

# Governing Board Meeting

## *Agenda and Meeting Information*

*March 24, 2026*

*9:00 a.m.*

*Tampa Office*

7601 US 301 North • Tampa, Florida  
(813) 985-7481 • 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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## Final Agenda GOVERNING BOARD MEETING

**MARCH 24, 2026  
9:00 AM**

**7601 US 301 North, Tampa, FL 33637  
(813) 985-7481**

*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](http://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](http://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 Oath of Office for Board Member
- 1.3 Invocation and Pledge of Allegiance
- 1.4 Employee Recognition
- 1.5 Additions/Deletions to Agenda
- 1.6 Public Input for Issues Not Listed on the Published Agenda

## **2. CONSENT AGENDA**

- 2.1 **Finance/Outreach & Planning Committee:** Water Conservation Month
- 2.2 **Resource Management Committee:** Pasco County Magnolia Valley Storage and Wetland Enhancement (N865) – Scope and Cost Revision
- 2.3 **Resource Management Committee:** Knowledge Management: Cooperative Funding Initiative Governing Board Policy
- 2.4 **General Counsel's Report:** Authorization to Issue Administrative Complaint and Order – Water Use Permit Violations; Dry Well Complaint – William E. and Judith C. Meek – Water Use Permit No. 7765.006 (Hillsborough County)
- 2.5 **General Counsel's Report:** Approval of Settlement Agreement – Polk Regional Water Cooperative v. Tampa Bay Water and Southwest Florida Water Management District – Water Use Permit No. 20011794.003 – Division of Administrative Hearings Case No. 25-5480
- 2.6 **Executive Director's Report:** Approve Governing Board Minutes – February 24, 2026

## **3. FINANCE/OUTREACH & PLANNING COMMITTEE**

- 3.1 **Discussion:** Consent Item(s) Moved to Discussion
- 3.2 **Discussion:** Information Item: 2026 Legislative Session Update
- 3.3 **Discussion:** Information Item: Knowledge Management: Administrative Fees Governing Board Policy
- 3.4 **Discussion:** Information Item: Knowledge Management: Records Management Governing Board Policy
- 3.5 **Submit & File:** Information Item: Budget Transfer Report

## **4. REGULATION COMMITTEE**

- 4.1 **Discussion:** Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Information Item: Hydrologic Conditions Report
- 4.3 **Discussion:** Action Item: Consider Water Shortage Order(s) as Necessary

## **5. RESOURCE MANAGEMENT COMMITTEE**

- 5.1 **Discussion:** Consent Item(s) Moved to Discussion

**6. OPERATIONS, LANDS AND RESOURCE MONITORING 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: Affirm Governing Board Committee Actions

**8. COMMITTEE/LIAISON REPORTS**

8.1 **Discussion:** Information Item: Industrial, Commercial and 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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# Southwest Florida Water Management District

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**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 2025

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

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Chair Robert Stern

RESOURCE MANAGEMENT COMMITTEE
Chair Dustin Rowland

REGULATION COMMITTEE
Chair James Holton

FINANCE/OUTREACH AND PLANNING COMMITTEE
Chair John E. Hall*

*All Governing Board members are a member of each committee.*

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

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Dustin Rowland
Environmental Advisory Committee	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	Jack Bispham
Tampa Bay Estuary Program Policy Board	Nancy Watkins
Tampa Bay Regional Planning Council	Vacant

- John R. Mitten**  
Chair, Hernando, Marion
- Jack Bispham**  
Vice Chair, Manatee
- Ashley Bell Barnett**  
Secretary, Polk
- John E. Hall**  
Treasurer, Polk
- 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
- Dustin Rowland**  
Pasco
- 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

March 24, 2026

## 1. CONVENE PUBLIC MEETING

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1.4	Employee Recognition .....	8
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## Item 1.1

### **CONVENE PUBLIC MEETING**

**March 24, 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:**

John Mitten, Chair

## Item 1.2

#### **Oath of Office for Board Member**

Conduct the Oath of Office for appointed Board Member Brian Aungst. Aungst represents Pinellas County.

#### **Presenter:**

Virginia Singer, Manager, Communications and Board Services Bureau

**CONVENE PUBLIC MEETING**

**March 24, 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:

John Mitten, Chair

**CONVENE PUBLIC MEETING**

**March 24, 2026**

**Employee Recognition**

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

Presenter:

John Mitten, Chair

**CONVENE PUBLIC MEETING**

**March 24, 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**

**March 24, 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:

John Mitten, Chair

# Governing Board Meeting

March 24, 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	<b>Finance/Outreach &amp; Planning Committee:</b> Water Conservation Month.....	11
2.2	<b>Resource Management Committee:</b> Pasco County Magnolia Valley Storage and Wetland Enhancement (N865) – Scope and Cost Revision .....	13
2.3	<b>Resource Management Committee:</b> Knowledge Management: Cooperative Funding Initiative Governing Board Policy .....	16
2.4	<b>General Counsel’s Report:</b> Authorization to Issue Administrative Complaint and Order – Water Use Permit Violations; Dry Well Complaint – William E. and Judith C. Meek – Water Use Permit No. 7765.006 (Hillsborough County).....	22
2.5	<b>General Counsel's Report:</b> Approval of Settlement Agreement – Polk Regional Water Cooperative v. Tampa Bay Water and Southwest Florida Water Management District – Water Use Permit No. 20011794.003 – Division of Administrative Hearings Case No. 25-5480.....	23
2.6	<b>Executive Director’s Report:</b> Approve Governing Board Minutes – February 24, 2026 .....	24

**CONSENT AGENDA**

**March 24, 2026**

**Finance/Outreach & Planning Committee: Water Conservation Month**

*Purpose*

To request that the Governing Board sign a resolution declaring April 2026 as “Water Conservation Month.” Declaring April as “Water Conservation Month” has historically been used by the District to focus the public’s attention on the need for and benefits of water conservation and to highlight the resources available to help them. In addition, the District is currently in a Modified Phase II “Severe” Water Shortage.

*Background/History*

Since 1998, the state of Florida, water management districts, local governments and water-related organizations have declared April as “Water Conservation Month.” April is typically the time of year when water demands increase due to generally hot and dry conditions. The concept of “Water Conservation Month” was developed by the Florida Water Wise Council, which has since evolved into the Florida Section of the American Water Works Association (FSAWWA).

The District promotes water conservation year-round and highlights those efforts in the FY2025 Water Conservation Summary Report. The report covers conservation efforts with measurable savings throughout the District, including cost-share funding, technical assistance, education and outreach, and research and regulation.

During Water Conservation Month, conservation will be promoted through news releases, blog and e-newsletter articles, and social media posts. The District also promotes the Classroom Conservation Challenge to local educators and students. In addition, the District is providing conservation outreach materials to public supply utilities to promote conservation to their customers.

The District’s government affairs regional managers outreach and participate in local governments’ adoption of Water Conservation Month proclamations. The FSAWWA tracks statewide proclamations and provides the list to the Governor in support of a state resolution declaring April as “Water Conservation Month.”

*Strategic Plan*

Declaring and promoting Water Conservation Month supports the District’s Strategic Initiative of Water Conservation.

*Exhibits*

The resolution for the Governing Board’s consideration is attached.

Staff Recommendation:

Approve and execute Resolution No. 26-01 declaring April 2026 as “Water Conservation Month.”

Presenter:

Robyn Felix, Bureau Chief, Communications & Board Services Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 26-01

**PROCLAIMING APRIL 2026 as  
“WATER CONSERVATION MONTH”**

WHEREAS, the state of Florida, the Southwest Florida Water Management District, local governments and others have since 1998 designated April, typically a dry month when water demands increase, as Florida’s “Water Conservation Month” to educate citizens about saving Florida’s precious water resources; and

WHEREAS, the Southwest Florida Water Management District has always encouraged and supported water conservation through its water supply planning, coordination of educational programs and special events, Cooperative Funding Initiative, technical assistance and regulatory authority; and

WHEREAS, the District is currently in a Modified Phase II “Severe” Water Shortage; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, each business, industry, school and citizen can help save water by participating in District and local conservation programs and by adhering to water shortage restrictions and ordinances.

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims the month of April 2026 as “WATER CONSERVATION MONTH.”

BE IT FURTHER RESOLVED that the Southwest Florida Water Management District shall continue to promote water conservation through its various programs.

BE IT FURTHER RESOLVED that the Chair and Secretary of the Governing Board are hereby authorized to affix their signatures to the Resolution on behalf of the Board.

PASSED AND ADOPTED in Tampa, Hillsborough County, Florida, on this 24th day of March 2026.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: \_\_\_\_\_  
John R. Mitten, Chair

Attest: \_\_\_\_\_  
Ashley Bell Barnett, Secretary

**CONSENT AGENDA**

**March 24, 2026**

**Resource Management Committee: Pasco County Magnolia Valley Storage and Wetland Enhancement (N865) – Scope and Cost Revision**

*Purpose*

The purpose of this item is to request Governing Board approval to revise the scope of work and cost for the Pasco County Magnolia Valley Storage and Wetland Enhancement (N865) Cooperative Funding project. With this proposed reduction in scope, the project name will be revised to Magnolia Valley Flood Protection project.

*Background/History*

The County and the Southwest Florida Water Management District entered into a Cooperative Funding Agreement in 2018 for the Magnolia Valley Storage and Wetland Enhancement project. The approved project consisted of conveyance improvements, excavation to provide stormwater storage, and wetland enhancement on a former golf course purchased by the County. The Board approved the 30 percent design Third Party Review (TPR) in 2021, while acknowledging the potential concern of the presence of contaminated soils on site in the designated storage and wetland enhancement areas. Following the TPR, Pasco County continued the design of the project and determined that with the contaminated soils, the permitting and construction of the storage and wetland enhancement components of the project were not currently feasible.

The County has proposed an adjusted scope to construct the conveyance components of the project, which will reduce the existing street and structure flooding through the 100-year, 24-hour storm event. This reduction in scope will eliminate the storage and wetland enhancement components of the project.

*Benefits/Costs*

The project will reduce the existing street and structure flooding through the 100-year, 24-hour storm event. The Measurable Benefit of the project will be the completion of design, permitting and construction of the proposed drainage improvements to relieve flooding in the Magnolia Valley area in Pasco County. Construction will be in accordance with the permitted plans.

Flood reduction benefits are still achieved with the construction of the conveyance improvements; seven homes are removed from the 100-year floodplain and approximately 1,930 linear feet of roadway flooding is eliminated.

With the approval of the TPR, the District's 50 percent cost-share of the project, including stormwater storage and wetland enhancements, was \$4,488,450. The proposed District share for the revised project is \$1,816,822, which remains at 50 percent of total project cost. This includes the cost for design, permitting, TPR, and construction of only the conveyance improvement elements and is consistent with the estimated cost reviewed during the TPR.

The project has been evaluated based on the latest information. The cost effectiveness is based on the ratio of project benefits (avoided flood damages) to project cost. The project benefits remain high with an adjusted benefit/cost ratio of 1.25.

The District's existing cooperative funding agreement with the County requires Governing Board approval to modify the project scope and District funding before the County is eligible for reimbursement of any expenses beyond the TPR task.

*Strategic Plan*

This project supports the District's Strategic Initiatives of Floodplain Management and Flood Protection Programs, Projects, and Regulations.

*Exhibits*

N865 FY2026 Evaluation Form

Staff Recommendation:

Authorize staff to amend the (N865) Pasco County Magnolia Valley Storage and Wetland Enhancement Project to:

1. Revise the Project Description by removing the stormwater storage and wetland enhancement components of the project.
2. Revise the Project Name to Magnolia Valley Flood Protection project.
3. Revise the Measurable Benefit to be "Completion of the design, permitting, and construction of stormwater conveyance improvements within the Magnolia Valley contributing area. Construction will be in accordance with the permitted plans."
4. Reduce the District's funding from \$4,488,450 to \$1,816,822.

Presenter:

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

Project No. N865		<b>SW IMP – Flood Protection – Magnolia Valley Flood Protection Project</b>			
Pasco County		FY2026			
<b>Risk Level:</b> Type 3		<b>Multi-Year Contract:</b> Yes, Year 6 of 6			
<b>Description</b>					
<b>Description:</b>	Design, permitting and construction of the Magnolia Valley Flood Protection Project. This project consists of conveyance improvements within the Magnolia Valley contributing area. Funding was approved in FY2018 for 30% design and third-party review (TPR) of a scope that included storage and wetland enhancements. At their July 2021 meeting, the Governing Board approved moving forward with the project after being presented with the TPR. Since then, the scope has been reduced to eliminate the storage and wetland enhancements.				
<b>Measurable Benefit:</b>	The contractual Measurable Benefit will be the design, permitting and construction of stormwater conveyance improvements within the Magnolia Valley contributing area. Construction will be in accordance with the permitted plans.				
<b>Costs:</b>	Total project cost: \$3,633,644 Pasco County: \$1,816,822 District: \$1,816,822				
<b>Evaluation</b>					
<b>Initial Application Quality:</b>	5	Application included all the required information identified in the CFI Guidelines.			
<b>Project Benefit:</b>	16	The Resource Benefit of this project will reduce the existing flooding problem during the 100 year, 24-hour storm event. Structure and street flooding currently occur in the project area and the project impacts the intermediate drainage system.			
<b>Cost Effectiveness:</b>	25	Benefit/cost ratio is greater than 1.10. Benefits include avoided damages to structures and roads.			
<b>Past Performance:</b>	2	Based upon an assessment of the schedule and budget for the 8 ongoing projects.			
<b>Complementary Efforts:</b>	8	Cooperator's Community Rating System class is 6.			
<b>Project Readiness:</b>	10	The project is ongoing.			
<b>Strategic Goals</b>					
<b>Strategic Goals:</b>	25	<p><b>Strategic Initiative – Flood Protection Maintenance and Improvement:</b> Develop and implement programs, projects and regulations to maintain and improve flood protection, and operate District flood control and conservation structures to minimize flood damage while preserving the water resource.</p> <p><b>Regional Priority - Flood Protection:</b> The District is prioritizing projects that will identify flood risk and minimize impacts from flooding as a regional priority in all of the four planning regions.</p>			
<b>Overall Ranking and Recommendation</b>					
<b>1A</b>	91	This ongoing project is designed to reduce existing structure and street flooding. It will provide flood protection for the 100 year, 24-hour event that experiences structure and street flooding and is cost effective.			
<b>Funding</b>					
<b>Funding Source</b>		<b>Prior</b>	<b>FY2026</b>	<b>Future</b>	<b>Total</b>
District		\$1,816,822	\$0	\$0	\$1,816,822
Pasco County		\$1,816,822	\$0	\$0	\$1,816,822
<b>Total</b>		<b>\$3,633,644</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,633,644</b>

**CONSENT AGENDA**

**March 24, 2026**

**Resource Management Committee: Knowledge Management: Cooperative Funding Initiative Governing Board Policy**

*Purpose*

To approve recommended revisions to the Cooperative Funding Initiative (CFI) Governing Board Policy.

*Background/History*

As discussed at the February 2026 Governing Board meeting, staff revised the CFI Policy to remove the Regional Subcommittee meetings from future CFI review processes. Under the proposed policy, the Board will directly review project information, scoring, and funding recommendations, ultimately providing final funding approval.

*Strategic Plan*

This Knowledge Management document supports the District's Cooperative Funding Initiative (CFI) program and the District Core Business Processes of Knowledge Management.

*Exhibits*

Cooperative Funding Initiative Governing Board Policy

Staff Recommendation:

Approve the Cooperative Funding Initiative Governing Board Policy, as revised.

Presenter:

Kevin Wills, Cooperative Funding Initiative Lead, Engineering and Project Management Bureau

# GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title: Cooperative Funding Initiative**

**Document Owner:** Resource Management Division Director

**Approved By:** Board Chair

**Effective Date:** 03/24/2026

**Supersedes:** 03/28/2023

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## PURPOSE

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

## SCOPE

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

## AUTHORITY

Chapter 373, Florida Statutes

## DEFINITIONS

N/A.

## **GOVERNING BOARD POLICY**

**Title: Cooperative Funding Initiative**

**Effective Date: 03/24/2026**

**Page 2 of 6**

### **POLICY GUIDELINES**

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

- 1) The Board will give priority consideration to those projects designed to further the implementation of the District Strategic Plan, Water Management Plan, Comprehensive Watershed Management Plans, Surface Water Improvement and Management Plans, and Regional Water Supply Plan.
- 2) The Board will consider the applicant's efforts in developing, implementing, and enforcing best water management practices, including but not limited to, conservation-oriented water rate structures and irrigation, landscape and flood protection ordinances.
- 3) Funding may be provided to assist with the cost of data collection, research, feasibility studies, conservation and environmental education initiatives; ecosystem restoration, water resource investigation and plan development; and design, permitting and construction of capital projects. Funding is not available for operation and maintenance, payment of debt, and projects required by local, state or federal permits, unless approved by the Board.
- 4) Funding assistance will be contingent upon concurrent project action and commitment by the applicant to ensure the project goals will be implemented.
- 5) The Board will consider funding based on the applicant's ability to demonstrate that such funding is necessary to make the project economically feasible.
- 6) The applicant must demonstrate any matching funds have been appropriated, are contained within a Capital Improvement Plan, or otherwise committed to the project.
- 7) State and federal appropriations and grants:
  - a) The cooperator's funding match is based on the initial Board-approved project amount and cannot include state or federal appropriations, or grant monies.
  - b) District funding will not increase above the Board-approved funding amount. The District will not fund any project cost increases.
  - c) State or federal appropriations, or grant monies, may be used to cover project cost increases. Should those state or federal appropriations, or grant monies, exceed project cost increases, the remaining funds will be used to equally reduce the District's funding amount and the cooperator's Board-approved match.
  - d) If project costs are equal to or less than the initial Board-approved project amount, state or federal appropriations, or grant monies, will equally reduce the District's funding amount and the cooperator's Board-approved match.
  - e) The National Estuary Program is excluded from this provision.
- 8) Pursuant to the provisions of Section 288.06561, F.S., the Board may reduce or waive requirements for matching funds when requested by rural counties or municipalities, as defined by Subsection 288.0656(2), F.S.

