

# Governing Board Meeting

## *Agenda and Meeting Information*

*September 24, 2019*

*3:00 PM*

*Tampa Office*

7601 US Hwy. 301 • Tampa, Florida  
(813) 985-7481

Southwest Florida  
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



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# Southwest Florida Water Management District

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

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## Final Agenda GOVERNING BOARD MEETING

SEPTEMBER 24, 2019

3:00 PM

### Tampa Office

7601 US HWY. 301, TAMPA, FL 33637  
(813) 985-7481

*All meetings are open to the public.*

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

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

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

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

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

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

The current Governing Board agenda and minutes of previous meetings are on the District's website: [www.WaterMatters.org](http://www.WaterMatters.org)

#### Bartow Office

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

#### Sarasota Office

6750 Fruitville Road  
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



**3:00 P.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)**

1. *Call to Order*
2. *Invocation and Pledge of Allegiance*
3. *Employee Recognition*
4. *Additions/Deletions to Agenda*
5. *Public Input for Issues Not Listed on the Published Agenda*

**CONSENT AGENDA (TAB B)*****Finance/Outreach & Planning Committee***

6. Board Encumbrance of the Capital Field Equipment Fund
7. Board Encumbrance of Capital Improvements Plan Brooksville Generators
8. Board Encumbrance of Deposit for Sarasota Office Relocation
9. Board Encumbrance of the Tampa Space Utilization Renovations
10. Knowledge Management: Performance Incentive Program Governing Board Policy
11. Knowledge Management: Risk Management and Safety Governing Board Policy
12. Vehicle Use Audit Follow-Up
13. Budget Transfer Report

***Resource Management Committee***

14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project – Scope of Work Change (N792)
15. FARMS – Tamiami Citrus, LLC (H730), Hardee County – Scope Change

***Operations, Lands and Resource Monitoring Committee***

16. Knowledge Management: Cooperative Land Management Agreements Governing Board Policy

***Regulation Committee***

17. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County
18. Individual Water Use Permits Referred to the Governing Board - None

***General Counsel's Report***

19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
  - a. Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Carl Douglas, Jr. – License Number 9127 – CT No. 404782 – Charlotte County, Florida
  - b. Approve the District's Annual Regulatory Plan for 2019-2020
20. Rulemaking – None

***Executive Director's Report***

21. Approve Governing Board Minutes – August 27, 2019

**FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)*****Discussion***

22. Consent Item(s) Moved for Discussion
23. Office of Inspector General Fiscal Year Ending September 30, 2019 Annual Report
24. Fiscal Year (FY) 2020 Budget Development

***Submit & File Reports - None******Routine Reports***

25. Treasurer's Report and Payment Register
26. Monthly Financial Statement
27. Monthly Cash Balances by Fiscal Year
28. Comprehensive Plan Amendment and Related Reviews Report

**RESOURCE MANAGEMENT COMMITTEE (TAB D)*****Discussion***

29. Consent Item(s) Moved for Discussion
30. Five-Year Water Resource Development Work Program
31. Fiscal Year 2021 Business Plan Update

32. Polk Regional Water Cooperative Southeast Wellfield – Conceptual Design Third-Party Review (N905)

***Submit & File Reports - None***

***Routine Reports***

33. Minimum Flows and Levels Status Report  
34. Significant Water Resource and Development Projects

**OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB E)**

***Discussion***

35. Consent Item(s) Moved for Discussion  
36. Hydrologic Conditions  
37. Surplus Lands Assessment  
38. Knowledge Management: Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy

***Submit & File Reports - None***

***Routine Reports***

39. Surplus Lands Update  
40. Structure Operations  
41. Significant Activities

**REGULATION COMMITTEE (TAB F)**

***Discussion***

42. Consent Item(s) Moved for Discussion  
43. Denials Referred to the Governing Board

***Submit & File Reports - None***

***Routine Reports***

44. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation  
45. Overpumpage Report  
46. Individual Permits Issued by District Staff

**GENERAL COUNSEL'S REPORT (TAB G)**

***Discussion***

47. Consent Item(s) Moved for Discussion

***Submit & File Reports - None***

***Routine Reports***

48. September 2019 Litigation Report  
49. September 2019 Rulemaking Update

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

50. Agricultural and Green Industry Advisory Committee  
51. Other Committee/Liaison Reports

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

52. Executive Director's Report

**CHAIR'S REPORT (TAB J)**

53. Executive Director's and Inspector General's Annual Reports  
54. Chair's Report  
55. Other  
56. Employee Milestones

\*\*\* **RECESS PUBLIC HEARING** \*\*\*

**ADJOURNMENT**

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or an issue that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899. The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.

**Southwest Florida Water Management District Schedule of Meetings  
Fiscal Year 2020**

**Governing Board Meeting**

October 22, 2019 (9:00 a.m., Brooksville Office)  
November 12, 2019 (9:00 a.m., Tampa Office)  
December 10, 2019 (9:00 a.m., Brooksville Office)  
January 28, 2020 (9:00 a.m., Tampa Office)  
February 25, 2020 (TBD, Location TBD, Sarasota)  
March 24, 2020 (9:00 a.m., Brooksville Office)  
April 28, 2020 (10:00 a.m., Lake Eva Banquet Hall, Haines City)  
May 19, 2020 (9:00 a.m., Tampa Office)  
June 23, 2020 (9:00 a.m., Brooksville Office)  
July 21, 2020 (9:00 a.m., Tampa Office)  
August 25, 2020 (9:00 a.m., Brooksville Office)  
September 22, 2020 (3:00 p.m., Tampa Office)

**Governing Board Public Budget Hearings – 5:01 p.m., Tampa Office**

2020 – September 8 & 22

**Public Meeting for Pending Permit Applications – 9:00 a.m., Tampa Office**

2019 – Oct. 2, Nov. 6, Dec. 4

2020 – Jan. 8, Feb. 5, Mar. 4, Apr. 1, May 6, Jun. 3, July 1, Aug. 5, Sept. 2

**Environmental Resource Permitting Advisory Group – 10:00 a.m., and**

**Water Use Permitting Advisory Group – 2:00 p.m., Tampa Office**

2019 – October 30

2020 – April 29, July 22

**Agricultural & Green Industry Advisory Committee – 10:00 a.m., Tampa Office**

2019 – December 3

2020 – March 10, June 9, September 15

**Environmental Advisory Committee – 10:00 a.m., Tampa Office**

2019 – October 8

2020 – January 14, April 14, July 14

**Industrial Advisory Committee – 10:00 a.m., Tampa Office**

2019 – November 5

2020 – February 11, May 12, August 11

**Public Supply Advisory Committee – 1:00 p.m., Tampa Office**

2019 – November 5

2020 – February 11, May 12, August 11

**Well Drillers Advisory Committee – 1:30 p.m., Tampa Office**

2019 – October 9

2020 – January 8, April 8, July 8

**Springs Coast Management Committee – 1:30 p.m., Brooksville Office**

2019 – October 23, December 11

2020 – January 8, February 26, May 27, July 15

**Springs Coast Steering Committee – 2:00 p.m., Brooksville Office**

2019 – November 13

2020 – January 29, March 18, July 29

**Cooperative Funding Initiatives – all meetings begin at 10:00 a.m.**

2020 – February 5 - Northern Region, Brooksville Office

2020 – February 6 – Southern Region, Location TBD

2020 – February 12 – Heartland Region, Bartow City Hall

2020 – February 13 – Tampa Bay Region, Tampa Office

2020 – April 1 – Northern Region, Brooksville Office

2020 – April 2 – Southern Region, Location TBD

2020 – April 8 – Tampa Bay Region, Tampa Office

2020 – April 9 – Heartland Region, Bartow City Hall

**Meeting Locations**

Brooksville Office – 2379 Broad Street, Brooksville, FL 34604

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

Lake Eva Banquet Hall – 799 Johns Avenue, Haines City, FL 33844

Bartow City Hall – 450 N. Wilson Avenue, Bartow, FL 33830



# **Executive Summary**

## **GOVERNING BOARD MEETING**

**SEPTEMBER 24, 2019**

**3:00 p.m.**

### **CONVENE PUBLIC HEARING & MEETING (TAB A)**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Employee Recognition
4. Additions/Deletions to Agenda
5. Public Input for Issues Not Listed on the Published Agenda

### **CONSENT AGENDA (TAB B)**

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

#### **Finance/Outreach & Planning Committee**

##### **6. Board Encumbrance of the Capital Field Equipment Fund**

The purpose of this item is to request the encumbrance of remaining fiscal year (FY) 2019 funds within in Capital Field Equipment Fund (CFEF) to carry forward into FY2020 to support the management of future field equipment assets based upon the anticipated needs identified within the upcoming five-year period.

The CFEF administers the acquisition, replacement, enhancement, or reconditioning of District field equipment. The purpose of this fund is to manage these capital expenditures in a way that allows departments to conduct their business efficiently and effectively. The CFEF encompasses a systematic funding plan to address the District's capital field equipment needs which identifies specific items to be acquired, replaced, enhanced or reconditioned within the upcoming five-year period. The five-year plan is managed by the Fleet Section Manager.

The conceptual idea of the CFEF is to allow the District to efficiently and effectively management capital 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. As District field equipment ages, it must be replaced in a timely fashion to avoid high repair costs and repetitive downtime.

The anticipated encumbrance of up to \$484,810 in remaining FY2019 funds for future years planned expenditures was included in the General Services Bureau considerations when developing its FY2020 recommended budget.

Staff recommends the Governing Board approve the encumbrance up to \$484,810, plus any additional savings achieved on purchases completed before September 30, 2019, in remaining FY2019 funds within in the Capital Field Equipment Fund to carry forward into FY2020 for future years planned expenditures.

7. **Board Encumbrance of Capital Improvements Plan Brooksville Generators**

The purpose of this item is to request the encumbrance of budgeted funds from the Capital Improvements Plan to purchase and install whole building generators on Brooksville Buildings 4 and 5 as part of the District's storm preparation plan.

Funding was requested to install whole building generators on Brooksville Building 4 and 5 after the District was impacted by power outages for approximately one week during Hurricane Irma in 2017. This impacted vital portions of the Brooksville Service Office without power to perform storm recovery and daily operations.

Installation of two whole building generators will ensure that the District has redundant power systems and is prepared to operate during crucial storm events.

Installation of generators in Brooksville Buildings 4 and 5 will allow the District the ability to have a self-sustaining power source in a storm event that results in damage to the main campus power circuit. This will enable the District to maximize onsite staff resources and implement emergency response to ensure that the District meets its storm management needs.

Staff recommends the Governing Board approve the encumbrance of \$750,000 budgeted in FY2019 to procure generators and installation to outfit Brooksville Buildings 4 and 5 in FY2020 via the Capital Improvements Plan.

8. **Board Encumbrance of Deposit for Sarasota Office Relocation**

The purpose of this item is to request the encumbrance of budgeted funds for the purpose of funding a refundable deposit for relocation of the Sarasota Service Office which was approved by the Board at the May 22, 2018 meeting.

The District acquired the property for the Sarasota Office in 2000 and constructed the office in 2001 which has approximately 19,540 gross square feet of office and storage space. The Sarasota Office exceeds the size requirements for the approximately 36 staff that are assigned to this location.

At the May 22, 2018 Governing Board Meeting, Staff recommended and the Governing Board approved the following items:

- Authorize the Executive Director, with the concurrence of the Office of General Counsel, to deliver a Letter of Intent to an owner or representative for the potential lease or purchase of a candidate property, before bringing a Lease or Purchase and Sale Agreement to the Governing Board for consideration.
- Payment of a refundable deposit of not more than 5 percent of the advertised price, if necessary, to secure a property before Governing Board consideration of a Lease or Purchase and Sale Agreement.

Staff are actively searching for a replacement facility for lease or purchase in the Sarasota area. When a suitable property has been located, budget authority would be required for payment of a refundable deposit and any ancillary costs associated with due diligence activities, to hold a property prior to bringing a lease or purchase to the Governing Board for consideration.



Staff recommends the Governing Board approve the encumbrance of \$78,615 from FY2019 to carry forward into FY2020 for a refundable deposit and any ancillary due diligence costs to hold a property prior to Governing Board consideration of a lease or purchase and sale agreement.

9. **Board Encumbrance of the Tampa Space Utilization Renovations**

The purpose of this item is to request the encumbrance of budgeted funds from the Capital Improvement Projects (CIP) to implement alterations and renovations as recommended in the Staff Space Needs Study.

In October 2018, a Staff Space Needs Study was conducted to determine existing versus anticipated space needs for personnel and meeting space at the Tampa Office. As a result of this study, renovations were determined to be applicable in Buildings 1, 2 and 6.

Implementation will be conducted in a multi-year phased approach utilizing funding through the CIP plan. In order to properly implement the Space Needs changes, various issues were incorporated into the analysis: functional relationships; ease of relocation/space shifting; budget considerations; and phasing. The Staff Space Needs Study addressed the functional needs of each Bureau.

Because of the Staff Space Needs Study, the opportunity to recapture certain areas to meet Tampa's pressing needs will be realized, such as optimizing meeting spaces; shifting of spaces to improve departmental efficiencies; and capturing spaces that can be reduced in size.

The anticipated encumbrance of \$1,450,000 in FY2019 funds will enable staff to proceed with the development of the Tampa Space Utilization Renovations.

Staff recommends the Governing Board approve the encumbrance of \$1,450,000 to carry forward into FY2020 to implement alterations and renovations as recommended in the Staff Space Needs Study.

10. **Knowledge Management: Performance Incentive Program Governing Board Policy**

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

The Performance Incentive Policy, 710-3 has been reviewed and minor updates have been made.

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

Staff recommends the Board approve the updating of the Performance Incentive Program Policy.

11. **Knowledge Management: Risk Management and Safety Governing Board Policy**

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's

data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

The Risk Management and Safety Governing Board Policy, 120-1 has been identified by staff as obsolete. This information will be reformatted as an Executive Director Procedure.

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

Staff recommends the Board approve the deletion of Governing Board Policy 120-1.

#### **12. Vehicle Use Audit Follow-Up**

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General shall monitor the implementation of the District's response to any audit issued by the Auditor General (AG).

On July 9, 2018, the AG released report No. 2019-001 on the operational audit of the District. Included in this report was a finding regarding vehicle use. The AG recommended the District should document the periodic monitoring and evaluation of the use and need for District motor vehicles and a determination of whether it is more cost efficient to retain and maintain the existing number of motor vehicles or reduce the size of the fleet based on District needs.

The OIG conducted this follow-up audit for the quarter ending June 30, 2019 in accordance with generally accepted government auditing standards. Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for conclusions based upon the audit objectives. The OIG believes that the evidence obtained provides a reasonable basis for the conclusion based on the audit objectives.

The audit objectives of this follow-up audit were to:

- Evaluate management's performance in establishing and maintaining internal controls in accordance with applicable statutes, 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 AG's vehicle use finding from report No. 2019-001.

OIG's audit disclosed District Management had taken corrective actions as recommended by the AG for the vehicle use finding. No further findings or recommendations relating to the scope of this audit are included in the audit report.

Staff recommends the Board approve the Office of Inspector General Vehicle Use Follow-Up Audit.

#### **13. Budget Transfer Report**

In accordance with Board Policy, Budget Authority Transfer of Funds, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent

Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff recommends the Board approve the Budget Transfer Report covering all budget transfers for August 2019.

#### **Resource Management Committee**

##### **14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project - Scope of Work Change (N792)**

The purpose of this item is to request the approval of a revised Cooperative Funding Agreement and a change in project title for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project.

The District Governing Board approved fiscal year (FY) 2017 and 2018 funding for the construction of this project at a total project cost of \$2,500,000. The original scope included the design, permitting and construction of approximately 19,000 feet of 16-inch reclaimed transmission mains and other necessary appurtenances to supply a golf course and residential community with reclaimed water in the west central area of Pasco County.

This request will amend the Cooperative Funding Agreement replacing the River Ridge Golf Course irrigation user with the River Ridge Country Club residential community. Pasco County was unable to reach an agreement with the River Ridge Golf Course regarding the use of reclaimed water as an irrigation source. They were, however, able to secure the nearby River Ridge Country Club residential community as a customer. The amended project name will remove the reference to the River Ridge Golf Course and replace it with the River Ridge Country Club residential community.

The total project cost of \$2,500,000 and the District share of \$1,250,000 will not change. The measurable benefit will increase from 0.400 to 0.440 million gallons per day. The amended cost effectiveness remains high at \$9.01 per gallon per day which is below the \$10 to \$15 per gallon per day average for alternative supplies. The staff recommendation of the project remains high.

Staff recommends the Board approve the revision to the project title and Cooperative Funding Agreement for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project to include:

1. Rename the project to the Pasco County River Ridge Country Club and Waters Edge Residential Reclaimed Water Project.
2. Replace all references to the River Ridge Golf Course in the Cooperative Funding Agreement with the River Ridge Country Club.

##### **15. FARMS – Tamiami Citrus, LLC (H730), Hardee County – Scope Change**

To request approval for an amendment to an existing Facilitating Agricultural Resource Management Systems (FARMS) project with Tamiami Citrus, LLC, to change the scope of work and decrease the reimbursable FARMS eligible costs from a not-to-exceed limit of \$655,000 to \$250,645 (49 percent of total project costs). The total project costs are estimated to decrease from \$1,310,000 to \$512,784.

In November 2015, the Governing Board approved a FARMS project (H730) with Tamiami Citrus, LLC for their 1,987-acre citrus operation located 13 miles east of Wauchula, in northeast Hardee County, within the Peace River watershed, and Southern Water Use Caution Area. The Water Use Permit (WUP) authorizes an annual average groundwater withdrawal of 1,356,500 gallons per day (gpd). The project involved construction and operation of three reservoirs and surface water pump stations, pump automations and field

sensors to offset 200,000 gpd of Upper Floridan aquifer groundwater for approximately 1,500 acres of citrus. The total cost for the original project was \$1,310,000 with a District reimbursement of \$655,000.

As of June 2016, one reservoir and surface water pump station, filtration system, mainline, tailwater structures and culverts and, nine pump automations with rainfall and soil moisture sensors were completed. The groundwater offset has averaged 83,500 gpd. The operation history of the completed surface reservoir and pump station determined that there was insufficient surface water resources to justify constructing the remaining two irrigation reservoirs and pump stations. Tamiami Citrus, LLC has requested amending scope of the project to remove the two remaining irrigation reservoirs and pump stations with a proportionate reduction in groundwater offsets and project cost. FARMS project components for the amended scope of work consist of a surface water pump station, filtration system, tailwater control structures, culverts and mainline pipe necessary to connect the surface water reservoir to the irrigation system; and a total of nine start/stop pump automations, with rainfall and soil moisture sensors.

The project involves water quantity best management practices for supplemental irrigation and qualifies for a 50 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce groundwater withdrawals from the Upper Floridan aquifer by 6 percent, or 83,500 gpd, yielding a daily cost-benefit of \$3.10 per thousand gallons of groundwater reduced over the six-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation techniques for citrus operations. Reimbursement will be from the Governing Board FARMS fund.

