, the Surface Water Improvement and Management (SWIM) Program, Springs initiatives, Minimum Flows and Levels, the Facilitating Agricultural Resource Management Systems Program, the Watershed Management Program and the Cooperative Funding Initiative; and development of the District's Regional Water Supply Plan and SWIM plans.

DISTRIBUTION

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

REFERENCES

Chapters 40D and 62, Florida Administrative Code (F.A.C.)

Chapter 373, F.S.

REVIEW PERIOD

This policy will be reviewed every three (3) years by the Document Owner or designee and updated for Governing Board approval if needed to implement policy revisions.

GOVERNING BOARD POLICY

Title: Governing Board Committee Responsibilities

Effective Date: MM/DD/YYYY

Page 4 of 4

DOCUMENT DETAILS

Document Name	Governing Board Committee Responsibilities
Formerly Known As	Governing Board Committee Responsibilities
Document Type	Policy
Author(s)	Robyn Felix
Reviewing Stakeholder(s)	Division Directors; General Counsel
Document Owner Name	Robyn Felix
Document Owner Title	CBS Bureau Chief
Review Period (in days)	1,095
Span of Control	Governing Board
Supersedes Date	<u>07/28/2020</u>
Effective Date	MM/DD/YYYY

APPROVAL

Paul J. Bispham
Chair

Date

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Governing Board Committee Responsibilities

Document Owner: Communications and Board Services
Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 07/28/2020

CONTENTS

PURPOSE	1
SCOPE	1
AUTHORITY	1
DEFINITIONS	1
POLICY.....	1
DISTRIBUTION.....	<u>35</u>
REFERENCES	<u>35</u>
REVIEW PERIOD	<u>45</u>
DOCUMENT DETAILS	<u>56</u>
APPROVAL	<u>56</u>

PURPOSE

The purpose of this Policy is to outline the Governing Board's committee approach that is used to conduct much of the District's business.

SCOPE

This Policy applies to the Governing Board.

AUTHORITY

Chapter 373, Florida Statutes (F.S.)

DEFINITIONS

N/A

POLICY

To effectively review the many issues to be considered by the Governing Board, the Governing Board has approved a committee as the appropriate forum to conduct much of the business of the District. The committees are: Finance/Outreach & Planning Committee; Operations, Lands & Resource Monitoring Committee; Regulation Committee; and the Resource Management Committee.

GOVERNING BOARD POLICY

Title: Governing Board Committee Responsibilities

Effective Date: MM/DD/YYYY

Page 2 of 5

Each committee is a committee of the whole with all Governing Board members serving as committee members. The Governing Board chair will appoint each committee a chair and vice chair, except that the treasurer shall be the chair of the Finance/Outreach & Planning Committee.

Staff shall develop committee agendas with the Governing Board chair approving the final committee agendas. Committee agendas will be designated based on the following guidelines:

- 1) Review of ongoing initiatives in the realm of the Committee's responsibilities.
- 2) Consideration of new projects and programs in the realm of the Committee's responsibilities.

The following section outlines the responsibilities of each committee:

Finance/Outreach & Planning Committee

The Finance/Outreach & Planning Committee will provide leadership for the District's financial, outreach, and planning ~~and diversity~~ activities. The Committee will review all financial and administration activities of the District; ensure adequate internal controls exist to safeguard the assets of the District; assist District management in developing strategies to enhance the workforce ~~and vendor diversity~~ of the District; and provide leadership for the District's strategic and long-range planning activities, community and legislative affairs initiatives and communication programs. The Committee also acts as the District's Audit Committee unless the Governing Board Chair appoints an Ad Hoc Audit Committee.

Specific Committee tasks related to Finance include accounting, administration and financial matters of the District; annual budget and millage levy rates; staffing levels; financial plans to address water resource development initiatives; oversight for the District's Office of Inspector General; and any and all other finance and administration related issues that require Committee review.

Specific Committee tasks related to Outreach & Planning include development and updating of the Strategic Plan or other plans; providing guidance and oversight of the District's standing Advisory Committees; the Agricultural and Green Industry; Environmental; Industrial, ~~Commercial & Institutional~~; and Public Supply committees; providing guidance for strategic communications and public messaging; and any and all other outreach and planning related issues that require Committee review.

~~Specific Committee tasks related to Diversity include promoting a diverse workforce and encouraging a diversity of qualified contractors, including woman-owned and minority-owned businesses, to participate in the District's procurement process without discrimination.~~

Operations, Lands & Resource Monitoring Committee

The Operations, Lands & Resource Monitoring Committee will provide leadership for the District's operations, land resource management and real estate development activities, and monitoring of water resources and conditions, thereby ensuring appropriate resource management.

GOVERNING BOARD POLICY

Title: Governing Board Committee Responsibilities

Effective Date: MM/DD/YYYY

Page 3 of 5

Specific Committee tasks related to Operations include operation and maintenance of the District's water control structures, including the [asset management](#)~~Structures—Capital Improvement~~Plan.

Specific Committee tasks related to Lands include development of the Florida Forever Work Plan; consideration of lands identified for acquisition or surplus; strategies for land management and public use; contracts, leases, and maintenance agreements relating to land ownership and land use; and land use and management plans.

Specific Committee tasks related to Resource Monitoring include the District's hydrologic and geohydrologic conditions; water quality monitoring; Mapping and Geographic Information System programs; and projects and data collection/analysis efforts to support regulatory and rulemaking activities and water resource projects.

Regulation Committee

The Regulation Committee will provide leadership for the District's regulatory and enforcement programs, thereby ensuring appropriate resource management. The Committee will review the District's permitting rules, procedures and support needs relating to various categories of water use, well construction, environmental resource and other regulatory programs, permit fees, and areas determined to be of special hydrologic concern.

Specific Committee tasks related to Regulation include monitoring, reviewing and refining permitting procedures and practices as well as enforcement procedures and practices in compliance with Chapters 40D and 62, F.A.C., and Chapter 373, Florida Statutes; reviewing and updating the permit fee structure and penalty matrices and recommending actions pertaining to Water Shortage Orders.

Resource Management Committee

The Resource Management Committee will provide leadership for the District's water resource management and development activities, thereby ensuring appropriate resource management.

Specific Committee tasks related to Resource Management include reviewing District initiatives and programs, including Water Use Caution Areas, the Surface Water Improvement and Management (SWIM) Program, Springs initiatives, Minimum Flows and Levels, the Facilitating Agricultural Resource Management Systems Program, the Watershed Management Program and the Cooperative Funding Initiative; and development of the District's Regional Water Supply Plan and SWIM plans.

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GOVERNING BOARD POLICY

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Page 4 of 5

REVIEW PERIOD

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DRAFT

GOVERNING BOARD POLICY

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Page 5 of 5

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Span of Control	Governing Board
Supersedes Date	07/28/2020 09/30/2014
Effective Date	MM/DD/YYYY

APPROVAL

Paul J. Bispham~~Mark Taylor~~
Chair

Date

FINANCE/OUTREACH & PLANNING COMMITTEE

June 23, 2026

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of May 2026.

Background

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are presented to the Finance/Outreach & Planning Committee of the Governing Board as a Submit and File Report at the next regular scheduled meeting. The exhibit for this item reflects all such transfers executed during the month of May 2026.