## **GOVERNING BOARD POLICY**

**Title: Cooperative Funding Initiative**

**Effective Date: 03/24/2026**

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- 9) All applications submitted for funding consideration must be signed by a single Senior Administrator acting as a coordinator for the Cooperative Funding Initiative. If an applicant submits multiple applications, an overall ranking of the projects is required. Final decisions regarding the funding of project proposals are the exclusive responsibility of the Board.
- 10) To be eligible for District cooperative funding, a septic conversion project must receive at least 50% funding based on the initial Board-approved project amount from the state or the Florida Department of Environmental Protection; the project must be located within a first-magnitude spring Basin Management Action Plan boundary; and local ordinances must be in place supporting Florida Statutes to require connection and restrict new conventional septic systems.
- 11) The Board will review project information, project scoring and funding recommendations and will provide final funding approval.
- 12) All funding applications for construction projects will require preliminary design plans and cost estimates be submitted at the time of application. The applicant will be required to submit the results of an independent third-party review with the funding application if the project is estimated to cost more than \$5,000,000. This review is to confirm the project cost, schedule, and ability of the project to meet the proposed resource benefit.
- 13) The Governing Board delegates contract execution authority for Board approved projects to the Executive Director who may delegate, in writing, any or all approval to one or more designee.
- 14) In determining whether, and how much funding will be provided by the District, the District will consider the project benefit and costs effectiveness metrics.

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

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

## **GOVERNING BOARD POLICY**

**Title: Cooperative Funding Initiative**

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Consistent with Section 373.707, F.S., the District shall prioritize funding for alternative water supply projects owned, operated and controlled, or perpetually controlled by a Regional Water Supply Authority (RWSA) or a regional entity created by an interlocal agreement that establishes a separate legal entity, with sufficient authority to fund, own, construct, operate and maintain alternative potable water supply systems. The regional entity must be recognized by the Board through a commitment of funds that assist in the establishment of the entity.

- 1) Projects that do not meet the multijurisdictional criteria will not be considered for funding.
- 2) If a member government of a RWSA proposes a potable water supply project, it must be submitted by the RWSA to be considered for District funding.
- 3) Projects submitted by non-member governments within the service area of a RWSA will be considered for funding only if the non-member government has reviewed its plan with the RWSA to ensure the project is not inconsistent with the RWSA plan. The non-member government must submit an affirmative written statement from the RWSA indicating that the project is not inconsistent with RWSA plan.
- 4) All potable alternative water supply projects will be required to identify the quantity of alternative water supply that will be made available upon completion of the project. It is the intent of the Board that the quantity made available will be used as "base supply". The base supply will be clearly defined by the cooperator on a project-by-project basis and will include, but not be limited to, the overall alternative water supply system capacity, typically expressed in million gallons per day, the expected annual average use for the life of the project, as well as the frequency and timing of use of the available alternative water supply quantities. The base supply defined by the cooperator will be reviewed and approved by the Board as a part of the Cooperative Funding Initiative project review and budgeting process. The cooperative funding agreement between the District and the cooperator will include the base supply requirements approved by the Board. The Board may consider adjustments to a project's base supply quantity and definition by amendment of the cooperative funding agreement.

### **DISTRIBUTION**

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

### **REFERENCES**

Chapter 373, Florida Statutes

Chapter 40D-2, Florida Administrative Code

### **REVIEW PERIOD**

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

**GOVERNING BOARD POLICY**

**Title: Cooperative Funding Initiative**

**Effective Date: 02/24/2026**

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**DOCUMENT DETAILS**

Document Name	Cooperative Funding Initiative
Formerly Known As	N/A
Document Type	Policy
Author(s)	Scott Letasi, P.E., Engineering and Project Management Bureau Chief
Reviewing Stakeholder(s)	Office of General Counsel, Senior Staff, and Executive Staff
Document Owner Name	Jennette Seachrist, P.E.
Document Owner Title	Resource Management Division Director
Review Period (in days)	365
Span of Control	Governing Board
Supersedes Date	03/28/2023
Effective Date	03/24/2026

**APPROVAL**

\_\_\_\_\_  
John R. Mitten  
Chair

\_\_\_\_\_  
Date

**CONSENT AGENDA**

**March 24, 2026**

**General Counsel's Report: Authorization to Issue Administrative Complaint and Order – Water Use Permit Violations; Dry Well Complaint – William E. and Judith C. Meek – Water Use Permit No. 7765.006 (Hillsborough County)**

On February 3, 2026, the District received a complaint regarding a dry well at the property of Danial Bowers (“Complainant”). On February 4, 2026, District Staff sent a Mitigation of Adverse Impacts to Existing Uses letter to the neighboring property of William and Judith Meek (“Permittees”), whom the District issued Water Use Permit (“WUP”) Number 7765.006 (“Permit”) to on March 17, 2021, for the irrigation of 20 acres of agricultural land. The letter notified the Permittees about the Bowers’ dry well complaint and asked them to investigate and resolve the complaint. Since the Permit is located in the Dover/Plant City Water Use Caution Area, the Permit contains a special condition requiring the Permittees to investigate and resolve dry well complaints when notified by the District.

District Staff subsequently contacted Permittees by phone to follow up on the investigation or mitigation of the dry well complaint. After multiple adversarial phone calls, the Office of General Counsel became involved. On February 17, 2026, General Counsel’s Staff sent a Notice of Violation letter to the Permittees by Certified Mail. The letter requested Permittees provide evidence of investigation and mitigation into the Complainant’s dry well by March 2, 2026, or the District may issue an Administrative Complaint and Order (“ACO”). The Certified Mail receipt was received by the District on February 20 as “Notice Left, No Authorized Recipient Available.” A copy of the Notice was left at the Permittee’s listed mailing address.

Permittee has not provided any requested evidence that they have investigated, repaired, mitigated, or reimbursed Complainant since District Staff first contacted Permittee on February 4, 2026. Permittee is required to expeditiously mitigate any adverse impact to existing legal users by Rule 40D-2.341(3)(k), Florida Administrative Code (“F.A.C.”), as well as Special Condition numbers 15 and 16 of the Permit. District Staff will issue an ACO seeking corrective actions from the Permittee.

*Strategic Plan*

Authorizing an ACO to seek corrective actions aligns with the District's Core Business Processes, ensuring consistency in regulation and protecting existing legal users of Water Use Permits.

*Exhibits*

None.

Staff Recommendation:

1. Authorize District staff to issue an Administrative Complaint and Order to William E. and Judith C. Meek, and any other necessary party to obtain compliance with District rules.
2. Authorize District staff to initiate an action in the Division of Administrative Hearings and/or Circuit Court against William E. and Judith C. Meek, and any other necessary party to recover a civil penalty/administrative fine, enforcement costs, litigation costs, and attorney’s fees, if appropriate.
3. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

Presenter:

Anna Brulte, Attorney, Office of General Counsel

**CONSENT AGENDA**

**March 24, 2026**

**General Counsel's Report: Approval of Settlement Agreement – Polk Regional Water Cooperative v. Tampa Bay Water and Southwest Florida Water Management District – Water Use Permit No. 20011794.003 – Division of Administrative Hearings Case No. 25-5480**

On July 22, 2025, the District approved Tampa Bay Water’s (TBW) application for Water Use Permit No. 200111794.003 (Permit), authorizing the modification of an existing permit to increase the allowable withdrawal from the Alafia River to 19% of the available flow up to 75 million gallons per day. On September 29, 2025, the Polk Regional Water Cooperative (PRWC) filed a petition for administrative hearing challenging the District's issuance of the Permit. On October 14, 2025, the District referred the petition to the Division of Administrative Hearings to conduct formal administrative proceedings related to the permit challenge.

On February 12, 2026, the parties attended mediation and reached an agreement in principle to resolve the case. The parties jointly moved for, and were granted, an abeyance of the DOAH proceeding until April 22, 2026, to allow time for final negotiations. According to the final settlement agreement, the parties have agreed on the following changes to the Permit:

- The original expiration date of July 22, 2032, will be modified and replaced with May 19, 2040.
- A new special condition will be added to provide that the Permit will be modified to reduce the allowable withdrawal from 19% to no less than 14% if the PRWC meets certain conditions and applies for a water use permit to utilize up to 5% of the available flow from the Alafia River before a certain date.
- Minor clarifications and technical changes to improve clarity.

Upon execution of the settlement agreement, the parties will jointly request that DOAH relinquish jurisdiction of the case. Thereafter, the Governing Board will consider adopting a final order approving the modified Permit and dismissing the petition with prejudice, with each party bearing its own attorneys' fees and costs. A copy of the proposed Settlement Agreement will be provided to the Governing Board in advance of the meeting.

*Strategic Plan*

This item supports the Strategic Initiative for Programs, Projects, and Regulations, and Core Business Process for Regulation as described in the District’s Strategic Plan.

*Exhibits*

None.

Staff Recommendation:

1. Approve the proposed Settlement Agreement.
2. 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.

Presenter:

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

**CONSENT AGENDA**

**March 24, 2026**

**Executive Director's Report: Approve Governing Board Minutes – February 24, 2026**

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING  
TUESDAY, FEBRUARY 24, 2026 – 9:00 A.M.  
2379 BROAD STREET, BROOKSVILLE, FLORIDA 34604  
(352) 796-7211**

Board Members Present

John Mitten, Chair  
Jack Bispham, Vice Chair  
Ashley Bell Barnett, Secretary  
John Hall, Treasurer  
Kelly Rice, Member  
Michelle Williamson, Member  
Dustin Rowland, Member  
James Holton, Member\*  
Robert Stern, Member  
Nancy H. Watkins, Member  
Josh Gamblin, Member  
James Turner, Member

\*Attended via Electronic Media

Board Member(s) Absent

Brian Aungst, Jr., 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 February 24 at 9:00 a.m., in the Brooksville Office at 2379 Broad Street, Brooksville, Florida 34604. 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](http://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 Josh Gamblin offered the invocation and led the Pledge of Allegiance.

**1.3 Employee Recognition**

Chair Mitten recognized Kim Dymond for her milestone years of service with the District.

**1.4 Additions/Deletions to Agenda**

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Board Member James Turner requested the following agenda item be moved from Consent to Discussion:

**General Counsel's Report**

**2.12 Approval of Settlement Agreement – Southwest Florida Water Management District and Stantec Consulting Services, Inc., – Gully Branch Upland Restoration Project (Hillsborough County)**

**There was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.**

**1.5 Public Input for Issues Not Listed on the Published Agenda**

Mr. David Ballard Geddis, Jr., spoke in opposition to proposed legislative bills.

Mr. David Gore spoke regarding protecting environmental resources in Florida and requested a show of hands in response to a question posed to the Board and staff. The Board did not respond.

Ms. Aja Moore spoke regarding water shortage restrictions imposed during drought conditions.

**Consent Agenda**

**Finance/Outreach and Planning Committee**

**2.1 Approval of the 2026 Consolidated Annual Report**

Staff recommended the Board approve the 2026 Consolidated Annual Report and authorize its transmittal to the required agencies.

**Resource Management Committee**

**2.2 FARMS – Oak Ridge Fish Hatchery, Inc. – H842 (Hillsborough County)**

Staff recommended the Board:

1. Approve the Oak Ridge Fish Hatchery, Inc. project for a not-to-exceed project reimbursement of \$178,360 provided by the Governing Board;
2. Authorize the transfer of \$178,360 from fund 010 H017 Governing Board FARMS Fund to the H842 Oak Ridge Fish Hatchery, Inc. project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

**Operations, Lands & Resource Monitoring Committee**

**2.3 Amendment to Easement to Tampa Electric Company – Little Manatee River Corridor – SWF Parcel No. 11-058-125XB (Hillsborough County)**

Staff recommended the Board:

- Approve the Amendment to 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.

**2.4 Amendment to Utility Easement to Tampa Electric Company – Tampa Bypass Canal – SWF Parcel No. 13-001-752X (Hillsborough County)**

Staff recommended the Board:

- Approve the Amendment to 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.

**2.5 Easement Agreement – ROMP 86 Replacement Well Site – SWF Parcel No. 13-020-160 (Pasco County)**

Staff recommended the Board:

- Approve the Easement Agreement 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 Consent Order between Southwest Florida Water Management District and New Florida Ventures Corp. – Water Use Permit and Well Construction Violations – Water Use Permit No.: 20001796.005 (DeSoto County)**

Staff recommended the Board:

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

**2.7 Interagency Agreement between the Florida Department of Transportation and Southwest Florida Water Management District for Environmental Mitigation**

Staff recommended the Board approve the Interagency Agreement between the Florida Department of Transportation and Southwest Florida Water Management District.

**2.8 Authorization to Initiate Litigation – Edward Medard Reservoir Toe Drain Replacement Project (Hillsborough County)**

Staff recommended the Board authorize District staff to file a civil lawsuit against any necessary party for the recovery of damages, investigative costs, legal costs, and attorneys' fees associated with the Edward Medard Reservoir Toe Drain Replacement, including the filing of any appeals, if necessary.

**2.9 Approval of Well Construction Permitting Delegation Agreements between the Southwest Florida Water Management District and Manatee County, Sarasota County, and the Department of Health (Marion County), and Initiation and Approval of Rulemaking to Incorporate the Agreements by Reference**

Staff recommended the Board:

1. Approve the Well Construction Permitting Agreement between the District and the Florida Department of Health for Marion County, Florida, which shall be in effect from June 1, 2026, until May 31, 2031.
2. Approve the Well Construction Permitting Agreement between the District and Sarasota County, Florida, which shall be in effect from June 1, 2026, until May 31, 2031.
3. Approve the Well Construction Permitting Agreement between the District and Manatee County, Florida, which shall be in effect from June 1, 2026, until May 31, 2031.
4. Initiate and approve rulemaking to amend Rule 40D-1.002, Florida Administrative Code, to incorporate the Agreement by reference, and authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process.

**2.10 Approval of Rulemaking to Amend Rule 40D-2.321, Florida Administrative Code, to Promote the Use of Reclaimed Water and Encourage Quantifiable Potable Water Offsets, in Accordance with Section 373.250(9), Florida Statutes**

Staff recommended the Board approve the proposed rule language to amend Rule 40D-2.321, F.A.C., to add the proposed language shown in Exhibit 1, in accordance with s. 373.250(9), F.S.

**2.11 Partial Release of Conservation Easement – Environmental Resource Permit Application No. 925397 – Withlacoochee River Electric Cooperative, Inc. Transmission Line at Pasco Town Center (Pasco County)**

Staff recommended the Board approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the WREC Transmission Line at Pasco Town Center.

**2.12 Approval of Settlement Agreement – Southwest Florida Water Management District and Stantec Consulting Services, Inc., – Gully Branch Upland Restoration Project (Hillsborough County)**

Staff recommended the Board:

- ~~1. Approve the proposed Settlement Agreement.~~
- ~~2. Authorize the General Counsel to execute all documents necessary to implement the Settlement Agreement and to make minor, non-substantive revisions as needed to correct errors or ensure consistency with the terms of the Settlement Agreement.~~

**Executive Director's Report**

**2.13 Approve Governing Board Minutes**

Staff recommended the Board approve minutes as presented.

**A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:19:21)**

**Resource Management Committee**

Board Member Dustin Rowland called the committee to order.

**3.1 Consent Item(s) Moved to Discussion - None**

**3.2 Knowledge Management: Cooperative Funding Initiative Governing Board Policy**

Mr. Kevin Wills, Cooperative Funding Initiative Lead, presented proposed revisions to the Cooperative Funding Initiative (CFI) Governing Board policy. These revisions include the elimination of the CFI subcommittees. He explained the full Board would review project information, scoring results, staff funding recommendations, and provide final funding approval. Mr. Wills stated the proposed changes align the policy with the process the Board has been using in practice. He stated the Board will be requested to approve the final policy at the March meeting. He requested that any comments from the Board be received by March 6.

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

**3.3 Fiscal Year 2027 Cooperative Funding Initiative Preliminary Project Evaluations**

Mr. Kevin Wills, Cooperative Funding Initiative Lead, presented a summary of the Fiscal Year (FY) 2027 applications, project locations map, preliminary scoring, staff funding recommendations, and a timeline. He provided an evaluation summary and an overview of projects submitted for FY2027. This included Alternative Water Supply (AWS), new projects, projects not recommended for funding and withdrawn submittals. Mr. Wills asked the Board to request any projects they would like to have presented at the April Board meeting. Mr. Wills responded to questions.

This item was for information only. 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 Hydrologic Conditions Report**

A Request to Speak card was received for this item.

Mr. David Gore spoke regarding the pertinence of hydrologic data.