Staff recommends the Board:

1. Approve amendment of the Tamiami Citrus, LLC project agreement for a not-to-exceed reimbursement of \$250,645;
2. Authorize the Assistant Executive Director to sign the amendment to the agreement.

### **Operations, Lands and Resource Monitoring Committee**

#### **16. Knowledge Management: Cooperative Land Management Agreements Governing Board Policy**

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

As discussed at the August 2019 Governing Board meeting staff performed a review of the Cooperative Land Management Reimbursements Governing Board Policy (previously the Local Government Partnership Funding for District-Owned Lands Board Policy) and deemed it necessary to update the policy. The revised policy has been provided as an exhibit. The primary modification is to broaden the policy to set objectives and parameters for entering into cooperative land management agreements with both state and local governments for the management of District lands. The policy updates also limits the District's land management reimbursement rate to the District's percent contribution in the acquisition of the property. The policy updates are consistent with Chapter 373, Florida Statute.

Staff recommends the Board approve the Cooperative Land Management Agreements Governing Board Policy as revised.

**Regulation Committee****17. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County**

On March 25, 2015, the District issued Environmental Resource Permit (ERP) No. 43041425.001 (Permit) to EIP Credit Co., LLC (Permittee), authorizing the establishment of a mitigation bank known as the Old Florida Mitigation Bank (Project), located in Pasco County, Florida. At the time of Permit issuance, the owner of the Project was EIP Florida, LLC (EIP), which is a related entity of the Permittee. The rules governing mitigation banks required EIP to grant a Conservation Easement (CE) over the Project to the District. On June 18, 2015, EIP granted a CE over the Project to the District. The CE excluded an approximately 2-acre parcel from the mitigation bank to be used for the construction of a house. The 2-acre parcel fronts onto SR 52.

On or about December 2, 2016, EIP conveyed its underlying fee simple interest in the Project to Old Florida Ranch, LLC (Owner). Approximately 2 acres of the property were intentionally not encumbered by the CE conveyed for the mitigation bank to allow for construction of a caretaker's residence or hunting camp for both the future management and recreational use of the property. The 2-acre site is located on the south side of State Road 52 and a portion of it is being acquired by the Florida Department of Transportation, which will reduce the size to 1.64 acres. The Owner indicated it would now like the residence/camp to be located more internal to the property for its ease of access for management and recreation uses, and has proposed a release and exchange of property to the District. The proposed transaction involves the release of the District CE on 1.34 acres located further into the interior of the property in exchange for amending the District CE to include the 1.64 acres located along State Road 52. In this case the valuation of the exchange was determined to be equal. The property encumbered by the CE is entitled for the development of a residence/camp at a single location entitlement in the before condition and the property will have the same entitlement, although slightly smaller, in the after condition.

The Owner currently has an ERP application pending to address the amendment to the CE for the Project. The amendment to the CE will be conveyed by Owner to the District and will be processed via the pending ERP application, which will also address any required adjustment to the number of credits for the Project. Because the partial release of the CE is altering an interest in land previously conveyed to the District, the District must join in with the Owner in executing the instrument. The Partial Release of Conservation Easement and Quit Claim Deed, and the First Amendment to Conservation Easement are provided for the Governing Board's review as exhibits to this recap; however, only the partial release must be executed by the Governing Board. The executed partial release will be held until the ERP application is processed, and both the partial release and the amendment to the CE will be recorded on the same day.

Staff recommends the Board approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Old Florida Mitigation Bank.

**18. Individual Water Use Permits Referred to the Governing Board - None****General Counsel's Report****19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval****a. Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Carl Douglas, Jr. – License Number 9127 – CT No. 404782 – Charlotte County, Florida**

Carl Douglas, Jr. is a licensed water well contractor holding License No. 9127 ("License"), whose mailing address is 2404 Greenleaf Road, Zolfo Springs, FL 33890. Mr. Douglas

operates Douglas Well Drilling, LLC, and conducts business under that name.

On June 5, 2019, Well Construction Permit No. 879695 was issued to Carl Douglas, Jr. for the construction of a 4-inch diameter domestic water well. On June 12th and 13th of 2019, District staff were present at 8208 Austrian Blvd, Punta Gorda, Florida 33982, to observe part of the construction of the well. At the site, District staff observed the following violations of Rule 40D-3.502, Florida Administrative Code:

1. The failure to use contaminant free make-up water;
2. The failure to use a drill bit equal to or smaller in diameter than the inside diameter of the driven casing; and
3. The failure to install the first length of water-bearing casing before use of the rotary drill.

On July 12, 2019, District staff sent a Notice of Violation and Proposed Consent Order to Mr. Howard that provided for \$2,000.00 in fines and assessment of 18 points against his license as provided by the 2014 Water Well Contractor Disciplinary Guidelines and Citations Dictionary. Further, due to the faulty construction of the well, the proposed Consent Order required Mr. Douglas to properly plug and abandon the well. As of the date of this Recap, Mr. Douglas has not agreed to the terms of the proposed Consent Order.

Staff recommends the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Carl Douglas, Jr. to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

b. **Approve the District's Annual Regulatory Plan for 2019-2020**

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 a notice indicating that its Regulatory Plan is available in the Florida Administrative Register.

The District's proposed 2019-2020 Regulatory Plan lists upcoming rulemaking in the following categories:

1. Amendments to Procedural Rules - simplifying and clarifying rules, and increasing efficiency;
2. Amendments to Water Use Permitting Rules - simplifying and clarifying rules, deleting unnecessary rules, and in some cases reducing regulatory costs;
3. Amendments to Water Levels and Rates of Flow Rules - clarifying rules, increasing efficiency, deleting obsolete or unnecessary rules, and in some cases reducing

- regulatory costs; and
4. Amendments to Recovery and Prevention Strategies for Minimum Flows and Levels - clarifying rules and increasing efficiency.

Upon Governing Board approval, the District's Regulatory Plan will be published on the District's website, and a notice will be published in the Florida Administrative Register, identifying the date of publication and a hyperlink to the published plan. 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 subsection 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 recommends the Board approve the District's Annual Regulatory Plan for 2019-2020 and execute the certification required by 120.74(1)(d), F.S.

## 20. Rulemaking – None

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

#### 21. Approve Governing Board Minutes – August 27, 2019

Staff recommends the Board approve the minutes as presented.

## **FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)**

### **Discussion**

#### 22. Consent Item(s) Moved for Discussion

#### 23. Office of Inspector General Fiscal Year Ending September 30, 2019 Annual Report

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 Office during the immediately preceding fiscal year.

Your current IG began with the District on October 22, 2018. This report provides relevant information regarding performance measures, a description of recommendations for corrective actions, a description of correction action from previous annual reports that have not been completed, a summary of reviews completed, a summary of each audit completed, a summary of each investigation completed, and other accomplishments during the period.

Attachment for the Annual Report will be provided under a separate cover.

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

#### 24. Fiscal Year (FY) 2020 Budget Development

At the July 23 Governing Board meeting, the Governing Board approved the Standard Format Tentative Budget, which on August 1, was submitted to the Executive Office of Governor (EOG), 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, and the governing body of each county in which the District has jurisdiction or derives any funds for the operations of the District. The tentative budget report was also posted on the District's website and reflects the budget as approved by the Governing Board on July 23.



The Governing Board also adopted a proposed FY2020 millage rate of 0.2801 mill, which is the rolled-back rate. The proposed FY2020 millage rate was certified to the county property appraisers following the meeting and was used for the Truth in Millage (TRIM) Notices of Proposed Property Taxes to all District taxpayers.

On September 17, 2019, the first public budget hearing is scheduled to be held at the Tampa Office where the Governing Board will vote on a tentative millage rate and budget. Written disapproval of any portion of the budget must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget hearing. The second and final hearing is scheduled to be held on September 24, 2019 at 5:01 p.m. also at the Tampa Office.

Staff will review the proposed changes, if any, since the first public budget hearing scheduled to be held on September 17, 2019.

Staff recommends the Board approve the proposed changes, if any, to the FY2020 budget for adoption at the final budget hearing scheduled to be held on September 24, 2019

### **Submit & File Reports – None**

#### **Routine Reports**

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

- 25. **Treasurer's Report and Payment Register**
- 26. **Monthly Financial Statement**
- 27. **Monthly Cash Balances by Fiscal Year**
- 28. **Comprehensive Plan Amendment and Related Reviews Report**

## **RESOURCE MANAGEMENT COMMITTEE (TAB D)**

#### **Discussion**

- 29. **Consent Item(s) Moved for Discussion**

- 30. **Five-Year Water Resource Development Work Program**

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

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 DEP 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 24, 2019.

The fiscal year (FY) 2020 Work Program covers the period from FY2020 through FY2024 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 provides a Work Program guidance template for the water management districts to support statewide reporting consistency. Additionally, DEP also provides a spreadsheet template for reporting additional project details consistent with the FY2020 annual budget. The proposed Work Program (see Exhibit) utilizes the DEP template and spreadsheet.

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. The results of DEP's review and District responses will be brought to the Governing Board in early 2020. 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 recommend the Board authorize staff to submit the proposed Five-Year Water Resource Development Work Program to the Florida Department of Environmental Protection for review.

**31. Fiscal Year 2021 Business Plan Update**

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, business drivers and performance measures. The plan ensures continued efficiency gains, effective organizational improvements, and alignment with the District's Strategic Plan. The 2021 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.

Preparation of the District's annual Business Plan enhances 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.

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

**32. Polk Regional Water Cooperative Southeast Wellfield – Conceptual Design Third-Party Review (N905)**

The purpose of this item is to provide the results of the project's first third-party review (TPR) on the brackish well feasibility study and conceptual design of a reverse osmosis (RO) facility and regional transmission system, and to request Governing Board approval to continue executing the cooperative funding agreement (CFA) for preliminary design and a second TPR.

Polk County and the municipal utilities within Polk County primarily utilize traditional groundwater supplies to meet their water supply demand. Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a regional water supply entity, the Polk Regional Water Cooperative (PRWC), to develop future alternative water supplies (AWS). The Southeast Wellfield project is one of four PRWC projects that are utilizing funds from District Resolution 15-07 for the feasibility and design of new AWS sources.

The Southeast Wellfield Project is being designed to provide 7.5 million gallons per day (mgd) of AWS in its initial phase, with six incremental expansions up to a total of 30 mgd, and transmission systems to deliver AWS to multiple PRWC member utility systems. The District Governing Board discussed the project and approved initial funding at its April 2017 meeting. The current Cooperative Funding Agreement (CFA) project phase consists of the design, permitting, and construction of a Lower Floridan aquifer test/production well study; the conceptual design, pilot testing, and preliminary design of a water treatment facility; and conceptual and preliminary design of a regional transmission system. The CFA requires two District third-party reviews (TPRs) at the conceptual design (feasibility) and preliminary design (30 percent) stages, and Governing Board authorization is required to proceed with the project following each TPR. The conceptual design (feasibility) TPR was conducted in August 2019 and reviewed the PRWC's formal drafts of the Test Well Completion Report, Projected Water Quality Modeling Memo, Water Production Facility Conceptual Design Report, and Transmission Conceptual Routing Analysis. The documents and findings of the TPR are discussed below. The PRWC is incorporating TPR suggestions in the final copies of the reports.

The Southeast Wellfield Test Well Completion Report describes the drilling and testing study that was conducted at the northern end of the wellfield and was completed in April 2019. Objectives of the study were to determine productivity, groundwater quality, hydraulic properties, evaluate confinement between the Upper Floridan and Lower Floridan aquifers; and evaluate the potential injection zone below the production zone for RO concentrate disposal. The TPR found the testing study to be thorough and accomplished the stated goals.

The Projected Water Quality Modeling Memo describes the groundwater modeling tools and scenarios used to determine the raw water quality expected at startup and in the future from planned withdrawals at the Southeast Wellfield to support the design of the water treatment facility. The TPR reviewed both the report and the parameters of the groundwater simulation model. The TPR found the methods to be a reasonable approach for the current stage of the design process. The Modeling Memo summarized results of 22 modeling runs and predicted a raw water Total Dissolved Solids (TDS) of 6,000 mg/l after 30 years of full-capacity use. The TPR suggested four additional scenarios that the PRWC team expeditiously tested. The additional scenarios did not impact the report conclusions. The additional scenarios and other suggested edits will be included in the final Modeling Memo.

The Water Production Facility Conceptual Design Report was reviewed for its assumptions of brackish raw water chemistry, RO treatment system methods, finished water quality and post-treatment systems, and pipelines for raw water intake and concentrate disposal. The TPR evaluated the anticipated pH, corrosion control, and chloride and sulfate levels to predict compatibility with customer utility systems and provided recommendations for the future stages of design. The TPR found the methods of design to be appropriate for the conceptual stage. The PRWC concurred with multiple suggestions which will be incorporated during preliminary design.

The Transmission Conceptual Routing Analysis Report developed options for regional water delivery to PRWC member customers. Several transmission routes were evaluated with a nine-criteria ranking system. The recommended transmission system would provide direct supply from the Southeast Wellfield to the Cities of Bartow, Davenport, Dundee, Eagle Lake, Haines City, Lake Hamilton, Lake Wales, and Polk County's central, eastern, and northeastern utility service areas. The TPR suggested additional considerations regarding surge analysis, assurance of blending compatibility with local water systems, easement acquisitions, and variable land elevations at some locations. The PRWC concurred with suggestions and will consider them during preliminary design. The TPR found the techniques used were appropriate for the current level of design.

Detailed construction schedules were not required or included with the conceptual design reports for the water production facility or transmission systems; however, the reports stated a goal of having the AWS available by 2023. The TPR noted this goal was reasonable and provided additional considerations to help meet this goal.

The TPR evaluated the conceptual cost opinions provided for the Water Production Facility and Transmission System. Most direct cost items were determined to be reasonable assumptions or based on market prices. The conceptual cost estimations utilize multiple percentage markups for non-direct items like contingency, general conditions, site work, etc. The TPR recommended using conservatively higher percentages for some items, such as increasing contingency from 20 percent to 30 percent of direct costs at this conceptual stage of design. The PRWC has updated the conceptual cost opinions and the revised estimates are shown in Table 1 based on 2019 dollars. The cost opinions will continue to evolve and will become more focused in the preliminary and later design phases.

TABLE 1. Southeast Wellfield Water Production Facility and Regional Transmission System - Conceptual Cost Opinion at initial and full phases.

Project Component	Initial 7.5 mgd capacity (excludes land costs)	Future 30.0 mgd capacity (cumulative total)
Water Production Facility	\$143,860,000	\$281,790,000
Regional Transmission System	\$106,088,300	\$164,527,100
Combined Capital Cost	\$249,948,300	\$446,317,100

The TPR engineering team reviewed the project design for consistency with industry standards and feasibility to meet its intended purpose. The TPR report concludes that the conceptual design is feasible and consistent with the parameters of similar systems. The continuation of the project will provide the PRWC with preliminary design reports for the water production facility and regional transmission system including more refined opinions of cost, a second TPR to support future cooperative funding applications for final design and construction phases, as well as a preliminary water rate analysis for PRWC member customers. The current CFA total cost is \$11,117,916, with the District share \$5,558,958. The District share was fully budgeted in FY2018 through a transfer of Resolution 15-07 funds.

Staff recommends the Board authorize staff to continue with the project preliminary design phase and a second third-party review in accordance with the cooperative funding agreement.

### **Submit & File Reports – None**

### **Routine Reports**

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

#### **33. Minimum Flows and Levels Status Report**

#### **34. Significant Water Resource and Development Projects**

**OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)****Discussion****35. Consent Item(s) Moved for Discussion****36. Hydrologic Conditions**

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the month under review, which is August, with comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data.

The information presented below is a summary of data presented in more detail in the monthly Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at

<https://www.swfwmd.state.fl.us/resources/weather-hydrology/hydrologic-conditions-reports>

**Rainfall**

Provisional rainfall totals, as of August 31st, were above-normal in all three regions of the District. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month.

- Northern region rainfall averaged 10.67 inches, equivalent to the 87th percentile
- Central region rainfall averaged 10.28 inches, equivalent to the 81st percentile.
- Southern region rainfall averaged 9.55 inches, equivalent to the 80th percentile.
- District-wide, average rainfall was 10.13 inches, equivalent to the 83rd percentile.

**Streamflow**

Streamflow data for August indicate that flow increased in all three regions of the District, compared to the previous month. Based on the three regional index rivers indicated below, streamflow conditions ended the month at above-normal flows in all three regions of the District. Normal streamflow is defined as flow that falls on or between the 25th and 75th percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 87th percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 98th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 97th percentile.

**Groundwater Levels**

Groundwater data for August indicates that levels in the Floridan/Intermediate aquifer increased in all three regions of the District, compared to last month. Groundwater levels ended the month at above-normal levels in the northern and central regions, while levels were at the upper-end of the normal range in the southern region. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region was at the 93rd percentile.
- The average groundwater level in the central region was at the 86th percentile.

- The average groundwater level in the southern region was at the 73rd percentile.

#### Lake Levels

Water level data for August indicates that regional lake levels increased in all four lake regions within the District, compared to the previous month. The northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions ended the month with levels above the base of the annual normal range. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the northern region increased 0.61 foot and were 0.93 foot above the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.26 foot and were 1.81 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.52 foot and were 2.49 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 1.25 feet and were 0.71 foot above the base of the annual normal range.

#### Issues of Significance

August was the third month of the four-month annual wet season (June through September) and rainfall totals for the month saw accumulations well above normal in all three regions of the District. Rainfall throughout the District during August was scattered, regionally variable, and associated with several different weather systems that included typical summertime sea breeze/convective (afternoon/evening) rain showers and a periodic “reverse summer wind flow pattern” wherein Gulf moisture moved across the District in a west to east flow direction resulting in abundant rain storms. August rainfall contributed to localized flooding in some low-lying areas within the District. The provisional District-wide 12- and 24-month cumulative rainfall totals saw improvements, ending the month with a surplus of approximately 5.0 and 12.6 inches, respectively, above their long-term historical averages.

All major hydrologic indicators saw increases in August. Regional groundwater levels remained at normal to above-normal levels in all regions. Lake levels saw improvements in all regions, with levels in the northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions ending the month within their annual normal ranges. Regional streamflow conditions saw continued improvements that enhanced their use as public supply sources.

NOAA climate forecasts indicate “above-normal” chances for rainfall throughout the District from October through December 2019, while long-term forecasts indicate equal chances for below-normal, normal or above-normal rainfall from January through November 2020.

Updated weather forecasts will be available in mid-September. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

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

**37. Surplus Lands Assessment**

To inform the Governing Board of staff efforts to assess District landholdings for surplus opportunities. There are no landholdings being recommended for surplus.

