

Governing Board Meeting

Agenda and Meeting Information

May 21, 2024

9:00 a.m.

Brooksville Office

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

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



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

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Employer

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

Final Agenda GOVERNING BOARD MEETING

**MAY 21, 2024
9:00 AM**

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

All meetings are open to the public

MEETING NOTICE

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

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

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

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

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

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

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

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

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

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

1. CONVENE PUBLIC MEETING

- 1.1 Call to Order
- 1.2 Invocation and Pledge of Allegiance
- 1.3 Election of Governing Board Officers
- 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 and Planning Committee:** Water Reuse Week
- 2.2 **Resource Management Committee:** Approve the Chassahowitzka River Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Citrus County (N873)
- 2.3 **Resource Management Committee:** Approve the South Creek Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Pinellas County (N970)
- 2.4 **Resource Management Committee:** FARMS – McClure Properties, LTD (H823)
Manatee County
- 2.5 **Operations, Lands and Resource Monitoring Committee:** Perpetual Easement - Lake Mabel CFWI Well Site, SWF Parcel No. 20-020-138
- 2.6 **Regulation Committee:** Water Use Permit No. 20 007846.032, Schroeder-Manatee Ranch, Inc. / Schroeder – Manatee Ranch, Inc. (Manatee, Sarasota Counties)
- 2.7 **Regulation Committee:** Water Use Permit No. 20 008036.010, Leffie M. Carlton Jr Family LLLP / Grange Hall Loop Berries (Hillsborough County)
- 2.8 **Regulation Committee:** Water Use Permit No. 20 011639.007, Buckhorn Nursery, Ltd. / Buckhorn Nursery (Hardee County)
- 2.9 **Regulation Committee:** Water Use Permit No. 20 021115.000, TerraNova Preserves, LLC / Old Miakka Golf Course (Manatee County)
- 2.10 **Executive Director's Report:** Approve Governing Board Minutes – April 23, 2024

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Action Item: Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum Levels for Lake Tulane and Lake Verona in Highlands County and Accept the Final Draft Reports

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

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

5.2 **Discussion:** Information Item: 2024 Hurricane Season Preparedness

6. REGULATION COMMITTEE

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

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board

7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Information Item: 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: Environmental 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

2379 Broad Street, Brooksville, Florida 34604-6899

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

WaterMatters.org

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

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

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved January 11, 2024

- Ed Armstrong**
Chair, Pinellas
- Michelle Williamson**
Vice Chair, Hillsborough
- John Mitten**
Secretary, Hernando, Marion
- Jack Bispham**
Treasurer, Manatee
- Kelly S. Rice**
Former Chair, Citrus, Lake, Levy, Sumter
- Joel Schleicher**
Former Chair, Charlotte, Sarasota
- Ashley Bell Barnett**
Polk
- John Hall**
Polk
- James Holton**
Pinellas
- Dustin Rowland**
Pasco
- Robert Stern**
Hillsborough
- Nancy Watkins**
Hillsborough, Pinellas
- Brian J. Armstrong, P.G.**
Executive Director

OFFICERS	
Chair	Ed Armstrong
Vice Chair	Michelle Williamson
Secretary	John Mitten
Treasurer	Jack Bispham

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Chair John Hall

RESOURCE MANAGEMENT COMMITTEE
Chair Ashley Bell Barnett

REGULATION COMMITTEE
Chair Dustin Rowland

FINANCE/OUTREACH AND PLANNING COMMITTEE
Chair Jack Bispham*

*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	John Mitten
Industrial 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 Hall
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	James Holton
Tampa Bay Regional Planning Council	Vacant

Southwest Florida Water Management District Schedule of Meetings Fiscal Year 2024

Governing Board Meeting

October 24, 2023 – 9:00 a.m., Tampa Office
November 14, 2023 – 9:00 a.m., Tampa Office
December 12, 2023 – 9:00 a.m., Tampa Office
January 23, 2024 – 9:00 a.m., Tampa Office
February 27, 2024 – 9:00 a.m., Tampa Office
March 26, 2024 – 9:00 a.m., Tampa Office
April 23, 2024 – 9:00 a.m., Tampa Office
May 21, 2024 – 9:00 a.m., Brooksville Office
June 25, 2024 – 9:00 a.m., Brooksville Office
July 23, 2024 – 9:00 a.m., Tampa Office
August 27, 2024 – 9:00 a.m., Brooksville Office
September 24, 2024 – 3:00 p.m., Tampa Office

Governing Board Tour

March 15, 2024 – 9:00 a.m., The Villages

Governing Board Workshop

November 14, 2023 – 9:30 a.m., Tampa Office

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

2024 – September 10 & 24

Agricultural & Green Industry Advisory Committee – 10:00 a.m.

2023 – December 5

2024 – March 12 (meeting replaced with March 8 field trip), June 11, September 10

Environmental Advisory Committee – 10:00 a.m.

2023 – October 10

2024 – January 9, April 9, July 9

Industrial Advisory Committee – 10:00 a.m.

2023 – November 7

2024 – February 13, May 7 (meeting replaced with May 10 field trip), August 6

Public Supply Advisory Committee – 1:00 p.m.

2023 – November 7

2024 – February 13, May 7 (meeting replaced with May 10 field trip), August 6

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

2023 – October 25, December 6

2024 – January 10 (meeting replaced with field trip), February 21, May 22, July 10

Springs Coast Steering Committee – 2:00 p.m.

2023 – November 8

2024 – January 24, March 6, July 24

Meeting Locations

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

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

Governing Board Meeting

May 21, 2024

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CONVENE PUBLIC MEETING

May 21, 2024

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:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

May 21, 2024

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:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

May 21, 2024

Election of Governing Board Officers

According to the Election of Governing Board Officers Policy, elections shall occur annually in May. Elections will take place during the beginning of the District Business portion of the May Governing Board meeting. New officers will assume offices 24 hours prior to the June Governing Board meeting.

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

May 21, 2024

Employee Recognition

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

Staff Recommendation:

- Don Everson
- Jennette Seachrist

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

May 21, 2024

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

May 21, 2024

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:

Ed Armstrong, Chair

Governing Board Meeting

May 21, 2024

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.

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CONSENT AGENDA

May 21, 2024

Finance/Outreach and Planning Committee: Water Reuse Week

Purpose

To request that the Governing Board sign a resolution declaring May 19-25, 2024 as “Water Reuse Week” to focus the public on the benefits of expanding this important water resource.

Background/History

Since 2007, the State of Florida, the Florida Department of Environmental Protection (DEP), water management districts, water utilities, local governments, and water-related organizations such as the Water Reuse Association have declared the third week in May as “Water Reuse Week” to promote and encourage efficient use of reclaimed water.

The largest use for reclaimed water is irrigation and May is typically the month when irrigation demands peak due to hot and dry conditions. Reclaimed water provides a means for conserving and augmenting Florida’s precious water resources and is key to meeting future demands.

Three decades of Governing Board support (\$424 million District cooperative funding for 390 projects, worth more than \$1 billion) has enabled utilities within the District to progressively increase beneficial reclaimed water use to 221 million gallons per day in 2022. This represents a 56 percent beneficial utilization of all wastewater treatment plant flows within the District and is well on the way to achieving the District’s 2040 goal of 75 percent beneficial utilization.

Water Reuse Week will also highlight potable reuse as an identified priority of the Governing Board in achieving the District’s long-term strategic goals. The District is also a partner in DEP’s One Water Florida initiative to educate the public and stakeholders on potable reuse as a safe, future water supply in Florida.

Approval of this resolution demonstrates the District’s continued support of the use and expansion of reclaimed water. This item supports the District’s mission and strategic initiatives through maximizing the beneficial use of reclaimed water to offset potable water supplies, create new potable sources and restore water levels and natural systems.

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

Staff Recommendation:

Approve and execute Resolution No. 24-02 declaring May 19-25, 2024 as “Water Reuse Week.”

Presenter:

Cara Martin, Office Chief, Government and Community Affairs Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 24-02

PROCLAIMING MAY 19-25, 2024 as “WATER REUSE WEEK” in FLORIDA

WHEREAS, safe, clean, and sustainable water resources are essential to Florida’s environment, economy, citizens, and visitors; and

WHEREAS, although Florida’s water supplies are finite, the state’s population and need for water resources continues to increase; and

WHEREAS, water reuse provides a means for conserving and augmenting Florida’s precious water resources; and

WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes; and

WHEREAS, the Southwest Florida Water Management District has joined with the State of Florida, the Florida Department of Environmental Protection (FDEP), and other municipalities in encouraging and promoting water reuse, conservation, and the One Florida Water initiative; and

WHEREAS, the District has invested more than \$424 million in 390 reclaimed water projects since 1987, which has resulted in more than \$1 billion in partnering entities reclaimed water infrastructure.

WHEREAS, the District’s Governing Board identified potable reuse as a priority for the District to achieve its goal of 75 percent reuse utilization by 2040; and

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims May 19-25 as “WATER REUSE WEEK” in Florida.

BE IT FURTHER RESOLVED the Southwest Florida Water Management District urges every citizen and visitor to become more aware of the need to save our precious water supply and take appropriate steps to conserve and protect this vital resource.

BE IT FURTHER RESOLVED 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 Hernando County, Florida, on the 21 day of May 2024.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
E.D. Armstrong, III, Chair

Attest: _____
John Mitten, Secretary

CONSENT AGENDA

May 21, 2024

Resource Management Committee: Approve the Chassahowitzka River Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Citrus County (N873)

Purpose

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

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for 102 watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2024-2028. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the Chassahowitzka River watershed was prepared by a District hired consultant Taylor Engineer, Inc., Engineering Firm of Record, reviewed by District and County staff, and then reviewed by the District's independent peer review consultant, Kimley-Horn and Associates, Inc. Floodplain information for the watershed was presented for public review and comment through a public open house in December of 2022. During the outreach period, the District received approximately 183 unique public comments. This data was used to make model refinements where appropriate. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent the most accurate floodplain information available for the watershed.

Staff Recommendation:

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

Presenter:

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

CONSENT AGENDA

May 21, 2024

Resource Management Committee: Approve the South Creek Watershed Management Plan Floodplain Information for Regulatory Use and to Update Flood Insurance Rate Maps in Pinellas County (N970)

Purpose

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

Background/History

Flood protection and floodplain information have been a priority at the District since the inception of the organization. To improve the floodplain information, the District has partnered with local governments for the past two decades to develop regional scale flood routing models to identify flood prone areas, improve local government's understanding of their flood protection level of service, and plan for implementation projects to reduce flood risk. Since November 2008, District staff have obtained Governing Board approval to use WMP floodplain information for updating FIRMs for 102 watersheds throughout the District. Implementing the Environmental Resource Permitting (ERP) program using WMP floodplain information to maintain current levels of flood protection is identified as a strategic initiative in the District's Strategic Plan 2024-2028. Upon the Governing Board's approval, WMP floodplain information for these watersheds is typically used as best information available by the ERP program.

Floodplain information for the South Creek watershed was prepared by a County hired consultant Geosyntec Consultants, Inc., Engineering Firm of Record, reviewed by District and County staff, and then reviewed by the County's independent peer review consultant, Jacobs Engineering Group Inc. Floodplain information for the watershed was presented for public review and comment through a public open house in February of 2024. During the outreach period, 9 residents attended and had no comments used to make model refinements. The watershed model and preliminary floodplain data reasonably reflect recent significant storm events and currently represent the most accurate floodplain information available for the watershed.

Staff Recommendation:

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

Presenter:

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

CONSENT AGENDA

May 21, 2024

Resource Management Committee: FARMS – McClure Properties, LTD (H823) Manatee County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with McClure Properties, LTD and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$215,162 (75% percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$286,883.

Project Proposal

The District received a project proposal from McClure Properties, LTD for their property totaling 2,035 acres located in Duette in northeastern Manatee County, within the Southern Water Use Caution Area (SWUCA). This project will involve automation of two irrigation pump stations and irrigation conversion from high to low volume to offset Upper Floridan aquifer groundwater used for the irrigation of 186.4 acres of tomatoes. This portion of the property is permitted to use an annual average daily quantity of 1,459,100 gallons per day (gpd) for supplemental irrigation. The Water Use Permit (WUP) for the entire property authorizes annual average groundwater withdrawals of 5,985,000 gpd. FARMS project components consist of two irrigation pump station automations, two fertigation systems, two weather stations, a soil moisture monitoring system, and the filters and piping necessary to convert from seepage to drip irrigation.

Benefits/Costs

The proposed project involves water quantity and water quality best management practices for supplemental irrigation and qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce groundwater use by approximately one percent of permitted quantity, or 45,000 gpd for daily irrigation, and expected to reduce 419 pounds of nitrogen per year. The conservation components are integrated with the nutrient reduction components to maximize nutrient reduction. Based on the estimated groundwater offset, a reduction of nitrogen application, and a proposed five-year contract term, the cost per thousand gallons of water saved is \$3.80, and the cost per pound of nitrogen reduced per year is \$11.87 (based on the fertigation components). These values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of improved irrigation techniques, and nutrient reduction BMPs for tomato operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$3,121,327 remaining in its FARMS Program budget.

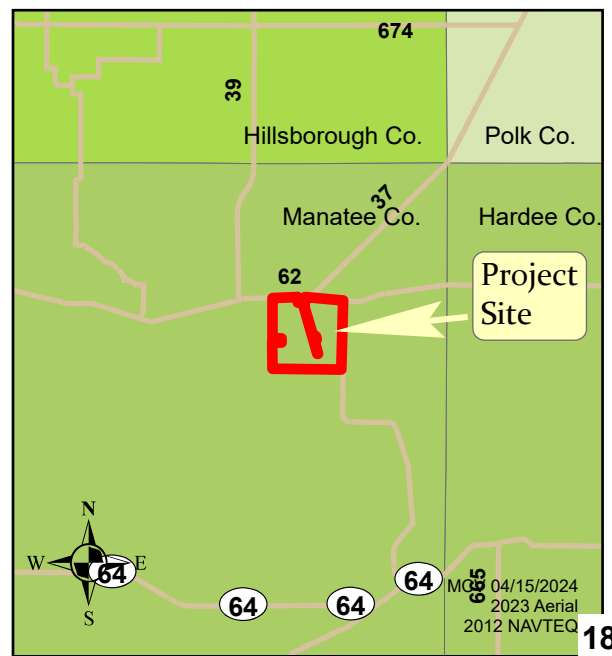
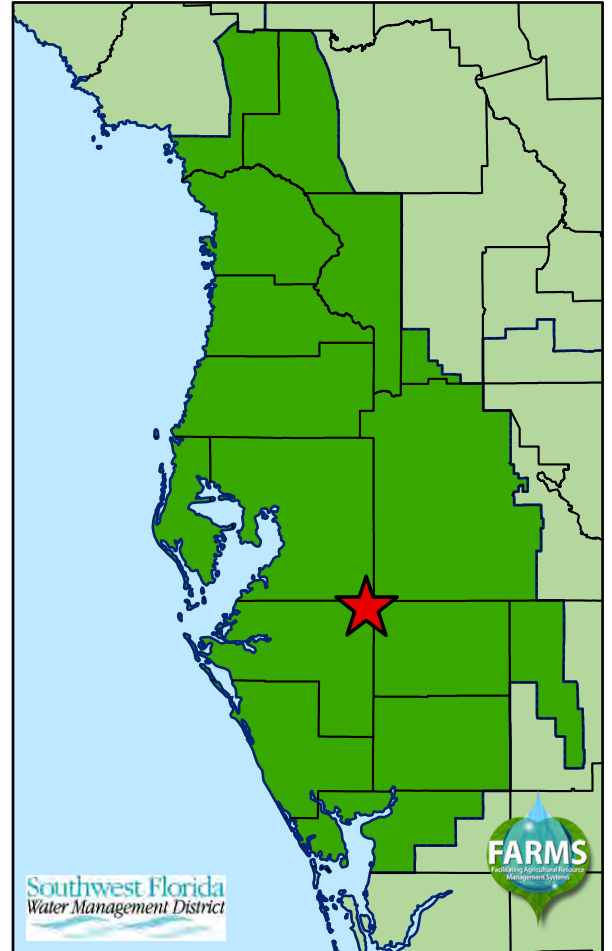
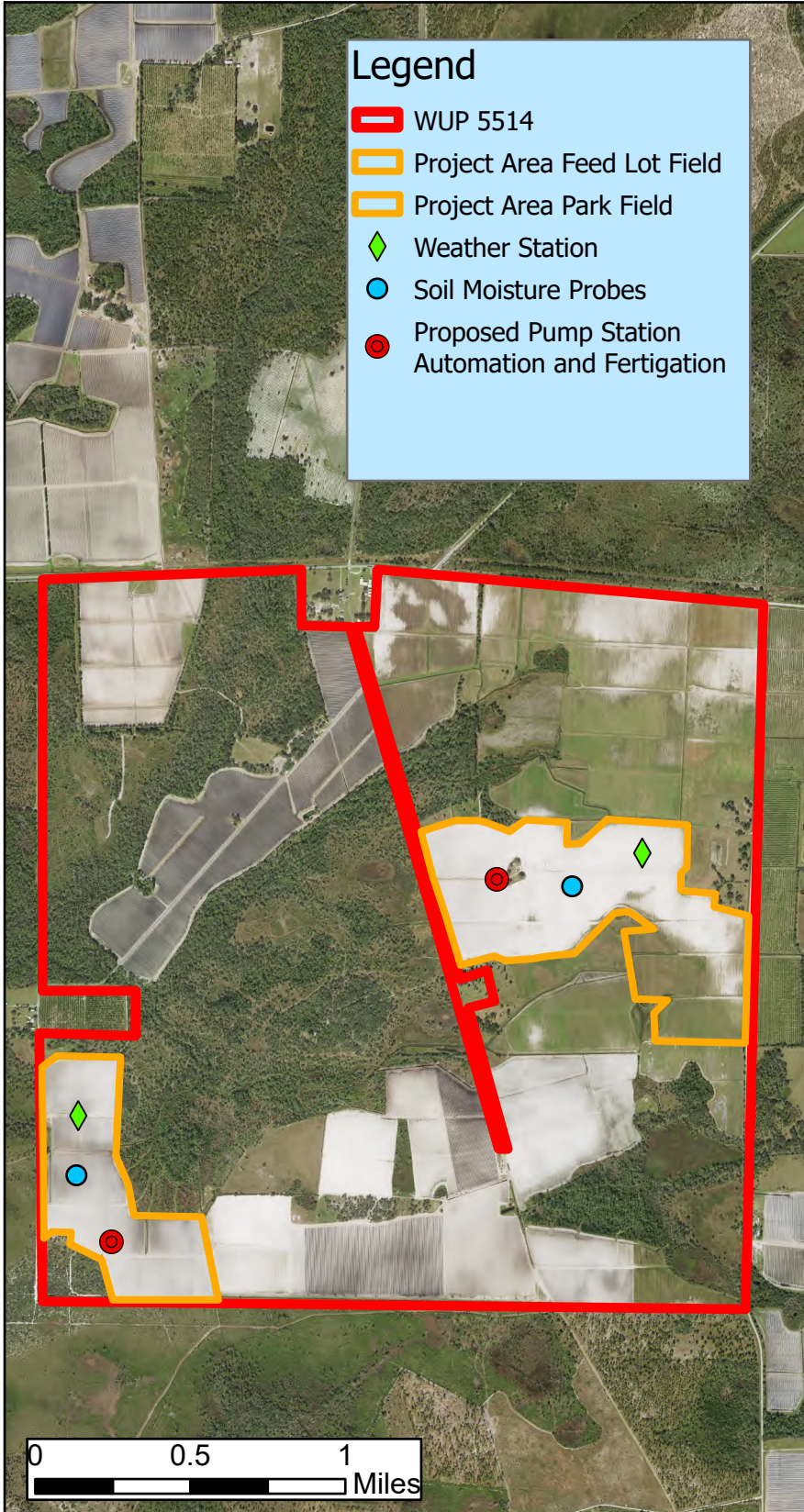
Staff Recommendation:

1. Approve the McClure Properties, LTD project for a not-to-exceed project reimbursement of \$215,162 provided by the Governing Board;
2. Authorize the transfer of \$215,162 from fund 010 H017 Governing Board FARMS Fund to the H823 McClure Properties, LTD project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Presenter:

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

Location Map McClure Properties LTD FARMS Project H823



CONSENT AGENDA

May 21, 2024

Operations, Lands and Resource Monitoring Committee: Perpetual Easement - Lake Mabel CFWI Well Site, SWF Parcel No. 20-020-138

Purpose

Recommend the Governing Board approve a Perpetual Easement (Easement) between the District and Tampa Electric Company (TECO). This Easement is required for access and long-term monitoring of a proposed surficial aquifer monitor well site at Lake Mabel as part of the Central Florida Water Initiative (CFWI). The Easement will allow for perpetual access, installation, monitoring, and maintenance of the well. A general location map, site map, and the Easement are included as Exhibits 1, 2, and 3, respectively.

