

Governing Board Meeting

Agenda and Meeting Information

September 20, 2022

3:00 p.m.

7601 US-301 • Tampa, Florida
(813) 985-7481 • 1-800-423-1476

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



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

An Equal
Opportunity
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), ext. 4747; 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

SEPTEMBER 20, 2022
3:00 PM

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

All meetings are open to the public

- › Viewing of the Board meeting will be available through the District's website at www.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 (Fort King Highway)
Tampa, Florida 33637
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

1. CONVENE PUBLIC MEETING

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

2. CONSENT AGENDA

- 2.1 **Finance/Outreach and Planning Committee:** Board Encumbrance of the Capital Field Equipment Fund
- 2.2 **Finance/Outreach and Planning Committee:** Florida Retirement System Workers' Compensation Reporting Audit
- 2.3 **Resource Management Committee:** Five-Year Water Resource Development Work Program
- 2.4 **Operations, Lands and Resource Monitoring Committee:** Approval of Land Management Plan Updates for Chito Branch Reserve, Deep Creek Preserve, Edward Chance Reserve, Little Manatee River Southfork Tract, and Potts Preserve
- 2.5 **Operations, Lands and Resource Monitoring Committee:** Renewal of Lease Agreement with Clear Channel Outdoor, LLC. for Operation and Maintenance of a Billboard on District Lands, SWF Parcel No. 15-228-134X
- 2.6 **Regulation Committee:** Water Use Permit No. 20 020745.001, Stillwater Preserve Development, LLC / Streamsong WUP (Polk County)
- 2.7 **General Counsel's Report:** Authorization to Issue Administrative Complaint and Order – Permit Violations – Chicken Dinner, LLC – ERP No. 43043526.000 – CT No. 417150 – Hillsborough County
- 2.8 **General Counsel's Report:** Knowledge Management: Governing Board Policy Update – Legal Counsel Roles, Responsibilities, and Reporting Authority
- 2.9 **General Counsel's Report:** Governing Board Concurrence – Emergency Order No. SWF 22-008– Emergency Measures Due to High-Water Conditions
- 2.10 **General Counsel's Report:** Approval of the District's Annual Regulatory Plan for 2022-2023
- 2.11 **Executive Director's Report:** Approve Governing Board Minutes - August 23, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Discussion:** Information Item: Fiscal Year 2024 Business Plan Update
- 3.3 **Discussion:** Information Item: District's Areas of Responsibility Projections
- 3.4 **Discussion:** Information Item: Office of Inspector General Fiscal Year 2022 Annual Report
- 3.5 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

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

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

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

5.2 **Discussion:** Action Item: Budget Transfer for the Tsala Apopka Outfall Canal Structure 353 Spillway Repair (B882)

5.3 **Submit & File:** Information Item: Summary of FY2022 Interagency Land Management Review

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

6.3 **Discussion:** Information Item: Knowledge Management: Well Drilling Advisory Committee

7. GENERAL COUNSEL'S REPORT

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

7.2 **Submit & File:** Information Item: Outside Legal Services Update

8. COMMITTEE/LIAISON REPORTS

8.1 **Discussion:** Information Item: Industrial Advisory Committee

8.2 **Discussion:** Information Item: Public Supply Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

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

10. CHAIR'S REPORT

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

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

ADJOURNMENT

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved June 6, 2022

OFFICERS	
Chair	Joel Schleicher
Vice Chair	Ed Armstrong
Secretary	Michelle Williamson
Treasurer	John Mitten

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Jack Bispham
Kelly Rice
John Hall

RESOURCE MANAGEMENT COMMITTEE
Ashley Bell Barnett
Michelle Williamson
William Hogarth

REGULATION COMMITTEE
John Hall
Seth Weightman
Ashley Bell Barnett

FINANCE/OUTREACH AND PLANNING COMMITTEE
John Mitten
Jack Bispham
Ed Armstrong

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

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Kelly Rice
Environmental Advisory Committee	Michelle Williamson
Industrial Advisory Committee	Ashley Bell Barnett
Public Supply Advisory Committee	Ed Armstrong
Well Drillers Advisory Committee	Seth Weightman

OTHER LIAISONS	
Central Florida Water Initiative	John Hall
Spring Coast Steering Committee	Kelly Rice
Coastal & Heartland National Estuary Partnership Policy Committee	Jack Bispham
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	William Hogarth
Tampa Bay Regional Planning Council	Vacant

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2023**

08/23/2022

Governing Board Meeting

October 18, 2022 – 9:00 a.m., Tampa Office
November 15, 2022 – 9:00 a.m., Tampa Office
December 13, 2022 – 9:00 a.m., Brooksville Office
January 24, 2023 – 9:00 a.m., Tampa Office
February 28, 2023 – 9:00 a.m., Brooksville Office
March 28, 2023 – 9:00 a.m., Brooksville Office
April 25, 2023 – 9:00 a.m., Tampa Office
May 23, 2023 – 9:00 a.m., Tampa Office
June 27, 2023 – 9:00 a.m., Brooksville Office
July 25, 2023 – 9:00 a.m., Tampa Office
August 22, 2023 – 9:00 a.m., Brooksville Office
September 26, 2023 – 3:00 p.m., Tampa Office

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

2023 – September 12 & 26

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

2022 – December 6
2023 – March 14, June 13, September 12

Environmental Advisory Committee – 10:00 a.m.

2022 – October 11
2023 – January 10, April 11, July 11

Industrial Advisory Committee – 10:00 a.m.

2022 – November 8
2023 – February 14, May 9, August 8

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

2022 – November 8
2023 – February 14, May 9, August 8

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

2022 – October 26, December 7
2023 – January 11, February 22, May 24, July 12

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

2022 – November 9
2023 – January 25, March 8, July 26

Cooperative Funding Initiative – all meetings begin at 10 a.m.

2023 – February 1 – Northern Region, Brooksville Office
2023 – February 2 – Southern Region, Sarasota County Commission Chambers
2023 – February 8 – TBD
2023 – February 9 – Tampa Bay Region, Tampa Office
2023 – April 5 – Northern Region, Brooksville Office
2023 – April 6 – Southern Region, Sarasota County Commission Chambers
2023 – April 12 – Heartland Region, Bartow City Hall
2023 – April 13 – Tampa Bay Region, Tampa Office

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637
Bartow City Hall – 450 N. Wilson Ave., Bartow, FL 33830
Sarasota County Commission Chambers – 1660 Ringling Blvd., Sarasota, FL 34236

Governing Board Meeting
September 20, 2022

1. CONVENE PUBLIC MEETING

1.1 Call to Order..... 4

1.2 Invocation and Pledge of Allegiance..... 5

1.3 Employee Recognition 6

1.4 Additions/Deletions to Agenda 7

1.5 Public Input for Issues Not Listed on the Agenda 8

CONVENE PUBLIC MEETING

September 20, 2022

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:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

September 20, 2022

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:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

September 20, 2022

Employee Recognition

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

Presenter:

Joel A. Schleicher, Chair

CONVENE PUBLIC MEETING

September 20, 2022

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

September 20, 2022

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:

Joel A. Schleicher, Chair

Governing Board Meeting

September 20, 2022

2. CONSENT AGENDA

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

2.1	Finance/Outreach and Planning Committee: Board Encumbrance of the Capital Field Equipment Fund	9
2.2	Finance/Outreach and Planning Committee: Florida Retirement System Worker's Compensation Reporting Audit	10
2.3	Resource Management Committee: Five-Year Water Resource Development Work Program.....	17
2.4	Operations, Lands and Resource Monitoring Committee: Approval of Land Management Plan Updates for Chito Branch Reserve, Deep Creek Preserve, Edward Chance Reserve, Little Manatee River Southfork Tract, and Potts Preserve.....	44
2.5	Operations, Lands and Resource Monitoring Committee: Renewal of Lease Agreement with Clear Channel Outdoor, LLC. for Operation and Maintenance of a Billboard on District Lands, SWF Parcel No. 15-228-134X	45
2.6	Regulation Committee: Water Use Permit No. 20 020745.001, Stillwater Preserve Development, LLC / Streamsong WUP (Polk County)	54
2.7	General Counsel's Report: Authorization to Issue Administrative Complaint and Order – Permit Violations – Chicken Dinner, LLC – ERP No. 43043526.000 – CT No. 417150 – Hillsborough County	69
2.8	General Counsel's Report: Knowledge Management: Governing Board Policy Update – Legal Counsel Roles, Responsibilities, and Reporting Authority	70
2.9	General Counsel's Report: Governing Board Concurrence – Emergency Order No. SWF 22-008- Emergency Measures Due to High-Water Conditions	75
2.10	General Counsel's Report: Approval of District's Annual Regulatory Plan for 2022-2023.....	81
2.11	Executive Director's Report: Approve Governing Board Minutes – August 23, 2022	84

CONSENT AGENDA

September 20, 2022

Finance/Outreach and Planning Committee: Board Encumbrance of the Capital Field Equipment Fund

Purpose

The purpose of this item is to request the encumbrance of fiscal year (FY) 2022 fund balance within the Capital Field Equipment Fund (CFEF) to carry forward into FY2023 for planned expenditures as approved through the budgetary process.

Background/History

The CFEF was developed to establish a systematic funding plan to address the acquisition, replacement, enhancement, or reconditioning of District field equipment within the upcoming five-year period. To qualify as a CFEF expenditure the equipment must be rolling stock, excluding vehicles less than 1.5 ton, have a total estimated cost of at least \$5,000 including delivery, and have an anticipated useful life of at least five years. The five-year plan is managed by the Fleet Section Manager, developed in collaboration with the other Bureaus that are users of capital field equipment, and approved by the Governing Board through the District's annual budget process.

Benefits/Costs

The benefit of the CFEF is to allow the District to efficiently and effectively management capital equipment expenditures while maintaining a consistent funding profile from year to year. In addition, the fund provides the flexibility to replace assets as close to the end of the useful life as possible, with some instances going beyond normal replacement times dependent upon individual unit condition. Timely replacement avoids high repair costs and repetitive downtime.

The encumbrance and carry forward of FY2022 fund balance for future years planned expenditures was included in the General Services Bureau considerations when developing its FY2023 recommended budget. In the FY2023 Recommended Annual Service Budget the estimated FY2022 fund balance to carry forward into FY2023 was \$458,350. Since then, Fleet Services has experienced a \$3,000 savings and the procurement of previously approved equipment totaling \$149,597 is in process for a total of \$610,947 in FY2022 fund balance.

Staff Recommendation:

Staff recommends the Governing Board approve the encumbrance of \$610,947 in FY2022 fund balance within the Capital Field Equipment Fund to carry forward into FY2023 for planned expenditures as approved through the budgetary process.

Presenter:

Michelle Weaver, Bureau Chief, General Services

CONSENT AGENDA

September 20, 2022

Finance/Outreach and Planning Committee: Florida Retirement System Workers' Compensation Reporting Audit

Background and Purpose:

This follow-up audit of the District's reporting of workers' compensation into the Florida Retirement System (FRS) focused on the progress that the District had made in addressing the recommendation made by the Florida Department of Management Services' (DMS) audit report from December 2020. The DMS audit recommended that District policies and procedures are updated to ensure that workers' compensation is properly reported into the FRS. The FRS was created in Chapter 121, Florida Statutes, to provide a defined benefit pension plan for participating public employees.

Based upon the audit's objectives, scope, and methodology, the District had taken corrective actions for the recommendation included in the Florida Department of Management Services' (DMS) audit report from December 2020.

Staff Recommendation:

Approve the Florida Retirement System Workers' Compensation Reporting Audit.

Presenter:

Brian Werthmiller, Inspector General

OFFICE OF
INSPECTOR
GENERAL

Florida Retirement System Workers' Compensation Reporting Audit

June 1, 2021 to June 30, 2022



Governing Board
September 20, 2022

TABLE OF CONTENTS

	<u>Page No.</u>
LETTER TO THE BOARD	1
SUMMARY	2
BACKGROUND	2
FINDINGS AND RECOMMENDATIONS	2
PRIOR AUDIT FOLLOW-UP	3
OBJECTIVES, SCOPE, AND METHODOLOGY	3
MANAGEMENT’S RESPONSE	4



An Equal
Opportunity
Employer

Southwest Florida Water Management District

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

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

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

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

Joel Schleicher
Chair, Charlotte, Sarasota

Ed Armstrong
Vice Chair, Pinellas

Michelle Williamson
Secretary, Hillsborough

John Mitten
Treasurer, Hernando, Marion

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

Ashley Bell Barnett
Polk

Jack Blapham
Manatee

John Hall
Polk

William Hogarth
Pinellas

Soth Waightman
Pasco

Brian J. Armstrong, P.E.
Executive Director

September 20, 2022

Mr. Joel Schleicher, Chair
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Dear Mr. Schleicher:

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General shall conduct audits and prepare audit reports. The Florida Retirement System Workers' Compensation Reporting Audit was performed per the 2022 Audit Plan approved by the Governing Board.

The OIG would like to thank District management and staff for their cooperation and assistance throughout the audit. I respectfully submit to you, the final audit report which presents the results of this follow-up audit and was conducted in accordance with *Generally Accepted Government Auditing Standards* (Yellow Book).

Sincerely,

Brian Werthmiller, CPA, CIG
Inspector General

cc: Finance/Outreach and Planning Committee
Remaining Members of the Governing Board
Mr. Brian Armstrong, Executive Director
Ms. Sherril Norman, State of Florida Auditor General

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FLORIDA RETIREMENT SYSTEM WORKERS' COMPENSATION REPORTING AUDIT

SUMMARY

This follow-up audit of the District's reporting of workers' compensation into the Florida Retirement System (FRS) focused on the progress that the District had made in addressing the recommendation made by the Florida Department of Management Services' (DMS) audit report from December 2020. The DMS audit recommended that District policies and procedures are updated to ensure that workers' compensation is properly reported into the FRS. The FRS was created in Chapter 121, Florida Statutes, to provide a defined benefit pension plan for participating public employees.

The OIG's follow-up audit did not disclose any findings and recommendations included within the scope of this audit that must be reported in writing.

BACKGROUND

Authorized in 1972, the District protects and manages water resources in a sustainable manner for the continued welfare of the citizens across the 16 counties it serves. The District is one of five water management districts created under the Florida Water Resources Act of 1972¹ and includes all or part of Charlotte, Citrus, Desoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, and Sumter Counties. Governance lies with a thirteen-member Board which consists of representatives from specific geographic areas within District boundaries. Each member is appointed by the Governor and confirmed by the Senate. An Executive Director is appointed by the Board, subject to approval by the Governor and confirmation by the Senate.

FINDINGS AND RECOMMENDATIONS

The follow-up audit did not disclose any reportable conditions regarding management's performance within the scope of the audit.

¹ Chapter 373, Florida Statutes.

PRIOR AUDIT FOLLOW-UP

Based upon the objectives, scope, and methodology as documented below, the District had taken corrective actions for the recommendation included in the Florida Department of Management Services' (DMS) audit report from December 2020.

OBJECTIVES, SCOPE, AND METHODOLOGY

The OIG conducted this operational audit in accordance with *Generally Accepted Government Auditing Standards* (GAGAS). Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on the audit objectives. The OIG believes that the evidence obtained provides a reasonable basis for findings and conclusions based on the audit objectives. In addition, the IG is independent per the GAGAS requirements for internal auditors.

This operational audit focused on selected District procedures and administrative activities. For those areas, the objectives of this operational audit were to:

- Evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines.
- Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and the safeguarding of assets, and identify weaknesses in those controls.
- Determine whether management had taken corrective action for, or was in the process of correcting, the finding noted in the Florida Department of Management Services audit report released in December 2020.

As described in more detail below, for those programs, activities, and functions included within the scope of the audit, the audit work included, but was not limited to, communicating the scope, objectives, timing, overall methodology, and reporting of the audit; obtaining an understanding of the program, activity, or function; identifying and evaluating internal controls significant to the audit objectives; exercising professional judgment in considering significance and audit risk in the design and execution of the research, interviews, tests, analyses, and other procedures included in the audit methodology; and reporting on the results of the audit as required by Governing Board policy, governing laws, and auditing standards.

An audit by its nature does not include a review of all records and actions of management, staff, and vendors, and as a consequence, cannot be relied upon to identify all instances of noncompliance, fraud, waste, abuse, or inefficiency. In conducting the audit for the period of June 1, 2021 to June 30, 2022, the OIG:

- Reviewed applicable statutes, policies, procedures and interviewed District staff to gain an understanding of the District's operations and internal controls over workers' compensation reporting to the Florida Retirement System (FRS).
- Gained an understanding of the information systems involving workers' compensation reporting to the FRS.
- Evaluated the effectiveness of District policies and procedures relating to workers' compensation information reported to the FRS, to determine whether internal controls were designed properly and operating effectively.
- From the population of 6 employees who had maximum medical improvement (MMI) dates during the period of June 1, 2021 to June 30, 2022 that were eligible for workers' compensation, examined District records for 3 employees to determine whether the WC-1 Form for FRS was completed, whether the District reported any retirement credits to the FRS prior to the employee reaching the MMI date, and supporting documentation existed for the MMI date.
- Communicated on an interim basis with applicable officials.
- Performed various other auditing procedures as necessary to accomplish the objectives of the audit.

MANAGEMENT'S RESPONSE

District management concurred with the audit results.

Brian Werthmiller, CPA, CIG
Inspector General

2379 Broad Street Brooksville, Florida 34604-6899

Phone: (352) 796-7211 X4100 ♦ Fraud and Compliance Hotline (352) 754-3482

CONSENT AGENDA

September 20, 2022

Resource Management Committee: Five-Year Water Resource Development Work Program

Purpose

Authorize staff to submit the proposed Five-Year Water Resource Development Work Program (Work Program) to the Florida Department of Environmental Protection (FDEP) as required by Florida Statutes (F.S).

Background/History

The District is required by Subsection 373.536(6), F.S., to annually prepare a Work Program that describes the District's implementation strategy for the water resource development component of the approved Regional Water Supply Plan (RWSP). The proposed Work Program must be submitted to FDEP and specified state and local government officials within 30 days after the adoption of the District's final budget. The proposed Work Program will be due to DEP by October 20, 2022.

The fiscal year (FY) 2023 Work Program covers the period from FY2023 through FY2027 and describes the District's implementation strategy relating to water resource development and water supply development components over the next five years. These efforts include data collection and analyses activities along with water resource and water supply development projects that are undertaken and/or funded by the District. The inclusion of water resource and water supply projects funded in the upcoming fiscal year, but not specifically mentioned in the RWSP, allows DEP to approve the projects as consistent with the RWSP and eligible for state funding.

The DEP has provided a Work Program guidance template for the water management districts to improve statewide reporting consistency. The proposed Work Program utilizes this template. The DEP also provided a spreadsheet template for reporting additional project details, which will be submitted with information consistent with the FY2023 annual budget.

Within 30 days after the proposed Work Program submittal, DEP must review and submit its findings, questions, and comments to the District. The review must include a written evaluation of the program's consistency with promoting the goals of the RWSP and the adequacy of proposed expenditures. Within 45 days after receiving comments from DEP, the District must state in writing to DEP which of the recommended changes will be incorporated into the Work Program or specify the reasons for not incorporating the changes. DEP must then prepare a final evaluation report, including the District's responses, and submit this report to the Governor, President of the Senate, and Speaker of the House of Representatives. The District will publish the final Work Program within the District's Consolidated Annual Report.

Staff Recommendation:

Authorize staff to submit the proposed Five-Year Water Resource Development Work Program to the Florida Department of Environmental Protection for review.

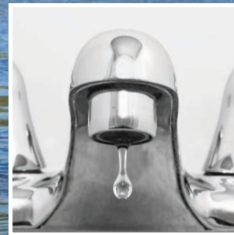
Presenter:

Jay Hoecker, Bureau Chief, Water Resources

This Page Intentionally Left Blank

2023 Five-Year Water Resource Development Work Program

PROPOSED



Southwest Florida
Water Management District



Introduction/Purpose

The Water Management Districts are required to prepare a Five-Year Water Resource Development Work Program (Work Program) as a part of their annual budget reporting process. The Work Program describes the District's implementation strategy relating to water resource development (WRD) and water supply development (including alternative water supply development) components over the next five years. The Work Program must be submitted annually to the Governor, the President of the Senate, the Speaker of the House of Representatives, the chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over the Districts, the Secretary of the Department of Environmental Protection (DEP), and the governing board of each county. Pursuant to Subsection 373.536(6)(a)4, Florida Statutes (F.S.), the Work Program must:

- Address all the elements of the WRD component in the District's approved Regional Water Supply Plans (RWSPs), as well as the water supply projects proposed for District funding and assistance;
- Identify both anticipated available District funding and additional funding needs for the second through fifth years of the funding plan;
- Identify projects in the Work Program which will provide water;
- Explain how each water resource and water supply project will produce additional water available for consumptive uses;
- Estimate the quantity of water to be produced by each project;
- Provide an assessment of the contribution of the District's RWSPs in supporting the implementation of minimum flows and minimum water levels (MFLs) and water reservations; and
- Ensure sufficient water is available to timely meet the water supply needs of existing and future reasonable-beneficial uses for a 1-in-10-year drought event and to avoid the adverse effects of competition for water supplies.

This report represents the District's 22nd Work Program and covers the period from fiscal year (FY) 2023 through FY2027. In the winter of 2020, the DEP provided a guidance document and template spreadsheets to improve the consistency among the Water Management Districts' Work Program submittals. This Work Program is consistent with the planning strategies of the District's 2020 Regional Water Supply Plan (RWSP) and the Central Florida Water Initiative 2020 Regional Water Supply Plan (CFWI RWSP).

The water resource and water supply development components of the District's Work Program are presented in three sections:

- WRD Data Collection and Analysis Activities that include routinely funded programmatic efforts by the District to monitor and support the health of natural systems, evaluate and establish MFLs, conduct watershed management planning, and improve water quality and stormwater storage and conveyance.
- WRD Projects that are undertaken by the District and/or partnering entities for evaluating aquifer storage and recovery feasibility, the Facilitating Agricultural Resource Management Systems (FARMS) projects to reduce groundwater withdrawals and improve natural systems, and environmental restoration efforts including MFL recovery projects.
- Water Supply Development Projects, which are usually led by other entities with District funding assistance, to develop and deliver new alternative potable water supplies, reclaimed water and reuse, aquifer storage and recovery (ASR) and aquifer recharge systems, and numerous conservation projects to help manage water needs.

Also included is an overview of funding mechanisms, a summary of the adequacy of District expenditures to ensure the availability of water for reasonable-beneficial uses and natural systems,

and an appendix listing projects funded by the District to implement projects identified in the Basin Management Action Plans (BMAPs).

Water Resource Development

Water resource development is defined in Section 373.019(24), F.S., as *“the formulation and implementation of regional water resource management strategies, including the collection and evaluation of surface water and groundwater data; structural and nonstructural programs to protect and manage water resources; the development of regional water resource implementation programs; the construction, operation, and maintenance of major public works facilities to provide for flood control, surface and underground water storage, and groundwater recharge augmentation; and related technical assistance to local governments, government-owned and privately owned water utilities, and self-suppliers to the extent assistance to self-suppliers promotes the policies as set forth in s. 373.016.”*

The intent of WRD activities and WRD projects is to enhance the amount of water available for reasonable-beneficial uses and for natural systems. The District is primarily responsible for implementing WRD activities and projects; however, additional funding and technical support may come from state, federal, and local entities.

WRD Data Collection and Analysis Activities

Data collection and analysis activities are a critical part of the water resource development component implemented by the District. The District has budgeted approximately \$34.3 million in FY2023 to implement and continue activities to collect scientific data necessary to manage water resources and evaluate new water supplies, support the evaluation and establishment of MFLs, conduct watershed management plans, improve groundwater quality, estimate water supply needs using population and demand modeling, and implement best management practices (BMPs) for stormwater storage and conveyance. These activities are summarized in **Table 1**.

Funding for these activities is primarily from the District's Governing Board; in some cases, additional funding that supports these efforts comes from water supply authorities, local governments, and the United States Geological Survey (USGS). Each item was included in the District's Tentative Budget Submission Appendix C and can be referenced by the sub-activity code. Each activity is further described below.

Hydrologic Data Collection

The District has a comprehensive monitoring program for hydrologic conditions that includes the assembly of information on key indicators such as rainfall, surface water and groundwater levels, water quality, and stream flows. The program includes data collected by District staff as well as data collected as part of the District's cooperative funding program with the USGS. Data collected allows the District to gage changes in the health of water resources, monitor trends in conditions, identify and analyze existing or potential resource problems, and develop programs to correct existing problems and prevent future problems from occurring. The data collection activities support District flood control structure operations, water use and environmental resource permitting and compliance, MFLs evaluation and status assessments, the Surface Water Improvement and Management (SWIM) program, the Northern Tampa Bay Water Use Caution Area (NTBWUCA), the Southern Water Use Caution Area (SWUCA), the Dover/Plant City Water Use Caution Area (DPCWUCA) recovery strategies, water supply planning in the District and CFWI regions, modeling of surface water and groundwater systems, cooperative and district initiative project development and monitoring, and many resource evaluations and reports.

The categories of hydrologic data that are collected and monitored by District staff are discussed below. In addition to data collection completed or contracted by the District, hydrologic data submitted by Water Use Permit (WUP) holders are also considered to assess compliance with permit conditions.

- a) Surface Water Flows and Levels. Funding supports data collection at the District's approximately 800 surface water level gauging sites, and cooperative funding with the USGS for discharge and water-level data collection at 130 river, stream, and canal sites. The USGS data are available to District staff and the public through the District's Environmental Data Portal (EDP) and through the USGS National Water Dashboard.
- b) Geohydrologic Data. The Geohydrologic Data Section (GEO) collects hydrogeologic data and oversees monitor well construction activities for the District. The GEO manages several groundwater monitor well networks that supports various projects throughout the District. The projects include the CFWI, Water Resource Assessment Projects, MFLs, sea level rise, and development of alternative water supplies. The monitoring well networks include the Regional Observation and Monitor-well Program (ROMP), Coastal Groundwater Quality Monitoring Network (CGWQMN), Inland Groundwater Quality Monitoring Network (IGWQMN), and the Upper Floridan Aquifer Nutrient Monitoring Network (UFANMN). The ROMP has been the District's primary source of hydrogeologic data since the program was established in 1974. Lithologic, hydraulic, and water quality data are collected during exploratory coring and testing and during the construction of monitor wells. Data from monitor well sites are used to evaluate seasonal and long-term changes in groundwater levels and quality, as well as the interaction and connectivity between groundwater and surface water bodies.
- c) Meteorologic Data. The meteorologic data monitoring program consists of measuring rainfall totals at 170 rain gauges, all of which provide near real-time data. The funding is for costs associated with measurement of rainfall including sensors, maintenance, repair, and replacement of equipment. Funding allows for the operation of one District evapotranspiration (ET) station for reference near Lake Hancock, and for District participation in a cooperative effort between the USGS and all five Florida water management districts to map statewide potential and reference ET using data measured from the Geostationary Operational Environmental Satellites (GOES). Funding also includes a collaborative effort between the five districts to provide high-resolution gauge adjusted radar rainfall data that are used for hydrologic conditions reporting and modeling purposes.
- d) Water Quality Data. The District's Water Quality Monitoring Program (WQMP) collects data from over 1,100 water quality monitoring stations for springs, streams, lakes, coastal and inland rivers and wells. The Coastal Groundwater Quality Monitoring and Inland Groundwater Monitoring networks, which involve sample collection and analysis from approximately 400 wells across the District, are used to monitor saltwater intrusion and/or the upwelling of mineralized waters into potable aquifers.
- e) Groundwater Levels. The funding provides for the maintenance and support of over 1,500 monitor wells in the data collection network. Data may be collected in 15-minute intervals, hourly, daily, or monthly. The District also uses funding to contract with the USGS to obtain continuous and monthly water levels at 15 sites. These data are available on the District's Environmental Data Portal (EDP) and through the USGS National Water Dashboard.