Ms. Tamera McBride, P.G., Hydrologic Data Manager, presented the Hydrologic Conditions report. Districtwide monthly rainfall has been below average. Hydrologic indicators have declined. Tampa Bay area water supply storage systems reserves are in use. Ms. McBride provided information regarding rainfall, streamflow, groundwater levels, lake levels, public supply reservoirs and climate forecasts. She stated the near-term climate forecast indicates chances of above-normal temperatures and equal changes of above and below-normal precipitation. The extended climate forecast indicates a transition from La Niña to a neutral condition and then possibly to El Niño by late summer. A modified Phase 2 Water Shortage Order is in effect and without rainfall, some minimum flows managed with water diversions may not be met. Staff responded to questions.

Board Member Michelle Williamson asked if Tampa Bay Water (TBW) would be able to provide the number of days of water availability in their system. Mr. Warren Hogg, TBW, responded that the system utilized by TBW is multi-sourced and this type of reporting is not easily obtained. However, a rough approximation can be provided. He stated he would coordinate with District staff.

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

Mr. Brian Starford, Operations, Lands and Resource Monitoring Division Director, provided an update to a Request to Speak card submitted by Mr. Vincent Accomando at the January meeting. Mr. Accomando spoke regarding trees falling on his property from District's adjacent property and the District not properly maintaining a fire break on the ' adjacent property. Mr. Starford summarized a timeline of historical communications, outreach and site work completed by the District. Mr. Starford also provided an update regarding recent site visits by Management and a staff member who is a certified arborist. Mr. Starford stated that the District will perform some additional limb and tree removal on District property to avoid any possible impacts on Mr. Accomando's property and within the Thousand Oaks Subdivision. It was also determined that the fire break does not appear to be impacting a tree on his property, causing it to lean over his house. Staff recommended he trim some limbs on the tree. Staff are coordinating with Mr. Accomando to obtain a license agreement to allow a contractor to access to his property if needed to facilitate tree removal on District property. The District will not remove trees on property not owned by the District.

## **Finance/Outreach and Planning Committee**

No items were presented.

### **5.1 Consent Item(s) Moved to Discussion - None**

### **5.2 Submit & File: Budget Transfer Report**

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

## **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**

### **2.12 Approval of Settlement Agreement – Southwest Florida Water Management District and Stantec Consulting Services, Inc., – Gully Branch Upland Restoration Project (Hillsborough County)**

Board Member James Turner requested this item be moved to allow him to recuse himself from any discussion and voting regarding this item. He explained his family maintains a contractual relationship with Stantec.

Staff recommended the Board:

1. Approve the proposed Settlement Agreement.
2. Authorize the General Counsel to execute all documents necessary to implement the Settlement Agreement and to make minor, non-substantive revisions as needed to correct errors or ensure consistency with the terms of the Settlement Agreement.

**A motion was made and seconded to approve staff's recommendation. The motion carried with eleven in favor and Board Member James Turner abstaining.** (Audio – 01:01:53)

### **7.2 Affirm Governing Board Committee Actions**

No items were presented for approval.

Mr. Chris Tumminia, General Counsel, provided an update regarding a legal challenge to Water Use Permit No. 20011794.003, Tampa Bay Water/Alafia River Withdrawal Facility. He stated this permit was approved by the Board at the July 2025 meeting. Mr. Tumminia explained that the parties participated in mediation that resulted in reaching an agreement in principle. The case has been placed on hold for 60 days to allow the parties to settle the final details. The final agreement will be presented at an upcoming Board meeting.

Board Member Williamson asked the status of the Inverness Village IV project in Citrus County. Mr. Tumminia stated it is currently in litigation in the Circuit Court, and the parties have been ordered to mediation. The developers have voluntarily agreed to participate in mediation. A mediator is currently being selected. Mr. Tumminia will keep the Board apprised.

## **Committee/Liaison Reports**

### **8.1 Environmental Advisory Committee**

A written summary of the January 13 meeting was provided.

## **Executive Director's Report**

### **9.1 Executive Director's Report**

Mr. Brian Armstrong, Executive Director, recognized the passing of District employee, Danielle Sailler.

## **Chair's Report**

### **10.1 Chair's Report**

Chair Mitten asked if the Board had any matters which they would like to present.

Board Member Nancy Watkins requested that correct processes be followed related to Request to Speak cards.

The next meeting is scheduled for Tuesday, March 24 at 9:00 a.m., at the Tampa office.

### **10.2 Employee Milestones**

A written summary was provided.

## **Adjournment**

The meeting adjourned at 10:12 a.m.

# Governing Board Meeting

March 24, 2026

## 3. FINANCE/OUTREACH & PLANNING COMMITTEE

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**FINANCE/OUTREACH AND PLANNING COMMITTEE**

**March 24, 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 AND PLANNING COMMITTEE**

**March 24, 2026**

**Discussion: Information Item: 2026 Legislative Session Update**

*Purpose*

To highlight relevant legislation that passed the 2026 Legislative Session and review state environmental budget items.

*Background/History*

The 2026 Legislative Session began January 13, 2026, and its regular scheduled end date is March 13, 2026. District staff track proposed legislation with impacts to water resources or District activities. Staff will provide information on this year's legislation and its impact on the District.

This presentation will also highlight environmental funding in the state budget.

*Strategic Plan*

All strategic initiatives, regional priorities and core business processes are subject to changes resulting from the outcomes of the Legislative Session.

*Exhibits*

None.

Staff Recommendation:

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

Presenter:

Cara Martin, Office Chief, Government and Community Affairs Office

**FINANCE/OUTREACH AND PLANNING COMMITTEE**

**March 24, 2026**

**Discussion: Information Item: Knowledge Management: Administrative Fees Governing Board Policy**

*Purpose*

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

*Background*

The Administrative Fees Governing Board Policy was established by the Governing Board to ensure fees for certain services and deliverables are established and assessed in accordance with Chapters 119 and 373, Florida Statutes. The policy describes the ability to charge fees for recovering the material and labor costs associated with providing District records.

This Governing Board Policy requires a review every two years and approval for any modifications made thereto. In addition to formatting into a new template, the recommended modifications include updating statutory and state constitution references and updating definitions, standards and reference sections to ensure alignment with the District's Administrative Fees Executive Director Procedure.

*Benefits*

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

*Strategic Plan*

This Policy supports the District's Knowledge Management core business process.

*Exhibits*

Administrative Fees Governing Board Policy

Staff Recommendation:

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

Presenter:

Peggy Meinhardt, Records Manager, General Services Bureau

# DRAFT

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title: Administrative Fees**

**Document Owner:** General Services Bureau Chief

**Approved By:** Board Chair

**Effective Date:**

**Supersedes:** 01/19/2016

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### PURPOSE

To establish criteria for assessing and collecting administrative fees for providing copies of public records in accordance with Sections 119 and 373, Florida Statutes (F.S.) and Article 1, Section 24, Florida Constitution (Art.1, Sect.24, Fla.Const.).

### SCOPE

This policy applies to all District staff including full-time, part-time, student interns and contract employees.

### AUTHORITY

Chapter 119.07, F.S. , Chapter 373, F.S. and Art. 1, Sect. 24, Fla Const.

### DEFINITIONS

**Custodian of Public Records (CoPR)** – The elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee. Chapter 119.011(5), F.S.

**Public Records (Records)** - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the District. A record serves as

## **GOVERNING BOARD POLICY**

**Title: Administrative Fees**

**Effective Date: MM/DD/YYYY**

**Page 2 of 3**

evidence of the District's functions, policies, decisions, procedures, operations or other activities, Chapter 119.011(12) F.S.

### **STANDARDS**

Assessment and collection of fees will comply with the District's "Administrative Fees Executive Director Procedure" which is developed in accordance with Chapter 119.07(4) and Chapter 373, Florida Statutes.

### **POLICY**

It is the policy of the Governing Board to assess a fee to any citizen, private or public organization, or government agency for recovering the material and labor costs associated with providing copies of District records. Such fees may be waived under the following conditions:

- 1) Reciprocal arrangements between the District and other governmental entities to waive fees may be approved by the Executive Director or his/her designee.
- 2) Waiver of fees may be granted by a Division Director or higher to individuals or firms under contract to the District.
- 3) On a limited basis, and subject to approval of the Custodian of Public Records, a Bureau Chief can request a waiver of any material and/or labor fees should relevant extenuating circumstances exist with a public records request.

### **DISTRIBUTION**

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

### **REFERENCES**

Florida Statutes, Chapter 119

Florida Statutes, Chapter 373

Article 1, Section 24, State Constitution

Administrative Fees Executive Director Procedure

### **REVIEW PERIOD**

This Policy will be reviewed every two years.

**GOVERNING BOARD POLICY**

**Title: Administrative Fees**

**Effective Date: MM/DD/YYYY**

**Page 3 of 3**

**DOCUMENT DETAILS**

Document Name	Administrative Fees
Formerly Known As	N/A
Document Type	Policy
Author(s)	Records Manager
Reviewing Stakeholder(s)	Office of General Counsel
Document Owner Name	Dave Dickens
Document Owner Title	General Services Bureau Chief
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	01/19/2016
Effective Date	MM/DD/YYYY

**APPROVAL**

\_\_\_\_\_  
John R. Mitten  
Chair

\_\_\_\_\_  
Date

# DRAFT

## GOVERNING BOARD POLICY Southwest Florida Water Management District

**Title: Administrative Fees**

**Document** General Services Bureau Chief

**Owner:**

**Approved By:** Board Chair

**Effective Date:** MM/DD/YYYY

**Supersedes:** 03/20/202401/19/2016

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### PURPOSE

~~Insert Purpose here. Why are we writing this Policy?~~To establish criteria for assessing and collecting administrative fees for providing copies of public records in accordance with Sections 119 and 373, Florida Statutes (F.S.) and Article 1, Section 24, Florida Constitution (Art.1, Sect.24, Fla.Const.).

### SCOPE

~~Insert Scope here. Who does this Policy apply to?~~This policy applies to all District staff including full-time, part-time, student interns and contract employees.

### AUTHORITY

~~Section Chapter 119.07, Florida Statutes F.S. and Chapter 373, Florida Statutes F.S. and Art. 1, Sect. 24, Fla Const.~~

### DEFINITIONS

~~N/A.~~

**Custodian of Public Records (CoPR)** – The elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee. Chapter 119.011(5), F.S.

## GOVERNING BOARD POLICY

Title: Administrative Fees

Effective Date: MM/DD/YYYY

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Public Records (Records) - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the District. A record serves as evidence of the District's functions, policies, decisions, procedures, operations or other activities, Chapter 119.011(12) F.S.

### STANDARDS

~~A fee may be charged to any citizen, private or public organization or government agency for recovering the material and labor costs associated with providing copies of District records. These fees shall represent the approximate cost incurred by the District to provide the service to the public. Reciprocal agreements between the District and other governmental entities to waive fees may be executed by the Executive Director or designee. Waiver of fees may be granted by a Division Director or higher to individuals or firms under contract to the District. On a limited basis, and with the concurrence of the Records Management Liaison Officer, a Bureau Chief can request a waiver of any material and/or labor fees should relevant extenuating circumstances exist with a public records request. Assessment and collection of fees will comply with the District's "Administrative Fees Executive Director Procedure" which is developed in accordance with Chapter 119.07(4) and Chapter 373, Florida Statutes.~~

### POLICY

~~Insert main body of Policy here. It is the policy of the Governing Board to assess a fee to any citizen, private or public organization, or government agency for recovering the material and labor costs associated with providing copies of District records. Such fees may be waived under the following conditions:~~

- ~~1) Reciprocal agreements arrangements between the District and other governmental entities to waive fees may be executed approved by the Executive Director or his/her designee.~~
- ~~2) Waiver of fees may be granted by a Division Director or higher to individuals or firms under contract to the District.~~
- ~~3) On a limited basis, and with the concurrence subject to approval of the Custodian of Public Records, a Bureau Chief can request a waiver of any material and/or labor fees should relevant extenuating circumstances exist with a public records request.~~

### DISTRIBUTION

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

### REFERENCES

Florida Statutes, Chapter 119

Florida Statutes, Chapter 373

Article 1, Section 24, State Constitution

Administrative Fees Executive Director Procedure

## GOVERNING BOARD POLICY

Title: Administrative Fees

Effective Date: MM/DD/YYYY

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### REVIEW PERIOD

This Policy will be reviewed every two years by the General Services Bureau Chief.

### DOCUMENT DETAILS

Document Name	Administrative Fees
Formerly Known As	N/A
Document Type	Policy
Author(s)	Records Manager
Reviewing Stakeholder(s)	Office of General Counsel, <del>Inspector General</del>
Document Owner Name	Dave Dickens
Document Owner Title	General Services Bureau Chief
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	<u>03/20/202401/19/2016</u>
Effective Date	<u>MM/DD/YYYY</u>

### APPROVAL

\_\_\_\_\_  
John R. Mitten  
Chair

\_\_\_\_\_  
Date

**FINANCE/OUTREACH AND PLANNING COMMITTEE**

**March 24, 2026**

**Discussion: Information Item: Knowledge Management: Records Management Governing Board Policy**

*Purpose*

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

*Background*

The Records Management Governing Board Policy was established by the Governing Board to ensure the District establishes and maintains effective Records Management procedures for public records in accordance with Chapters 119 and 373, Florida Statutes and Article 1, Section 24 of the Florida Constitution. Examples of records managed include Board Meeting Minutes, Water Use and Environmental Resource Permitting Records, Personnel Records, Purchasing Records etc. Not effectively managing our records could lead to legal, fiscal, and operational consequences from civil lawsuits and fines to potential criminal charges.

This Governing Board Policy requires a review every two years and approval by the Governing Board for any modifications made thereto. In addition to updating the format of the policy, the recommended modifications include updating statutory and state constitution references and updating definitions, standards and reference sections to ensure alignment with the Districts Records and Information Management Executive Director Procedure.

*Benefits*

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

*Strategic Plan*

This Policy supports the District's Knowledge Management core business process.

*Exhibits*

Records Management Governing Board Policy

Staff Recommendation:

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

Presenter:

Peggy Meinhardt, Records Manager, General Services Bureau

# DRAFT

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title: Records Management**

**Document Owner:** General Services Bureau Chief

**Approved By:** Board Chair

**Effective Date:** MM/DD/YYYY

**Supersedes:** 07/30/2015

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### PURPOSE

To ensure that the District establishes and maintains effective records management procedures for managing public records in accordance with Sections 119 and 373, Florida Statutes (F.S.) and Article 1, Section 24, Florida Constitution (Art1, Sect. 24, Fla.Const.)

### SCOPE

This policy applies to all District staff including full-time, part-time, student interns and contract employees.

### AUTHORITY

Chapter 119, F.S., Chapter 373, F.S. and Art. 1, Sect 24, Fla Const.

### DEFINITIONS

**Custodian of Public Records (CoPR)** – The elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee. Chapter 119.011(5), F.S.

**Public Records (Records)** – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the District. A record serves as

## **GOVERNING BOARD POLICY**

**Title: Records Management**

**Effective Date: MM/DD/YYYY**

**Page 2 of 4**

evidence of the District's functions, policies, decisions, procedures, operations or other activities, Chapter 119.011(12) F.S.

**Records Management** - The field of management responsible for the efficient and systematic control of the creation, receipt, distribution, maintenance, retention, use and defensible disposition of records. It also includes processes for capturing and maintaining evidence of, and information about, business activities and transactions in the form of records.

**Records Management Liaison Officer (RMLO)** – Every agency is required by law to appoint an RMLO to serve as point of contact between the agency and the Division of Library and Information Services' records management program. Their duties include coordinating activities, training staff, and implementing policies for the retention, disposition, and organization of the agency's records.

### **STANDARDS**

The Governing Board directs that a District Records Management program be maintained in accordance with all applicable statutes, rules, and the Florida Constitution. The District will ensure that its public records are created and managed according to the requirements of the Public Records Act, Chapter 119, F.S., and the retention schedules established by the Division of Library and Information Services of the Department of State pursuant to Section 257.36, F.S., which directs each public agency to establish and maintain an active and continuing records management program and to designate a Records Management Liaison Officer.

### **POLICY**

The District Records Management program will establish detailed procedures to ensure effective, efficient and economical management methods relating to the creation, utilization, maintenance, retention, preservation, and disposal of all public records created or received by the District. The procedures will ensure that such public records are available for inspection, examination, and duplication under reasonable conditions in compliance with all applicable Florida Statutes and the Florida Administrative Code. The procedures are to include the following elements:

- 1) Preservation of all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the District.
  - a) A written record in the form of minutes of the proceedings of all Governing Board meetings, workshops and committee meetings will be prepared, approved and maintained permanently as part of the District Central Records System in a secure, fire resistant and waterproof storage vault.
  - b) Written summaries of hearings on proposed rules will be retained as part of the rulemaking record prepared by the Office of General Counsel, in accordance with Section 120.54(8), F.S.
- 2) Systematic disposal of public records that do not have sufficient legal, fiscal, administrative or archival value in accordance with retention schedules established by the Records and Information Management Program of the Division of Library and Information Services of the Department of State.

## **GOVERNING BOARD POLICY**

**Title: Records Management**

**Effective Date: MM/DD/YYYY**

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- 3) Availability of all non-exempt District public records for inspection and examination by any person desiring to do so, at any reasonable time, under reasonable conditions while under supervision of the records custodian or designee as prescribed by law. To protect the integrity of the District's records, all inspections and examinations of public records will be conducted under the supervision of District staff for a fee in accordance with District Administrative Fees Policy and Executive Director Procedure.
  
- 4) Provisions for obtaining copies or certified copies of requested public records upon payment of a fee as prescribed by law.