Exhibit

Budget Transfer Report

Staff Recommendation:

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

Presenter:

Melisa J. Lowe, Bureau Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
May 2026

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		Reason for Transfer	Transfer Amount
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category			
Change from Original Budget Intent					
1	Data Collection Cooperative Program - USGS	Data Collection Consultant Services	Transfer of funds originally budgeted for continuous water quality data collection and reporting with the U.S. Geological Survey (USGS). Funds are no longer required due to a reduction in services from the USGS, resulting in savings from data collection for 21 sites being performed in-house. The funds are required for a third-party National Environmental Laboratory Accreditation Conference (NELAC) audit. This biennial NELAC assessment is required for the District Laboratory to maintain its certification under the Florida Department of Health's Bureau of Laboratories.	\$	3,820.00
2	Data Collection Salaries	Operations Overtime	Transfer of funds originally budgeted for salaries in the Survey section. Funds are no longer required due to unanticipated vacancies within the section. The funds are required for additional overtime for the Field Operations section to address deferred maintenance on District lands and increase in-house performance of work originally planned to be contracted. Examples include completing repairs to the Green Swamp East 13-mile main grade road which was impacted by Hurricane Milton and additional fire line discing to mitigate spread of wildfires during the high-risk season.		75,000.00
3	Engineering and Project Management Other Contractual Services	Engineering and Project Management Security Services	Transfer of funds originally budgeted for services to monitor and maintain chemical stability during aquifer recharge testing at Flatford. Funds are no longer required due to the cease of operational testing in anticipation of the transition of responsibility to the Peace River Manasota Regional Water Supply Authority. The funds are required for after-hours security services at the Wysong structure to protect assets from theft and vandalism during construction activities.		5,725.00
4	Land Resources Parts and Supplies	Operations Rental of Other Equipment	Transfer of funds originally budgeted for parts and supplies for land management activities. Expenditures will be less than anticipated for the acquisition of aerial ignition spheres since aerial burns were not conducted this year due to the extended drought. The funds are required for the rental of an excavator to conduct site preparations for a tree planting project on the Cypress Creek Preserve. Beginning site preparations in the current fiscal year ensures the project is completed ahead of the next winter season.		9,000.00
5	General Services Capital Field Equipment Fund	General Services Capital Field Equipment Fund	Transfer of funds originally budgeted for the Capital Field Equipment Fund (CFEF) for the acquisition of assets as outlined within the adopted budget. Funds are still required for the acquisition of equipment through the CFEF. The planned acquisition of two utility task vehicles for the Vegetation Management and Field Operations sections was approved with the FY2026 budget for \$44,000. After competitive bidding, the cost came in at \$48,243, an additional \$2,121.50 per unit. This transfer utilizes CFEF fund balance to cover the additional cost.		4,243.00

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
May 2026

Item No.	--- TRANSFERRED FROM ---	--- TRANSFERRED TO ---	Reason for Transfer	Transfer Amount
	Bureau / Expenditure Category	Bureau / Expenditure Category		
6	General Services Capital Field Equipment Fund	General Services Capital Field Equipment Fund	Transfer of funds originally budgeted for the CFEF for the acquisition of assets as outlined within the adopted budget. Funds are still required for the acquisition of equipment through the CFEF. The planned acquisition of a skid-steer for the Field Operations section was approved with the FY2026 budget for \$95,000. After competitive bidding, the cost came in at \$112,909, an additional \$17,909. This transfer utilizes CFEF fund balance to cover the additional cost.	17,909.00
Total Change from Original Budget Intent				\$ 115,697.00
Total Amount Transferred				\$ 115,697.00

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director, or designee, or the Finance Bureau Chief consistent with Budget Authority Transfer of Funds Board Policy, and are presented to the Governing Board as a Submit and File Report. This Board Policy limits transfers made for a purpose other than the original budget intent to \$75,000. However, transfers made for accounting reallocation purposes consistent with original budget intent are not limited.

Governing Board Meeting
June 23, 2026

4. OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE

4.1	Discussion: Consent Item(s) Moved to Discussion	238
4.2	Discussion: Information Item: 2026 Hurricane Season Preparedness.....	239

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE

June 23, 2026

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE

June 23, 2026

Discussion: Information Item: 2026 Hurricane Season Preparedness

Purpose

Provide an overview of the District's emergency preparedness for the 2026 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 are achieved through the State Emergency Operations Center. The District is a party to the Statewide Mutual Aid Agreement. This agreement provides reciprocal emergency aid and assistance during an emergency.

The District has a 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.

Strategic Plan

This item supports the District's Flood Protection Initiative, Emergency Flood Response.

Exhibits

None.

Staff Recommendation:

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

Presenter:

Tim Fallon, Security & Emergency Planning Coordinator, General Services Bureau

Governing Board Meeting

June 23, 2026

5. REGULATION COMMITTEE

5.1	Discussion: Consent Item(s) Moved to Discussion	240
5.2	Discussion: Information Item: Hydrologic Conditions Report	241
5.3	Discussion: Action Item: Extend Modified Phase III Water Shortage Order SWF 25-015	242

REGULATION COMMITTEE

June 23, 2026

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

REGULATION COMMITTEE

June 23, 2026

Discussion: Information Item: Hydrologic Conditions Report

- May marks the last month of the eight-month dry season (October through May). Rainfall was better-than-expected, scattered, regionally variable, and associated with seasonally transitional weather systems and an “early” summertime rainy pattern.
- **Rainfall:** Provisional (May 1-31) rainfall totals were above normal in the northern and central counties, while within the normal range in the southern counties. The Districtwide 12-month cumulative rainfall deficit ended the month at 11.38 inches below the long-term historical average.
- **Streamflow:** Regional streamflow increased at 10 of 12 monitoring stations, while decreasing at two stations, compared to last month. Seven stations reported normal flow, while four reported below-normal flow and one reported much-below-normal flow. Regional streamflow, based on three index rivers, was below normal in the northern counties, in the normal range in the central counties, and much below normal in the southern counties.
- **Groundwater:** Regional aquifer-level percentiles increased in all three regions of the District, compared to last month. Regional aquifer-level percentiles ended the month within the normal range in all three regions.
- **Lake Levels:** Regional lake levels declined in all four lake regions, compared to last month. Average lake levels ended the month below normal in the Northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions.
- **Overall:** Although rainfall for May was better-than-expected, regional hydrologic indicator responses were mixed (i.e., some increases and some decreases) due to the spatial variability of the rainfall and areas of lingering dry conditions. The National Oceanic and Atmospheric Administration (NOAA) predicts equal chances for normal or above/below-normal rainfall from June through August. Consistent above average rainfall will be needed to improve overall hydrologic conditions. The risk of wildfire declined and is categorized as “low” Districtwide.

Strategic Plan

This item supports the District's Water Resources Planning and Monitoring Core Business Process.

Exhibits

None.

Staff Recommendation:

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

Presenter:

Tamera McBride, Hydrologic Data Manager, Data Collection Bureau

REGULATION COMMITTEE**June 23, 2026****Discussion: Action Item: Extend Modified Phase III Water Shortage Order SWF 25-015**

On November 18, 2025, the Governing Board issued Water Shortage Order No. SWF 25-015, declaring a Phase I water shortage for the portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter Counties located within the District. On January 27, 2026, the Governing Board issued a modification to Water Shortage Order No. SWF 25-015 declaring a modified Phase II water shortage. On March 24, 2026, the Governing Board issued a second modification to Water Shortage Order No. SWF 25-015 declaring a modified Phase III water shortage for the areas listed above.

Since the issuance of the modified Phase III Water Shortage Order No. SWF 25-015, the District has continued to monitor conditions according to the Plan.

As of June 1, 2026, within the District's northern counties one Drought Indicator was classified as Extremely Abnormal, one Drought Indicator was classified as Severely Abnormal, and one Drought Indicators was classified as Moderately Abnormal. Within the District's central counties one Drought Indicator was classified as Severely Abnormal. Within the District's southern counties one Drought Indicator was classified as Extremely Abnormal, one was classified as Severely Abnormal, and one Drought Indicators was classified as Moderately Abnormal.

As a result of the conditions described above and the decline of regional water supplies, staff recommendation is to maintain modified Phase III restrictions and extend the expiration date of the Water Shortage Order through October 1, 2026, unless extended, modified, or rescinded by the Executive Director or Governing Board prior to that date.

Benefits

Helps ensure continued availability of water supply for reasonable beneficial uses during dry conditions.

Strategic Plan

A Water Shortage Order supports the District's core mission of ensuring water supply and protecting natural systems.

Exhibit

Draft copy of Third Modification to Water Shortage Order

Staff Recommendation:

- Approve the Third Modification to Water Shortage Order No. SWF 25-015.
- Authorize the Executive Director to enter an order rescinding Water Shortage Order No. SWF 25-015 prior to October 1, 2026, if necessary.