Table 1. FY2023 - FY2027 Water Resource Development Data Collection and Analysis Activities

WRD Data Collection and Analysis Activities	Budget Reference ¹	FY2023 Costs (\$)	FY2024 Costs (\$)	FY2025 Costs (\$)	FY2026 Costs (\$)	FY2027 Costs (\$)	Total Costs (\$)	Funding Source ²
1) Hydrologic Data Collection	1.2.1, p.64							
a) Surface Water Flows & Levels		\$3,709,448	\$3,709,448	\$3,709,448	\$3,709,448	\$3,709,448	\$18,547,240	District, Local Cooperators
b) Geologic (includes ROMP)		\$3,115,473	\$3,115,473	\$3,115,473	\$3,115,473	\$3,115,473	\$15,577,365	
c) Meteorologic Data		\$274,002	\$274,002	\$274,002	\$274,002	\$274,002	\$1,370,010	
d) Water Quality		\$851,482	\$851,482	\$851,482	\$851,482	\$851,482	\$4,257,410	
e) Groundwater Levels		\$866,356	\$866,356	\$866,356	\$866,356	\$866,356	\$4,331,780	
f) Biologic Data		\$1,178,113	\$1,178,113	\$1,178,113	\$1,178,113	\$1,178,113	\$5,890,565	
g) Data Support		\$3,607,377	\$3,607,377	\$3,607,377	\$3,607,377	\$3,607,377	\$18,036,885	
2) Minimum Flows and Levels Program	1.1.2, p.60							District
a) Technical Support		\$985,886	\$985,886	\$985,886	\$985,886	\$985,886	\$4,929,430	
b) MFL Establishment		\$638,860	\$638,860	\$638,860	\$638,860	\$638,860	\$3,194,300	
3) Watershed Management Planning	1.1.3, p.62	\$7,481,773	\$2,643,113	\$2,265,987	\$2,100,000	\$2,000,000	\$16,490,873	District, Local Cooperators, DEP
4) Quality of Water Improvement Program	2.2.3, p.87	\$761,148	\$761,148	\$761,148	\$761,148	\$761,148	\$3,805,740	District
5) Stormwater Improvement-Implementation of Storage and Conveyance BMPs	2.3.1, p.89	\$10,814,791	\$10,611,617	\$3,500,000	\$2,500,000	\$2,500,000	\$29,926,408	District
Totals		\$34,284,709	\$29,242,875	\$21,754,132	\$20,588,145	\$20,488,145	\$126,358,006	

Source: SWFWMD FY2023 Tentative Budget Submission.

¹: The Program Activity/Sub-Activity and page number in the Tentative Budget Submission is where the WRD Data Collection and Analysis Activities reside. The funding amount within this table are subsets of the referenced Program Activity/Sub-Activity.

²: Acronyms: BMPs - Best Management Practices, DEP - Florida Department of Environmental Protection, MFL - Minimum Flows and Minimum Water Levels, ROMP - District Regional Observation and Monitor-well

- f) Biologic Data. The District monitors ecological conditions as they relate to both potential water use impacts and changes in hydrologic conditions. Funding for biologic data collection includes support for routine monitoring of approximately 150 wetlands annually and a five-year assessment of almost 400 wetlands to document changes in wetland health and assess level of recovery in impacted wetlands. Funding also supports SWIM Program efforts for mapping of seagrasses every two years along the Suncoast (Tampa Bay south to Charlotte Harbor), and every four years along the Springs Coast (Anclote Key to Waccasassa Bay).
- g) Data Support. This item provides administrative and management staff support for the WQMP, hydrologic and geohydrologic as well as the chemistry laboratory, surveying, the District's LoggerNet data acquisition system.

Minimum Flows and Levels Program

Section 373.042, F.S., requires the state water management districts or the DEP to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses, and other surface water bodies to identify the water level or limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. Minimum flows for rivers, streams, estuaries, and springs, and minimum water levels for lakes, wetlands and aquifers are adopted into District rules, Chapter 40D-8, Florida Administrative Code (F.A.C.), and are used in the District's water use permitting and water supply planning programs.

Reservations are rules that reserve water from use by permit applications, as necessary for the protection of fish and wildlife or public health and safety. Reservations are adopted into District rules, Chapter 40D-2, F.A.C., pursuant to Section 373.223, F.S., and are also used for water use permitting and water supply planning.

The District's processes for establishing MFLs and reservations include opportunities for interested stakeholders to review and comment on proposed MFLs or reservations and participate in public meetings. A publicly-noticed independent scientific peer review process is used for establishing MFLs for flowing systems, for establishing MFLs for other system types that are based on methods that have not previously been subjected to peer review, and for establishing reservations. Stakeholder input and peer review findings are considered by the Governing Board when deciding whether to adopt proposed MFLs and reservations. District monitoring programs provide data for evaluating compliance with the adopted MFLs and reservations, determining the need for MFLs recovery or prevention strategies and assessing the recovery of water bodies where significant harm has occurred.

As of August 2022, the District has preliminarily planned to monitor and assess the status of 203 adopted MFLs, including MFLs for 24 river segments, 10 springs or spring groups, 126 lakes, 34 wetlands, 7 Upper Floridan Aquifer (UFA) wells in the NTBWUCA, and the UFA in the Most Impacted Area (MIA) of the SWUCA and in the DPCWUCA. The District also plans to monitor and assess the status of 2 adopted reservations, including a reservation for water stored in Lake Hancock and released to Lower Saddle Creek for recovery of MFLs adopted for the Upper Peace River, and a reservation for water from Morris Bridge Sink for recovery of MFLs adopted for the Lower Hillsborough River. In addition, the District is scheduling the establishment or reevaluation of 22 MFLs and 1 reservation through FY2025.

The District's annual MFLs Priority List and Schedule and Reservations List and Schedule is approved by the Governing Board in October, submitted to DEP for review in November, and subsequently published in the Consolidated Annual Report. The approved and proposed priority lists and schedules are also posted on the District's Minimum Flows and Levels Documents and

Reports webpage at: <https://www.swfwmd.state.fl.us/projects/mfl/documents-and-reports>.

Watershed Management Planning

The District addresses flooding problems in existing areas by preparing and implementing Watershed Management Plans (WMPs) in cooperation with local governments. The WMPs define flood conditions, identify flood level of service deficiencies, and evaluate BMPs to address those deficiencies. The WMPs include consideration of the capacity of a watershed to protect, enhance, and restore water quality and natural systems while achieving flood protection. The plans identify effective watershed management strategies and culminate in defining floodplain delineations and constructing selected BMPs.

Local governments and the District combine their resources and exchange watershed data to implement the WMPs. Funding for local elements of the WMPs is provided through local governments' capital improvement plans and the District's Cooperative Funding Initiative. Additionally, flood hazard information generated by the WMPs is used by the Federal Emergency Management Agency (FEMA) to revise Flood Insurance Rate Maps. This helps to better define flood risk and is used extensively for land use planning by local governments and property owners. Since the WMPs may change based on growth and shifting priorities, the District also cooperates with local governments to update the WMPs when necessary, giving decision-makers opportunities throughout the program to determine when and where funds are needed.

Quality of Water Improvement Program (QWIP)

The QWIP was established in 1974 through Chapter 373, F.S., to restore groundwater conditions altered by well drilling activities for domestic supply, agriculture, and other uses. The program's primary goal is to preserve groundwater and surface water resources through proper well abandonment. Plugging abandoned artesian wells eliminates the waste of water at the surface and prevents mineralized groundwater from contaminating surface water bodies. Thousands of wells constructed prior to current well construction standards were often deficient in casing, which interconnected aquifer zones and enabled poor-quality mineralized water to migrate into zones containing potable-quality water.

Plugging wells involves filling the abandoned well with cement or bentonite. Isolation of the aquifers is reestablished, and the mixing of varying water qualities and free flow is stopped. Prior to plugging an abandoned well, geophysical logging is performed to determine the reimbursement amount, the proper plugging method, and to collect groundwater quality and geologic data for inclusion in the District's database. The emphasis of the QWIP is primarily in the SWUCA where the Upper Floridan aquifer is confined. Historically, the QWIP has proven to be a cost-effective method to prevent waste and contamination of potable ground and surface waters.

Stormwater Improvements - Implementation of Storage and Conveyance BMPs

The District's WMPs and SWIM programs implement stormwater and conveyance BMPs for preventative flood protection to improve surface water quality, particularly in urban areas, and enhance surface and groundwater resources. The BMPs involve construction of improvements identified and prioritized in the development of watershed management plans. Most of the activities are developed through cooperative funding with a local government entity, DEP, or other state funding. As stormwater is a primary contributor of water quality degradation in older urban areas, the District seeks opportunities to retrofit or improve these systems to reduce impacts to receiving waters. FY2023 funding includes new storage and conveyance projects including one in the Northern region, and four in the Tampa Bay area, as well as several continuing projects.

WRD Projects

The District has budgeted for 30 WRD projects that have particular goals and schedules. At the start of FY2023 (October 1, 2022), the District has allocated approximately \$8.5 million in the budget for 8 of these projects. If a project received funding in prior years and is still ongoing it remains in the Work Program until completion. District funding for a number of the projects is matched to varying degrees by local cooperators including municipalities, state agencies, private agricultural operations, and others. The total cost of these projects, including the cooperator shares, is approximately \$429 million. It's estimated that approximately 99.3 million gallons per day (mgd) of additional water supply will be produced or conserved. The projects are listed in **Table 2** and are consistent with Programmatic Code 2.2.1 in the District's FY2023 budget. The WRD projects are organized into three groups:

Aquifer Storage and Recovery Feasibility and Pilot Testing

These projects are research and/or pilot projects designed to further the development of the innovative alternative water sources described in the RWSP. The projects for investigation of the Lower Floridan aquifer are primarily District-led initiatives. The ASR and Aquifer Recharge projects may involve both technical and financial assistance from the District.

Facilitating Agricultural Resource Management Systems (FARMS)

The FARMS Program is an agricultural BMP cost-share reimbursement program. The program is a public/private partnership developed by the District and the Florida Department of Agriculture and Consumer Services (FDACS). The program provides incentives to the agricultural community within the District to implement agricultural BMPs that will provide resource benefits including the reduction of groundwater withdrawals from the Upper Floridan aquifer, improvement of ground and surface water quality impacted by groundwater withdrawals, and improvement of natural-system functions within wetlands and priority watersheds.

The FARMS Program operates under District Governing Board Policy to fund projects that provide these benefits while assisting in the implementation of the District's RWSP. This plan identifies strategic initiatives and regional priorities to meet the District's water management goals. These goals are based on improving and/or maintaining the water resource conditions of several regions within the District. Five primary goals for the FARMS Program are to:

1. Improve surface water quality which has been impacted by groundwater withdrawals with a priority given to projects in the Shell, Prairie, and Joshua Creek, or Horse Creek watersheds;
2. Conserve, restore or augment the water resources and natural systems in the Upper Myakka River Watershed;
3. Reduce groundwater use in the SWUCA;
4. Reduce groundwater use for Frost/Freeze Protection within the DPCWUCA;
5. Reduce Upper Floridan aquifer groundwater use and nutrient loading impacts in the Northern District.

The FARMS projects implement FDACS-approved BMPs that offset groundwater use with surface water and/or increase the overall efficiency of irrigation water use. Many projects have the added benefit of reducing agricultural impacts to surface water features. Properly implemented BMPs protect and conserve water resources and may increase crop production.

Environmental Restoration and MFL Recovery Projects

These projects include MFL recovery projects for the Hillsborough River Recovery Strategy, and for the upper Peace River, and SWUCA Salt Water Intrusion Minimum Aquifer Level (SWIMAL) in support of the SWUCA Recovery Strategy. The SWIMAL Recovery project has the additional benefit of utilizing excess runoff that has adversely impacted the Flatford Swamp in the upper Myakka River

watershed.

At the DEP's guidance, additional project details are available in spreadsheet format. The DEP will present Work Program project data from each of the water management districts on their website for public review, in accordance with Section 373.536(6)(b), F.S. The detailed spreadsheet includes project descriptions, schedules, cooperator and state funding levels, and the water bodies and planning regions supported. The District's proposed Work Program spreadsheet is available online at:

<https://www.swfwmd.state.fl.us/resources/plans-reports/water-resource-development-work-program>

Table 2. FY2023 - FY2027 District Funding and Total Project Cost for Water Resource Development Projects

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
1) Aquifer Storage and Recovery Feasibility and Pilot Testing (Programmatic Code 2.2.1.1)									
a) South Hillsborough Aquifer Recharge Program (SHARP) (N287)	\$1,382,500	\$0	\$0	\$0	\$0	\$0	\$2,765,000	District, Hillsborough County	2
b) South Hillsborough Aquifer Recharge Program (SHARP) Phase 2 (N855)	\$4,800,000	\$0	\$0	\$0	\$0		\$9,700,000	District, Hillsborough County	4
c) Hydrogeologic Investigation of LFA in Polk County (P280)	\$12,000,000	\$0	\$0	\$0	\$0	\$0	\$12,000,000	District	NA
d) Optical Borehole Imaging Data Collection from LFA Wells (P925)	\$100,200	\$0	\$0	\$0	\$0	\$0	\$167,000	District, USGS	NA
e) Sources/Ages of Groundwater in LFA Wells (P926)	\$368,300	\$0	\$0	\$0	\$0	\$0	\$736,600	District, USGS	NA
f) City of Venice Reclaimed Water Aquifer Storage Recovery (Q050)	\$1,332,500	\$1,200,000	\$0	\$212,376	\$0	\$0	\$5,489,762	District, City of Venice	Storage
g) Direct Aquifer Recharge - North Hillsborough Aquifer Recharge Program Phase 2 (Q064)	\$750,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000	District, Hillsborough County	Study
i) Sarasota County - Bee Ridge Water Reclamation Facility Aquifer Recharge (Q159)	\$915,511	\$0	\$0	\$0	\$0	\$0	\$1,831,022	District, Sarasota County	5

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
2) Facilitating Agricultural Resource Management Systems (FARMS) (Programmatic Code 2.2.1.2)									
a) FARMS Projects (H017) ³	Annual Request	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$30,000,000	Annual Request	40
FARMS - Bickett Holdings, LLC	\$663,000	\$0	\$0	\$0	\$0	\$0	\$915,000	District, Bickett Holdings, LLC	0.14
FARMS - Wauchula Road Duette, LLC - Phase 2	\$62,713	\$0	\$0	\$0	\$0	\$0	\$125,426	District, Wauchula Road Duette, LLC	0.08
FARMS - Rolling Meadow Ranch	\$221,273	\$0	\$0	\$0	\$0	\$0	\$295,030	District, Rolling Meadow Ranch, Inc.	0.05
FARMS - Boyz Properties, LLC	\$631,000	\$0	\$0	\$0	\$0	\$0	\$1,081,000	District, Boyz Properties, LLC	0.17
FARMS - Symons Grove, LLC Phase 2	\$238,112	\$0	\$0	\$0	\$0	\$0	\$317,482	District, Symons Grove, LLC	0.06
FARMS - Bethel Farms, LLLP - Ryals Property	\$279,520	\$0	\$0	\$0	\$0	\$0	\$405,652	District, Bethel Farms, LLLP	0.08
FARMS - Bethel Farms, LLLP - Ph 4	\$250,219	\$0	\$0	\$0	\$0	\$0	\$356,627	District, Bethel Farms, LLLP	0.06
FARMS - P BAR R Sod Company, LLC	\$293,187	\$0	\$0	\$0	\$0	\$0	\$390,916	District, BAR R Sod Company, LLC	0.08
FARMS - Lykes Bros. Inc. Lake Placid Grove Ph 3	\$100,300	\$0	\$0	\$0	\$0	\$0	\$133,733	District, Lykes Bros. Inc.	0.03
FARMS - Farm Road Port Charlotte FL, LLC	\$832,000	\$0	\$0	\$0	\$0	\$0	\$1,170,000	District, Farm Road Port Charlotte FL, LLC	0.19
FARMS - Berry Patch Ridge, LLC	\$241,572	\$0	\$0	\$0	\$0	\$0	\$322,096	District, Berry Patch Ridge, LLC	0.04

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
FARMS - Spanish Trails Farming and Land Company, LLC	\$529,000	\$0	\$0	\$0	\$0	\$0	\$759,000	District, Spanish Trails Farming and Land Company, LLC	0.14
b) Mini-FARMS Program (H529) 3	Annual Request	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	Annual Request	District	2
c) FARMS Well Back- Plugging Program (H015) 3	Annual Request	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	Annual Request	District	NA
d) FARMS Meter Accuracy Support (P429) 3	Annual Request	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	Annual Request	District	NA
3) Minimum Flows and Minimum Water Levels Recovery⁴ (Programmatic Code 2.2.1.3)									
MFL Recovery Lake Hancock Design, Permit, Mitigation to Raise Lake (H008)	\$6,882,240	\$0	\$0	\$0	\$0	\$0	\$6,882,240	District	2.7
a) MIA Recharge SWIMAL Recovery at Flatford Swamp (H089)	\$6,635,702	\$0	\$0	\$3,350,000	\$3,350,000	\$3,350,000	\$31,000000	District	6
c) Lower Hillsborough River Recovery Strategy (H400)	\$8,624,842	\$230,000	\$0	\$0	\$0	\$0	\$13,686,099	District, City of Tampa	18.925
d) Pump Stations on Tampa Bypass Canal, Morris Bridge Sink (H404)	\$661,515	\$135,000	\$165,000	\$155,000	\$135,000	\$135,000	\$1,386,515	District	3.9
e) Tampa Hillsborough River MFL "PURE" (Q246)	\$60,280	\$0	\$0	\$5,510,973	\$35,528,747	\$0	\$300,000,000	District, City of Tampa	13.7

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
f) Haines City Reclaimed Water MFL Recharge & Advanced Treatment Feasibility Study (Q303)	\$253,500	\$402,500	\$1,148,750	\$1,148,750	\$0	\$0	\$5,907,000	District, Haines City	Study
Water Resource Development Project Totals	\$49,108,986	\$8,500,000	\$7,846,250	\$16,909,599	\$45,546,247	\$10,017,500	\$429,323,200		99.34

1. Acronyms: TBD - to be determined, NA - not applicable, mgd - million gallons per day, MIA - Most Impacted Area of the SWUCA, SWIMAL - Salt Water Intrusion Minimum Aquifer Level, USGS - United States Geological Survey, ASR – Aquifer Storage Recovery, LFA – Lower Floridan Aquifer.

2. Future funding budget estimates for which specific time frames are not yet determined are distributed evenly over future years.

3. The FARMS lead program (H017) and the subprojects are collectively counted as 40 mgd.

Water Supply Development Assistance

Water supply development is defined as the planning, design, construction, operation, and maintenance of public or private facilities for water collection, production, treatment, transmission, or distribution for sale, resale, or end use (Section 373.019(26), F.S.). Regional water supply authorities, local governments, and public and privately-owned water utilities typically have the lead role in implementing water supply development projects (Section 373.705, F.S.). The District provides funding assistance to these entities for projects that are consistent with the District's Strategic Plan, Water Management Plans, Surface Water Improvement and Management Plans, and the District and CFWI RWSPs. Final decisions regarding the funding of projects are the exclusive responsibility of the District's Governing Board. The District's primary funding mechanism for water supply development assistance is the Cooperative Funding Initiative (CFI) Program, which is described in the Funding Sources section of this Work Program.

The District has 83 budgeted or ongoing water supply development projects in FY2023, including 3 water supply planning projects that support water supply development. As shown in **Table 3-h**, the District is funding approximately \$15 million in FY2023 for 18 projects that achieve water supply development assistance. The project budgets shown are consistent with the District's Programmatic Budget under activity codes 2.2.2 (water supply development) and 1.1.1 (water supply planning). The water supply projects are listed in **Table 3-a to 3-g**, grouped by the following budget sub-categories and sorted by project code number:

- Surface Water Projects
- Regional Potable Water Interconnect Projects
- Reclaimed Water Projects
- Brackish Groundwater Development Projects
- ASR and Aquifer Recharge Projects (note: some have reclaimed water components)
- Conservation Projects
- Water Supply Planning Projects

Most water supply development projects are funded within one year, but large projects may have construction budgets over multiple years to coincide with each year's predicted expenses. Since the District budget is adopted on an annual basis, the future funding for ongoing projects is estimated based on projected costs and schedules. Additional future funding will be needed for new projects that aren't yet proposed through the CFI Program. The District anticipates new reclaimed water and conservation projects will require funding levels less than FY2023. The amount needed for new regional interconnects and water treatment facilities can vary greatly from year to year, peaking as large infrastructure projects move from design to construction phases. Significant new funding may be proposed in the FY2024-27 timeframe for expansions of the PRMRWSA Regional Loop System, next phases of the PRWC Southeast Wellfield, Tampa Bay Water's System Configuration, and West Polk Lower Floridan Aquifer Wellfield.

The listed projects that have no FY2023 or future funding are ongoing with prior year funding. Projects are omitted from the Work Program when they are completed, and final reimbursement is provided.

Table 3-a. Surface Water Projects

Project Number	Water Supply Development Assistance - Surface Water Projects (Programmatic Budget 2.2.2.1)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
Q133	PRWC - Peace River Study	\$480,550	\$0	\$0	\$0	\$0	\$0	\$961,100	Study
Q272	PRMRWSA - Reservoir No. 3	\$3,625,000	\$0	\$11,000,000	\$42,000,000	\$51,000,000	\$43,750,000	\$337,274,000	NA
	Total Surface Water Projects	\$4,105,550	\$0	\$11,000,000	\$42,000,000	\$51,000,000	\$43,750,000	\$338,235,100	0.000

Table 3-b. Regional Potable Water Interconnect Projects

Project Number	Water Supply Development Assistance - Regional Potable Water Interconnects (Programmatic Budget 2.2.2.2)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
N965	TBW Tampa Bypass Canal Gates Automation	\$516,000	\$0	\$0	\$0	\$0	\$0	\$1,032,000	NA
N998	TBW Regional Facility Site Pump Station Expansion	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$2,400,000	NA
Q146	Tampa Bay Water Southern Hillsborough County Booster Pump Station	\$750,000	\$2,550,000	\$0	\$0	\$0	\$0	\$12,686,049	6.000
Q202	PRMRWSA - Southern Regional Loop Phase 2B and 2C Feasibility and Routing	\$200,000	\$0	\$0	\$0	\$0	\$0	\$400,000	Study
Q205	PRMRWSA Phase 3C Integrated Loop and Routing and Feasibility	\$300,000	\$0	\$0	\$0	\$0	\$0	\$600,000	Study
Q216	PRWC Regional Transmission Southeast Phase 1	\$5,913,487	\$0	\$5,642,189	\$33,783,467	\$30,673,857	\$0	\$156,976,000	NA
Q241	TBW - Southern Hillsborough County Transmission Expansion	\$4,459,207	\$2,900,000	\$1,294,793	\$3,750,000	\$28,150,000	\$44,000,000	\$275,389,586	NA
Q248	PRMRWA - Regional Acquisition of Project Prairie Pumping and Storage Facilities	\$637,500	\$0	\$0	\$0	\$0	\$0	\$1,275,000	NA
Q313	PRMRWSA - Reg Integr Loop Sys Ph 3C	\$0	\$2,500,000	\$2,075,000	\$9,737,500	\$9,737,500	\$0	\$53,100,000	NA
Q355	PRMRWSA - Reg Integr Loop Sys Ph 2b	\$0	\$1,500,000	\$8,778,015	\$12,703,748	\$12,703,748	\$0	\$72,271,000	NA
	Total Regional Potable Water Interconnect Projects	\$13,976,194	\$9,450,000	\$17,789,997	\$59,974,715	\$81,265,105	\$44,000,000	\$576,129,635	6.000

Table 3-c. Reclaimed Water Projects

Project Number	Water Supply Development Assistance - Reclaimed Water Projects (Programmatic Budget 2.2.2.3)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Benefit (mgd)
N339	Winter Haven #3 Reclaimed Interconnect, Storage, and Pumping	\$2,750,000	\$0	\$0	\$0	\$0	\$0	\$9,466,000	0.300
N711	Braden River Utilities Reclaimed Water Transmission Line	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$4,600,000	1.000
N791	Pasco County Starkey Ranch Reclaimed Water Transmission Phase C	\$456,800	\$0	\$0	\$0	\$0	\$0	\$913,600	0.290
N868	Polk County Utilities NERUSA Ernie Caldwell Blvd Reclaimed Water Transmission	\$1,056,500	\$0	\$0	\$0	\$0	\$0	\$2,113,000	0.414
N898	Haines City Reclaimed Water Tank and Pump Stations Project	\$4,620,000	\$0	\$0	\$0	\$0	\$0	\$6,800,000	Storage
Q021	Pasco Co Cypress Preserve RW Transmission Main - Grand Live Oak Blvd	\$206,500	\$0	\$0	\$0	\$0	\$0	\$413,000	0.200

Table 3-c. Reclaimed Water Projects (continued)

Project Number	Water Supply Development Assistance - Reclaimed Water Projects (Programmatic Budget 2.2.2.3)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Benefit (mgd)
Q057	Zephyrhills - Zephyr Lakes & Hospital Reuse	\$710,650	\$0	\$0	\$0	\$0	\$0	\$1,421,300	0.330
Q066	Polk County Utilities- NERUSA Lake Wilson Road Reuse	\$262,750	\$0	\$0	\$0	\$0	\$0	\$525,500	0.180
Q067	Polk County Utilities-NERUSA Southeast Reuse Loop	\$2,186,750	\$0	\$0	\$0	\$0	\$0	\$4,373,500	0.522
Q098	Pasco County Cypress Preserve Reuse Phase 3	\$239,000	\$0	\$0	\$0	\$0	\$0	\$478,000	0.230
Q105	Citrus County Sugarmill Woods Golf Course Reuse	\$1,834,000	\$0	\$0	\$0	\$0	\$0	\$3,918,000	0.500
Q113	City of Plant City McIntosh Park Indirect Potable Reuse Feasibility Study	\$300,000	\$0	\$0	\$0	\$0	\$0	\$600,000	Study
Q139	North Port Direct Potable Reuse Feasibility	\$125,000	\$0	\$0	\$0	\$0	\$0	\$250,000	Study
Q158	Pasco County River Landing Reclaimed Water Transmission	\$1,468,300	\$0	\$0	\$0	\$0	\$0	\$3,386,600	0.465
Q160	Sarasota County Honore Avenue Reclaimed Water Transmission	\$500,000	\$1,000,000	\$0	\$0	\$0	\$0	\$3,000,000	0.533
Q200	Winter Haven Direct Potable Reuse Feasibility Study	\$100,000	\$0	\$0	\$0	\$0	\$0	\$200,000	Study
Q209	Polk County Direct Potable Reuse Feasibility and Pilot Demo	\$795,000	\$0	\$0	\$0	\$0	\$0	\$2,591,582	Study
Q252	Forte Meade Reclaimed Water Feasibility Study	\$168,750	\$0	\$0	\$0	\$0	\$0	\$225,000	Study
Q268	Braden River Utilities Taylor Road Area Transmission	\$1,050,000	\$2,500,000	\$0	\$0	\$0	\$0	\$7,100,000	1.570
Q271	Winter Haven Preserve at Lake Ashton Transmission	\$500,000	\$910,000	\$0	\$0	\$0	\$0	\$2,820,000	0.590
Q274	Zephyrhills - Zephyr to Pasco Reclaimed Water Interconnect	\$880,000	\$0	\$0	\$0	\$0	\$0	\$1,760,000	NA
Q344	Manatee Co- IA Buckeye RW Transmission	\$0	\$564,000	\$1,400,000	\$0	\$0	\$0	\$3,928,000	0.990
Q353	Pinellas Co- Southcross RW Expan/Surface Aug Study	\$0	\$200,000	\$0	\$0	\$0	\$0	\$400,000	Study
Total Reclaimed Water Projects		\$22,510,000	\$5,174,000	\$1,400,000	\$0	\$0	\$0	\$61,283,082	8.114