The Executive Director is responsible for designating the official Records Custodian of the District's records, and for designating a Records Management Liaison Officer. The Records Custodian and Records Management Liaison Officer are charged with the responsibility of maintaining the integrity of the District's Records Management Program.

### **DISTRIBUTION**

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

### **REFERENCES**

Chapter 119, Florida Statutes

Section 120.54, Florida Statutes

Section 257.36, Florida Statutes

State General Records Schedule GS1SL

Administrative Fees Governing Board Policy

Administrative Fees Executive Director Procedure

Records Management Liaison Officer (RMLO) Designation Form

Records Custodian Designation Executive Director Memo to Senior Staff

### **REVIEW PERIOD**

This Policy will be reviewed every two years.

**GOVERNING BOARD POLICY**

**Title: Records Management**

**Effective Date: MM/DD/YYYY**

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**DOCUMENT DETAILS**

Document Name	Records Management
Formerly Known As	N/A
Document Type	Policy
Author(s)	Records Manager
Reviewing Stakeholder(s)	Senior Staff, Office of General Counsel
Document Owner Name	Dave Dickens
Document Owner Title	General Services Bureau Chief
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	07/30/2015
Effective Date	MM/DD/YYYY

**APPROVAL**

\_\_\_\_\_  
John R. Mitten  
Chair

\_\_\_\_\_  
Date

# DRAFT

## GOVERNING BOARD POLICY Southwest Florida Water Management District

**Title: Records Management**

**Document** General Services Bureau Chief

**Owner:**

**Approved By:** Board Chair

**Effective Date:** MM/DD/YYYY

**Supersedes:** 04/08/202407/30/2015

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### PURPOSE

The intent of this policy is to ensure that the District establishes and maintains effective records management procedures for managing public records in accordance with Sections 119 and 373, Florida Statutes (F.S.) and Article 1, Section 24, Florida Constitution (Art1, Sect. 24, Fla.Const.)-

### SCOPE

Insert Scope here. Who does this Policy apply to? This policy applies to all District staff including full-time, part-time, student interns and contract employees.

### AUTHORITY

Chapter 119, F.S., Chapter 373, F.S. and Art. 1, Sect 24, Fla Const.

### DEFINITIONS

N/A.

**Custodian of Public Records (CoPR)** – The elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee. Chapter 119.011(5), F.S.

**Public Records (Records)** – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the District. A record serves as

## GOVERNING BOARD POLICY

Title: **Records Management**

Effective Date: **MM/DD/YYYY**

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evidence of the District's functions, policies, decisions, procedures, operations or other activities, Chapter 119.011(12) F.S.

**Records Management** - The field of management responsible for the efficient and systematic control of the creation, receipt, distribution, maintenance, retention, use and defensible disposition of records. It also includes processes for capturing and maintaining evidence of, and information about, business activities and transactions in the form of records.

**Records Management Liaison Officer (RMLO)** – Every agency is required by law to appoint an RMLO to serve as point of contact between the agency and the Division of Library and Information Services' records management program. Their duties include coordinating activities, training staff, and implementing policies for the retention, disposition, and organization of the agency's records.

## STANDARDS

The Governing Board directs that a District Records Management program be maintained in accordance with all applicable statutes, ~~and rules, and the Florida Constitution, contained in the Florida Statutes (F.S.) and the Florida Administrative Code (F.A.C.), namely the~~ The District will ensure that it's public records are created and managed according to the requirements of the Public Records Act, Chapter 119, F.S., and the retention schedules established by the Division of Library and Information Services of the Department of State pursuant to Section 257.36, F.S., which directs each public agency to establish and maintain an active and continuing records management program and to designate a Records Management Liaison Officer.

## POLICY

The District Records Management program will establish detailed procedures ~~and guidelines~~ to ensure effective, efficient and economical management methods relating to the creation, utilization, maintenance, retention, preservation, and disposal of all public records created or received by the District, ~~as well as to~~ The procedures will ensure that such public records are available for inspection, examination, and duplication under reasonable conditions in compliance with all applicable Florida Statutes and the Florida Administrative Code. The procedures ~~and guidelines~~ are to include the following elements:

- 1) Preservation of all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the District.
  - a) A written record in the form of minutes of the proceedings of all Governing Board meetings, workshops and committee meetings will be prepared, approved and maintained permanently as part of the District Central Records System in a secure, fire resistant and waterproof storage vault.
  - b) Written summaries of hearings on proposed rules will be retained as part of the rulemaking record prepared by the Office of General Counsel, in accordance

## GOVERNING BOARD POLICY

Title: Records Management

Effective Date: MM/DD/YYYY

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with Section 120.54(8), F.S.

- 2) Systematic disposal of public records that do not have ~~a~~ sufficient legal, fiscal, administrative or archival value in accordance with retention schedules established by the ~~records~~ Records and ~~information~~ Information management ~~Management program~~ Program of the Division of Library and Information Services of the Department of State.
- 3) Availability of all non-exempt District public records for inspection and examination by any person desiring to do so, at any reasonable time, under reasonable conditions while under supervision of the records custodian or designee as prescribed by law. To protect the integrity of the District's records, all inspections and examinations of public records will be conducted under the supervision of District staff for a fee in accordance with District Administrative Fees Policy ~~430-2~~ and Executive Director Procedure, ~~13-2~~ or under video supervision at no charge.
- 4) Provisions for obtaining copies or certified copies of requested public records upon payment of a fee as prescribed by law.

The Executive Director is responsible for designating the official Records Custodian of the District's records, and for designating a Records Management Liaison Officer. The Records Custodian and Records Management Liaison Officer are charged with the responsibility of maintaining the integrity of the District's Records Management Program.

## DISTRIBUTION

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

## REFERENCES

Chapter 119, Florida Statutes

Section 120.54, Florida Statutes

Section 257.36, Florida Statutes

State General ~~Retention Records~~ Schedule GS1-SL

~~SWFWMD~~ Administrative Fees Governing Board Policy ~~430-2~~

~~SWFWMD~~ Administrative Fees Executive Director

Procedure ~~13-2~~

Records Management Liaison Officer (RMLO) Designation Form

Records Custodian Designation Executive Director Memo to Senior Staff

## REVIEW PERIOD

This Policy will be reviewed every two ~~(2)~~ years. B the General Services Bureau Chief.

**GOVERNING BOARD POLICY**

Title: Records Management

Effective Date: MM/DD/YYYY

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**DOCUMENT DETAILS**

Document Name	<u>Records Management</u>
Formerly Known As	N/A
Document Type	Policy
Author(s)	Records Manager
Reviewing Stakeholder(s)	Office of General Counsel, <del>Inspector General</del>
Document Owner Name	Dave Dickens
Document Owner Title	General Services Bureau Chief
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	<u>04/08/202407/30/2015</u>
Effective Date	<u>MM/DD/YYYY</u>

**APPROVAL**

\_\_\_\_\_  
John R. Mitten  
Chair

\_\_\_\_\_  
Date

**FINANCE/OUTREACH AND PLANNING COMMITTEE**

**March 24, 2026**

**Submit & File: Information Item: Budget Transfer Report**

*Purpose*

Provide the Budget Transfer Report covering all budget transfers made during the month of February 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 February 2026.

*Exhibits*

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**  
**February 2026**

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason for Transfer	Transfer Amount
<b><u>Change from Original Budget Intent</u></b>				
1	Natural Systems & Restoration Cooperative Program - USGS	Data Collection Surveying Services	Transfer of funds originally budgeted for surface water data collection and reporting with the U.S. Geological Survey (USGS) to support the District's Minimum Flows and Levels (MFLs) program. Funds are no longer required due to a reduction in services from the USGS, resulting in savings from some data collection being performed in-house. Funds are required for professional surveying and mapping services to assist with workload while the District recruits for an additional Professional Surveyor and Mapper following an unanticipated vacancy.	\$ 72,000.00
2	Natural Systems & Restoration Cooperative Program - USGS	Office of General Counsel Consultant Services	Transfer of funds originally budgeted for surface water data collection and reporting with the USGS to support the District's MFLs program. Funds are no longer required due to a reduction in services from the USGS, resulting in savings from some data collection being performed in-house. Funds are required for a geophysical investigation to identify preferential seepage flow paths surrounding the Medard Dam.	75,000.00
<b>Total Change from Original Budget Intent</b>				<b>\$ 147,000.00</b>
<b><u>Consistent with Original Budget Intent</u></b>				
1	Engineering and Project Management Procurement Advertising and Public Notices Travel - Staff Duties Capitalized - Contracted Construction	Engineering and Project Management Procurement Advertising and Public Notices Travel - Staff Duties Capitalized - Contracted Construction Contracted Construction	Funds are needed for the original budgeted purpose for capital improvements to P-1 and P-3 Water Control Structures and associated project implementation costs, as well as the capital improvements from the replacement of control systems on District water control structures. Following an engineer's alternatives analysis, the necessary improvements to P-1 and P-3 no longer meet the accounting definition of capital improvement. The construction funds are being transferred between the two projects to meet Generally Accepted Accounting Principles for the use of Capital Improvement Funds, and the remaining funds are transferred to a non-capital project code to appropriately track the improvements to P-1 and P-3 Water Control Structures.	\$3,001,720.00
2	Land Resources Land Recording and Court Costs Abstracts and Title Fees Environmental Site Assessments Capitalized - Surveying Services	Land Resources Appraisal Svcs - Land Acquisition Abstracts and Title Fees Capitalized - Surveying Services	Funds are needed for the original budgeted purpose for acquisition of perpetual easements in support of the District's network of groundwater monitoring wells. The District has been awarded a grant from the Department of Environmental Protection that will offset acquisition costs associated with easements required to replace monitoring that was previously provided by the USGS. The funds are being transferred for appropriate accounting of reimburseable expenditures.	60,538.00
3	Operations Consultant Services	Operations Consultant Services	Funds are needed for the original budgeted purpose for outside services in support of the District's Bridge Inspection Program. The funds are being transferred from the Field Operations Section to the Structure Operations Section for oversight of this program as part of a strategic realignment of responsibilities.	65,000.00

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Budget Transfer Report**  
**February 2026**

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason for Transfer	Transfer Amount
4	Operations Contracted Construction	Operations Contracted Construction	Funds are needed for the original budgeted purpose for the Peace Creek Canal Sediment Removal and Bank Stabilization project. The District has been awarded a \$614,879.56 grant from the Department of Environmental Protection which will offset District budgeted funds for the project. The funds are being transferred for appropriate accounting of reimburseable expenditures in addition to being transferred from the Field Operations Section to the Structure Operations Section for project management.	760,000.00
<b>Total Consistent with Original Budget Intent</b>				<b><u>\$3,887,258.00</u></b>
<b>Total Amount Transferred</b>				<b><u>\$4,034,258.00</u></b>

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**  
**March 24, 2026**

**4. REGULATION COMMITTEE**

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**REGULATION COMMITTEE**

**March 24, 2026**

**Discussion: Consent Item(s) Moved to Discussion**

Presenter:

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

## REGULATION COMMITTEE

March 24, 2026

### Discussion: Information Item: Hydrologic Conditions Report

- February marks the fifth month of the eight-month dry season (October through May). Rainfall was scattered, regionally variable, and mainly associated with several cold front systems that moved across the Florida peninsula. February also brought cold, dry air with freezing temperatures and below-average rainfall amounts.
- Rainfall: Although provisional (Feb. 1-28) rainfall totals were below average, they were considered within the normal range in all three regions of the District. The Districtwide 12-month cumulative rainfall total worsened, ending the month at a deficit of 13.69 inches below the long-term historical average.
- Streamflow: Monthly streamflow increased at 9 of 12 monitoring stations, while flow decreased at three stations, compared to last month. One station reported normal flow, four reported below-normal flow, while seven reported much-below-normal flow. Regional streamflow, based on three index rivers, ended the month much below normal in the northern and southern counties, while below normal in the central counties.
- Groundwater: Regional aquifer-level percentiles increased in the northern counties, while they decreased in the central and southern counties, compared to last month. Regional aquifer-level percentiles ended the month below normal in the northern and southern counties, while just within the normal range in the central counties.
- Lake Levels: Regional lake levels declined in all four lake regions of the District, compared to last month. Average lake levels ended the month below normal in the Northern, Tampa Bay and Lake Wales Ridge regions, while within the normal range in the Polk Uplands region.
- Overall: Below-average rainfall during February contributed to mixed (i.e., some increases and decreases) regional hydrologic indicator responses due to spatial variability of the rainfall and areas of lingering dry conditions. The National Oceanic and Atmospheric Administration (NOAA) predicts equal chances for normal, above-normal, or below-normal rainfall from March through May. Extended drier-than-normal rainfall during spring would worsen overall hydrologic conditions. The risk for wildfire is moderate to high in many areas of the District.

#### *Strategic Plan*

District's Strategic Plan 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

March 24, 2026

### Discussion: Action Item: Consider Water Shortage Order(s) as Necessary

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 for all the areas listed above.

Since the issuance of the modified Phase II Water Shortage Order No. SWF 25-015, the District has continued to monitor conditions according to the Plan.

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. Within the District's central counties one Drought Indicator was classified as Critically Abnormal, two Drought Indicators were classified as Extremely Abnormal, and six Drought Indicators were classified as Normal. Within the District's southern counties one Drought Indicator was classified as Critically Abnormal, one was classified as Extremely Abnormal, and three Drought Indicators were classified as Severely Abnormal.

As a result of the conditions described above and the decline of regional water supplies, staff's recommendation is to update SWF Order No. 25-015 to a Modified Phase III, which continues one-day-per-week watering restrictions and decreases the hours allowable for irrigation for the duration of SWF Order No. 25-015. Water Shortage Order No. SWF 25-015 shall remain in effect through July 1, 2026, unless extended, modified, or rescinded by the 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.

#### *Exhibits*

Draft copy of Modified Phase III Water Shortage Order

#### Staff Recommendation:

Recommendation is to update the current Water Shortage Order to a Modified Phase III.

#### 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

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### **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 3<sup>rd</sup> percentile, the 8-week moving average streamflow of the Withlacoochee River at Holder was at the 10<sup>th</sup> percentile, the 24-month moving sum for rainfall was at the 14<sup>th</sup> percentile, the 7-day average streamflow of the Withlacoochee River at Holder was at the 17<sup>th</sup> percentile, the 7-day average streamflow of the Withlacoochee River at Trilby was at the 19<sup>th</sup> percentile, and the aquifer resource indicator for the District's northern counties was at the 18<sup>th</sup> 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 5<sup>th</sup> percentile, the 8-week moving average streamflow of the Alafia River at Lithia was at the 8<sup>th</sup> percentile, and the 7-day average streamflow of the Alafia River at Lithia was at the 10<sup>th</sup> 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 2<sup>nd</sup> percentile, the 24-month moving sum for rainfall was at the 9<sup>th</sup> percentile, the 8-week moving average streamflow of the Peace River at Arcadia was at the 13<sup>th</sup> percentile, the 7-day average streamflow of the Peace River at Arcadia was at the 16<sup>th</sup> percentile, and the aquifer resource indicator for the District's southern counties was at the 14<sup>th</sup> 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 24<sup>th</sup> day of March, 2026.

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

By: \_\_\_\_\_  
John Mitten, Chair

(Seal)

Approved as to Legal Form & Content
_____ Attorney

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 II WATER SHORTAGE  
IN CHARLOTTE, CITRUS, DESOTO, HARDEE, HERNANDO, HIGHLANDS,  
HILLSBOROUGH, LAKE, LEVY, MANATEE, MARION, PASCO, PINELLAS,  
POLK, SARASOTA, AND SUMTER COUNTIES

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**FIRST MODIFICATION TO WATER SHORTAGE ORDER NO. SWF 25-015**

During a public hearing held at its regularly scheduled meeting on January 27, 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. A copy of that Order is attached hereto as Exhibit "A." According to its terms, Water Shortage Order No. SWF 25-015 will remain in effect through July 1, 2026 unless extended, modified, or rescinded by the Governing Board prior to that date.
2. 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.
3. Since the issuance of Water Shortage Order No. SWF 25-015, the District has continued to monitor conditions according to the Plan. As of January 6, 2026, the factors the District uses to evaluate hydrologic conditions indicate the continued existence of abnormal conditions across the District's entire jurisdiction.
4. As of January 6, 2026, one Drought Indicator within the District's northern counties was classified as Critically Abnormal, two Drought Indicators were classified as Severely Abnormal, and two Drought Indicators were classified as Moderately Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 12-month moving sum for rainfall

## Exhibit 1

was at the fifth percentile. The 24-month moving sum for rainfall was at the 19<sup>th</sup> percentile, and the 7-day average streamflow of the Withlacoochee River at Holder was at the 21<sup>st</sup> percentile. The 8-week moving average streamflow of the Withlacoochee River at Holder was at the 22<sup>nd</sup> percentile. The aquifer resource indicator was at the 25<sup>th</sup> percentile.

5. As of January 6, 2026, two Drought Indicators within the District's southern counties were classified as Critically Abnormal, and three Drought Indicators were classified as Severely Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 12-month moving sum for rainfall in the District's southern counties was at the fourth percentile, the 7-day average streamflow for the Peace River at Arcadia was at the third percentile, the 8-week moving average streamflow of the Peace River at Arcadia was at the 11<sup>th</sup> percentile, the 24-month moving sum for rainfall in the District's southern counties was at the 19<sup>th</sup> percentile, and the Aquifer Resource Indicator for the District's southern counties was at the 18<sup>th</sup> percentile.