Background/History

The proposed Lake Mabel data collection site, located in Polk County, is for long-term surficial aquifer water level monitoring and requires the construction of one surficial aquifer monitor well. Surficial aquifer monitoring near lakes and wetlands by the Data, Monitoring, and Investigations Team (DMIT) is part of the CFWI regional monitoring network. This site was identified in the DMIT Hydrogeologic Annual Work Plan FY2021-FY2025 (February 2021). Surficial aquifer monitoring near minimum lake level lakes is essential to enhance the District's understanding of the lake, construct water budget models, and predict changes in water levels due to pumping. Data from the well will be used to relate changes in Lake Mabel water levels to water level changes in the surficial aquifer due to groundwater withdrawals and help ensure compliance with adopted minimum lake levels.

Benefits/Costs

TECO is granting this Easement to the District at no cost. The estimated cost of the well construction project is \$10,000, and the monitoring costs are about \$3,900 (equipment and initial setup) for the first year and \$140 per year thereafter.

Deliverables

The District will restore the temporary construction area to pre-construction conditions.

Staff Recommendation:

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

Presenter:

Ellen Morrison, Bureau Chief, Land Resources Bureau

**Exhibit 1
SWF Parcel No. 20-020-138
Location Map**



Esri, NASA, NGA, USGS, FEMA, University of South Florida, FDEP, Esri, TomTom, Garmin, FAD, NOAA, USGS, EPA, NPS, USFWS, Esri Community Maps Contributors, University of South Florida, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

- Well Site
- Access Area
- Temporary Construction Area

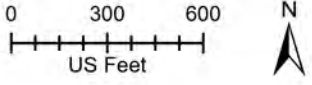






Exhibit 2
SWF Parcel No. 20-020-138
Site Map



Southwest Florida Water Management District, Esri Community Maps Contributors, University of South Florida, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

-  Well Site
-  Access Area
-  Temporary Construction Area
-  Existing Fence

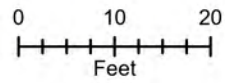


Exhibit 3

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

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

PERPETUAL EASEMENT

This Easement (this "Easement") is made and entered into this ____ day of _____ 2024, by and between Tampa Electric Company, a Florida corporation, having an address of 702 N. Franklin Street, Tampa, Florida 33602, hereinafter called "Grantor", and the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as "Grantee".

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

- a. To construct, maintain, repair or replace one monitoring well and data monitoring equipment over the land more particularly described on **Exhibit "A"** (the "Well Site Area" together with the "Temporary Construction Area"); and
- b. For ingress and egress upon, over and across the land more particularly described on **Exhibit "A"** (the "Access Area" together with the "Temporary Construction Area") to access the monitoring wells and equipment in order to perform hydrologic measurements.

Grantee shall exercise all of its rights contained in this Easement in the least intrusive manner so as not to interfere with Grantor's use of its property. Grantor reserves the right to use the Well Site Easement Area and Access Easement Area in any manner not inconsistent with this Easement; provided, however, that Grantor shall avoid physically disturbing the casing, cover, or appurtenances of the monitoring well or wells in any way. Grantee hereby agrees to restore the Temporary Construction Area and Access Easement Area to the same condition as it was prior to any construction, maintenance, repair, or access by Grantee.

Access, use and occupancy of the Easement Area by Grantee is on an "As Is", "Where Is" and "With All Faults" basis and Grantor expressly disclaims any and all warranties, express, implied or statutory, as to the condition of the Easement Area.

Grantee hereby agrees to protect, indemnify, and hold harmless the Grantor from and against any and all liabilities, losses, damages or expenses, reasonable attorneys' fees and costs, whether incurred out of court or in litigation including fees and costs incurred for representation on appeals, expert witness fees and costs for paralegal assistance, arising on account of, relating to, in connection with loss of life, bodily injury or damage to property, arising out of the use of the Well Site Easement Area or the Access Easement Area by the Grantee and its contractors and

agents, except to the extent such liability is finally judicially determined to directly arise from the willful misconduct or negligence of the Grantor. Upon receiving knowledge of any suit, claim or demand asserted by a third party that Grantor believes is covered by this indemnity, the Grantor shall give the Grantee notice of the matter. Any failure or delay of the Grantor to notify the Grantee of any such suit, claim or demand shall not relieve the Grantee of its obligations under this provision but shall reduce such obligations to the extent of any increase in those obligations caused solely by any such failure or delay. This provision shall not be construed as a waiver of Grantee's sovereign immunity for torts or an extension of such liability beyond the limits established in Section 768.28, F.S.

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

The formation, interpretation, and performance of this Easement shall be construed pursuant to and governed by the laws of the State of Florida. In the event of any dispute arising out of this Easement or any instrument given in connection herewith, or in the event it shall become necessary for any party to employ counsel to protect the party under this Easement or any instrument given in connection herewith, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs, whether incurred out of court or in litigation including fees and costs incurred for representation on appeals, expert witness fees and costs for paralegal assistance, to the extent permitted under Section 768.28, F.S. This provision does not constitute a waiver of the Grantee's sovereign immunity or extend the Grantee's liability beyond the limits established in Section 768.28, F.S.

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

[signature pages follows]

IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first written above.

Grantor:

Signed, sealed and delivered

Tampa Electric Company, a Florida Corporation

in the presence of:

Witness #1 signature

By: _____

Name: _____

Title: _____

Print Witness #1 name

Witness #2 signature

Print Witness #2 name

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 2024, by _____, as _____, for Hillsborough County, a political subdivision of the State of Florida. He/She [] is personally known to me or has produced _____ as identification.

(Seal)

Name of Notary

(Name of Notary typed, printed or stamped)

Commission No. _____

My Commission Expires: _____

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

Grantee:

Signed, sealed and delivered
In the preserve of:

Southwest Florida Water Management
District

Witness #1 signature

By:

Name: E. D. Armstrong III
Title: Chair

Print Witness #1 name

Witness #2 signature

Print Witness #2 name

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 2024, by _____, as _____, for the Southwest Florida Water Management District, a public corporation, on behalf of the Southwest Florida Water Management District. He/She [] is personally known to me or has produced _____ as identification.

(Seal)

Name of Notary

(Name of Notary typed, printed or stamped)

Commission No. _____
My Commission
Expires: _____

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

Grantee:

Signed, sealed and delivered
In the preserve of:

Southwest Florida Water Management
District

Witness #1 signature

By: _____
Name: John Mitten
Title: Secretary

Print Witness #1 name

Witness #2 signature

Print Witness #2 name

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 2024, by _____, as _____, for the Southwest Florida Water Management District, a public corporation, on behalf of the Southwest Florida Water Management District. He/She [] is personally known to me or has produced _____ as identification.

(Seal)

Name of Notary

(Name of Notary typed, printed or stamped)

Commission No. _____
My Commission
Expires: _____

EXHIBIT "A"

Legal Description Parcel 20-020-138 (Well Site Area)

A parcel of land being a portion of the Northwest 1/4 of Section 11, Township 29 South, Range 27 East, Polk County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 11, Township 29 South, Range 27 East; thence along and coincident with the South line of said Northwest 1/4, North 89° 18' 23" East, a distance of 2129.91 feet; thence leaving said South line, North 00° 00' 00" East, a distance of 28.19 feet to a point on the Northerly line of Dekle Road per Map Book 6, Pages 185-186, of the Public Records of Polk County, Florida; thence leaving said Northerly line, continue North 00° 00' 00" East, a distance of 28.72 feet for a POINT OF BEGINNING; thence North 90° 00' 00" West, a distance of 5.00 feet; thence North 00° 00' 00" East, a distance of 10.00 feet; thence North 90° 00' 00" East, a distance of 10.00 feet; thence South 00° 00' 00" East, a distance of 10.00 feet; thence North 90° 00' 00" West, a distance of 5.00 feet to the POINT OF BEGINNING.

The above-described lands contain 100 SQFT or 0.002 Acres ±

Legal Description Parcel 20-020-138 (Access Area)

A parcel of land being a portion of the Northwest 1/4 of Section 11, Township 29 South, Range 27 East, Polk County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 11, Township 29 South, Range 27 East; thence along and coincident with the South line of said Northwest 1/4, North 89° 18' 23" East, a distance of 2129.91 feet; thence leaving said South line, North 00° 00' 00" East, a distance of 28.19 feet to a point on the Northerly line of Deckle Road per Map Book 6, Pages 185-186, of the Public Records of Polk County, Florida and the POINT OF BEGINNING; thence along and coincident with said Northerly line of Deckle Road, South 89° 59' 30" West, a distance of 5.00 feet; thence leaving said Northerly line, North 00° 00' 00" East, a distance of 28.72 feet; thence North 90° 00' 00" East, a distance of 10.00 feet; thence South 00° 00' 00" East, a distance of 28.72 feet to a point on said Northerly line of Dekle Road; thence along and coincident with said Northerly line, South 89° 59' 30" West, a distance of 5.00 feet to the POINT OF BEGINNING.

The above-described lands contain 287 SQFT or 0.006 Acres ±

Legal Description Parcel 20-020-138 (Temporary Construction Area)

A parcel of land being a portion of the Northwest 1/4 of Section 11, Township 29 South, Range 27 East, Polk County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 11, Township 29 South, Range 27 East; thence along and coincident with the South line of said Northwest 1/4, North 89° 18' 23" East, a distance of 2129.91 feet; thence leaving said South line, North 00° 00' 00" East, a distance of 28.19 to a point on the Northerly line of Deckle Road per Map Book 6, Pages 185-186, of the Public Records of Polk County, Florida and the POINT OF BEGINNING; thence along and coincident with said Northerly line of Dekle Road, South 89° 59' 30" West, a distance of 40.00 feet; thence leaving said Northerly line, North 00° 00' 30" West, a distance of 40.00 feet; thence North 89° 59' 30" East, a distance of 100.00 feet; thence South 00° 00' 30" East, a distance of

40.00 feet to a point on said Northerly line of Dekle Road; thence along and coincident with said Northerly line, South 89° 59' 30" West, a distance of 60.00 feet to the POINT OF BEGINNING.

The above-described lands contain 4000 SQFT or 0.091 Acres ±

The bearings shown herein are based on the South line of the Northwest 1/4 of Section 11, North 89° 18' 23" East, per ALTA / NSPS LAND TITLE SURVEY BOUNDARY SURVEY, Project No. 19430 by Pickett and Associates.

Approved for use by the Survey Section 02-01-2024, W.O. 24-028.

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DRAFT

CONSENT AGENDA

May 21, 2024

Regulation Committee: Water Use Permit No. 20 007846.032, Schroeder-Manatee Ranch, Inc. / Schroeder – Manatee Ranch, Inc. (Manatee, Sarasota Counties)

This is a modification of an existing water use permit for agricultural and landscape/recreation use. The quantities have changed from those previously permitted under Water Use Permit (WUP) No. 20007846.031. As a result of combining WUP No. 20011019.011 with WUP No. 20007846.031, this permit modification authorizes an increase in the total demand annual average quantity from 18,237,900 gallons per day (gpd) to 19,696,100 gpd; an increase in the peak month quantity from 55,731,500 gpd to 60,057,300 gpd; and no change in the crop protection quantity at 8,482,100 gpd from groundwater, surface water, and reclaimed water. The authorized annual average groundwater increased from 6,203,800 gpd to 7,435,300 gpd. The permit modification also includes a net benefit retirement quantity of 307,700 gpd associated with WUP No. 20011019.011 and a short-term standby groundwater quantity of 4,000,000 gpd if reclaimed becomes unavailable. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is located in the Southern Water Use Caution Area (SWUCA) and the Most Impacted Area (MIA).

Special conditions include those that require the Permittee to report meter readings monthly, to perform meter accuracy checks every five years, to report quantities used for crop protection, to comply with the allocated quantities, to construct proposed wells according to approved specifications and provide well completion reports, to implement the approved Conservation Plan, to submit annual crop reports, to use AWS to the greatest extent practical, to cap any wells not in use, to comply with the prohibition of lake augmentation for aesthetic purposes, to comply with the SWUCA Recovery Strategy, to submit water quality data quarterly, to submit a comprehensive Operations Summary Report every five years, and to submit an annual update on Environmental Resource Permitting.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 007846.032**

PERMIT ISSUE DATE: May 21, 2024

EXPIRATION DATE: January 24, 2037

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

TYPE OF APPLICATION: Modification
GRANTED TO: Schroeder-Manatee Ranch, Inc./Attn: Erik Fields
14400 Covenant Way
Bradenton, FL 34202

PROJECT NAME: Schroeder - Manatee Ranch Inc.
WATER USE CAUTION AREA(S): Most Impacted Area, SOUTHERN WATER USE CAUTION AREA
COUNTY: Manatee, Sarasota

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	19,696,100 gpd
PEAK MONTH ¹	60,057,300 gpd
DROUGHT ANNUAL AVERAGE ²	20,595,100 gpd
CROP PROTECTION/MAXIMUM ³	8,482,100 gpd

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

ABSTRACT:

This is a modification of an existing water use permit for agricultural and landscape/recreation use. The quantities have changed from those previously permitted. As a result of combining Water Use Permit (WUP) No.20011019.011 with WUP No. 20007846.031, the permit authorizes an increase in the total demand annual average quantity from 18,237,900 gallons per day (gpd) to 19,696,100 gpd, an increase in the peak month quantity from 55,731,500 gpd to 60,057,300 gpd, and no change in the crop protection quantity at 8,482,100 gpd from groundwater, surface water, and reclaimed water. The authorized annual average groundwater portion increased from 6,203,800 gpd to 7,435,300 gpd. The permit includes a Net Benefit retirement quantity of 307,700 gpd as a result of a change in land-use from agriculture to landscape/recreation associated with WUP No. 20011019.011. The permit also authorizes a short-term standby groundwater quantity of 4,000,000 gpd if reclaimed becomes unavailable. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is located in the Southern Water Use Caution Area (SWUCA) and the Most Impacted Area (MIA).

Special conditions include those that require the Permittee to report meter readings monthly, to perform meter accuracy checks every five years, to report quantities used for crop protection, to comply with the allocated quantities, to construct proposed wells according to approved specifications and provide well completion reports, to implement the approved Conservation Plan, to submit annual crop reports, to use AWS to the greatest extent practical, to cap any wells not in use, to comply with the prohibition of lake augmentation for aesthetic purposes, to comply with the SWUCA Recovery Strategy, to submit water quality data quarterly, to submit a comprehensive Operations Summary Report every five years, and to submit an annual update on Environmental Resource Permitting.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	3,598,900	11,932,500	3,997,100	8,482,100
Landscape/Recreation	16,097,200	48,124,800	16,598,000	N/A

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Citrus	38.00	Low Volume Spray	13.55"/yr.	70.43"/yr.
Golf Course	736.00	Sprinkler Over Plant	31.88"/yr.	31.88"/yr.
Golf Course	82.10	Sprinkler Over Plant	35.80"/yr.	38.33"/yr.
Lawn & Landscape	6,115.50	Sprinkler Over Plant	33.72"/yr.	37.11"/yr.
Lawn & Landscape	703.00	Sprinkler Over Plant	13.55"/yr.	16.06"/yr.
Lawn & Landscape	95.00	Sprinkler Over Plant	27.73"/yr.	27.73"/yr.
Lawn & Landscape	593.17	Sprinkler Over Plant	28.10"/yr.	32.03"/yr.
Lawn & Landscape	798.00	Sprinkler Over Plant	41.88"/yr.	43.92"/yr.
Lawn & Landscape	95.00	Sprinkler Over Plant	29.73"/yr.	29.73"/yr.