Table 3-d Brackish Groundwater Projects

Project Number	Water Supply Development Assistance - Brackish Groundwater Development Projects (Programmatic Budget 2.2.2.4)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
N882	PRWC West Polk County Lower Floridan Deep Wells ¹	\$3,970,367	\$0	\$0	\$0	\$0	\$0	\$8,940,734	10.000
N905	PRWC Southeast Wellfield Lower Floridan	\$4,846,958	\$0	\$0	\$0	\$0	\$0	\$11,117,916	Design
Q090	Belleair Brackish Feasibility Study & Testing	\$881,675	\$0	\$0	\$0	\$0	\$0	\$1,763,350	Study
Q184	PRWC Southeast Wellfield Implementation	\$5,374,987	\$0	\$4,934,240	\$41,484,444	\$41,484,444	\$7,092,630	\$228,630,000	12.500
Q294	PRWC Southeast Test Well No. 3	\$2,062,500	\$0	\$0	\$0	\$0	\$0	\$4,125,000	Study
Q308	PRWC - West Polk Wellfield	\$1,064,308	\$0	\$5,731,099	\$6,636,605	\$29,674,958	\$29,174,958	\$214,104,000	10.000
Q309	PRWC - Test Prod Well #2 West Polk Wellfield	\$1,228,000	\$0	\$834,500	\$0	\$0	\$0	\$4,125,000	NA
Total Brackish Groundwater Projects		\$19,428,795	\$0	\$11,499,839	\$48,121,049	\$71,159,402	\$36,267,588	\$472,806,000	32.500

Table 2. FY2023 - FY2027 District Funding and Total Project Cost for Water Resource Development Projects

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
1) Aquifer Storage and Recovery Feasibility and Pilot Testing (Programmatic Code 2.2.1.1)									
a) South Hillsborough Aquifer Recharge Program (SHARP) (N287)	\$1,382,500	\$0	\$0	\$0	\$0	\$0	\$2,765,000	District, Hillsborough County	2
b) South Hillsborough Aquifer Recharge Program (SHARP) Phase 2 (N855)	\$4,800,000	\$0	\$0	\$0	\$0		\$9,700,000	District, Hillsborough County	4
c) Hydrogeologic Investigation of LFA in Polk County (P280)	\$12,000,000	\$0	\$0	\$0	\$0	\$0	\$12,000,000	District	NA
d) Optical Borehole Imaging Data Collection from LFA Wells (P925)	\$100,200	\$0	\$0	\$0	\$0	\$0	\$167,000	District, USGS	NA
e) Sources/Ages of Groundwater in LFA Wells (P926)	\$368,300	\$0	\$0	\$0	\$0	\$0	\$736,600	District, USGS	NA
f) City of Venice Reclaimed Water Aquifer Storage Recovery (Q050)	\$1,332,500	\$1,200,000	\$0	\$212,376	\$0	\$0	\$5,489,762	District, City of Venice	Storage
g) Direct Aquifer Recharge - North Hillsborough Aquifer Recharge Program Phase 2 (Q064)	\$750,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000	District, Hillsborough County	Study
i) Sarasota County - Bee Ridge Water Reclamation Facility Aquifer Recharge (Q159)	\$915,511	\$0	\$0	\$0	\$0	\$0	\$1,831,022	District, Sarasota County	5

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
2) Facilitating Agricultural Resource Management Systems (FARMS) (Programmatic Code 2.2.1.2)									
a) FARMS Projects (H017) ³	Annual Request	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$30,000,000	Annual Request	40
FARMS - Bickett Holdings, LLC	\$663,000	\$0	\$0	\$0	\$0	\$0	\$915,000	District, Bickett Holdings, LLC	0.14
FARMS - Wauchula Road Duette, LLC - Phase 2	\$62,713	\$0	\$0	\$0	\$0	\$0	\$125,426	District, Wauchula Road Duette, LLC	0.08
FARMS - Rolling Meadow Ranch	\$221,273	\$0	\$0	\$0	\$0	\$0	\$295,030	District, Rolling Meadow Ranch, Inc.	0.05
FARMS - Boyz Properties, LLC	\$631,000	\$0	\$0	\$0	\$0	\$0	\$1,081,000	District, Boyz Properties, LLC	0.17
FARMS - Symons Grove, LLC Phase 2	\$238,112	\$0	\$0	\$0	\$0	\$0	\$317,482	District, Symons Grove, LLC	0.06
FARMS - Bethel Farms, LLLP - Ryals Property	\$279,520	\$0	\$0	\$0	\$0	\$0	\$405,652	District, Bethel Farms, LLLP	0.08
FARMS - Bethel Farms, LLLP - Ph 4	\$250,219	\$0	\$0	\$0	\$0	\$0	\$356,627	District, Bethel Farms, LLLP	0.06
FARMS - P BAR R Sod Company, LLC	\$293,187	\$0	\$0	\$0	\$0	\$0	\$390,916	District, BAR R Sod Company, LLC	0.08
FARMS - Lykes Bros. Inc. Lake Placid Grove Ph 3	\$100,300	\$0	\$0	\$0	\$0	\$0	\$133,733	District, Lykes Bros. Inc.	0.03
FARMS - Farm Road Port Charlotte FL, LLC	\$832,000	\$0	\$0	\$0	\$0	\$0	\$1,170,000	District, Farm Road Port Charlotte FL, LLC	0.19
FARMS - Berry Patch Ridge, LLC	\$241,572	\$0	\$0	\$0	\$0	\$0	\$322,096	District, Berry Patch Ridge, LLC	0.04

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
FARMS - Spanish Trails Farming and Land Company, LLC	\$529,000	\$0	\$0	\$0	\$0	\$0	\$759,000	District, Spanish Trails Farming and Land Company, LLC	0.14
b) Mini-FARMS Program (H529) 3	Annual Request	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	Annual Request	District	2
c) FARMS Well Back- Plugging Program (H015) 3	Annual Request	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	Annual Request	District	NA
d) FARMS Meter Accuracy Support (P429) 3	Annual Request	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	Annual Request	District	NA
3) Minimum Flows and Minimum Water Levels Recovery⁴ (Programmatic Code 2.2.1.3)									
MFL Recovery Lake Hancock Design, Permit, Mitigation to Raise Lake (H008)	\$6,882,240	\$0	\$0	\$0	\$0	\$0	\$6,882,240	District	2.7
a) MIA Recharge SWIMAL Recovery at Flatford Swamp (H089)	\$6,635,702	\$0	\$0	\$3,350,000	\$3,350,000	\$3,350,000	\$31,000000	District	6
c) Lower Hillsborough River Recovery Strategy (H400)	\$8,624,842	\$230,000	\$0	\$0	\$0	\$0	\$13,686,099	District, City of Tampa	18.925
d) Pump Stations on Tampa Bypass Canal, Morris Bridge Sink (H404)	\$661,515	\$135,000	\$165,000	\$155,000	\$135,000	\$135,000	\$1,386,515	District	3.9
e) Tampa Hillsborough River MFL "PURE" (Q246)	\$60,280	\$0	\$0	\$5,510,973	\$35,528,747	\$0	\$300,000,000	District, City of Tampa	13.7

WRD Projects (Project Number) ¹	Total Prior District Funding	FY2023 District Cost	FY2024 District Cost	FY2025 District Cost	FY2026 District Cost	FY2027 District Cost	Total Cost District + Cooperator	Funding Source ^{1,2}	Quantity developed or conserved (mgd) ¹
f) Haines City Reclaimed Water MFL Recharge & Advanced Treatment Feasibility Study (Q303)	\$253,500	\$402,500	\$1,148,750	\$1,148,750	\$0	\$0	\$5,907,000	District, Haines City	Study
Water Resource Development Project Totals	\$49,108,986	\$8,500,000	\$7,846,250	\$16,909,599	\$45,546,247	\$10,017,500	\$429,323,200		99.34

1. Acronyms: TBD - to be determined, NA - not applicable, mgd - million gallons per day, MIA - Most Impacted Area of the SWUCA, SWIMAL - Salt Water Intrusion Minimum Aquifer Level, USGS - United States Geological Survey, ASR – Aquifer Storage Recovery, LFA – Lower Floridan Aquifer.

2. Future funding budget estimates for which specific time frames are not yet determined are distributed evenly over future years.

3. The FARMS lead program (H017) and the subprojects are collectively counted as 40 mgd.

Table 3-a. Surface Water Projects

Project Number	Water Supply Development Assistance - Surface Water Projects (Programmatic Budget 2.2.2.1)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
Q133	PRWC - Peace River Study	\$480,550	\$0	\$0	\$0	\$0	\$0	\$961,100	Study
Q272	PRMRWSA - Reservoir No. 3	\$3,625,000	\$0	\$11,000,000	\$42,000,000	\$51,000,000	\$43,750,000	\$337,274,000	NA
	Total Surface Water Projects	\$4,105,550	\$0	\$11,000,000	\$42,000,000	\$51,000,000	\$43,750,000	\$338,235,100	0.000

Table 3-b. Regional Potable Water Interconnect Projects

Project Number	Water Supply Development Assistance - Regional Potable Water Interconnects (Programmatic Budget 2.2.2.2)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
N965	TBW Tampa Bypass Canal Gates Automation	\$516,000	\$0	\$0	\$0	\$0	\$0	\$1,032,000	NA
N998	TBW Regional Facility Site Pump Station Expansion	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$2,400,000	NA
Q146	Tampa Bay Water Southern Hillsborough County Booster Pump Station	\$750,000	\$2,550,000	\$0	\$0	\$0	\$0	\$12,686,049	6.000
Q202	PRMRWSA - Southern Regional Loop Phase 2B and 2C Feasibility and Routing	\$200,000	\$0	\$0	\$0	\$0	\$0	\$400,000	Study
Q205	PRMRWSA Phase 3C Integrated Loop and Routing and Feasibility	\$300,000	\$0	\$0	\$0	\$0	\$0	\$600,000	Study
Q216	PRWC Regional Transmission Southeast Phase 1	\$5,913,487	\$0	\$5,642,189	\$33,783,467	\$30,673,857	\$0	\$156,976,000	NA
Q241	TBW - Southern Hillsborough County Transmission Expansion	\$4,459,207	\$2,900,000	\$1,294,793	\$3,750,000	\$28,150,000	\$44,000,000	\$275,389,586	NA
Q248	PRMRWA - Regional Acquisition of Project Prairie Pumping and Storage Facilities	\$637,500	\$0	\$0	\$0	\$0	\$0	\$1,275,000	NA
Q313	PRMRWSA - Reg Integr Loop Sys Ph 3C	\$0	\$2,500,000	\$2,075,000	\$9,737,500	\$9,737,500	\$0	\$53,100,000	NA
Q355	PRMRWSA - Reg Integr Loop Sys Ph 2b	\$0	\$1,500,000	\$8,778,015	\$12,703,748	\$12,703,748	\$0	\$72,271,000	NA
	Total Regional Potable Water Interconnect Projects	\$13,976,194	\$9,450,000	\$17,789,997	\$59,974,715	\$81,265,105	\$44,000,000	\$576,129,635	6.000

Table 3-c. Reclaimed Water Projects

Project Number	Water Supply Development Assistance - Reclaimed Water Projects (Programmatic Budget 2.2.2.3)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Benefit (mgd)
N339	Winter Haven #3 Reclaimed Interconnect, Storage, and Pumping	\$2,750,000	\$0	\$0	\$0	\$0	\$0	\$9,466,000	0.300
N711	Braden River Utilities Reclaimed Water Transmission Line	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$4,600,000	1.000
N791	Pasco County Starkey Ranch Reclaimed Water Transmission Phase C	\$456,800	\$0	\$0	\$0	\$0	\$0	\$913,600	0.290
N868	Polk County Utilities NERUSA Ernie Caldwell Blvd Reclaimed Water Transmission	\$1,056,500	\$0	\$0	\$0	\$0	\$0	\$2,113,000	0.414
N898	Haines City Reclaimed Water Tank and Pump Stations Project	\$4,620,000	\$0	\$0	\$0	\$0	\$0	\$6,800,000	Storage
Q021	Pasco Co Cypress Preserve RW Transmission Main - Grand Live Oak Blvd	\$206,500	\$0	\$0	\$0	\$0	\$0	\$413,000	0.200

Table 3-c. Reclaimed Water Projects (continued)

Project Number	Water Supply Development Assistance - Reclaimed Water Projects (Programmatic Budget 2.2.2.3)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Benefit (mgd)
Q057	Zephyrhills - Zephyr Lakes & Hospital Reuse	\$710,650	\$0	\$0	\$0	\$0	\$0	\$1,421,300	0.330
Q066	Polk County Utilities- NERUSA Lake Wilson Road Reuse	\$262,750	\$0	\$0	\$0	\$0	\$0	\$525,500	0.180
Q067	Polk County Utilities-NERUSA Southeast Reuse Loop	\$2,186,750	\$0	\$0	\$0	\$0	\$0	\$4,373,500	0.522
Q098	Pasco County Cypress Preserve Reuse Phase 3	\$239,000	\$0	\$0	\$0	\$0	\$0	\$478,000	0.230
Q105	Citrus County Sugarmill Woods Golf Course Reuse	\$1,834,000	\$0	\$0	\$0	\$0	\$0	\$3,918,000	0.500
Q113	City of Plant City McIntosh Park Indirect Potable Reuse Feasibility Study	\$300,000	\$0	\$0	\$0	\$0	\$0	\$600,000	Study
Q139	North Port Direct Potable Reuse Feasibility	\$125,000	\$0	\$0	\$0	\$0	\$0	\$250,000	Study
Q158	Pasco County River Landing Reclaimed Water Transmission	\$1,468,300	\$0	\$0	\$0	\$0	\$0	\$3,386,600	0.465
Q160	Sarasota County Honore Avenue Reclaimed Water Transmission	\$500,000	\$1,000,000	\$0	\$0	\$0	\$0	\$3,000,000	0.533
Q200	Winter Haven Direct Potable Reuse Feasibility Study	\$100,000	\$0	\$0	\$0	\$0	\$0	\$200,000	Study
Q209	Polk County Direct Potable Reuse Feasibility and Pilot Demo	\$795,000	\$0	\$0	\$0	\$0	\$0	\$2,591,582	Study
Q252	Forte Meade Reclaimed Water Feasibility Study	\$168,750	\$0	\$0	\$0	\$0	\$0	\$225,000	Study
Q268	Braden River Utilities Taylor Road Area Transmission	\$1,050,000	\$2,500,000	\$0	\$0	\$0	\$0	\$7,100,000	1.570
Q271	Winter Haven Preserve at Lake Ashton Transmission	\$500,000	\$910,000	\$0	\$0	\$0	\$0	\$2,820,000	0.590
Q274	Zephyrhills - Zephyr to Pasco Reclaimed Water Interconnect	\$880,000	\$0	\$0	\$0	\$0	\$0	\$1,760,000	NA
Q344	Manatee Co- IA Buckeye RW Transmission	\$0	\$564,000	\$1,400,000	\$0	\$0	\$0	\$3,928,000	0.990
Q353	Pinellas Co- Southcross RW Expan/Surface Aug Study	\$0	\$200,000	\$0	\$0	\$0	\$0	\$400,000	Study
Total Reclaimed Water Projects		\$22,510,000	\$5,174,000	\$1,400,000	\$0	\$0	\$0	\$61,283,082	8.114

Table 3-d Brackish Groundwater Projects

Project Number	Water Supply Development Assistance - Brackish Groundwater Development Projects (Programmatic Budget 2.2.2.4)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
N882	PRWC West Polk County Lower Floridan Deep Wells ¹	\$3,970,367	\$0	\$0	\$0	\$0	\$0	\$8,940,734	10.000
N905	PRWC Southeast Wellfield Lower Floridan	\$4,846,958	\$0	\$0	\$0	\$0	\$0	\$11,117,916	Design
Q090	Belleair Brackish Feasibility Study & Testing	\$881,675	\$0	\$0	\$0	\$0	\$0	\$1,763,350	Study
Q184	PRWC Southeast Wellfield Implementation	\$5,374,987	\$0	\$4,934,240	\$41,484,444	\$41,484,444	\$7,092,630	\$228,630,000	12.500
Q294	PRWC Southeast Test Well No. 3	\$2,062,500	\$0	\$0	\$0	\$0	\$0	\$4,125,000	Study
Q308	PRWC - West Polk Wellfield	\$1,064,308	\$0	\$5,731,099	\$6,636,605	\$29,674,958	\$29,174,958	\$214,104,000	10.000
Q309	PRWC - Test Prod Well #2 West Polk Wellfield	\$1,228,000	\$0	\$834,500	\$0	\$0	\$0	\$4,125,000	NA
Total Brackish Groundwater Projects		\$19,428,795	\$0	\$11,499,839	\$48,121,049	\$71,159,402	\$36,267,588	\$472,806,000	32.500

Table 3-e. Aquifer Storage and Recovery (ASR) and Aquifer Recharge Projects

Project Number	Water Supply Development Assistance - Aquifer Recharge & Aquifer Storage and Recovery Projects (Programmatic Budget 2.2.2.5)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Benefit (mgd)
N435	City of Bradenton Surface Water Aquifer Storage Recovery 2	\$2,350,000	\$0	\$0	\$0	\$0		\$4,700,000	Storage
Q142	Pinellas County Chestnut Park Aquifer Storage, Recovery & Recharge	\$893,500	\$0	\$0	\$ 2,779,875	\$926,625	\$0	\$9,200,000	Storage
	Total Aquifer Recharge/ASR Projects	\$3,243,500	\$0	\$0	\$2,779,875	\$926,625	\$0	\$13,900,000	0.000

Table 3-f. Conservation Projects

Project Number	Water Supply Development Assistance - Conservation Rebates, Retrofits, Etc. Projects (Programmatic Budget 2.2.2.7)	Prior District Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	Total Project Cost	Benefit (mgd)
B015	Water Incentives Supporting Efficient (WISE) Program	Annual Request	\$225,000	\$225,000	\$225,000	\$225,000	\$225,000	Annual Request	0.050
N948	PRWC Indoor Water Conservation Incentives	\$78,000	\$0	\$0	\$0	\$0	\$0	\$156,000	0.092
N971	PRWC Outdoor Best Management Practices	\$96,250	\$0	\$0	\$0	\$0	\$0	\$192,500	0.113
N973	Winter Haven Consumption/Conservation Programs Data Management Software	\$60,000	\$0	\$0	\$0	\$0	\$0	\$120,000	0.016
N996	Lake Hamilton Distribution System Looping	\$124,610	\$0	\$0	\$0	\$0	\$0	\$492,637	0.020
N999	Marion County Toilet Rebate Program Phase 5	\$32,000	\$0	\$0	\$0	\$0	\$0	\$64,000	0.010
P920	Polk Regional Water Cooperative Outdoor BMPs	\$166,075	\$0	\$0	\$0	\$0	\$0	\$332,150	0.053
Q087	Tampa Bay Water Demand Management	\$549,775	\$0	\$0	\$0	\$0	\$0	\$1,099,550	0.280
Q089	St. Petersburg Sensible Sprinkling Project Phase 3	\$50,000	\$0	\$0	\$0	\$0	\$0	\$100,000	0.056
Q137	Citrus County - Water Sense Irrigation Controller Phase 4	\$30,000	\$0	\$0	\$0	\$0	\$0	\$60,000	0.017
Q138	WRWSA - Regional Irrigation System Audit Program Phase 6	\$60,600	\$0	\$0	\$0	\$0	\$0	\$121,200	0.032
Q145	Longboat Key Club - Advanced Irrigation System	\$508,516	\$0	\$0	\$0	\$0	\$0	\$1,115,000	0.095
Q166	Bartow - Golf Course Advanced Irrigation System	\$250,000	\$0	\$0	\$0	\$0	\$0	\$500,000	0.051
Q168	Manatee County - Toilet Retrofit Phase 14	\$82,500	\$0	\$0	\$0	\$0	\$0	\$165,000	0.026
Q179	Venice - Toilet Rebate and Retrofit Phase 8	\$23,900	\$0	\$0	\$0	\$0	\$0	\$47,800	0.005
Q185	North Port - Water Distribution Hartsdale/Aldonin/Totem Area Looping	\$207,500	\$0	\$0	\$0	\$0	\$0	\$415,000	0.017
Q187	PRWC - Demand Management Implementation	\$42,178	\$0	\$0	\$0	\$0	\$0	\$168,710	0.023
Q193	Crystal River - Conservation Phase 1	\$9,090	\$0	\$0	\$0	\$0	\$0	\$18,180	0.005
Q211	Bay Laurel CCDD -2021 Irrigation Controller & ET Sensor	\$48,750	\$0	\$0	\$0	\$0	\$0	\$97,500	0.022
Q214	Palmetto Toilet Rebate Phase 2	\$13,250	\$0	\$0	\$0	\$0	\$0	\$26,500	0.011
Q215	TBW - Demand Management Program Phase 2	\$1,432,238	\$0	\$0	\$0	\$0	\$0	\$2,864,476	0.680
Q245	Pinellas County AMI Metering Analytics	\$139,414	\$0	\$0	\$0	\$0	\$0	\$278,828	0.111

Table 3-f. Conservation Projects (continued)

Project Number	Water Supply Development Assistance - Conservation Rebates, Retrofits, Etc. Projects (Programmatic Budget 2.2.7)	Prior District Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	Total Project Cost	Benefit (mgd)
Q254	Citrus County Water Conservation Program	\$46,600	\$0	\$0	\$0	\$0	\$0	\$93,200	0.017
Q255	Bay Laurel CCDD -Water Conservation Program	\$164,750	\$0	\$0	\$0	\$0	\$0	\$329,500	0.028
Q256	St. Petersburg - Sensible Sprinkling Program - Phase 10	\$50,000	\$0	\$0	\$0	\$0	\$0	\$100,000	0.055
Q259	Tarpon Springs - Water Conservation Program Phase III	\$15,000	\$0	\$0	\$0	\$0	\$0	\$30,000	0.004
Q265	North Port - Water Distribution Ridgewood/Lampighter Area Looping	\$173,950	\$0	\$0	\$0	\$0		\$347,900	0.015
Q266	Polk County - Florida Water Star Builder Reimbursement Program	\$20,000	\$0	\$0	\$0	\$0	\$0	\$40,000	0.005
Q267	PRWC - Demand Management Implementation	\$102,679	\$0	\$0	\$0	\$0	\$0	\$205,358	0.013
P964	Water Use Evals for Non-Ag Users	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000	0.012
Q304	Venice Toilet Rebate and Retrofit Phase 9	\$0	\$16,500	\$0	\$0	\$0	\$0	\$33,000	0.005
Q306	WRWSA Irrigation Eval Program, phase 7	\$0	\$51,000	\$0	\$0	\$0	\$0	\$102,000	0.025
Q311	Bay Laurel CCDD Water Conservation Program phase 2	\$0	\$191,900	\$0	\$0	\$0	\$0	\$383,800	0.028
Q319	Manatee County Toilet Rebate phase 15	\$0	\$50,000	\$0	\$0	\$0	\$0	\$100,000	0.017
Q320	Citrus County Water Conservation Program phase 6	\$0	\$21,350	\$0	\$0	\$0	\$0	\$42,700	0.006
Q322	Tarpon Springs Water Conservation phase 4	\$0	\$15,000	\$0	\$0	\$0	\$0	\$30,000	0.005
Total Conservation Rebates, Retrofits, Etc.		\$4,577,625	\$645,750	\$225,000	\$225,000	\$225,000	\$225,000	\$10,347,489	2.021

Table 3-g. Water Supply Planning Projects

Project Number	Water Supply Planning (Programmatic Budget 1.1.1)	Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
N928	PRWC Peace Creek Integrated Water Supply Plan	\$990,125	\$0	\$0	\$0	\$0	\$0	\$1,980,250	Study
Q257	Sarasota County System-Wide Wellfield Improvements	\$75,000	\$0	\$0	\$0	\$0	\$0	\$150,000	NA
Q324	WRWSA Regional Water Supply Plan 2024 Update	\$0	\$175,000	\$0	\$0	\$0	\$0	\$350,000	NA
Total Planning Projects		\$1,065,125	\$175,000	\$0	\$0	\$0	\$0	\$2,480,250	0.000

Table 3-h. Summary of Funding for Water Supply Development Projects

Water Supply Development Assistance Project Totals (Programmatic Budget 2.2.2 & 1.1.1)		Prior District Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Supply (mgd)
Surface Water Projects		\$4,105,550	\$0	\$11,000,000	\$42,000,000	\$51,000,000	\$43,750,000	\$338,235,100	0.000
Regional Potable Water Interconnect Projects		\$13,976,194	\$9,450,000	\$17,789,997	\$59,974,715	\$81,265,105	\$44,000,000	\$576,129,635	6.000
Reclaimed Water Projects		\$22,510,000	\$5,174,000	\$1,400,000	\$0	\$0	\$0	\$61,283,082	8.114

Brackish Groundwater Development Projects	\$19,428,795	\$0	\$11,499,839	\$48,121,049	\$71,159,402	\$36,267,588	\$472,806,000	32,500
Aquifer Recharge and ASR Projects	\$3,243,500	\$0	\$0	\$2,779,875	\$926,625	\$0	\$13,900,000	0.000
Conservation Rebates, Retrofits, Etc. Projects	\$4,577,625	\$645,750	\$225,000	\$225,000	\$225,000	\$225,000	\$10,347,489	2,021
Water Supply Planning Projects	\$1,065,125	\$175,000	\$0	\$0	\$0	\$0	\$2,480,250	0.000
Total Funding for Water Supply Development Projects	\$68,906,789	\$15,444,750	\$41,914,836	\$153,100,639	\$204,576,132	\$124,242,588	\$1,475,181,556	48,635

Acronyms: ASR - aquifer storage and recovery, BMPs - best management practices, ET - Evapotranspiration, mgd - million gallons per day, NERUSA/NWRUSA - Northeast/Northwest Regional Utility Service Areas of Polk County Utilities, PRMRWSA - Peace River Manasota Regional Water Supply Authority, PRWC - Polk Regional Water Cooperative, WRWSA - Withlacoochee Regional Water Supply Authority,

¹ Project N882's current CFI agreement cost is shown in "Total Project Cost" but the total cost is estimated at approximately \$218 (M) with future phases.

Funding Sources

The District provides significant financial assistance for water resource development and water supply development projects through the District's Cooperative Funding Initiative (CFI), and District Initiatives. The financial assistance is provided primarily to governmental entities, but private entities may also participate in these programs. Portions of state funding are allocated to the District through the DEP and legislative appropriations for the Springs Initiative, the Florida Forever Program, the Water Protection and Sustainability Program, and the District's FARMS Program. These sources are described below.