6. As of January 6, 2026, two Drought Indicators within the District's central counties were classified as Extremely Abnormal and two Drought Indicators were classified as Severely Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 12-month moving sum for rainfall for the District's central counties was at the eighth percentile, the 7-day average streamflow of the Alafia River at Lithia was at the ninth percentile, the 8-week moving average streamflow of the Alafia River at Lithia was at the 11<sup>th</sup> percentile, and the 7-day average streamflow of the Hillsborough River at Zephyrhills was at the 20<sup>th</sup> percentile.

7. 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

8. 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.

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

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

- a. Drought Indicators and Drought Condition Levels;
- b. Current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status;
- c. Seasonal characterizations of collected data;

## Exhibit 1

- d. The relative impact of withdrawals used to supply various categories of water uses on the affected Source Class(es) and any specific water body for which the shortage is declared;
  - e. The availability and practicality of alternative sources for each category of water user;
  - f. To the degree practical, how the District can implement phased restrictions and other required actions in a manner that distributes the burden of the required actions equitably among water users, relative to their impact on the affected Source Class(es) and specific water bodies experiencing the Water Shortage;
  - g. The potential for serious harm to natural systems as a result of the drought or other Water Shortage;
  - h. The appropriate geographic scope of potential water use restrictions and other required actions, relative to the affected source;
  - i. The effectiveness of current and potential water use restrictions and other required actions in containing or reducing water use to protect the affected source; and
  - j. Any adverse impact of current and potential water use restrictions and other required actions on public health, safety and welfare.
11. Based upon consideration of all relevant information, a Modified Phase II Water Shortage exists throughout all counties within the jurisdiction of the District.
12. Based upon the foregoing, it is hereby **ORDERED**:
- a. SWF Order No. 2025-015 is hereby modified as follows:
    - i. A modified Phase II "Severe 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 II Water Shortage restrictions and other requirements provided in Rule 40D-21.631, F.A.C. shall go into effect on February 8, 2026, for all water uses in areas subject to District restrictions, superseding any less stringent provisions of Rule 40D-22, F.A.C. or Rule 40D-21.621, F.A.C. A copy of Rule 40D-21.631 is attached hereto as Exhibit "B."
    - iii. The one-day-per-week watering restrictions provided in the Phase II Water Shortage Lawn and Landscaping irrigation restrictions in Rule 40D-21.631(6)(c), F.A.C. for the months of December, January, and February shall remain in effect for the duration of SWF Order No. 25-015, notwithstanding the month-based restrictions provided in that provision, and superseding any less stringent provisions of Rule 40D-21.621(6).


## Exhibit 1

- iv. If an individual or entity holds an active variance (Variance Holder) from Chapter 40D-22 or 40D-21, F.A.C., which prescribes an alternative irrigation schedule, the Variance Holder may continue to irrigate in accordance with the irrigation schedule prescribed by their variance in place of the day-of-the-week irrigation schedule prescribed by this water shortage order so long as the Variance Holder complies with the number of irrigation applications per week established by this water shortage order.
- v. Because this order limits the Variance Holder's number of irrigation applications per week to once a week, the Variance Holder may choose to irrigate their property on one of the scheduled irrigation days prescribed by their variance in place of the day-of-the-week irrigation schedule prescribed by this water shortage order.
- 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 27<sup>th</sup> day of January, 2026.

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

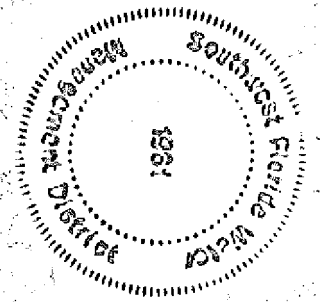
By:   
For: John Mitten, Chair

Approved as to Legal Form & Content  
  
\_\_\_\_\_  
Attorney

Filed this 27<sup>th</sup> day of  
January, 2026.

  
\_\_\_\_\_  
Deputy Agency Clerk

(Seal)



**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.

Exhibit 1  
**EXHIBIT**  
**A**

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

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

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**WATER SHORTAGE ORDER NO. SWF 25-015**

During a public hearing held at its regularly scheduled meeting on November 18, 2025, 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. 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.
2. As of November 3, 2025, one Drought Indicator within the District's northern counties is classified as Severely Abnormal, and one Drought Indicator is classified as Moderately Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 12-month moving sum for rainfall in the northern counties was at the 19th percentile, and the 7-day average streamflow of the Withlacoochee River at Trilby was at the 21st percentile. The District's northern region received below normal rainfall in September. Rainfall for that month was equal to the 14<sup>th</sup> percentile. According to the U.S. Drought Monitor, the District's northern counties are mostly under "abnormally dry" conditions.
3. As of November 3, 2025, two Drought Indicators within the District's southern counties are classified as Extremely Abnormal, one Drought Indicator is classified as Severely Abnormal, and one Drought Indicator is classified as Moderately Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 8-week moving average streamflow of the Peace River at Arcadia was at the 10<sup>th</sup> percentile, the 7-day average streamflow for the Peace River at Arcadia was at the 4<sup>th</sup> percentile, the 12-month moving sum for rainfall in the District's southern counties was at the 20th percentile, and the Aquifer Resource Indicator for the District's southern counties was at the 16<sup>th</sup> percentile.

## Exhibit 1

The District's southern counties received 25% of expected rainfall for October, and September rainfall was considered below normal in the District's southern region, equal to the 5<sup>th</sup> percentile. According to the U.S. Drought Monitor, the District's southern counties are under "abnormally dry" conditions.

4. As of November 3, 2025, four Drought Indicators within the District's central counties were classified as Severely Abnormal in accordance with Table 21-2 of the Plan. Specifically, the 8-week moving average streamflow of the Hillsborough River at Zephyrhills was at the 11<sup>th</sup> percentile, the 7-day average streamflow of the Hillsborough River at Zephyrhills was at the 12<sup>th</sup> percentile, the 8-week moving average streamflow of the Alafia River at Lithia was at the 15<sup>th</sup> percentile, and the 7-day average streamflow of the Alafia River at Lithia was at the 12<sup>th</sup> percentile. September rainfall in the District's central counties was considered below normal, and was equal to the 14<sup>th</sup> percentile. According to the U.S. Drought Monitor, the District's central counties are under "abnormally dry" conditions.

5. Due to the factors described above, circumstances warrant that the District alert the general public, local governments, water utilities, and other water users that hydrologic conditions are deteriorating, and additional measures may be necessary if conditions deteriorate further.

### CONCLUSIONS OF LAW

6. 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.

7. 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.

8. 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;

## Exhibit 1

- 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.

9. Based upon consideration of all relevant information, a Phase I Water Shortage exists throughout all counties within the jurisdiction of the District.

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

- a. A Phase I "Moderate Water Shortage," as defined in the Plan, is declared for all ground and surface waters within the District's sixteen-county jurisdiction.
- b. Phase I "Moderate Water Shortage" restrictions and other response mechanisms are hereby ordered for all categories of water users within the District's sixteen-county area, except for those areas specifically excluded in subparagraph "d.", below, and shall go into effect as of December 1, 2025. These restrictions and other response mechanisms are specified in Rule 40D-21.601(4), F.A.C., and Rule 40D-21.621, F.A.C. A copy of these rules is attached hereto as "Exhibit A."
- c. For Water Utility Uses, this order specifically includes monthly enforcement reporting. As part of the customer messaging that is also required, Water Utilities shall specifically inform customers that more aggressive water shortage action may become necessary if conditions worsen.
- d. The area affected by this order specifically includes The Villages, but specifically excludes the City of Ocala and portions of unincorporated Marion County not within The Villages, as restrictions in those areas are managed by the St. Johns River Water Management District in accordance with an interagency agreement between the two Water Management Districts, a copy of which is attached hereto as "Exhibit B." This area specifically excludes unincorporated Levy County, since restrictions in those areas are managed by the Suwannee River Water Management District in accordance with an interagency agreement between the two

Exhibit 1

Water Management Districts, a copy of which is attached hereto as "Exhibit C."


- e. These restrictions shall apply regardless of whether the use is associated with a Water Use Permit.
- f. The above-described restrictions and other required actions shall remain in effect through July 1, 2026, unless extended, modified, or rescinded by the Governing Board prior to that date.
- g. 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.
- h. 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 18<sup>th</sup> day of November, 2025.

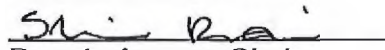
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

By:   
John Wilken, Chair

(Seal)

Approved as to Legal Form & Content  
  
Attorney

Filed this 19<sup>th</sup> day of  
November, 2025.

  
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.

**40D-21.601 General.**

(1) Purpose – this Part sets forth specific water use restrictions and other required actions available to the District for implementation upon a declaration of a Water Shortage or Water Shortage Emergency.

(2) The water use restrictions and other required actions specified within this Plan may be modified by the Board or Executive Director to address the specific Water Shortage or Water Shortage Emergency event. The selected combination of water use restrictions and other required actions shall be summarized in the notice(s) of the water shortage declaration, as specified above in Rule 40D-21.275, F.A.C.

(3) Water use restrictions and other required actions may be established for each Use Class and various subcategories, as appropriate. All water users have a duty to keep informed about the water use restrictions and other required actions applicable to them.

(4) In addition to the restrictions specified in this part, all wasteful and unnecessary water use is prohibited regardless of the phase of Water Shortage. Wasteful and unnecessary water use includes the water use activities listed in subsection 40D-22.201(2), F.A.C., and any of the following:

- (a) Allowing water to be dispersed without any practical purpose to the water user;
- (b) Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use; and
- (c) Allowing water to be dispersed to accomplish a purpose for which water use is unnecessary or which can be readily accomplished through alternative methods without water use.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 4-9-06, 7-5-12.*

**40D-21.621 Phase I: Moderate Water Shortage.**

(1) A Phase I Water Shortage is a hydrologic or climatic condition in which at least one regional or local Drought Indicator has a moderately abnormal value, such that conditions warrant the District alerting the general public and the District ordering water utilities and other water users to review and implement internal procedures needed to fully implement restrictions and other required actions during a Phase II, Phase III, Phase IV or emergency declaration. The following measures shall remain in effect during a Phase I Water Shortage unless otherwise provided in an order implementing a Phase I Water Shortage. Except as set forth in this Rule 40D-21.621, F.A.C., lawn irrigation and other uses of water remain subject to applicable provisions of Chapter 40D-22, F.A.C. (the District's Year-Round Water Conservation Measures) and any applicable variances thereto issued by the District.

(2) Indoor Uses. Indoor Uses should be voluntarily reduced.

(3) Essential Uses.

(a) Fire Fighting & Other First-Responder Activities.

1. Fire hydrant testing shall not be restricted. Each fire hydrant testing agency, whether a local government unit or other entity, shall review and update existing procedures or develop procedures through which it can address inquiries from the District and citizens about specific testing activity. At a minimum, these procedures shall include either the use of an on-site sign containing the name and telephone number of the hydrant testing agency or the establishment and promotion of a telephone number of a hotline that the District and citizens can call to question testing activity at a specific location. A marked vehicle remaining on-site during the activity may be used in lieu of a free-standing sign.

2. Fire suppression and fire prevention activities shall not be restricted. Each fire fighting agency shall, and each local government shall direct its fire department to, review and revise as necessary its inventory for primary and back-up water sources.

3. Maintenance of fire fighting facilities and other emergency equipment is allowed as needed. This maintenance specifically includes the washing of fire engines, law enforcement vehicles and other emergency Mobile Equipment. This maintenance specifically requires the use of a trigger (self-canceling) nozzle when a garden-type hose is used for cleaning or other maintenance purposes in accordance with subsection 40D-21.601(4), F.A.C.

(b) Water Utility Use. The following water use restrictions or other required actions shall apply to all Water Utility Uses, as indicated.

1. Each public supply water system with residential, commercial, industrial, or irrigation customers, working with local code enforcement and local law enforcement agencies as necessary, shall review and update or develop, then implement, local enforcement procedures for year-round water conservation measures and Water Shortage restrictions, including but not limited to mechanisms to provide the enforcement assistance required by subparagraph 40D-21.621(3)(b)2., F.A.C., in accordance with Section 373.609, F.S. These procedures shall also specifically include an ability to issue a citation without first needing to issue a warning, should the District declare a Phase III or Phase IV water shortage. If the water utility is a nongovernmental entity, or if a governmental agency other than the water utility has responsibility for enforcement of year-round water conservation measures and the District's Water Shortage orders, the procedures shall, at a minimum, include a mechanism for the public supply water system to coordinate with the applicable local enforcement agency to provide the required assistance.

2. Each public supply water system with residential, commercial, industrial or irrigation customers shall provide, directly or through the applicable local enforcement agency, the following enforcement assistance to the District:

a. Immediate information regarding possible violations involving a Permittee, so that District staff can take the lead on such investigations.

b. Response, as appropriate based on the quantity and quality of details provided to the water utility, to enforcement referrals made by the District regarding address-specific or location specific violation complaints. This shall involve, where necessary, a site investigation on the day of week and at the time of day indicated for each referral. This shall also include having the legal mechanisms necessary to issue warnings, citations, and post-citation proceedings to recover unpaid penalties and associated costs.

c. Excluding Small Water Utilities, monthly transmittal of enforcement activity data, including the number of warnings and citations issued, and as specified in the water shortage order in a reporting format provided by District.

d. Within 60 days of the Water Shortage declaration and if subsequently requested by the District, contact information for the District's use in providing enforcement referrals and soliciting required enforcement data.

3. Each public supply water system shall institute or accelerate other water conservation efforts which can help manage demand during the Water Shortage declaration. These efforts shall include:

a. Excluding Small Water Utilities, customer messaging for all customers, including wholesale users (other water utilities), informing those customers about the current Water Shortage declaration, describing how the water utility's primary and back-up water supplies are affected, and promoting any ongoing water conservation projects offered by the water utility (such as appliance rebates or irrigation inspections) that will assist customers in their efforts to immediately reduce water consumption. If a water supply authority or other public supply water system serves only wholesale users (other water utilities), then communication with all wholesale users satisfies this requirement. The messaging method(s) shall be determined by the public supply water system.

b. Water utility operational practices. At a minimum, these practices shall address line flushing and disinfection. Potable water, sanitary sewer and reclaimed water line flushing and disinfection shall not be restricted. However, each water utility shall develop and implement procedures through which it can address inquiries from the District and citizens about specific flushing and disinfection activity. At a minimum, these procedures shall include the use of either an on-site sign containing the name and telephone number of the agency conducting the flushing activity or establishment and promotion of a telephone hotline that customers and other concerned citizens can call to question activity at a specific location. A marked vehicle remaining on-site during the activity may be used in lieu of a sign. If the water utility is also responsible for fire hydrant testing, these processes will also satisfy the requirement in paragraph 40D-21.621(3)(a), F.A.C.

4. The notice specified in subsection 40D-21.275(3), F.A.C., that is sent to public supply Permittees will summarize the requirements listed above.

(c) Medical and Health Use. The use of water for medical purposes and protection of public health, safety and welfare shall not be restricted.

(4) Commercial and Industrial Use. In addition to the requirements of any applicable Water Use Permit, the following restrictions and other response mechanisms shall apply to all Commercial and Industrial Use, as appropriate:

(a) All commercial and industrial Permittees shall review current water conservation programs to assure that permit-required elements have been fully implemented and to determine what additional demand management measures could be reasonably employed, should resource conditions further deteriorate.

(b) Commercial and industrial use shall continue to be restricted by any applicable Water Use Permit.

(5) Agricultural Use.

(a) All Agricultural Permittees shall review current water conservation programs to assure that permit-required elements have been fully implemented and to determine what additional demand management measures could be temporarily employed, should resource conditions further deteriorate.

(b) The following restrictions on water use shall apply, as appropriate:

1. Agriculture shall comply with the allowable watering hours, exemptions from those hours and other provisions specified in Chapter 40D-22, F.A.C. These provisions expressly include exemptions for irrigation needed for plant protection, including prevention of frost and freeze or heat damage and to water-in chemicals. Additionally, any Agricultural water user with a variance from Chapter 40D-22, F.A.C., to follow a published BMPs document, shall continue to comply with the variance. In the context of allowable watering hours, Agricultural Uses of center pivot and traveling gun technologies shall have the same exemptions as Low-Volume Irrigation.

2. Agricultural Use shall continue to be restricted by any applicable Water Use Permit.

(6) Landscape Use.

(a) All Permittees authorized to use water for Landscape Use shall review current water conservation programs to assure that permit-required elements have been fully implemented and to determine what additional demand management measures could be temporarily employed, should resource conditions further deteriorate.

(b) Lawn and Landscaping, Golf Course, Driving Range and Other Athletic Play Area use shall continue to comply with all applicable provisions of Chapter 40D-22, F.A.C. These provisions include an establishment period of allowable extra water applications for new plant material and a separate day-of-week exemption for Low-Volume Irrigation technology (such as microirrigation or handwatering) to be used on any plant material other than turfgrass which requires frequent irrigation beyond the standard establishment period.

(c) Each property owner or manager shall voluntarily reduce water use and prepare for possible worsening conditions.

(d) An example copy of the notice specified in subsection 40D-21.275(3), F.A.C., shall be sent to the Florida Department of Financial Services – Bureau of Cemetery Services and will include a summary of the requirements listed above.

(7) Other Uses.

(a) All Permittees authorized to use water for purposes not described above shall review current water conservation programs to assure that permit-required elements have been fully implemented and to determine what additional demand management measures could be temporarily employed, should resource conditions further deteriorate.