WITHDRAWAL POINT QUANTITY TABLE

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

I.D. NO. PERMITTEE/ DISTRICT	DIAM (in.)	DEPTH TTL./CSD.FT. (feet bls)	USE DESCRIPTION	AVERAGE (gpd)	PEAK MONTH (gpd)	CROP PROTECTION (gpd)
M4 / 4 Standby	12	1,586 / 700	Irrigation	616,500	4,320,000	N/A
M24 / 24 Standby	10	958 / 80	Irrigation	91,600	259,500	N/A
M26 / 26	10	1,225 / 82	Irrigation	438,200	1,296,000	N/A
M34 / 34	8	1,183 / 110	Augmentation	34,500	538,300	N/A
M39 / 39 Standby	8	1,144 / 514	Irrigation	48,400	137,200	N/A
M40 / 40 Standby	8	1,367 / 430	Irrigation	48,400	137,200	N/A
M50 / 50	6	N/A / N/A	Irrigation	213,000	434,000	N/A
51 / 51	12	N/A / N/A	Irrigation	893,300	1,895,200	N/A
52 / 52	14	1,000 / 340	Irrigation	130,900	1,219,900	N/A
53 / 53	12	N/A / N/A	Irrigation	893,300	1,895,200	N/A
M54 / 54	16	1,200 / 450	Irrigation	877,900	2,580,600	N/A
M56 / 56 Standby	5	400 / 120	Irrigation	14,800	42,000	N/A
M57 / 57	12	N/A / N/A	Irrigation	1,321,000	2,800,900	N/A
M58 / 58	16	N/A / N/A	Irrigation	893,300	1,895,200	N/A
M59 / 59	12	N/A / N/A	Irrigation	893,300	1,895,200	N/A
61 / 61	16	1,200 / 450	Irrigation	227,500	3,586,600	N/A
62 / 62	5	400 / 120	Irrigation	3,900	16,600	N/A
63 / 63	5	400 / 120	Irrigation	5,200	22,600	N/A
M64 / 64	5	UNK / UNK	Irrigation	700	2,800	N/A
65 / 65	16	1,200 / 450	Irrigation	45,400	764,600	N/A
66 / 66 Standby	16	1,200 / 450	Irrigation	137,300	389,300	N/A
67 / 67	16	1,200 / 450	Irrigation	787,700	2,580,600	N/A
69 / 69	16	1,200 / 450	Irrigation	42,900	2,645,900	N/A
70 / 70	16	1,200 / 450	Irrigation	93,700	972,900	N/A
73 / 73	12	N/A / N/A	Irrigation	65,300	138,400	N/A
91 / 91	12	N/A / N/A	Re-Pump	170,000	N/A	N/A

92 / 92	12	N/A / N/A	Re-Pump	213,000	430,900	N/A
93 / 93	12	N/A / N/A	Re-Pump	353,700	715,500	N/A
94 / 94	12	N/A / N/A	Irrigation	353,700	720,700	N/A
95 / 95	12	N/A / N/A	Irrigation	285,800	582,400	N/A
96 / 96	12	N/A / N/A	Re-Pump	223,300	451,700	N/A
97 / 97	12	N/A / N/A	Irrigation	223,300	455,000	N/A
98 / 98	10	N/A / N/A	Irrigation	500,000	1,000,000	N/A
Standby						
99 / 99	10	N/A / N/A	Irrigation	500,000	1,000,000	N/A
Standby						
100 / 100	16	1,110 / 575	Irrigation	530,100	2,808,000	N/A
101 / 101	12	1,270 / 520	Irrigation	224,800	454,700	N/A
102 / 102	16	1,200 / 500	Irrigation	393,900	2,808,000	N/A
103 / 103	16	1,200 / 500	Irrigation	88,600	4,320,000	N/A
105 / 105	16	1,200 / 500	Irrigation	174,800	2,163,800	N/A
106 / 106	16	N/A / N/A	Re-Use	670,000	1,353,400	N/A
107 / 107	12	N/A / N/A	Re-Use	1,250,000	2,525,000	N/A
108 / 108	12	N/A / N/A	Re-Use	1,250,000	2,525,000	N/A
109 / 109	12	N/A / N/A	Irrigation	91,500	194,100	N/A
110 / 110	12	N/A / N/A	Irrigation	893,300	1,895,200	N/A
111 / 111	16	1,200 / 500	Irrigation	9,800	529,400	2,722,100
112 / 112	16	1,200 / 500	Irrigation	1,024,000	4,320,000	N/A
Standby						
113 / 113	16	1,200 / 450	Irrigation	150,000	389,300	N/A
Standby						
114 / 114	12	N/A / N/A	Irrigation	118,600	251,600	N/A
115 / 115	12	N/A / N/A	Irrigation	190,900	404,800	N/A
116 / 116	12	N/A / N/A	Irrigation	247,700	525,400	N/A
117 / 117	12	N/A / N/A	Re-Pump	123,500	249,700	N/A
118 / 118	12	N/A / N/A	Irrigation	401,900	852,500	N/A
119 / 119	12	N/A / N/A	Re-Use	670,000	1,353,400	N/A
120 / 120	12	1,200 / 500	Augmentation	277,400	719,800	N/A
Standby						
121 / 121	12	N/A / N/A	Irrigation	107,900	228,900	N/A
122 / 122	12	N/A / N/A	Irrigation	449,600	916,100	N/A

123 / 123	12	N/A / N/A	Irrigation	118,600	251,600	N/A
124 / 124	16	N/A / N/A	Re-Pump	224,800	454,700	N/A
125 / 125	12	N/A / N/A	Irrigation	224,800	458,100	N/A
126 / 126	12	N/A / N/A	Irrigation	266,500	565,100	N/A
127 / 127	12	N/A / N/A	Irrigation	118,600	251,600	N/A
128 / 128	12	N/A / N/A	Irrigation	118,600	251,600	N/A
129 / 129	12	N/A / N/A	Re-Use	670,000	1,353,400	N/A
130 / 130	12	N/A / N/A	Re-Use	670,000	1,353,400	N/A
131 / 131	12	N/A / N/A	Re-Use	670,000	1,353,400	N/A
132 / 132	12	N/A / N/A	Irrigation	118,600	251,600	N/A
133 / 133	12	N/A / N/A	Irrigation	118,600	251,600	N/A
134 / 134	12	N/A / N/A	Re-Use	123,500	249,700	N/A
135 / 135	12	N/A / N/A	Re-Use	1,250,000	2,525,000	N/A
136 / 136	12	N/A / N/A	Re-Use	1,250,000	2,525,000	N/A
137 / 137	12	N/A / N/A	Irrigation	75,100	159,300	N/A
138 / 138	12	N/A / N/A	Irrigation	104,700	222,000	N/A
139 / 139	12	N/A / N/A	Re-Use	670,000	1,353,400	N/A
140 / 140	12	N/A / N/A	Irrigation	139,400	295,700	N/A
141 / 141	12	N/A / N/A	Re-Use	3,000,000	6,060,000	N/A
142 / 142	12	N/A / N/A	Re-Use	500,000	1,010,000	N/A
143 / 143	12	N/A / N/A	Re-Use	375,000	757,500	N/A
144 / 144	12	1,200 / 500	Augmentation	198,700	515,600	N/A
Standby 145 / 145	12	1,200 / 500	Augmentation	257,900	669,200	N/A
Standby 146 / 146	12	1,200 / 500	Augmentation	418,400	1,085,800	N/A
Standby 147 / 147	12	1,200 / 500	Augmentation	145,100	376,600	N/A
Standby 148 / 148	12	1,200 / 500	Augmentation	187,100	485,600	N/A
Standby 149 / 149	12	N/A / N/A	Re-Pump	198,700	401,900	N/A
150 / 150	12	N/A / N/A	Re-Pump	257,900	521,600	N/A
151 / 151	12	N/A / N/A	Re-Pump	112,400	227,300	N/A
152 / 152	12	N/A / N/A	Re-Pump	95,300	192,700	N/A

153 / 153	12	N/A / N/A	Re-Pump	67,900	137,400	N/A
154 / 154	12	N/A / N/A	Re-Pump	418,400	846,300	N/A
155 / 155 Standby	12	1,200 / 450	Augmentation	130,000	337,400	N/A
156 / 156	12	N/A / N/A	Re-Use	375,000	757,500	N/A
157 / 157	12	N/A / N/A	Irrigation	120,300	264,900	N/A
158 / 158	12	N/A / N/A	Irrigation	120,300	264,900	N/A
159 / 159	12	N/A / N/A	Irrigation	120,300	264,900	N/A
160 / 160	12	N/A / N/A	Re-Use	250,000	505,000	N/A
161 / 161	12	N/A / N/A	Irrigation	120,300	264,900	N/A
162 / 162	12	N/A / N/A	Irrigation	120,300	264,900	N/A
163 / 163	12	N/A / N/A	Re-Pump	500,000	1,000,000	N/A
164 / 164	12	N/A / N/A	Re-Pump	500,000	1,000,000	N/A
165 / 165	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
166 / 166		N/A / N/A	Augmentation	500,000	1,000,000	N/A
167 / 167	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
168 / 168	12	N/A / N/A	Re-Pump	500,000	1,000,000	N/A
169 / 169	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
170 / 170		N/A / N/A	Augmentation	500,000	1,000,000	N/A
171 / 171	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
172 / 172		N/A / N/A	Augmentation	500,000	1,000,000	N/A
173 / 173	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
174 / 174		N/A / N/A	Augmentation	500,000	1,000,000	N/A
175 / 175	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
176 / 176	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
177 / 177	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
178 / 178		N/A / N/A	Augmentation	500,000	1,000,000	N/A
179 / 179		N/A / N/A	Augmentation	500,000	1,000,000	N/A
180 / 180	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
181 / 181	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
182 / 182		N/A / N/A	Augmentation	500,000	1,000,000	N/A

183 / 183	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
184 / 184		N/A / N/A	Augmentation	500,000	1,000,000	N/A
185 / 185	12	N/A / N/A	Re-Pump	250,000	500,000	N/A
186 / 186 Standby	16	1,200 / 500	Augmentation	130,000	337,400	N/A
187 / 187 Standby	16	1,200 / 500	Irrigation	710,000	4,320,000	N/A
188 / 188		N/A / N/A	Augmentation	250,000	500,000	N/A
189 / 189		N/A / N/A	Re-Pump	250,000	500,000	N/A
190 / 190		N/A / N/A	Re-Pump	250,000	500,000	N/A
191 / 191		N/A / N/A	Augmentation	250,000	500,000	N/A
192 / 192	16	1,200 / 500	Irrigation	166,100	506,500	N/A
193 / 193		N/A / N/A	Re-Pump	159,800	487,600	N/A
194 / 194		N/A / N/A	Re-Use	159,800	487,600	N/A
195 / 195	16	1,200 / 500	Irrigation	84,400	257,700	N/A
196 / 196		N/A / N/A	Re-Pump	183,700	560,700	N/A
197 / 197		N/A / N/A	Re-Pump	183,800	560,700	N/A
198 / 198		N/A / N/A	Re-Use	367,600	1,121,300	N/A
199 / 199		N/A / N/A	Re-Pump	463,600	1,414,600	N/A
200 / 200		N/A / N/A	Re-Pump	216,800	538,100	N/A
201 / 201		N/A / N/A	Re-Use	680,400	1,952,700	N/A
202 / 202	16	1,200 / 500	Augmentation	490,500	1,780,800	N/A
203 / 203	16	1,200 / 500	Augmentation	490,500	1,780,800	N/A
204 / 204		N/A / N/A	Re-Pump	1,207,700	3,561,600	N/A
205 / 205		N/A / N/A	Augmentation	1,207,700	3,561,600	N/A

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
4	27° 28' 16.90"/82° 22' 16.45"
24	27° 25' 35.00"/82° 24' 15.79"
26	27° 25' 25.56"/82° 23' 27.54"
34	27° 24' 27.52"/82° 23' 03.68"
39	27° 22' 51.09"/82° 23' 46.90"
40	27° 22' 43.80"/82° 23' 52.17"
50	27° 23' 47.71"/82° 24' 45.97"
51	27° 23' 23.68"/82° 25' 25.97"
52	27° 26' 09.65"/82° 22' 55.04"
53	27° 22' 16.11"/82° 26' 02.24"
54	27° 24' 09.68"/82° 24' 46.89"
56	27° 28' 52.27"/82° 26' 03.51"
57	27° 26' 00.26"/82° 24' 42.30"
58	27° 21' 47.81"/82° 25' 47.86"
59	27° 21' 39.20"/82° 23' 19.34"
61	27° 23' 12.97"/82° 25' 07.71"
62	27° 26' 04.27"/82° 25' 52.07"
63	27° 25' 58.56"/82° 23' 44.21"
64	27° 26' 05.92"/82° 23' 44.15"
65	27° 24' 56.90"/82° 25' 33.06"
66	27° 25' 42.78"/82° 22' 54.07"
67	27° 23' 41.39"/82° 23' 06.89"
69	27° 28' 39.92"/82° 25' 43.70"
70	27° 26' 19.91"/82° 24' 45.58"
73	27° 22' 31.09"/82° 24' 44.89"
91	27° 28' 49.82"/82° 22' 18.81"
92	27° 23' 48.34"/82° 24' 39.67"
93	27° 24' 20.15"/82° 24' 56.75"
94	27° 24' 15.51"/82° 24' 51.53"
95	27° 24' 19.56"/82° 23' 38.26"
96	27° 24' 55.99"/82° 23' 32.93"
97	27° 24' 57.18"/82° 23' 31.82"
98	27° 22' 00.04"/82° 26' 02.95"
99	27° 21' 29.34"/82° 23' 50.92"
100	27° 26' 56.30"/82° 25' 36.88"
101	27° 26' 11.84"/82° 21' 46.91"
102	27° 25' 36.06"/82° 24' 59.99"
103	27° 27' 28.37"/82° 21' 16.99"
105	27° 24' 37.99"/82° 22' 11.83"
106	27° 21' 36.17"/82° 25' 53.49"
107	27° 26' 13.02"/82° 24' 44.27"

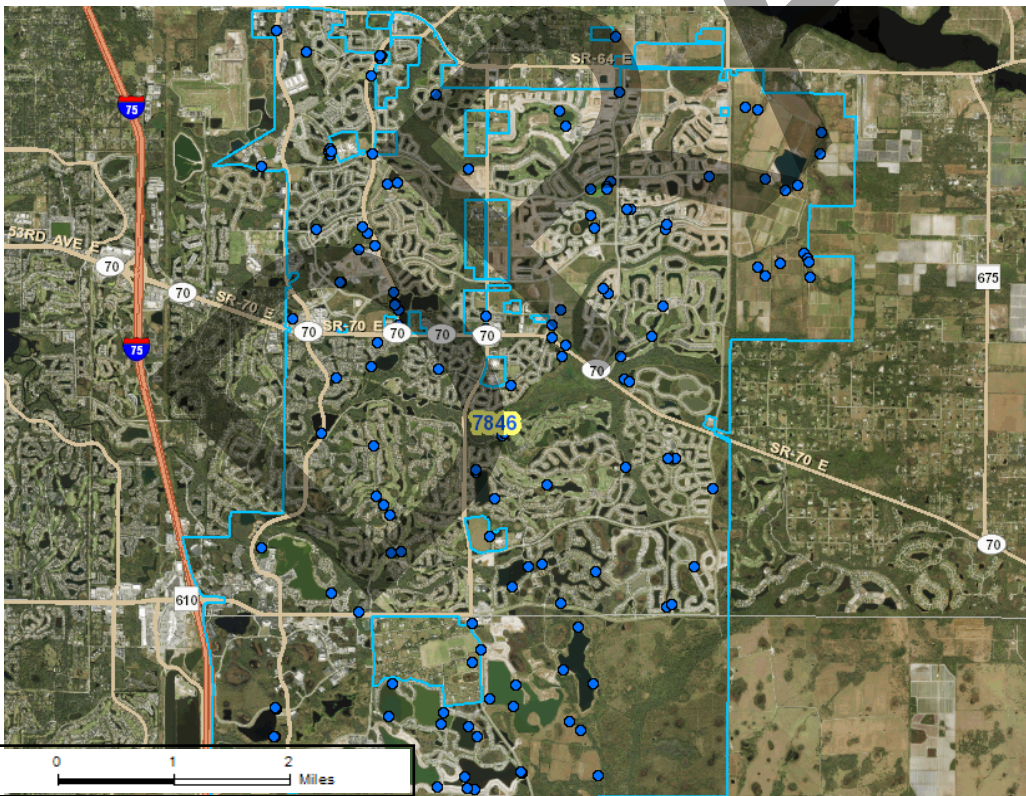
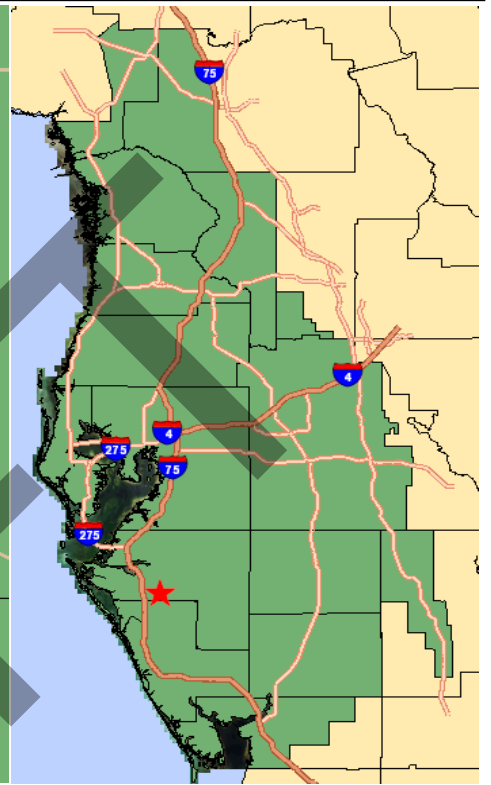
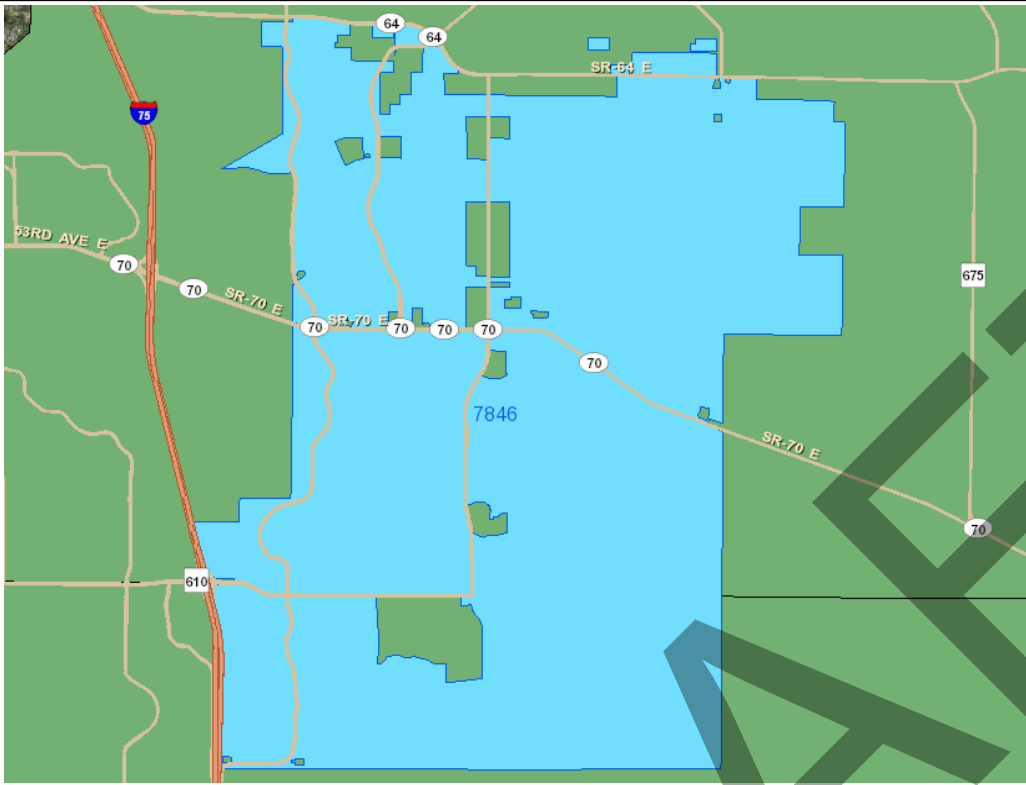
108	27° 26' 09.60"/82° 24' 41.53"
109	27° 22' 13.81"/82° 24' 11.72"
110	27° 23' 49.82"/82° 26' 11.90"
111	27° 27' 32.05"/82° 23' 56.17"
112	27° 27' 24.98"/82° 22' 22.00"
113	27° 28' 26.59"/82° 25' 00.26"
114	27° 26' 12.54"/82° 24' 44.57"
115	27° 22' 39.36"/82° 22' 52.42"
116	27° 22' 04.12"/82° 22' 40.98"
117	27° 23' 27.76"/82° 23' 26.61"
118	27° 22' 18.21"/82° 23' 25.02"
119	27° 21' 30.66"/82° 24' 14.98"
120	27° 21' 32.75"/82° 25' 22.14"
121	27° 22' 05.70"/82° 23' 54.79"
122	27° 25' 54.62"/82° 21' 54.56"
123	27° 26' 58.13"/82° 25' 06.39"
124	27° 27' 23.05"/82° 24' 49.49"
125	27° 27' 23.95"/82° 24' 43.14"
126	27° 21' 42.49"/82° 25' 19.81"
127	27° 27' 24.00"/82° 24' 43.11"
128	27° 24' 36.09"/82° 23' 50.37"
129	27° 21' 59.74"/82° 26' 03.32"
130	27° 21' 29.79"/82° 23' 55.31"
131	27° 21' 41.67"/82° 25' 53.56"
132	27° 23' 39.38"/82° 23' 15.32"
133	27° 24' 43.47"/82° 21' 38.39"
134	27° 24' 43.42"/82° 21' 43.48"
135	27° 26' 54.44"/82° 25' 03.12"
136	27° 25' 42.67"/82° 22' 15.42"
137	27° 21' 31.93"/82° 26' 13.18"
138	27° 21' 35.51"/82° 25' 35.31"
139	27° 27' 23.08"/82° 24' 49.49"
140	27° 21' 36.77"/82° 23' 57.16"
141	27° 21' 36.93"/82° 25' 57.25"
142	27° 27' 40.67"/82° 24' 59.95"
143	27° 27' 33.10"/82° 26' 13.38"
144	27° 22' 31.24"/82° 22' 32.30"
145	27° 21' 37.41"/82° 22' 29.10"
146	27° 22' 30.32"/82° 23' 23.37"
147	27° 21' 39.47"/82° 23' 19.84"
148	27° 21' 42.75"/82° 25' 57.39"
149	27° 23' 04.29"/82° 22' 42.89"
150	27° 22' 09.43"/82° 22' 47.87"