District Funding

Cooperative Funding Initiative - The District's primary funding mechanism is the CFI, which includes funding for major regional water supply and water resource development projects and localized projects throughout the District's 16-county jurisdiction. The CFI is a matching grant program that enables the Governing Board, through its regional sub-committees, to jointly participate with local governments and other entities to incentivize proper development, use, and protection of the regional water resources of the District. Projects of mutual benefit are generally funded 50 percent by the District and 50 percent by the public or private cooperators. Communities or counties qualifying under the Rural Economic Development Initiative (Section 288.0656, F.S.) may be eligible for greater matching shares. Projects with construction costs exceeding \$5 million will undergo a third-party review to confirm costs, schedules, and ability to meet its resource benefits. Any state and federal funds received for the projects are applied directly against the project costs, with both parties benefitting equally. The District is committed to solving the region's water resource issues through cooperative programs, primarily the CFI which has been in place since 1988. These efforts have been highly successful resulting in a combined investment (District and its cooperators) of approximately \$3.8 billion in incentive-based funding assistance for a variety of water projects addressing its four areas of responsibility: water supply, natural systems, flood protection, and water quality.

District Initiatives – Projects implemented through the District Initiatives program are of great importance or a regional priority and, in most cases, are fully funded by the District. Examples of these initiatives include Water Resource Development projects such as: (1) the Quality of Water Improvement Program (QWIP) to plug deteriorated, free-flowing wells that waste water and cause inter-aquifer contamination; (2) the Utilities Services Group to conserve water by assisting utilities in controlling their water loss; (3) data collection and analysis to support major District initiatives such as the MFLs program; (4) the FARMS program and other various agricultural research projects designed to increase the water-use efficiency of agricultural operations; (5) WRD investigations and MFLs Recovery projects which may not have local cooperators; and (6) the WISE (Water Incentives Supporting Efficiency) program launched in 2019 offers cost-share funding for a wide variety of water conservation projects (50 percent match with a maximum of \$20,000 per project) to non-agricultural entities.

State Funding

DEP Springs Initiative- A new legislative appropriation specific to providing for the protection and restoration of Florida's major springs systems has enabled the DEP to assist local governments in achieving restoration goals through its Springs Initiative program. The District has allocated Springs Initiative funding to implement projects to restore aquatic habitats and reduce groundwater withdrawals and nutrient loading within the first magnitude springsheds, and improve the water quality and quantity of spring discharges. Projects include the reestablishment of aquatic and shoreline vegetation near spring vents, construction of infrastructure necessary to

convey wastewater in a priority focus area of Outstanding Florida Springs, currently treated in septic systems or package plants, to a centralized wastewater treatment facility which may increase reclaimed water production, and implementation of other BMPs within springshed basins. Since FY2014, the District has appropriated approximately \$75.8 million from the DEP for springs restoration. These projects are listed in the Work Program Appendix A - Projects for Implementing BMAPs.

The Florida Forever Program- The Florida Forever Act, as originally passed by the Florida Legislature in 1999, established the 10-year \$3 billion statewide Florida Forever Program. The Program was extended by the Legislature during the 2008 legislative session, allowing the Program to continue for 10 more years at \$300 million annually. The appropriations were limited during the economic recession, and the District hasn't received any new Florida Forever funding since FY2011. Since 1999, the District has allocated \$95 million (\$81.6 million for land acquisition and \$13.4 million for water body restoration) of Florida Forever funding Districtwide in support of water resource development. A "water resource development project" eligible for funding under the Florida Forever program is defined in Section 259.105, F.S., as a project that increases the amount of water available to meet the needs of natural systems and the citizens of the state by enhancing or restoring aquifer recharge, facilitating the capture and storage of excess flows in surface waters, or promoting reuse. Implementation of eligible projects under the Program includes land acquisition, land and water body restoration, aquifer storage and recovery (ASR) facilities, surface water reservoirs, and other capital improvements. Numerous tracts have been acquired in the northern region including Potts and Flying Eagle preserves, Three Sisters Springs, and coastal preserves at Weeki Wachee and Chassahowitzka Rivers. A primary example of how the funds were used by the District for water resource development was the purchase of lands around Lake Hancock within the Peace River watershed, as the first step in restoring minimum flows to the Upper Peace River. In addition, the District Governing Board expended \$35.7 million in ad valorem-based funding to complete the acquisition of lands associated with the Lake Hancock project which were acquired on a voluntary basis and through eminent domain proceedings. The state's Florida Forever Trust Fund (FFTF) holds prior-year funds that are available for potential land acquisitions consistent with the guidance provided by the DEP and subject to DEP approval for release. In FY2022, the District requested the release of the final balance of its prior-year funds held in the FFTF.

Facilitating Agricultural Resource Management Systems (FARMS) Program - The FARMS Program is an agricultural best management practice (BMP) cost-share reimbursement program that involves both water quantity and water quality. This public/private partnership program was developed by the District and the Florida Department of Agriculture and Consumer Services (FDACS) in 2003. The purpose of the FARMS Program is to implement production-scale agricultural BMP projects that will provide water resource benefits including water quality improvement, reduction of Upper Floridan withdrawals, conservation, and restoration or augmentation of the area's water resources and ecology. Since 2003 the District has co-funded \$48.3 million dollars towards \$84.4 million dollars in total project costs for 236 FARMS projects resulting in 31 million gallons per day (mgd) of water resource benefits. Operating under District Governing Board Policy, the FARMS Program utilizes additional state funding when available. Since inception of the program, the District has utilized \$7.3 million in state appropriations and \$1.2 million from the FDACS. No funding has been provided by state appropriations since FY2009.

NRCS Environmental Quality Incentive Program (EQIP) - The EQIP provides technical, educational, and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands. The program assists farmers and ranchers in compliance with federal, state of Florida, and tribal environmental laws that encourage environmental enhancement. In addition to the EQIP, the FARMS Program has partnered with NRCS through the Agriculture Water Enhancement Program and the Florida West Coast Resource Conservation and Development Council to bring additional NRCS cost-share funding to the SWUCA. The District's FARMS Program works cooperatively with these programs on both financial and technical levels and has coordinated dual cost-share projects whenever possible. The maximum funding for using both FARMS and EQIP is 75 percent of the total project cost.

Water Protection and Sustainability Program- Large areas of Florida do not have sufficient traditional water resources to meet the future needs of the state's growing population and the needs of the environment, agriculture, and industry. The state's Water Protection and Sustainability Program Trust Fund (WPSPTF) was created in the 2005 legislative session through Senate Bill 444 to accelerate the development of alternative water sources and later recreated in Chapter 373, F.S., as part of the 2009 legislative session. Legislation focused on encouraging cooperation in the development of alternative water supplies and improving the linkage between local governments' land use plans and water management districts' regional water supply plans. The Program provides matching funds to the District for alternative water supply development assistance. From FY2006 through FY2009, the District was appropriated a total of \$53.75 million by the Legislature through the Program for water supply development projects. Annual WPSPTF appropriations resumed in FY2020 with \$250,000 and another \$450,000 in FY2021 allocated to the District.

Program funds are applied toward a maximum of 20 percent of eligible project construction costs. In addition, the Legislature established a goal for each water management district to annually contribute funding equal to 100 percent of the state funding for alternative water supply development assistance, which the District has exceeded annually. The legislation also requires that a minimum of 80 percent of the WPSPTF funding must be related to projects identified in a district water supply plan. The District's Regional Water Supply Plan (RWSP) is utilized in the identification of the majority of WPSPTF-eligible projects. Projects are evaluated for funding based on consideration of the 14 factors described in Subsections 373.707(8)(f) and (g), F.S., and additional District evaluation factors as appropriate.

Water Supply and Water Resource Development Grant Program- In FY2020 the state appropriated funds in addition to the Water Protection and Sustainability Program to establish a Water Supply and Water Resource Development grant program to maximize the effort of addressing the demands on Florida's water supply to meet the future needs of the state's growing population and the needs of the environment. By identifying and researching all viable alternative water supply resources, the grant program is intended to help communities plan for and implement conservation, reuse, and other water supply and water resource development projects. Projects selected for funding are prioritized by areas of greatest need and greatest benefit, including timeliness of implementation. From FY2020 through FY2023, \$35.7 million has been appropriated to the District by DEP for alternative water supply through this grant program.

Summary/Conclusions

The Work Program presented herein is adequate to ensure water is available to timely meet the water supply needs of existing and future reasonable-beneficial uses for a 1-in-10-year drought event and to avoid the adverse effects of competition for water supplies. Over the next five years, this Work Program outlines the District's commitment to ensure the availability of adequate water supplies for all reasonable-beneficial uses and to maintain the function of natural systems. It additionally illustrates the contributions of the District in support of MFLs and water reservations.

This Work Program outlines activities and projects that will make available 147.9 mgd of water upon completion, including reuse water and new potable supply. These benefits are associated with approximately \$58.2 million budgeted for FY2023. The proposed funding for the 5-year Work Program is approximately \$754 million through FY 2023-27. **Table 4** below summarizes the funding categorized in the Work Program as WRD data collection and analysis activities, WRD Projects, and Water Supply Development Projects.

Table 4. Work Program Summary

WRD Data Collection and Analysis Activities	Sum of Current Year District Funding (FY2023)	Sum of Five-Year District Funding (F2023-27)	Sum of Water Made Available (mgd)
Water Resource Development - Data Collection and Analysis Activities (Table 1)	\$34,284,709	\$126,358,006	NA
Water Resource Development - Projects (Table 2)	\$8,500,000	\$88,819,596	99.34
Water Supply Development - Projects (Table 3-h)	\$15,444,750	\$539,278,945	48.6
Totals	\$58,229,459	\$754,456,547	147.9

At the DEP's guidance, specific project details are provided in spreadsheet format. The DEP will present Work Program project data from each of the water management districts on their website for public review, in accordance with Section 373.536(6)(b), F.S. The detailed spreadsheet includes project schedules, cooperator and state funding levels, and the waterbodies and planning regions supported. The District's proposed Work Program projects spreadsheet is available online at: <https://www.swfwmd.state.fl.us/resources/plans-reports/water-resource-development-work-program>

The WRD and water supply projects set forth a commitment to develop projects associated with the implementation MFLs, recovery/prevention strategies, and water reservations. The majority of projects are located within the SWUCA or NTBWUCA and support their recovery strategies by reducing impacts to the Upper Floridan aquifer. The remaining projects are located in the District's Northern Planning Region, where a proactive, preventative approach is taken to optimize available water resources.

The data collection and analysis activities are a critical part of the WRD component implemented by the District. These activities support the District's MFLs programs. At the beginning of FY2023, the District has established and continues to monitor 203 adopted MFLs and has scheduled the establishment or revaluation of 22 MFLs through FY2025. The District's annual MFLs Priority List and Schedule and Reservations List and Schedule is published in the Consolidated Annual Report, and can also be found on the District's webpage at: <https://www.swfwmd.state.fl.us/projects/mfl/documents-and-reports>

Other data collection and analysis activities include conducting watershed management planning, the QWIP program to preserve water resources through proper well abandonment, and the Implementation of stormwater storage and conveyance BMPs.

Appendix A

District Projects for Implementing Basin Management Action Plans

Basin Management Action Plans (BMAPs) provide technical direction for restoring impaired waters by reducing pollutant loadings to meet the allowable loadings established in a Total Maximum Daily Load (TMDL). In 2016, the Florida Legislature amended Section 373.036, F.S., to require the identification of all specific projects that implement a BMAP or a recovery or prevention strategy in the Work Program. The Work Programs have historically identified water resource development projects that support MFL recovery and prevention but haven't included projects primarily intended to implement BMAPs. Consistent with section 373.036, F.S., and in a manner coordinated with DEP and the five water management Districts, this Appendix A of the Work Program provides a five-year funding outlook for projects specifically identified in an adopted BMAP.

The District budgeted for seven BMAP projects, each benefitting the water quality of first-magnitude springs in the District's northern planning region.

Kings Bay/Crystal River Basin Management Action Plan

- Citrus County Cambridge Greens Septic to Sewer (W432)

Chassahowitzka, Homosassa Springs Basin management Action Plan

- Citrus County Old Homosassa West Septic to Sewer Project (WH04)
- Citrus County Old Homosassa East Septic to Sewer project (Q134)
- Citrus County Old Homosassa Downtown North Septic to Sewer (WH06)

Weeki Wachee Springs Basin Management Action Plan

- Hernando County Weeki Wachee Springshed Nitrogen Removal Stormwater Retrofits (WW05)

Rainbow Springs Basin Management Action Plan

- Marion County Rainbow Springs 5th Replat Stormwater Retrofit (WR10)
- SR 200 Septic to Sewer (WR11)

The projects are categorized under the District's Programmatic Budget activity code 2.3.1 - Surface Water Management. District funding shares are presented in **Table A-1**. Funding awarded from the DEP is reflected in the funding columns. Additional funding from the local cooperator shares, including state appropriations are reflected under the total project cost. Consistent with the District's CFI policy, projects with construction costs exceeding \$5 million will undergo a third-party review (TPR) at the 30 percent design stage to confirm costs, schedules, and resource benefits. Project details are available in the Work Program BMAP spreadsheet available online at:

<https://www.swfwmd.state.fl.us/resources/plans-reports/water-resource-development-work-program>

Table A-1. Projects for Implementing BMAPs.

BMAPs Projects	Prior Funding	FY2023 Funding	FY2024 Funding	FY2025 Funding	FY2026 Funding	FY2027 Funding	Total Project Cost	Funding Sources
Citrus County Cambridge Greens Septic to Sewer (W432)	\$7,200,500	\$0	\$0	\$0	\$0	\$0	\$10,243,000	District, DEP, Citrus County, State
Citrus County Old Homosassa West Septic to Sewer Project (WH04)	\$8,950,800	\$0	\$0	\$0	\$0	\$0	\$10,333,000	District, DEP, Citrus County, State
Citrus County Old Homosassa East Septic to Sewer Project (Q134)	\$14,440,000	\$0	\$0	\$0	\$0	\$0	\$18,190,000	District, DEP, Citrus County, State
Marion County Rainbow Springs 5 th Replat Stormwater Retrofit (WR10)	\$424,047	\$0	\$0	\$0	\$0	\$0	\$848,094	District, County
Hernando County Weeki Wachee Springshed Nitrogen Removal Stormwater Retrofits (WW05)	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$2,000,000	District, County
Citrus County Old Homosassa Downtown North Septic to Sewer (WH06)	\$750,000	\$0	\$0	\$0	\$0	\$0	\$14,111,000	District, DEP, Citrus County, State
SR 200 Septic to Sewer (WR11)	\$472,386	\$0	\$0	\$0	\$0	\$0	\$588,306	District, DEP, Marion County
Totals	\$33,237,733	\$0	\$0	\$0	\$0	\$0	\$56,313,400	

CONSENT AGENDA

September 20, 2022

Operations, Lands and Resource Monitoring Committee: Approval of Land Management Plan Updates for Chito Branch Reserve, Deep Creek Preserve, Edward Chance Reserve, Little Manatee River Southfork Tract, and Potts Preserve

Purpose

The purpose of this item is to request Governing Board approval of the land management plan updates (Plan Updates) for the following District-owned conservation lands: Chito Branch Reserve, Deep Creek Preserve, Edward Chance Reserve, Little Manatee River Southfork Tract, and Potts Preserve. The Plan Updates were provided to the Governing Board prior to the regular August Governing Board meeting, and an overview presentation on the Plan Updates was given by the Land Management Manager at the August Governing Board meeting.

Background/History

The District has a Governing Board Policy (Policy) titled Land Use and Management that directs that lands acquired for, or designated for, conservation purposes have management plans that link the uses and management strategies to the protection of key water resources and natural systems attributes for which they were acquired, when it is practical and necessary. Additionally, the District has an Executive Director Procedure titled Land Use and Management Planning (Procedure) that supports the Policy and also directs that lands acquired for, or designated for, conservation purposes have a comprehensive management strategy set forth when it is practical and necessary.

As part of the process to complete the Plan Updates, staff solicited and received public comments as to the Plan Updates via a public workshop held on July 26, 2022, as well as through an online interface on the District's website where the public could submit comments electronically. Those public comments were provided as part of the August Governing Board Book.

Staff Recommendation:

Approve the Plan Updates for Chito Branch Reserve, Deep Creek Preserve, Edward Chance Reserve, Little Manatee River Southfork Tract, and Potts Preserve.

Presenter:

Chris Reed, Manager, Land Management Section

CONSENT AGENDA

September 20, 2022

Operations, Lands and Resource Monitoring Committee: Renewal of Lease Agreement with Clear Channel Outdoor, LLC. for Operation and Maintenance of a Billboard on District Lands, SWF Parcel No. 15-228-134X

Purpose

The purpose of this item is to recommend the Governing Board approve the renewal of a lease agreement (Exhibit 1) with Clear Channel Outdoor, LLC for the operation and maintenance of a billboard on the District's Annutteliga Hammock Project lands. A general location and site map are included as Exhibits 2 and 3 to this item.

Background/History

The District has acquired numerous properties in western Hernando County associated with the Annutteliga Hammock Project. One parcel was acquired subject to an existing billboard lease between the previous owner and Clear Channel Communications which the District assumed. This billboard has two panels, one northbound and one southbound. Upon the expiration of this lease, the District and Clear Channel Outdoor, LLC entered into a new lease agreement dated September 13, 2012, for a term of ten (10) years which has now expired. Clear Channel Outdoor, LLC has requested a renewal of the lease agreement for another term.

The expired lease provided a minimum payment of \$1,200 per year or 20 percent of income received from the sales of advertising space, whichever is greater.

The approval of this item will allow the District to enter into a new lease agreement with Clear Channel Outdoor, LLC which will provide a revenue generating opportunity for the District. The new lease will generate a minimum of \$1,200 annually or 20 percent per year of annual income received from the sales of advertising space whichever is greater. The term of the lease will be for ten (10) years, at which time the terms and conditions of any subsequent lease may be renegotiated.

Benefits/Costs

The approval of this lease will provide a revenue generating opportunity for the District. The District will incur no costs associated with this lease.

Staff Recommendation:

Approve the lease agreement with Clear Channel Outdoor, LLC for the operation and maintenance of a billboard on District lands, SWF Parcel 15-228-1341X.

Presenter:

Ellen Morrison, Bureau Chief, Land Resources

Exhibit 1

LEASE AGREEMENT BETWEEN THE SOUTHWEST
FLORIDA WATER MANAGEMENT DISTRICT AND
CLEAR CHANNEL OUTDOOR, LLC

This Lease Agreement entered into this _____ day of _____, 2022, by and between the Southwest Florida Water Management District, a public corporation having an address of 2379 Broad Street, Brooksville, Florida 34604, hereinafter referred to as the "District" and Clear Channel Outdoor, LLC, a Delaware limited liability corporation having an address of 731 SW 37th Avenue, Ocala, Florida 34474, hereinafter referred to as the "Lessee".

WHEREAS, the District owns certain real property located in Hernando County, Florida more specifically described as Parcel ID R01 221 17 3320 0112 0210 and located at the east side of U.S. Highway 19 approximately 3.7 miles south of U.S. Highway 98 (the "Property"); and

WHEREAS, Lessee wishes to lease a portion of the Property for the purpose of operating and maintaining existing outdoor advertising structures.

NOW THEREFORE, the District and the Lessee hereby agree, in consideration of the terms contained herein, to execute a Lease of the Property, subject to the following terms and conditions:

1. The Property subject to this Lease is located in Hernando County, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

2. The Property is leased for the purpose of maintaining, operating, improving, posting, painting, illuminating, repairing, and removing outdoor advertising structures, including without limitation, fixture connection, electrical supply and connections, panels, signs, copy and any equipment and accessories as Lessee may place thereon (collectively, the "Structures"). This Lease includes all necessary rights of ingress and egress.

3. This Lease shall be in effect for a term of ten (10) years, commencing on the date first written above.

4. Upon the commencement date above, rent shall commence at the rate of One Thousand Two Hundred Dollars (\$1,200.00) per year payable annually in advance or 20% of income received from the sales of advertising space on this structure, whichever is greater as calculated and paid if any amount is due, annually in arrears. Lessee shall provide the District with an annual accounting showing the income received from the sales of advertising space on the Structures, each year on the anniversary of the commencement date of this Lease.

5. At anytime during the term of this Lease, either the Lessee or the District may request in writing to the other party that the Structures or outdoor advertising medium be modified to a public information system as described in Section 373.618 Florida Statutes. If the Structures or the outdoor advertising medium are to be modified to a public information system during the term of this Lease, the rental amount and terms of this Lease shall be renegotiated to reflect that modification. If the Lessee and the District are unable to reach an agreement regarding modifications to the rental amount and terms of this Lease, within ninety (90) days of the written

request by either party, the District shall have the right to terminate this Lease upon thirty (30) days written notice to Lessee. If the District chooses not to terminate this Lease pursuant to this paragraph, then the Structures or outdoor advertising medium shall not be modified, and all terms and conditions of this Lease shall remain in effect.

6. If ownership of the Property changes, the District shall promptly notify Lessee of such change. Prior to transferring ownership of the Property, the District shall furnish the new owner with a copy of this Lease.

7. Lessee is the owner of the Structures and has the right to remove the Structures at any time or within sixty (60) days following the termination of this Lease. If for any reason, the Structures are removed, materially damaged, or destroyed, all rent payments shall cease, and this Lease shall terminate. Lessee has the sole right to make any necessary applications with, and obtain permits from, governmental entities for the construction, use and maintenance of the Structures. All such permits shall remain the property of Lessee. Lessee shall have no obligation to pursue any zoning matter or to continue to maintain any permit. Any such action shall be Lessee's option.

8. The District, its agents, employees, or other persons acting on the District's behalf, shall not place or maintain any object on the Property or any neighboring property owned or controlled by the District which would obstruct the view of the advertising copy on the Structures. If the District fails to remove the obstruction within thirty (30) days after notice from Lessee, Lessee may in its sole discretion cancel this Lease, remove any or all of the Structures, and receive a prorated share of any pre-paid rent calculated from the first day of the first month following the date upon which the last of the Structures are removed from the Property through the remaining term of this Lease. Lessee may trim any trees and vegetation currently on the Property and on any neighboring property owned or controlled by the District, to prevent obstructions, with prior written approval from the District.

9. If: (a) electrical service is unavailable; (b) the Property cannot safely be used for the erection or maintenance of the Structures for any reason; (c) Lessee is unable to obtain or maintain any necessary permit for the erection, use and/or maintenance of the Structures; or (d) the Structures' use is prevented or restricted by law, or Lessee is required by any governmental entity to reduce the number of billboards operated by it in the city, county or state in which the Structures are located; then Lessee may immediately, at its option, cancel this Lease and receive a prorated share of any pre-paid rent calculated from the first day of the first month following the date upon which the last of the Structures are removed from the Property through the remaining term of this Lease.

10. If the Structures or the Property, or any part thereof, are condemned by proper authorities, whether permanently or temporarily, Lessee shall have the right to terminate this Lease upon not less than thirty (30) days' notice and to receive a prorated share of any pre-paid rent calculated from the first day of the first month following the date upon which the last of the Structures are removed from the Property through the remaining term of this Lease.

11. If: (a) the view of the Structures' advertising copy becomes entirely or partially obstructed; (b) there is a diversion, reduction or change in directional flow of traffic from the street or streets currently adjacent to or leading to or past the Property; or (c) the Structures' value for advertising purposes is diminished, the Lessee may request in writing that the Lease be terminated. If the District agrees to terminate the Lease pursuant to this paragraph, the Lessee

shall pay a termination fee equal to the greater of \$300 or 25% of the rent payable for the year in which the Lease is terminated.

12. The District is the fee owner of the Property and has the authority to enter into this Lease. Nothing herein will be construed to grant Lessee any right, title or interest to the Property except as expressly provided in this Lease. Lessee will not do or permit anything to be done which purports to create a lien or encumbrance of any nature against the Property, including but not limited to, mortgages or construction liens against the Property or against any interest of the District.

13. The District assumes no liability or obligation to Lessee as to the condition of the Property. The Property is leased in an "as is" condition, and the District assumes no responsibility for the care, repair, maintenance or improvement of the Property for the benefit of Lessee.

14. Lessee agrees to defend, indemnify and hold harmless the District, its agents, employees and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorney's fees and costs and attorney fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by Lessee, its agents, employees, assigns, or anyone for whose acts or omissions Lessee may be liable, as a result of Lessee's rights under this Lease. This provision shall survive the termination of this Lease.

15. The Lessee may not assign this Lease, or any interest herein, without the prior written consent of the District. Neither this Lease nor any interest of the Lessee herein, is assignable or transferable in proceedings by or against the Lessee in execution, bankruptcy, or insolvency, or in any other manner by operation of law. Any assignment or change of control made either in whole or in part without the prior written consent of the District shall be void and without legal effect. Any purported assignment or change of control in violation of this Paragraph will constitute a breach of this Lease for which the District may immediately terminate this Lease.

16. Lessee will not sublease the Property unless the Lessee obtains prior written approval of the terms and conditions of the sublease from the District. Any sublease not approved in writing by the District will be void and without legal effect. Any purported sublease in violation of this Paragraph will constitute a breach of this Lease for which the District may immediately terminate this Lease. The District's consent to a particular sublease does not constitute a waiver of the right to withhold consent to subsequent subleases.

17. Any and all notices, requests or other communications relating to this Lease, or the performance of the parties hereto will be deemed to have been duly given if in writing and if transmitted by hand delivery with receipt therefore, or by registered mail posted prior to the expiration date for such notice, return receipt requested and first-class postage prepaid as follows:

TO LESSEE:	Clear Channel Outdoor, LLC 731 SW 37 th Avenue Ocala, FL 34474 Attn: Real Estate Manager Ocala/Gainesville/Gulf Coast Division
------------	---

TO DISTRICT: Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899
Attn: Land Resources Bureau
Telephone: (352) 796-7211

18. Neither the District nor Lessee shall be bound by any terms, conditions or oral representations that are not set forth in this Lease. This Lease represents the entire agreement of Lessee and the District with respect to the Structures and the Property and supersedes any previous agreement.

19. Should Lessee breach any of the covenants, terms or conditions of this Lease, the District will give Lessee written notice to remedy such breach within thirty (30) days of such notice. In the event Lessee fails to remedy the breach to the satisfaction of the District within thirty (30) days, the District may immediately terminate this Lease and recover from Lessee all damages the District may incur by reason of the breach including, but not limited to, the cost of recovering the Leased Premises, attorneys' fees and costs. Either party may terminate this Lease upon the other party's failure to comply with any term or condition of this Lease, as long as the terminating party is not in default of any term or condition of this Lease. To initiate termination, the terminating party must provide the defaulting party with a written "Notice of Termination" stating its intent to terminate and describing all terms and conditions with which defaulting party has failed to comply. If the defaulting party has not remedied its default within thirty (30) days after receiving the Notice of Termination, this Lease will automatically terminate.

20. If any term, covenant, condition or provision of this Lease will be ruled by a court of competent jurisdiction, to be invalid, void, or unenforceable, the remainder will remain in full force and effect and will in no way be affected, impaired or invalidated.