The current Governing Board Policy Sale, Exchange or Conveyance of Interest in Land by the District states that the Governing Board will review the District's landholdings to identify lands appropriate to surplus. To date, staff have undertaken three assessments, including this one, of District landholdings to identify lands that are no longer needed for conservation or other District purposes. The first assessment, conducted in 2011, declared approximately 492 acres of land surplus. The second assessment, conducted in 2015, declared approximately 3,350 acres of land surplus with most of the land coming from the District's Annatteliga Hammock and Green Swamp projects. This assessment is the third assessment and resulted in no additional lands being recommended for surplus.

In addition to landholdings being assessed on a regular basis, assessments are conducted during the acquisition process. If an acquisition includes land that does not meet the conservation or other needs of the District, staff will recommend it be declared surplus at the time of acquisition. In general, staff work to ensure that the District's landholdings are limited to lands that significantly meet the District's Areas of Responsibility.

Evaluating the District's landholdings contribution to the District's core missions is responsible and is a fiscally sound assessment.

No District landholdings are being recommended for surplus, no action is required.

**38. Knowledge Management: Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy**

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

Staff performed a review of the Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy (Policy) and deemed it necessary to update the Policy. The revised Policy has been provided as an exhibit. The primary modification increases the time period between surplus evaluations from every two years to every five years. The District evaluates land for surplus opportunities at the time of acquisition and has conducted three major reviews of District land holdings since 2011.

Updating existing Governing Board Policies ensures efficient use of staff resources.

This item is presented for the Governing Board's information and no action is requested. The attached revised Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy will be included as a consent item in the October 2019 Board packet and approval will be requested at that time.

**Submit & File Reports – None**



**Routine Reports**

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

**39. Surplus Lands Update****40. Structure Operations****41. Significant Activities****REGULATION COMMITTEE (TAB F)****Discussion****42. Consent Item(s) Moved for Discussion****43. Denials Referred to the Governing Board**

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action.

Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

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

**Submit & File Reports – None****Routine Reports**

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

**44. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update****45. Overpumpage Report****46. Individual Permits Issued by District Staff****GENERAL COUNSEL'S REPORT (TAB G)****Discussion****47. Consent Item(s) Moved for Discussion****Submit & File Reports – None****Routine Reports**

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

**48. September 2019 Litigation Report****49. September 2019 Rulemaking Update**

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

- 50. Agricultural and Green Industry Advisory Committee
- 51. Other Committee/Liaison Reports

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

- 52. Executive Director's Report

**CHAIR'S REPORT (TAB J)**

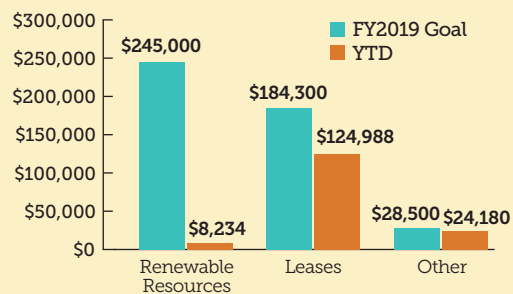
- 53. Executive Director's and Inspector General's Annual Reports
- 54. Chair's Report
- 55. Other
- 56. Employee Milestones

**RECESS PUBLIC HEARING**

ADJOURNMENT

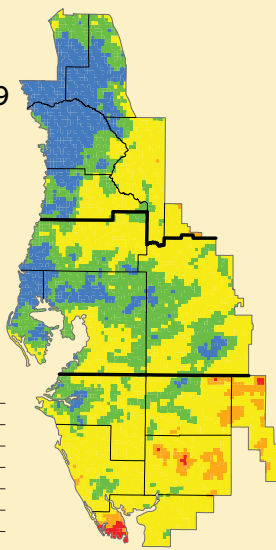
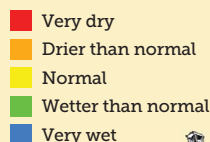
## OPERATIONS, LANDS AND RESOURCE MONITORING

### FY2019 Land-Based Revenue

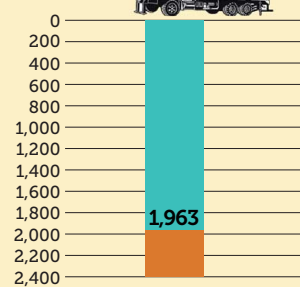


### RAINFALL DISTRIBUTION

Sept 2018 – Aug 2019



### CORE DRILLING



■ Total Footage YTD  
■ FY2019 Goal

## SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

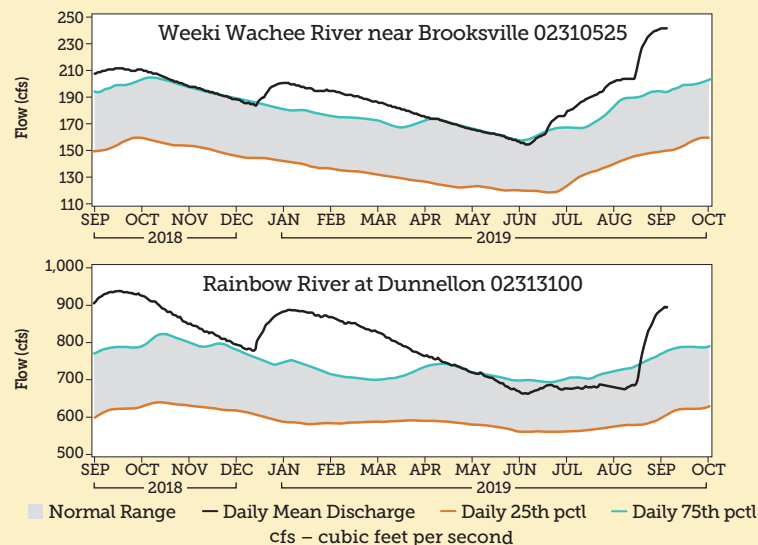
### Monthly Dashboard August 2019



**\$362.9 million**  
(current budget)

Days Without an At-Fault Accident 82  
Days Without a Lost-Time Injury 1002

### RESOURCE MANAGEMENT

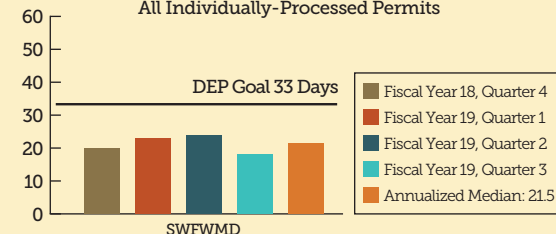


Data provided by the US Geological Survey in Cooperation with the SWFWMD

## REGULATION

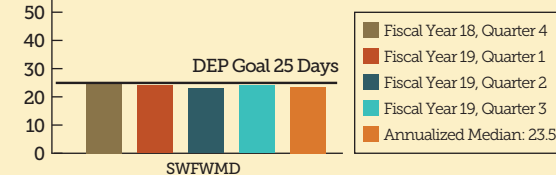
### Consumptive Use Permitting

\*Active Staff Processing Time,  
All Individually-Processed Permits



### Environmental Resource Permitting

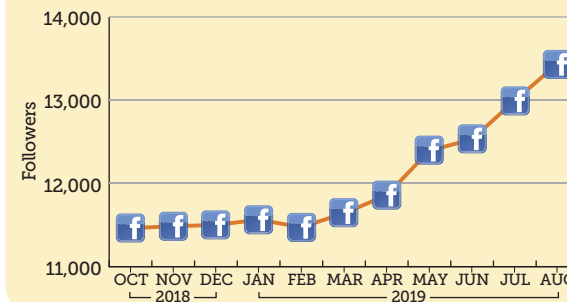
\*Active Staff Processing Time,  
All Individually-Processed Permits



\*Excludes time awaiting response from applicant, legal challenges, etc.

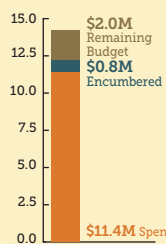
## EXTERNAL & EMPLOYEE RELATIONS

### Social Media

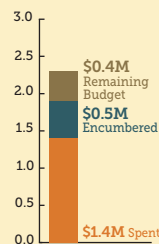


## FINANCIAL SUMMARY

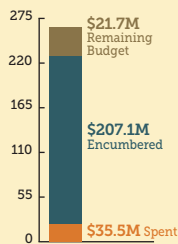
### Regulation Budget \$14.2M



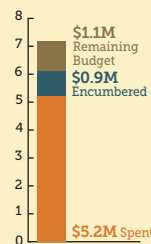
### General Counsel Budget \$2.3M



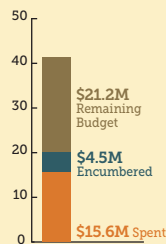
### Resource Management Budget \$264.3M



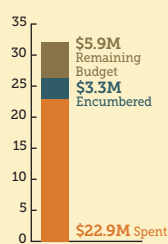
### Emp. & Ext. Relations Budget \$7.2M



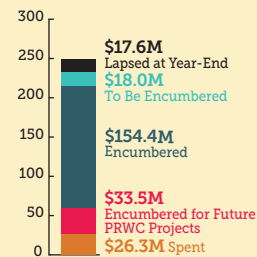
### Operations, Lands & Resource Monitoring Budget \$41.3M



### Management Services Budget \$32.1M



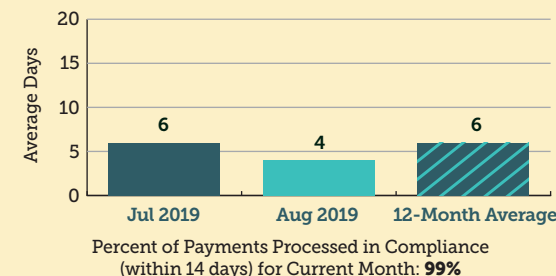
### Total Number of Projects: 378 Resource Management Project Budget: \$249.8M



## MANAGEMENT SERVICES

### Payment Processing Time

(Employee Travel Reimbursements)





## Governing Board Meeting

September 24, 2019

### CONVENE MEETING OF THE GOVERNING BOARD AND PUBLIC HEARING

#### PUBLIC HEARING AND MEETING

1. **Call to Order**

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

2. **Invocation and Pledge of Allegiance**

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

3. **Employee Recognition**

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

- 25 years – Donald Kaskie, Senior Vegetation Management Specialist
- 30 years – Vaughn Boyer, Senior Business Application Developer

4. **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

5. **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: Mark Taylor, Chair



# Governing Board Meeting

## September 24, 2019

### CONSENT AGENDA

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

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#### ***Resource Management Committee***

14. Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project – Scope of Work Change (N792).....	30
15. FARMS – Tamiami Citrus, LLC (H730), Hardee County – Scope Change .....	31

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#### ***Regulation Committee***

17. Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County .....	38
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#### ***General Counsel's Report***

19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval	
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b. Approve the District's Annual Regulatory Plan for 2019 - 2020 .....	50
20. Rulemaking – None	

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

21. Approve Governing Board Minutes – August 27, 2019 .....	54
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## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Consent Agenda*

#### **Board Encumbrance of the Capital Field Equipment Fund**

##### *Purpose*

The purpose of this item is to request the encumbrance of remaining fiscal year (FY) 2019 funds within in Capital Field Equipment Fund (CFEF) to carry forward into FY2020 to support the management of future field equipment assets based upon the anticipated needs identified within the upcoming five-year period.

##### *Background/History*

The CFEF administers the acquisition, replacement, enhancement, or reconditioning of District field equipment. The purpose of this fund is to manage these capital expenditures in a way that allows departments to conduct their business efficiently and effectively. The CFEF encompasses a systematic funding plan to address the District's capital field equipment needs which identifies specific items to be acquired, replaced, enhanced or reconditioned within the upcoming five-year period. The five-year plan is managed by the Fleet Section Manager.

##### *Benefits/Costs*

The conceptual idea of the CFEF is to allow the District to efficiently and effectively management capital 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. As District field equipment ages, it must be replaced in a timely fashion to avoid high repair costs and repetitive downtime.

The anticipated encumbrance of up to \$484,810 in remaining FY2019 funds for future years planned expenditures was included in the General Services Bureau considerations when developing its FY2020 recommended budget.

##### **Staff Recommendation:**

Staff recommends the Governing Board approve the encumbrance up to \$484,810, plus any additional savings achieved on purchases completed before September 30, 2019, in remaining FY2019 funds within in the Capital Field Equipment Fund to carry forward into FY2020 for future years planned expenditures.

**Presenters:** Michelle Maxey, General Services Bureau Chief, and  
Sean Fitzgerald, Fleet Services Manager

## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Consent Agenda*

#### **Board Encumbrance of Capital Improvements Plan Brooksville Generators**

##### *Purpose*

The purpose of this item is to request the encumbrance of budgeted funds from the Capital Improvements Plan to purchase and install whole building generators on Brooksville Buildings 4 and 5 as part of the District's storm preparation plan.

##### *Background/History*

Funding was requested to install whole building generators on Brooksville Building 4 and 5 after the District was impacted by power outages for approximately one week during Hurricane Irma in 2017. This impacted vital portions of the Brooksville Service Office without power to perform storm recovery and daily operations.

Installation of two whole building generators will ensure that the District has redundant power systems and is prepared to operate during crucial storm events.

##### *Benefits/Costs*

Installation of generators in Brooksville Buildings 4 and 5 will allow the District the ability to have a self-sustaining power source in a storm event that results in damage to the main campus power circuit. This will enable the District to maximize onsite staff resources and implement emergency response to ensure that the District meets its storm management needs.

##### Staff Recommendation:

Staff recommends the Governing Board approve the encumbrance of \$750,000 budgeted in FY2019 to procure generators and installation to outfit Brooksville Buildings 4 and 5 in FY2020 via the Capital Improvements Plan.

Presenter: Michelle Maxey, General Services Bureau Chief

## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Consent Agenda*

#### Board Encumbrance of Deposit for Sarasota Office Relocation

##### *Purpose*

The purpose of this item is to request the encumbrance of budgeted funds for the purpose of funding a refundable deposit for relocation of the Sarasota Service Office which was approved by the Board at the May 22, 2018 meeting.

##### *Background/History*

The District acquired the property for the Sarasota Office in 2000 and constructed the office in 2001 which has approximately 19,540 gross square feet of office and storage space. The Sarasota Office exceeds the size requirements for the approximately 36 staff that are assigned to this location.

At the May 22, 2018 Governing Board Meeting, Staff recommended and the Governing Board approved the following items:

- Authorize the Executive Director, with the concurrence of the Office of General Counsel, to deliver a Letter of Intent to an owner or representative for the potential lease or purchase of a candidate property, before bringing a Lease or Purchase and Sale Agreement to the Governing Board for consideration.
- Payment of a refundable deposit of not more than 5 percent of the advertised price, if necessary, to secure a property before Governing Board consideration of a Lease or Purchase and Sale Agreement.

Staff are actively searching for a replacement facility for lease or purchase in the Sarasota area. When a suitable property has been located, budget authority would be required for payment of a refundable deposit and any ancillary costs associated with due diligence activities, to hold a property prior to bringing a lease or purchase to the Governing Board for consideration.

##### Staff Recommendation:

Staff recommends the Governing Board approve the encumbrance of \$78,615 from FY2019 to carry forward into FY2020 for a refundable deposit and any ancillary due diligence costs to hold a property prior to Governing Board consideration of a lease or purchase and sale agreement.

Presenter: John J. Campbell, Director, Management Services

## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Consent Agenda*

#### **Board Encumbrance of the Tampa Space Utilization Renovations**

##### *Purpose*

The purpose of this item is to request the encumbrance of budgeted funds from the Capital Improvement Projects (CIP) to implement alterations and renovations as recommended in the Staff Space Needs Study.

##### *Background/History*

In October 2018, a Staff Space Needs Study was conducted to determine existing versus anticipated space needs for personnel and meeting space at the Tampa Office. As a result of this study, renovations were determined to be applicable in Buildings 1, 2 and 6.

Implementation will be conducted in a multi-year phased approach utilizing funding through the CIP plan. In order to properly implement the Space Needs changes, various issues were incorporated into the analysis: functional relationships; ease of relocation/space shifting; budget considerations; and phasing. The Staff Space Needs Study addressed the functional needs of each Bureau.

##### *Benefits/Costs*

Because of the Staff Space Needs Study, the opportunity to recapture certain areas to meet Tampa's pressing needs will be realized, such as optimizing meeting spaces; shifting of spaces to improve departmental efficiencies; and capturing spaces that can be reduced in size.

The anticipated encumbrance of \$1,450,000 in FY2019 funds will enable staff to proceed with the development of the Tampa Space Utilization Renovations.

##### **Staff Recommendation:**

Staff recommends the Governing Board approve the encumbrance of \$1,450,000 to carry forward into FY2020 to implement alterations and renovations as recommended in the Staff Space Needs Study.

**Presenter:** Michelle Maxey, General Services Bureau Chief

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Consent Agenda***

**Knowledge Management: Performance Incentive Program Governing Board Policy**

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

The Performance Incentive Policy, 710-3 has been reviewed and minor updates have been made.

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

**Staff Recommendation:**

Staff recommends the Board approve the updating of the Performance Incentive Program Policy.

**Presenter:** Kelley Rexroad, Office Chief, Human Resources

# DRAFT

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title: Performance Incentive Program**

**Document Owner:** Kelley Rexroad,  
Human Resources Office Chief

**Approved By:** Mark Taylor; Chair

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

**Supersedes:** 04/30/2013

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## PURPOSE

In order for the District to have the ability to give incentive payments to employees, section 215.425 (3), Florida Statutes, has specified requirements that must be satisfied, which this Policy is intended to satisfy.

## SCOPE

Successful District employees demonstrate the core District values of service excellence, teamwork, self-management, professional integrity, and professional/technical excellence. The Governing Board recognizes the need to encourage, incentivize and reward District employees for superior work performance that advances or makes significant, notable contributions to the District's mission objectives.

## AUTHORITY

Section 215.425, Florida Statutes

## DEFINITIONS

N/A

## POLICY

The following guidelines apply to any bonus payment that the District elects to provide:

### Performance Evaluation

1. The major factor in determining an employee's eligibility for payment under the Performance Incentive Program shall be the employee clearly and/or significantly

## GOVERNING BOARD POLICY

Title: Performance Incentive Program

Effective Date: MM/DD/YYYY

Page 2 of 4

surpassing performance expectations and goals and is characterized by high achievement.