(b) The following restrictions on water use shall apply to each other water use activity, as appropriate:

1. Lawn and Landscaping Use associated with any activity shall comply with applicable provisions of Chapter 40D-22, F.A.C. This specifically includes an allowance for the operation of an irrigation system during otherwise restricted days or hours for the discharge of water from air conditioning units or similar water-dependent devices.

2. Recycling or secondary use of water shall occur, to the maximum extent practicable. For example, a child's water slide or other recreational water device can be positioned so that it discharges onto a turfgrass area that requires irrigation.

3. Water use necessary to the activity, such as rinsing as part of the process of Mobile Equipment cleaning is restricted only as provided in Rule 40D-21.601, F.A.C. For example, this means that rinsing is allowed if done with the use of a trigger (self-canceling) nozzle on any garden-type hose used for cleaning or other maintenance purposes.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 5-30-93, 4-9-06, 7-5-12.*

RECORDING FEES \$2.60

INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF OCALA AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA

RECORDED  
2009  
1219 S. Pine Ave  
OCALA, FL 34471  
ATTN: T. S. SHERK

THIS INTERAGENCY AGREEMENT is made as of May 18, 2009, and entered into by and between the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ("SJRWMD") and the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("SWFWMD"), (collectively "Districts") with the concurrence of the CITY OF OCALA ("City") and the BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA ("County").

WITNESSETH:

WHEREAS, the City of Ocala and Marion County are located within the jurisdictional boundaries of both Districts; and

WHEREAS, on February 18, 2008, the Districts, with the concurrence of Marion County, entered into a short-term (one year) Interagency Agreement ("Agreement") for the unincorporated areas of the County, regarding division of the Districts' regulatory authority over water conservation, water shortages and water shortage emergencies; and

WHEREAS, the Districts renewed and extended the Agreement for two months so that the Districts could have additional time to determine the terms of a new agreement; and

WHEREAS, the Districts now desire to enter into a new Interagency Agreement regarding the issue of regulatory authority within the City and the unincorporated areas of the County for small landscape irrigation water uses, water shortages and water shortage emergencies; and

WHEREAS, both the City and County have informed the Districts of their desire to adopt and enforce uniform landscape irrigation ordinances and to enforce water shortages orders and water shortage emergency orders on a countywide and citywide basis; and WHEREAS, pursuant to subsection 373.046(6), F.S., when a geographic area of a local government crosses water management district boundaries, the affected districts may designate, by interagency agreement, a single affected district to implement in that area under the rules of the designated district, all or part of the applicable regulatory responsibilities.

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

1. SJRWMD is designated as the agency with the authority to regulate under Part II, Chapter 373, F.S., those consumptive uses of water for landscape irrigation that do not meet or

INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF OCALA AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA

exceed any permitting threshold in Rule 40C-2.041(1)(a)-(d), F.A.C. As such, the provisions of SJRWMD's landscape irrigation rule (Rule 40C-2.042(2)(a)-(c) and (8), F.A.C., shall be in full force and effect within all areas of the City and all unincorporated areas of the County, except that unincorporated area lying within The Villages of Marion, FQD. Lawn and landscape irrigation within the Villages of Marion, FQD shall be subject to the jurisdiction of the SWFWMD pursuant to Chapter 22, F.A.C.

2. SJRWMD is designated as the agency with the authority to declare water shortages and water shortage emergencies pursuant to sections 373.175 and 373.246, F.S., and Chapter 40C-21, F.A.C., within all areas of the City and all unincorporated areas of the County, except that unincorporated area lying within The Villages of Marion, FQD. The SWFWMD is designated as the agency with the authority to declare water shortages and water shortage emergencies pursuant to section 373.175 and 373.246, F.S. within the Villages of Marion, FQD.

3. This Agreement shall commence upon execution by the Districts, with the concurrence of the City and the County, and shall continue in full force and effect unless otherwise amended in writing by the Districts. Either District may terminate this Agreement upon thirty (30) days prior written notice to the other District.

4. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, each party or its lawful representative has executed this Agreement on the day and year first above written.

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INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF OCALA AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

Attest: Deanna M. Brass

By: David L. Moore 4-28-09  
David L. Moore  
Executive Director

Approved As to Form and Content  
Raf  
SWFWMD Attorney

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INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF Ocala AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA

Attest:



ST. JOHNS RIVER WATER  
MANAGEMENT DISTRICT

By:



Kirby B. Green II  
Executive Director

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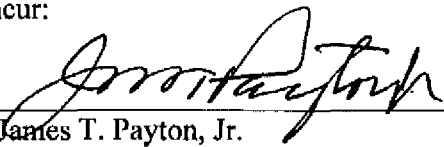
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INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF OCALA AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA


Attest:

By:   
\_\_\_\_\_  
David R. Ellspermann  
Clerk of the Court

Concur:

By:   
\_\_\_\_\_  
James T. Payton, Jr.  
Chairman, Marion County BCC  
BCC Approved: 5-19-09

Approved as to Form and Legal Sufficiency:

By:   
\_\_\_\_\_  
Thomas L. Wright  
Marion County Attorney

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Concur:  
Page 5 of 6

ACCEPTED BY CITY COUNCIL

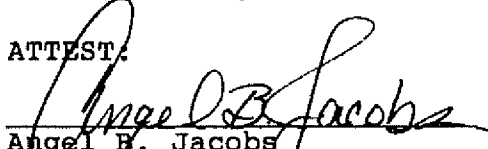
July 7 2009

DATE

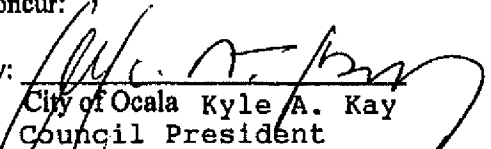
OFFICE OF THE CITY CLERK

INTERAGENCY AGREEMENT BETWEEN THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REGARDING LANDSCAPE IRRIGATION AND WATER SHORTAGES WITHIN THE  
CITY OF OCALA AND THE UNINCORPORATED AREAS OF MARION COUNTY,  
FLORIDA

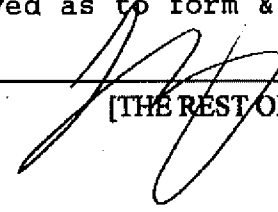
ATTEST:

  
Angel B. Jacobs  
Interim City Clerk

Concur:

By:   
City of Ocala Kyle A. Kay  
Council President

Approved as to form & legality:

  
W. James Gooding III  
~~Assistant City Attorney Patrick G. Gilligan, City Attorney~~

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**INTERAGENCY AGREEMENT BETWEEN THE  
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND THE  
SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
REGARDING YEAR-ROUND WATER CONSERVATION MEASURES, WATER  
SHORTAGES AND WATER SHORTAGE EMERGENCIES WITHIN ALL  
UNINCORPORATED AREAS OF LEVY COUNTY, FLORIDA**

THIS INTERAGENCY AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("SWFWMD") and the SUWANNEE RIVER WATER MANAGEMENT DISTRICT ("SRWMD").

WITNESSETH:

WHEREAS, Levy County, a local government, is located within the jurisdictional boundaries of both SWFWMD and SRWMD; and

WHEREAS, pursuant to Section 373.046(6), Florida Statutes ("F.S."), when a geographic area of a local government crosses water management district boundaries, the affected districts may designate, by interagency agreement, a single affected district to implement in that area under the rules of the designated district all or part of the applicable regulatory responsibilities; and

WHEREAS, Levy County has requested that SWFWMD and SRWMD enter into an interagency agreement designating SRWMD as the district with the regulatory responsibility regarding year-round conservation measures, water shortages and water shortage emergencies within all unincorporated areas of Levy County; and

WHEREAS, Levy County has requested this action that it may adopt a single water shortage ordinance for all unincorporated areas of Levy County; and

WHEREAS, the ability of the County to adopt and enforce such an ordinance will alleviate any confusion on the part of the public regarding what water use restrictions are to be followed, and will assist Levy County staff in the enforcement of such restrictions.

NOW, THEREFORE, SWFWMD and SRWMD, pursuant to the authority of Section 373.046(6), F.S., hereby agree as follows:

1. SRWMD is designated as the agency with the authority to declare and enforce year-round conservation measures, water shortages, and water shortage emergencies within all unincorporated areas of Levy County, pursuant to Sections 373.175 and 373.246, F.S., Section 40B-2.041(9), F.A.C. and Chapter 40B-21, F.A.C.

2. Upon SRWMD's notification to SWFWMD's Demand Management Program Manager, SWFWMD will be responsible for providing the newspaper notice required by Section 373.246(5), F.S., and will provide notice as required by Section 373.246(6), F.S., to each permittee in its jurisdiction within unincorporated Levy County if there is a change to a condition of his or her Water Use Permit or if there is some other restriction on the permittee's use of water resulting from SRWMD exercising the authority provided herein.
  
3. This Interagency Agreement shall commence upon execution by both SWFWMD and SRWMD, with the concurrence of Levy County, and shall continue in full force and effect unless otherwise amended in writing by both Districts. Either SWFWMD or SRWMD may terminate this Interagency Agreement upon 30 days' prior written notice to the other District.

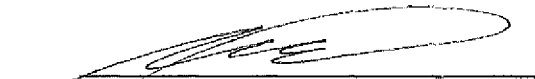
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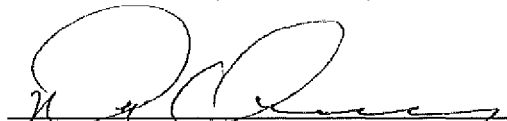
IN WITNESS WHEREOF, each party or its lawful representative has executed this Interagency Agreement on the date written below.

Approved by the Governing Board of the Suwannee River Water Management District


this 14 day of May, 2015.

SUWANNEE RIVER WATER  
MANAGEMENT DISTRICT

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Donald J. Quincey, Jr., Chair  
Executive Director

Approved as to Legal Form  
and Content

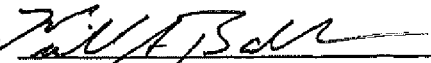
  
\_\_\_\_\_  
Attorney


Approved by the Governing Board of the Southwest Florida Water Management District

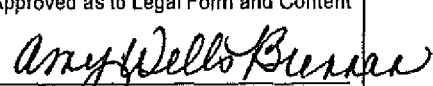
this 19 day of May, 2015.

SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT

[Seal]

By:   
\_\_\_\_\_  
Michael A. Babb, Chair

Attest:   
\_\_\_\_\_  
Jeffrey M. Adams, Secretary

Approved as to Legal Form and Content  
  
\_\_\_\_\_  
Attorney

Concur: BOARD OF COUNTY  
COMMISSIONERS, LEVY COUNTY,  
FLORIDA

Danny Shypps  
Witness

J. M. Hahn  
Chair

6-23-15  
Date

Approved as to Legal Form  
and Content

Anne Bast Brown  
Attorney

**40D-21.631 Phase II: Severe Water Shortage.**

(1) A Phase II Water Shortage is a hydrologic or climatic condition in which multiple regional Drought Indicators have moderately abnormal values, or a local Drought Indicator for a specific public supply has a severely abnormal value, such that conditions warrant prudent actions to further assure only reasonable water uses occur in the affected area. The following shall be in effect during a Phase II Water Shortage unless otherwise provided in the order implementing a Phase II Water Shortage.

(2) Indoor Use. Indoor uses should be voluntarily reduced.

(3) Essential Uses.

(a) Fire Fighting & Other First-Responder Activities.

1. Fire hydrant testing is allowed for the protection of human health, safety and welfare. Each hydrant testing agency, whether a local government unit or an independent entity, shall implement procedures through which it addresses inquiries about testing activity as specified in subsection 40D-21.621(3), F.A.C.

2. Fire suppression and fire prevention activities shall not be restricted. However, each fire-fighting agency shall and each local government shall direct its fire department to review and revise, as necessary, its list of primary and back-up water sources, especially in areas where potable water is not available for fire-fighting purposes.

3. Maintenance of fire-fighting facilities and other emergency equipment is allowed as needed. This maintenance specifically includes the washing of fire engines, law enforcement vehicles and other emergency Mobile Equipment. This maintenance specifically requires the use of a trigger (self-canceling) nozzle on any garden-type hose used for cleaning or other maintenance purposes in accordance with subsection 40D-21.601(4), F.A.C.

(b) Water Utility Use. The following water use restrictions and other required actions shall apply to all Water Utility Uses, as indicated:

1. Each public supply water system with residential, commercial, industrial or irrigation customers shall provide, directly or through the applicable local enforcement agency:

a. Continued implementation of the enforcement procedures and enforcement assistance specified in paragraph 40D-21.621(3)(b), F.A.C.

b. Response, as appropriate based on the quantity and quality of details provided, to violation complaints made by concerned citizens in addition to enforcement referrals made by the District as specified in paragraph 40D-21.621(3)(b), F.A.C.

c. Information regarding possible violations involving a Permittee, so that District staff can take the lead on such investigations.

d. Excluding Small Water Utilities, monthly transmittal of local enforcement data, including the number of warnings and citations issued, and as specified in the water shortage order in a report format provided by the District.

e. Within 60 days of the Water Shortage declaration and if subsequently requested by the District, contact information for the District's use in providing enforcement referrals and soliciting required enforcement data.

2. Each public supply water system shall institute or accelerate system-level water conservation measures which can help manage demand during a Water Shortage declaration. These efforts shall include:

a. Excluding Small Water Utilities, customer messaging for all customers, including wholesale users (other water utilities). This messaging shall inform customers about the current Water Shortage declaration, describe how the water utility's primary and back-up water supplies are affected by the declaration and the resource or supply conditions that lead to the declaration, and promote any ongoing water conservation projects offered by the water utility (such as appliance rebates or irrigation inspections) that would assist customers in their efforts to immediately reduce water consumption. If a public water supply system is a wholesale-only system, then communication with all of its wholesale users (other water utilities) satisfies this requirement. The messaging method(s) shall be determined by the public supply water system.

b. Review and refinement, as necessary, of water utility operational practices regarding water pressure and line flushing to identify and implement any opportunities which would reduce water demand without causing adverse impact to public health, welfare and safety. With regards to line flushing, this shall include taking the actions described in sub-subparagraph 40D-21.621(3)(b)3.b., F.A.C.

3. The notice specified in subsection 40D-21.275(2), F.A.C., that is sent to public supply Permittees will summarize the requirements listed in sub-subparagraphs 40D-21.631(3)(b)1.-2., F.A.C.

(c) Medical and Health Use. The use of water for medical purposes and protection of public health, safety and welfare shall not be restricted.

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(4) Commercial and Industrial Use. The following restrictions and other required actions shall apply to all commercial and industrial activities, as appropriate. Whether or not a commercial or industrial water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this Chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.631(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase II declaration.

(a) Each user whose use is governed by a commercial or industrial Water Use Permit shall continue to comply with all permit requirements and terms.

(b) Each user whose use is not governed by a Water Use Permit shall implement the following demand management measures as appropriate:

1. Reduce off-site discharge to the extent practicable;
2. Recycle water to the extent practicable;
3. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment;
4. Reduce the washing of vehicles and other Mobile Equipment except for health and safety needs or as otherwise required by published industry standards;
5. Maximize the use of the least restricted Source Class to which there is access;
6. Power generation utilities are specifically requested to encourage their customers to voluntarily reduce power consumption as a means to reduce water consumption, and;
7. Water use necessary to the activity, such as that consumed in a manufacturing process, shall not be otherwise restricted.

(5) Agricultural Use. The following restrictions and other required actions shall apply to all agricultural activities, as appropriate. Whether or not a agricultural water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.631(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase II declaration.

(a) Each Agricultural Permittee shall comply with all of its Water Use Permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated by reference in Rule 40D-2.091, F.A.C.

(b) If a use is not governed by a Water Use Permit, but the user has a valid variance from Chapter 40D-22, F.A.C., to follow a published BMPs document, the user shall continue to follow those BMPs.

(c) All other users not governed by paragraph 40D-21.631(5)(a) or (b), F.A.C., shall implement the following demand management measures, as appropriate:

1. Reduce off-site discharge to the extent practicable.
2. Recycle water to the extent practicable.
3. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.
4. Reduce the washing of vehicle and other Mobile Equipment; except for health and safety needs or as otherwise required by BMPs, such to prevent the spread of plant or animal diseases.
5. Maximize the use of the lesser or least restricted Source Class to which there is access.
6. Except as otherwise noted herein, comply with the applicable provisions and exemptions in Chapter 40D-22, F.A.C. These provisions include a ban on supplemental irrigation between the hours of 10:00 a.m. and 4:00 p.m. These exemptions include allowances for Low-Volume Irrigation technology, plant protection, testing and maintenance of irrigation systems and irrigation to water in chemicals. In the context of allowable watering hours, Agricultural Uses of center pivot and traveling gun technologies shall have the same exemptions as Low-Volume Irrigation.
7. Water use necessary to the activity, such as irrigation of crops or maintenance of livestock, shall not be otherwise restricted.

(6) Landscape Use.

(a) Golf Courses and Driving Ranges. The following restrictions and other required actions shall apply to all Golf Course and Driving Range athletic play area activities, as appropriate. Whether or not a golf course or driving range water use activity with

# Exhibit 1

associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.631(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase II declaration.

1. Each user whose use is governed by a Water Use Permit shall comply with all permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated by reference in Rule 40D-2.091, F.A.C.

2. If a user is not governed by a Water Use Permit, the use shall continue as specified in subparagraph 40D-22.201(5)(b)1., F.A.C.