21. The District, its agents, successors or assigns, shall retain the right to enter upon the Property at such times and places as the District may deem necessary for the purposes of inspecting the Property, constructing rights-of-way, roads and other works for purpose of travel, canals, ditches, any and all matters pertaining to water management activities and acceptable land management practices, including, but not limited to prescribed burning practices which are reasonably necessary and proper for the District to perform its duties and obligations under the Law of the State of Florida, subject to obtaining all lawful permits or consent therefore.

22. This Lease shall be governed by and interpreted according to the laws of the State of Florida, with venue in Hernando County.

23. In the event that any lawsuit is filed in relation to this Lease, each party agrees to bear its own attorney fees and costs. This provision does not constitute a waiver of the District's sovereign immunity or extend the District's liability beyond the limits established in Section 768.28, F.S.

24. This Lease may not be recorded but may be filed with the Clerk of the Circuit Court of Hernando County, Florida.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed by their duly authorized officers or agents on the day and year first above written.

Witness:

CLEAR CHANNEL OUTDOOR, LLC,
A Delaware limited liability corporation

By: _____

Print Name: _____

Title: _____

Attest:

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: _____

Print Name: _____

Title: _____

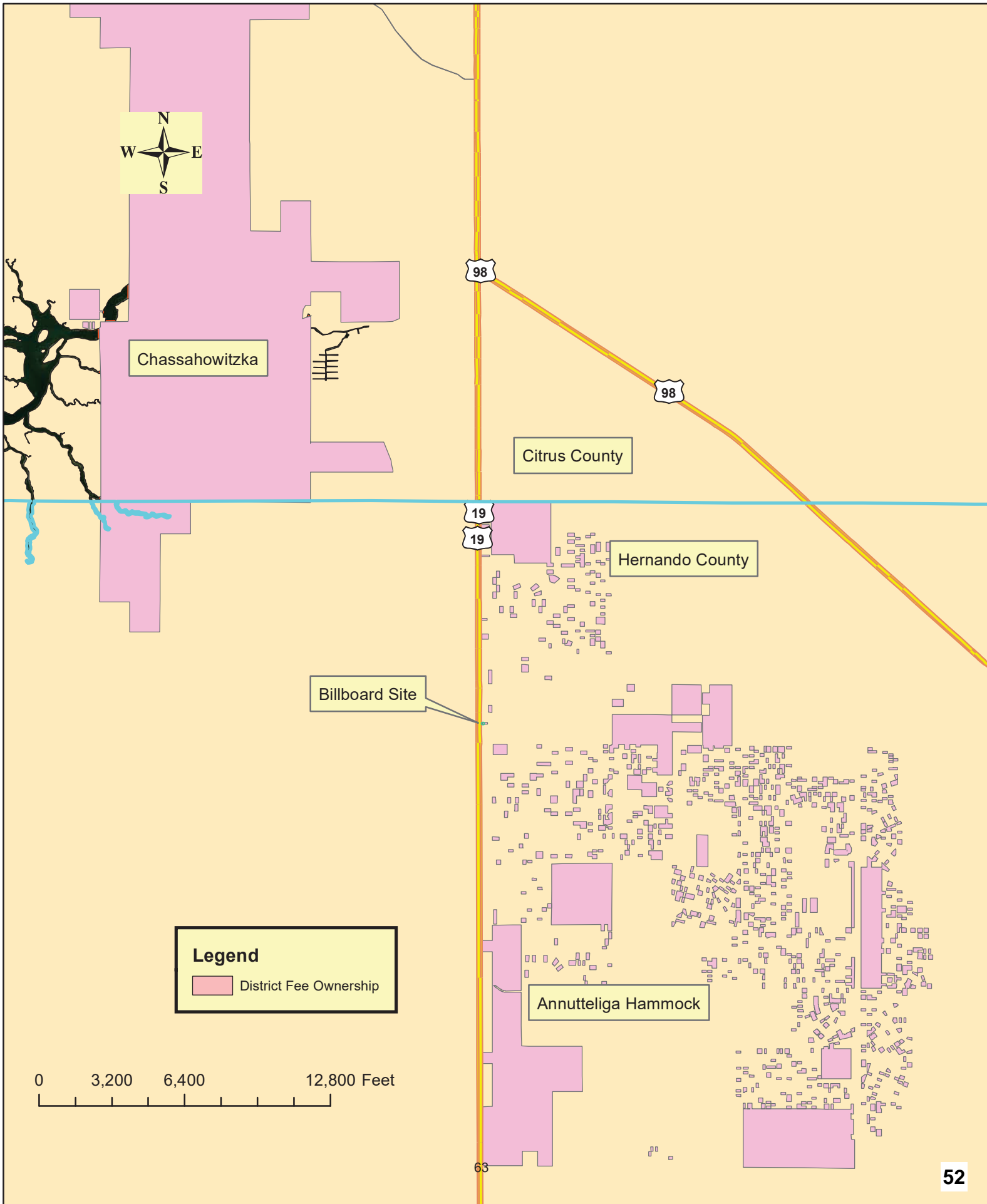
EXHIBIT A – LEGAL DESCRIPTION

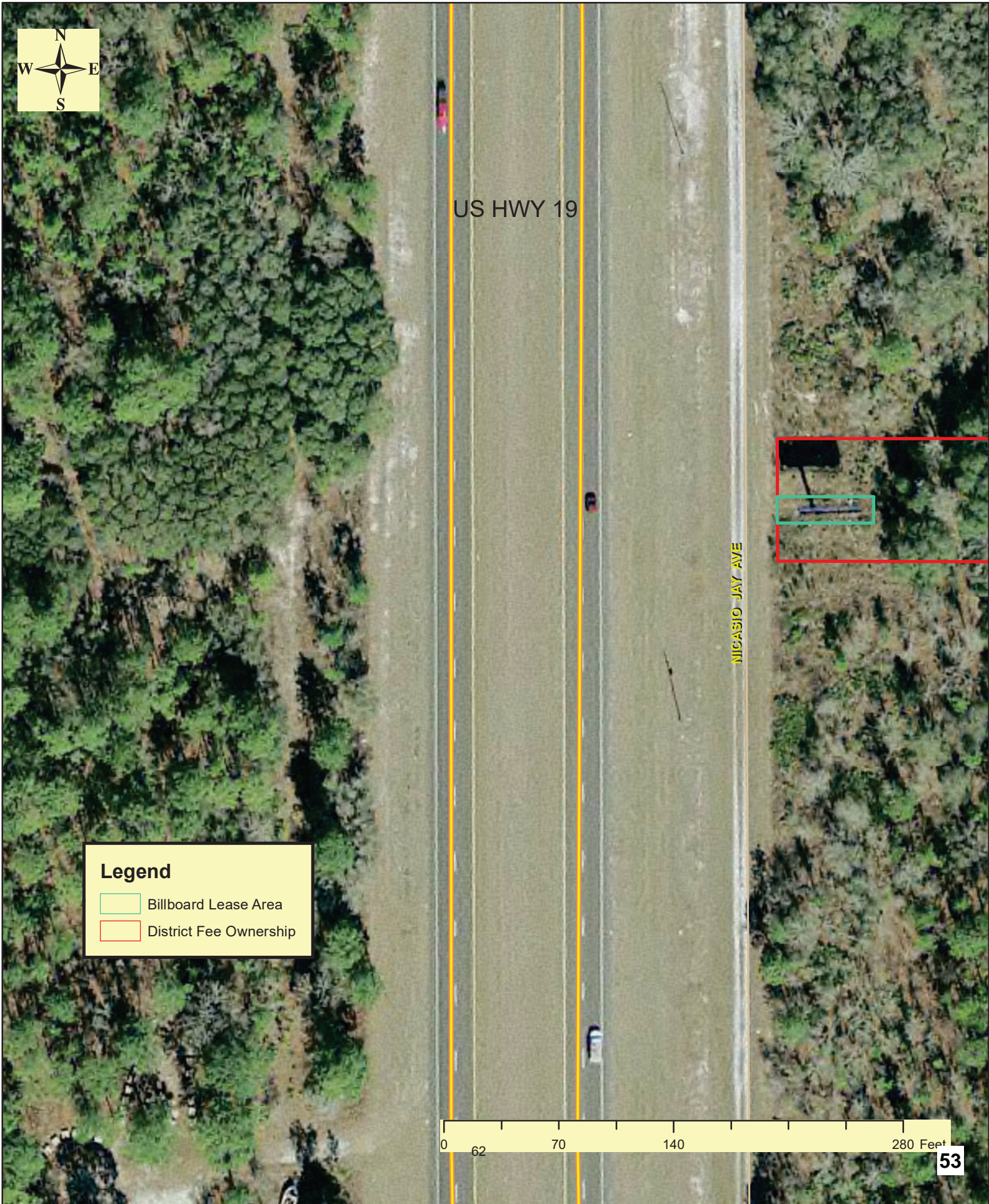
Lot 21, Block 112, Royal Highlands Unit No. 3-B, according to the Plat thereof as recorded in Plat Book 12, Page 60-61, Public Records of Hernando County, Florida.

Parcel ID: R01 221 17 3320 0112 0210, Hernando County, Florida.

COPY

Clear Channel Billboard Lease SWF Parcel No. 15-228-1341X





CONSENT AGENDA

September 20, 2022

Regulation Committee: Water Use Permit No. 20 020745.001, Stillwater Preserve Development, LLC / Streamsong WUP (Polk County)

This is a modification of a water use permit for landscape/recreational use for the conversion of a former mined area to golf course landscaping acreage. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 1,062,700 gallons per day (gpd) to 1,201,700 gpd, an increase in the drought annual average quantity from 1,305,100 gpd to 1,474,000 gpd, and an increase in the peak month quantity from 2,442,500 gpd to 2,731,100 gpd. The annual average quantity increase of 139,000 gpd, drought annual average quantity increase of 168,900 gpd and peak month quantity increase of 288,600 gpd are due to an increase in irrigated acreage from 318 acres to 353 acres of golf course acreage. This permit is located within both the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) area and relies exclusively on sources of alternative water supply (AWS), including surface water and reclaimed water, for the irrigation component.

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 020745.001**

PERMIT ISSUE DATE: September 20, 2022

EXPIRATION DATE: May 19, 2038

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: Stillwater Preserve Development, LLC/Attn: T. Sunnarborg
13830 Circa Crossing Drive
Lithia, FL 33547

PROJECT NAME: Streamsong WUP

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

COUNTY: Polk

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

ANNUAL AVERAGE	1,201,700 gpd
PEAK MONTH ¹	2,731,100 gpd
DROUGHT ANNUAL AVERAGE ²	1,474,000 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.

ABSTRACT:

This is a modification of a water use permit for landscape/recreational use. The authorized quantities have changed from the previous permit. This permit authorizes an increase in the annual average quantity from 1,062,700 gallons per day (gpd) to 1,201,700 gpd, an increase in the drought annual average quantity from 1,305,100 gpd to 1,474,000 gpd, and an increase in the peak month quantity from 2,442,500 gpd to 2,731,100 gpd. The annual average quantity increase of 139,000 gpd, the drought annual average quantity increase of 168,900 gpd and the peak month quantity increase of 288,600 gpd are due to an increase in irrigated acreage from 318 acres to 353 acres of golf course that exclusively utilize surface water from an existing mining lake. These quantities were previously established based on site-specific information provided by the Permittee. This permit is located within both the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) area, and relies exclusively on sources of alternative water supply (AWS), including surface water and reclaimed water, for the irrigation component.

Special Conditions include those that require the Permittee to report pumpage, implement water conservation and best management practices, provide an update to the Water Conservation Plan by permit midterm (May 1, 2028), comply with irrigation allotments, submit annual golf course reports, comply with the SWUCA Recovery Strategy, modify the permit to reflect incorporation of any new AWS, use surface water as the primary source of water, install and maintain backflow prevention devices, to comply with the stated limits on groundwater augmentation of irrigation lakes, to comply with the prohibition on augmentation for aesthetic purposes, adhere to specific well construction stipulations, and cap any wells not in use.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>
Landscape/Recreation	1,201,700	2,731,100	1,474,000

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>
Golf Course	128.00	Sprinkler Over Plant	36.30"/yr.	45.94"/yr.
Golf Course	34.98	Sprinkler Over Plant	53.40"/yr.	64.91"/yr.
Golf Course	190.00	Sprinkler Over Plant	35.50"/yr.	45.99"/yr.
Lawn & Landscape	6.00	Sprinkler Over Plant	32.40"/yr.	36.30"/yr.
Lawn & Landscape	16.00	Sprinkler Over Plant	30.30"/yr.	34.61"/yr.
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

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

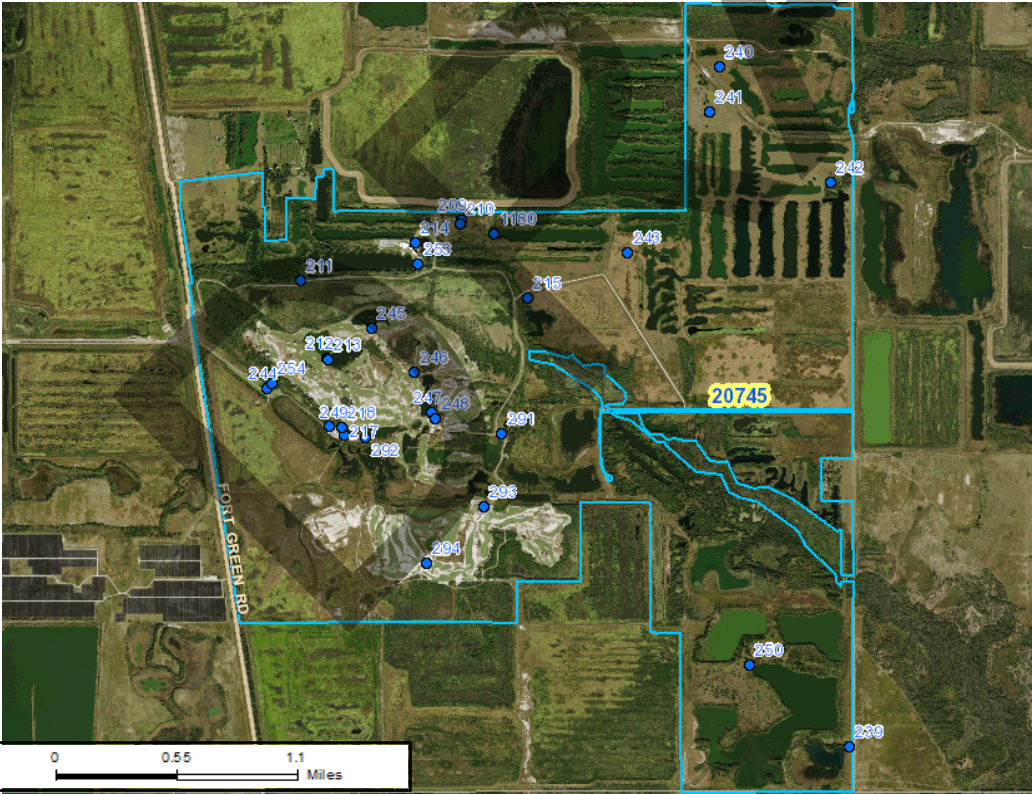
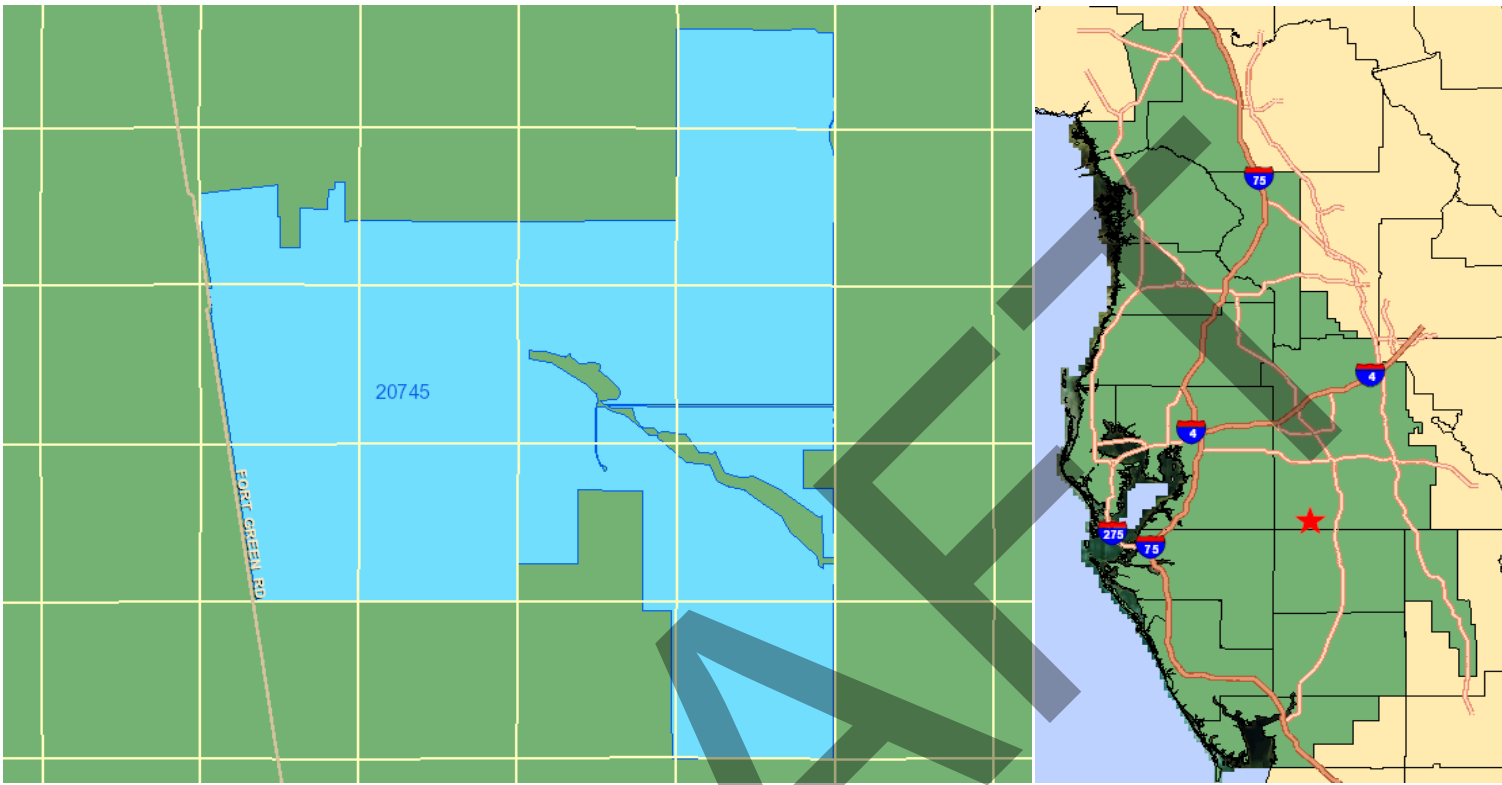
<u>I.D. NO.</u> <u>PERMITTEE/</u> <u>DISTRICT</u>	<u>DIAM</u> <u>(in.)</u>	<u>DEPTH</u> <u>TTL./CSD.FT.</u> <u>(feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE</u> <u>(gpd)</u>	<u>PEAK</u> <u>MONTH</u> <u>(gpd)</u>
SS PWS 1 / 209	12	850 / 400	Personal Sanitary	64,400	92,700
SS PWS 2 / 210	8	650 / 400	Personal Sanitary	64,400	92,700
SS ENT LS / 211	5	330 / 230	Irrigation	2,300	6,700
SS GC N Aug / 212 Standby	12	950 / 450	Augmentation	254,500	615,300
SS GC N Lake / 213	10	N/A / N/A	Re-Pump	451,000	1,091,400
SS Resort LS / 214	6	1,000 / 345	Irrigation	31,500	93,700
SS Corridor LS / 215	5	330 / 230	Irrigation	2,300	6,700
SS GC S Aug / 217	12	950 / 450	Augmentation	851,900	2,065,700
SS GC S Lake / 218	10	N/A / N/A	Re-Pump	451,000	1,091,400
SS Shooting Spo / 239	5	330 / 260	Personal Sanitary	6,000	8,400
SS Duck Hunting / 240	5	360 / 260	Personal Sanitary	1,500	2,100
SS Dog Kennel / 241	5	340 / 255	Personal Sanitary	1,500	2,100
SS Fish Camp / 242	5	350 / 235	Personal Sanitary	1,500	2,100
SS Horse Stable / 243	5	345 / 235	Personal Sanitary	5,000	7,000
SS WWTP / 244	5	340 / 256	Personal Sanitary	1,500	2,100
SS B12T Restroo / 245	5	335 / 225	Personal Sanitary	1,500	2,100
SS B8T Restroom / 246	5	345 / 235	Personal Sanitary	1,500	2,100
SS CHouse LS La / 247	4	N/A / N/A	Re-Pump	9,600	26,800
SS CHouse LS Au / 248	5	360 / 240	Augmentation	9,600	26,800
SS Golf Maint F / 249	4	140 / 57	Personal Sanitary	8,500	11,900
SS Water Sports / 250	5	355 / 240	Personal Sanitary	1,500	2,100
SS Resort LS La / 253	3	N/A / N/A	Re-Pump	30,800	93,600
SS WWTP Effluen / 254		N/A / N/A	Re-Use	99,000	99,000
SS GC-3 Aug / 291 Standby	12	950 / 450	Augmentation	342,900	835,100

SS GC-3 Lake / 292	10	N/A / N/A	Re-Pump	607,700	1,470,500
SS CHouse-3 / 293	5	360 / 240	Irrigation	4,800	13,400
SS RR-3 PS / 294	5	360 / 260	Personal Sanitary	1,500	2,100
10-28 / 1180		N/A / N/A	Irrigation	139,000	288,600

WITHDRAWAL POINT LOCATION TABLE**DISTRICT I.D. NO.****LATITUDE/LONGITUDE**

209	27° 41' 43.06"/81° 55' 46.62"
210	27° 41' 42.07"/81° 55' 46.94"
211	27° 41' 24.38"/81° 56' 42.80"
212	27° 41' 00.57"/81° 56' 33.84"
213	27° 41' 00.01"/81° 56' 33.27"
214	27° 41' 36.00"/81° 56' 02.92"
215	27° 41' 18.99"/81° 55' 23.60"
217	27° 40' 36.73"/81° 56' 27.68"
218	27° 40' 39.02"/81° 56' 28.42"
239	27° 39' 00.58"/81° 53' 31.22"
240	27° 42' 30.32"/81° 54' 16.52"
241	27° 42' 16.43"/81° 54' 19.81"
242	27° 41' 54.57"/81° 53' 37.54"
243	27° 41' 33.12"/81° 54' 48.49"
244	27° 40' 51.22"/81° 56' 54.89"
245	27° 41' 09.73"/81° 56' 18.08"
246	27° 40' 56.08"/81° 56' 03.08"
247	27° 40' 43.88"/81° 55' 57.23"
248	27° 40' 41.99"/81° 55' 55.69"
249	27° 40' 39.33"/81° 56' 32.96"
250	27° 39' 25.82"/81° 54' 06.28"
253	27° 41' 29.59"/81° 56' 01.74"
254	27° 40' 52.82"/81° 56' 53.14"
291	27° 40' 37.20"/81° 55' 32.54"
292	27° 40' 36.05"/81° 56' 20.05"
293	27° 40' 14.60"/81° 55' 39.05"
294	27° 39' 57.17"/81° 55' 58.85"
1180	27° 41' 38.95"/81° 55' 35.20"

Location Map
Stillwater Preserve Development, LLC/Attn: T. Sunnarborg
WUP No. 20 020745.001



Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

POLK 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 develop and maintain an Annual Conservation Goal Implementation Plan (ACGIP) pursuant to section 2.7 of the CFWI Supplemental Applicant's Handbook for Consumptive Use Permitting. The ACGIP shall outline conservation goals for no less than 5 years. Agricultural permittees implementing BMPs in lieu of an ACGIP must maintain documentation supporting the enrollment and implementation of selected BMPs. The permittee shall submit the ACGIP upon request by the District, during a 10-year compliance report, and with an application for permit renewal or modification except for a public water supply permittee with an annual average daily quantity of 100,000 gpd or greater and whose commercial use equals or exceeds 30 percent of its total water use, shall report its progress toward achieving the conservation goals within the ACGIP annually.(92)
3. The annual average, drought annual average, and peak month quantities for District ID Nos. 212, 217 and 291, Permittee ID Nos. SS GC N Aug, SS GC S Aug and SS GC-3 Aug, shown in the withdrawal point quantity table are not intended to dictate the distribution of pumpage from these permitted sources. The Permittee may make adjustments in pumpage distribution as necessary so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average, total drought annual average, and total peak month withdrawal for DID Nos. 212, 217 and 291 combined are limited to 851,900 gpd; 1,087,900 gpd; and 2,065,700 gpd, respectively.(221)
4. 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 No. 211, Permittee ID No. SS Ent LS, having a surface diameter of 5 inches, with a minimum casing depth of 230 feet, drilled to a maximum total depth of 330 feet.

District ID No. 215, Permittee ID No. SS Corridor LS, having a surface diameter of 5 inches, with a minimum casing depth of 230 feet, drilled to a maximum total depth of 330 feet.

District ID No. 239, Permittee ID No. SS Shooting Sports, having a surface diameter of 5 inches, with a minimum casing depth of 260 feet, drilled to a maximum total depth of 330 feet.

District ID No. 240, Permittee ID No. SS Duck Hunting, having a surface diameter of 5 inches, with a minimum casing depth of 260 feet, drilled to a maximum total depth of 360 feet.

District ID No. 241, Permittee ID No. SS Dog Kennel, having a surface diameter of 5 inches, with a minimum casing depth of 255 feet, drilled to a maximum total depth of 340 feet.

District ID No. 242, Permittee ID No. SS Fish Camp, having a surface diameter of 5 inches, with a minimum casing depth of 235 feet, drilled to a maximum total depth of 350 feet.

District ID No. 243, Permittee ID No. SS Horse Stables, having a surface diameter of 5 inches, with a minimum casing depth of 235 feet, drilled to a maximum total depth of 345 feet.

District ID No. 245, Permittee ID No. SS B12T Restroom, having a surface diameter of 5 inches, with a minimum casing depth of 225 feet, drilled to a maximum total depth of 335 feet.

District ID No. 246, Permittee ID No. SS B8T Restroom, having a surface diameter of 5 inches, with a minimum casing depth of 235 feet, drilled to a maximum total depth of 345 feet.

District ID No. 248, Permittee ID No. SS Club House, having a surface diameter of 5 inches, with a minimum casing depth of 240 feet, drilled to a maximum total depth of 360 feet.

District ID No. 293, Permittee ID No. SS CHouse-3, having a surface diameter of 5 inches, with a minimum casing depth of 240 feet, drilled to a maximum total depth of 360 feet.
(223)

5. 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. 214, Permittee ID No. SS Resort LS, having a surface diameter of 8 inches, with a minimum casing depth of 345 feet.