2. Payments to District employees under the Performance Incentive Program shall be determined by a thorough and complete review and analysis of the performance records of all District employees as documented in a written annual employee evaluation. The evaluation of each employee shall be a competency-based approach that uses core competencies that are developed and distributed to employees prior to the beginning of the evaluation period and shall include employee goals and at least one formal performance meeting with the employee during the evaluation period.
3. Notwithstanding paragraph 1, no more than 20% of the District's employees may receive a performance incentive for any one evaluation period unless the Governing Board waives this requirement during a Governing Board meeting upon a showing of exceptional circumstances.
4. ~~For Fiscal Year 2012-2013, the evaluation period shall begin May 1, 2013 and end September 30, 2013. Subsequent evaluation periods shall begin on the first day of each fiscal year and end on the last day of that fiscal year.~~

### Eligibility

1. All District employees are eligible to be considered for a performance incentive payment under the Performance Incentive Program.
2. To be eligible for consideration for a performance incentive payment for a specific evaluation period, an employee must:
  - a. be employed by the District in a full-time regular position;
  - b. have been employed prior to the start of the evaluation period that is used for that payment and have been continuously employed through the date of the performance incentive payments are distributed;
  - c. must not have been on leave without pay consecutively for more than six months during the evaluation period;
  - d. must have received no disciplinary action during the evaluation period through the date the performance incentive payments are distributed. Disciplinary actions include written reprimands, suspensions, dismissals, and involuntary or voluntary demotions that were associated with a disciplinary action; and
  - e. have received a written evaluation of performance during the evaluation period.

### Implementation

1. The Governing Board hereby authorizes the Executive Director to implement the provisions of this Policy and the Executive Director is hereby delegated authority to take any and all actions otherwise necessary to administer the Performance Incentive Program; provided, however, that all provisions of the Performance Incentive Program, as implemented, must be consistent with the provisions of controlling Florida law and this Policy.
2. The Governing Board shall take all actions necessary to administer the Performance Incentive Program for the Executive Director and the Inspector General pursuant to this Policy and Policy 710-2; provided, however, that all actions must be consistent with the provisions of controlling Florida law, this Policy and Policy 710-2.
3. Any annual Performance Incentive Program implemented under the authority of this Policy must have budgetary approval by the Governing Board. Approval will be deemed granted if

## **GOVERNING BOARD POLICY**

**Title: Performance Incentive Program**

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

**Page 3 of 4**

dollars used to fund the payments have been previously budgeted and approved by the Governing Board for salaries.

### Statutory Compliance

1. Any and all activities under the Performance Incentive Program implemented under the authority of this Policy must comply with the provisions of Section 215.425(3), Florida Statutes, every respect and, thus, must:
  - a. Base the award of a payment to a District employee on work performance.
  - b. Ensure that the performance standards and evaluation process by which a payment may be awarded be only as set forth in this Policy.
  - c. Ensure that all employees are notified of the provisions of this Policy prior to the beginning of each evaluation period relating to which a payment will be based.
  - d. Ensure that all District employees are considered for payment on an equal basis.
2. The District's Inspector General shall ensure that the compliance of the Performance Incentive Program with controlling State law is an element of each year's audit report as presented to the Governing Board.

### **DISTRIBUTION**

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

### **REFERENCES**

Section 215.425, Florida Statutes

### **PERIODIC REVIEW**

This policy will be reviewed every three years.



## GOVERNING BOARD POLICY

Title: Performance Incentive Program

Effective Date: MM/DD/YYYY

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### DOCUMENT DETAILS

Document Name	Performance Incentive Program
Formerly Known As	N/A
Document Type	Policy
Author(s)	Kelley Rexroad, Human Resources Office Chief
Reviewing Stakeholder(s)	
Document Owner Name	Kelley Rexroad
Document Owner Title	Human Resources Office Chief
Review Period (in days)	1,095
Span of Control	Governing Board
Supersedes Date	04/30/13
Effective Date	

### APPROVAL

\_\_\_\_\_  
Mark Taylor  
Chair

\_\_\_\_\_  
Date

# DRAFT

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title: Performance Incentive Program**

**Document Owner:** Kelley Rexroad,  
Human Resources Office Chief

**Approved By:** Mark Taylor; Chair

**Effective Date:** 09/24/2019

**Supersedes:** 04/30/2013

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### PURPOSE

In order for the District to have the ability to give incentive payments to employees, section 215.425 (3), Florida Statutes, has specified requirements that must be satisfied, which this Policy is intended to satisfy.

### SCOPE

Successful District employees demonstrate the core District values of service excellence, teamwork, self-management, professional integrity, and professional/technical excellence. The Governing Board recognizes the need to encourage, incentivize and reward District employees for superior work performance that advances or makes significant, notable contributions to the District's mission objectives.

### AUTHORITY

Section 215.425, Florida Statutes

### DEFINITIONS

N/A

### POLICY

The following guidelines apply to any bonus payment that the District elects to provide:

#### Performance Evaluation

1. The major factor in determining an employee's eligibility for payment under the Performance Incentive Program shall be the employee clearly and/or significantly

## GOVERNING BOARD POLICY

Title: Performance Incentive Program

Effective Date: 09/24/2019

Page 2 of 4

- surpassing performance expectations and goals and is characterized by high achievement.
2. Payments to District employees under the Performance Incentive Program shall be determined by a thorough and complete review and analysis of the performance records of all District employees as documented in a written annual employee evaluation. The evaluation of each employee shall be a competency-based approach that uses core competencies that are developed and distributed to employees prior to the beginning of the evaluation period and shall include employee goals and at least one formal performance meeting with the employee during the evaluation period.
  3. Notwithstanding paragraph 1, no more than 20% of the District's employees may receive a performance incentive for any one evaluation period unless the Governing Board waives this requirement during a Governing Board meeting upon a showing of exceptional circumstances.

### Eligibility

1. All District employees are eligible to be considered for a performance incentive payment under the Performance Incentive Program.
2. To be eligible for consideration for a performance incentive payment for a specific evaluation period, an employee must:
  - a. be employed by the District in a full-time regular position;
  - b. have been employed prior to the start of the evaluation period that is used for that payment and have been continuously employed through the date of the performance incentive payments are distributed;
  - c. must not have been on leave without pay consecutively for more than six months during the evaluation period;
  - d. must have received no disciplinary action during the evaluation period through the date the performance incentive payments are distributed. Disciplinary actions include written reprimands, suspensions, dismissals, and involuntary or voluntary demotions that were associated with a disciplinary action; and
  - e. have received a written evaluation of performance during the evaluation period.

### Implementation

1. The Governing Board hereby authorizes the Executive Director to implement the provisions of this Policy and the Executive Director is hereby delegated authority to take any and all actions otherwise necessary to administer the Performance Incentive Program; provided, however, that all provisions of the Performance Incentive Program, as implemented, must be consistent with the provisions of controlling Florida law and this Policy.
2. The Governing Board shall take all actions necessary to administer the Performance Incentive Program for the Executive Director and the Inspector General pursuant to this Policy and Policy 710-2; provided, however, that all actions must be consistent with the provisions of controlling Florida law, this Policy and Policy 710-2.
3. Any annual Performance Incentive Program implemented under the authority of this Policy must have budgetary approval by the Governing Board. Approval will be deemed granted if dollars used to fund the payments have been previously budgeted and approved by the Governing Board for salaries.

## **GOVERNING BOARD POLICY**

**Title: Performance Incentive Program**

**Effective Date: 09/24/2019**

**Page 3 of 4**

### Statutory Compliance

1. Any and all activities under the Performance Incentive Program implemented under the authority of this Policy must comply with the provisions of Section 215.425(3), Florida Statutes, every respect and, thus, must:
  - a. Base the award of a payment to a District employee on work performance.
  - b. Ensure that the performance standards and evaluation process by which a payment may be awarded be only as set forth in this Policy.
  - c. Ensure that all employees are notified of the provisions of this Policy prior to the beginning of each evaluation period relating to which a payment will be based.
  - d. Ensure that all District employees are considered for payment on an equal basis.
2. The District's Inspector General shall ensure that the compliance of the Performance Incentive Program with controlling State law is an element of each year's audit report as presented to the Governing Board.

### **DISTRIBUTION**

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

### **REFERENCES**

Section 215.425, Florida Statutes

### **PERIODIC REVIEW**

This policy will be reviewed every three years.

## GOVERNING BOARD POLICY

Title: Performance Incentive Program

Effective Date: 09/24/2019

Page 4 of 4

### DOCUMENT DETAILS

Document Name	Performance Incentive Program
Formerly Known As	N/A
Document Type	Policy
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Reviewing Stakeholder(s)	
Document Owner Name	Kelley Rexroad
Document Owner Title	Human Resources Office Chief
Review Period (in days)	1,095
Span of Control	Governing Board
Supersedes Date	04/30/13
Effective Date	09/24/2019

### APPROVAL

\_\_\_\_\_  
Mark Taylor  
Chair

\_\_\_\_\_  
Date

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Consent Agenda***

**Knowledge Management: Risk Management and Safety Governing Board Policy**

The District's Knowledge Management initiative was launched in FY2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2018 and FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

The Risk Management and Safety Governing Board Policy, 120-1 has been identified by staff as obsolete. This information will be reformatted as an Executive Director Procedure.


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

**Staff Recommendation:**

Staff recommends the Board approve the deletion of Governing Board Policy 120-1.

**Presenter:** Kelley Rexroad, Office Chief, Human Resources



<b>BOARD POLICY</b>			
<b>SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT</b>			
<b>TITLE: RISK MANAGEMENT AND SAFETY</b>			
SECTION/DEPT.: HUMAN RESOURCES & RISK MANAGEMENT	NUMBER: 120-1	PAGE: 1 OF 1	
APPROVED BY: 	H. PAUL SENFT, JR., CHAIR	EFFECTIVE DATE: 05/21/13	SUPERSEDES: 09/27/88

## STATEMENT

The Southwest Florida Water Management District (District) is committed to maintaining a risk management function for the purpose of developing and managing programs designed to protect the assets and preserve the operational continuity of the District from hazards, activities and events that may affect the District, its staff or members of the public, and provide for the protection against financial losses to tangible property, liability claims, revenues and human life capital.

## PURPOSE

The purpose of this policy is to ensure that an effective risk management and safety program is maintained. At a minimum, the program must include the following elements:

- Identification and analysis of exposures to loss that have the potential for significant personnel or financial impact resulting from naturally occurring or human caused events.
- Examination of options to reduce the frequency and severity of identified exposures using an appropriate technique, or combination of techniques that may include:
  - Avoidance,
  - Loss prevention, and
  - Loss reduction.
- Determination of the most appropriate method for controlling the financial impact of potential losses using one or more of the following techniques:
  - Retain the risk of loss on a self-insured or uninsured basis,
  - Transfer the risk of loss to an insurer, and
  - Transfer the risk of loss to a third party through contractual transfer.
- Selection and implementation of the appropriate risk management technique(s) to address identified exposures to loss.
- Maintenance of a Continuation of Operations Plan (COOP) that communicates staff responsibilities prior to, during, and immediately after any naturally occurring or human caused event.
- Monitoring and reporting of program performance, at least annually, to the Governing Board regarding effectiveness and efficiency of the risk management and safety program and recommending continuation or changes to policy or procedures as appropriate.

## RESPONSIBILITY FOR PROGRAM

The risk management and safety program will be carried out by the District's Risk Manager in accordance with procedures reviewed and approved by the Executive Director or, if delegated by the District's Executive Director, the Executive-level director responsible for the risk management and safety function.

Some enterprise risk exposures, although insurable, can be managed more cost effectively using alternate risk management techniques. As such, management over the following risks is not considered a part of this District policy:

- Information technology disaster recovery;
- Legal and regulatory;
- Governance and geopolitical; and
- Financial reporting, investment, and credit.

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Consent Agenda***

**Vehicle Use Audit Follow-Up**

*Purpose*

In accordance with the Office of Inspector General (OIG) Charter Governing Board Policy and Section 20.055, Florida Statutes, the Inspector General shall monitor the implementation of the District's response to any audit issued by the Auditor General (AG).

*Background/History*

On July 9, 2018, the AG released report No. 2019-001 on the operational audit of the District. Included in this report was a finding regarding vehicle use. The AG recommended the District should document the periodic monitoring and evaluation of the use and need for District motor vehicles and a determination of whether it is more cost efficient to retain and maintain the existing number of motor vehicles or reduce the size of the fleet based on District needs.

The OIG conducted this follow-up audit for the quarter ending June 30, 2019 in accordance with generally accepted government auditing standards. Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for conclusions based upon the audit objectives. The OIG believes that the evidence obtained provides a reasonable basis for the conclusion based on the audit objectives.

The audit objectives of this follow-up audit were to:

- Evaluate management's performance in establishing and maintaining internal controls in accordance with applicable statutes, 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 AG's vehicle use finding from report No. 2019-001.

OIG's audit disclosed District Management had taken corrective actions as recommended by the AG for the vehicle use finding. No further findings or recommendations relating to the scope of this audit are included in the audit report.

**Staff Recommendation:**

Staff recommends the Board approve the Office of Inspector General Vehicle Use Follow-Up Audit.

**Presenter:** Brian Werthmiller, Inspector General



OFFICE OF  
INSPECTOR  
GENERAL

# Vehicle Use Follow-Up Audit

Quarter Ending June 30, 2019

Southwest Florida  
Water Management District

Governing Board  
September 24, 2019

Attachment: Final Audit Report - Vehicle Use Follow-Up (4620 : Vehicle Use Audit Follow-Up)

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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**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(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)

**Mark Taylor**  
Chair, Hernando, Marion  
**Michelle Williamson**  
Vice Chair, Hillsborough  
**Joel Schleicher**  
Secretary, Charlotte, Sarasota  
**Kelly S. Rice**  
Treasurer, Citrus, Lake, Levy,  
Sumter  
**H. Paul Senft, Jr.**  
Former Chair, Polk  
**James G. Murphy**  
Polk  
**Rebecca Smith**  
Hillsborough, Pinellas  
**Brian J. Armstrong, P.A.**  
Executive Director

September 24, 2019

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

Dear Mr. Taylor:

In accordance with F.S. 20.055 and the Office of Inspector General (OIG) Charter Governing Board Policy, the Inspector General (IG) shall monitor the implementation of the District's response to any audit issued by the Auditor General (AG).

On July 9, 2018, the AG released report No. 2019-001 on the operational audit of the Southwest Florida Water Management District (District). Included in this report was a finding regarding vehicle use. The AG recommended the District should document the periodic monitoring and evaluation of the use and need for District motor vehicles and a determination of whether it is more cost efficient to retain and maintain the existing number of motor vehicles or reduce the size of the fleet based on District needs.

In accordance with the Audit Plan, approved by the Governing Board, a follow-up audit on vehicle use was performed and it was found the District has taken corrective actions as recommended by the AG. The OIG would like to thank the Management Services Division Director and his staff for their cooperation and assistance throughout the audit. I respectfully submit to you, the final audit report which was conducted in accordance with generally accepted government auditing standards.

Sincerely,

Brian Werthmiller, CPA, CIG  
Inspector General

cc: Ms. Michelle Williamson, Governing Board Member  
Mr. Joel Schleicher, Governing Board Member  
Mr. Kelly Rice, Governing Board Member  
Mr. Paul Senft, Jr., Governing Board Member  
Mr. James Murphy, Governing Board Member  
Dr. Rebecca Smith, Governing Board Member  
Mr. Brian Armstrong, Executive Director  
Ms. Mandi Rice, Assistant Executive Director  
Mr. John Campbell, Management Services Division Director  
Ms. Sherril Norman, State of Florida Auditor General  
Mr. James Halleran, James Moore & Company CPA's  
Legislative Auditing Committee

# SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT VEHICLE USE FOLLOW-UP AUDIT

## SUMMARY

This is a follow-up audit to the vehicle use finding from the AG Report No. 2019-001 released July 2018 for the District. The OIG did not have any findings or recommendations relating to the scope of this audit. OIG's audit disclosed that District management has taken correction actions as recommended by the AG.

## 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 1972<sup>1</sup> and includes all or part of Charlotte, Citrus, Desoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Pinellas, Manatee, Marion, Pasco, Polk, Sarasota, and Sumter Counties. Governance lies with a thirteen-member Board which consists of nine representatives from specific geographic areas within District boundaries and four members who serve at-large. 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.

This follow-up audit of the District focused on vehicle use. The District had the following number of motorized vehicles by type as of:

**Table 1**  
**Motorized Vehicles As Of:**

Type	1/31/17	9/30/17	9/30/18	6/30/19
Automobiles <sup>2</sup>	174	173	169	164
ATV's/UTV's	27	29	27	29
Boats	22	21	21	20
Totals	<u>223</u>	<u>223</u>	<u>217</u>	<u>213</u>

## FINDINGS AND RECOMMENDATIONS

This report contains no findings or recommendations.

<sup>1</sup> Chapter 373, Florida Statutes.

<sup>2</sup> Totals do not include automobiles identified as surplus but not yet sold.

## **PRIOR AUDIT FOLLOW-UP**

---

Based upon the objectives, scope, and methodology as documented below, the District has taken corrective actions for the vehicle use finding as recommended by the AG in Report No. 2019-001.

## **OBJECTIVES, SCOPE, AND METHODOLOGY**

---

The OIG conducted this follow-up audit for the quarter ending June 30, 2019 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.

The objectives of this operational audit were to:

- Evaluate management's performance in establishing and maintaining internal controls in accordance with applicable statutes, 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 AG's vehicle use finding from report No. 2019-001.

An audit by its nature does not include a review of all records and actions of entity management, staff, and vendors, and as a consequence, cannot be relied upon to identify all instances of noncompliance, fraud, waste, abuse, or inefficiency.

Professional judgment has been used in determining significance and audit risk and in selecting the particular transactions, legal compliance matters, records, and controls considered.

In conducting the audit for the period of April 2019 to June 2019, the OIG:

- Reviewed applicable statutes, policies, procedures and interviewed District staff to gain an understanding of the District's operations and internal controls over vehicle use.

- Gained an understanding of the information systems used to capture vehicle use data.
- Evaluated the effectiveness of District policies and procedures relating to vehicle use, to determine whether internal controls were designed properly and operating effectively.
- Examined District procedures and records for establishing usage thresholds for automobiles on June 30, 2019. To determine the reasonableness of the usage thresholds established by the District, the OIG judgmentally selected for testing items relating to the average: purchase price; sales price of disposed automobiles; number of miles disposed automobiles were driven; cost of insurance, maintenance, and fuel; miles per gallon; and number of riders per automobile.
- Examined District records documenting the periodic monitoring of motor vehicles for the quarter ending June 30, 2019 to determine whether policies and procedures were followed.
- From the population of 222 motor vehicles that were active at any time during the quarter ending June 30, 2019, examined District records for the use of 15 selected motor vehicles to determine whether use was properly supported.
- Communicated on an interim basis with applicable officials.
- Performed various other auditing procedures, including analytical procedures, as necessary, to accomplish the objectives of the audit.