151	27° 22' 00.40"/82° 23' 49.16"
152	27° 22' 07.38"/82° 24' 12.67"
153	27° 22' 11.73"/82° 24' 47.78"
154	27° 22' 22.33"/82° 23' 40.79"
155	27° 22' 16.45"/82° 26' 02.44"
156	27° 27' 39.65"/82° 25' 27.63"
157	27° 27' 42.23"/82° 25' 28.16"
158	27° 27' 43.72"/82° 25' 28.03"
159	27° 27' 41.97"/82° 25' 26.60"
160	27° 28' 36.82"/82° 24' 54.46"
161	27° 28' 38.08"/82° 24' 54.15"
162	27° 28' 38.07"/82° 24' 54.78"
163	27° 24' 34.77"/82° 23' 50.15"
164	27° 23' 18.11"/82° 22' 54.28"
165	27° 23' 36.74"/82° 22' 30.75"
166	27° 25' 29.35"/82° 22' 12.93"
167	27° 25' 28.13"/82° 22' 08.96"
168	27° 23' 16.41"/82° 21' 44.32"
169	27° 23' 17.92"/82° 21' 40.55"
170	27° 25' 53.74"/82° 23' 00.52"
171	27° 26' 00.60"/82° 23' 00.46"
172	27° 26' 59.98"/82° 21' 45.19"
173	27° 26' 56.88"/82° 21' 45.39"
174	27° 27' 08.78"/82° 22' 08.99"
175	27° 27' 08.46"/82° 22' 11.30"
176	27° 27' 21.43"/82° 22' 24.53"
177	27° 27' 22.12"/82° 22' 24.70"
178	27° 27' 20.27"/82° 22' 35.01"
179	27° 27' 57.18"/82° 22' 51.71"
180	27° 28' 06.12"/82° 22' 55.62"
181	27° 27' 20.71"/82° 22' 24.46"
182	27° 26' 57.36"/82° 22' 32.83"
183	27° 27' 05.05"/82° 22' 35.03"
184	27° 26' 19.33"/82° 22' 23.68"
185	27° 26' 22.41"/82° 22' 26.51"
186	27° 23' 50.06"/82° 26' 12.13"
187	27° 25' 49.43"/82° 22' 51.61"
188	27° 26' 25.36"/82° 25' 20.34"
189	27° 26' 25.52"/82° 25' 20.85"
190	27° 26' 44.85"/82° 25' 08.73"
191	27° 26' 46.67"/82° 24' 58.05"
192	27° 27' 53.69"/82° 20' 02.31"
193	27° 28' 08.47"/82° 20' 52.81"



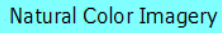
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196	27° 27' 26.77"/82° 20' 39.82"
197	27° 27' 22.72"/82° 20' 18.14"
198	27° 27' 20.14"/82° 20' 26.50"
199	27° 26' 37.66"/82° 20' 29.96"
200	27° 26' 35.01"/82° 20' 44.47"
201	27° 26' 29.90"/82° 20' 39.69"
202	27° 26' 29.28"/82° 20' 10.04"
203	27° 26' 43.59"/82° 20' 14.02"
204	27° 26' 40.67"/82° 20' 11.11"
205	27° 26' 38.10"/82° 20' 11.00"

DRAFT


Location Map
Schroeder-Manatee Ranch, Inc./Attn: Erik Fields
WUP No. 20 007846.032



Legend

-  DIDs
-  WUP Boundary
-  Natural Color Imagery

**MANATEE, SARASOTA
COUNTY**



*Southwest Florida
Water Management District*

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

2. The Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.
(1)
3. The annual average, peak month, and crop protection/maximum day quantities for the individual withdrawals, as shown in the withdrawal point quantity table, are estimates based on projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary so long as adverse impacts to the resource and to existing legal users do not result, and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average, peak month and crop protection withdrawals from all sources combined are limited to 19.6961 MGD, 60.0573 MGD, and 8.4821 MGD, respectively.(221)
4. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see

Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID Nos. 111, 113, 120, 144, 145, 146, 148, 186, 187, 192, 195, 202, and 203, Permittee ID Nos, 111, 113, 120, 144, 145, 146, 148, 186, 187, 192, 195, 202, and 203, having a surface diameter of 16 inches, with a minimum casing depth of 500 feet, drilled to an estimated total depth of 1,200 feet.
(240)

5. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
6. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
7. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
8. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
9. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
10. The Permittee shall geophysically (caliper) or video log District ID No. 64, Permittee ID No. M64, if the pump assembly is removed for maintenance or replacement within the term of this permit. If the Permittee does not have to remove the pump assembly during the term of this permit, he or she shall notify the District in writing upon submittal of their application to renew their water use permit (WUP). Such notification will not prejudice the Permittee's application. The District does not require the Permittee to remove the well assembly for the single purpose of logging the well.

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

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

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

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of

growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.

(427)

12. The Permittee shall immediately implement the District-approved water conservation plan dated on November 17, 2023, in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan, as well as achievements in water savings that have been realized from each water conservation practice shall be described in the Operations Summary Report every five years.(449)
13. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit . The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.
(458)
14. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. No(s). 111, Permittee ID No(s). 111:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(474)
15. The permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for recreation/aesthetic/golf irrigation use for each permitted irrigation withdrawal point, District ID. Nos. 4, 26, 34, 50-54, 57-59, 61-65, 67, 69-70, 73, 94-95, 97, 100-103, 105, 109-110, 112, 114-116, 118, 121-123, 125-128, 132-133, 137-138, 140, 157-159, 161-162, 192, 193, 195-197, and 199-200, Permittee ID Nos. M4, M26, M34, M50-M54, M57-59, M61-M65, 67, 69-70, 73, 94-95, 97, 100-103, 105, 109-110, 112, 114-116, 118, 121-123, 125-128, 132-133, 137-138, 140, 144-148, 157-159, 161-162, 192, 193, 195-197, and 199-200:
 1. Irrigated plant type,
 2. Total Acres per plant type,
 3. Acres shrubs and/or trees,
 4. Number of acres of tees and greens, and
 5. Dominant soil type or acres by dominant soil type.This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(475)
16. The Permittee shall submit a copy of all well completion reports as filed with the Environmental Action Commission of Manatee County or Sarasota County Health Department to the Water Use Permit Bureau within 30 days of each well completion.(508)
17. The Permittee shall submit an Operations Summary Report for the preceding 5 years by April 1, 2027 (January 2022 thru December 2026) and April 1, 2032 (January 2027 thru December 2031). Should District staff's review of a report determine that permit modification is necessary in order to ensure that

the authorized water use continues to meet the Conditions for Issuance established in Chapter 40D-2.301, FAC, upon proper notice and hearing the District Governing Board may seek to modify this permit accordingly. The report shall include the following:

A. An analysis of the total water use from each source (groundwater, surface water, and reclaimed water) on an annual average basis, in table and graphic format, for both the 5-year reporting period and since issuance of WUP 20007846.028. The report should summarize all water conservation measures employed during the reporting period, and estimate the annual average quantity of groundwater that was offset by these activities including the use of AWS. The report should also provide a description of conservation measures to be implemented over the next reporting period, including ongoing efforts to maximize the use of AWS. All raw data should be provided in electronic format.

B. An analysis of projected demand during the next reporting period for both agricultural and recreational/aesthetic Use Types, on an annual average basis and with each source quantified (groundwater, surface water, and reclaimed water). Aerial photos or scaled maps depicting both the current and projected extent of each Use Type at the end of the next reporting period should also be provided. Within each Use Type category, identifiable water uses such as golf course, residential lawn/landscape, and agricultural crop type should be depicted. A map and table documenting Environmental Resource Permits received during the reporting period should also be provided.

C. An analysis of groundwater quality sampling results, in table and graphic format, for both the 5-year reporting period and since issuance of WUP 20007846.028. The report shall include a discussion of water quality trends; any apparent relationship to groundwater withdrawals; and efforts by SMR to manage the resource in this context.

D. The report shall document the Permittee's ongoing commitment to expand the use of Alternative Water Supply (AWS) sources (reclaimed water and stormwater) to reduce groundwater withdrawals in this area of resource concern. The report will provide an update regarding the Permittee's efforts and progress towards expanding the use of reclaimed water and any associated challenges experienced in expanding reclaimed water use. The report will document the reliability of reclaimed water supplies and will include documentation and discussion of delivery quantities provided by suppliers, expansion of surface and subsurface storage infrastructure (e.g., Aquifer Storage and Recovery), expansion of delivery infrastructure, and any effects of the Evers Watershed Overlay on the Permittee's ability to optimize the use of reclaimed water over the preceding 5-year reporting period. The report shall provide an evaluation of the technical, economic and environmental feasibility of placing additional groundwater quantities on standby. Infeasibility shall be supported with a detailed explanation. If placement of additional groundwater quantities on standby is deemed feasible, the Permittee shall identify the quantity to be placed on standby and provide a schedule for doing so. The report should identify existing and projected sources and quantities of reclaimed water; and quantify the annual average quantity groundwater offsets thereby achieved. Achievement of these goals shall not preclude the Permittee from participating in the authorization of a "Groundwater Replacement Credit" when demonstrated to be consistent with the District's SWUCA rules. Meanwhile, as new sources of AWS become operational which are not currently authorized by the permit, the Permittee shall submit a Letter Modification within 90 days of each activation to add these to the permit as metered withdrawals.

E. The Permittee shall immediately notify the District should it become necessary to activate groundwater standby quantities for more than 120 days due to the loss of AWS. The notification shall describe the reasons for the cessation and identify the standby withdrawals being activated. The Permittee may access standby quantities for up to one year from the date of first loss. At no time will the Permittee utilize standby quantities to exceed the authorized quantities or irrigation allocation rates. If instead the loss of AWS is expected to be permanent, the Permittee shall submit an application to modify the water use permit to permanently reinstate those quantities. Such application shall include groundwater flow modeling demonstrating that the reinstatement and associated redistribution of groundwater withdrawals will not increase impacts to the resource or to existing legal users (e.g., the Verna Wellfield) beyond those withdrawals which were authorized under the prior revision (027) of this water use permit.

(524)

18. The Permittee shall use Alternative Water Supplies in lieu of non-Alternative Water Supplies to the greatest extent practical, based on economic, environmental and technical feasibility. (551)
19. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
20. The Permittee shall not irrigate golf course roughs with non-alternative water supplies unless such

water supplies are derived from a portion of the quantities permitted for the tees, greens, and fairways. The amount of permitted ground or surface water plus alternative water supply applied to the entire golf course shall not exceed reasonable-beneficial quantities for tees, greens and fairways alone. Further, during any single month, alternative water supply sources shall not be used to irrigate the roughs if any non-alternative water supplies are withdrawn for the purpose of irrigation during the same month. However, with prior District approval, during wet weather, the permittee may use roughs as reclaimed water disposal sites. (594)

21. The Permittee shall maximize the use of surface waters before utilizing ground water for augmentation of the lake. Augmentation for aesthetic purposes only is strictly prohibited.(648)
22. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
23. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
24. The Permittee shall notify the District in writing of the installation of all surface water withdrawal points within 30 days of installation. The Permittee shall confirm the intake pipe diameter, pump capacity and location in the notification.(663)
25. The following proposed reclaimed water inflow lines shall be metered within 90 days of completion of construction of the reclaimed water delivery system: District ID No(s). 106, 107, 119, 129, 135, 141, 142, 170, 178, 179, 188, 191, and 205, Permittee ID No(s). 106, 107, 119, 129, 135, 141, 142, 170, 178, 179, 188, 191, and 205. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(700)
26. The following existing, reclaimed water inflow lines shall continue to be maintained and operated with non-resettable, totalizing flow meter(s) or other flow measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 53, 59, 108, 130, 131, 136, 143, 156, 160, 166, 172, 174, 182, and 184, Permittee ID No(s). 53, M59, 108, 130, 131, 136, 139, 143, 156, 160, 166, 172, 174, 182, and 184. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(701)
27. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No(s). 73, 103, 109, 111, 114, 115, 116, 121, 123, 132, 137, 138, 192, 193, 195, 196, 197, 199, and 200, Permittee ID No(s). 73, 103, 109, 111, 114, 115, 116, 121, 123, 132, 137, 138, 192, 193, 195, 196, 197, 199, and 200. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
28. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 4, 26, 34, 50, 51, 52, 54, 57, 58, 61, 62, 63, 64, 65, 67, 69, 70, 91, 94, 95, 97, 100, 101, 102, 105, 110, 112, 118, 122, 125, 126, 127, 128, 133, 140, 157, 158, 159, 161, and 162, Permittee ID No(s). M4, M26, M34, M50, 51, 52, M54, M57, M58, 61, 62, 63, 64, 65, 67, 69, 70, 91, 94, 95, 97, 100, 101, 102, 105, 110, 112, 118, 122, 125, 126, 127, 128, 133, 140, 157, 158, 159, 161, and 162. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

29. The following proposed Standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall be metered within 90 days of construction: District ID No(s). 98, 99, 113, 120, 144, 145, 146, 148, 186, and 187, Permittee ID No(s). 98, 99, 113, 120, 144, 145, 146, 148, 186, and 187. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(721)
30. The following existing standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall continue to be metered: District ID No(s). 24, 39, 40, 56, 66, and 155, Permittee ID No(s). M24, M39, M40, M56, 66, and 155. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(722)
31. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples shall be collected whether or not the well is being used unless infeasible. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

District ID No. 54, Permittee ID No. M54, for chloride, sulfate, and TDS, after a minimum pumping time of 30 minutes, on a quarterly basis (February, May, August, November).

(752)

32. By July 1 of each year, the Permittee shall submit an annual report to the Water Use Permit Bureau Chief that provides an update on all Environmental Resource Permits (ERP) issued by the District during the previous calendar year. The information to be provided should include a detailed description of the land and water use changes associated with the ERPs including:
1. The name and number of the ERP associated with the area subject to the land and water use changes.
 2. A map and description of the land and water use change, including the number of acres, crop type, and quantities of the existing agricultural lands (if any) versus the crop type and estimated acreage and demand quantities for the land and water use associated with the ERP. The methodology to be used to estimate acreage and demand quantities should be generally consistent with that used in the WUP renewal application.
 3. Documentation that supports the Annual Average and Peak Month water use demands and the supply sources associated with the new land use versus the agricultural land use being replaced (if applicable).
 4. The proposed disposition of any permitted quantities in excess of the demand quantity required for the new land use if different than that evaluated as part of this permit.
 5. The proposed quantities for each withdrawal affected on an Annual Average Quantity and Peak Month Quantity basis.

If the land use change results in a substantial change in the total anticipated lawn / landscape / recreational acres or the redistribution of groundwater quantities to withdrawals not evaluated as part of this permit, then a permit application for either a letter modification or full modification will be required.