District ID No. 291, Permittee ID No. SS GC-3 Aug, having a surface diameter of 12 inches, with a minimum casing depth of 450 feet.
(240)

6. 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)
7. 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)

8. 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)
9. Upon construction of the withdrawal facilities and prior to augmentation of an irrigation lake, the Permittee shall install a backflow prevention system on District ID Nos. 212, 217, 248 and 291, Permittee ID Nos. SS GC-N Aug, SS GC-S Aug, SS CHouse LS Aug, and SS GC-3 Aug. (315)
10. 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)
11. 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)
12. 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)
13. The Permittee shall immediately implement the District-approved water conservation plan dated July 15, 2022 that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted at permit midterm, by May 1, 2028. (449)
14. 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. 213, 214, 218, 253, 292 and 1180, Permittee ID Nos. SS GC N Lake, SS Resort LS, SS GC S Lake, SS Resort LS Lake, SS GC-3 Lake, and 10-28:
 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)
15. The total withdrawal from District ID No. 248, Permittee ID No. SS CHouse LS Aug, for lake augmentation shall not exceed the total withdrawal from District ID No. 247, Permittee ID No. SS CHouse LS Lake, from the water body for irrigation during any month.(546)
16. 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)

17. 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)
18. 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)
19. 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)
20. 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)
21. 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)
22. 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)
23. 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. 254, Permittee ID No. SS WWTP Effluent. 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)
24. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 214, 253, 291 and 1180, Permittee ID Nos. SS Resort LS, SS Resort LS Lake, SS GC-3 Aug, and 10-28. 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)
25. 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. 209, 210, 212, 213, 217, 218 and 292, Permittee ID Nos. SS PWS 1, SS PWS 2, SS GC N Aug, SS GC N Lake, SS GC S Aug, SS GC S Lake, and SS GC 3 Lake. 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.

CONSENT AGENDA

September 20, 2022

General Counsel's Report: Authorization to Issue Administrative Complaint and Order – Permit Violations – Chicken Dinner, LLC – ERP No. 43043526.000 – CT No. 417150 – Hillsborough County

On February 7, 2019, the District issued Environmental Resource Permit Number 43043526.000 (Permit) to Chicken Dinner, LLC (Permittee), authorizing the construction of a new stormwater management system and wetland mitigation area to serve a commercial development located at 11914 North Dale Mabry Highway in Tampa, Florida (Property).

On May 15, 2020, District staff conducted an inspection at the Property and determined that construction of the new stormwater management system was complete. Following the site inspection, District staff issued several letters to Permittee advising that an As-Built Certification and Request for Conversion to Operation Phase must be submitted to the District. When Permittee failed to submit the required information, the matter was forwarded to the District's Office of General Counsel which issued a Notice of Violation on February 2, 2021. The District received from Permittee the required As-Built Certification and Request for Conversion to Operation Phase form along with an as-built survey on August 24, 2021.

After reviewing the as-built survey, District staff issued several letters to Permittee advising that there were both administrative and technical deviations from the Permit that needed to be corrected. Specifically, Permittee had divided and sold the Property without notifying the District. District staff further identified several technical deviations from the permitted plans with regard to the stormwater management system, and noted that the required wetland mitigation area was never constructed.

On August 10, 2022, the District issued a Notice of Violation and Proposed Consent Order advising Permittee of the outstanding violations. To date, Permittee has not contacted the District regarding the violations, and the Property remains in noncompliance.

Staff Recommendation:

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

Presenter:

Megan Albrecht, Senior Attorney, Office of General Counsel

CONSENT AGENDA

September 20, 2022

General Counsel's Report: Knowledge Management: Governing Board Policy Update – Legal Counsel Roles, Responsibilities, and Reporting Authority

The Office of General Counsel is responsible for periodically reviewing the Governing Board's policies concerning legal matters. The existing Governing Board policy, entitled "Legal Counsel Roles, Responsibilities, and Reporting Authority" (Policy), sets forth the roles of the District's in-house counsel, outside counsel, and the Governing Board's counsel. The purpose of this agenda item is to provide an overview of the proposed updates to the Policy in order to explain the provisions of Section 373.079(5) of the Florida Statutes.

Generally, the Policy explains the role of the District's Office of General Counsel and specifically the General Counsel's responsibilities to the Executive Director and the Governing Board. Additionally, the Policy explains circumstances in which the outside legal counsel may represent the District and when independent counsel may be retained by the Governing Board.

In addition to minor formatting changes, District staff recommended revisions to the policy to clarify and further explain advisory obligations and conflicts of interest in representation of the District and the Governing Board. The proposed revised language is shown in the attached exhibit. This item was previously on the Governing Board's discussion agenda on August 23, 2022.

Staff Recommendation:

Approve the proposed changes to the policy.

Presenter:

Elizabeth Fernandez, Deputy General Counsel, Office of General Counsel

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Legal Counsel Roles, Responsibilities, and Reporting Authority

Document Owner: Office of General Counsel

Approved By: Board Chair

Effective Date: 09/20/2022

Supersedes: 09/24/2013

CONTENTS

PURPOSE	1
SCOPE	1
AUTHORITY	1
POLICY	1
DISTRIBUTION.....	2
REFERENCES	2
REVIEW PERIOD	3
DOCUMENT DETAILS	4
APPROVAL.....	4

PURPOSE

The purpose of this Governing Board Policy ("Policy") is to outline the duties and responsibilities of District legal counsel and establish reporting authority for certain legal matters.

SCOPE

This Policy applies to all District officers and employees.

AUTHORITY

Sections 373.079, Florida Statutes

POLICY

Legal Counsel Roles and Responsibilities

1. The Executive Director is authorized by section 373.079(5), Florida Statutes, to employ a legal staff for the purpose of providing counsel to the Executive Director and District staff on matters relating to the day-to-day operations of the District; representing the District in all proceedings of an administrative or judicial nature; and otherwise assisting in the administration of the provisions of Chapter 373, Florida Statutes. The Executive Director shall select a General Counsel and prepare the General Counsel's annual performance evaluation.

2. The General Counsel shall represent the legal interests and positions of the District. The General Counsel shall also represent the legal interests and positions of the Governing Board, unless doing so would present a conflict of interest according to the Rules Regulating the Florida Bar or the Governing Board selects independent Governing Board Counsel pursuant to this Policy.

GOVERNING BOARD POLICY

Title: Legal Counsel Roles, Responsibilities, and Reporting Authority

Effective Date: 09/20/2022

Page 2 of 4

3. The General Counsel may retain outside legal services in accordance with Board Policy, Legal - District Legal Services. Outside legal services may also be provided through a third-party insurance carrier for certain matters that fall outside the ordinary scope of the services provided by the Office of General Counsel. The General Counsel is responsible for directing and overseeing all outside legal counsel who provide services to the District.

4. The Governing Board may retain independent Governing Board Counsel to provide legal representation to the Governing Board. The General Counsel shall foster a good working relationship with Governing Board Counsel and assist Governing Board Counsel to the fullest extent possible, unless doing so would present a conflict of interest according to the Rules Regulating the Florida Bar. The General Counsel shall orally notify both the Executive Director and the Governing Board Chair when, in his or her opinion, it would be in the Governing Board's best interest to select independent Governing Board Counsel. In addition, Governing Board Counsel shall provide legal counsel to Governing Board members, upon their requests, on matters relating to their service as Governing Board members. Governing Board Counsel shall submit a report to the Governing Board at the subsequent Governing Board meeting listing a brief description of any requests for legal counsel made by individual Governing Board members.

Reporting Authority

1. The General Counsel shall report to the Executive Director with respect to any legal matter about which the Governing Board has delegated its authority under Chapter 373, Florida Statutes to the Executive Director. These delegated matters include, but are not limited to, all personnel matters, settlement of certain legal matters, approval of certain consent orders, and certain contractual and financial matters.

2. The General Counsel, in coordination with the Executive Director, shall report to the Governing Board with respect to any legal matter about which the Governing Board has retained its authority under Chapter 373, Florida Statutes. These retained functions include, but are not limited to, land acquisition matters, settlement of certain larger civil cases, consideration of Recommended Orders in formal administrative proceedings, and all other matters not specifically delegated by the Governing Board.

3. The General Counsel retains the authority for certain administrative hearing matters pursuant to Board Policy, Legal – Delegation of Authority to General Counsel for Certain Administrative Hearing Matters.

DISTRIBUTION

This document will be stored in the Governing Document Repository.

REFERENCES

Board Policy, Legal – District Legal Services

Board Policy, Legal – Proposals for Settlement in Civil Cases

Board Policy, Legal – Delegation of Authority to General Counsel for Certain Administrative Hearing Matters

Board Policy, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders

GOVERNING BOARD POLICY

Title: Legal Counsel Roles, Responsibilities, and Reporting Authority

Effective Date: 09/20/2022

Page 3 of 4

Board Policy, Legal - Delegation of Authority to Executive Director for Approval of Certain Consent Orders Involving Water Use Permits

Board Policy, Land Acquisition

Executive Director Procedure, Signature Authority

REVIEW PERIOD

This Governing Document will be reviewed every two years.

GOVERNING BOARD POLICY**Title: Legal Counsel Roles, Responsibilities, and Reporting Authority****Effective Date: 09/20/2022****Page 4 of 4****DOCUMENT DETAILS**

Document Name	Legal Counsel Roles, Responsibilities, and Reporting Authority
Formerly Known As	N/A
Document Type	Policy
Author(s)	General Counsel
Reviewing Stakeholder(s)	Office of General Counsel, Governing Board
Document Owner Name	Chris Tumminia
Document Owner Title	General Counsel
Review Period (in days)	730
Span of Control	Governing Board
Supersedes Date	09/24/2013
Effective Date	09/20/2022

APPROVAL

Joel A. Schleicher
Chair

Date

CONSENT AGENDA

September 20, 2022

**General Counsel's Report: Governing Board Concurrence – Emergency Order No. SWF 22-008–
Emergency Measures Due to High-Water Conditions**

On September 3, 2022, the District's Executive Director issued Emergency Order No. SWF 22-008 (Emergency Order) in response to high rainfall and anticipated flooding in the North Winter Haven Chain of Lakes area. The high-water conditions required immediate action to protect the safety of the public and surrounding property, structures, and stormwater management systems. The Emergency Order authorizes limited measures such as lowering water levels in advance of additional rain and diverting water from lakes, if necessary, in order to safeguard life and property.

Sections 373.119 and 373.439, Florida Statutes, authorize the Executive Director take actions necessary to meet a public health emergency which may include, among other things, waiving the procedures and formalities otherwise required to perform public work as necessary to ensure the health, safety, and welfare of the community. Pursuant to these statutes, the Emergency Order will remain in effect until September 17, 2022. At that time, District staff will reassess the emergency measures provided for in the Emergency Order and determine whether an additional extension is warranted.

Staff Recommendation:

Concur with the Executive Director's findings in Emergency Order No. SWF 20-008.

Presenter:

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

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
IN RE: EMERGENCY MEASURES DUE TO HIGH
WATER CONDITIONS IN THE NORTH WINTER
HAVEN CHAIN OF LAKES AREA

EMERGENCY FINAL ORDER NO. SWF 22-008

The Southwest Florida Water Management District (District) enters this Emergency Final Order (Order), including Findings of Fact and Conclusions of Law, in response to high rainfall and anticipated flooding in the North Winter Haven Chain of Lakes area that threatens the safety of surrounding property, structures, stormwater management systems, works, and impoundments and also poses immediate danger the public health, safety, and welfare.

FINDINGS OF FACT

1. In August 2022, the areas surrounding Lake Henry, Lake Smart, Lake Connie, Lake Rochelle, Lake Haines, Lake Fannie, and Lake Hamilton (the “North Winter Haven Chain of Lakes Area” or the “Area”) received a total of 16.54 inches of rainfall, well above the monthly average of 8 inches.

2. On September 2, 2022, the Area received an additional 1.3 inches of rainfall. The National Weather Service issued a flood warning at 8:31 PM on September 2, 2022 due to existing flooding and additional expected rainfall in portions of Polk County, including the North Winter Haven Chain of Lakes Area.

3. The District monitors water levels and manages flood control structures P-5 (Lake Henry), P-6 (Lake Smart, Connie, Rochelle, Haines), P-7 (Lake Fannie), and P-8 (Lake Hamilton) in the Area. On September 3, 2022, lake levels in the Area rose

approximately 2 inches due to rainfall from the prior day, and water levels downstream from structure P-8 were recorded at the highest level since 2004.

4. The Executive Director finds that the rainfall and high-water levels described above, and the potential for additional storms and rainfall, threaten the safety of surrounding property, structures, stormwater management systems, works, and impoundments in the Area due to flooding. As a result, immediate action is necessary to protect the public health, safety, and welfare.

5. The Executive Director finds that it is appropriate for the District to continue monitoring water levels and operating water control structures in the Area in response to above-normal rainfall and storm events, and to immediately employ any remedial measures necessary to safeguard life and property, including, but not limited to, lowering water levels by releasing water from any impoundment or reservoir, completely emptying any impoundment or reservoir, temporarily modifying structure operations, deviating from internal operational guidelines, diverting water to bypass lakes or water control structures, and moving significant volumes of flood water out of the Area.

CONCLUSIONS OF LAW

6. Based on the Findings of Fact described herein, it is hereby concluded that the emergency caused by rainfall and high-water levels poses an immediate danger to the public health, safety, and welfare requiring immediate action.

7. Pursuant to Sections 120.569(2)(n), 373.119(2), and 373.439(1)(b), Florida Statutes (F.S.), the Executive Director is authorized to issue this Order.

8. The actions required to protect the public health, safety, and welfare described in this Order are appropriate pursuant to section 373.439(2), F.S., and are

required so as to not prevent, hinder, or delay any action necessary to meet the emergency.

9. The District's immunity from liability for any damages that might result from the activities authorized by this Order, as provided for by Section 373.443(4), F.S., shall not be diminished by the terms of this Order or any activities undertaken pursuant to this Order.

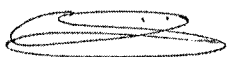
THEREFORE, it is hereby **ORDERED**:

10. Within the Area, the requirements and effects of statutes, rules, agreements, or District orders which conflict with the provisions of this Order are suspended to the extent necessary to implement this Order. The District shall immediately employ any remedial means necessary to safeguard life and property, including, but not limited to, lowering water levels by releasing water from any impoundment or reservoir, completely emptying any impoundment or reservoir, temporarily modifying structure operations, deviating from internal operational guidelines, diverting water to bypass lakes or water control structures, and moving significant volumes of flood water out of the Area.

11. This Order shall take effect immediately upon execution by the Executive Director or his designee, and shall expire on September 17, 2022, unless modified or extended by further order.


DONE AND ORDERED in Hernando County, Florida, on this 3rd day of September, 2022.

Approved as to legal form and content



Chris Tumminia, General Counsel

**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

By: 

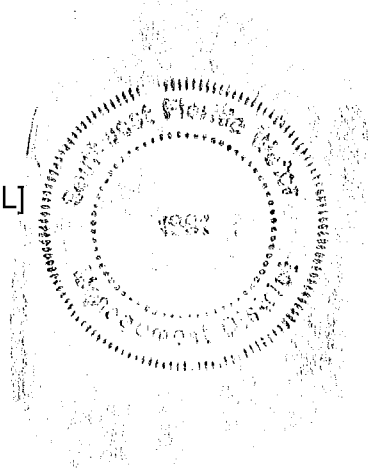
Brian J. Armstrong, P.G., Executive Director

Filed this 3rd day of

August _____ 2022.

Ts
Deputy Agency Clerk

[SEAL]



NOTICE OF RIGHTS

Pursuant to Section 120.569(2)(n), Florida Statutes, any party adversely affected by this Order has the right to seek an injunction of this Order in circuit court or judicial review under Section 120.68, Florida Statutes. Judicial review must be sought by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the District at 7601 U.S. Highway 301 North, Tampa, Florida 33637-6759, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the District.

CONSENT AGENDA**September 20, 2022****General Counsel's Report: Approval of the District's Annual Regulatory Plan for 2022-2023**

Executive Order No. 11-211 requires agencies under the direction of the Governor to submit to the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) "an annual regulatory plan that shall identify and describe each rule that the agency expects to begin promulgating during the next twelve-month period." Section 120.74, Florida Statutes (F.S.), requires each state agency to prepare an annual regulatory plan by October 1 of each year to identify each law enacted or amended during the previous twelve months which creates or modifies the duties or authorities of the agency, as well as each other law which the agency expects to implement by rulemaking before the following July 1, with the exception of emergency rulemaking. Additionally, the annual regulatory plan must include a certification executed on behalf of the agency by both the presiding officer and the principal legal advisor to the agency head, verifying that both persons have reviewed the plan and that the agency regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and laws implemented. Finally, under Section 120.74(2)(a)(3), F.S., the District must publish in the Florida Administrative Register a notice indicating that its Regulatory Plan is available on the District's website.

The District's proposed 2022-2023 Regulatory Plan lists upcoming rulemaking in the following categories:

1. Amendments to Procedural Rules, Forms, and Delegation Agreements - simplifying and clarifying rules, and increasing efficiency, and in some cases reducing regulatory costs;
2. Amendments to Water Levels and Rates of Flow Rules - clarifying rules, increasing efficiency, and deleting obsolete or unnecessary rules; and
3. Amendments to Recovery and Prevention Strategies for Minimum Flows and Levels - reevaluating and repealing recovery strategies, clarifying rules, and increasing efficiency.

The District's Regulatory Plan will be published on the District's website, and a notice will be published in the Florida Administrative Register. In addition, the District will electronically deliver a copy of the certification executed by the Governing Board Chair and the General Counsel, as required by Section 120.74(1)(d), F.S., to the Joint Administrative Procedures Committee. The District will continue to submit a copy of its Annual Regulatory Plan to the OFARR in accordance with Executive Order 11-211. Copies of the proposed regulatory plan and certification will be provided to the Governing Board in advance of this meeting.

Staff Recommendation:

Approve the District's Annual Regulatory Plan for 2022-2023 and execute the certification required by Section 120.74(1)(d), F.S.

Presenter:

Elizabeth Fernandez, Deputy General Counsel, Office of General Counsel

Section 120.74(1)(a), F.S., Rulemaking					The Date by Which the Agency Expects to Publish the Notice of Proposed Rule	
Rule Section	Law(s) Implemented	Rule Title	Must the Agency Adopt Rules to Implement the Law	Is Rulemaking Necessary to Implement the Law	Has a Notice of Rule Development Been Published and, if so, the citation to Such Notice in the Florida Administrative Register	
None	None	None	None	None	None	None
Section 120.74(1)(b), F.S., Rulemaking					Explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules	
Rule Section	Law(s) Implemented	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Changes/Additions to be Made in Rulemaking	
40D-1.002	253.002, 373.083, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.225, 373.243, 373.266, 373.309, 373.427 F.S.	Delegation of Authority	Rule Amendment	Add and Update Incorporated Material	Incorporate updated publications, forms, or delegation agreements.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
40D-1.660	373.0361, 373.0794(c), 373.104, 373.117, 373.403, 373.413, 373.415, 373.416, 373.414, 373.4144, 373.416, 373.429, 373.441 F.S.	Publications and Forms Incorporated by Reference	Rule Amendment	Add and Update Incorporated Material	Update to Environmental Resource Permitting Applicant's Handbook Volume II, incorporate updated publications, forms, or operating agreements.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
40D-2.101	373.0363, 373.116, 373.117, 373.175, 373.216, 373.229, 373.236, 403.0877 F.S.	Content of Application	Rule Amendment	Update Rule	Conform the rule to updated Water Use Permit Applicant's Handbook.	The proposed rulemaking is intended to simplify clarify, increase efficiency, and reduce regulatory costs.
40D-3.037	373.046, 373.103, 373.308, 373.309, 373.323, 373.324, 373.333 F.S.	Rules, Publications and Agreements Incorporated by Reference.	Rule Amendment	Add and Update Incorporated Material	Update and incorporate forms, publications, and operating agreements, including the Memorandum of Agreement Between the U.S. Environmental Protection Agency, Region IV, Superfund Division and the Southwest Florida Water Management District	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
40D-5.021	373.036, 373.061, 373.042, 373.0421, 373.086, 373.216, 373.219, 373.223, 373.229, 373.413, 373.414, 373.416, F.S.	Definitions	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
40D-5.041	373.036, 373.061, 373.042, 373.0421, F.S.	Minimum Flows	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum, and adopt or amend minimum flows.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-5.623	373.036, 373.061, 373.095, 373.042, 373.0421, F.S.	Minimum Wetland Levels	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-5.624	373.036, 373.042, 373.0421, 373.086, 373.709, F.S.	Guidance and Minimum Levels for Lakes	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-5.626	373.4131, F.S.	Minimum Aquifer Levels	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
40D-80.074	373.016, 373.033, 373.036, 373.0365, 373.042, 373.0421, 373.171, F.S.	Regulatory Policies of Recovery Strategy for the Southern Water Use Caution Area	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD83 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.

**CERTIFICATION OF ANNUAL REGULATORY PLAN FOR 2022-2023
FOR THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

We hereby certify:

That we have reviewed the Southwest Florida Water Management District's (District) Annual Regulatory Plan for 2022-2023, prepared in compliance with Section 120.74, F.S.; and

That the District regularly reviews all of its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented and conducted such a review on September ____, 2022.

JOEL A. SCHLEICHER
CHAIR

CHRISTOPHER A. TUMMINIA, ESQ.
GENERAL COUNSEL

Date

CONSENT AGENDA

September 20, 2022

Executive Director's Report: Approve Governing Board Minutes - August 23, 2022

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING
TUESDAY, AUGUST 23, 2022 – 9:00 AM
2379 BROAD STREET, BROOKSVILLE, FLORIDA 34601
(352) 796-7211**

MINUTES

Board Members Present

Joel Schleicher, Chair*
Ed Armstrong, Vice Chair
Michelle Williamson, Secretary*
John Mitten, Treasurer
Kelly Rice, Former Chair
Jack Bispham, Member
Ashley Bell Barnett, Member
William Hogarth, Member*
John E. Hall, Member

Board Members Absent

Seth Weightman, 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
Michael Molligan, Division Director
Brandon Baldwin, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, Administrative Coordinator

*attended via electronic media

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., August 23, 2022, at the Brooksville Office, 2379 Broad Street, Brooksville, Florida 34604.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Vice 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. Vice 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. Vice Chair Armstrong stated that comments would be limited to three minutes per speaker, and when appropriate,

exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same topic designate a spokesperson.

Vice Chair Armstrong 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

Treasurer John Mitten offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

Vice Chair Armstrong recognized staff who have reached at least 20 years of service. The following staff were recognized: Mike Ames, Melisa Lowe, and Catherine Wolden.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were not additions or deletions to the agenda.

Chair Joel Schleicher requested the following items be moved from Consent to Discussion:

Resource Management Committee

2.4 FARMS – Sizemore Group Automation (H807), Hillsborough County

2.5 FARMS – Varner Group (H810), DeSoto County

2.6 FARMS – Hernandez Farm, LLC (H811), Hillsborough County

Vice Chair Armstrong stated there was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis spoke against the use of reclaimed water.

CONSENT AGENDA

Finance/Outreach and Planning Committee

2.1 Authorization to Dispose of Equipment

Staff recommended the Board approve the disposition of the Challenger MT545B tractor (unit 2092) and New Holland TS6.125 tractor (unit 2119) through the auction process.

2.2 Building Access System Budget Transfer

Staff recommended the Board approve the budget transfer of \$161,004.97 from lapsed projects funds for the Tampa Space Utilization (C392) project to the Building Access System replacement project (C221).

2.3 Fuels and Lubricants Budget Transfer

Staff recommended the Board approve the budget transfer of \$125,000 from Facility Services Maintenance and Repair of Buildings (4602) to Fleet Services Fuels and Lubricants (5212).

Resource Management Committee

2.4 FARMS – Sizemore Group Automation (H807), Hillsborough County

Staff recommended the Board:

- ~~1. Approve the Sizemore Group Automation project for a not-to-exceed project reimbursement of \$182,857 with \$182,857 provided by the Governing Board.~~
- ~~2. Authorize the transfer of \$182,857 from fund 010 H017 Governing Board FARMS Fund to the H807 Sizemore Group Automation project fund.~~
- ~~3. Authorize the Assistant Executive Director to sign the agreement.~~

2.5 FARMS – Varner Group (H810), DeSoto County

Staff recommended the Board:

- ~~1. Approve the Varner Group project for a not-to-exceed project reimbursement of \$212,000 with \$212,000 provided by the Governing Board.~~
- ~~2. Authorize the transfer of \$212,000 from fund 010 H017 Governing Board FARMS Fund to the H810 Varner Group project fund.~~
- ~~3. Authorize the Assistant Executive Director to sign the agreement.~~

2.6 FARMS – Hernandez Farm, LLC (H811), Hillsborough County

Staff recommended the Board:

- ~~1. Approve the Hernandez Farm, LLC project for a not-to-exceed project reimbursement of \$203,343 with \$203,343 provided by the Governing Board.~~
- ~~2. Authorize the transfer of \$203,343 from fund 010 H017 Governing Board FARMS Fund to the H811 Hernandez Farm, LLC project fund.~~
- ~~3. Authorize the Assistant Executive Director to sign the agreement.~~

2.7 City of Bradenton Aquifer Protection Recharge Well – Third-Party Review (N842)

Staff recommended the Board authorize staff to terminate the agreement without further payment obligation beyond the TPR task and approve a not-to-exceed District funding amount of \$141,695.50.

2.8 Board Encumbrance of the Wysong Water Control Structure Refurbishment (C677) Construction Funds

Staff recommended the Board approve the encumbrance of \$4,000,000 of FY2022 funds for the Wysong Water Control Structure Refurbishment (C677) project to carry forward into FY2023 for future year planned expenditures.

2.9 First Right of Refusal - Costine Conservation Easement SWF Parcel No. 10-200-1224C

Staff recommended the Board:

1. Approve declining the right of first refusal to purchase the remainder fee simple interest for SWF Parcel No. 10-200-1224C that is subject to a District conservation easement; and
2. Authorize the Executive Director to execute the necessary documents to decline the first right of refusal on SWF Parcel 10-200-1224C.

2.10 Purchase and Sale to FDOT for widening of SR93A (I-75) over the Tampa Bypass Canal SWF Parcel No. 13-004-320

Staff recommended the Board:

1. Determine the property identified is no longer required for District purposes.
2. Approve the Purchase Agreement and authorize the Executive Director to sign on the behalf of the District.
3. Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed.
4. Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

2.11 Modification of Easement for Deer Prairie Creek SWF Parcel No. 21-708-137P

Staff recommended the Board:

1. Approve and accept the Sovereignty Submerged Lands Easement Modification from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.
2. Authorize the Governing Board Chair to execute the Easement on behalf of the District.

2.12 Hampton Tract Resident Security Lease SWF Parcel No. 10-200-1309X

Staff recommended the Board approve, accept, and authorize the Governing Board Chair to sign the Lease Agreement for Green Swamp – Hampton Tract – SWF Parcel No. 10-200-1309X on behalf of the District.

2.13 Partial Release of Conservation Easement – Application No. 835260 – Avalon Park Boulevard Extension – Pasco County

Staff recommended the Board approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Avalon Park Boulevard Expansion project.

2.14 Approve Calendar for Fiscal Year 2023 Meeting Dates

Staff recommended the Board approve Fiscal Year 2023 meeting dates as presented.

2.15 Approve Governing Board Minutes - July 26, 2022

Staff recommended the Board approve minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (00:11:53)

Finance/Outreach and Planning Committee

Treasurer John Mitten called the committee to order. (Audio – 00:12:40)

3.1 Consent Item(s) Moved to Discussion - None

3.2 Selection of Independent Auditing Services Firm

Ms. Amanda Rice, Assistant Executive Director, presented information for the Independent Auditing Services Committee recommendation for selection. She explained the committee's selection process. Ms. Rice outlined the qualification-based ranking and best and final offers received from the three top-ranked firms.