**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

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Consent Agenda***

**Budget Transfer Report**

*Purpose*

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

*Background*

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for August 2019.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Budget Transfer Report**  
**August 2019**

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<b><u>Executive Approved</u></b>				
1	Information Technology Software	Information Technology Software	Transfer of funds originally budgeted for the purchase of a limited number of software licenses to develop a business process management (BPM) application prototype to allow for testing before large-scale implementation. The funds are no longer required due to the licensing requirements of the selected BPM software yielding the idea of a prototype not feasible. The funds are needed for software licensing required to interface the new cloud-based BPM software with the data stored on the District's network.	\$ 16,148.00
2	Human Resources & Risk Mgmt Contractual Services for Training	Human Resources & Risk Mgmt Tuition Reimbursement	Transfer of funds originally budgeted for contracted Districtwide professional training and development. Expenditures have been less than anticipated. The funds are needed for the tuition reimbursement program due to an increase in employees enrolled in degree/certification seeking programs.	15,000.00
<b>Total Executive Approved</b>				<b>\$ 31,148.00</b>
<b><u>Finance Bureau Chief Approved</u></b>				
1	Office of General Counsel Legal Services	Office of General Counsel Claims and Judgements	Transfer of funds originally budgeted for outside legal counsel. Expenditures for outside legal counsel have been less than anticipated. The funds are needed for the payment of a settlement agreement executed in accordance with Board Policy 160-3 in June.	\$ 5,000.00
<b>Total Finance Bureau Chief Approved</b>				<b>\$ 5,000.00</b>
<b>Total Transfers for Governing Board Ratification</b>				<b>\$ 36,148.00</b>

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director or designee or the Finance Bureau Chief consistent with Board Policy 130-8, and are presented for Governing Board approval for ratification on the Consent Agenda. Executive Director or designee approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts greater than \$5,000 not to exceed \$50,000. Finance Bureau Chief approved transfers are up to \$5,000 or accounting reallocations consistent with original budget intent.



## RESOURCE MANAGEMENT COMMITTEE

September 24, 2019

### *Consent Agenda*

#### **Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project - Scope of Work Change (N792)**

The purpose of this item is to request the approval of a revised Cooperative Funding Agreement and a change in project title for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project.

#### *Background/History*

The District Governing Board approved fiscal year (FY) 2017 and 2018 funding for the construction of this project at a total project cost of \$2,500,000. The original scope included the design, permitting and construction of approximately 19,000 feet of 16-inch reclaimed transmission mains and other necessary appurtenances to supply a golf course and residential community with reclaimed water in the west central area of Pasco County.

This request will amend the Cooperative Funding Agreement replacing the River Ridge Golf Course irrigation user with the River Ridge Country Club residential community. Pasco County was unable to reach an agreement with the River Ridge Golf Course regarding the use of reclaimed water as an irrigation source. They were, however, able to secure the nearby River Ridge Country Club residential community as a customer. The amended project name will remove the reference to the River Ridge Golf Course and replace it with the River Ridge Country Club residential community.

#### *Benefits/Costs*

The total project cost of \$2,500,000 and the District share of \$1,250,000 will not change. The measurable benefit will increase from 0.400 to 0.440 million gallons per day. The amended cost effectiveness remains high at \$9.01 per gallon per day which is below the \$10 to \$15 per gallon per day average for alternative supplies. The staff recommendation of the project remains high.

#### Staff Recommendation:

Approve the revision to the project title and Cooperative Funding Agreement for the Pasco County River Ridge Golf Course and Waters Edge Residential Reclaimed Water Project to include:

1. Rename the project to the Pasco County River Ridge Country Club and Waters Edge Residential Reclaimed Water Project.
2. Replace all references to the River Ridge Golf Course in the Cooperative Funding Agreement with the River Ridge Country Club.

Presenter: Jay Hoecker, Water Supply Manager, Water Resource Bureau

**RESOURCE MANAGEMENT COMMITTEE****September 24, 2019*****Consent Agenda*****FARMS – Tamiami Citrus, LLC (H730), Hardee County – Scope Change*****Purpose***

To request approval for an amendment to an existing Facilitating Agricultural Resource Management Systems (FARMS) project with Tamiami Citrus, LLC, to change the scope of work and decrease the reimbursable FARMS eligible costs from a not-to-exceed limit of \$655,000 to \$250,645 (49 percent of total project costs). The total project costs are estimated to decrease from \$1,310,000 to \$512,784.

***Project Background/History***

In November 2015, the Governing Board approved a FARMS project (H730) with Tamiami Citrus, LLC for their 1,987-acre citrus operation located 13 miles east of Wauchula, in northeast Hardee County, within the Peace River watershed, and Southern Water Use Caution Area. The Water Use Permit (WUP) authorizes an annual average groundwater withdrawal of 1,356,500 gallons per day (gpd). The project involved construction and operation of three reservoirs and surface water pump stations, pump automations and field sensors to offset 200,000 gpd of Upper Floridan aquifer groundwater for approximately 1,500 acres of citrus. The total cost for the original project was \$1,310,000 with a District reimbursement of \$655,000.

As of June 2016, one reservoir and surface water pump station, filtration system, mainline, tailwater structures and culverts and, nine pump automations with rainfall and soil moisture sensors were completed. The groundwater offset has averaged 83,500 gpd. The operation history of the completed surface reservoir and pump station determined that there was insufficient surface water resources to justify constructing the remaining two irrigation reservoirs and pump stations. Tamiami Citrus, LLC has requested amending scope of the project to remove the two remaining irrigation reservoirs and pump stations with a proportionate reduction in groundwater offsets and project cost. FARMS project components for the amended scope of work consist of a surface water pump station, filtration system, tailwater control structures, culverts and mainline pipe necessary to connect the surface water reservoir to the irrigation system; and a total of nine start/stop pump automations, with rainfall and soil moisture sensors.

***Benefits/Costs***

The project involves water quantity best management practices for supplemental irrigation and qualifies for a 50 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce groundwater withdrawals from the Upper Floridan aquifer by 6 percent, or 83,500 gpd, yielding a daily cost-benefit of \$3.10 per thousand gallons of groundwater reduced over the six-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation techniques for citrus operations. Reimbursement will be from the Governing Board FARMS fund.

## Item 15

Staff Recommendation:

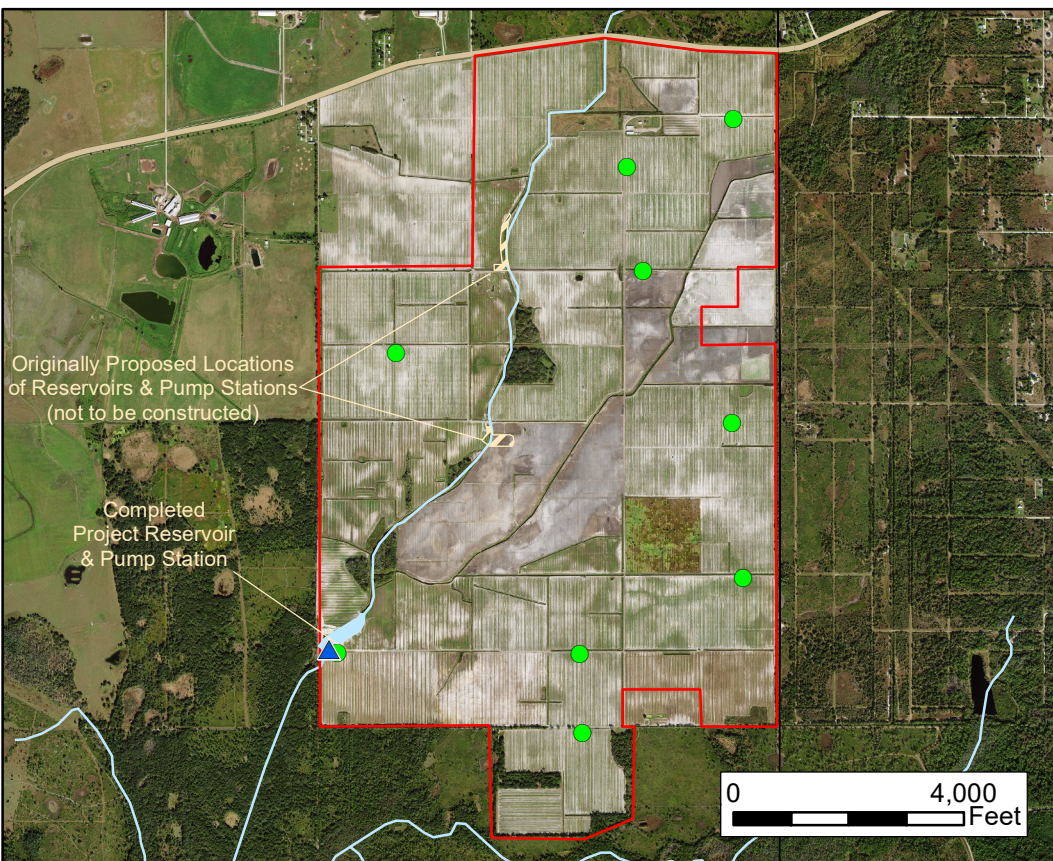
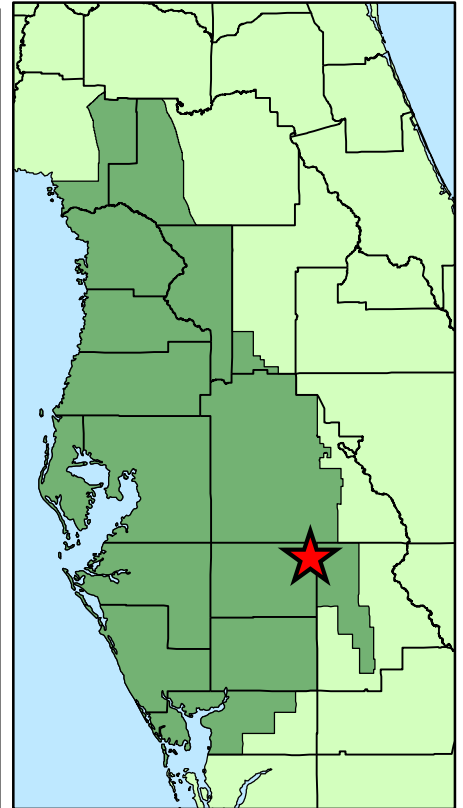
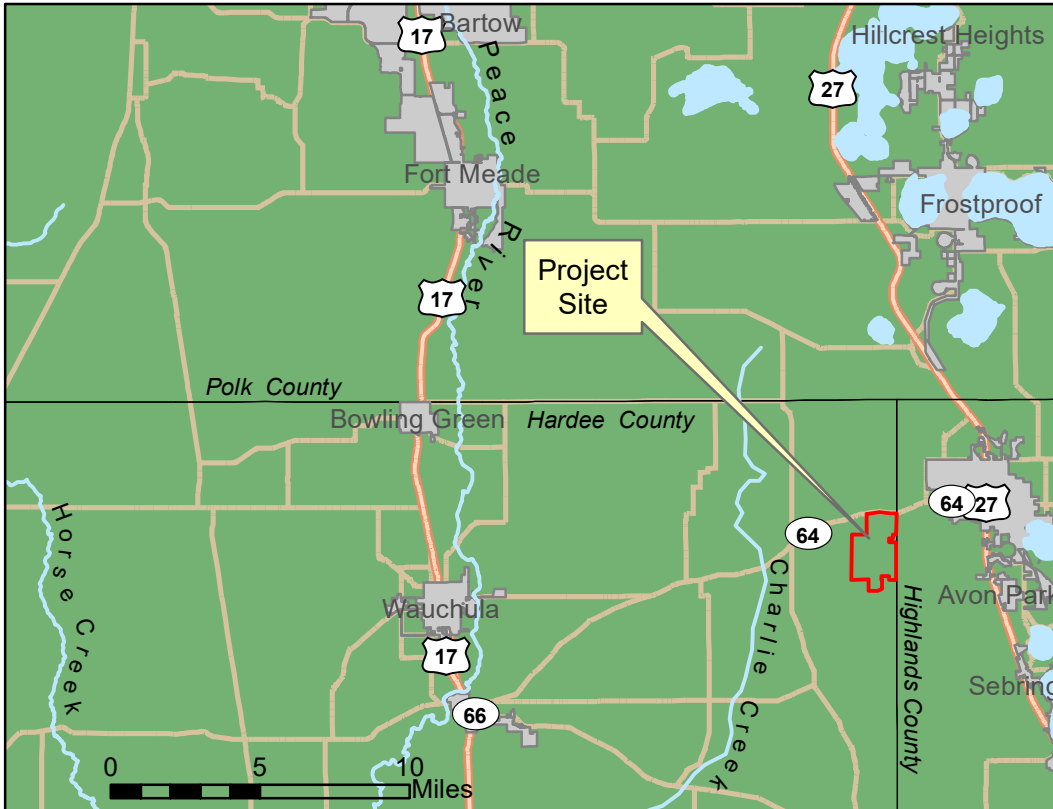
- 1) Approve amendment of the Tamiami Citrus, LLC project agreement for a not-to-exceed reimbursement of \$250,645;
- 2) Authorize the Assistant Executive Director to sign the amendment to the agreement.

Presenter: Chris Zajac, FARMS Program Manager, Natural Systems and Restoration




# Location Map

## Tamiami Citrus, LLC

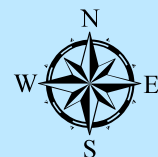
### FARMS Project H730



#### Legend

-  District Boundary
-  Site Boundary WUP 2871
-  Irrigation Pump Start/Stop Automation

#### Hardee County



Southwest Florida  
Water Management District

DLB, 7/24/19  
2017 Aerial  
2012 NAVTEQ

**OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**

**September 24, 2019**

***Consent Agenda***

**Knowledge Management: Cooperative Land Management Agreements Governing Board Policy**

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

As discussed at the August 2019 Governing Board meeting staff performed a review of the Cooperative Land Management Reimbursements Governing Board Policy (previously the Local Government Partnership Funding for District-Owned Lands Board Policy) and deemed it necessary to update the policy. The revised policy has been provided as an exhibit. The primary modification is to broaden the policy to set objectives and parameters for entering into cooperative land management agreements with both state and local governments for the management of District lands. The policy updates also limits the District's land management reimbursement rate to the District's percent contribution in the acquisition of the property. The policy updates are consistent with Chapter 373, Florida Statute.

**Staff Recommendation:**

Approve the Cooperative Land Management Agreements Governing Board Policy as revised.

**Presenter:** Jerry Mallams, P.G., Operations and Land Management Bureau Chief

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title:** Cooperative Land Management Agreements

**Document** Jerry Mallams, P.G., Operations and

**Owner:** Land Management Bureau Chief

**Approved By:** Mark Taylor, Chairman

**Effective Date:**

**Supersedes:** 08/30/2000

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### PURPOSE

The purpose of the Cooperative Land Management Reimbursement Policy (hereinafter "Policy") is to set forth the objectives and parameters for reimbursing annual expenditures under land management agreements with state agencies and local governments for the management of District-owned lands.

### SCOPE

This Policy applies to all lands where the District holds title.

### AUTHORITY

This Policy is governed by the Governing Board and Sections 373.1391 and 373.1401, Florida Statutes (F.S.)

### DEFINITIONS

N/A

### STANDARDS

The following are the standards for cooperative land management reimbursement:

1. The District's performance and payment pursuant to any partnership funding is contingent upon the District Governing Board appropriation of funds each fiscal year. Each partner



## **GOVERNING BOARD POLICY**

**Title: Cooperative Land Management Reimbursement**

**Effective Date:**

**Page 2 of 3**

seeking reimbursement will be required to have a partnership agreement stating the limits of the reimbursement.

2. The cooperative land management agreement must result in an efficiency improvement for the District.
3. Cooperative land management reimbursement arrangements may only be agreed to with governmental entities who can demonstrate that they can fulfill the District's management objectives on District-owned lands.
4. Reimbursement of expenditures related to a land management agreement will be subject to the Florida Single Audit Act, Chapter 215.97 F.S.

### **POLICY**

Chapter 373 of the F.S. states each Water Management District (WMD) is authorized and encouraged to enter into agreements with state agencies or local governments to provide for the coordinated and cost-effective management of lands to which the WMDs hold title. Additionally, WMDs are authorized to expend funds made available for land management on any such lands included in an agreement.

The District Governing Board may elect to acquire land with a partner when mutually beneficial. When such a situation arises the terms of a land management agreement, including reimbursement rate, will be negotiated. The land management reimbursement rate to the District's state or local government partner will be limited to the District's percent contribution in the acquisition of the property. Therefore, if the District contributed 50 percent of the acquisition funding, the reimbursement for land management must not exceed 50 percent of those costs associated with the management activities supporting the District's conservation objectives.

District staff will evaluate the cost to manage its conservation lands and determine if the lands can be managed more cost-effectively through a land management agreement with a state agency or local government. When a more cost-effective partnership is available, District staff may negotiate a land management agreement. The cooperative land management agreement, including the negotiated reimbursement, will be presented to the Governing Board for review and approval.

### **DISTRIBUTION**

This Policy will be stored in the Governing Board's Policy repository.

### **REFERENCES**

Sections 373.1391 and 373.1401, F.S.

### **REVIEW PERIOD**

This Policy will be reviewed every five years by the Operations and Land Management Bureau Chief or delegate.

## GOVERNING BOARD POLICY

Title: Cooperative Land Management Reimbursement

Effective Date:

Page 3 of 3

### DOCUMENT DETAILS

Document Name	Cooperative Land Management Agreements
Formerly Known As	Local Government Partnership Funding for District-Owned Land
Document Type	Policy
Author(s)	Jerry Mallams, P.G.
Reviewing Stakeholder(s)	Executive and Senior Staff
Document Owner Name	Jerry Mallams, P.G.
Document Owner Title	Operations and Land Management Bureau Chief
Review Period (in days)	1.825
Span of Control	Governing Board
Supersedes Date	08/30/2000
Effective Date	

### APPROVAL

\_\_\_\_\_  
Mark Taylor  
Chairman

\_\_\_\_\_  
Date



## REGULATION COMMITTEE

September 24, 2019

### *Consent Agenda*

#### **Partial Release of Conservation Easement for Old Florida Mitigation Bank – ERP No. 43041425.001 – Pasco County**

On March 25, 2015, the District issued Environmental Resource Permit (ERP) No. 43041425.001 (Permit) to EIP Credit Co., LLC (Permittee), authorizing the establishment of a mitigation bank known as the Old Florida Mitigation Bank (Project), located in Pasco County, Florida. At the time of Permit issuance, the owner of the Project was EIP Florida, LLC (EIP), which is a related entity of the Permittee. The rules governing mitigation banks required EIP to grant a Conservation Easement (CE) over the Project to the District. On June 18, 2015, EIP granted a CE over the Project to the District. The CE excluded an approximately 2-acre parcel from the mitigation bank to be used for the construction of a house. The 2-acre parcel fronts onto SR 52.

On or about December 2, 2016, EIP conveyed its underlying fee simple interest in the Project to Old Florida Ranch, LLC (Owner). Approximately 2 acres of the property were intentionally not encumbered by the CE conveyed for the mitigation bank to allow for construction of a caretaker's residence or hunting camp for both the future management and recreational use of the property. The 2-acre site is located on the south side of State Road 52 and a portion of it is being acquired by the Florida Department of Transportation, which will reduce the size to 1.64 acres. The Owner indicated it would now like the residence/camp to be located more internal to the property for its ease of access for management and recreation uses, and has proposed a release and exchange of property to the District. The proposed transaction involves the release of the District CE on 1.34 acres located further into the interior of the property in exchange for amending the District CE to include the 1.64 acres located along State Road 52. In this case the valuation of the exchange was determined to be equal. The property encumbered by the CE is entitled for the development of a residence/camp at a single location entitlement in the before condition and the property will have the same entitlement, although slightly smaller, in the after condition.