(765)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

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

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

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

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

- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
- B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

longer per test until consistent results are obtained.

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

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

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

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

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

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

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

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

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

WATER QUALITY INSTRUCTIONS

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

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water

and Wastes by the U.S. Environmental Protection Agency (EPA).

8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.

9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.

10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

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

WELL CONSTRUCTION INSTRUCTIONS

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

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

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

CONSENT AGENDA

May 21, 2024

Regulation Committee: Water Use Permit No. 20 008036.010, Leffie M. Carlton Jr Family LLLP / Grange Hall Loop Berries (Hillsborough County)

This is a modification of an existing water use permit for agricultural use. The quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 439,600 gallons per day (gpd) to 593,700 gpd, an increase in the drought annual average quantity from 439,600 gpd to 593,700 gpd, an increase in the peak month quantity from 2,578,800 gpd to 3,473,400 gpd, and a decrease in the crop protection quantity from 18,295,200 gpd to 16,855,200 gpd. The quantity increases are due to an increase in irrigated acreage from 192 to 260 acres of strawberries. The crop protection decrease is due to elimination of a surface water source. There is no change in use type from the previous permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This modification reflects a self-relocation of quantities (154,100 gpd) from Water Use Permit No. 20010742.005 to allow an increase in the Most Impacted Area (MIA) of the Southern Water Use Caution Area. This permit is in the Southern Water Use Caution Area (SWUCA). This permittee does not utilize Alternative Water Supply (AWS) sources as none are currently available, but is required to submit a reclaimed water feasibility study upon District request.

Special conditions include those that require the permittee to continue to record and report monthly meter readings for all withdrawals, record and report pumpage used for freeze events, geophysically log wells when the pumps are removed, immediately implement the District-approved water conservation plan, submit seasonal crop reports, conduct meter accuracy tests every five years, submit an overpumpage report upon District request, and adhere to the SWUCA Recovery Strategy.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 WATER USE PERMIT
 Individual
 PERMIT NO. 20 008036.010**

PERMIT ISSUE DATE: May 21, 2024

EXPIRATION DATE: January 24, 2029

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

TYPE OF APPLICATION: Modification
GRANTED TO: Leffie M. Carlton Jr Family LLLP/Attn: C. Dennis Carlton Jr
 4143 Moores Lake Rd
 Dover, FL 33527

PROJECT NAME: Grange Hall Loop Berries
WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA
COUNTY: Hillsborough

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	593,700 gpd
PEAK MONTH ¹	3,473,400 gpd
DROUGHT ANNUAL AVERAGE ²	593,700 gpd
CROP PROTECTION/MAXIMUM ³	16,855,200 gpd

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

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 439,600 gallons per day (gpd) to 593,700 gpd, an increase in the drought annual average quantity from 439,600 gpd to 593,700 gpd, an increase in the peak month quantity from 2,578,800 gpd to 3,473,400 gpd, and a decrease in the crop protection quantity from 18,295,200 gpd to 16,855,200 gpd. The change in quantities is due to an increase in irrigated acreage from 192 to 260 acres of strawberries. The decrease in crop protection quantities is due to the removal of a proposed surface water withdrawal. There is no change in use type from the previous permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This modification reflects a self-relocation of quantities (154,100 gpd) from Water Use Permit No. 20010742.005 to allow an increase in the Most Impacted Area (MIA) of the Southern Water Use Caution Area. This permit is located in the Southern Water Use Caution Area (SWUCA). This permittee does not utilize Alternative Water Supply (AWS) sources as none are currently available, but is required to submit a reclaimed water feasibility study upon District request.

Special conditions include those that require the permittee to continue to record and report monthly meter readings for all withdrawals, record and report pumpage used for freeze events, geophysically log wells when the pumps are removed, immediately implement the District-approved water conservation plan, submit seasonal crop reports, conduct meter accuracy tests every five years, submit an overpumpage report upon District request, and adhere to the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	593,700	3,473,400	593,700	16,855,200

USES AND IRRIGATION ALLOCATION RATE TABLE

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

WITHDRAWAL POINT QUANTITY TABLE

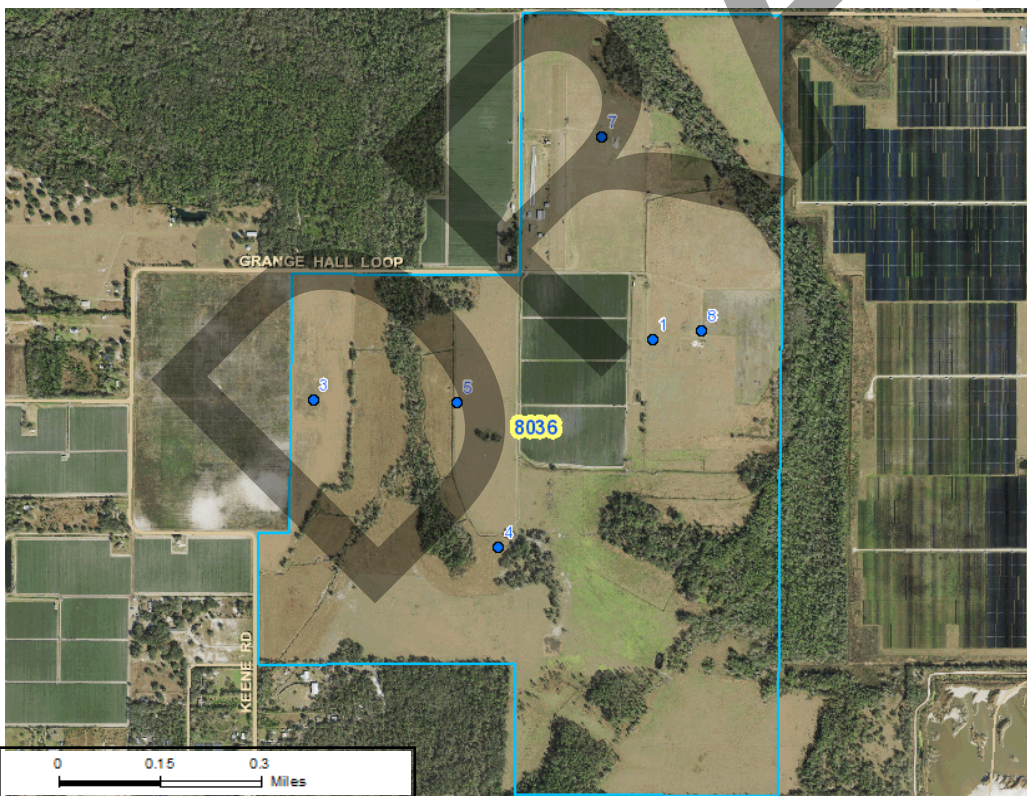
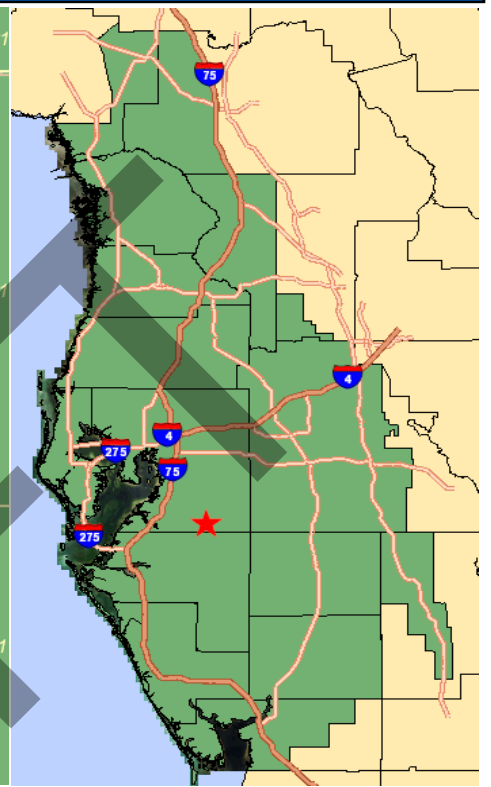
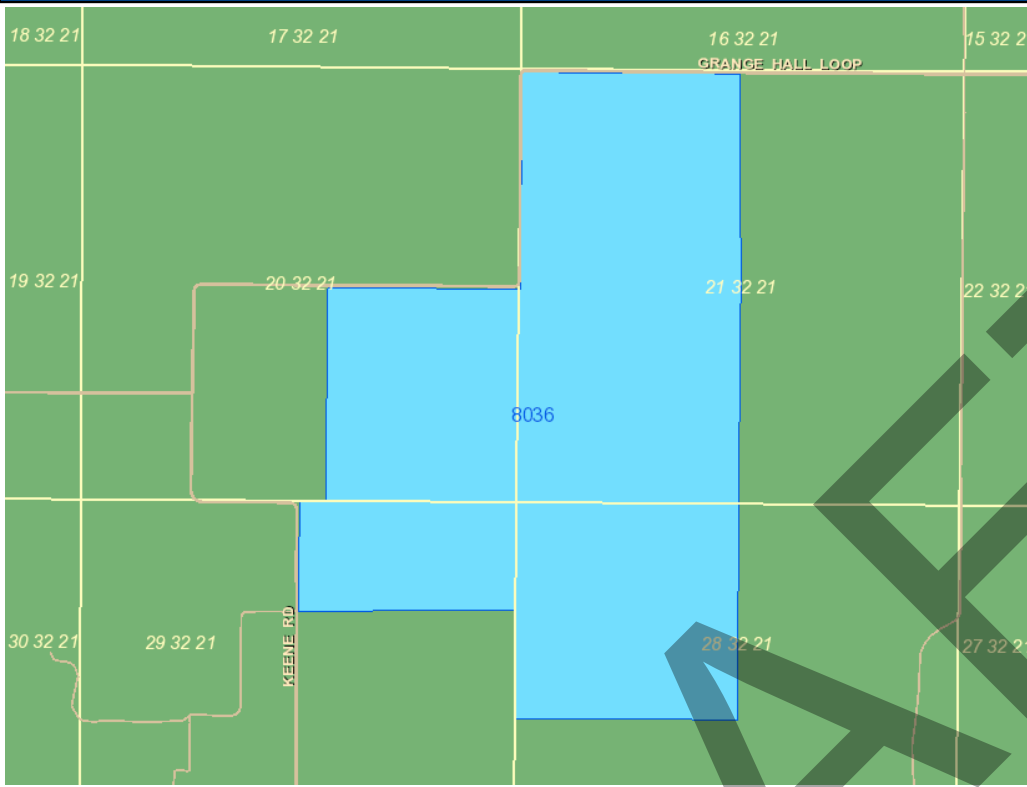
Water use from these withdrawal points are restricted to the quantities given below :

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



WITHDRAWAL POINT LOCATION TABLE

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


Location Map
Leffie M. Carlton Jr Family LLLP/Attn: C. Dennis Carlton Jr
WUP No. 20 008036.010



Legend

-  DIDs
-  WUP Boundary
- Natural Color Imagery

HILLSBOROUGH COUNTY



Southwest Florida
Water Management District

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

(499)

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

(1)

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

District ID No. 5, Permittee ID No. 5, having a surface diameter of 16 inches, with a minimum casing depth of 300 feet, drilled to an estimated total depth of 900 feet.

(240)

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

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

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

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

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

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

11. The Permittee shall immediately implement the District-approved water conservation plan dated March 21, 2024, that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan.(449)

12. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water. (458)
13. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. No(s). 1, 3, 4, 5, 7, and 8, Permittee ID No(s). 1, 3, 4, 5, 7, and 8:
1. Crop type
 2. Irrigated acres per crop for the appropriate season,
 3. Dominant soil type or acres by dominant soil type,
 4. Irrigation method (NTBWUCA only),
 5. Use or non-use of plastic mulch,
 6. Planting dates, and
 7. Season length.
- This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop. (476)
14. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C. (568)
15. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion. (583)
16. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit. (651)
17. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules. (652)
18. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 5, Permittee ID No. 5. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (718)
19. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 1, 3, 4, 7, and 8, Permittee ID No(s). 1, 3, 4, 7, and 8. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (719)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

60 consecutive days.

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

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

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

- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
- B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.

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

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

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

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

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

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

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

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

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

WELL CONSTRUCTION INSTRUCTIONS

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

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

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

DRAFT

CONSENT AGENDA

May 21, 2024

Regulation Committee: Water Use Permit No. 20 011639.007, Buckhorn Nursery, Ltd. / Buckhorn Nursery (Hardee County)

This is a modification of a water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 441,900 gallons per day (gpd) to 597,000 gpd, the drought annual average quantity has increased from 476,400 gpd to 643,800 gpd, the peak month quantity has increased from 1,026,300 gpd to 1,382,300 gpd, and the crop protection quantity has increased from 6,761,700 gpd to 8,566,000 gpd. The use type has not changed. Quantities are based on information provided by the Permittee and the District's irrigation allotment calculation program, AGMOD. The crop plan has increased from 91 acres of nursery to 123.5 acres of nursery. The Permittee uses 148,900 gpd of captured surface water from tailwater recovery ponds when available to offset the use of groundwater for irrigation. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to record and report monthly meter readings, perform meter accuracy tests every five years, construct proposed withdrawals in accordance with permit specifications and submit well completion reports, submit annual crop reports, investigate the use of Alternative Water Supply (AWS) sources when notified by the District, modify the permit upon the incorporation of an AWS source, implement the water conservation plan and best management practices, submit a water conservation report mid-term of this permit, comply with the permitted quantities, provide an overpumpage report upon request, and comply with the SWUCA recovery strategy.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 WATER USE PERMIT
 Individual
 PERMIT NO. 20 011639.007**

PERMIT ISSUE DATE: May 21, 2024

EXPIRATION DATE: November 27, 2037

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

TYPE OF APPLICATION: Modification
GRANTED TO: Buckhorn Nursery, Ltd./Attn: Brian Lambert
 475 Lambert Road
 Zolfo Springs, FL 33890

PROJECT NAME: Buckhorn Nursery
WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA
COUNTY: Hardee

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	597,000 gpd
PEAK MONTH ¹	1,382,300 gpd
DROUGHT ANNUAL AVERAGE ²	643,800 gpd
CROP PROTECTION/MAXIMUM ³	8,566,000 gpd

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

ABSTRACT:

This is a modification of a water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 441,900 gallons per day (gpd) to 597,000 gpd, the drought annual average quantity has increased from 476,400 gpd to 643,800 gpd, the peak month quantity has increased from 1,026,300 gpd to 1,382,300 gpd, and the crop protection quantity has increased from 6,761,700 gpd to 8,566,000 gpd. The use type has not changed. Quantities are based on information provided by the Permittee and the District's irrigation allotment calculation program, AGMOD. The crop plan has increased from 91 acres of nursery to 123.5 acres of nursery. The Permittee uses 148,900 gpd of captured surface water from tailwater recovery ponds when available to offset the use of groundwater for irrigation. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to record and report monthly meter readings, perform meter accuracy tests every five years, construct proposed withdrawals in accordance with permit specifications and submit well completion reports, submit annual crop reports, investigate the use of Alternative Water Supply (AWS) sources when notified by the District, modify the permit upon the incorporation of an AWS source, implement the water conservation plan and best management practices, submit a water conservation report mid-term of this permit, comply with the permitted quantities, provide an over-pumpage report upon request, and comply with the SWUCA recovery strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	597,000	1,382,300	643,800	8,566,000

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Nursery, Container	64.66	Sprinkler Over Plant	62.90"/yr.	67.92"/yr.
Nursery, Container	58.80	Drip Without Plastic	65.90"/yr.	70.41"/yr.
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