Presenter:

April D. Breton, Bureau Chief, Water Use Permit Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

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

THIRD MODIFICATION TO WATER SHORTAGE ORDER NO. SWF 25-015

During a public hearing held at its regularly scheduled meeting on June 23, 2026, at the Southwest Florida Water Management District's (District) Office in Brooksville, Florida, the District's Governing Board received data and recommendations from District staff and provided an opportunity for public comment regarding hydrologic conditions and other pertinent facts regarding a developing water shortage within a portion of the District. Based upon testimony, data, staff recommendations, and public comment, the Governing Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On November 18, 2025, the Governing Board issued Water Shortage Order No. SWF 25-015, declaring a Phase I water shortage for the portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter Counties located within the District. The Water Shortage Order was set to expire on July 1, 2026.
2. On January 27, 2026, the Governing Board issued the First Modification to Water Shortage Order No. SWF 25-015, declaring a Modified Phase II water shortage for the same geographical area. The First Modification to Water Shortage Order No. SWF 25-015 maintained the original July 1, 2026, expiration date unless extended, modified, or rescinded by the Governing Board prior to that date.
3. On March 24, 2026, the Governing Board issued the Second Modification to Water Shortage Order No. 25-015, declaring a Modified Phase III water shortage for the same geographic area. The Second Modification to Water Shortage Order No. SWF 25-015 also maintained the original July 1, 2026, expiration date. A copy of the Second Modification to Water Shortage Order No. 25-015 is attached hereto as Exhibit "1."
4. The District's Water Shortage Plan (Plan), adopted as Chapter 40D-21, Florida Administrative Code (F.A.C.), specifies that the District will collect water resource data and water demand data to evaluate Drought Indicators, current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status.

5. Since the issuance of the Second Modification to Water Shortage Order No. SWF 25-015, the District has continued to monitor conditions in accordance with the Plan. The factors the District uses to evaluate hydrologic conditions continue to show abnormal conditions across the District's entire jurisdiction.

6. As of June 1, 2026, within the District's northern counties, the 12-month moving sum for rainfall was at the 9th percentile (Extremely Abnormal), the 24-month moving sum for rainfall was at the 16th percentile (Severely Abnormal), and the 7-day average streamflow of the Withlacoochee River at Holder was at the 17th percentile (Moderately Abnormal).

7. As of June 1, 2026, within the District's central counties, the 12-month moving sum for rainfall was at the 12th percentile (Severely Abnormal).

8. As of June 1, 2026, within the District's southern counties, the 12-month moving sum for rainfall was at the 7th percentile (Extremely Abnormal), the 7-day average streamflow of the Peace River at Arcadia was at the 15th percentile (Severely Abnormal), and the 24-month moving sum for rainfall was at the 24th percentile (Moderately Abnormal).

9. As of June 1, 2026, Tampa Bay Water's C.W. Bill Young Regional Reservoir was at 3.38 billion gallons out of a maximum capacity of 15.5 billion gallons, and the Peace River Manasota Regional Water Supply Authority ("Authority") had a total of 3.26 billion gallons out of a maximum capacity of 6.625 billion gallons.

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

CONCLUSIONS OF LAW

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

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

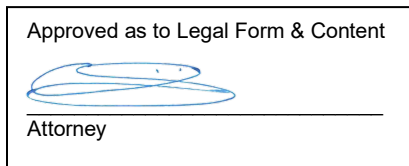
13. The Plan requires the District to assign a Water Shortage Phase based upon consideration of the following factors:

- a. Drought Indicators and Drought Condition Levels;
- b. Current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status;
- c. Seasonal characterizations of collected data;

- d. The relative impact of withdrawals used to supply various categories of water uses on the affected Source Class(es) and any specific water body for which the shortage is declared;
 - e. The availability and practicality of alternative sources for each category of water user;
 - f. To the degree practical, how the District can implement phased restrictions and other required actions in a manner that distributes the burden of the required actions equitably among water users, relative to their impact on the affected Source Class(es) and specific water bodies experiencing the Water Shortage;
 - g. The potential for serious harm to natural systems as a result of the drought or other Water Shortage;
 - h. The appropriate geographic scope of potential water use restrictions and other required actions, relative to the affected source;
 - i. The effectiveness of current and potential water use restrictions and other required actions in containing or reducing water use to protect the affected source; and
 - j. Any adverse impact of current and potential water use restrictions and other required actions on public health, safety and welfare.
14. Based upon consideration of all relevant information, a Modified Phase III Water Shortage exists throughout all counties within the jurisdiction of the District.
15. Based upon the foregoing, it is hereby **ORDERED**:
- a. SWF Order No. 25-015 is hereby modified as follows:
 - i. A modified Phase III “Extreme Water Shortage,” as defined in the Plan, is declared for Citrus, Desoto, Hardee, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota counties and the portions of Charlotte, Highlands, Lake, Levy, Marion, Polk and Sumter counties located within the District.
 - ii. The Phase III Water Shortage restrictions and other requirements provided in Rule 40D-21.641, F.A.C. shall go into effect on July 1, 2026, for all water uses in areas subject to District restrictions, superseding any less stringent provisions of Chapter 40D-22, F.A.C. and Chapter 40D-21, F.A.C. A copy of Rule 40D-21.641 is attached hereto as Exhibit “2.”
 - iii. The hour-based watering restrictions provided in Rule 40D-21.641(6)(c)9., F.A.C., limiting irrigation of “normal irrigation” to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m. are hereby modified for the duration of this Order to allow “normal irrigation” only between the hours of 12:00 a.m. and 4:00 a.m. or between 8:00 p.m. and 11:59 p.m. Properties less than one acre in size or with fewer than 11 irrigation zones shall use only one of the two available watering times.

- b. Water Shortage Order No. SWF 25-015, as amended herein, shall remain in effect through October 1, 2026, unless extended, modified, or rescinded by the Governing Board prior to that date.
- c. Except as modified herein, all other provisions of the District's Year-Round Water Conservation Measures provided in Chapter 40D-22, F.A.C., shall remain in full force and effect.
- d. Water shortage declarations and restrictions enacted prior to this Order by county and city officials affecting their local jurisdictions (Local Action) that are at least as restrictive as this Order are hereby ratified and are authorized to continue in effect according to their terms. In the event a Local Action is less restrictive than this Order, this Order shall supersede the Local Action, unless the county or city officials obtain a variance or waiver from this Order from the District.
- e. Pursuant to Section 373.609, F.S., and Rule 40D-21.421, F.A.C., county and city officials and all law enforcement authorities shall assist the Governing Board in the enforcement of the provisions of this Order.

DONE AND ORDERED in Hernando County, Florida, on this 23rd day of June, 2026.



SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Paul J. Bispham, Chair

(Seal)

Filed this _____ day of
_____, 2026.

Deputy Agency Clerk

NOTICE OF RIGHTS

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

A request for hearing must be filed with and received by the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

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

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

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

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

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

SECOND MODIFICATION TO WATER SHORTAGE ORDER NO. SWF 25-015

During a public hearing held at its regularly scheduled meeting on March 24, 2026, at the Southwest Florida Water Management District's (District) Tampa Service Office in Tampa, Florida, the District's Governing Board received data and recommendations from District staff and provided an opportunity for public comment regarding hydrologic conditions and other pertinent facts regarding a developing water shortage within a portion of the District. Based upon testimony, data, staff recommendations, and public comment, the Governing Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On November 18, 2025, the Governing Board issued Water Shortage Order No. SWF 25-015, declaring a Phase I water shortage for the portions of Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter Counties located within the District.
2. On January 27, 2026, the Governing Board issued the First Modification to Water Shortage Order No. 25-015, declaring a Modified Phase II water shortage for the same geographical area. A copy of the First Modification to Water Shortage Order No. 25-015 is attached hereto as Exhibit "1." The First Modification to Water Shortage Order No. 25-015 provides that it will remain in effect until July 1, 2026, unless extended, modified, or rescinded by the Governing Board prior to that date.
3. The District's Water Shortage Plan (Plan), adopted as Chapter 40D-21, Florida Administrative Code (F.A.C.), specifies that the District will collect water resource data and water demand data to evaluate Drought Indicators, current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status.
4. Since the issuance of the First Modification to Water Shortage Order No. SWF 25-015: the District has continued to monitor conditions in accordance with the Plan. The factors the District uses to evaluate hydrologic conditions continue to show abnormal conditions across the District's entire jurisdiction.