The Owner currently has an ERP application pending to address the amendment to the CE for the Project. The amendment to the CE will be conveyed by Owner to the District and will be processed via the pending ERP application, which will also address any required adjustment to the number of credits for the Project. Because the partial release of the CE is altering an interest in land previously conveyed to the District, the District must join in with the Owner in executing the instrument. The Partial Release of Conservation Easement and Quit Claim Deed, and the First Amendment to Conservation Easement are provided for the Governing Board's review as exhibits to this recap; however, only the partial release must be executed by the Governing Board. The executed partial release will be held until the ERP application is processed, and both the partial release and the amendment to the CE will be recorded on the same day.

## Item 17

Staff Recommendation:

Approve, accept, and execute the attached Partial Release of Conservation Easement and Quit Claim Deed for the Old Florida Mitigation Bank.

Presenters: Adrienne E. Vining, Assistant General Counsel, and  
Michelle Hopkins, P.E., Regulation Director

Prepared by and when  
recorded mail to:  
Laura Jacobs Donaldson  
Manson Bolves Donaldson Varn, P.A.  
109 North Brush Street  
Suite 300  
Tampa, Florida 33602

### **FIRST AMENDMENT TO CONSERVATION EASEMENT**

This FIRST AMENDMENT TO CONSERVATION EASEMENT (First Amendment) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2019 (Effective Date), by OLD FLORIDA RANCH, LLC, a Florida limited liability company, having an address of 2311 S. Lila Lane, Tampa, Florida 33629-2002 (Grantor), in favor of the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation existing under Chapter 373, Florida Statutes, having an address of 2379 Broad Street (U.S. Highway 41 South), Brooksville, Florida 32604-6899 (District).

### **WITNESSETH**

WHEREAS, EIP Florida LLC, a foreign limited liability company (EIP), executed that certain Conservation Easement, recorded on June 18, 2015, in the Official Records Book 9214, Page 1 of the Public Records of Pasco County, Florida, as to certain real property more particularly described in such Conservation Easement and situated in Pasco County, Florida (Property); and

WHEREAS, the Conservation Easement conveyed an easement interest over the Property to the District, as described therein; and

WHEREAS, on or about December 2, 2016, EIP conveyed to Grantor the Property by General Warranty Deed recorded in the Official Records Book 9467, Page 1707 of the Public Records of Pasco County, Florida; and

WHEREAS, Grantor is the successor in interest to EIP with respect to the Property; and

WHEREAS, Grantor wishes to amend the Conservation Easement to include additional land to the Conservation Easement; and

WHEREAS, Grantor wishes to amend the Conservation Easement to also convey an easement interest to the Department over the Property and the additional land included in this First Amendment.

NOW THEREFORE, in consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, the Grantor hereby amends the Conservation Easement as follows:

1. The Grantor hereby modifies the Property encumbered by the Conservation Easement to include the real property depicted and described in Exhibit A-1 (New Easement Area), attached hereto and incorporated herein by this reference. The New Easement Area shall be subject to the covenants, terms, conditions, and restrictions contained in the original Conservation Easement.

2. The Grantor hereby conveys a conservation easement to the Florida Department of Environmental Protection (Department) over the Property and the New Easement Area.

3. The covenants, terms, conditions, and restrictions of this First Amendment and the Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the New Easement Area and the Property.

3. Except as expressly modified in this First Amendment, the Conservation Easement shall continue in full force and effect according to its terms, and the Grantor hereby ratifies and affirms all of its respective rights and obligations under the Conservation Easement, as amended by this First Amendment.

4. The Grantor shall record this First Amendment in a timely fashion in the Official Records of Pasco County, Florida, and shall rerecord it at any time the District or the Department may require to preserve their rights. The Grantor shall pay all recording costs and taxes necessary to record this First Amendment in the public records. The Grantor shall hold the District and the Department harmless for any recording costs or taxes necessary to record this First Amendment in the public records.

5. In the event of any conflict between the terms of the Conservation Easement and this First Amendment, the terms of this First Amendment shall control.

IN WITNESS WHEREOF, the Grantor has by its duly authorized representative executed this First Amendment as of the Effective Date.

*[Signatures continue on following page]*

Signed, sealed, and delivered in  
in the presence of:

**OLD FLORIDA RANCH, LLC**, a Florida  
limited liability company

\_\_\_\_\_

By:\_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name, Title

\_\_\_\_\_

\_\_\_\_\_  
Print Name

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, as \_\_\_\_\_ of OLD FLORIDA RANCH, LLC, a limited liability company organized under the laws of the State of Florida, on behalf of the limited liability company. He/She is ☐ personally known to me, or ☐ produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC-STATE OF FLORIDA

Printed Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

### **EXHIBIT A-1**

A parcel of land lying in Section 10 Township 25 South, Range 18 East, Pasco County, Florida, and being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 10, also being the Southeast corner of HAR VAL MANOR, according to the plat thereof as recorded in Plat Book 6, Page 18, of the Public Records of Pasco County, Florida; run thence along the West boundary of said Section 10, also being the East boundary of said HAR VAL MANOR, N.00°06'43"W., 1417.60 feet to a point on the Southerly right-of-way boundary for STATE ROAD No. 52, per Official Records Book 8884, Page 219, of the Public Records of Pasco County, Florida; thence along said Southerly right-of-way boundary, the following three (3) courses: 1) N.67°44'30"E., 3305.89 feet to a point of curvature; 2) Easterly, 629.07 feet along the arc of a curve to the right having a radius of 1462.02 feet and a central angle of 24°39'10" (chord bearing N.80°04'05"E., 624.22 feet) to a point of tangency; 3) S.87°36'20"E., 720.95 feet; for a Point of Beginning, thence S.06°35'58"W., 365.92 feet; thence S.88°29'33"E., 197.99 feet; thence N.06°11'50"E., 362.67 feet to a point on said Southerly right-of-way boundary for STATE ROAD No. 52; thence N.00°00'00"W., 194.25 feet to Point of Beginning. Containing 71,450.44 square feet or 1.64 acres.

Prepared by and when recorded mail to:  
Laura Jacobs Donaldson  
Manson Bolves Donaldson Varn, PA  
109 North Brush Street  
Suite 300  
Tampa, Florida 33602

## **PARTIAL RELEASE OF CONSERVATION EASEMENT AND QUIT CLAIM DEED**

THIS PARTIAL RELEASE OF CONSERVATION EASEMENT AND QUIT CLAIM DEED (the “Easement Release and Quit Claim Deed”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019 (the “Effective Date”), by the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT** (“SWFWMD”), a Florida public corporation, whose address is 2379 Broad Street, Brooksville, Florida 34604-6899, in favor of **OLD FLORIDA RANCH, LLC**, a Florida Limited Liability Company (“Owner”), whose address is 2311 S. Lila Lane, Tampa, Florida 33629-2002.

### **WITNESSETH**

WHEREAS, on or about June 18, 2015, EIP Florida, LLC (“EIP”) executed that certain Deed of Conservation Easement in favor of the SWFWMD recorded in the Official Records Book 9214 Pages 1-346 of the Public Records of Pasco County, Florida (the “Conservation Easement”), as to certain real property more particularly described in such Conservation Easement and situated in Pasco County, Florida (the “Property”); and

WHEREAS, the Conservation Easement conveyed to the SWFWMD an easement interest over the Property, as described therein, which was required by the Environmental Resource Permit associated with the Old Florida Mitigation Bank; and

WHEREAS, the Conservation Easement provided third party enforcement rights to the U.S. Army Corps of Engineers; and

WHEREAS, EIP did not include two (2) acres of the Property in the Conservation Easement to allow for a small home/camp to be developed and such parcel has subsequently been reduced in size by adjacent Florida Department of Transportation’s construction activities; and

WHEREAS, on or about December 2, 2016, by virtue of General Warranty Deed recorded in Official Records Book 9467 Pages 1707-1710 of the Public Records of Pasco County, Florida, EIP conveyed to Owner a portion of the Property; and

WHEREAS, the Owner desires that the SWFWMD agree to the partial termination and release of the Conservation Easement over approximately 1.34 acres, as described in Exhibit A (“Released Acres”), to allow for a small home/camp to be developed on the Released Acres in exchange for encumbering 1.64 acres of the Property previously excluded from the Conservation Easement; and



WHEREAS, the SWFWMD has agreed to a release of the Conservation Easement over the Released Acres for the exchange of the 1.64 acres to be included in the Conservation Easement.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, the SWFWMD voluntarily releases the Owner's Released Acres from the Conservation Easement described herein, and remises, releases, and quitclaims all the right, title, interest claim, and demand conveyed to the SWFWMD by the Conservation Easement described herein.

IN WITNESS WHEREOF, SWFWMD has executed this Partial Release of Conservation Easement and Quit Claim Deed on the day and year first above written.

*[Signatures continue on following page]*

**SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT,**  
A public corporation

By: \_\_\_\_\_  
Mark Taylor, Chairman

Attest: \_\_\_\_\_  
Joel Schleicher, Secretary

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019 before me, the undersigned notary public, personally appeared \_\_\_\_\_, the person who subscribed to the foregoing instrument, as the \_\_\_\_\_ (title), of \_\_\_\_\_ ☐ (corporation), a Florida corporation, or ☐ \_\_\_\_\_ (choose one) and acknowledged that he/she executed the same on behalf of said ☐ corporation, or ☐ \_\_\_\_\_ (choose one) and that he/she was duly authorized to do so. He/She is personally known to me or has produced a \_\_\_\_\_ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_(Signature)

\_\_\_\_\_(Name)

My Commission Expires: \_\_\_\_\_

**EXHIBIT A**  
**Released Acres Legal Description**

A parcel of land lying in Section 10, Township 25 South, Range 18 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of said Section 10, also being the Southeast corner of HAR VAL MANOR, according to the plat thereof, as recorded in Plat Book 6, Page 18, of the Public Records of Pasco County, Florida; run thence along the West boundary of said Section 10, also being the East boundary of said HAR VAL MANOR, North  $00^{\circ}06'43''$  West, 1552.55 feet to the Northeasterly corner of said HAR VAL MANOR, said point also lying on the Southerly Right-of-Way line of State Road No. 52, per Florida Department of Transportation Right-of-Way Map No. 14120-2150; thence along said Southerly Right-of-Way line, the following eight (7) courses: 1) North  $67^{\circ}44'30''$  East, 113.76 feet; 2) South  $22^{\circ}15'30''$  East, 2.00 feet; 3) North  $67^{\circ}44'30''$  East, 1990.00 feet; 4) North  $22^{\circ}15'30''$  West, 2.00 feet; 5) North  $67^{\circ}44'30''$  East, 1151.25 feet to a point of curvature; 6) Easterly, 682.85 feet along the arc of a curve to the right having a radius of 1587.02 feet and a central angle of  $24^{\circ}39'10''$  (chord bearing North  $80^{\circ}04'05''$  East, 677.59 feet) to a point of tangency; 7) continue, South  $87^{\circ}36'20''$  East, 92.03 feet to a point on the Westerly boundary of a 15 foot Non-exclusive Utility Easement, as recorded in Official Record Book 7930, Page 406, of the Public Records of Pasco County, Florida; thence along said Westerly boundary, South  $08^{\circ}28'09''$  West, 125.71 feet to the POINT OF BEGINNING; thence S. $87^{\circ}36'20''$ E., a distance of 15.08 feet to a point on the Easterly boundary of said 15 foot Non-exclusive Utility Easement; thence along said Easterly boundary, the following three (3) courses: 1) S. $08^{\circ}28'09''$ W., a distance of 64.49 feet; 2) Southerly, 223.24 feet along the arc of a tangent curve to the right having a radius of 623.00 feet and a central angle of  $20^{\circ}31'51''$  (chord bearing S. $18^{\circ}44'04''$ W., 222.05 feet); 3) S. $29^{\circ}00'00''$ W., a distance of 671.36 feet; thence S. $33^{\circ}29'20''$ E., a distance of 199.64 feet; thence S. $33^{\circ}22'40''$ W., a distance of 110.45 feet; thence S. $69^{\circ}49'03''$ W., a distance of 257.99 feet to a point on said Easterly boundary of a 15 foot Non-exclusive Utility Easement; thence along said Easterly boundary, N. $29^{\circ}00'00''$ E., a distance of 377.43 feet; thence N. $23^{\circ}34'11''$ W., a distance of 18.89 feet to a point on the aforesaid Westerly boundary of a 15 foot Non-exclusive Utility Easement; thence along said Westerly boundary, the following three (3) courses: 1) N. $29^{\circ}00'00''$ E., a distance of 680.03 feet; 2) Northerly, 217.87 feet along the arc of a tangent curve to the left having a radius of 608.00 feet and a central angle of  $20^{\circ}31'51''$  (chord bearing N. $18^{\circ}44'04''$ E., 216.70 feet); 3) N. $08^{\circ}28'09''$ E., a distance of 62.90 feet to the POINT OF BEGINNING.

*Containing 1.336 acres, more or less.*

## GENERAL COUNSEL'S REPORT

September 24, 2019

### *Consent Agenda*

#### **Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Carl Douglas, Jr. – License Number 9127 – CT No. 404782 – Charlotte County, Florida**

Carl Douglas, Jr. is a licensed water well contractor holding License No. 9127 (“License”), whose mailing address is 2404 Greenleaf Road, Zolfo Springs, FL 33890. Mr. Douglas operates Douglas Well Drilling, LLC, and conducts business under that name.

On June 5, 2019, Well Construction Permit No. 879695 was issued to Carl Douglas, Jr. for the construction of a 4-inch diameter domestic water well. On June 12th and 13th of 2019, District staff were present at 8208 Austrian Blvd, Punta Gorda, Florida 33982, to observe part of the construction of the well. At the site, District staff observed the following violations of Rule 40D-3.502, Florida Administrative Code:

1. The failure to use contaminant free make-up water;
2. The failure to use a drill bit equal to or smaller in diameter than the inside diameter of the driven casing; and
3. The failure to install the first length of water-bearing casing before use of the rotary drill.

On July 12, 2019, District staff sent a Notice of Violation and Proposed Consent Order to Mr. Howard that provided for \$2,000.00 in fines and assessment of 18 points against his license as provided by the 2014 Water Well Contractor Disciplinary Guidelines and Citations Dictionary. Further, due to the faulty construction of the well, the proposed Consent Order required Mr. Douglas to properly plug and abandon the well. As of the date of this Recap, Mr. Douglas has not agreed to the terms of the proposed Consent Order.

#### **Staff Recommendation:**

- (1) Authorize District staff to issue an Administrative Complaint and Order to Carl Douglas, Jr. to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
- (2) Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

**Presenter:** Elizabeth M. Fernandez, Staff Attorney

## **GENERAL COUNSEL'S REPORT**

**September 24, 2019**

### ***Consent Agenda***

#### **Approve the District's Annual Regulatory Plan for 2019-2020**

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 a notice indicating that its Regulatory Plan is available in the Florida Administrative Register.

The District's proposed 2019-2020 Regulatory Plan lists upcoming rulemaking in the following categories:

1. Amendments to Procedural Rules - simplifying and clarifying rules, and increasing efficiency;
2. Amendments to Water Use Permitting Rules - simplifying and clarifying rules, deleting unnecessary rules, and in some cases reducing regulatory costs;
3. Amendments to Water Levels and Rates of Flow Rules - clarifying rules, increasing efficiency, deleting obsolete or unnecessary rules, and in some cases reducing regulatory costs; and
4. Amendments to Recovery and Prevention Strategies for Minimum Flows and Levels - clarifying rules and increasing efficiency.

Upon Governing Board approval, the District's Regulatory Plan will be published on the District's website, and a notice will be published in the Florida Administrative Register, identifying the date of publication and a hyperlink to the published plan. 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 subsection 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 2019-2020 and execute the certification required by 120.74(1)(d), F.S.

Presenter: Christopher A. Tumminia, Deputy General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
2019-2020 Annual Regulatory Plan

Section 120.74(1)(a), F.S., Rulemaking						
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	The Date by Which the Agency Expects to Publish the Notice of Proposed Rule
None	None	None	None	None	None	None
Section 120.74(1)(b), F.S., Rulemaking						
Rule Section	Law(s) Implemented	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Changes/Additions to be Made in 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
40D-1.660	373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 F.S.	Publications and Forms Incorporated by Reference	Rule Amendment	Update Rule	Incorporate updated publications, forms, or agreements.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and improve coordination with other agencies.
40D-2.091	373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715, F.S.	Publications and Forms Incorporated by Reference	Rule Amendment	Add and Update Incorporated Material	Update to Water Use Permit Applicant's Handbook, Parts B and D.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and reduce regulatory costs.
40D-2.101	373.0363, 373.116, 373.117, 373.1175, 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, Parts B and D.	The proposed rulemaking is intended to simplify, clarify, increase efficiency, and reduce regulatory costs.
40D-2.302	373.0421, 373.223(4), F.S.	Reservations from Use	Rule Amendment	Update Rule	Adoption or repeal of reservations from use.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-8.021	373.036, 373.0361, 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 NAVD88 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
40D-8.041	373.036, 373.0361, 373.042, 373.0421, F.S.	Minimum Flows	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum, and adopt or amend minimum flows.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete any obsolete or unnecessary rules.
40D-8.623	373.036, 373.0361, 373.0395, 373.042, 373.0421, F.S.	Minimum Wetland Levels	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-8.624	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 NAVD88 datum, and adopt, amend, or repeal minimum levels.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency, or delete unnecessary rules.
40D-8.626	373.4131, F.S.	Minimum Aquifer Levels	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
40D-80.073	373.036, 373.0361, 373.171, 373.0421, 373.0831, 373.1963, F.S.	Comprehensive Environmental Resources Recovery Plan for the Northern Tampa Bay Water Use Caution Area, and the Hillsborough River Recovery Strategy	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.
40D-80.074	373.016, 373.023, 373.036, 373.0395, 373.042, 373.0421, 373.171, F.S.	Regulatory Portion of Recovery Strategy for the Southern Water Use Caution Area	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
2019-2020 Annual Regulatory Plan

Rule Section	Law(s) Implemented	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Changes/Additions to be Made in 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
40D-80.075	373.016, 373.023, 373.036, 373.0395, 373.042, 373.0421, 373.171, F.S.	Regulatory Portion of Recovery Strategy for the Dover/Plant City Water Use Caution Area	Rule Amendment	Update Rule	Update elevations from NGVD29 to NAVD88 datum.	The proposed rulemaking is intended to simplify, clarify, and increase efficiency.