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

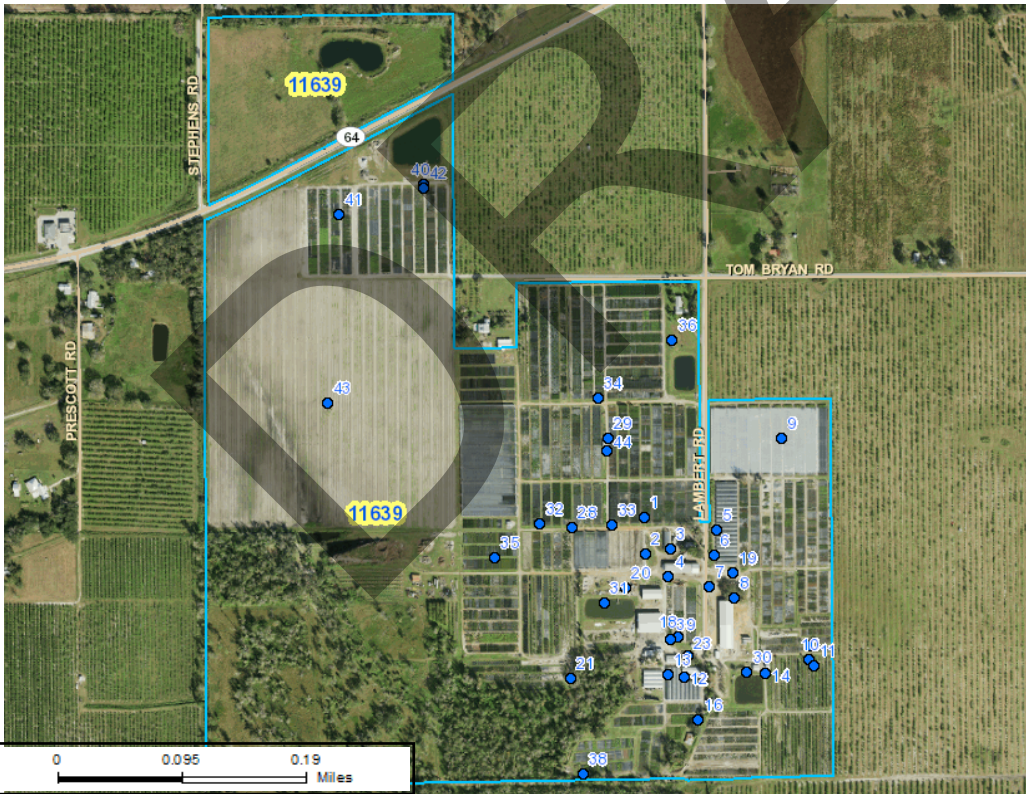
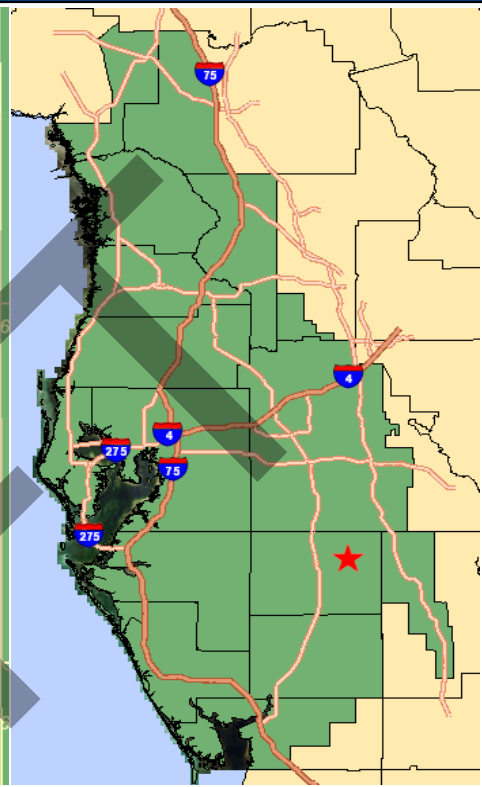
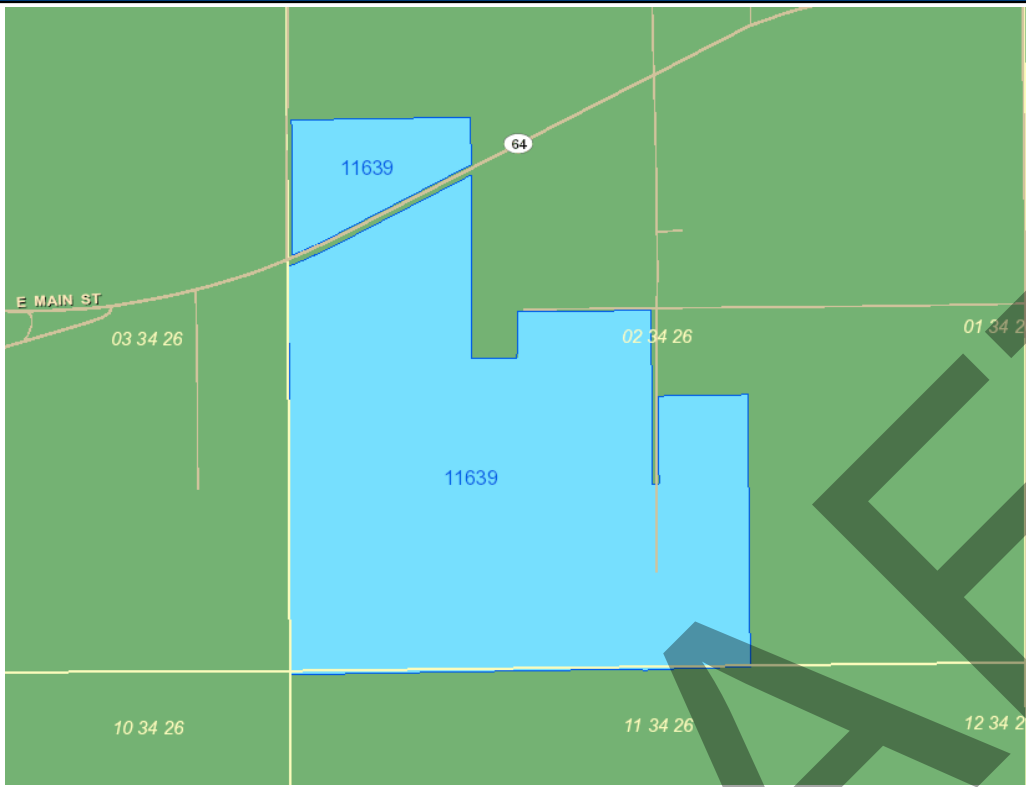
<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
4 / 4 Standby	3	25 / 21	Personal Sanitary	9,100	14,000	N/A
14 / 14	3	25 / 21		N/A	N/A	N/A
30 / 30		N/A / N/A	Re-Pump	64,700	151,400	2,253,900
31 / 31		N/A / N/A	Irrigation	64,700	151,400	2,253,900
32 / 32	4	25 / 25	Irrigation	17,200	40,100	N/A
33 / 33	4	25 / 21	Irrigation	17,200	40,100	N/A
34 / 34	4	25 / 21	Irrigation	50,300	110,700	N/A
35 / 35	12	1,100 / 420	Irrigation	64,700	151,400	2,253,900
36 / 36	12	1,100 / 365	Irrigation	64,700	151,400	2,253,900
38 / 38		N/A / N/A	Re-Pump	8,400	8,400	N/A
39 / 39	4	UNK / UNK	Personal Sanitary	9,100	14,000	N/A
40 / 40		N/A / N/A	Re-Pump	84,200	197,000	N/A
42 / 42	10	1,102 / 197	Irrigation	84,200	197,000	N/A
43 / 43	10	900 / UNK	Irrigation	88,900	208,000	1,804,300
44 / 44	8	575 / 385	Irrigation	136,000	318,200	N/A

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
4	27° 32' 50.01"/81° 41' 13.95"
14	27° 32' 45.01"/81° 41' 08.30"
30	27° 32' 45.07"/81° 41' 09.36"
31	27° 32' 48.66"/81° 41' 17.73"
32	27° 32' 52.76"/81° 41' 21.48"
33	27° 32' 52.70"/81° 41' 17.24"
34	27° 32' 59.26"/81° 41' 18.06"
35	27° 32' 51.03"/81° 41' 24.14"
36	27° 33' 02.30"/81° 41' 13.70"
38	27° 32' 39.78"/81° 41' 19.02"
39	27° 32' 46.75"/81° 41' 13.83"
40	27° 33' 10.36"/81° 41' 28.24"
42	27° 33' 10.20"/81° 41' 28.27"
43	27° 32' 59.08"/81° 41' 33.95"
44	27° 32' 56.57"/81° 41' 17.53"

DRAFT

Location Map
Buckhorn Nursery, Ltd./Attn: Brian Lambert
WUP No. 20 011639.007

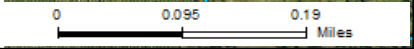


Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

HARDEE COUNTY

*Southwest Florida
Water Management District*



STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

(499)

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

(1)

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

District ID No. 44, Permittee ID No. 44, having a surface diameter of 8-inches, with a minimum casing depth of 385 feet, drilled to an estimated total depth of 575 feet.

(240)

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

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

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

10. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted December 1, 2027.(449)
11. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit . The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.
(458)
12. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID No(s). 31, 34, 35, 36, 40, 42, 43 and 44, Permittee ID No(s). 31, 34, 35, 36, 40, 42, 43 and 44:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),

4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
5. If used, quantities used for crop protection.

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

(474)

13. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
14. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
15. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
16. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
17. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 44, Permittee ID No. 44. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
18. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 31, 34, 35, 36, 40 and 42, Permittee ID Nos. 31, 34, 35, 36, 40 and 42. It is recognized that District ID Nos. 32, 33, and 34 are metered collectively and reported as District ID No. 34, however the District reserves the right to require metering of DID Nos. 32 and 33 should it become necessary to measure withdrawals from the individual withdrawal points. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.
(719)
19. The following existing, but previously un-metered withdrawal facilities shall be metered upon permit issuance: District ID No. 43, Permittee ID No. 43. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(720)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

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

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

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

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

- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
- B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

longer per test until consistent results are obtained.

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

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

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

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

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

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

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

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

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

WELL CONSTRUCTION INSTRUCTIONS

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

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

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

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CONSENT AGENDA

May 21, 2024

Regulation Committee: Water Use Permit No. 20 021115.000, TerraNova Preserves, LLC / Old Miakka Golf Course (Manatee County)

This is a new permit for landscape/recreation use. The permit authorizes a total demand annual average quantity of 526,400 gallons per day (gpd), a drought annual average quantity of 569,100 gpd, and peak month quantity of 1,321,800 gpd. This total demand is met using an annual average groundwater quantity of 415,700 gpd from the Intermediate Aquifer System and stormwater as an alternative water supply source of 110,700 gpd. Quantities are based on calculations provided by the Permittee and the District's irrigation allotment calculation program, AGMOD for 146 acres of golf course, 51 acres of lawn and landscape and personal sanitary water use for guests. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to record and report monthly meter readings, perform meter accuracy tests every five years, construct proposed withdrawals in accordance with permit specifications and submit well completion reports, submit annual crop reports, maximize the use of surface water for irrigation prior to using groundwater, investigate the use of AWS when notified by the District, implement the water conservation plan and best management practices, and submit a water conservation report mid-term of this permit, comply with the permitted quantities, provide an overpumpage report upon request, and comply with the SWUCA recovery strategy.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 WATER USE PERMIT
 Individual
 PERMIT NO. 20 021115.000**

PERMIT ISSUE DATE: May 21, 2024

EXPIRATION DATE: May 21, 2044

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

TYPE OF APPLICATION: New

GRANTED TO: TerraNova Preserves, LLC / Attn: Steve Herrig
 1301 6Th Ave W 3Rd Floor
 Bradenton, FL 34205

PROJECT NAME: Old Miakka Golf Course

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

COUNTY: Manatee

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	526,400 gpd
PEAK MONTH ¹	1,321,800 gpd
DROUGHT ANNUAL AVERAGE ²	569,100 gpd

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

ABSTRACT:

This is a new permit for landscape/recreation use. The permit authorizes a total demand annual average quantity of 526,400 gallons per day (gpd), a drought annual average quantity of 569,100 gpd, and peak month quantity of 1,321,800 gpd. This total demand is met using an annual average groundwater quantity of 415,700 gpd from the Intermediate Aquifer System and stormwater as an alternative water supply source of 110,700 gpd. Quantities are based on calculations provided by the Permittee and the District's irrigation allotment calculation program, AGMOD for 146 acres of golf course, 51 acres of lawn and landscape and personal sanitary water use for guests. This permit is located within the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to record and report monthly meter readings, perform meter accuracy tests every five years, construct proposed withdrawals in accordance with permit specifications and submit well completion reports, submit annual crop reports, maximize the use of surface water for irrigation prior to using groundwater, investigate the use of AWS when notified by the District, implement the water conservation plan and best management practices, and submit a water conservation report mid-term of this permit, comply with the permitted quantities, provide an overpumpage report upon request, and comply with the SWUCA recovery strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>
Landscape/Recreation	526,400	1,321,800	569,100

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Golf Course	146.40	Sprinkler Over Plant	37.60"/yr.	40.07"/yr.
Lawn & Landscape	7.60	Sprinkler Over Plant	28.10"/yr.	32.19"/yr.
Lawn & Landscape	43.20	Drip Without Plastic	29.50"/yr.	33.54"/yr.
Personal Sanitary Use				

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WITHDRAWAL POINT QUANTITY TABLE

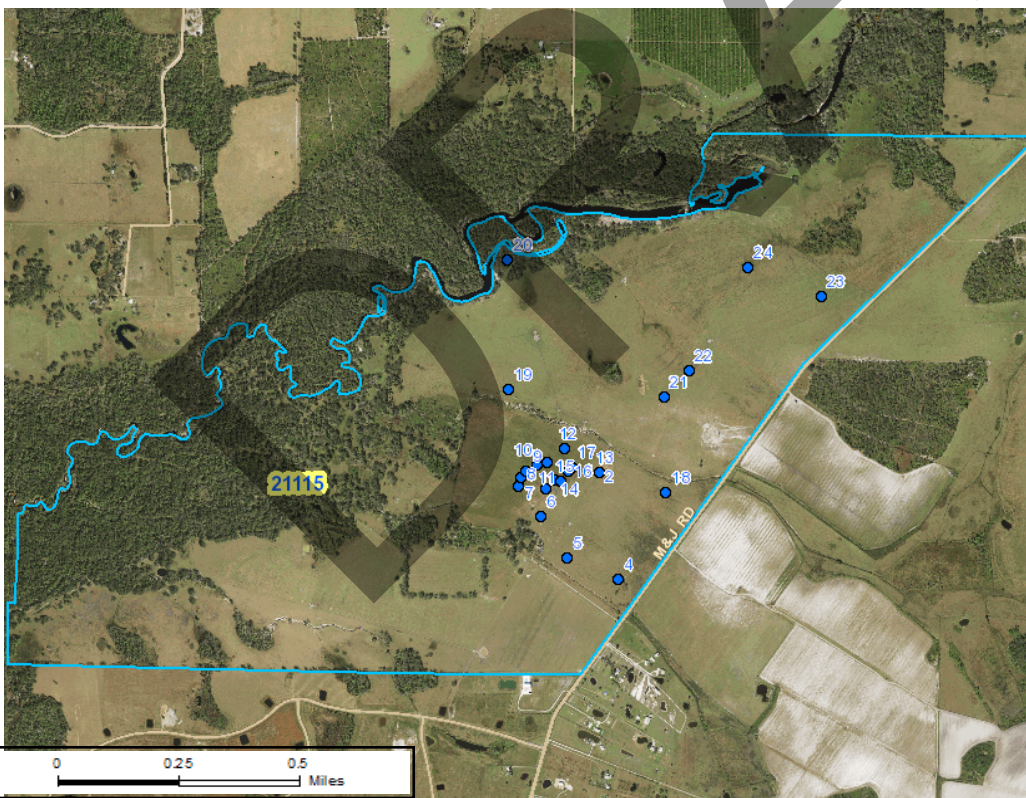
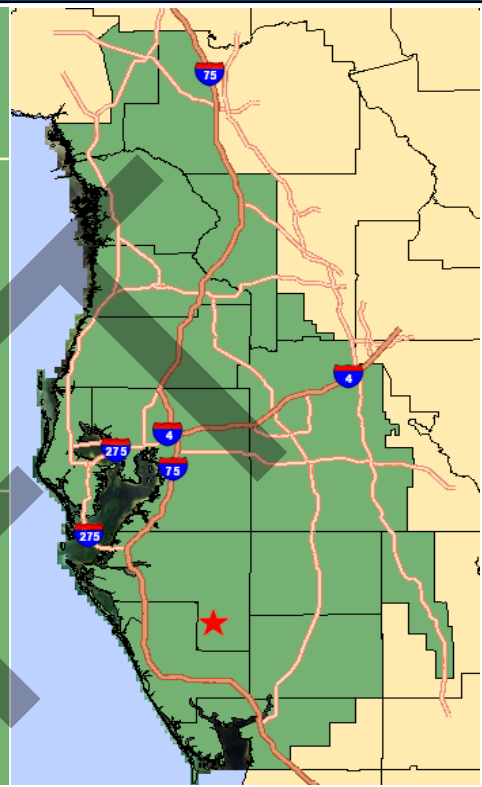
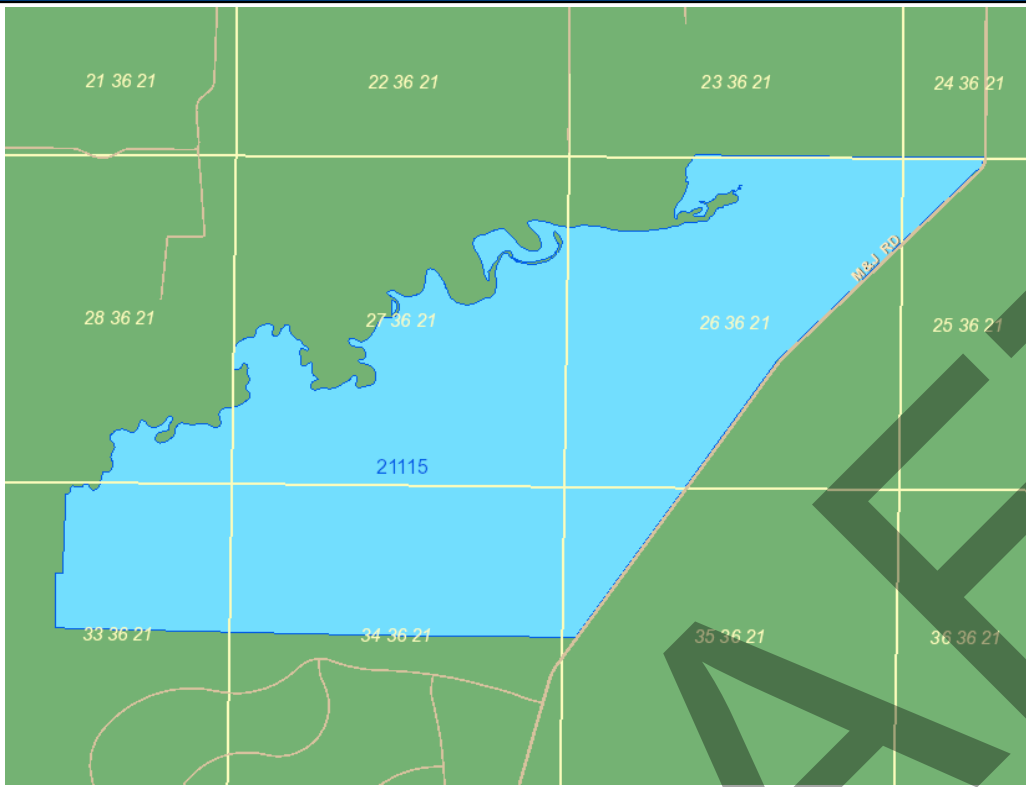
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO.</u> <u>PERMITTEE/ DISTRICT</u>	<u>DIAM</u> <u>(in.)</u>	<u>DEPTH</u> <u>TTL./CSD.FT.</u> <u>(feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE</u> <u>(gpd)</u>	<u>PEAK</u> <u>MONTH</u> <u>(gpd)</u>
1 / 1	16	N/A / N/A	Re-Pump	409,000	974,600
2 / 2	16	N/A / N/A	Irrigation	110,700	337,500
3 / 3	16	368 / 160	Augmentation	136,300	437,300
4 / 4	16	368 / 160	Augmentation	136,300	437,400
5 / 5	16	368 / 160	Augmentation	136,400	437,400
6 / 6	5	270 / 160	Personal Sanitary	100	100
7 / 7	5	270 / 160	Personal Sanitary	100	100
8 / 8	5	270 / 160	Personal Sanitary	100	100
9 / 9	5	270 / 160	Personal Sanitary	100	100
10 / 10	5	270 / 160	Personal Sanitary	100	100
11 / 11	5	270 / 160	Personal Sanitary	100	100
12 / 12	5	270 / 160	Personal Sanitary	100	100
13 / 13	5	270 / 160	Personal Sanitary	100	100
14 / 14	5	270 / 160	Personal Sanitary	100	100
15 / 15	5	270 / 160	Personal Sanitary	100	100
16 / 16	5	270 / 160	Personal Sanitary	100	100
17 / 17	5	270 / 160	Personal Sanitary	100	100
18 / 18	5	270 / 160	Personal Sanitary	2,500	4,200
19 / 19	5	270 / 160	Personal Sanitary	650	1,950
20 / 20	5	255 / 145	Personal Sanitary	100	100
21 / 21	5	250 / 140	Personal Sanitary	100	100
22 / 22	5	265 / 155	Personal Sanitary	100	100
23 / 23	5	270 / 160	Personal Sanitary	50	50
24 / 24	5	270 / 160	Personal Sanitary	2,000	2,000

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 18' 41.00"/82° 11' 09.00"
2	27° 18' 41.00"/82° 11' 09.00"
3	27° 18' 41.00"/82° 11' 09.00"
4	27° 18' 26.00"/82° 11' 06.00"
5	27° 18' 29.00"/82° 11' 14.00"
6	27° 18' 34.84"/82° 11' 18.28"
7	27° 18' 39.00"/82° 11' 21.74"
8	27° 18' 40.37"/82° 11' 21.38"
9	27° 18' 41.27"/82° 11' 20.49"
10	27° 18' 42.08"/82° 11' 18.89"
11	27° 18' 42.43"/82° 11' 17.23"
12	27° 18' 44.37"/82° 11' 14.54"
13	27° 18' 38.78"/82° 11' 17.41"
14	27° 18' 39.96"/82° 11' 16.12"
15	27° 18' 39.78"/82° 11' 15.04"
16	27° 18' 41.14"/82° 11' 13.90"
17	27° 18' 41.80"/82° 11' 13.26"
18	27° 18' 38.20"/82° 10' 58.46"
19	27° 18' 52.66"/82° 11' 23.47"
20	27° 19' 10.89"/82° 11' 23.51"
21	27° 18' 51.67"/82° 10' 58.75"
22	27° 18' 55.28"/82° 10' 54.85"
23	27° 19' 05.78"/82° 10' 33.87"
24	27° 19' 09.90"/82° 10' 45.43"

Location Map
TerraNova Preserves, LLC / Attn: Steve Herrig
WUP No. 20 021115.000



Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

MANATEE COUNTY

*Southwest Florida
Water Management District*

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

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

District ID Nos. 3, 4 and 5, Permittee ID Nos. 3, 4 and 5, having a surface diameter of 16-inches, with a minimum casing depth of 160 feet, drilled to a maximum total depth of 368 feet.