5. As of March 2, 2026, within the District's northern counties one Drought Indicator was classified as Critically Abnormal, one Drought Indicator was classified as Extremely Abnormal, and four Drought Indicators were classified as Severely Abnormal. Specifically, the 12-month moving sum for rainfall was at the 3rd percentile, the 8-week moving average streamflow of the Withlacoochee River at Holder was at the 10th percentile, the 24-month moving sum for rainfall was at the 14th percentile, the 7-day average streamflow of the Withlacoochee River at Holder was at the 17th percentile, the 7-day average streamflow of the Withlacoochee River at Trilby was at the 19th percentile, and the aquifer resource indicator for the District's northern counties was at the 18th percentile.

6. As of March 2, 2026, within the District's central counties one Drought Indicator was classified as Critically abnormal, and two Drought Indicators were classified as Extremely Abnormal. Specifically, the 12-month moving sum for rainfall was at the 5th percentile, the 8-week moving average streamflow of the Alafia River at Lithia was at the 8th percentile, and the 7-day average streamflow of the Alafia River at Lithia was at the 10th percentile.

7. As of March 2, 2026, within the District's southern counties one Drought Indicator was classified as Critically Abnormal, one Drought Indicator was classified as Extremely Abnormal, and three Drought Indicators were classified as Severely Abnormal. Specifically, the 12-month moving sum for rainfall was at the 2nd percentile, the 24-month moving sum for rainfall was at the 9th percentile, the 8-week moving average streamflow of the Peace River at Arcadia was at the 13th percentile, the 7-day average streamflow of the Peace River at Arcadia was at the 16th percentile, and the aquifer resource indicator for the District's southern counties was at the 14th percentile.

8. As of March 1, 2026, Tampa Bay Water's C.W. Bill Young Regional Reservoir was at 7.15 billion gallons out of a maximum capacity of 15.5 billion gallons. Also as of March 1, 2026, the Peace River Manasota Regional Water Supply Authority ("Authority") had a total of 11.1 billion gallons stored across two reservoirs and two Aquifer Storage and Recovery ("ASR") wellfields. The capacities of the Authority's two reservoirs together are 6.625 billion gallons, and the capacity of the ASR wellfields together is 10 billion gallons.

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

CONCLUSIONS OF LAW

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

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

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

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

13. Based upon consideration of all relevant information, a Modified Phase III Water Shortage exists throughout all counties within the jurisdiction of the District.

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

- a. SWF Order No. 2025-015 is hereby modified as follows:
 - i. A modified Phase III "Extreme Water Shortage," as defined in the Plan, is declared for Citrus, Desoto, Hardee, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota counties and the portions of Charlotte, Highlands, Lake, Levy, Marion, Polk and Sumter counties located within the District.
 - ii. The Phase III Water Shortage restrictions and other requirements provided in Rule 40D-21.641, F.A.C. shall go into effect on April 3, 2026, for all water uses in areas subject to District restrictions, superseding

any less stringent provisions of Chapter 40D-22, F.A.C. and Chapter 40D-21, F.A.C. A copy of Rule 40D-21.641 is attached hereto as Exhibit "2."

- iii. The hour-based watering restrictions provided in Rule 40D-21.641(6)(c)9., F.A.C., limiting irrigation of "normal irrigation" to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m. are hereby modified for the duration of this Order to allow "normal irrigation" only between the hours of 12:00 a.m. and 4:00 a.m. or between 8:00 p.m. and 11:59 p.m. Properties less than one acre in size or with fewer than 11 irrigation zones shall use only one of the two available watering times.
- b. Water Shortage Order No. SWF 25-015, as amended herein, shall remain in effect through July 1, 2026, unless extended, modified, or rescinded by the Governing Board prior to that date.
- c. Except as modified herein, all other provisions of the District's Year-Round Water Conservation Measures provided in Chapter 40D-22, F.A.C., shall remain in full force and effect.
- d. Water shortage declarations and restrictions enacted prior to this Order by county and city officials affecting their local jurisdictions (Local Action) that are at least as restrictive as this Order are hereby ratified and are authorized to continue in effect according to their terms. In the event a Local Action is less restrictive than this Order, this Order shall supersede the Local Action, unless the county or city officials obtain a variance or waiver from this Order from the District.
- e. Pursuant to Section 373.609, F.S., and Rule 40D-21.421, F.A.C., county and city officials and all law enforcement authorities shall assist the Governing Board in the enforcement of the provisions of this Order.

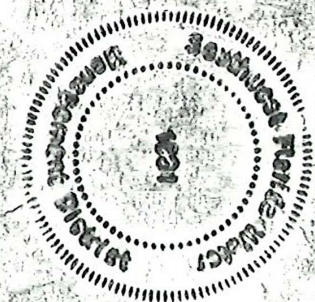
DONE AND ORDERED in Hillsborough County, Florida, on this 24th day of March, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____

John Mitten, Chair

(Seal)



Approved as to Legal Form & Content

Attorney

Filed this 24th day of
March, 2026.


Deputy Agency Clerk

NOTICE OF RIGHTS

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

A request for hearing must be filed with and received by the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

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

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

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

Governing Board Meeting
June 23, 2026

6. RESOURCE MANAGEMENT COMMITTEE

6.1	Discussion: Consent Item(s) Moved to Discussion	254
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RESOURCE MANAGEMENT COMMITTEE

June 23, 2026

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

Governing Board Meeting

June 23, 2026

7. GENERAL COUNSEL'S REPORT

7.1	Discussion: Consent Item(s) Moved to Discussion	255
7.2	Discussion: Action Item: Consideration of Orders Denying Petitions to Initiate Rulemaking – Aja Moore, Vaughn E. Hoehn, and Lisa Hoehn – Rules 40D-2 and 40D-21, Florida Administrative Code (Hernando County)	256
7.3	Discussion: Action Item: Affirm Governing Board Committee Actions	290

GENERAL COUNSEL'S REPORT

June 23, 2026

Discussion: Consent Item(s) Moved to Discussion

Presenter:

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

GENERAL COUNSEL'S REPORT

June 23, 2026

Discussion: Action Item: Consideration of Orders Denying Petitions to Initiate Rulemaking – Aja Moore, Vaughn E. Hoehn, and Lisa Hoehn – Rules 40D-2 and 40D-21, Florida Administrative Code (Hernando County)

On May 19, 2026, the District received a Petition to Initiate Rulemaking from Aja Moore, a Hernando County resident. Subsequently, on May 27, 2026, the District received two Petitions to Initiate Rulemaking from Vaughn E. Hoehn and Lisa Hoehn, also Hernando County residents (collectively referred to as “the Petitions”). The Petitions are near-identical and request the District’s Governing Board to initiate rulemaking to adopt or amend rules in Chapters 40D-2 and 40D-21, Florida Administrative Code (“F.A.C.”). The Petitions each contain the same 3 proposed rule changes: 1) to amend relevant sections of Rule 40D-2 to prohibit the issuance of new Water Use Permits (“WUPs”) from groundwater sources during droughts/water shortage conditions; 2) to amend rules to authorize the District to impose temporary reductions to existing WUPs during declared water shortages or drought conditions; and, 3) to amend rules to require that all WUP applications and renewals include additional criteria for review concerning drought resilience and impacts on aquifers during 1-in-10 year drought conditions.

Pursuant to Section 120.54(7), Florida Statutes (“F.S”), within 30 days of receiving a Petition to Initiate Rulemaking, the District shall either initiate rulemaking proceedings under Chapter 120.54, F.S., otherwise comply with the requested action, or deny the Petition(s) with a written statement of its reasons for the denial. In this case, District staff proposes a written statement denying the Petitions. The impact of drought conditions on the issuance and regulation of WUPs, and the formulation of a plan to implement during periods of water shortage, are well within the District’s statutory concern, and have been for many years. The District has implemented and can utilize permit conditions, water shortage orders, emergency orders, emergency rules, rule enforcement, permit modifications, and other tools as needed to adequately address the impacts of WUPs during periods of water shortage. Because the Petitions propose new or amended rules representing a policy choice in the area of the District’s statutory concern, namely the issuance and regulation of WUPs and planning for periods of water shortage, the District maintains wide discretion in denying the Petitions.