Vice Chair Armstrong stated that the District is required to select a firm using a method where compensation is not the sole or predominant factor, and where the agreed-upon compensation is reasonable to satisfy the statutory requirements for these independent audits. He stated that James Moore & Company was selected because they were the top-ranked firm based on qualifications, their proposal includes the highest number of proposed service hours, and their price proposal represents a good value for the District.

Ms. Rice stated that based on the terms and conditions in the Request for Proposals, the contract will have a term of one year with four renewal options that can be exercised by the Board. Board policy limits the continuous period that a firm can provide these services to ten years. James Moore & Company has provided these services for the last five years, so they are eligible to continue in this role through the contract term and all potential renewal years but will not be eligible during our next selection process.

Staff recommended the Board:

1. Select James Moore & Co. to provide independent auditing services as recommended by Vice-Chair Armstrong.
2. Authorize staff to execute a contract and a letter of engagement consistent with the terms and conditions of the Request for Proposals and the presented costs and level of effort.
3. Dissolve the Ad Hoc Audit Committee.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:15:26)

3.3 Budget Transfer Report

Resource Management Committee

Board Member Ashley Bell Barnett called the Committee to order. (Audio – 00:17:37)

4.1 Consent Item(s) Moved to Discussion

2.4 FARMS – Sizemore Group Automation (H807), Hillsborough County

Chair Schleicher requested this item be moved to consent to facilitate a vote.

Staff recommended the Board:

1. Approve the Sizemore Group Automation project for a not-to-exceed project reimbursement of \$182,857 with \$182,857 provided by the Governing Board.'
2. Authorize the transfer of \$182,857 from fund 010 H017 Governing Board FARMS Fund to the H807 Sizemore Group Automation 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 eight in favor and one opposed. Chair Schleicher voted in opposition due to the District's 75 percent cost share associated with this project percent. (Audio - 00:18:20)

2.5 FARMS – Varner Group (H810), DeSoto County

Chair Schleicher requested this item be moved to consent to facilitate a vote.

Staff recommended the Board:

1. Approve the Varner Group project for a not-to-exceed project reimbursement of \$212,000 with \$212,000 provided by the Governing Board.
2. Authorize the transfer of \$212,000 from fund 010 H017 Governing Board FARMS Fund to the H810 Varner Group 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 eight in favor and one opposed. Chair Schleicher voted in opposition due to the District's 72 percent cost share associated with this project percent. (Audio - 00:18:20)

2.6 FARMS – Hernandez Farm, LLC (H811), Hillsborough County

Chair Schleicher requested this item be moved to consent to facilitate a vote.

Staff recommended the Board:

1. Approve the Hernandez Farm, LLC project for a not-to-exceed project reimbursement of

\$203,343 with \$203,343 provided by the Governing Board.

2. Authorize the transfer of \$203,343 from fund 010 H017 Governing Board FARMS Fund to the H811 Hernandez Farm, LLC 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 eight in favor and one opposed. Chair Schleicher voted in opposition due to the District's 75 percent cost share associated with this project percent. (Audio - 00:18:20)

4.2 South Hillsborough Aquifer Recharge Program (SHARP) Phase 2 (N855) – RW-2 IPE

Mr. Jay Hoecker, Water Resources Bureau Chief, presented an overview of the Independent Performance Evaluation (IPE) for Phase 2 of the SHARP. He explained the benefits of this program and explained Phase 2 is to expand the use of reclaimed water to recharge non-potable portions of the Upper Floridan aquifer, which will improve aquifer water level conditions in the Most Impacted Area of the Southern Water Use Caution Area (SWUCA). Mr. Hoecker provided historical information associated with this program and a summary of each of the three phases.

Mr. Hoecker reminded that Board that as stated in the March meeting minutes "Hillsborough County said it intends to move forward with construction on Phase 3 prior to an executed agreement with the District. Ms. Seachrist had informed Hillsborough County that District staff would not recommend funding for any Phase 3 construction done prior to an executed agreement with the District". He stated that funds for Phase 3 are currently included in the tentative FY2023 budget that have been submitted to the Florida Department of environmental Protection (FDEP).

Treasurer Schleicher asked if Hillsborough County had begun Phase 3. Mr. Jeff Greenwell, Hillsborough County, responded in the affirmative. He stated that due to statute mandates and supply chain concerns the County decided to proceed. Mr. Greenwell outlined the County's justification for not following the outlined Cooperative Funding Initiative process.

Mr. Chris Tumminia explained the statute mandates Mr. Greenwell referenced are associated with Senate Bill (SB) 64. The statute requires the utility to eliminate non-beneficial reclaimed water discharge and must come into compliance by January 1, 2032.

Mr. Brian Armstrong, Executive Director, explained the repayment provision to the District if cooperators are unable to provide a measurable benefit from a cooperative funded project.

Chair Schleicher asked if Hillsborough County plans to proceed with Phase 3 if cooperative funding is not approved. Mr. Greenwell responded in the affirmative.

Treasurer Mitten suggested that it might be beneficial for staff evaluate the CFI process as related to potential impacts from SB64.

Secretary Michelle Williamson asked if there were any permitting constraints from the Florida Department of Environmental Protection that may have impacted this project. Mr. Greenwell responded that SB64 was the primary driver. Ms. Jennette Seachrist, Resource Management Division Director, provided historical information regarding the phases.

Staff recommended the Board:

1. Approve the IPE results for the SHARP Phase 2 RW-2 well site and authorize staff to proceed with leading the IPE on the RW-4 well site that will include an evaluation of the need for additional monitoring wells for SHARP Phase 2 with the County responsible for 100% of the cost.
2. Approve including the SHARP Phase 3 (Q088) funding (\$1,250,000) in the FY2023 budget.

A motion was made and seconded to 1) Approve the IPE results for the SHARP Phase 2 RW-2 well site and authorize staff to proceed with leading the IPE on the RW-4 well site that will include an evaluation of the need for additional monitoring wells for SHARP Phase 2 with the County responsible for 100% of the cost. 2) Remove FY2023 funding and prior funding from the District's budget for SHARP Phase 3 (Q088) funding (\$1,250,000). The motion passed with seven in favor and two opposed. (Audio – 01:03:00)

4.3 Pasco County Sea Pines Neighborhood Flood Abatement – Third-Party Review (N850)

Mr. Scott Letasi, Engineering and Project Management Bureau Chief, presented information that included a summary of the Third-Party Review (TPR) process and an overview of the Sea Pines flood abatement project. He also outlined the benefits associated with this project, the conclusion of the TPR and the changes that have occurred with this project.

Staff recommended the Board authorize continuation of the project and approve amending the Cooperative Funding Agreement to include a total project cost of \$7,040,318 with the District's share of \$1,650,000 for TPR, design, permitting and construction of the Sea Pines Neighborhood Flood Abatement project (N850).

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:18:35)

4.4 Lower Peninsula Stormwater Improvements - Third-Party Review (Q190)

Mr. Scott Letasi, Engineering and Project Management Bureau Chief, presented an overview of the Lower Peninsula stormwater improvements project. He also outlined the benefits associated with this project, the conclusion of the TPR and the changes that have occurred with this project.

Board Member Kelly Rice asked if the proposed changes to the FY2024 Cooperative Funding Initiative (CFI) Process regarding cost increases should be implemented for ongoing projects. Ms. Jennette Seachrist responded that it could be addressed in the Executive Director CFI procedure. Mr. Armstrong further clarified that moving forward staff will not recommend sharing in any cost increases associated with ongoing CFI projects. This will be included in the Executive Director CFI procedure. The cooperator will always have the opportunity to fill out a blue card if they would like to address the board regarding a project.

Staff recommended the Board authorize continuation of the project and approve amending the Cooperative Funding Agreement to include a total project cost of \$46,144,634 with the District's share of \$12,500,000 for third-party review, design, permitting and construction of the Lower Peninsula Stormwater Improvements project (Q190).

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:29:02)

4.5 Lower Hillsborough River Recovery Strategy Implementation – Annual Update

This was for information only. No action was required.

4.6 Minimum Flows and Minimum Water Levels Priority List and Schedule Update

This was for information only. No action was required.

Operations, Lands and Resource Monitoring Committee

Board Member Jack Bispham called the Committee to order. (Audio – 01:29:57)

5.1 Consent Item(s) Moved to Discussion - None

5.2 Overview of Land Management Plan Updates

Mr. Chris Reed, Land Management Manager, presented an overview of land management plan updates. He stated the District owns 454,000 acres of conservation land and manages approximately 263,000 of those acres. Mr. Reed outlined the statute and District policy that governs the management of conservation properties. He explained District management plans and the update process for them. Mr. Reed provided a five-year schedule of management plan updates. He outlined five management plans that will be presented at the September Board meeting.

This was for information only. No action was required.

5.3 Hydrologic Conditions Report

Ms. Tamera McBride, Hydrologic Data Manager, presented the hydrologic conditions report. She stated that July was a very dry month for many parts of the District. This was as a result of the Saharan air layer. Ms. McBride stated that the average temperature for the month of July was the hottest month on record since 1890. She stated that groundwater levels throughout the District have declined. Tampa Bay and Polk Upland Lakes remain in the normal range but the Northern and Lake Wales Ridge Lakes continue to remain in the below normal range. Ms. McBride stated that while the Withlacoochee River remains in the normal range, the Hillsborough, Alafia, and Peace Rivers have dropped into the below normal range. She stated that public supply storage within the District remains at substantial levels. Ms. McBride presented the near-term and extended climate forecasts.

This was for information only. No action was required.

Regulation Committee

Board Member John Hall called the Committee to order. (Audio – 01:47:50)

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 – None

7.2 Knowledge Management: Governing Board Policy Update – Legal Counsel Roles, Responsibilities, and Reporting Authority

Mr. Chris Tumminia, Esq., General Counsel, presented a summary of the Governing Board Policy outlining Legal Counsel Roles, Responsibilities, and Reporting Authority policy and outlined proposed changes to the policy.

This was for information only. No action was required.

Committee/Liaison Reports

8.1 Environmental Advisory Committee

A written summary of the July 12 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, stated the Communications and Government & Community Affairs staff earned two state awards from the Florida Public Relations Association this month for the District's Florida Water Star outreach efforts and the Weeki Wachee campaign. In total, 13 awards have been received this year for the Weeki Wachee campaign and Florida Water Star outreach efforts.

Mr. Armstrong recognized Mr. Chris Tumminia for becoming Board Certified in State and Federal Administrative Law by the Florida Bar.

Mr. Armstrong reminded the Board of the Horse Creek Ranch conservation easement that was approved at the July Board meeting. He stated that the Florida Cabinet approved the purchase of the remaining 12,000 acres of that conservation easement. This conservation easement will cover approximately 16,000 acres within the Horse Creek Ranch Florida Forever Project.

Chair's Report

10.1 Chair's Report

Vice Chair Armstrong stated the FY2023 Tentative Budget hearing is scheduled for 5:01 p.m., on Tuesday, September 6 at the Tampa Service Office. The next regular Governing Board meeting is scheduled for 3:00 p.m., on Tuesday, September 20 at the Tampa Service Office. And the Final FY2024 Budget Hearing is scheduled for 5:01 p.m., on Tuesday, September 20 at the Tampa Service Office.

10.2 Employee Milestones

ADJOURNMENT

The meeting adjourned at 10:56 a.m.

Governing Board Meeting

September 20, 2022

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

3.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	94
3.2	Discussion: Information Item: Fiscal Year 2024 Business Plan Update	95
3.3	Discussion: Information Item: District's Areas of Responsibility Projections	96
3.4	Discussion: Information Item: Office of Inspector General Fiscal Year 2022 Annual Report	97
3.5.	Submit & File: Information Item: Budget Transfer Report	109

FINANCE/OUTREACH AND PLANNING COMMITTEE

September 20, 2022

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:

Michael Molligan, Division Director, Employee Outreach and General Services

FINANCE/OUTREACH AND PLANNING COMMITTEE

September 20, 2022

Discussion: Information Item: Fiscal Year 2024 Business Plan Update

Purpose

To provide the Board with an update on the Fiscal Year 2024 Business Plan.

Background/History

The Business Plan serves as a guide for business operations at the District. The plan provides direction and information to management, employees and stakeholders with respect to District priorities and performance measures. The plan ensures continued efficiency gains, effective organizational improvements, and alignment with the District's Strategic Plan.

The 2024 plan update focuses on resource requirements including personnel, equipment, and additional project needs, as well as the identification of actions taken to address needs identified in prior District Business Plans.

Benefits/Costs

Implementation of the District's Business Plan will enhance the ability to forecast future financial, operational and staffing resources necessary to meet the District's initiatives and goals as outlined in the Strategic Plan.

Staff Recommendation:

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

Presenter:

Mary Margaret C. Hull, PMP, APR, Lead Project Manager, Project Management Office

FINANCE/OUTREACH AND PLANNING COMMITTEE

September 20, 2022

Discussion: Information Item: District's Areas of Responsibility Projections

Purpose

Provide information regarding anticipated impacts to the District's four areas of responsibility (Water Supply, Water Quality, Flood Protection, Natural Systems) over the next five, ten, and twenty years.

Background/History

There are many forward-thinking initiatives, such as the Business Plan, Strategic Plan, and Regional Water Supply Plan, that provide insight into what the future may hold for the District. This effort aims to leverage existing information and incorporate ideas from District subject matter experts in order to examine how the District's areas of responsibility may be affected by a variety of factors over the next five, ten, and twenty years. Staff will provide a presentation on the results of this analysis.

Staff Recommendation:

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

Presenter:

Ryan Pearson, Staff Economist, Water Resources Bureau

FINANCE/OUTREACH AND PLANNING COMMITTEE

September 20, 2022

Discussion: Information Item: Office of Inspector General Fiscal Year 2022 Annual Report

Background/Purpose

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General (IG) must submit an annual report to the District Governing Board that summarizes the activities of the OIG during the fiscal year.

Background

This report provides relevant information regarding performance measures, a description of recommendations for corrective actions, a description of corrective actions from previous annual reports, a summary of audit and investigation reports, reviews, and other accomplishments during the period.

Staff Recommendation:

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

Presenter:

Brian Werthmiller, Inspector General

OFFICE OF
INSPECTOR
GENERAL

Annual Report

October 1, 2021 Through September 30, 2022



Governing Board
September 20, 2022

TABLE OF CONTENTS

	Page <u>No.</u>
LETTER TO THE BOARD	1
RESPONSIBILITIES.....	2
INTRODUCTION	2
MAJOR FUNCTIONS AND ACTIVITIES	3
PERFORMANCE MEASURES	8
CERTIFICATIONS	8
PROFESSIONAL AFFILIATIONS	9
CONTINUING PROFESSIONAL EDUCATION	9
CONTACT INFORMATION	9



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

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

WaterMatters.org

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

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

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

Joel Schleicher
Chair, Charlotte, Sarasota

Ed Armstrong
Vice Chair, Pinellas

Michelle Williamson
Secretary, Hillsborough

John Milton
Treasurer, Hernando, Marion

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

Ashley Bell Barnett
Polk

Jack Blaphem
Manatee

John Hall
Polk

William Hogarth
Pinellas

Seth Weigtmann
Pasco

Brian J. Armstrong, P.E.
Executive Director

September 20, 2022

Mr. Joel Schleicher, Chair
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Dear Mr. Schleicher:

In accordance with F.S. 20.055 and the Office of Inspector General (OIG) Charter Governing Board Policy, I am pleased to submit the OIG's accomplishments during fiscal year 2022. I would like to highlight some of these accomplishments. During the fiscal year, the OIG completed the annual audit risk assessment, annual short and long-term audit plan, all quarterly updates to the Governing Board, two audits, all follow-up on corrective actions taken by the District from the previous annual report, an investigation report, completed continuing professional education in order to maintain the certified public accountant (CPA), certified fraud examiner (CFE) and certified inspector general (CIG) licenses. In addition, the OIG initiated 105 review projects, closed 11 complaints, and saved the District approximately \$29,000 with in-house programs for the annual risk assessment and audits. The OIG operates the audit function under the *Generally Accepted Government Auditing Standards*, also known as the yellow book, which a peer review from the Association of Inspectors General determined the OIG met all applicable yellow book standards.

It has been an honor to serve this Governing Board and I look forward to continuing to serve you.

Sincerely,

Brian Werthmiller, CPA, CFE, CIG
Inspector General

cc: Remaining Governing Board Members

INSPECTOR GENERAL (IG) RESPONSIBILITIES

IG Responsibilities - In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the IG is responsible for the following activities:

- (a) Advise in the development of performance measures, standards, and procedures for the evaluation of the District.
- (b) Assess the reliability and validity of the information provided by the District on performance measures and standards, and make recommendations, if necessary.
- (c) Review the actions taken by the District to improve program performance and meet program standards and make recommendations for improvement, if necessary.
- (d) Provide direction for, supervise, and coordinate audits, investigations, and management reviews relating to the programs and operations of the District.
- (e) Conduct, supervise, or coordinate other activities carried out or financed by the District for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations.
- (f) Keep the Governing Board informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the District, recommend corrective action concerning fraud, abuses, and deficiencies, and report on the progress made in implementing corrective action.
- (g) Ensure effective coordination and cooperation between the AG, federal auditors, and other governmental bodies with a view toward avoiding duplication.
- (h) Review, as appropriate, rules relating to the programs and operations of the District and make recommendations concerning their impact.
- (i) Ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities.
- (j) Comply with the *Principles and Standards for Offices of Inspector General* as published and revised by the Association of Inspectors General.

INTRODUCTION

The OIG serves as an essential element in promoting accountability, integrity, and efficiency in operations of the Southwest Florida Water Management District (District). The OIG employs one full-time employee which consists solely of the IG. To promote independence, the IG reports to and is under the supervision of the Governing Board.

This report highlights the fiscal year (FY) 2022 work product, other activities, and is

produced in accordance with State law¹ and Governing Board Policy². During FY 2022, the OIG had recommendations, as noted below, of which some were similarly noted in FY 2021, there were no significant abuses or deficiencies reported by the OIG, and it was determined for the investigation recommendation from FY 2021 regarding the use of fleet equipment that the District had taken corrective actions.

MAJOR FUNCTIONS AND ACTIVITIES

Audits

Pursuant to State Law³ and Governing Board Policy⁴, the OIG provides independent, objective audits designed to add value and improve District operations. An audit involves establishing objectives, obtaining an understanding of the program and internal controls through inquiries, observations, and inspections, assessing risk, determining the nature, timing, and extent of audit work, other procedures, and communicating the results of the audit. Audits are conducted in accordance with the *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States. These professional standards provide a framework for performing high-quality audit work with independence, competence, and objectivity in order to provide accountability and help improve District operations. The results of completed OIG audit activity during the period October 1, 2021 through September 30, 2022, are summarized below.

- **Risk Assessment and Audit Plan.** State law⁵ requires the IG to develop long-term and annual audit plans based upon the results of periodic risk assessments. The IG conducted a formal, District-wide risk assessment which included input from the Governing Board, executive management, and senior staff, review of the District's overall and regional goals and objectives, financial statements, budget information, and other procedures. In January 2022, the Board approved the OIG's short-term and long-term audit plan.
- **Florida Retirement System Workers' Compensation Reporting Audit.** This follow-up audit of the District's reporting of workers' compensation into the Florida Retirement System (FRS) focused on the progress that the District had made in addressing the recommendation made by the Florida Department of Management Services' (DMS) audit report from December 2020. The DMS audit recommended that District policies and procedures are updated to ensure that workers'

¹ Section 20.055(8), Florida Statutes.

² Office of Inspector General Charter.

³ Section 20.055(6), Florida Statutes.

⁴ Office of Inspector General Charter.

⁵ Section 20.055(6)(i), Florida Statutes.

compensation is properly reported into the FRS. The objectives of this audit were to: (1) Evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines. (2) Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and the safeguarding of assets, and identify weaknesses in those controls. (3) Determine whether management had taken corrective action for, or was in the process of correcting, the finding noted in the DMS audit report released in December 2020.

Based upon the results of the follow-up audit for the period of June 1, 2021 to June 30, 2022, there were no reportable conditions regarding management's performance within the scope of the audit and the District had taken corrective actions for the recommendation included in the DMS audit report from December 2020.

- **Flood Protection Performance Measures Audit.** State law⁶ requires the Office of Inspector General (OIG) to assess the reliability and validity of information provided by the District on performance measures and standards and make recommendations for improvement. On February 25, 2020, the OIG presented to the Governing Board performance measures for each of the four general areas of responsibility in water supply, flood protection, water quality, and natural systems. This audit focused on the flood protection performance measures reported in the March 1, 2021 Comprehensive Annual Report (CAR). The objectives of this audit were to: (1) Evaluate management's effectiveness in reporting reliable and valid data on District performance measures. (2) Evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines. (3) Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and the safeguarding of assets, and identify weaknesses in those controls.

Based upon the results of the audit, selected flood protection performance measures reported in the 2021 CAR were found to be reliable and valid.

⁶ Section 20.055(2)(b), Florida Statutes.

Reviews

The OIG receives internal requests to review reports, contracts, policies, procedures, or to provide information for the District's consideration. The OIG will not make management decisions but rather provides recommendations for the requestor to consider. Reviews can also include external requests from another government agency such as the Office of the Chief Inspector General, assisting with external audits, or OIG projects that do not require a formal report to the Governing Board. During the fiscal year, the OIG had 105⁷ review projects. Some of the notable projects were:

- Assist the District in its annual fraud and ethics training.
- Presentations on how the OIG can be of assistance to other bureaus.
- Recommendations to improve District governing documents which include Board Policies and Executive Director Procedures.

Investigations

Pursuant to State Law⁸ and Governing Board Policy⁹, the OIG carries out investigative duties. Complaints are received from different sources including employees, former employees, citizens, and those wishing to remain anonymous through various means such as in-person, virtual communications, the OIG fraud hotline, mail, and e-mails. When receiving a complaint, the OIG evaluates it to determine the action to be taken. Complaints that do not fall into the categories of fraud, waste, or abuse are referred to the appropriate District staff. Investigations are conducted in accordance with the *Principles and Standards for Offices of Inspector General*, issued by the Association of Inspectors General. During FY 2022, the OIG closed 11 complaints¹⁰. The following summarizes the complaints that resulted in reporting to the Governing Board.

- **Demotion.** A compliant was received regarding the District's process over employee discipline and discharge. The compliant generally alleged the District did not follow its Employee Discipline and Discharge Guideline. The OIG determined that the complaint was substantiated and the District did not follow the Employee Discipline and Discharge Guideline on at least one occasion during the period of October 1, 2021 to April 1, 2022.

Recommendation: The District should enhance procedures to ensure that for cases of discharge, suspension without pay, involuntary demotion, and other disciplinary

⁷ As of September 8, 2022.

⁸ Section 20.055(7), Florida Statutes.

⁹ Office of Inspector General Charter.

¹⁰ As of September 8, 2022.

actions, the notice of discipline, which will include the notice of rights, is provided in accordance with District Governing Documents, when applicable.

- **Use of District Fleet Equipment Follow-Up.** As noted in the FY 2021 OIG Annual Report, a recommendation was made that the District should enhance procedures to ensure that District property e.g., parts, tools, and related equipment, is used for conducting official District business only. To facilitate this, the District should enhance procedures to monitor and review badge access that occurs outside of normal business hours and document this review. During FY 2022, the District installed cameras in and around the parts area as a mitigating control. In addition, the District has implemented a process for afterhours badge access review. Based upon the results of the follow-up procedures performed, the District has taken corrective actions for the fleet equipment finding as recommended by the OIG.
- **Conflict of Interest Follow-Up.** As noted in the FY 2021 OIG Annual Report, a recommendation was made the District should enhance procedures to ensure compliance with its Code of Ethics to ensure there are no potential relationships that create a conflict of interest with District vendors and ensure that the best value is received when purchasing parts used by Fleet Services. During FY 2022, the District has entered into piggyback contracts for some of its auto part and tire purchases to help assist in obtaining the best value. In addition, the District has updated the Code of Ethics and is in the process of implementing a declaration of conflict application which it expects to complete in FY 2023. As a result, the OIG will perform follow-up work in FY 2023 to determine whether the District completed corrective action regarding potential relationships that create a conflict of interest with District vendors.
- **Increase in Pay Follow-Up.** As noted in the FY 2021 OIG Annual Report, a recommendation was made the District should implement procedures to ensure documentation used to determine increases in pay are valid. For the period of October 1, 2021 to June 22, 2022, District records supporting five pay adjustments were examined. While the District documented the reasons for the pay adjustments tested and no non-compliance with District policies was noted, the District did not maintain documentation of the external market comparisons for two pay adjustments.

Recommendation: The District should enhance policies and procedures to ensure that all records evidencing the basis for the pay increase be properly maintained.

- **Use of District Vehicles Follow-Up.** As noted in the FY 2021 OIG Annual Report, a recommendation was made the District should continue to enhance procedures regarding monitoring of District vehicles to ensure use is in compliance with governing documents. For the months of June 2022 and July 2022, the OIG's review of 10

employees disclosed that vehicle use compliance with governing documents was not always met. Specifically, follow-up procedures disclosed:

- On at least 4 occasions, the District could not demonstrate the cost-benefit of an employee using a District vehicle for round-trips to the employee's assigned office.
- District vehicles were taken to the residences of 2 employees for at least 4 nights without an overnight or 24-hour dispatch approval.
- On at least 2 occasions, a District vehicle was not parked at its approved overnight location. After inquiry, the District stated the employee had moved in February 2022 and had not submitted an updated 24-hour dispatch request.

Recommendation: The District should continue to enhance procedures to ensure that the usage of District vehicles is in accordance with governing documents.

Additional Achievements, Projects, and Reports

- **Peer Review.** The OIG operates the audit function under the *Generally Accepted Government Auditing Standards*, also known as the yellow book, issued by the Comptroller General of the United States. These standards require a peer review every three years. The Association of Inspectors General performed a peer review of the OIG and determined the OIG met all applicable yellow book standards.
- **Cost Savings.** The IG saved the District approximately \$27,000¹¹ with an in-house risk assessment program and \$2,000¹² with an in-house audit program to conduct audits. These programs were part of the peer review process which found professional standards were fully met. Savings totaled approximately \$29,000.
- **Monitoring.** In addition to the peer review performed by an external party, the OIG also monitors the quality of its audits and investigations in accordance with professional standards. The results of the OIG's monitoring found compliance with professional standards and the OIG's Audit and Investigation Quality Control Policies and Procedures.
- **OIG Quarterly Updates submitted to the Governing Board.** Provides an update to the Board on the OIG work product and other activities. These were submitted to the Board in October 2021, January 2022, April 2022, and July 2022.

¹¹ Subscription to a cloud-based risk assessment program.

¹² Subscription to a professional audit program package. This amount does not include the initial one-time set up fee of approximately \$22,000.

PERFORMANCE MEASURES

The status of the OIG performance measures, which were approved by the Governing Board in October 2021, are as follows:

Office of Inspector General		
Performance Measures	Goal	Status
Complete the audit plan.	Submit to the Board by January 2022	Completed January 2022
Allocate appropriate time to efforts resulting in reporting to the Board.	75% of Chargeable Hours	80% ¹³
Complete the OIG Annual Report.	Submit to the Board by September 2022	Completed September 2022
Complete updates to the Finance/Outreach & Planning Committee including IG performance measures.	Submit to the Board the month following each quarter-end	100% Complete
Complete the follow-up on four FY 2021 recommendations for use of fleet equipment, conflicts of interest, increase in pay requests, and use of district vehicles.	Complete follow-up by September 2022	Completed September 2022
Complete the follow-up to the recommendation from the Florida Department of Management Services regarding the District's policies and procedures on reporting workers' compensation to the Florida Retirement System.	Complete follow-up by September 2022	Completed September 2022

CERTIFICATIONS

The IG is currently certified as follows:

Certified Public Accountant (CPA).