**CERTIFICATION OF ANNUAL REGULATORY PLAN FOR 2019-2020  
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 2019-2020, 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 4, 2019.

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MARK TAYLOR  
CHAIR

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KAREN E. WEST, ESQ.  
GENERAL COUNSEL

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Date



**EXECUTIVE DIRECTOR'S REPORT**

**September 24, 2019**

***Consent Agenda***

**Approve Governing Board Minutes – August 27, 2019**

**Staff Recommendation:**

Approve Minutes as presented.

**Presenter:** Brian J. Armstrong, P.G., Executive Director

## MINUTES OF THE MEETING

### GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

AUGUST 27, 2019

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., on August 27, 2019, at the District's Brooksville Office, 2379 Broad Street Brooksville, Florida. The following persons were present:

#### Board Members Present

Mark Taylor, Chair  
Michelle Williamson, Vice Chair  
Joel Schleicher, Secretary  
Kelly S. Rice, Treasurer  
H. Paul Senft, Member  
Rebecca Smith, Ph.D., Member  
James G. Murphy, Member

#### Board Members Absent

John Henslick, Member

#### Staff Members

Brian J. Armstrong, Executive Director  
Amanda Rice, Assistant Executive Director  
Karen E. West, General Counsel  
Brian Werthmiller, Inspector General  
John J. Campbell, Division Director  
Brian Starford, Acting Division Director  
Michael Molligan, Division Director  
Jennette Seachrist, Division Director  
Michelle Hopkins, Division Director

#### Board Administrative Support

Caroline Browning, Board & Executive Services Manager  
Lori Manuel, Administrative Assistant

A list of others in attendance, who signed the attendance roster, is filed in the permanent records of the District. This meeting was available for viewing through Internet streaming. Approved minutes from previous meetings can be found on the District's website ([www.WaterMatters.org](http://www.WaterMatters.org)).

#### **PUBLIC HEARING (00:00)**

##### **1. Call to Order**

Chair Mark Taylor called the meeting to order and opened the public hearing. Secretary Schleicher stated a quorum was present.

##### **2. Invocation and Pledge of Allegiance**

Board Member Williamson offered the invocation and led the Pledge of Allegiance to the Flag of the United States of America.

Chair Taylor introduced each member of the Governing Board. He noted that the Board meeting was recorded for broadcast on government access channels, and public input was only taken during the meeting onsite.

Chair Taylor stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a "Request to Speak" card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on agenda items only during today's meeting. If the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment during "Public Input." Chair Taylor stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

### **3. Employee Recognition**

Chair Taylor recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff were recognized: Brian Armstrong, Jack Garvey, Mark Hurst, Scott Hickerson, Deborah Ammendola and Dudley Black.

### **4. Additions/Deletions to Agenda**

Mr. Brian Armstrong, executive director, stated there were no changes to the agenda.

Secretary Schleicher asked that the following items be moved to Discussion:

#### **Resource Management Committee**

#### **6. FARMS – Jack Paul Properties, Inc. – Redwing Grove Phase 2 (H778), DeSoto County**

#### **General Counsel's Report**

#### **19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**

- a. Approval of Consent Order – Unauthorized Wetland and Floodplain Activities – Jak Rentals, LLC – CT No. 380009– Polk County, Florida

Board Member Smith asked that the following item be moved to Discussion:

#### **General Counsel's Report**

#### **19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**

- b. Approval of Consent Order – Unauthorized Construction – Steven B. Zink – CT No. 389961 – Sumter County

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

### **5. Public Input for Issues Not Listed on the Published Agenda**

Ms. Taren Wadley provided an update to the Board regarding unwanted fish harvesting. She also asked that more consideration be given to the relationship between unwanted nitrogen/phosphorus and fish.

Mr. David Ballard Geddes spoke regarding the constitution and water supply.

### **Consent Agenda**

#### **Resource Management Committee**

#### **6. FARMS – Jack Paul Properties, Inc. – Redwing Grove Phase 2 (H778), DeSoto County**

Staff recommended the Board:

1. Approve the Jack Paul Properties, Inc. – Redwing Grove Phase 2 project for a not to exceed project reimbursement of \$295,500 with \$295,500 provided by the Governing Board;
2. Authorize the transfer of \$295,500 from fund 010 H017 Governing Board FARMS Fund to the H778 Jack Paul Properties, Inc. – Redwing Grove Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

#### **7. FARMS – Lykes Bros., Inc. Lake Placid Grove Phase 2 (H779), Highlands County**

Staff recommended the Board:

1. Approve the Lykes Bros., Inc. - Lake Placid Grove Phase 2 project for a not-to-exceed project reimbursement of \$137,112 with \$137,112 provided by the Governing Board.
2. Authorize the transfer of \$137,112 from fund 010 H017 Governing Board FARMS funds to the H779 Lykes Bros, Inc. - Lake Placid Grove Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

**8. Conservation Easements for Restoration Projects – Ungarelli Preserve Habitat Restoration (W603)**

Staff recommended the Board approve the form of the proposed conservation easement over the Ungarelli Preserve Habitat Restoration project area.

**9. Knowledge Management: Cooperative Funding Initiative Governing Board Policy**

Staff recommended the Board approve the changes to the Cooperative Funding Initiative Governing Board Policy as presented at the July 23, 2019 Governing Board meeting.

**10. Authorize Staff to Initiate the Process to Update the Surface Water Improvement and Management Program Priority List**

Staff recommended the Board authorize staff to initiate the process to update the District's Surface Water Improvement and Management (SWIM) Program priority list.

**Finance/Outreach & Planning Committee**

**11. Knowledge Management: Capital Assets Governing Board Policy**

Staff recommended the Board Approve the Capital Assets Governing Board Policy as revised.

**12. Knowledge Management: Office of Inspector General Charter Governing Board Policy**

Staff recommended the Board approve the Office of Inspector General Charter Governing Board Policy as revised and the deletion of the Inspector General - Roles and Responsibilities Governing Board Policy.

**13. Budget Transfer Report**

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

**Operations, Lands and Resource Monitoring Committee**

**14. Renewal of Management Agreement with South Florida Water Management District – Lake Marion Creek – SWF Parcel Number 20-597-102X**

Staff recommended the Board:

- Approve renewal of Management Agreement with South Florida Water Management District for Lake Marion Creek, SWF Parcel Number 20-597-102X.
- Authorize the Governing Board Chairman to execute the agreement.

**15. Right of First Refusal to Acquire the Remainder Fee Interest in a Conservation Easement – R.P. Ranch – SWF Parcel No. 20-780-102C**

Staff recommended the Board:

- Approve declining the right of first refusal to purchase the remainder fee interest over SWF Parcel No. 20-780-102C encumbered by a District conservation easement.
- Authorize the Executive Director to execute the necessary documents to decline the right of first refusal on SWF Parcel 20-780-102C.

**16. Management Agreement with the City of Oldsmar – Lake Tarpon Outfall Canal Park – SWF Parcel No. 16-001-121X**

Staff recommended the Board:

- Approve the Management Agreement with the City of Oldsmar for a portion of the Lake Tarpon Outfall Canal property for a ten-year term with options to renew for two successive ten-year terms.
- Authorize the Governing Board Chairman to execute the agreement.
- Authorize the Executive Director to approve the options to renew for two successive ten-year terms.

**17. Second Amendment – Management Agreement with Citrus County – Chassahowitzka River Campground – Chassahowitzka River and Coastal Swamps – SWF Parcel No. 15-347-105X**

Staff recommended the Board:

- Approve the Second Amendment to the Management Agreement with Citrus County - SWF Parcel No. 15-347-105X.
- Authorize the Governing Board Chairman to execute the amendment.

**Regulation Committee**

**18. Individual Water Use Permits Referred to the Governing Board – None**

**General Counsel's Report**

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

**a. Approval of Consent Order – Unauthorized Wetland and Floodplain Activities – Jak Rentals, LLC – CT No. 380009 – Polk County, Florida**

Staff recommended the Board:

1. Approve the proposed Consent Order
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

**b. Approval of Consent Order – Unauthorized Construction – Steven B. Zink – CT No. 389961 – Sumter County**

Staff recommended the Board:

1. Approve the proposed Consent Order.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

**20. Rulemaking - None**

**Executive Director's Report**

**21. Annual Calendar for Fiscal Year 2019–2020 Meeting Dates**

Staff recommended the Board approve the meeting dates as presented.

**22. Approve Governing Board Minutes – July 23, 2019**

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda as amended. The motion carried unanimously. (00:12:38)

Chair Taylor relinquished the gavel to Resource Management Committee Chair Smith, who called the meeting to order. (00:12:55)

**Resource Management Committee**

**Discussion**

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

**6. FARMS – Jack Paul Properties, Inc. – Redwing Grove Phase 2 (H778), DeSoto County**

Mr. Chris Zajac, Facilitating Agricultural Resource Management Systems (FARMS) Program manager provided a presentation that provided an overview of the Redwing Grove Phase 2 project.

Staff recommended the Board:

1. Approve the Jack Paul Properties, Inc. - Redwing Grove Phase 2 project for a not-to-exceed project reimbursement of \$295,500 with \$295,500 provided by the Governing Board;
2. Authorize the transfer of \$295,500 from fund 010 H017 Governing Board FARMS Fund to the H778 Jack Paul Properties, Inc. - Redwing Grove Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

**A motion was made and seconded to approve staff's recommendation. The motion carried with six in favor and one opposed. (00:15:13)**

#### **Submit & File Reports**

##### **24. Minimum Flows and Minimum Water Levels Priority List and Schedule Update**

##### **25. Lower Hillsborough River Recovery Strategy Implementation – Annual Update**

#### **Routine Reports**

The following items were provided for the Committee's information, and no action was required.

##### **26. Minimum Flows and Levels Status Report**

##### **27. Significant Water Resource and Development Projects**

**Committee Chair Smith relinquished the gavel to the Finance/Outreach & Planning Committee Chair Rice, who called the meeting to order. (00:15:37)**

#### **Finance/Outreach & Planning Committee**

##### **Discussion**

##### **28. Consent Item(s) Moved for Discussion - None**

##### **29. Knowledge Management: Risk Management and Safety Governing Board Policy**

Ms. Kelley Rexroad, Human Resources Office chief, presented an overview of the Risk Management and Safety Governing Board Policy. She outlined the purpose of this policy. She stated it is recommended this policy be changed from a Governing Board Policy to an Executive Procedure. If approved, she stated a recommendation to deem the policy obsolete will be included as a consent item in the September 2019 Board packet.

This item was presented for the Board's information, and no action was requested.

##### **30. Knowledge Management: Performance Incentive Program Governing Board Policy**

Ms. Kelley Rexroad, Human Resources Office chief, presented an overview of updates that have been made to the Performance Incentive Program Governing Board Policy. She stated the revised policy will be included as a consent item in the September 2019 Board packet and approval will be requested at that time.

This item was presented for the Board's information and no action was requested.

##### **31. Fiscal Year (FY) 2019 Board Designated Encumbrance Request**

Mr. Michael Molligan, Employee and External Relations Division director, provided a presentation regarding FY2019 Board designated encumbrance request. Mr. Molligan provided an overview of the 2019 modified budget, projected expenditures and the salary budget.

Mr. Molligan stated the District is requesting the utilization of \$1 million for staff merit increases. He provided an overview of this request and information from FY2018.

Mr. Molligan provided a presentation that outlined the request for implementation of recommendations from a salary survey. He explained that salary surveys are completed



approximately every three years. He provided an overview of the recommendations, the impacts and funding request to implement these recommendations.

Staff recommended the Board approve the encumbrance of \$1,140,000 from the FY2019 Salary appropriation to carry forward into FY2020 for recommended salary adjustments for positions identified in the 2019 Salary Survey and staff merit-based salary increases.

**A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (00:28:28)**

**Submit & File Reports – None**

**Routine Reports**

The following items were provided for the Committee's information, and no action was required.

**32. Treasurer's Report and Payment Register**

**33. Monthly Financial Statement**

**34. Monthly Cash Balances by Fiscal Year**

**35. Comprehensive Plan Amendment and Related Reviews Report**

**Committee Chair Rice relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Murphy, who called the meeting to order. (00:28:58)**

**Operations, Lands and Resource Monitoring Committee  
Discussion**

**36. Consent Item(s) Moved for Discussion - None**

**37. Knowledge Management: Cooperative Land Management Agreements Governing Board Policy**

Mr. Jerry Mallams, Operations & Land Management Bureau chief, provided a presentation that outlined the modifications that are being recommended for the Cooperative Land Management Agreements Governing Board policy.

Mr. Mallams stated the revised policy will be included as a consent item in the September 2019 Board packet and approval will be requested at that time.

This item was presented for the Board's information and no action was requested.

**Submit & File Reports**

**38. Hydrologic Conditions Report**

Chair Taylor asked Mr. Brian Starford, Operations, Lands and Resource Monitoring Division acting director to provide an update regarding recent flooding issues.

Mr. Starford informed the Board that all 86 of the District structures were being monitored 24 hours a day. He stated the Tampa Bypass Canal is being operated to assist in routing water to the Hillsborough River detention area and down the Tampa Bypass Canal. Mr. Starford stated the District is coordinating with Tampa Bay Water, City of Tampa and City of Temple Terrace.

Mr. Starford stated that Lake Panasoffkee is at its third highest level. To improve the flow of the Outlet River, the District coordinated with the Florida Wildlife Conservation Commission to harvest hydrilla in Lake Panasoffkee. As a result, flow in the river increased from 210 cubic feet per second (ft<sup>3</sup>/s) to approximately 450 ft<sup>3</sup>/s.

The District is preparing for impact from tropical storm Dorian through various District-wide efforts, which includes communications for public outreach, status updates for lake and river systems and issuance of emergency field authorizations.

### **Routine Reports**

The following items were provided for the Committee's information, and no action was required.

#### **39. Surplus Lands Update**

#### **40. Structure Operations**

#### **41. Significant Activities**

**Committee Chair Murphy relinquished the gavel to the Regulation Committee Chair Schleicher, who called the meeting to order. (00:38:36)**

### **Regulation Committee**

#### **Discussion**

#### **42. Consent Item(s) Moved for Discussion - None**

#### **43. Denials Referred to the Governing Board**

Secretary Schleicher asked about overpumpage variances on the monthly report provided to the Board. Ms. Michelle Hopkins, Regulation Division director, stated a presentation regarding the water use permitting process, which will include overpumpage variances, will be provided at the October Board meeting.

**Submit & File Reports – None**

### **Routine Reports**

The following items were provided for the Committee's information, and no action was required.

#### **44. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**

#### **45. Overpumpage Report**

#### **46. Individual Permits Issued by District Staff**

**Committee Chair Schleicher relinquished the gavel to Chair Taylor. (00:39:50)**

### **General Counsel's Report**

#### **Discussion**

#### **47. Consent Item(s) Moved for Discussion**

#### **19. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**

Secretary Schleicher and Board Member Smith expressed concerns regarding the District's process negotiating consent orders.

Ms. Karen West, general counsel, explained that the penalties are calculated pursuant to a Penalty Matrix developed by the District. The severity and level of impact is considered in determining the penalty.

##### **a. Approval of Consent Order – Unauthorized Wetland and Floodplain Activities – Jak Rentals, LLC – CT No. 380009– Polk County, Florida**

Staff recommended the Board:

1. Approve the proposed Consent Order
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

**A motion was made and seconded to approve staff's recommendation. The motion carried unanimously. (00:48:46)**



**b. Approval of Consent Order – Unauthorized Construction – Steven B. Zink – CT No. 389961 – Sumter County**

Board Member Smith expressed her concerns regarding the District's ability to ensure that the conditions of the Consent Order are met. Ms. Smith asked about the process if the violator becomes non-compliant after the Consent Order is approved. She asked if there is an option for a bond to be required and what wetland certifications are required.

Mr. Jamie Fussell, staff attorney, responded to questions and explained the conditions outlined in the Consent Order.

**Board Member Smith made a motion to table the vote on this item until the September Board meeting. The motion was seconded. The motion failed with three in favor and four opposed (00:53:16/01:06:10)**

Staff recommended the Board:

1. Approve the proposed Consent Order.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

**Board Member Senft made a motion to amend staff's recommendation to include language stating if the financial terms of the consent order are not met, the property would be forfeited to the District. The motion failed with one in favor and six opposed. (01:07:18/01:17:20)**

**A motion was made and seconded to approve staff's recommendation. The motion carried with five in favor and two opposed. (01:07:06/01:17:40)**

Ms. West provided the Board with an update regarding the rule challenge filed by the Rainbow River Group for the Rainbow River Minimum Flows and Levels (MFLs). She stated there has been a delay in the process due to issues with the transcripts of the hearing. Ms. West stated that as a result of the issues with the transcripts the Administrative Law Judge be delayed in the issuance of a final order by the September deadline. She will keep the Board apprised of this matter.

**Submit & File Reports – None**

**Routine Reports**

The following items were provided for the Committee's information, and no action was required.

**48. August 2019 Litigation Report**

**49. August 2019 Rulemaking Update**

**Committee/Liaison Reports**

**50. Industrial Advisory Committee**

A written report for the August 13 meeting was provided.

**51. Public Supply Advisory Committee**

A written report for the August 13 meeting was provided.

**52. Other Committee/Liaison Reports**

**Executive Director's Report**

**53. Executive Director's Report**

Mr. Brian Armstrong, executive director, recognized District employee Tim Ward, who passed away in August.

Mr. Armstrong stated that Board Member Henslick has resigned from the Board and read his resignation letter to the Board.

Mr. Armstrong stated that based on discussions regarding consent orders, the District's enforcement process will be presented at a future Board meeting.

Mr. Armstrong stated that Jan Burke, Environmental Resource Permitting (ERP) manager, assisted the Florida Department of Transportation (FDOT) with a cost-saving measure. It involved modifying 105 FDOT ERP permits and the frequency of inspections associated with the permits. This will save \$170,000 to \$200,000 over a five-year period and earned a productivity award from the Florida Tax Watch.

Mr. Armstrong informed the Board of a charity drive organized by the District Employee Committee. The Employee Committee held the "Starting Off on the Right Foot Sneaker Drive Challenge." They collected over 1,000 pairs of shoes for four Title I elementary schools within the District.

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

##### **54. Chair's Report**

Chair Taylor welcomed Michelle Hopkins as the new Regulation director.

The next meetings scheduled are as follows: the tentative budget hearing on Tuesday, September 10 at 5:01 p.m., in the Tampa office; the Governing Board meeting, Tuesday, September 24 at 3:00 p.m., followed by the final budget hearing at 5:01 p.m., in the Tampa office.

##### **55. Other**

##### **56. Employee Milestones**

The meeting was adjourned at 10:31 a.m.