District staff from the Office of General Counsel have reviewed the Petitions and drafted a proposed Order of Denial that explains the reasons for denial in detail. In brief, the District’s current rules in 40D-2 and 40D-21, along with the Applicant’s Handbooks Volumes 1 and 2, contain sufficient protections of groundwater resources when reviewing applications for WUPs during periods of drought and declared water shortages. These rules also allow the District to apply general and specific conditions to individual WUPs to address potential concerns related to drought and water shortage periods. The proposed rules contained in the Petitions are duplicative and overly broad.

And finally, any new rules, or amendments to the current rules, as the Petitions broadly seek, would require the District to create a Statement of Estimated Regulatory Costs (“SERC”), pursuant to Section 120.541, F.S. If the SERC finds any adverse impacts, as defined in Section 120.541, any proposed rule will need to be submitted by the District to the Legislature to be ratified. The District’s current regulatory capabilities represent a less costly option than pursuing the proposed rules.

Strategic Plan

The District is required by statute to respond to Petitions to Initiate Rulemaking. This order will align with the District's Core Business Processes, ensure consistency in the regulation of WUPs, and protect the permitting scheme for applicants and permittees of WUPs.

Exhibits

Exhibit 1 – Petition to Initiate Rulemaking from Aja Moore, received May 19, 2026 and Petition to Initiate Rulemaking from Vaughn E. Hoehn, and Lisa Hoehn, both received May 27, 2026

Exhibit 2 – Order of Denial of Petitions to Initiate Rulemaking and Written Statement

Staff Recommendation:

Approve the Orders Denying Petitions to Initiate Rulemaking.

Presenter:

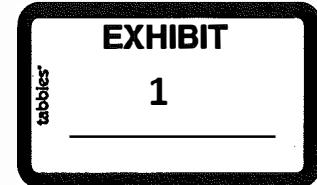
Andrew Thornquest, Assistant General Counsel, Office of General Counsel

PETITION TO INITIATE RULEMAKING
Pursuant to Section 120.54(7), Florida Statutes



Petitioner:

Aja Moore
3343 Black Oak Trail
Brooksville, FL 34604
Hernando County
352-247-9314 Aja.marie24@gmail.com



Agency:

Agency Clerk
7601 U.S. Highway 301 North
Tampa, FL 33637-6759
and
Southwest Florida Water Management District (SWFWMD)
2379 Broad Street, Brooksville, FL 34604-6899

Date: May 18, 2026

Re: Petition to Amend Rules in Chapter 40D, Florida Administrative Code, to Incorporate Drought Protections for Water Use Permitting and Aquifer Withdrawals

Dear SWFWMD Governing Board and Executive Director: Pursuant to Section 120.54(7), Florida Statutes, I, Aja Moore, a resident of Hernando County with a substantial interest in the protection and sustainable management of the Floridan Aquifer and regional water resources, hereby petition the Southwest Florida Water Management District to initiate rulemaking to adopt or amend rules in Chapter 40D, F.A.C. (particularly Chapters 40D-2 and 40D-21), as follows:

Proposed Rule Changes

1-Prohibition on New Water Use Permits (WUPs) During Drought/Water Shortage Conditions:

Amend relevant sections of Rule 40D-2 (Water Use Permits) to prohibit the issuance of new Water Use Permits for withdrawals from the Floridan Aquifer (or other groundwater sources) when the District has declared a Water Shortage (any phase) or when drought conditions exist as defined by District indicators, including but not limited to the Aquifer Resource Index (ARI), rainfall deficits, or Minimum Flows and Levels (MFLs) violations. This prohibition shall remain in effect until the District declares the water shortage

ended and aquifer levels have recovered to normal or above-normal conditions for a sustained period.

2-Temporary Modifications and Reductions to Existing Permits:

Amend rules to authorize the District to impose temporary conditions, reductions, or modifications on existing WUPs during declared Water Shortages or drought conditions. Such measures may include proportional reductions in allocated quantities (e.g., based on severity of shortage phase), prioritization of public supply and essential uses, enhanced conservation requirements, and mandatory reporting. These provisions shall ensure consistency with the District's authority under Chapter 373, Florida Statutes, to protect the public interest and prevent harm to the resource.

3-Additional Criteria for Review:

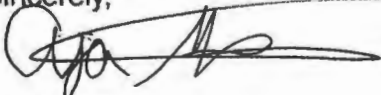
Require that all WUP applications and renewals include an evaluation of drought resilience, alternative sources (e.g., reclaimed water), and impacts on aquifer sustainability under 1-in-10 year drought conditions. Incorporate stronger linkages between permitting decisions and real-time hydrologic data.

Reasons for the Proposed Rule Changes

- Hernando County and the broader SWFWMD region are currently under a Modified Phase III "Extreme" Water Shortage (declared March 2026) due to significant rainfall deficits and declining aquifer levels.
- Current rules allow new permits to be issued and do not automatically impose sufficient limits on existing withdrawals during prolonged droughts. This can exacerbate aquifer stress, harm springs, wetlands, lakes, and existing legal users, and undermine long-term sustainability.
- These changes would better implement the District's statutory mandates to ensure reasonable-beneficial use, prevent interference with existing uses, and protect the public interest (Chapter 373, F.S.).
- Similar drought-adaptive permitting mechanisms exist or have been proposed in other water management districts and would promote equity and conservation.

I am available to provide additional supporting data, participate in workshops, or discuss this petition. I request that the District initiate rulemaking proceedings within the 30-day statutory timeframe or provide a written denial with reasons. Thank you for your attention to this critical matter affecting all residents and businesses in Hernando County and the District.

Sincerely,



Aja Moore

Resident, Hernando County, Florida

*This is a copy. Original mailed to Tampa Agency clerk 5/19/26. 

**PETITION TO INITIATE RULEMAKING
Pursuant to Section 120.54(7), Florida
Statutes**

Petitioner:

Vaughn E Hoehn
12054 Eldorado Ave.
Brooksville, FL 34613
Hernando County, Florida
vlhoehn@outlook.com | 208-627-2198

Agency: Southwest Florida Water
Management District (SWFWMD)
2379 Broad Street, Brooksville, FL
34604-6899

Date: May 19, 2026

**Re: Petition to Amend Rules in Chapter
40D, Florida Administrative Code, to
Incorporate Drought Protections for
Water Use Permitting and Aquifer
Withdrawals**

RECEIVED
MAY 27 2026
OFFICE OF
GENERAL COUNSEL

Dear SWFWMD Governing Board and Executive Director: Pursuant to Section 120.54(7), Florida Statutes, I, **Vaughn E Hoehn**, a resident of Hernando County with a substantial interest in the protection and sustainable management of the Floridan Aquifer and regional water resources, hereby petition the Southwest Florida Water Management District to initiate rulemaking to adopt or amend rules in Chapter 40D, F.A.C. (particularly Chapters 40D-2 and 40D-21), as follows:

Proposed Rule Changes

1-Prohibition on New Water Use Permits (WUPs) During Drought/Water Shortage Conditions:

Amend relevant sections of Rule 40D-2 (Water Use Permits) to prohibit the issuance of new Water Use Permits for withdrawals from the Floridan Aquifer (or other groundwater sources) when the

District has declared a Water Shortage (any phase) or when drought conditions exist as defined by District indicators, including but not limited to the Aquifer Resource Index (ARI), rainfall deficits, or Minimum Flows and Levels (MFLs) violations. This prohibition shall remain in effect until the District declares the water shortage ended and aquifer levels have recovered to normal or above-normal conditions for a sustained period.

2-Temporary Modifications and Reductions to Existing Permits:

Amend rules to authorize the District to impose temporary conditions, reductions, or modifications on existing WUPs during declared Water Shortages or drought conditions. Such measures may include proportional reductions in allocated quantities (e.g., based on severity of shortage phase), prioritization of public supply and essential uses, enhanced conservation requirements, and mandatory

reporting. These provisions shall ensure consistency with the District's authority under Chapter 373, Florida Statutes, to protect the public interest and prevent harm to the resource.

3-Additional Criteria for Review:

Require that all WUP applications and renewals include an evaluation of drought resilience, alternative sources (e.g., reclaimed water), and impacts on aquifer sustainability under 1-in-10 year drought conditions. Incorporate stronger linkages between permitting decisions and real-time hydrologic data.