District ID Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, Permittee ID Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, having a surface diameter of 5-inches, with a minimum casing depth of 160 feet, drilled to a maximum total depth of 270 feet.

District ID No. 20, Permittee ID No. 20, having a surface diameter of 5-inches, with a minimum casing depth of 145 feet, drilled to a maximum total depth of 255 feet.

District ID No. 21, Permittee ID No. 21, having a surface diameter of 5-inches, with a minimum casing depth of 140 feet, drilled to a maximum total depth of 250 feet.

District ID No. 22, Permittee ID No. 22, having a surface diameter of 5-inches, with a minimum casing depth of 155 feet, drilled to a maximum total depth of 265 feet.

(223)

3. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
4. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
5. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
6. Prior to augmenting the Pond A - Primary Irrigation Lake 1 (PIL 1), the Permittee shall install a backflow prevention system on District ID Nos. 3, 4 and 5, Permittee ID Nos. 3, 4 and 5.(315)
7. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
8. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
9. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.
(427)
10. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted by May 1, 2034.(449)
11. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit . The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.

(458)

12. The permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for recreation/aesthetic/golf irrigation use for each permitted irrigation withdrawal point, District ID. No(s). 2, 3, 4 and 5, Permittee ID No(s). 2, 3, 4 and 5.:

1. Irrigated plant type,
2. Total Acres per plant type,
3. Acres shrubs and/or trees,
4. Number of acres of tees and greens, and
5. Dominant soil type or acres by dominant soil type.

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

(475)

13. The Permittee shall submit a copy of all well completion reports as filed with the Environmental Action Commission of Manatee County to the Water Use Permit Bureau within 30 days of each well completion.(508)
14. The total withdrawal from District ID Nos. 3, 4 and 5, Permittee ID Nos. 3, 4 and 5, the 16-inch wells, for augmenting Pond A - Primary Irrigation Lake 1 (PIL 1), shall not exceed the total withdrawal from District ID No. 1, Permittee ID No. 1, from the water body for irrigation during any month.(546)

15. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)

16. The Permittee shall install and/or properly maintain an automated augmentation control system (such as a water level controlled shut-off switch) on the augmentation sources listed below. Provisions shall be made by the Permittee in the augmentation schedule to allow for the maximum possible runoff/rainfall capture. The system shall be managed such that augmentation will not take place until augmented lake water levels have receded to the "Fluctuation Water Level Elevation" (FWLE) designated below. Once augmentation has been started the lake's water level elevation may be augmented up to the "Normal Water Level Elevation" (NWLE) and then augmentation shall cease. District ID Nos. 3, 4 and 5, Permittee ID Nos. 3, 4 and 5, may be used to augment Pond A - Primary Irrigation Lake 1 (PIL 1), when the pond levels drop below the NWLE of 45.5 feet (ft.) North American Vertical Datum of 1988 (NAVD 88) and shall cease at elevation 46.0 feet, NAVD 88, or 6-inches below the outfall structure invert elevation.

(647)

17. The Permittee shall maximize the use of surface waters before utilizing ground water for augmentation of the lake. Augmentation for aesthetic purposes only is strictly prohibited.(648)

18. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)

19. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)

20. Augmentation to and withdrawal of water from Primary Irrigation Lake 1 (PIL 1) that is authorized under this Water Use Permit, shall be conducted so as not to impair the function of the Surface Water Management System.(670)

21. The Permittee shall use surface water as the primary source of water to the maximum extent practicable for their reasonable-beneficial water demand. In the event that surface water is not

sufficiently available to meet reasonable-beneficial water demand, the Permittee may supplement with groundwater sources. As surface water becomes more available, the Permittee shall use it as the primary source and reduce or cease withdrawals of groundwater.(696)

22. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No(s). 1, 2, 3, 4 and 5, Permittee ID No(s). 1, 2, 3, 4 and 5. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)

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40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

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

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

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

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

- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
- B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

longer per test until consistent results are obtained.

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

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

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

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

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

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

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

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

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

WELL CONSTRUCTION INSTRUCTIONS

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

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

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

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CONSENT AGENDA

May 21, 2024

Executive Director's Report: Approve Governing Board Minutes – April 23, 2024

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



GOVERNING BOARD MEETING
TUESDAY, APRIL 23, 2024 – 9:00 AM
7601 US 301 NORTH, TAMPA, FL 33637
(813) 985-7481

MINUTES

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair
John Mitten, Secretary
Jack Bispham, Treasurer
Joel Schleicher, Member
Kelly Rice, Member
Ashley Bell Barnett, Member
John Hall, Member
Dustin Rowland, Member
James Holton, Member
Robert Stern, Member
Nancy H. Watkins, 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 at 9:00 a.m., April 23, 2024, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637. This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair Ed Armstrong 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 Armstrong 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 Armstrong also requested that several individuals wishing 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 Kelly Rice offered the invocation and the Pledge of Allegiance.

1.3 Employee Recognition

Chair Armstrong recognized the following staff for their service with the District: Robin Bailey, Andy Frazier, and Frank Gargano.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong stated there were no additions or changes to the agenda.

Board Member Joel Schleicher requested the following items be moved to Discussion:

Resource Management Committee

2.1 Recommend FY2025 Springs Projects for FDEP Funding Consideration

Resource Management Committee

2.2 FARMS – Midway Farms, LLC Phase 2 (H822), Polk County

Three Request to Speak Cards were received for the following item:

General Counsel's Report

2.6 Authorization to Issue Administrative Complaint and Order – Environmental Resource Permitting: Unauthorized Activities – Lindiakos Properties, Inc. – CT No. 417472 – Pinellas

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

Ms. Carmen Koubicek spoke regarding issues related to the Inverness Village VI project in Citrus County.

Mr. David Ballard Geddis, Jr., spoke regarding a Pinellas County Ordinance 95-286 IV (C-2).

Mr. Ray Westbrook provided an update regarding environmental concerns involving dewatering related to Florida Department of Transportation (FDOT) project in Venice, Florida. He commended the District for their assistance with helping to resolve this matter.

Consent Agenda

Resource Management Committee

2.1 Recommend FY2025 Springs Projects for FDEP Funding Consideration

Staff recommended the Board approve the list of two springs projects for submittal to the Florida Department of Environmental Protection.

Resource Management Committee

2.2 FARMS – Midway Farms, LLC Phase 2 (H822), Polk County

Staff recommended the Board:

1. Approve the Midway Farms, LLC Phase 2 project for a not to exceed project reimbursement of \$121,810 provided by the Governing Board;
2. Authorize the transfer of \$121,810 from fund 010 H017 Governing Board FARMS Fund to the H822 Midway Farms, LLC Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands and Resource Monitoring Committee

2.3 Residential Security Lease for Flying Eagle Nature Center - SWF Parcel No. 19-334-153X

Staff recommended the Board:

- Approve the Resident Security Lease between the Southwest Florida Water Management District and Officer Jacob for the Flying Eagle Preserve; and

- Authorize the Governing Board Chair to execute the Lease on behalf of the District.

2.4 Management Agreement with Hillsborough County - Edward Medard Park and Reservoir-SWF Parcel No. 11-100-126X

Staff recommended the Board:

- Approve the Management Agreement Between the Southwest Florida Water Management District and Hillsborough County for Edward Medard Park and Reservoir; and
- Authorize the Governing Board Chair to execute the Management Agreement on behalf of the District; and
- Authorize staff to make minor changes or corrections to conform documents or correct scrivener's errors; any substantive changes will be subject to Governing Board review and approval; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

General Counsel's Report

2.5 Approval of Memorandum of Agreement with Sarasota County for Regional Offsite Mitigation Areas and Release of Conservation Easement for ERP No. 43027077.026 – Fox Creek ROMA Phase 2 – Sarasota

Staff recommended the Board:

1. Approve and execute the Memorandum of Agreement with Sarasota County for its Regional Offsite Mitigation Areas.
2. Approve, accept, and execute the attached Release of Conservation Easement and Quit Claim Deed for the Fox Creek ROMA.

~~2.6 Authorization to Issue Administrative Complaint and Order – Environmental Resource Permitting: Unauthorized Activities – Lindiakos Properties, Inc. – CT No. 417472 – Pinellas~~

~~Staff recommended the Board:~~

- ~~1. Authorize District staff to issue an Administrative Complaint and Order to Lindiakos Properties, Inc., and any other necessary party to obtain compliance with District rules.~~
- ~~2. Authorize District staff to initiate an action in Circuit Court against Lindiakos Properties, Inc., 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.~~

2.7 Approval of Consent Order between SWFWMD and LFMSMITB LCC – Environmental Resource Permitting: Permit Condition Violations – CT No. 422916 – Hernando

Staff recommended the Board:

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

2.8 Approval of Partial Policy Release for Old Republic Title Insurance Claim 377291 – Deer Prairie Creek Preserve – Sarasota County

Staff recommended the Board approve and authorize the Chair to execute the Partial Policy Release.

Executive Director's Report

2.9 Approve Governing Board Minutes – March 15 and March 26, 2024

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio –00:08:01)

Finance/Outreach and Planning Committee

Treasurer Jack Bispham called the meeting to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisors, presented information which included the economic forecast, federal funds rate expectations and implied rates, Gross Domestic Product, inflation/consumer price index, jobs, and unemployment rates. He addressed interest rates and provided an overview of the U.S. Treasury rates. Mr. Grady also presented an overview of the District's portfolio strategy for the last quarter (January 1, 2024 through March 31, 2024). He responded to questions.

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended March 31, 2024.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:51:52)

3.3 Fiscal Year 2022-23 Annual Comprehensive Financial Report

Mr. James Halleran, CPA, James Moore & Company, provided an overview of the independent audit for the year ending September 30, 2023. He outlined the information in the Independent Auditor's Reports. Mr. Halleran stated that in addition to the District meeting its statutory requirements, it also provided additional information which makes it eligible to receive a Certification of Excellence in Financial Reporting from the Government Finance Officers Association. The District has received this for 36 years and is anticipated to receive it again.

Mr. Halleran explained the required standards the District is subject to and outlined the results of this audit. He stated the District remains in compliance. Mr. Halleran said the District received an unqualified opinion, the best opinion possible, for the fiscal year 2023 financial statements. He provided an overview of the financial statements provided by the District and the audit reports prepared by James Moore & Company. Mr. Halleran summarized any changes that occurred in the District's General Fund, Florida Forever Capital Project Fund and Capital Projects Fund. He provided a comparison table from FY2021 through FY2023 for specific fund balances. Mr. Halleran provided information concerning pensions and other post-employment benefits. He responded to questions.

Board Member Kelly Rice asked that more clarifying verbiage be used in the audit to assist in understanding. Board Member Nancy Watkins provided explanations of language that may be used in auditing reports.

Staff recommended the Board accept and place on file the District's Annual Comprehensive Financial Report pursuant to Chapter 10.550, Rules of the Auditor General. The report also includes the Management Letter and Independent Accountants' Report for fiscal year ended September 30, 2023.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:11:32)

3.4 Knowledge Management: Conduct of Board Meetings Policy

Ms. Robyn Felix, Communications and Board Services Bureau Chief, provided an overview of the current policy. She summarized the proposed changes and provided brief explanations for each. Ms. Felix asked that any written comments be received by April 29. Ms. Felix responded to questions.

Treasurer Jack Bispham expressed his concerns regarding requirements for a quorum. Ms. Felix stated that the Board has been operating under the required seven members for a quorum, but it was not stated in the policy.

Board Member Nancy Watkins asked if the required majority for a quorum was statutorily mandated. Mr. Chris Tumminia, General Counsel, responded that it was not. Board Member Watkins asked if the voting requirements pertain to sitting as a Board, not as separate committees. Mr. Tumminia agreed to review the language for better clarification.

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

3.5 Budget Transfer Report

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

3.6 Office of Inspector General Quarterly Update January 1 to March 31, 2024

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

Resource Management Committee

Committee Chair Ashley Bell Barnett called the meeting to order.

4.1 Consent Item(s) Moved to Discussion

2.1 Recommend FY2025 Springs Projects for FDEP Funding Consideration

Board Member Joel Schleicher asked for clarification regarding the approval for future funding.

Mr. Randy Smith, Natural Systems & Restoration Bureau Chief, stated the Florida Department of Environmental Protection (FDEP) requests the District to annually review the FDEP Springs funding applications. This item is for Board approval to send two projects to FDEP for FY25 FDEP Springs funding consideration only. The Board is not approving any District funding for these two projects. The applicants are required to provide potential future funding amounts and funding sources as part of their application. One of the projects does indicate that District funding for construction may be requested in the future. Any District funding requests will be reviewed and considered through the District's Cooperative Funding process. The Board's approval for this item does not commit the District to any funding and there will not be any contractual relationship for District funding. Board Member Schleicher asked what happens if the Board approves this project, but future District funding is not approved. Mr. Smith stated the local government would be responsible for the funding. Board Member Schleicher asked that this language be clarified. Mr. Brian Armstrong, Executive Director, clarified that the FDEP requested the District evaluate the applications before they are submitted to FDEP. He stated the approval requested today is for FDEP funding for feasibility and design requirements only. Board approval today does not commit any District funding.

Staff recommended the Board approve the list of two springs projects for submittal to the Florida Department of Environmental Protection.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:26:14)

2.2 FARMS – Midway Farms, LLC Phase 2 (H822), Polk County

Board Member Schleicher asked why the approval of the second phase of the project is required before there is operational data for the first phase.

Ms. Jennette Seachrist, Resource Management Director, explained that the District has a long history funding and extensive data on similar tailwater recovery projects. The grower is requesting the second phase approval now so that the project can be constructed and

operational in time for the strawberry crop establishment in the fall, which will benefit the resource. She explained this request is not in conflict with current Board Policy and does not set any precedence. Mr. Schleicher asked when the operational data will be available for the first phase. Ms. Seachrist responded that it will be available in the fall.

Secretary John Mitten asked that consideration be given in the future to providing empirical data on the first phase before the second phase is approved.

Staff recommended the Board:

1. Approve the Midway Farms, LLC Phase 2 project for a not-to-exceed project reimbursement of \$121,810 provided by the Governing Board;
2. Authorize the transfer of \$121,810 from fund 010 H017 Governing Board FARMS Fund to the H822 Midway Farms, LLC Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed with eleven in favor and one opposed. (Audio – 01:32:03)

4.2 Fiscal Year 2025 Cooperative Funding Initiative Update

Mr. Kevin Wills, Cooperative Funding Initiative Lead, presented an update regarding the Fiscal Year (FY) 2025 Cooperative Funding Initiative (CFI) projects that staff is recommending for funding. He outlined the timeline associated with the CFI process. He summarized the projects recommended for funding which included Alternative Water Supply (AWS), 1A (multi-phase), and new funding requests. He presented the projects that were not recommended for funding. Mr. Wills provided a breakdown of the Recommended Annual Service Budget amount of \$70,205,205.09 for CFI.

Secretary Mitten asked where the future funding monies are reserved for approved projects. Mr. Wills responded that the funds are budgeted and reimbursed to the cooperators when work is completed.

Treasurer Jack Bispham stated he would like to see more small-scale projects receive funding.

Staff recommended the Board:

1. Approve budget transfer from H094 - Polk Partnership of \$8,817,590.91 to Q216 - Interconnects Polk Regional Water Cooperative Regional Transmission Southeast Phase 1 to partially fund the FY2025 recommended amount of \$18,540,875.
2. Approve staff recommendation to include the FY2025 funding for the seven AWS projects, excluding the amount transferred from H094, for a total of \$66,030,156 in the District's FY2025 RASB.
3. Approve staff recommendation to include FY2025 and future funding of the six 1A projects in the amount of \$1,439,150 in the District's FY2025 RASB.
4. Approve staff recommendation to include FY2025 and future funding of five new CFI projects (Q405, Q398, Q394, W024, and Q397) in the amount of \$2,735,900 in the District's FY2025 RASB.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 001:42:00)

Operations, Lands and Resource Monitoring Committee

Committee Chair John Hall called the meeting to order.