Certified Fraud Examiner (CFE).

Certified Inspector General (CIG).

¹³ As of September 5, 2022.

PROFESSIONAL AFFILIATIONS

To maintain professional proficiency and to establish and advance professional networks, the IG belongs to the following professional affiliations:

Association of Inspectors General.

Association of Certified Fraud Examiners.

Florida Government Finance Officers Association.

CONTINUING PROFESSIONAL EDUCATION

Continuing professional education (CPE) is essential to the OIG to maintain the certifications noted above, professional proficiency, and remain updated on changes in the industry in order to ensure the highest quality of services. The IG receives a minimum of 80 hours of CPE every two years to meet requirement of 80 CPE hours for performing audits in accordance with professional standards of the *Generally Accepted Government Auditing Standards* and the requirement by the State of Florida to maintain an active CPA license. In the past, the IG has received from the Association of Inspectors General, the Florida Institute of Certified Public Accountants, the Governmental Accounting Standards Board, and the Florida Government Finance Officers Association.

CONTACT INFORMATION

Brian Werthmiller, CPA, CIG
Inspector General

2379 Broad Street Brooksville, Florida 34604-6899

Phone: (352) 796-7211 X4100 ♦ Fraud Hotline (352) 754-3482

FINANCE/OUTREACH AND PLANNING COMMITTEE

September 20, 2022

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of August 2022.

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 August 2022.

Staff Recommendation:

Present the Budget Transfer Report for the Board's information. No action required.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
August 2022

Item No.	--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		Reason For Transfer	Transfer Amount
	Bureau /	Expenditure Category	Bureau /	Expenditure Category		
Consistent with Original Budget Intent						
1	Water Resources Grant - Financial Assistance	Water Resources Grant - Financial Assistance			Appropriated state and federal funds are needed for the original purpose budgeted for the Water Supply and Water Resource Development Grant Program based on the projects selected by the Department of Environmental Protection (DEP). The DEP announced the projects selected are four Cooperative Funding Initiative alternative water supply projects previously approved by the Governing Board through the budgetary process. These funds will offset the District and the cooperator shares equally.	\$ 6,825,000.00
2	Information Technology Software Maintenance Equipment - Non-Capital Outlay Other Contractual Services	Information Technology Software Software Maintenance Cloud Software Usage Fees Training Not Requiring Travel Parts and Supplies Equipment - Computer Other Contractual Services			Funds are needed for the original purpose budgeted for a replacement Enterprise Security System. The funds are being transferred to the appropriate accounting codes for implementation of the selected system.	94,268.26
3	Various Bureaus Salaries & Benefits Operating Expenses Contracted Services for Operations Contracted Services for Projects	Various Bureaus Salaries & Benefits Operating Expenses Contracted Services for Operations Contracted Services for Projects			Funds are needed for the original purpose budgeted for land management activities. The funds are being transferred to the appropriate accounting codes based on items billed for reimbursement from the state's Land Acquisition Trust Fund for land management activities.	3,747,250.12
Total Consistent with Original Budget Intent						\$ 10,666,518.38
Total Amount Transferred						\$ 10,666,518.38

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
September 20, 2022

4. RESOURCE MANAGEMENT COMMITTEE

4.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	111
-----	--	-----

RESOURCE MANAGEMENT COMMITTEE

September 20, 2022

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

Governing Board Meeting

September 20, 2022

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

- 5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 112
- 5.2 **Discussion:** Action Item: Budget Transfer for the Tsala Apopka Outfall Canal
Structure 353 Spillway Repair (B882) 113
- 5.3 **Submit & File:** Information Item: Summary of FY2022 Interagency Land Management
Review 115

**OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE
September 20, 2022**

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**September 20, 2022****Discussion: Action Item: Budget Transfer for the Tsala Apopka Outfall Canal Structure 353 Spillway Repair (B882)***Purpose*

To request approval to transfer \$198,382.71 from the Hernando County Septic to Sewer project (WW10) to the Tsala Apopka Outfall Canal Structure 353 Spillway Repair project (B882).

Background/History

Structure S-353 was built by the U.S. Army Corps of Engineers in 1968. The District took over ownership, operation, and maintenance responsibilities the same year. The structure is in Citrus County on the Tsala Apopka outfall canal, between the northern limit of the Hernando pool of the Tsala Apopka Chain of Lakes and the Withlacoochee River. The structure gates can be operated remotely to maintain optimum water levels in the Hernando pool and serves as the outfall for the lake chain during high rain events. In 2017, the District contracted with URS Corporation for a structural and geotechnical evaluation due to noticeable water seepage observed along a concrete joint in the spillway slab downstream of the gates. Using Ground Penetrating Radar, concrete coring, and visual inspections, URS found that the underdrain systems for the spillway had failed and that there were voids under the spillway slab. \$800,000 was budgeted in FY2020 for design and construction. NorthStar Contracting Group was then engaged to complete the design work, utilizing \$65,000 of the budget, leaving \$735,000 for construction.

Design and Bid documents were completed in October of 2021 and the original engineering opinion of probable cost was \$514,434.50. In March of 2022, the engineering opinion of probable cost was updated in preparation for bidding the construction. This construction estimate was increased to \$587,887.95 which would have allowed the remaining \$147,112.05 to be used for construction services and contingency. On August 23, 2022, three firms submitted bids for this work. The lowest responsive and responsible bidder submitted a bid of \$717,189.50. With construction services and contingency, the total construction cost is expected to be up to \$933,382.71.

Benefits/Costs

Structure 353 is a U.S. Army Corps of Engineers built flood control structure that plays a vital role in protecting the Lake Tsala Apopka Region of Citrus County from flooding. This project will ensure the integrity of this structure by replacing failed underdrains and filling voids under the spillway that were caused by the failed underdrains.

Staff Recommendation:

Approve the transfer of \$198,382.71 from the Hernando County Septic to Sewer project (WW10) to the Tsala Apopka Outfall Canal Structure 353 Spillway Repair project (B882).

Presenter:

Jerry Mallams, Bureau Chief, Operations

This Page Intentionally Left Blank

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**September 20, 2022****Submit & File: Information Item: Summary of FY2022 Interagency Land Management Review***Purpose*

Communicate to the Governing Board the results of a Land Management Review (Review) conducted on the Upper Hillsborough Preserve (Preserve).

Background/History

Section 373.591, Florida Statutes, requires water management districts to establish land management review teams to conduct periodic management reviews to determine whether conservation, preservation, and recreation lands titled in the water management districts name are being managed for the purposes for which they were acquired and in accordance with land management objectives. The Review is intended to invite peer contribution regarding implementation and consistency of management activities with respect to the District's Land Management Plan for the tract. Land Resources staff conducted the Review on the Preserve on August 10, 2022, and the Review team included representatives from Florida Forest Service, Florida Fish and Wildlife Conservation Commission, Department of Environmental Protection – Division of State Lands, Department of Environmental Protection – Florida Park Service, National Wild Turkey Federation, Pasco County Environmental Lands Program, and Audubon Society of Florida. A private landowner who manages lands nearby in Pasco County was also invited but unable to attend due to a flight delay. The Review consisted of introductions and an overview of the Preserve followed by a field tour of the Preserve which included discussions of key activities and milestones achieved on the Preserve. The Review concluded with a question-and-answer session along with a written evaluation form filled out by each participant. The key points that were assessed in the Review included Hydrological Management, Fire Management, Restoration and Natural Systems Maintenance, Forest Management, Imperiled Species Management, Invasive and Exotic Species Management, Infrastructure and Maintenance, Land Acquisition, Land Use and Recreation, Archaeological and Cultural Resources, and Security. Each of these items were ranked on a scale of one to five, with five being excellent. The complete results of the Review along with written comments by the Review team are provided in Exhibit A attached hereto.

A summary of the results of the Review are as follows:

Hydrological Management	5.0
Fire Management	4.4
Restoration and Natural Systems Management	4.1
Forest Management	4.0
Imperiled Species Management	4.1
Invasive and Exotic Species Management	4.6
Infrastructure and Maintenance	5.0
Land Acquisition	4.6
Land Use and Recreation	4.8
Archaeological and Cultural Resources	4.8
Security	4.8

Staff Recommendation:

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

Presenter:

Chris Reed, Manager, Land Management Section

Upper Hillsborough Preserve Land Management Review Report

Land Management staff held a Land Management Review (Review) as required per Ch. 373, F.S. on August 10, 2022, to assure that the Upper Hillsborough Preserve (Preserve) is being managed by the District as specified in the Land Management Plan (Plan) for the Preserve. The Review team ranked the District's management activities based on the goals and objectives outlined in the Plan. The Review team consisted of governmental and non-governmental organizations, a private landowner was also invited, but unable to attend due to a last-minute conflict. The reviewers and the organizations that they represent are outlined below. The results of the review are also provided in this report.

Review Team organization and representing participants.	
Department of Environmental Protection – Division of State Lands	Keith Singleton
Department of Environmental Protection – Division of Recreation and Parks	Chris Matson
Florida Fish and Wildlife Conservation Commission	Steve Brinkley
Florida Forest Service	Mike Edwards
Pasco County Environmental Lands	Kawika Bailey
National Wild Turkey Federation	Ricky Lackey
Audubon of Florida	Charles Lee
Southwest Florida Water Management District – Engineering and Watershed Management	Mark Fulkerson
Cedar Hammock Ranch (unable to attend)	Jay Vogel

Upper Hillsborough Preserve Land Management Review Report

RESOURCE PROTECTION AND MANAGEMENT					
Hydrologic Management					
Overall Hydrologic Conditions Met	1 (Low)	2	3	4	5 (High)
					8
			Yes	No	In Progress
Objective 1 - Continue to observe and assess water resources within the Preserve to ensure desired hydrologic function and develop restoration projects, as necessary.			8		
Objective 2 - Continue monitoring water quality and wetland conditions through the data collection network and periodic wetland assessments.			8		
Objective 3 - Protect water resources during management activities by continued implementation of Silvicultural and Agricultural Best Management Practices.			8		
Comments	Top notch. Water resources are being managed as intended for acquisition. Water resources in the preserve are recognized for their value and protected to ensure water quality is not impacted and flood protection benefits are maintained.				
Fire Management					
Overall Fire Management Met	1 (Low)	2	3	4	5 (High)
				5	3
			Yes	No	In Progress
Objective 1 - Develop and implement an annual burn plan and apply prescribed fire according to the District's Fire Management Guidelines.			7		1
Objective 2 - Conduct majority of prescribed burns during the growing season to support development of native fire-dependent species and habitat function.			6		2
Objective 3 - Update and maintain a condition class database to track management activities on specific management units.			7		1
Objective 4 - Maintain perimeter firelines on an annual basis and establish strategic internal management lines supporting the seasonal needs of prescribed fire program.			7		1
Comments	What is well established is impressive and looks great as fire management goes. Some compartments have challenges to applying fire to isolated portions of uplands and progress is being made in that regards. Would encourage staff to shorten burn rotation to two years when possible. Roller chopping is excessive in a few areas.				
Restoration and Natural Systems Maintenance					
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)
			1	5	2
			Yes	No	In Progress
Objective 1 - Assess habitat conditions and develop restoration strategy to recover historic natural communities on previously altered sites targeting imperiled natural communities.			2	1	5
Objective 2 - Utilize information obtained from historic imagery, FNAI Natural Communities Mapping, and on-site investigations to implement site specific restoration projects that support the District's restoration goals.			5		3

Exhibit 1

Upper Hillsborough Preserve Land Management Review Report

Natural Systems Maintenance						
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)	
			1	5	2	
				Yes	No	In Progress
Objective 1 - Continue to maintain existing habitat enhancement projects over the long-term to achieve desired future conditions outlined in the FNAI Natural Community Guide.				2	1	5
Objective 2 - Evaluate and develop habitat enhancement projects to improve habitat function.				4	1	3
Objective 3 - Implement habitat management projects that support the improvement and development of native plant and animal communities, including imperiled species.				4		4
Comments	Combination of tree plantings and an organized groundcover would benefit altered lands identified on the field tour. Impressed by overall program results. Improvement is needed in identifying sites, developing a strategy, and prioritizing. Several enhancement projects have been implemented or are in progress to remove woody vegetation and improve pine tree habitat.					
Forest Management						
Overall Forest Management Met	1 (Low)	2	3	4	5 (High)	
*Only seven (7) participants graded overall, one did not.			1	5	1	
				Yes	No	In Progress
Objective 1 - Manage the forest resources in accordance with the District's 10-Year Timber Management Plan and conduct timber harvests as scheduled.				6		2
Objective 2 - Evaluate and develop forest management projects to support specific restoration and enhancement objectives developed for the Preserve.				2		6
Objective 3 - Conduct annual inspections of forest resources for indication of disease, insect infestations, or damage from fire to promote forest health and sustainability.				5		3
Comments	Some containerized seedlings could benefit some of the southern tracts. There is no planting or timber harvesting happening on the property and the property could support both. More robust effort to plant longleaf pines in previously impacted areas is needed. Upper Hillsborough is not in the ten-year plan. Recommend a formal inspection process that is documented.					

Exhibit 1

Upper Hillsborough Preserve Land Management Review Report

Imperiled Species Management					
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)
			1	5	2
			Yes	No	In Progress
Objective 1 - Implement land management strategies and techniques that support development of habitat required for known imperiled species.			6		1
Objective 2 - In cooperation with other agencies and partners, implement survey and monitoring protocol where feasible for imperiled species and identify strategies for their recovery.			4		4
Objective 3 - Work with other state agencies, conservation organizations, and landowners to maintain habitat connectivity.			6		1
Comments	One unsure on Objective 1 and one unanswered on Objective 3. Look out for tortoises during land management activities. Hopefully more partnerships and money will be available in the future to keep a better eye on species management. Discussed the benefit of establishing a Red Cockaded Woodpecker relocation effort on this tract. Recommend seeking funding to proceed with this effort. Encourage cooperating with FNAI for additional monitoring and surveying.				
Invasive Exotic Species Management					
Overall Exotic Species Management Met	1 (Low)	2	3	4	5 (High)
				3	5
			Yes	No	In Progress
Objective 1 - Implement the District's Invasive Plant Management Plan for the Preserve.			7		1
Objective 2 - Employ an EDRR methodology on new infestations identified in the Invasive Plant Management Plan.			7		1
Objective 3 - Implement the feral hog control plan and manage the feral hog population on the Preserve.			7		1
Comments	Area seems to be in good maintenance control for exotic plants and animals. Excellent plan and implementation to control invasive/exotic species.				
Infrastructure and Maintenance					
Overall Infrastructure and Maintenance Met	1 (Low)	2	3	4	5 (High)
					8
			Yes	No	In Progress
Objective 1 - Annually inspect and maintain roads and trails according to their designated maintenance schedule.			8		
Objective 2 - Monitor and maintain culverts, bridges and low water crossings to prevent adverse impacts on hydrology.			8		
Objective 3 - Periodically inspect boundary fencing and gates to assure adequate protection of District resources and repair as needed.			8		
Comments	Well done. Great job with Alston camp site. Roads look well maintained. Public access is limited which helps. Few spots in roads are bad and may need reinforced.				

Exhibit 1
**Upper Hillsborough Preserve
Land Management Review Report**

Administration						
Land Acquisition						
Overall Land Acquisition Met	1 (Low)	2	3	4	5 (High)	
				3	5	
				Yes	No	In Progress
Objective 1 - Consider acquisition of inholding parcels to complete boundary and improve management.				7		1
Objective 2 - Evaluate opportunities to acquire fee interest in parcels within the District's optimal boundary and Florida Forever work plan.				7		1
Objective 3 - Pursue acquisition of less-than-fee interests through strategic conversation easements that complement the District's existing network of fee interests and less-than-fee acquisitions.				7		1
Comments	Surprised to hear about the conservation easements. Sounds like the District stays on top of it. Recommend more robust efforts to engage in acquisition under expanded State appropriations. Potential lands identified for future fee or conservation easement purchase.					
Land Use and Recreation						
Land Use						
Overall Land Use Met	1 (Low)	2	3	4	5 (High)	
				2	6	
				Yes	No	In Progress
Objective 1 - Routinely review agreements, easements, and leases and update as necessary.				8		
Objective 2 - Review special requests and issue SUAs for uses that are consistent with the District policies.				8		
Objective 3 - Maintain cooperative relationships with state, local, and other governmental entities as well as with stakeholders.				8		
Recreation						
Overall Recreation Met	1 (Low)	2	3	4	5 (High)	
				2	6	
				Yes	No	In Progress
Objective 1 – Maintain appropriate public access and quality compatible recreational opportunities.				7		1
Objective 2 – Evaluate requests for additional compatible public access and recreational opportunities.				6		2
Comments	Camps look good and hunting/non-hunting, recreation opportunities seem just right. Consider a fee for some recreational access, especially camping. Recommend more direct management of campgrounds and implement a campground host system. Reevaluate camping fees.					

Exhibit 1

Upper Hillsborough Preserve Land Management Review Report

Archaeological and Cultural Resources						
Overall Archaeological and Cultural Resources Met	1 (Low)	2	3	4	5 (High)	
				2	6	
				Yes	No	In Progress
Objective 1 – <i>Coordinate and follow the Division of Historical Resources' recommendations for protection on known sites. Continue to monitor, protect, and preserve as necessary any identified sites.</i>				7		1
Objective 2 – <i>Take precautions to protect these sites from potential impacts resulting from management or maintenance activities.</i>				7		1
Objective 3 – <i>Maintain qualified staff as an Archaeological Site Monitor.</i>				8		
Comments	Staff are well versed and acting appropriately during land management activities. Recommends making a point to put eyes on the two main sites that are near the boundary at least annually. Passive protection of cultural resources.					
Security						
Overall Security Met	1 (Low)	2	3	4	5 (High)	
				2	6	
				Yes	No	In Progress
Objective 1 – <i>Identify, document, and address security issues, including encroachments and unauthorized access.</i>				8		
Objective 2 - <i>Maintain and inspect boundary fences, boundary lines, and gates to deter encroachment and unauthorized access. Post and maintain rule and boundary signage.</i>				8		
Objective 3 - <i>Maintain and as needed update law enforcement agreement with FWC or other agencies as appropriate.</i>				8		
Comments	Sounds like vast improvements have occurred over a short time. There never seems to be enough law enforcement support for poaching/trespass. Staff have addressed trash and unsavory visitors by changing recreation/camping rules which have cleaned up campgrounds.					

Exhibit 1
**Upper Hillsborough Preserve
Land Management Review Report**

Overall Management			
	Yes	No	In Progress
Objective 1 – <i>Is the property being managed in accordance with the management plan?</i>	8		
Objective 2 – <i>Is the property being managed for the conservation purposes (water quality, flood protection, water supply, and natural systems protection and enhancement) for which it was acquired.</i>	8		
Comments	<ul style="list-style-type: none"> • Hog management will continue to be challenge. Lots of natural community management has improved this unit greatly, including hardwood reduction and very good fire management. Hydrology seemed much better than many other public lands that get reviewed. More information on threatened and endangered species would benefit a future review. Keep up the good work on the non-native invasives. • Good job managing with fire and mechanical treatments. • This is a challenging place to manage. Impressed with the management. • The property is in good condition and the staff are doing a good job of maintaining and improving the property. • District is implementing land management techniques. The amount of work is impressive for the limited staffing. Area of improvement is the lack of operational plans and documenting of work performed. Recommend identifying units and strategies to get to desired future conditions. 		

Governing Board Meeting

September 20, 2022

6. REGULATION COMMITTEE

- 6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion.....124
- 6.2 **Discussion:** Action Item: Denials Referred to the Governing Board125
- 6.3 **Discussion:** Information Item: Knowledge Management: Well Drilling Advisory Committee126

REGULATION COMMITTEE

September 20, 2022

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

REGULATION COMMITTEE

September 20, 2022

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

REGULATION COMMITTEE

September 20, 2022

Discussion: Information Item: Knowledge Management: Well Drilling Advisory Committee

This presentation is an information only item to discuss a request to retire the Governing Board Well Drilling Advisory Committee (WDAC) policy to allow for conversion of the committee to an advisory group.

Unlike the other Board advisory committees – Public Supply, Industrial, Environmental, and Agriculture and Green Industry – that discuss a wide range of issues, the Well Drillers Advisory Committee focuses specifically on well drilling issues, including the permitting process. Converting the WDAC to an advisory group would allow for the same format and management that is used for the two other types of District permits – Water Use and Environmental Resource. The Water Use and Environmental Resource Permitting advisory groups are scheduled and managed at staff level with the appropriate stakeholders.

Some of the benefits of converting the WDAC to an advisory group include reduction of administrative tasks associated with public noticing, increased flexibility in coordination and scheduling of meetings, more direct coordination with well construction professionals, and less formality in the meeting format that may increase attendance and participation.

Under the new format, the group meetings would be held, at a minimum, semi-annually with the option to add additional meetings with the water well construction industry as needed. As with the WDAC meetings, water well contractor license continuing education credits would continue to be offered.

If the committee is converted to an advisory group, the current WDAC Governing Board policy would no longer be needed. Staff will return to the Board in October with a request to retire the WDAC Governing Board policy.

Staff Recommendation:

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

Presenter:

David N. Arnold, P.G., Well Construction Manager, Water Use Permit Bureau

BOARD POLICY			
Southwest Florida Water Management District			
Title: Well Drilling Advisory Committee			
Document Owner:	Darrin W. Herbst, P.G., Water Use Permit Bureau Chief		
Approved By:	Jeffrey M. Adams, Chair	Effective Date:	2/26/2019
		Last Review:	2/26/2013

Contents

PURPOSE	1
SCOPE	2
AUTHORITY	2
DEFINITIONS	2
STANDARDS	2
TERMS OF MEMBERSHIP	2
OFFICERS AND DUTIES	2
POLICY	3
DISTRIBUTION	3
REFERENCES	3
PERIODIC REVIEW	3

PURPOSE

The purpose of this policy is to establish the Well Drilling Advisory Committee (WDAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the WDAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this committee. This advisory committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a thirteen-member Governing Board composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the advisory committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the WDAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water quality activities, research and other water resource management projects that relate to the well construction industry. Subject matter considered by the WDAC shall relate to the statutory duties and responsibilities of the District. WDAC member representatives serve as liaisons with the District, maintaining communication with other members of their industry to the WDAC. In addition, the WDAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the WDAC shall be to provide two-way communication between the District and the well construction industry.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A

STANDARDS

Membership will be representative of the well construction industry and consist of seven water well contractors holding valid Florida licenses. One of the seven members will be chosen by the Florida Ground Water Association to represent it on the WDAC. The six other representatives will be chosen by the Executive Director at the recommendation of the Governing Board or designated District staff. The chair of the WDAC may recommend new members to the District. WDAC members shall be designated as authorized travelers of the District.

TERMS OF MEMBERSHIP

WDAC member representatives serve three-year terms. Multiple terms may be served with the approval of the member organization and the District. If a WDAC member representative misses three consecutive meetings without prior notice to the District, the District shall request the selection of a representative who is better able to attend meetings. The executive director or his/her designee can remove a membership or a member representative from the committee for nonparticipation.

OFFICERS AND DUTIES

The WDAC will elect a chair and vice-chair who will serve two-year terms of office and may be elected to those positions a maximum of two consecutive times. Election shall be majority vote.

The chair will be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from WDAC members, for chairing WDAC meetings, for establishing subcommittees as may be appropriate, and for representing the WDAC when necessary. The vice-chair shall serve as chair in the chair's absence.

POLICY

Meetings of the WDAC will be held, at a minimum, quarterly or as authorized by the Executive Director or his/her designee. The Chair of the WDAC may request that special meetings be held. Notices of WDAC meetings will be mailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The WDAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to WDAC members. Topics for discussion at WDAC meetings will focus on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the WDAC which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the Executive Director or his designee. All determinations of the WDAC shall be by majority vote of the members present (no quorum requirement). Requested input from the WDAC to the District will be reported to the Governing Board when requested by the WDAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, WDAC chair, other WDAC members designated by the chair or selected by the WDAC, or by District staff. Meetings shall be conducted in accordance with Robert's "Rules of Order" as described in Robert's "Rules of Order Newly Revised," originally written by General Henry M. Robert (1876), unless specified otherwise by law or this policy. The WDAC is subject to the Government-in-the-Sunshine Law and all applicable laws and regulations.

DISTRIBUTION

N/A

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine-Law)
Rules of Order Newly Revised, originally by Henry M. Robert (1876)

PERIODIC REVIEW

This policy will be reviewed every three years.

Governing Board Meeting
September 20, 2022

7. GENERAL COUNSEL'S REPORT

- 7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 130
- 7.2 **Submit & File:** Information Item: Outside Legal Services Update 131

GENERAL COUNSEL'S REPORT

September 20, 2022

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

GENERAL COUNSEL'S REPORT

September 20, 2022

Submit & File: Information Item: Outside Legal Services Update

The Governing Board's Policy on District Legal Services authorizes the General Counsel, in consultation with the Executive Director and the Governing Board Chair, to retain outside legal services if necessary to adequately represent the District. The General Counsel's responsibility is to ensure that the full capabilities of the Office of General Counsel (OGC) are being utilized prior to retaining outside counsel.

OGC currently manages four private law firms under contract to provide as-needed legal services on matters of law that fall outside the ordinary scope and expertise of in-house legal counsel. A majority of the hourly rates for the District's outside counsel exceed the standard fee for private attorney services of \$200 per hour established as a benchmark in Section 287.059, Florida Statutes. While the standard fee may be waived in accordance with Rule 2-37.010, Florida Administrative Code, the Office of General Counsel strives to provide high-quality legal counseling and representation in the most cost-efficient manner. As a result, the General Counsel has negotiated a better hourly rate with Karen West, Esq., of Karen West, P.A., than the outside counsel currently under contract. Due to her unique qualifications and experience, Ms. West is also capable of providing more effective counseling in areas of critical concern for OGC and the District.

Staff Recommendation:

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

Presenter:

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

COMMITTEE/LIAISON REPORTS

September 20, 2022

Discussion: Information Item: Industrial Advisory Committee

Staff Recommendation:

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

Presenter:

Ashley Bell Barnett, Board Member

COMMITTEE/LIAISON REPORTS

September 20, 2022

Discussion: Information Item: Public Supply Advisory Committee

Staff Recommendation:

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

Presenter:

Ed Armstrong, Vice Chair

EXECUTIVE DIRECTOR'S REPORT

September 20, 2022

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

September 20, 2022

Discussion: Information Item: Chair's Report

Staff Recommendation:

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

Presenter:

Joel A. Schleicher, Chair

CHAIR'S REPORT

September 20, 2022

Discussion: Information Item: Employee Milestones

Staff Recommendation:

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

Presenter:

Joel Schleicher, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	09/05/2017	Maria Chapman	Document Imaging Technician	Brooksville	General Services	2022	09/05/2022
5	09/25/2017	Miguel Gonzalez Cruz	Structure Operations Engineer	Brooksville	Operations	2022	09/25/2022
10	09/10/2012	Julie Zydek	Professional Geologist	Tampa	Data Collection	2022	09/10/2022
35	09/21/1987	Georgia Hudson	Senior Procurement Specialist	Brooksville	Procurement Svc Office	2022	09/21/2022