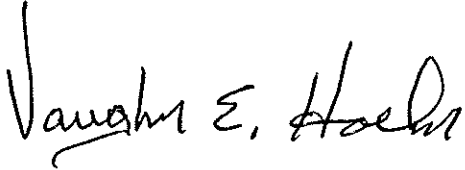
Reasons for the Proposed Rule Changes

- Hernando County and the broader SWFWMD region are currently under a Modified Phase III "Extreme" Water Shortage (declared March 2026) due to significant rainfall deficits and declining aquifer levels.

- Current rules allow new permits to be issued and do not automatically impose sufficient limits on existing withdrawals during prolonged droughts. This can exacerbate aquifer stress, harm springs, wetlands, lakes, and existing legal users, and undermine long-term sustainability.
- These changes would better implement the District's statutory mandates to ensure reasonable-beneficial use, prevent interference with existing uses, and protect the public interest (Chapter 373, F.S.).
- Similar drought-adaptive permitting mechanisms exist or have been proposed in other water management districts and would promote equity and conservation.

I am available to provide additional supporting data, participate in workshops, or discuss this petition. I request that the

District initiate rulemaking proceedings within the 30-day statutory timeframe or provide a written denial with reasons. Thank you for your attention to this critical matter affecting all residents and businesses in Hernando County and the District.

Sincerely, 

Resident, Hernando County, Florida

PETITION TO INITIATE RULEMAKING

Pursuant to Section 120.54(7), Florida Statutes

Petitioner:

Lisa Hoehn

12054 Eldorado Ave.

Brooksville, FL 34613

Hernando County, Florida

vlhoehn@gmail.com | 208-920-3949

Agency: Southwest Florida Water
Management District (SWFWMD)
2379 Broad Street, Brooksville, FL
34604-6899

Date: May 19, 2026

**Re: Petition to Amend Rules in Chapter
40D, Florida Administrative Code, to
Incorporate Drought Protections for
Water Use Permitting and Aquifer
Withdrawals**

RECEIVED
MAY 27 2026
OFFICE OF
GENERAL COUNSEL

266

Dear SWFWMD Governing Board and Executive Director: Pursuant to Section 120.54(7), Florida Statutes, I, **Lisa Hoehn**, a resident of Hernando County with a substantial interest in the protection and sustainable management of the Floridan Aquifer and regional water resources, hereby petition the Southwest Florida Water Management District to initiate rulemaking to adopt or amend rules in Chapter 40D, F.A.C. (particularly Chapters 40D-2 and 40D-21), as follows:

Proposed Rule Changes

1-Prohibition on New Water Use Permits (WUPs) During Drought/Water Shortage Conditions:

Amend relevant sections of Rule 40D-2 (Water Use Permits) to prohibit the issuance of new Water Use Permits for withdrawals from the Floridan Aquifer (or other groundwater sources) when the

District has declared a Water Shortage (any phase) or when drought conditions exist as defined by District indicators, including but not limited to the Aquifer Resource Index (ARI), rainfall deficits, or Minimum Flows and Levels (MFLs) violations. This prohibition shall remain in effect until the District declares the water shortage ended and aquifer levels have recovered to normal or above-normal conditions for a sustained period.

2-Temporary Modifications and Reductions to Existing Permits:

Amend rules to authorize the District to impose temporary conditions, reductions, or modifications on existing WUPs during declared Water Shortages or drought conditions. Such measures may include proportional reductions in allocated quantities (e.g., based on severity of shortage phase), prioritization of public supply and essential uses, enhanced conservation requirements, and mandatory

reporting. These provisions shall ensure consistency with the District's authority under Chapter 373, Florida Statutes, to protect the public interest and prevent harm to the resource.

3-Additional Criteria for Review:

Require that all WUP applications and renewals include an evaluation of drought resilience, alternative sources (e.g., reclaimed water), and impacts on aquifer sustainability under 1-in-10 year drought conditions. Incorporate stronger linkages between permitting decisions and real-time hydrologic data.

Reasons for the Proposed Rule Changes

- Hernando County and the broader SWFWMD region are currently under a Modified Phase III "Extreme" Water Shortage (declared March 2026) due to significant rainfall deficits and declining aquifer levels.

- Current rules allow new permits to be issued and do not automatically impose sufficient limits on existing withdrawals during prolonged droughts. This can exacerbate aquifer stress, harm springs, wetlands, lakes, and existing legal users, and undermine long-term sustainability.
- These changes would better implement the District's statutory mandates to ensure reasonable-beneficial use, prevent interference with existing uses, and protect the public interest (Chapter 373, F.S.).
- Similar drought-adaptive permitting mechanisms exist or have been proposed in other water management districts and would promote equity and conservation.

I am available to provide additional supporting data, participate in workshops, or discuss this petition. I request that the

District initiate rulemaking proceedings within the 30-day statutory timeframe or provide a written denial with reasons. Thank you for your attention to this critical matter affecting all residents and businesses in Hernando County and the District.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, cursive 'A' or similar character, enclosed within a horizontal oval shape.

Resident, Hernando County, Florida

**BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ORDER NO. SWF _____**

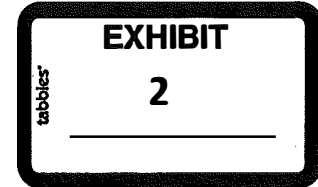
AJA MOORE,

Petitioner,

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Respondent.

_____/



ORDER OF DENIAL OF PETITION TO INITIATE RULEMAKING

THIS MATTER came before the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("District") upon a petition to initiate rulemaking ("Petition") submitted by Aja Moore ("Petitioner"). The Petition requests that the District make three proposed rule changes or amendments to Chapters 40D-2 and 40D-21, Florida Administrative Code ("F.A.C."), in particular. The District hereby finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On May 19, 2026, the District received the Petition requesting the District's Governing Board and Executive Director to amend rules in Chapter 40D, F.A.C., to incorporate drought protections for Water Use Permitting ("WUP") and aquifer withdrawals pursuant to Section 120.54(7), Florida Statutes ("F.S."). The Petition is attached hereto as **Exhibit A**.

2. Petitioner is a resident of Hernando County. Petitioner alleges that she has a substantial interest in the protection and sustainable management of the Floridian Aquifer and regional water resources.

3. Petitioner proposes three rule changes to the District's rules: 1) to amend relevant sections of Rule 40D-2 to prohibit the issuance of new Water Use Permits ("WUPs") from groundwater sources during droughts/water shortage conditions; 2) to amend rules to authorize the District to impose temporary reductions to existing WUPs during declared water shortages or drought conditions; and, 3) to amend rules to require that all WUP applications and renewals include additional criteria for review concerning drought resilience and impacts on aquifers during 1-in-10 year drought conditions.

4. Petitioner alleges, in part, that the District's rules allow new WUPs to be issued, and do not automatically impose sufficient limits on existing WUPs, during periods of prolonged drought. Petitioner contends that this will stress the aquifer, harm springs, wetlands, lakes, existing legal users, and undermine long-term sustainability.

5. The Petition alleges these proposed rule changes would better implement the District's statutory mandates to ensure reasonable-beneficial use, prevent interference with existing uses, and protect the public interest.

6. The Petition does not specify a particular rule to be amended, but rather broadly identifies adding or amending rules in Chapters 40D-2 and 40D-21, F.A.C. The Petition is not directed to, nor alleges the existence of an unadopted rule.

7. The District has reviewed the Petition. The impact of drought conditions on the issuance and regulation of WUPs and the formulation of a plan to implement during

periods of water shortage are well within the District's statutory concern, and have been for many years.

8. The District's regulatory authority in Chapter 373, F.S., and Chapters 62-41 and 40D, F.A.C. , currently implements and utilizes permit conditions, water shortage orders, emergency orders, emergency rules, rule enforcement, permit modifications, and other tools as needed to rationally, adequately, and effectively address the impacts of WUPs during periods of water shortage.

CONCLUSIONS OF LAW

9. Section 120.54(7)(a), F.S., provides that no later than 30 calendar days following the date of filing a petition, the agency shall initiate rulemaking proceedings under this chapter, otherwise comply with the requested action, or deny the petition with a written statement of its reasons for the denial. Petitioner voluntarily waived the 30-day response period in order to receive the District's response at a previously scheduled public Governing Board Meeting.