3. All other users not governed by a Water Use Permit and not following subparagraph 40D-22.201(5)(b)1., F.A.C., shall implement the following demand management measures as applicable:

- a. Reduce off-site discharge to the extent practicable.
- b. Recycle water to the extent practicable.
- c. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.
- d. Reduce the washing of vehicles and other Mobile Equipment except for health safety needs or as otherwise required by the published BMPs, such as cleaning the blades on commercial lawn mowers to prevent the spread of Turfgrass diseases between properties.

e. Maximize the use of the least restricted Source Class to which there is access.

f. Limited supplemental irrigation to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m. for properties less than two acres in size. Properties two acres or larger may irrigate between the hours of midnight to 10:00 a.m. or 4:00 p.m. to 11:59 p.m.

g. Except as otherwise noted herein, continue to comply with all applicable provisions and exemptions in Chapter 40D-22, F.A.C. Exemptions include irrigation allowances for plant protection on tees and greens, testing and maintenance of irrigation systems and irrigation to water in chemicals.

(b) Other Athletic Play Areas. The following water use restrictions and other required actions shall apply to all Athletic Play Areas, other than Golf Courses and Driving Ranges, as appropriate. Whether or not an athletic play area water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.631(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase II declaration.

1. Each user whose use is governed by a Water Use Permit shall comply with all permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated by reference in Rule 40D-2.091, F.A.C.

2. Users whose use is not governed by a Water Use Permit shall implement the following, as applicable:

- a. Reduce off-site discharge to the extent practicable.
- b. Recycle water on-site to the extent practicable.
- c. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation or prevent damage to equipment.
- d. Reduce the washing of vehicles and other Mobile Equipment except for health and safety needs or as otherwise required by the BMPs, such as to prevent the spread of Turfgrass disease.

e. Maximize the use of the least restricted Source Class to which there is access.

f. Limit supplemental irrigation to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m. for properties less than two acres in size. Properties two acres or larger may irrigate between the hours of midnight to 10:00 a.m. or 4:00 p.m. to 11:59 p.m.

g. Except as otherwise noted herein, continue to comply with applicable provisions and exemptions in Chapter 40D-22, F.A.C. These specifically include allowances for plant protection of Turfgrass athletic fields, wetting clay tennis courts and similar surfaces immediately prior to play, one extra irrigation application immediately after heavy league play and the ability to have a special watering schedule under some circumstances without applying for a variance.

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(c) Lawns and Landscaping Use, including Cemeteries. The following restrictions and other required actions shall apply to all Lawn and Landscaping Use, including Cemeteries, as appropriate:

1. Each user whose use is governed by a Water Use Permit shall comply with all permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated in Rule 40D-2.091, F.A.C.

2. All Lawn and Landscaping use shall comply with the following demand management measures, as applicable:

a. Limit Supplemental Irrigation to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 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. During the months of March through November, limit Supplemental Irrigation applications to a maximum of two applications per week, in accordance with the schedule provided in subsection 40D-22.201(4), F.A.C. However, during the months of December, January and February, limit Supplemental Irrigation to a maximum of one application per week in accordance with the following schedule:

(I) Addresses ending in 0 or 1 shall only water on Monday.

(II) Addresses ending with a 2 or 3, on Tuesday.

(III) Addresses ending with a 4 or 5, on Wednesday.

(IV) Addresses ending with a 6 or 7, on Thursday.

(V) Addresses ending with an 8 or 9 and locations with a mix of addresses or for which an address cannot be determined (such as common areas associated with a subdivision), on Friday.

(VI) Cemeteries and other properties greater than two acres in size that have a special irrigation schedule in accordance with paragraph 40D-22.201(4)(c), F.A.C., or pursuant to a valid variance from Chapter 40D-22, F.A.C., shall only water each section of property on the first day of the week already assigned to it. For example, a section of the property assigned a "Tuesday and/or Friday" schedule shall only water on Tuesday.

c. Reduce off-site discharge to the extent practicable.

d. Recycle water to the extent practicable.

e. Maximize the use of the least restricted Source Class to which there is access.

f. If core aeration or Vertical Mowing (also sometimes referred to as verticutting) as defined in Rule 40D-22.101, F.A.C., is conducted, temporary extra watering is allowed as provided in paragraph 40D-22.201(3)(f), F.A.C.

g. If Spot Treatment as defined in Rule 40D-21.101, F.A.C., is conducted, temporary extra watering is allowed as provided in paragraph 40D-22.201(3)(e), F.A.C., during the months of March through November. During these nine months, the extra watering may occur on any day of the week. However, during the other three months of the year (December, January and February), this extra watering shall be limited to only the three specified days of the week. The three allowable days of the week for Even addresses are Tuesday, Thursday and Sunday. The three allowable days of the week for Odd addresses are Monday, Wednesday and Saturday. The three allowable days of the week for rights-of-way, common areas and other locations without any discernable address are Sunday, Tuesday and Friday. Cemeteries or other properties two acres in size or larger may instead maintain a written log of when this extra watering occurs. Regardless of the month involved, Spot Treatment shall only be accomplished during the allowable irrigation hours specified by the Water Shortage declaration.

h. Except as otherwise noted herein, comply with all applicable provisions and exemptions of Chapter 40D-22, F.A.C., including partial exemptions for testing of irrigation systems and irrigation to water-in chemicals. These provisions also specifically include an establishment period exemption providing extra water applications for new plant material and a separate exemption for Low-Volume Irrigation technology (such as microirrigation or handwatering) to be used on any plant material other than turfgrass which requires frequent irrigation beyond the standard establishment period.

i. The property owner or manager shall, upon request, provide a receipt or other proof of qualification for the new plant establishment period or other claimed exemption or allowance.

(7) Other Uses.

(a) Except as provided below, all users engaging in Other Use shall comply with applicable provisions of Chapter 40D-22, F.A.C., and implement the following demand management measures, as appropriate:

1. Reduce off-site discharge to the extent practicable;

2. Recycle water to the extent practicable;

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3. Maximize the use of the least restricted Source Class to which there is access;

4. Reduce unnecessary uses to the extent practicable.

(b) Aesthetic Use (fountains, waterfalls and other artistic water features).

1. If an aesthetic use also provides a necessary water quality benefit, such as aeration of a stormwater pond, it may be operated as necessary.

2. If an aesthetic use involves a pond or other catchment area with a volume of 100 gallons or less or meets one of the following criteria, it may be operated as necessary:

a. The feature provides necessary aeration for pet fish, such as in a koi pond.

b. The feature is an integral part of the circulation system for a swimming pool.

c. The feature is in a pond or other catchment area augmented exclusively by reclaimed water, seawater, brackish bay or intracoastal water, air conditioning condensate or other byproducts of an allowable activity.

3. If an aesthetic use is also intended as an interactive recreational use, such as operation of a water play area for children, commercial and institutional users may engage in that activity in accordance with paragraph 40D-21.631(7)(c), F.A.C. In this context, commercial and institutional users specifically include mobile entertainment businesses, events sponsored by public agencies or non-profit organizations, and permanent devices maintained to pool and spa health standards. Water slides and other portable devices, other than those operated by commercial or institutional users, may only be used on an allowable watering day for the location involved.

4. All other aesthetic uses shall be limited to eight hours a day, and the user shall select and post the normal hours of operation.

(c) Recreation Area Use.

1. All pools shall be maintained in a manner that minimizes the need for make-up water. This shall include the prompt repair of leaks, optimum scheduling of backwash filtration and the use of shade or covers to reduce evaporation.

2. Commercial and institutional uses of water for recreational purposes shall comply with subsection 40D-21.631(4), F.A.C.

3. Residential and other non-commercial uses of water for recreational purposes shall be reduced to the maximum extent practicable. For example:

a. Use of a sprinkler or sprinkler-like device on a Lawn for recreational purposes shall be restricted to the watering day(s), watering times and horticulturally necessary amounts for the address involved.

b. Use of a wading pool, water slide, or other child-oriented recreation device shall include discharge or emptying onto a Lawn or Landscape area that requires irrigation.

(d) Water Body Augmentation. Augmentation of a pond or other water body shall be limited to the following circumstances:

1. As required by a Water Use Permit or Environmental Resource Permit, typically for environmental mitigation purposes.

2. The minimum necessary to maintain and preserve the structural integrity of a newly constructed or recently altered pond.

3. The minimum needed to maintain and preserve habitat for native fish and wildlife.

4. Where lake levels are below the lowest minimum level or guidance level, as applicable, established for that lake by the District.

(e) Washing or cleaning of buildings, structures and outdoor impervious surfaces:

1. Annual Pressure Washing for aesthetic purposes is allowed.

2. Pressure Washing of buildings or other structures in preparation for painting, sealing or other necessary maintenance and as a construction practice is allowed. Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

3. Pressure Washing driveways, sidewalks and other impervious surfaces is allowed for necessary maintenance, such as to either maintain a warranty or remove mold, mildew and other potentially hazardous material that cannot be removed by mechanical means (such as a broom or leaf blower) and as a construction practice (such as cleaning a concrete surface prior to painting or sealing). Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

4. Washing or cleaning streets in preparation of, or immediately after, a parade or other public event is allowed.

5. Washing or other water-based cleaning of streets or other impervious surfaces, other than that described above, shall be prohibited, except to meet federal, state, or local health or safety standards. These standards specifically allow for required dust control.

(f) Mobile Equipment Washing.

1. Commercial car washes, hand-detailing operations and similar establishments shall comply with subsection 40D-21.631(4),

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F.A.C.

2. Car wash fundraisers held on behalf of non-profit organizations are allowable, provided participants use water in an efficient manner. This specifically includes the use of a trigger (self-canceling) nozzle on any garden-type hose used.

3. Washing of fire trucks and other emergency vehicles, including ambulances and law enforcement vehicles, shall comply with subparagraph 40D-21.631(3)(a)3., F.A.C.

4. Rinsing boats and flushing boat engines is allowed after each use, as necessary, to remove salt water or to prevent the transportation of exotic plant or animal material.

5. Cleaning agricultural vehicles in accordance with canker abatement procedures, animal husbandry practices and other activities endorsed by the University of Florida's Institute of Food and Agricultural Sciences or United States Department of Agriculture is allowed, as necessary.

6. Other than as described above, car, truck and other Mobile Equipment washing shall be accomplished using low volume methods only, such as with a hand-held hose equipped with a trigger (self-canceling) nozzle and shall be restricted to only one washing a week. This one washing a week shall only occur on the allowable watering day for the address at which the activity occurs.

(g) No person or entity, for example, a homeowner association or property manager, shall enforce any deed restrictions or other community standards which are inconsistent with the Water Shortage declaration. This specifically includes that the person or entity responsible for enforcement will suspend any requirement to replace plant material to meet aesthetic standards.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.185, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 5-30-93, 4-9-06, 7-5-12, 5-19-14.*

## Exhibit 2

### **40D-21.641 Phase III: Extreme Water Shortage.**

(1) A Phase III Water Shortage is a hydrologic or climatic condition in which multiple regional Drought Indicators have severely abnormal values, or a local Drought Indicator for a specific public supply has an extremely abnormal value, such that conditions warrant temporary minimization of unnecessary water use and/or preparation for supply augmentation. The following measures shall be in effect during a Phase III Water Shortage unless otherwise provided in the order implementing a Phase III Water Shortage.

(2) Indoor Use. Indoor Uses should be voluntarily reduced.

(3) Essential Uses.

(a) Fire Fighting & Other First-Responder Activities.

1. Each fire hydrant testing agency, whether a local government unit or an independent entity, shall implement or continue to implement provisions of subparagraph 40D-21.631(3)(a)1., F.A.C., except that fire hydrant testing shall be limited to only activities conducted by fire service personnel, water utility personnel or vendors as authorized by Chapter 633, F.S., that the applicable fire service or water utility has approved to conduct that activity during the specific Water Shortage declaration.

2. Each fire-fighting agency shall, and each local government shall direct its fire department review and revise its list of primary and back-up sources. This review and revision process should involve, as necessary, work with District staff to proactively locate potential back-up sources, such as existing permitted supplies, especially in areas where potable water is not available for fire-fighting purposes.

(b) Water Utility Use. In addition to the requirements of the applicable Water Use Permit, the following restrictions and other required actions shall apply to all Water Utility Uses, as appropriate:

1. Plan for supplementation or replacement of primary potable water supplies, including coordination with any applicable regional water supply authority or other public water supply system and coordination with District staff to request any appropriate emergency order.

2. Each public supply water system, except wholesale-only systems, shall provide, directly or through the appropriate local agency, the following enforcement assistance:

a. Ongoing implementation of all provisions of paragraph 40D-21.631(3)(b), F.A.C., including response, as needed, to enforcement referrals made by the District and violation complaints made by members of the general public.

b. Compliance monitoring, as appropriate, in portions of the service area where violation complaints or identified High-Use Single Family accounts appear to be concentrated. At a minimum, this shall include the use of either night-time enforcement patrols on at least a once-per-week basis or automatic meter reading technology to detect extra lawn watering.

c. Issuance of a citation, without needing to first issue a warning, in response to any violation that occurs more than 14 days after the effective date of a Phase III Water Shortage order declaration. Warnings are authorized in lieu of citations if the violation is not witnessed or otherwise confirmed by the local enforcement agency's employee or authorized agent.

3. Within 30 days of the Water Shortage declaration and then each subsequent month during which the declaration remains in effect, each water utility shall provide a concise monthly system status report to the District. This report shall include the following:

a. Excluding Small Water Utilities and water supply authorities or other public supply water systems that serve only wholesale users (other water utilities), enforcement activity information required by subparagraph 40D-21.641(3)(b)2., F.A.C.

b. A quantified summary of customer communication and other water conservation efforts conducted in accordance with subparagraph 40D-21.641(3)(b)4., F.A.C.

c. Notify the District within 24 hours if the public supply water system experiences a sudden loss of its primary water supply or other significant change in system status.

4. Each public supply water system shall institute or accelerate system-level water conservation measures which can help manage demand during the Water Shortage declaration. These efforts shall include:

a. Continue to provide the customer messaging specified in sub-subparagraph 40D-21.631(3)(b)2.a., F.A.C.

b. Address water pressure and line flushing as described in sub-subparagraph 40D-21.631(3)(b)2.b., F.A.C., and any other operational practices identified by the water utility which can be modified during the Water Shortage declaration to reduce water demand without causing adverse impact to public health, welfare and safety.

5. The notice specified in subsection 40D-21.275(3), F.A.C., that is sent to the public supply Permittees will summarize the requirements listed in paragraph 40D-21.641(3)(b), F.A.C.

(c) Medical and Health Use. The use of water for medical purposes or the protection of public health, safety and welfare shall

## Exhibit 2

not be restricted.

(4) Commercial and Industrial Use. In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and other required actions shall apply to all commercial and industrial use, as appropriate, including efforts that may go beyond normally applicable Water Use Permit requirements, as appropriate. Whether or not a commercial or industrial water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.641(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase III declaration.

(a) Inform the District about any drought-related challenges with their water supplies. At a minimum, each Permittee shall, within 14 days of receipt of the District's Water Shortage declaration notice and when any major change in water supply status occurs, notify the District's Demand Management staff regarding: any water well failures, quantity or quality concerns about primary water supplies, any anticipated need for supply supplementation and planned strategies for supply supplementation in the event that the drought continues or worsens.

(b) Eliminate off-site discharge to the extent practicable;

(c) Recycle water to the extent practicable;

(d) Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment;

(e) Suspend the washing of vehicles and other Mobile Equipment, except for the minimum required to meet health and safety needs or as otherwise required by published industry standards;

(f) Maximize use of the least restricted Source Class to which there is access;

(g) Eliminate unnecessary uses;

(h) Power generation utilities only: if using a water source that is affected by the Phase III declaration, encourage customers to voluntarily reduce power consumption as a means to reduce water consumption.

(i) Restaurants and other food serving establishments shall serve water only upon request.

(5) Agricultural Uses. In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and other required actions shall apply to all Agricultural Use, as appropriate. Whether or not a golf course or driving range water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.641(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase III declaration.

(a) Inform the District about any drought-related challenges with their water supplies. At a minimum, each Permittee shall, within 14 days of receipt of the District's declaration notice and when any major change in water supply status occurs, notify the District's Demand Management staff regarding: any water well failures, quantity or quality concerns about primary water supplies, any anticipated need for supply supplementation and planned strategies for supply supplementation in the event that the drought continues or worsens.

(b) Each Agricultural Permittee shall comply with all of its Water Use Permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated in Rule 40D-2.091, F.A.C.

(c) Eliminate off-site discharge to the extent practicable. For example, agricultural irrigation involving the use of seepage systems shall be operated in a manner that will eliminate surface runoff and loss of water through lateral seepage to open ditches.

(d) Recycle water to the extent practicable.

(e) Suspend clean-up requiring water use, except for the minimum required to protect efficiency for the operation and prevent damage to equipment.

(f) Suspend the washing of vehicles and other Mobile Equipment, except for the minimum required to protect animal or human health and safety needs, or as otherwise required by published BMPs, such as to prevent the spread of plant disease.

(g) Maximize use of the least restricted Source Class to which there is access.

(h) Eliminate unnecessary uses.

(i) Except as otherwise noted herein, continue to comply with applicable provisions and exemptions in Chapter 40D-22, F.A.C.

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These exemptions include: allowances for Low-Volume Irrigation technology, plant protection, testing and maintenance of irrigation systems and irrigation to water in chemicals. In the context of allowable watering hours, Agricultural Uses of center pivot and traveling gun technologies shall have the same exemptions as Low-Volume Irrigation.