5.1 Consent Item(s) Moved to Discussion - None

5.2 Hydrologic Conditions Report

Ms. Tamera McBride, P.G., Hydrologic Data Manager, presented the hydrologic conditions update. She stated the 12-month total rainfall deficit has improved and the District is in the normal range. Ms. McBride stated the current El Niño conditions will transition to La Niña which will increase the chance of hurricanes. She stated an extremely active Atlantic hurricane season has been predicted. Ms. McBride provided information regarding rainfall, streamflow, groundwater levels, lake levels, public supply reservoirs, and climate forecasts. She indicated that stored water supplies are being used, which is expected during the dry season. Ms. McBride stated the extended forecast predicts a chance of above-normal precipitation into the fall.

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

5.3 Offer for Surplus Lands – Annutteliga Hammock (AH-2), SWF Parcel No. 15-228-1343S

Mr. Mike Singer, Real Estate Services Manager, presented information that included background, area map, and the offer amount.

Staff recommended the Board:

- Accept the offer and authorize the Executive Director to sign the Contract for Sale and Purchase; and
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed; and
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals, and petroleum in or on or under the land upon request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:53:05)

Regulation Committee

Committee Chair Dustin Rowland called the meeting to order.

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

No denials were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion

2.6 Authorization to Issue Administrative Complaint and Order – Environmental Resource Permitting: Unauthorized Activities – Lindiakos Properties, Inc. – CT No. 417472 – Pinellas

Ms. Taylor Greenan, Attorney, provided background information and a timeline of communications regarding this Environmental Resource Permit.

Three Request to speak cards were received for this item.

Mr. Manuel Lindiakos, property owner, presented information and spoke in opposition of the administrative complaint and order.

Mr. Richard Kelly, project engineer, presented information and spoke in opposition of the administrative complaint and order.

Mr. Martin Armstrong, environmental scientist, presented information and spoke in opposition of the administrative complaint and order.

Mr. Tumminia provided additional information and outlined a timeline and communications from the District to resolve this matter.

Board Member James Holton asked if an amicable resolution can still be negotiated once the administrative order is issued. Mr. Tumminia responded in the affirmative.

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Lindiakos Properties, Inc., and any other necessary party to obtain compliance with District rules.
2. Authorize District staff to initiate an action in Circuit Court against Lindiakos Properties, Inc., 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.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 02:09:21)

7.2 Affirm Governing Board Committee Actions

Staff recommended the Board affirm the actions taken by the Governing Board Committees.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 02:09:45)

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

A written summary of the March 8 field trip was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, reminded the Board to provide their comments regarding Item 3.4 to Mr. Tumminia.

Mr. Armstrong provided additional clarification regarding Item 4.2. He stated all funds are maintained by the District and only reimbursed to the cooperators when their contractual obligations have been met.

Mr. Armstrong reiterated the request from the Board regarding Item 2.2 that any performance data associated with the first phase of a FARMS project be provided before requesting funding for the next phase. He stated that staff will take this into consideration.

Chair's Report

10.1 Chair's Report

Chair Armstrong stated the next meeting was scheduled for May 21 at 9:00 a.m., in the Brooksville Office.

10.2 Employee Milestones

A written summary was provided.

Adjournment

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

Governing Board Meeting
May 21, 2024

3. FINANCE/OUTREACH & PLANNING COMMITTEE

3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 106

3.2 **Submit & File:** Information Item: Budget Transfer Report 107

FINANCE/OUTREACH AND PLANNING COMMITTEE

May 21, 2024

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

Staff Recommendation:

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

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

May 21, 2024

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of April 2024.

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 April 2024.

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
April 2024

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason for Transfer	Transfer Amount
<u>Change from Original Budget Intent</u>				
1	Natural Systems & Restoration Cooperative Program - USGS	Natural Systems & Restoration Equipment - Non-Capital Outlay	Transfer of funds originally budgeted to contract the U. S. Geological Survey (USGS) for minimum flow and minimum water level (MFL) surface water data collection. The funds are no longer required due to expenditures for the current year being less than anticipated. The funds will be used for the procurement and installation of five specific conductance sensors near existing USGS streamflow gauges in support of MFL development for the Gum Slough Springs, Upper Withlacoochee and Upper Peace River systems. This data collection effort helps the District verify baseflow calculations are appropriate and strengthen the defensibility of the MFLs on these critical systems.	\$ 8,545.00
2	Information Technology Equipment - Non-Capital Outlay	Information Technology Equipment - Inside	Transfer of funds originally budgeted for as-needed, non-capital information technology (IT) hardware. Funds are needed for the procurement of a new shredder for solid state hard drives which is over the \$5,000 capital threshold. Newer personal computing and storage devices have flash memory cards that cannot be destroyed by a hard drive crusher. The shredder will properly destroy the drives to prevent them from being used elsewhere or from existing data being extracted.	9,847.00
3	Information Technology Other Contractual Services	Information Technology Other Contractual Services	Transfer of funds originally budgeted for IT Security Operations Center and Security Information Event Management services to monitor District systems during off hours, investigate events, and remediate incidents. Expenditures for the fiscal year will be less than anticipated due to a delay in the start of the initial year of these services. Funds are needed for enhancements to the financial system's new travel module functionality to meet the District's needs for proxy and multiple supervisor levels. The proxy is needed for efficiency purposes as travel requests are typically entered by administrative staff instead of the traveler. The automation of multiple supervisor levels for approvals aligns with District processes and saves time while reducing errors.	40,000.00
4	Operations Maint/Repair of Buildings/Structures	Operations Equipment - Outside	Transfer of funds originally budgeted for maintenance and repair associated with Lower Hillsborough River Recovery Strategy (LHRRS) pump stations on the Tampa Bypass Canal (TBC). The funds are required for an ultrasonic flow meter on the pump stations that exceeds the \$5,000 capital threshold. The existing flow meter has not worked for the past several years and has not been replaced due to high cost of up to \$60,000. In lieu of purchasing the previous flow meter replacement solution, staff have been performing manual calculations based on the rotations per minute of the pumps. Recently, a less expensive alternative was identified. The Structures Operations Section learned of an ultrasonic flow meter that can accommodate the unique characteristics of the location and provide sufficient accuracy to balance the pumping rate when transferring water from the lower pool to the middle pool of the TBC to meet the MFL for the LHRRS, in coordination with the City of Tampa.	7,650.00
5	Operations Vegetation Management Services	Operations Vegetation Management Services	Transfer of funds originally budgeted for invasive plant control services at the Tampa Electric Company (TECO) Rock Ponds Restoration project to establish the site for long-term conservation land management. After competitive solicitation, services were procured for less than anticipated. The funds are required for invasive plant control services at the Huber Tract associated with the Terra Ceia Ecosystem Restoration project to establish the site for long-term conservation land management in addition to the \$70,000 budgeted for the fiscal year based on recent bids.	15,280.00

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
April 2024

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason for Transfer	Transfer Amount
6	Operations Maint/Repair of Buildings/Structures	Data Collection Equipment - Non-Capital Outlay	Transfer of funds originally budgeted for maintenance and repair associated with District-owned water control structures. Expenditures have been less than anticipated. The funds are required to equip the G-90 water control structure in Highlands County to monitor the structure for signs of potential or actual failure based on its new classification as a High Hazard Dam which was identified in the Emergency Action Plan update in April. This equipment will provide data that may improve response time and allow more time for local emergency managers to prepare for potentially catastrophic events.	8,000.00
Total Change from Original Budget Intent				<u>89,322.00</u>
<u>Consistent with Original Budget Intent</u>				
1	Natural Systems & Restoration Contracted Construction	Natural Systems & Restoration Contracted Construction	Funds are needed for the original purpose budgeted for Frog Creek Wetland Restoration at Terra Ceia. Since budgeting, the District received a grant from the Tampa Bay Estuary Restoration Fund to offset the District's costs. This transfer moves the funding source for these funds from the District to Tampa Bay Estuary Program.	200,000.00
2	Communications and Board Services Education Services	General Services Postage and Courier Services	Funds are needed for the original purpose budgeted to support the development and implementation of springs education materials. This transfer moves funds from the Communications Section to the Document Services Section for print and postage costs associated with approximately 4,500 educational mailouts surrounding the Weeki Wachee River regarding the new springs protection zone.	2,645.00
Total Consistent with Original Budget Intent				<u>202,645.00</u>
Total Amount Transferred				<u>\$ 291,967.00</u>

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
May 21, 2024

4. RESOURCE MANAGEMENT COMMITTEE

4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 110

4.2 **Discussion:** Action Item: Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum Levels for Lake Tulane and Lake Verona in Highlands County and Accept the Final Draft Reports 111

RESOURCE MANAGEMENT COMMITTEE

May 21, 2024

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

Staff Recommendation:

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

Presenter:

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

RESOURCE MANAGEMENT COMMITTEE**May 21, 2024****Discussion: Action Item: Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum Levels for Lake Tulane and Lake Verona in Highlands County and Accept the Final Draft Reports***Purpose*

To request the Board initiate and approve rulemaking to amend Rule 40D-8.624, Florida Administrative Code (F.A.C.), to adopt revised minimum levels for Lakes Tulane and Verona in Highlands County, and accept the reports entitled: "Reevaluation of Minimum Levels for Lake Tulane in Highlands County, Florida, March 1, 2024" and "Reevaluation of Minimum Levels for Lake Verona in Highlands County, Florida, March 1, 2024."

Background/History

Minimum levels are water levels at which further withdrawals would be significantly harmful to the water resources or ecology of the area. Minimum levels for Lakes Tulane and Verona were adopted into District rules in January 2008. Section 373.0421(5), F.S., requires that minimum flows and levels shall be reevaluated periodically and revised as needed. Lakes Tulane and Verona are included in a group of lakes selected for reevaluation as part of the ongoing assessment and implementation of the Southern Water Use Caution Area Recovery Strategy.

Recent reevaluations completed for Lakes Tulane and Verona support the need for revision of the minimum levels currently adopted for the lakes. As indicated in the attached rule language amendments (see Exhibit), the proposed High Minimum Lake Level for Lake Tulane is 2.7 feet lower than the currently adopted High Minimum Lake Level, and the proposed Minimum Lake Level is 4.9 feet lower than the lake's currently adopted Minimum Lake Level. The proposed High Minimum Lake Level for Lake Verona is 2.6 feet lower than the currently adopted High Minimum Lake Level, and the Minimum Lake Level is 6.0 feet lower than the currently adopted High Minimum Lake Level. Differences between the proposed and currently adopted minimum levels can be attributed to the use of updated data, improved hydrologic modeling methods, and application of a recently developed peer-reviewed wetland-based criterion that is appropriate for sandhill settings such as those on the Lake Wales Ridge in the vicinity of Lakes Tulane and Verona.

Draft reports summarizing development of the proposed minimum levels for Lakes Tulane and Verona were posted on the District's website on March 20, 2024. The draft reports were made available via a webpage that also includes information regarding how minimum lake levels are developed, and an electronic comment card for public input on the proposed levels. An opportunity for additional public comment on the proposed levels was facilitated by the District during a virtual public workshop held on April 9, 2024. The proposed minimum levels for the two lakes were also presented to the District's Environmental Advisory Committee during their publicly-noticed meeting on April 9, 2024. District staff addressed various comments and questions raised at the workshop and during the advisory committee meeting, and also addressed numerous inquiries and requests about the proposed minimum levels from an individual stakeholder. None of the received comments included specific suggestions regarding changes to the proposed minimum levels. Electronic versions of the final draft minimum levels reports, which include all stakeholder input in the appendices, are available at <https://www.swfwmd.state.fl.us/projects/mfl/documents-and-reports/minimum-guidance-lake-levels>.

These reevaluations are being completed using up-to-date hydrologic, biological, and survey data, recently developed hydrologic models, and peer-reviewed environmental criteria. The proposed minimum levels for Lakes Tulane and Verona were developed using the best available information and are protective of all relevant environmental values identified for consideration in the Water Resource Implementation Rule, Chapter 62-40, F.A.C., when establishing minimum flows and levels. Status assessments completed for the two lakes indicate the proposed minimum levels for both are currently met and are expected to be met for the next 20 years. Therefore, a recovery strategy or system-specific prevention strategy is not required for either lake.

Benefits/Costs

Adoption of minimum levels for Lakes Tulane and Verona will support the District's water supply planning, Water Use Permitting, and Environmental Resource Permitting programs. A Statement of Estimated Regulatory Costs is not required for the proposed minimum levels for either lake as rulemaking associated with the proposed levels is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

Upon Governing Board approval of the proposed minimum levels for Lakes Tulane and Verona, staff will proceed with formal rulemaking without further Governing Board action. If substantive changes are necessary as the result of comments received from the public or from reviewing entities such as the Governor's Office of Fiscal Accountability and Regulatory Reform or the Joint Administrative Procedures Committee, this matter will be brought back to the Governing Board for consideration.

Staff Recommendation:

- A. Accept the report entitled, "Reevaluation of Minimum Levels for Lake Tulane in Highlands County, Florida, March 1, 2024."
- B. Accept the report entitled "Reevaluation of Minimum Levels for Lake Verona in Highlands County, Florida, March 1, 2024."
- C. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.
- D. Initiate rulemaking and approve the proposed rule language to amend Rule 40D-8.624, F.A.C., to replace the previously approved minimum levels with the proposed minimum levels for Lakes Tulane and Verona in Highlands County, as shown in the Exhibit.

Presenter:

Doug Leeper, Minimum Flows and Levels Program Lead, Natural Systems and Restoration Bureau

EXHIBIT

40D-8.624 Guidance and Minimum Levels for Lakes.

(1) through (5) No change.

(6) Levels for lakes established during or after August 7, 2000, are set forth in the following table. Guidance Levels for lakes established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(7), F.A.C., below.

Table 8-2 Minimum Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.			
Location by County and Basin	Name of Lake and Section, Township and Range Information	High Minimum Lake Level	Minimum Lake Level
(a) through (h) No change.			
(i) In Highlands County Within the Peace River Basin	Angelo, Lake S-25, T-33S, R-28E through Placid, Lake S-24, T-37, R-29E No change.		
	Tulane, Lake S-27, T-33S, R-28E	<u>115.2'</u> 117.9'	<u>111.7'</u> 116.6'
	Verona, Lake S-23, T-33S, R-28E	<u>114.8'</u> 117.4'	<u>109.8'</u> 115.8'
(j) through (dd) No change.			

(7) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04 (13), 12-21-04 (13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11, 3-12-12, 11-25-12, 2-21-13 (12)(f), 2-21-13 (12)-(13), 9-3-13, 1-7-15, 7-1-15, 9-21-15, 11-30-16, 12-28-16, 2-12-17 (12)(s), 2-12-17 (12)(z), 2-12-17 (12)(z), 2-19-17 (12)(l), 2-19-17 (12)(q), 3-2-17 (12)(l), 3-2-17 (12)(z), 3-22-17, 4-2-17 (12)(q), 4-2-17 (12)(z), 4-20-17 (12)(i), 4-20-17 (12)(i), 2-5-18, 3-20-18, 5-30-18, 1-23-19, 2-11-19, 3-20-19, 4-28-19, 7-17-19, 5-27-20, 8-9-20, 4-12-21, 6-1-21, 9-27-21,

Governing Board Meeting
May 21, 2024

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 114

5.2 **Discussion:** Information Item: 2024 Hurricane Season Preparedness 115

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

May 21, 2024

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

Staff Recommendation:

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

Presenter:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

May 21, 2024

Discussion: Information Item: 2024 Hurricane Season Preparedness

Purpose

Provide an overview of the District's emergency preparedness for the 2024 hurricane season. Discussion will include actions to prepare District infrastructure and staff for the upcoming hurricane season and detail the District's responsibilities as a member of the State's Emergency Response Team (SERT).

Background/History

Water Management Districts are members of the SERT and serve as support agencies to the Department of Transportation and the Department of Environmental Protection during statewide emergency activations. Statewide communication and coordination are achieved through the State Emergency Operations Center. The District is a party to the Statewide Mutual Aid Agreement. This agreement provides reciprocal emergency aid and assistance during an emergency.

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

Staff Recommendation:

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

Presenter:

Dave Dickens, Bureau Chief, General Services Bureau

Governing Board Meeting

May 21, 2024

6. REGULATION COMMITTEE

6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion.....116

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board117

REGULATION COMMITTEE

May 21, 2024

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

Staff Recommendation:

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

Presenter:

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

REGULATION COMMITTEE

May 21, 2024

Discussion: Action Item: Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action. Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

Staff Recommendation:

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

Presenter:

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

Governing Board Meeting
May 21, 2024

7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 118

7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions 119

GENERAL COUNSEL'S REPORT

May 21, 2024

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

Staff Recommendation:

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

Presenter:

Chris Tumminia, General Counsel, Office of General Counsel

GENERAL COUNSEL'S REPORT

May 21, 2024

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, Lands, & 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

May 21, 2024

Discussion: Information Item: Environmental Advisory Committee

Staff Recommendation:

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

Presenter:

John Mitten, Board Member

EXECUTIVE DIRECTOR'S REPORT

May 21, 2024

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

May 21, 2024

Discussion: Information Item: Chair's Report

Staff Recommendation:

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

Presenter:

Ed Armstrong, Chair

CHAIR'S REPORT

May 21, 2024

Discussion: Information Item: Employee Milestones

Staff Recommendation:

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

Presenter:

Ed Armstrong, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	05/20/2019	Camille Mourant	Staff Hydrologist	Tampa	Water Use Permit	2024	05/20/2024
5	05/20/2019	Cassidy Hampton	Environmental Project Manager	Brooksville	Water Resources	2024	05/20/2024
5	05/20/2019	Sammy Smith	Water Supply Supervisor	Brooksville	Water Resources	2024	05/20/2024
5	05/20/2019	Steven LeVasseur	Staff Hydrogeologist	Tampa	Water Use Permit	2024	05/20/2024
10	05/19/2014	Jerry Harding	WUP Supervisor	Tampa	Water Use Permit	2024	05/19/2024
15	05/11/2009	Crystal Buck	Accountant	Brooksville	Finance	2024	05/11/2024
20	05/17/2004	Jennette Seachrist	Resource Management Director	Tampa	Office of Executive	2024	05/17/2024
25	05/24/1999	Ann Kenny	Accounting Manager	Brooksville	Finance	2024	05/24/2024
25	05/24/1999	Janie Hagberg	Chief Engineer- SWIM Supervisor	Tampa	Natural Systems and Restoration	2024	05/24/2024
30	05/02/1994	Mark Pike	Compliance Inspector	Brooksville	Regulatory Support	2024	05/02/2024
35	05/09/1989	George Gleaton	Welder Technician	Brooksville	General Services	2024	05/09/2024
35	05/22/1989	Robin McGill	Senior Professional Engineer	Tampa	Environment Resource Permit	2024	05/22/2024