10. Courts have consistently found limited authority to review an agency's decision to reject a proposed rule or amendment to a rule, and held they have no authority to compel agency adoption of a rule representing a policy choice in the area of the agency's statutory concern. *Roy v. Florida Dept. of Corr.*, 600 So. 2d 544, 545 (Fla. 2d DCA 1992) (quoting *Florida Ed. Ass'n/United v. Pub. Emp. Relations Comm'n*, 346 So. 2d 551, 553 (Fla. 1st DCA 1977)).

11. The Florida Supreme Court has held that the agency rulemaking function involves the exercise of agency discretion and it will not substitute its judgment for that of the agency on an issue of discretion. *Citizens of Florida v. Mayo*, 357 So. 2d 731, 733

(Fla. 1978). The Petition does not cite to any statutory authority that the proposed changes are mandated; therefore, this must be an issue of discretion for the District (acting as a state agency). See, *Bayonet Point Hosp., Inc. v. Dep't of Health & Rehab. Services*, 490 So. 2d 1318, 1320 (Fla. 1st DCA 1986).

12. Further, Section 120.541, F.S., mandates that any new rules or amendments to current rules require the District to create a Statement of Estimated Regulatory Costs ("SERC"). If a potential SERC finds any adverse impacts to individuals or entities that exceed the criteria delineated in Section 120.541, any proposed rule will need to be submitted by the District to the Legislature to be ratified. See, §120.541(3), F.S. The District's current effective regulatory authority represents a lower-cost regulatory alternative to the proposed rule, as found in the Petition.

STATEMENT OF THE ORDER

Based upon the above statement of reasons, the Petition to Initiate Rulemaking is hereby denied pursuant to Section 120.54(7)(a), F.S.

DONE AND ORDERED this ____ day of _____, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Jack Bispham,
Governing Board Chair

Filed this ____ day of
June, 2026.

Deputy Agency Clerk

Copy furnished to:

Aja Moore
3343 Black Oak Trail
Brooksville, FL 34604

NOTICE OF RIGHTS

This Denial of Petition to Initiate Rulemaking constitutes final agency action. A party whose substantial interests are adversely affected by this final agency action may request an administrative hearing by filing a written petition in accordance with Section 120.569 and 120.57, F.S., Uniform Rules of Procedure Chapter 28-106, F.A.C., and District Rule 40D1-1.1010, F.A.C., and to be represented by counsel or other qualified representative. Any request for a hearing must comply with the requirements set forth in Rules 28-106.104 and 28-106.201, Fla. Admin. Code. Mediation under Section 120.573, Fla. Stat., is not available. A request for a hearing must be filed with (received by) the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, no later than twenty-one (21) days after receipt of this notice. A request for a hearing is deemed filed upon receipt of the complete request by the Agency Clerk at the District's Service Office in Tampa, Florida. A request for a hearing received by the Agency Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. These requirements are set forth in Chapter 28-106, Fla. Admin. Code, and in the District's Statement of Agency Organization and Operation, which is available for viewing at www.swfwmd.state.fl.us/about/agency-statement-organization-and-operation. Failure to file a request for a hearing within the specified time period constitutes a waiver of the right to an administrative hearing.

**BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ORDER NO. SWF _____**

LISA HOEHN,

Petitioner,

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Respondent.

_____/

ORDER OF DENIAL OF PETITION TO INITIATE RULEMAKING

THIS MATTER came before the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (“District”) upon a petition to initiate rulemaking (“Petition”) submitted by Lisa Hoehn (“Petitioner”). The Petition requests that the District make three proposed rule changes or amendments to Chapters 40D-2 and 40D-21, Florida Administrative Code (“F.A.C.”), in particular. The District hereby finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On May 2 , 2026, the District received the Petition requesting the District’s Governing Board and Executive Director to amend rules in Chapter 40D, F.A.C., to incorporate drought protections for Water Use Permitting (“WUP”) and aquifer withdrawals pursuant to Section 120.54(7), Florida Statutes (“F.S.”). The Petition is attached hereto as **Exhibit A**.

2. Petitioner is a resident of Hernando County. Petitioner alleges that she has a substantial interest in the protection and sustainable management of the Floridian Aquifer and regional water resources.

3. Petitioner proposes three rule changes to the District's rules: 1) to amend relevant sections of Rule 40D-2 to prohibit the issuance of new Water Use Permits ("WUPs") from groundwater sources during droughts/water shortage conditions; 2) to amend rules to authorize the District to impose temporary reductions to existing WUPs during declared water shortages or drought conditions; and, 3) to amend rules to require that all WUP applications and renewals include additional criteria for review concerning drought resilience and impacts on aquifers during 1-in-10 year drought conditions.

4. Petitioner alleges, in part, that the District's rules allow new WUPs to be issued, and do not automatically impose sufficient limits on existing WUPs, during periods of prolonged drought. Petitioner contends that this will stress the aquifer, harm springs, wetlands, lakes, existing legal users, and undermine long-term sustainability.

5. The Petition alleges these proposed rule changes would better implement the District's statutory mandates to ensure reasonable-beneficial use, prevent interference with existing uses, and protect the public interest.

6. The Petition does not specify a particular rule to be amended, but rather broadly identifies adding or amending rules in Chapters 40D-2 and 40D-21, F.A.C. The Petition is not directed to, nor alleges the existence of an unadopted rule.

7. The District has reviewed the Petition. The impact of drought conditions on the issuance and regulation of WUPs and the formulation of a plan to implement during

periods of water shortage are well within the District's statutory concern, and have been for many years.

8. The District's regulatory authority in Chapter 373, F.S., and Chapters 62-41 and 40D, F.A.C. , currently implements and utilizes permit conditions, water shortage orders, emergency orders, emergency rules, rule enforcement, permit modifications, and other tools as needed to rationally, adequately, and effectively address the impacts of WUPs during periods of water shortage.

CONCLUSIONS OF LAW

9. Section 120.54(7)(a), F.S., provides that no later than 30 calendar days following the date of filing a petition, the agency shall initiate rulemaking proceedings under this chapter, otherwise comply with the requested action, or deny the petition with a written statement of its reasons for the denial.

10. Courts have consistently found limited authority to review an agency's decision to reject a proposed rule or amendment to a rule, and held they have no authority to compel agency adoption of a rule representing a policy choice in the area of the agency's statutory concern. *Roy v. Florida Dept. of Corr.*, 600 So. 2d 544, 545 (Fla. 2d DCA 1992) (quoting *Florida Ed. Ass'n/United v. Pub. Emp. Relations Comm'n*, 346 So. 2d 551, 553 (Fla. 1st DCA 1977)).

11. The Florida Supreme Court has held that the agency rulemaking function involves the exercise of agency discretion and it will not substitute its judgment for that of the agency on an issue of discretion. *Citizens of Florida v. Mayo*, 357 So. 2d 731, 733 (Fla. 1978). The Petition does not cite to any statutory authority that the proposed changes are mandated; therefore, this must be an issue of discretion for the District

(acting as a state agency). See, *Bayonet Point Hosp., Inc. v. Dep't of Health & Rehab. Services*, 490 So. 2d 1318, 1320 (Fla. 1st DCA 1986).

12. Further, Section 120.541, F.S., mandates that any new rules or amendments to current rules require the District to create a Statement of Estimated Regulatory Costs ("SERC"). If a potential SERC finds any adverse impacts to individuals or entities that exceed the criteria delineated in Section 120.541, any proposed rule will need to be submitted by the District to the Legislature to be ratified. See, §120.541(3), F.S. The District's current effective regulatory authority represents a lower-cost regulatory alternative to the proposed rule, as found in the Petition.

STATEMENT OF THE ORDER

Based upon the above statement of reasons, the Petition to Initiate Rulemaking is hereby denied pursuant to Section 120.54(7)(a), F.S.

DONE AND ORDERED this ____ day of _____, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Jack Bispham,
Governing Board Chair

Filed this ____ day of
June, 2026.