### (6) Landscape Use.

(a) Golf Courses and Driving Ranges. In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and required actions shall apply to all Golf Course and Driving Range athletic play areas, including efforts that go beyond normally applicable Water Use Permit requirements, as appropriate. Whether or not a golf course or driving range water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.641(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for a Phase III declaration.

1. Inform the District about any drought-related challenges with their water supplies. At a minimum, each Permittee shall, within 14 days of receipt of the District's Water Shortage declaration notice and when any major change in water supply status occurs, notify the District's Demand Management staff regarding any anticipated need for supply supplementation and planned strategies for supply supplementation in the event that the drought continues or worsens.

2. Each user whose use is governed by a Water Use Permit shall comply with all permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving Credits" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated in Rule 40D-2.091, F.A.C.

3. Eliminate off-site discharge to the extent practicable.

4. Recycle water to the extent practicable.

5. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

6. Suspend the washing of golf carts, lawn mowers and other Mobile Equipment, except for the minimum necessary to meet health and safety needs or as otherwise required by published BMPs, such as to prevent the spread of Turfgrass disease.

7. Maximize use of the least restricted Source Class to which there is access.

8. Eliminate unnecessary uses and take appropriate actions to avoid water use increases. This shall include the following, as appropriate:

a. Reducing wear on fairways by restricting cart traffic to designated paths only.

b. Modifying nutritional, soil amendment and mowing practices to minimize water stress.

c. Limiting overseeding to tees and greens only.

d. Providing information to golfers and guests about the current Water Shortage declaration, the steps that the facility is taking to reduce water use and how golfers and guests can conserve water while visiting the facility.

9. Limit Supplemental Irrigation ("normal watering") to the allowable hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m.

10. Tees, golf course greens and practice greens shall receive supplemental irrigation no more than three times per week. Upon specific request by the District, a course may be required to maintain a log documenting when this irrigation occurs.

11. Fairways and driving range greens shall be irrigated no more than once per week during all months that the Water Shortage declaration is in effect. Upon specific request by the District, a course may be required to maintain a log documenting when this irrigation occurs.

12. Roughs shall not be irrigated, except that irrigation may occur when used for the disposal of excess reclaimed water (i.e., wet weather disposal).

13. Limit New Plant Establishment as follows:

a. A 60-day establishment period is applicable as set forth in sub-subparagraphs b.-d. below.

b. On days 1-30, the New Plant Material may be irrigated any day of the week as needed.

c. On days 31-60, irrigation of the New Plant Material shall occur only on three days a week. Maintain a written schedule of establishment period watering.

d. Except for the day of installation and sprig propagation, this extra watering must only occur during the allowable hours of the day.

14. Except as otherwise provided herein, all irrigation and Other Uses shall comply with the applicable exemptions in Chapter

## Exhibit 2

40D-22, F.A.C. Exemptions include allowances for plant protection on tees and greens, testing and maintenance of irrigation systems and irrigation to water in chemicals.

(b) Other Athletic Play Areas. In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and other required actions shall apply to all Athletic Play Areas, except Golf Courses and Driving Ranges, as appropriate. Whether or not an athletic play area water use activity with associated Lawn and Landscape use is authorized by a Water Use Permit, the Lawn and Landscape use is separately regulated for the purpose of this chapter and is subject to the Lawn and Landscape Use restrictions and other required actions of the applicable Water Shortage declaration. Paragraph 40D-21.641(6)(c), F.A.C., contains the Lawn and Landscape use restrictions and other required actions for the Phase III declaration.

1. Inform the District about any drought-related challenges with their water supplies. At a minimum, each Permittee shall, within 14 days of receipt of the District's Water Shortage declaration notice and when any major change in the water supply status occurs, notify the District's Demand Management staff regarding: any water well failures, quantity or quality concerns about the primary water supplies, any anticipated need for supply supplementation and planned strategies for supply supplementation in the event that the drought continues or worsens.

2. Each user whose use is governed by a Water Use Permit shall comply with all permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend "Water Conserving" shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant's Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated in Rule 40D-2.091, F.A.C.

3. Eliminate off-site discharge to the extent practicable.

4. Recycle water to the extent practicable.

5. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

6. Suspend the washing of lawn mowers and other Mobile Equipment, except for the minimum necessary to meet health and safety needs or as otherwise required by published BMPs, such as to prevent the spread of Turfgrass disease.

7. Users having access to more than one Source Class shall maximize use of the least restricted Source Class to which there is access.

8. Eliminate unnecessary uses and take appropriate actions to avoid water use increases. This includes the following, as appropriate:

a. Reducing wear on athletic fields as practical.

b. Modifying nutritional, soil amendment and mowing practices to minimize water stress.

c. Providing information to players and guests about the current Water Shortage declaration, the steps that the facility is taking to reduce water use and how players and guests can conserve water while visiting the facility.

9. Limit Supplemental Irrigation ("normal watering") to the allowable hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m.

10. Turfgrass fields shall be irrigated no more than once per week during all months that the Water Shortage declaration is in effect. A facility that cannot accomplish its normally scheduled supplement irrigation on the Lawn and Landscape watering day designated by paragraph 40D-21.641(6)(c), F.A.C., may submit its alternative irrigation schedule to the District as a petition for variance from the order declaring the current Water Shortage.

11. Limit New Plant Establishment as follows:

a. A 60-day establishment period is applicable as set forth in sub-subparagraphs b.-d. below.

b. On days 1-30, the New Plant Material may be irrigated any day of the week as needed.

c. On days 31-60, irrigation of the New Plant Material shall occur only on three days a week. Maintain a written schedule of establishment period watering.

d. Except for the day of installation and sprig propagation, this extra watering must only occur during the allowable hours of the day.

12. Except as otherwise provided herein, all irrigation and Other Uses shall comply with applicable provisions and exemptions in Chapter 40D-22, F.A.C. These exemptions continue to specifically include allowances for: plant protection of Turfgrass athletic fields, wetting of clay tennis courts and similar surfaces immediately prior to play, and one extra irrigation application immediately after heavy play to encourage athletic field Turfgrass repair.

(c) Lawn and Landscaping Use, including Cemeteries. In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and other required actions shall apply to all Lawn and Landscaping Use, including Cemeteries, as

## Exhibit 2

appropriate:

1. Each Permittee shall comply with all of its Water Use Permit requirements and terms. Those Permittees located within the Southern Water Use Caution Area with the ability to earn and expend “Water Conserving Credits” shall continue to do so pursuant to Rule 40D-2.621, F.A.C., and the associated Applicant’s Handbook Part B Sections 3.9.2.4 and 3.9.2.6.2.2.2., which is incorporated in Rule 40D-2.091, F.A.C.

2. Eliminate off-site discharge to the extent practicable.

3. Recycle water to the extent practicable.

4. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

5. Suspend the washing of lawn mowers and other mobile equipment, except for the minimum necessary to meet health and safety needs or as otherwise required by published BMPs, such as the spread of Turfgrass disease.

6. Maximize the use of the least restricted Source Class to which there is access.

7. Eliminate unnecessary uses and take appropriate actions to avoid water use increases.

8. Limit New Plant Establishment as follows:

a. A 60-day establishment period is applicable as set for in sub-subparagraphs b.-d. below.

b. On days 1-30, the New Plant Material may be irrigated any day of the week as needed.

c. On days 31-60, irrigation of the New Plant material shall occur only on three days a week. During this portation of the “establishment period”:

(I) Even Addresses shall only water New Plant Material on Tuesdays, Thursday and/or Sunday

(II) Odd Addresses shall only water New Plant Material on Monday, Wednesday and/or Saturday.

(III) Rights-of-way, common areas and other locations without discernable addresses shall only water New Plant Material on Sunday, Tuesday and/or Friday.

(IV) Cemeteries and other properties two acres in size or larger may instead maintain a written schedule of establishment period watering.

d. Except for the day of installation and sprig propagation, this extra watering must only occur during the allowable hours of the day.

e. The irrigation of any non-lawn plant material which requires frequent irrigation beyond the establishment period exemption provided in sub-subparagraphs a.-d. above shall employ Low-Volume Irrigation technology.

9. Limit Supplemental Irrigation (“normal watering”) to the hours of midnight to 8:00 a.m. or 6:00 p.m. to 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.

10. Supplemental irrigation accomplished by microirrigation, handwatering or other low volume technology shall only occur during the hours of midnight to 8:00 a.m. or 6:00 p.m. to 11:59 p.m.

11. Limit Supplemental Irrigation (“normal watering”) to a maximum of only one application per week during all months that the Water Shortage declaration is in effect. This watering shall be in accordance with the following schedule:

a. Addresses ending in 0 or 1 may water on Monday.

b. Addresses ending with a 2 or 3, on Tuesday.

c. Addresses ending with a 4 or 5, on Wednesday.

d. Addresses ending with a 6 or 7, on Thursday.

e. Addresses ending with an 8 or 9 and locations with a mix of addresses, or for which an address cannot be determined (such as common areas associated with a subdivision), on Friday.

f. Cemeteries and other properties greater than 2 acres in size that have a special irrigation schedule in accordance with paragraph 40D-22.201(4)(c), F.A.C., or properties regardless of size that have a special irrigation schedule pursuant to provisions of a variance from Chapter 40D-22, F.A.C., shall only water each section of property on the first day of the week already assigned to it. For example, a section of the property assigned a “Monday and Thursday” schedule shall only water on Monday.

g. This one application per week limitation does not apply to the use of microirrigation, handwatering or other low volume technology when used to water flower beds, shrubs or other non-turfgrass plant material.

12. If core aeration or Vertical Mowing (also sometimes referred to as verticutting) is conducted, follow the applicable watering schedule. The extra watering allowance for such activity normally provided in paragraph 40D-22.201(3)(f), F.A.C., is not applicable.

## Exhibit 2

13. If Spot Treatment or Syringing is conducted, follow the applicable water schedule. The extra watering allowance normally provided for in paragraph 40D-22.201(3)(e), F.A.C., is not applicable.

14. Except as otherwise noted herein, all applicable exemptions and other provisions of Chapter 40D-22, F.A.C., shall be in effect.

15. The property owner or manager shall, upon request, provide a receipt or other proof of qualification for the New Plant Establishment period or other claimed exemption.

### (7) Other Uses.

(a) In addition to the requirements of the applicable Water Use Permit, the following water use restrictions and other required actions shall apply to all other use, as appropriate:

1. Eliminate off-site discharge to the extent practicable;
2. Recycle water on-site to the extent practicable;
3. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment;

4. Suspend the washing of vehicles and other Mobile Equipment, except for the minimum required to meet health and safety needs or as otherwise required by published BMPs;

5. Maximize the use of the least restricted Source Class to which there is access;

6. Eliminate unnecessary uses and take appropriate actions to avoid water use increases.

(b) Aesthetic use. Aesthetic use includes the use of water in fountains, waterfalls and other artistic water features:

1. If an aesthetic use also provides a necessary water quality benefit, such as aeration of a stormwater pond, it may be operated as necessary.

2. If an aesthetic use either involves a pond or other catchment area with a volume of less than 100 gallons or meets one of the following criteria, it may be operated as necessary:

- a. The feature provides necessary aeration for pet fish, such as in a koi pond.

- b. The feature is an integral part of the circulation system for a swimming pool.

- c. The feature is in a pond or other catchment area augmented exclusively by reclaimed water, seawater, brackish bay or intercoastal water, air conditioning condensate or other byproducts of an allowable activity.

3. If an aesthetic use is also intended as an interactive recreational use, such as operation of a water play area for children, commercial and institutional users may engage in that activity in accordance with paragraph 40D-21.631(7)(c), F.A.C.. In this context, commercial and institutional users specifically include mobile entertainment businesses, events sponsored by public agencies or non-profit organizations, and permanent devices maintained to pool and spa health standards. Water slides and other portable devices, other than those operated by commercial or institutional users, may only be used on an allowable watering day for the location involved.

4. All other aesthetic uses shall be limited to four hours a day, and the user shall select and post the normal hours of operation.

(c) Recreation use shall comply with subsection 40D-21.631(7), F.A.C.

### (d) Water Body Augmentation:

1. Augmentation shall be limited to those circumstances indicated in subsection 40D-21.631(7), F.A.C.

2. Other augmentation, including augmentation of those water bodies for which the District has established minimum levels or guidance levels, is prohibited unless part of a District-authorized minimum flow or level recovery strategy.

### (e) Washing or cleaning of buildings, structures and outdoor impervious surfaces:

1. Annual Pressure Washing for aesthetic purposes is prohibited.

2. Pressure Washing of buildings or other structures in preparation for painting, sealing or other necessary maintenance and as a construction practice is allowed. Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

3. Pressure Washing of driveways, sidewalks and other impervious surfaces is allowed for necessary maintenance, such as to either maintain a warranty or remove mold, mildew and other potentially hazardous material that cannot be removed by mechanical means (such as a broom or leaf blower), and as a construction practice (such as cleaning a concrete surface prior to painting or sealing). Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

4. All other washing or cleaning of impervious surfaces or structures shall be prohibited, except to meet federal, state or local health or safety standards. These standards specifically allow for required dust control.

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(f) Mobile Equipment Washing:

1. Commercial car washes, hand detailing operations and similar establishments shall comply with subsection 40D-21.641(4), F.A.C.

2. Car wash fundraisers held on behalf of non-profit organizations are prohibited, except for one-day events that were scheduled prior to the date of the Phase III Water Shortage declaration.

3. Washing of fire trucks and other emergency vehicles is allowed in accordance with paragraph 40D-21.641(3)(a), F.A.C.

4. Rinsing of boats and flushing of boat engines is allowed after each use when needed to remove salt water or to prevent the transportation of exotic plant or animal material.

5. Cleaning agricultural vehicles in accordance with canker abatement procedures, animal husbandry practices and other activities endorsed by the University of Florida's Institute of Food and Agricultural Sciences and the United States Department of Agriculture is allowed, as necessary.

6. The washing of fire engines and other emergency Mobile Equipment, such as ambulances and law enforcement vehicles, remains subject to subparagraph 40D-21.631(3)(a)3., F.A.C.

7. Other than as described above, car, truck and other Mobile Equipment washing shall be accomplished using low volume methods only, such as with a hand-held hose equipped with a trigger (self-canceling) nozzle and shall be restricted to only one washing a week. This one washing a week shall only occur on the allowable lawn watering day associated with the address at which the activity occurs.

(g) No person or entity, for example, a homeowner association or property manager, shall enforce any deed restrictions or other community standards which are inconsistent with the Water Shortage declaration. This specifically includes that the person or entity responsible for enforcement will suspend any requirement to replace plant material to meet aesthetic standards.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.185, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 5-30-93, 4-9-06, 7-5-12, 5-19-14.*

**Governing Board Meeting**  
**March 24, 2026**

**5. RESOURCE MANAGEMENT COMMITTEE**

5.1 **Discussion:** Consent Item(s) Moved to Discussion ..... 100

**RESOURCE MANAGEMENT COMMITTEE**

**March 24, 2026**

**Discussion: Consent Item(s) Moved to Discussion**

Presenter:

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

**Governing Board Meeting**  
**March 24, 2026**

**6. OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE**

6.1 **Discussion:** Consent Item(s) Moved to Discussion .....101

**OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE**

**March 24, 2026**

**Discussion: Consent Item(s) Moved to Discussion**

Presenter:

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

**Governing Board Meeting**  
**March 24, 2026**

**7. GENERAL COUNSEL'S REPORT**

7.1 **Discussion:** Consent Item(s) Moved to Discussion ..... 102

7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions..... 103

**GENERAL COUNSEL'S REPORT**

**March 24, 2026**

**Discussion: Consent Item(s) Moved to Discussion**

Presenter:

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

**GENERAL COUNSEL'S REPORT**

**March 24, 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**

**March 24, 2026**

**Discussion: Information Item: Industrial, Commercial and 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**

**March 24, 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**

**March 24, 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**

**March 24, 2026**

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

Staff Recommendation:

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

Presenter:

John Mitten, Chair

**CHAIR'S REPORT**

**March 24, 2026**

**Discussion: Information Item: Employee Milestones**

Staff Recommendation:

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

Presenter:

John Mitten, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	03/01/2021	Heather Bemis	Senior Human Resources Generalist	Brooksville	Human Resources Office	2026	03/01/2026
5	03/01/2021	Richard McKenzie	GIS Supervisor	Brooksville	Data Collection	2026	03/01/2026
5	03/01/2021	Sarah Clark	Scientific Data Analyst	Brooksville	Data Collection	2026	03/01/2026
5	03/08/2021	Alyssa Harlow	Financial Systems Analyst	Brooksville	Finance	2026	03/08/2026
5	03/08/2021	Felicia Hale	Real Estate Land Use Professional	Brooksville	Land Resources	2026	03/08/2026
5	03/22/2021	Tiffany Adams	Senior Business Support Specialist	Brooksville	Natural Systems Restoration	2026	03/22/2026
10	03/07/2016	Gabe Herrick	Chief Environmental Scientist	Tampa	Natural Systems Restoration	2026	03/07/2026
10	03/28/2016	Quanghee Yi	Senior Professional Engineer	Tampa	Engineering Project Management	2026	03/28/2026
20	03/06/2006	Dave Arnold	Well Construction Manager,	Tampa	Water Use Permit	2026	03/06/2026
20	03/20/2006	Chaz LaRiche	Senior Environmental Scientist	Bartow	Environment Resource Permit	2026	03/20/2026
20	03/20/2006	Jennifer McDaniel	Business Analyst	Tampa	Regulatory Support	2026	03/20/2026