Deputy Agency Clerk

Copy furnished to:

Lisa Hoehn
12054 Eldorado Ave
Brooksville, FL 34613

NOTICE OF RIGHTS

This Denial of Petition to Initiate Rulemaking constitutes final agency action. A party whose substantial interests are adversely affected by this final agency action may request an administrative hearing by filing a written petition in accordance with Section 120.569 and 120.57, F.S., Uniform Rules of Procedure Chapter 28-106, F.A.C., and District Rule 40D1-1.1010, F.A.C., and to be represented by counsel or other qualified representative. Any request for a hearing must comply with the requirements set forth in Rules 28-106.104 and 28-106.201, Fla. Admin. Code. Mediation under Section 120.573, Fla. Stat., is not available. A request for a hearing must be filed with (received by) the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, no later than twenty-one (21) days after receipt of this notice. A request for a hearing is deemed filed upon receipt of the complete request by the Agency Clerk at the District's Service Office in Tampa, Florida. A request for a hearing received by the Agency Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. These requirements are set forth in Chapter 28-106, Fla. Admin. Code, and in the District's Statement of Agency Organization and Operation, which is available for viewing at www.swfwmd.state.fl.us/about/agency-statement-organization-and-operation. Failure to file a request for a hearing within the specified time period constitutes a waiver of the right to an administrative hearing.

**BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ORDER NO. SWF _____**

VAUGHN E. HOEHN,

Petitioner,

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Respondent.

_____/

ORDER OF DENIAL OF PETITION TO INITIATE RULEMAKING

THIS MATTER came before the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (“District”) upon a petition to initiate rulemaking (“Petition”) submitted by Vaughn E. Hoehn (“Petitioner”). The Petition requests that the District make three proposed rule changes or amendments to Chapters 40D-2 and 40D-21, Florida Administrative Code (“F.A.C.”), in particular. The District hereby finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On May 2 , 2026, the District received the Petition requesting the District’s Governing Board and Executive Director to amend rules in Chapter 40D, F.A.C., to incorporate drought protections for Water Use Permitting (“WUP”) and aquifer withdrawals pursuant to Section 120.54(7), Florida Statutes (“F.S.”). The Petition is attached hereto as **Exhibit A**.

2. Petitioner is a resident of Hernando County. Petitioner alleges that he has a substantial interest in the protection and sustainable management of the Floridian Aquifer and regional water resources.

3. Petitioner proposes three rule changes to the District's rules: 1) to amend relevant sections of Rule 40D-2 to prohibit the issuance of new Water Use Permits ("WUPs") from groundwater sources during droughts/water shortage conditions; 2) to amend rules to authorize the District to impose temporary reductions to existing WUPs during declared water shortages or drought conditions; and, 3) to amend rules to require that all WUP applications and renewals include additional criteria for review concerning drought resilience and impacts on aquifers during 1-in-10 year drought conditions.

4. Petitioner alleges, in part, that the District's rules allow new WUPs to be issued, and do not automatically impose sufficient limits on existing WUPs, during periods of prolonged drought. Petitioner contends that this will stress the aquifer, harm springs, wetlands, lakes, existing legal users, and undermine long-term sustainability.

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6. The Petition does not specify a particular rule to be amended, but rather broadly identifies adding or amending rules in Chapters 40D-2 and 40D-21, F.A.C. The Petition is not directed to, nor alleges the existence of an unadopted rule.

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periods of water shortage are well within the District's statutory concern, and have been for many years.

8. The District's regulatory authority in Chapter 373, F.S., and Chapters 62-41 and 40D, F.A.C. , currently implements and utilizes permit conditions, water shortage orders, emergency orders, emergency rules, rule enforcement, permit modifications, and other tools as needed to rationally, adequately, and effectively address the impacts of WUPs during periods of water shortage.

CONCLUSIONS OF LAW

9. Section 120.54(7)(a), F.S., provides that no later than 30 calendar days following the date of filing a petition, the agency shall initiate rulemaking proceedings under this chapter, otherwise comply with the requested action, or deny the petition with a written statement of its reasons for the denial.

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11. The Florida Supreme Court has held that the agency rulemaking function involves the exercise of agency discretion and it will not substitute its judgment for that of the agency on an issue of discretion. *Citizens of Florida v. Mayo*, 357 So. 2d 731, 733 (Fla. 1978). The Petition does not cite to any statutory authority that the proposed changes are mandated; therefore, this must be an issue of discretion for the District

(acting as a state agency). See, *Bayonet Point Hosp., Inc. v. Dep't of Health & Rehab. Services*, 490 So. 2d 1318, 1320 (Fla. 1st DCA 1986).

12. Further, Section 120.541, F.S., mandates that any new rules or amendments to current rules require the District to create a Statement of Estimated Regulatory Costs ("SERC"). If a potential SERC finds any adverse impacts to individuals or entities that exceed the criteria delineated in Section 120.541, any proposed rule will need to be submitted by the District to the Legislature to be ratified. See, §120.541(3), F.S. The District's current effective regulatory authority represents a lower-cost regulatory alternative to the proposed rule, as found in the Petition.

STATEMENT OF THE ORDER

Based upon the above statement of reasons, the Petition to Initiate Rulemaking is hereby denied pursuant to Section 120.54(7)(a), F.S.

DONE AND ORDERED this ____ day of _____, 2026.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Jack Bispham,
Governing Board Chair

Filed this ____ day of
June, 2026.

Deputy Agency Clerk

Copy furnished to:

Vaughn E. Hoehn
12054 Eldorado Ave
Brooksville, FL 34613

NOTICE OF RIGHTS

This Denial of Petition to Initiate Rulemaking constitutes final agency action. A party whose substantial interests are adversely affected by this final agency action may request an administrative hearing by filing a written petition in accordance with Section 120.569 and 120.57, F.S., Uniform Rules of Procedure Chapter 28-106, F.A.C., and District Rule 40D1-1.1010, F.A.C., and to be represented by counsel or other qualified representative. Any request for a hearing must comply with the requirements set forth in Rules 28-106.104 and 28-106.201, Fla. Admin. Code. Mediation under Section 120.573, Fla. Stat., is not available. A request for a hearing must be filed with (received by) the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9776, no later than twenty-one (21) days after receipt of this notice. A request for a hearing is deemed filed upon receipt of the complete request by the Agency Clerk at the District's Service Office in Tampa, Florida. A request for a hearing received by the Agency Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. These requirements are set forth in Chapter 28-106, Fla. Admin. Code, and in the District's Statement of Agency Organization and Operation, which is available for viewing at www.swfwmd.state.fl.us/about/agency-statement-organization-and-operation. Failure to file a request for a hearing within the specified time period constitutes a waiver of the right to an administrative hearing.

GENERAL COUNSEL'S REPORT

June 23, 2026

Discussion: Action Item: Affirm Governing Board Committee Actions

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

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

Staff Recommendation:

Affirm the actions taken by the Governing Board Committees.

Presenter:

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

COMMITTEE/LIAISON REPORTS

June 23, 2026

Discussion: Information Item: Industrial, Commercial & Institutional Advisory Committee

Staff Recommendation:

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

Presenter:

James Holton, Board Member

COMMITTEE/LIAISON REPORTS

June 23, 2026

Discussion: Information Item: Public Supply Advisory Committee

Staff Recommendation:

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

Presenter:

Robert Stern, Board Member

EXECUTIVE DIRECTOR'S REPORT

June 23, 2026

Discussion: Information Item: Executive Director's Report

Staff Recommendation:

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

Presenter:

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

CHAIR'S REPORT

June 23, 2026

Discussion: Information Item: Chair's Report

Staff Recommendation:

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

Presenter:

Jack Bispham, Chair

CHAIR'S REPORT

June 23, 2026

Discussion: Information Item: Employee Milestones

Presenter:

Jack Bispham, Chair

June 2026 Milestones

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau
5	06/07/2021	Alex Tolksdorf	Engineering Supervisor	Tampa	Environmental Resource Permit
5	06/07/2021	Jacob Hackney	Tradesworker	Brooksville	Operations
5	06/21/2021	Justin Roush	Senior Heavy Equipment Operator	Tampa	Operations
10	06/13/2016	Chris Tumminia	General Counsel	Tampa	Office of General Counsel
10	06/27/2016	Stephanie Griffith	Regulatory Support Supervisor	Brooksville	Regulatory Support
15	06/27/2011	Mike Mullarkey	Office Services Supervisor	Brooksville	General Services
30	06/19/1996	Michelle Hopkins	Regulation Director	Tampa	Office of Executive