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Chair

Attest:

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Secretary



**Governing Board Meeting  
September 24, 2019**

<b>FINANCE/OUTREACH &amp; PLANNING COMMITTEE</b>
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***Discussion Items***

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23. Office of Inspector General Fiscal Year Ending September 30, 2019 Annual Report.....	65
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***Submit & File Reports – None***

***Routine Reports***

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**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

*Discussion Item*

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

Staff Recommendation:

Presenter: Michael Molligan, Division Director, Employee and External Relations

## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Discussion Item*

#### **Office of Inspector General Fiscal Year Ending September 30, 2019 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 Office during the immediately preceding fiscal year.

##### *Background*

Your current IG began with the District on October 22, 2018. This report provides relevant information regarding performance measures, a description of recommendations for corrective actions, a description of correction action from previous annual reports that have not been completed, a summary of reviews completed, a summary of each audit completed, a summary of each investigation completed, and other accomplishments during the period.

Attachment for the Annual Report will be provided under a separate cover.

##### **Staff Recommendation:**

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

**Presenter:** Brian Werthmiller, Inspector General

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Discussion Item***

**Fiscal Year (FY) 2020 Budget Development**

***Purpose***

Provide an update on proposed budget changes, if any, since the first public budget hearing scheduled to be held on September 17, 2019.

***Background***

At the July 23 Governing Board meeting, the Governing Board approved the *Standard Format Tentative Budget*, which on August 1, was submitted to the Executive Office of Governor (EOG), 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, and the governing body of each county in which the District has jurisdiction or derives any funds for the operations of the District. The tentative budget report was also posted on the District's website and reflects the budget as approved by the Governing Board on July 23.

The Governing Board also adopted a proposed FY2020 millage rate of 0.2801 mill, which is the rolled-back rate. The proposed FY2020 millage rate was certified to the county property appraisers following the meeting and was used for the Truth in Millage (TRIM) *Notices of Proposed Property Taxes* to all District taxpayers.

On September 17, 2019, the first public budget hearing is scheduled to be held at the Tampa Office where the Governing Board will vote on a tentative millage rate and budget. Written disapproval of any portion of the budget must be received from the EOG or the Legislative Budget Commission at least five business days prior to the final budget hearing. The second and final hearing is scheduled to be held on September 24, 2019 at 5:01 p.m. also at the Tampa Office.

***Discussion***

Staff will review the proposed changes, if any, since the first public budget hearing scheduled to be held on September 17, 2019.

**Staff Recommendation:**

Approve the proposed changes, if any, to the FY2020 budget for adoption at the final budget hearing scheduled to be held on September 24, 2019

**Presenter:** John J. Campbell, Division Director, Management Services

## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Routine Report*

#### Treasurer's Report and Payment Register

##### *Purpose*

Presentation of the Treasurer's Report and Payment Register.

##### *Background*

In accordance with Board Policy, District Investment Policy, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of August 31, 2019, reflects total cash and investments.

In accordance with Board Policy, Disbursement of Funds, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic fund transfers (EFTs).

##### Staff Recommendation:

These items are presented for the Committee's information, and no action is required.

Presenter: Melisa J. Lowe, Bureau Chief, Finance



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
August 31, 2019

CUSTODIAN HELD INVESTMENTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	AMORTIZED COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
<b>PUBLIC TRUST ADVISORS</b>						
<b><u>SFWWMD-Enhanced Cash Portfolio</u></b>						
7951619	Investments	2.27	\$164,013,504	\$164,393,117	\$706,262	
7951619	Cash / Money Market Fund	1.98	63,576	63,576	0	
			<b>Subtotal</b>	\$164,077,080	\$164,456,693	\$706,262
7951619	Accounts Receivable-Trade date prior to 8/31/19, Settlement date after 8/31/19		3,624	3,624	0	
			<b>Total</b>	\$164,080,704	\$164,460,317	\$706,262
						<b>33.89</b>
<b><u>SFWWMD- 1-3 Year Portfolio</u></b>						
7951620	Investments	1.99	\$212,601,727	\$213,819,766	\$1,065,331	
7951620	Cash / Money Market Fund	1.98	263,170	263,170	0	
			<b>Subtotal</b>	\$212,864,897	\$214,082,936	\$1,065,331
7951620	Accounts Receivable-Trade date prior to 8/31/19, Settlement date after 8/31/19		159,134	159,134	0	
			<b>Total</b>	\$213,024,031	\$214,242,070	\$1,065,331
						<b>44.00</b>
<b>TOTAL CUSTODIAN HELD INVESTMENTS</b>			<b>\$377,104,735</b>	<b>\$378,702,387</b>	<b>\$1,771,593</b>	<b>77.89</b>

STATE BOARD OF ADMINISTRATION (SBA) INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
<b>STATE BOARD OF ADMINISTRATION</b>						
<b><u>Florida PRIME (Formerly Local Government Investment Pool)</u></b>						
271413	SBA General Investments	2.35	\$76,259,783	\$76,259,783		
271414	SBA Land Resources	2.35	16,976,295	16,976,295		
271415	SBA Advanced State Funding (Eco System Trust Fund)	2.35	393,669	393,669		
271416	SBA Advanced State Funding (FDOT)	2.35	13,121,400	13,121,400		
271417	SBA Advanced State Funding (WRAP)	2.35	9,772	9,772		
271418	SBA Advanced State Funding (WPSTF-AWS)	2.35	232,220	232,220		
	<b>TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS</b>		<b>\$106,993,139</b>	<b>\$106,993,139</b>		<b>22.11</b>
	<b>TOTAL INVESTMENTS</b>		<b>\$484,097,874</b>	<b>\$485,695,526</b>		<b>100.00</b>
	<b>CASH, SUNTRUST DEMAND ACCOUNT</b>		<b>2,082,779</b>	<b>2,082,779</b>		
	<b>TOTAL CASH AND INVESTMENTS</b>		<b>\$486,180,653</b>	<b>\$487,778,305</b>		

Weighted average yield on portfolio at August 31, 2019 is 2.16%.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
August 31, 2019

EQUITY - CASH AND INVESTMENTS

**DISTRICT AND BASINS**

District General Fund	\$427,577,160	87.94%
Restricted for Alafia River Basin	585,189	0.12%
Restricted for Hillsborough River Basin	13,936,327	2.87%
Restricted for Coastal Rivers Basin	321,146	0.07%
Restricted for Pinellas-Anclote River Basin	12,630,085	2.60%
Restricted for Withlacoochee River Basin	1,133,148	0.23%
Restricted for Peace River Basin	1,609,386	0.33%
Restricted for Manasota Basin	3,425,804	0.70%
Total District General Fund	<u>\$461,218,245</u>	<u>94.86%</u>
FDOT Mitigation Program	12,916,559	2.66%
Florida Forever Program	12,045,849	2.48%
<b>TOTAL EQUITY IN CASH AND INVESTMENTS</b>	<u><b>\$486,180,653</b></u>	<u><b>100.00%</b></u>

## Monthly Investment Report for Period Ended August 31, 2019

**Southwest Florida**  
*Water Management District*



### Southwest Florida Water Management District Investment Program Review

2379 Broad Street  
Brooksville, FL 34604-6899

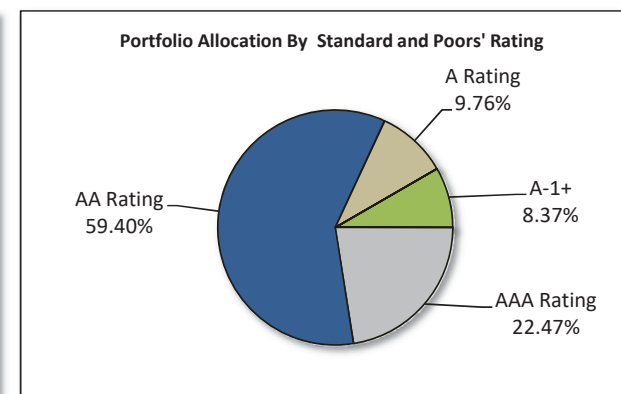
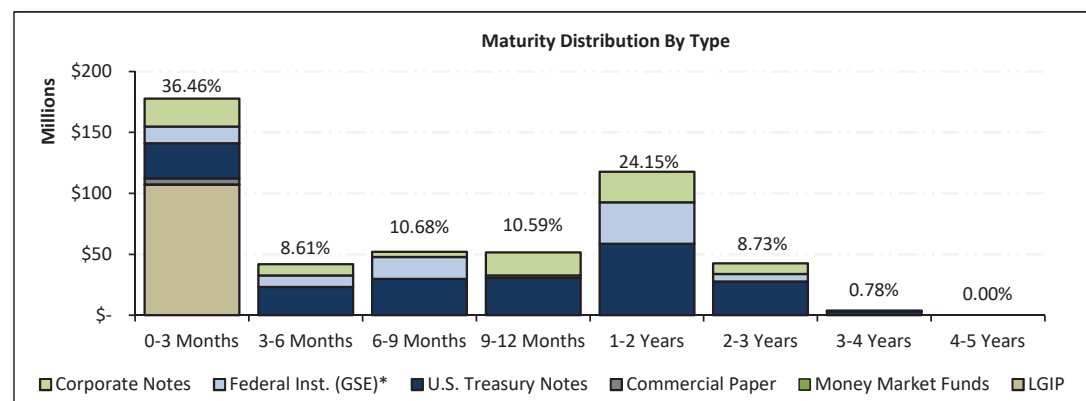
Public Trust Advisors LLC  
201 E. Pine Street, Suite 750  
Orlando, Florida 32801

## Southwest Florida Water Management District All Assets Summary Comparison for the period August 1, 2019 to August 31, 2019

Southwest Florida Water Management District All Assets Portfolio	August 1, 2019 Beginning Balance	August 31, 2019 Ending Balance	Portfolio Characteristic	August 1, 2019 Beginning Balance	August 31, 2019 Ending Balance
Book Value Plus Accrued	\$ 498,990,403	\$ 485,706,710	Weighted Book Yield	2.24%	2.16%
Net Unrealized Gain/Loss	536,780	1,597,652	Weighted Duration	0.71 Years	0.75 Years
Net Pending Transactions	1,767	162,759			
Market Value Plus Accrued Net	\$ 499,528,950	\$ 487,467,121			

Individual Portfolio Characteristics	August 1, 2019 Beginning Balance	August 31, 2019 Ending Balance	August 31, 2019 Monthly Earnings	August 31, 2019 YTD Earnings
Liquid Portfolio (SBA-Florida Prime)	\$ 120,790,654	\$ 106,993,140	\$ 223,286	\$ 2,881,537
Enhanced Cash	164,640,317	165,166,579	316,893	3,333,097
Short Term 1-3 Year	214,097,979	215,307,402	357,920	3,635,080
Market Value Plus Accrued Net	\$ 499,528,950	\$ 487,467,121	\$ 898,099	\$ 9,849,714
		Less Advisory Fees:	\$ (9,852)	\$ (106,618)
		Total Earnings Net of Fees	\$ 888,247	\$ 9,743,096
		Blended Basis Fee (Annualized)	0.02434%	0.02395%



See additional disclosures for footnotes.



## Additional Disclosure

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

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Past performance is not an indication of future performance.

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

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Public Trust Advisors  
717 17th Street, Suite 1850  
Denver, CO 80202

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Routine Report***

**Monthly Financial Statement**

*Purpose*

Presentation of the August 31, 2019, monthly financial statement.

*Background*

In accordance with Sections 373.536(4)(e) and 215.985(11), Florida Statutes, relating to state financial information with certain financial transparency requirements, the District is submitting a "Statement of Sources and Uses of Funds for the Eleventh Month Ended August 31, 2019."

**Staff Recommendation:**

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

**Presenter:** Melisa J. Lowe, Bureau Chief, Finance

**Statement of Sources and Uses of Funds  
For the Eleven Months Ended August 31, 2019**

The attached "Statement of Sources and Uses of Funds" statement is provided for your review. This financial statement provides summary-level revenues (i.e., sources) and expenditures by program (i.e., uses). **This unaudited financial statement is provided as of August 31, 2019, with 91.7 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District's FY2018-19 available budget of \$362.9 million. Encumbrances represent orders for goods and services which have not yet been received.

**Revenues (Sources) Status:**

- Overall, as of August 31, 2019, 92 percent of the District's budgeted revenues/balances have been recognized.
- As of August 31, 2019, the District has received \$111,175,854 of ad valorem tax revenue representing 101 percent of the budget. This is in-line with the eleven-months prior year collection rates of 101 percent for FY2017-18 and 101 percent for FY2016-17. The budget represents 96 percent of estimated proceeds based on the taxable property values as certified by the District's sixteen counties multiplied by the Governing Board approved millage rate. Projections are based on historical collections.
- Intergovernmental Revenues are recognized as soon as they are both measurable and available. Revenues are considered available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For FY2018-19, \$4,595,018 revenues have been recognized, representing 12 percent of the budget. From year to year, the budgeted amount of intergovernmental revenue compared to the recognized amount can fluctuate for various reasons; projects can be in the planning stages and have not incurred a significant amount of expenditures, or anticipated projects may be canceled (e.g., cooperative funding projects).
- The FY2018-19 interest earnings budget was based on a 1.90 percent expected rate of return. The District's investment portfolio at August 31, 2019 is earning a weighted average yield of 2.16 percent. For the eleven months ended August 31, 2019, the District has earned 2.10 percent yield on its investments. Interest earnings on invested funds in the amount of \$9,847,740 have been recognized representing 111 percent of the budgeted amount.
- License and Permit Fees consist of revenue from water use permits, environmental resource permits, water well construction permits, and water well construction licenses. Revenue recognized represents 90 percent of the budgeted amount as of August 31, 2019.
- As of August 31, 2019, other revenue earned is 404 percent of budget. Each year, items that fall within the "Other" revenue category are budgeted conservatively due to the uncertainty of the amounts to be collected. For example, revenues from timber sales, hog hunts, insurance recoveries and the sale of capital assets can vary significantly from year to year. The majority of the increase is due to a refund from a cooperator in the

amount of \$522,443 for deliverables not being satisfied and sales of capital assets in the amount of \$551,723.

- Fund Balance consists of balance from prior years (budgeted for the current year) plus fund balance associated with the ad valorem funded encumbrances that rolled into the current year.

#### **Expenditures (Uses) Status:**

Overall, as of August 31, 2019, the District had obligated 86 percent of its total budget.

#### **Summary of Expenditures by Program**

This financial statement illustrates the effort to date for each of the District's six statutory program areas (Section 373.536(5)(e)4, Florida Statutes). A discussion of the expenditures by program follows.

- The **Water Resource Planning and Monitoring Program** includes all water management planning, including water supply planning, development of minimum flows and levels, and other water resource planning; research, data collection, analysis, and monitoring; and technical assistance (including local and regional plan and program review). Of the \$42.0 million budgeted for this program, the District has obligated 82 percent of the budget (49 percent expended, and 33 percent encumbered).
- The **Land Acquisition, Restoration and Public Works Program** includes the development and construction of all capital projects (except for those contained in the Operation and Maintenance of Works and Lands Program), including water resource development projects/water supply development assistance, water control projects, and support and administrative facilities construction, land acquisition (i.e., Florida Forever program), and the restoration of lands and water bodies. Of the \$258.5 million budgeted for this program, the District has obligated 86 percent of the budget (11 percent expended, and 75 percent encumbered).
- The **Operation and Maintenance of Works and Lands Program** includes all operation and maintenance of facilities, flood control and water conservation structures, lands, and other works authorized by Chapter 373, Florida Statutes. Of the \$24.9 million budgeted for this program, the District has obligated 84 percent of the budget (62 percent expended, and 22 percent encumbered).
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration, compliance and enforcement, and any delegated regulatory program. Of the \$22.2 million budgeted for this program, the District has obligated 83 percent of the budget (75 percent expended, and 8 percent encumbered).
- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resources education; public information activities; all lobbying activities relating to local, regional, state, and federal governmental affairs; and all public relations activities and advertising in any media. Of the \$2.8 million budgeted



for this program, the District has obligated 90 percent of the budget (65 percent expended, and 25 percent encumbered).

- The **Management and Administration Program** includes executive management, executive support, governing board support, ombudsman, general counsel, inspector general, administrative support (general), procurement, finance, human resources, and risk management. Of the \$12.5 million budgeted for this program, the District has obligated 92 percent of the budget (84 percent expended, and 8 percent encumbered).

Based on the financial activities for the eleven months ended August 31, 2019, the financial condition of the District is positive and budget variances are generally favorable. There are no reported or identified major trends, conditions or variances that warrant additional management attention.

**Southwest Florida Water Management District**  
**Statement of Sources and Uses of Funds**  
**For the Eleven Months Ended August 31, 2019**  
**(Unaudited)**

	<b>Current Budget</b>	<b>Actuals Through 8/31/2019</b>	<b>Variance (under)/Over Budget</b>	<b>Actuals As A % of Budget (rounded)</b>
<b>Sources</b>				
Ad Valorem Property Taxes	\$ 110,599,432	\$ 111,175,854	\$ 576,422	101%
Intergovernmental Revenues	37,350,115	4,595,018	(32,755,097)	12%
Interest on Invested Funds	8,900,000	9,847,740	947,740	111%
License and Permit Fees	1,989,800	1,792,357	(197,443)	90%
Other	457,800	1,848,073	1,390,273	404%
Fund Balance	203,645,703	203,645,703	-	100%
<b>Total Sources</b>	<b>\$ 362,942,850</b>	<b>\$ 332,904,745</b>	<b>\$ (30,038,105)</b>	<b>92%</b>

	<b>Current Budget</b>	<b>Expenditures</b>	<b>Encumbrances<sup>1</sup></b>	<b>Available Budget</b>	<b>% Expended (rounded)</b>	<b>% Obligated<sup>2</sup> (rounded)</b>
<b>Uses</b>						
Water Resource Planning and Monitoring	\$ 41,994,869	\$ 20,417,322	\$ 13,951,873	\$ 7,625,674	49%	82%
Land Acquisition, Restoration and Public Works	258,485,955	28,501,857	194,446,271	35,537,827	11%	86%
Operation and Maintenance of Works and Lands	24,922,731	15,448,185	5,389,521	4,085,025	62%	84%
Regulation	22,233,092	16,679,371	1,733,175	3,820,546	75%	83%
Outreach	2,808,227	1,814,881	702,864	290,482	65%	90%
Management and Administration	12,497,976	10,540,300	978,719	978,957	84%	92%
<b>Total Uses</b>	<b>\$ 362,942,850</b>	<b>\$ 93,401,916</b>	<b>\$ 217,202,423</b>	<b>\$ 52,338,511</b>	<b>26%</b>	<b>86%</b>

<sup>1</sup> Encumbrances represent unexpended balances of open purchase orders and contracts.

<sup>2</sup> Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited preliminary financial statement is prepared as of August 31, 2019, and covers the interim period since the most recent audited financial statements.

**FINANCE/OUTREACH & PLANNING COMMITTEE**

**September 24, 2019**

***Routine Report***

**Monthly Cash Balances by Fiscal Year**

*Purpose*

To provide a schedule of monthly cash balances by fiscal year, updated to reflect the cash balance as of August 31, 2019.

*Background*

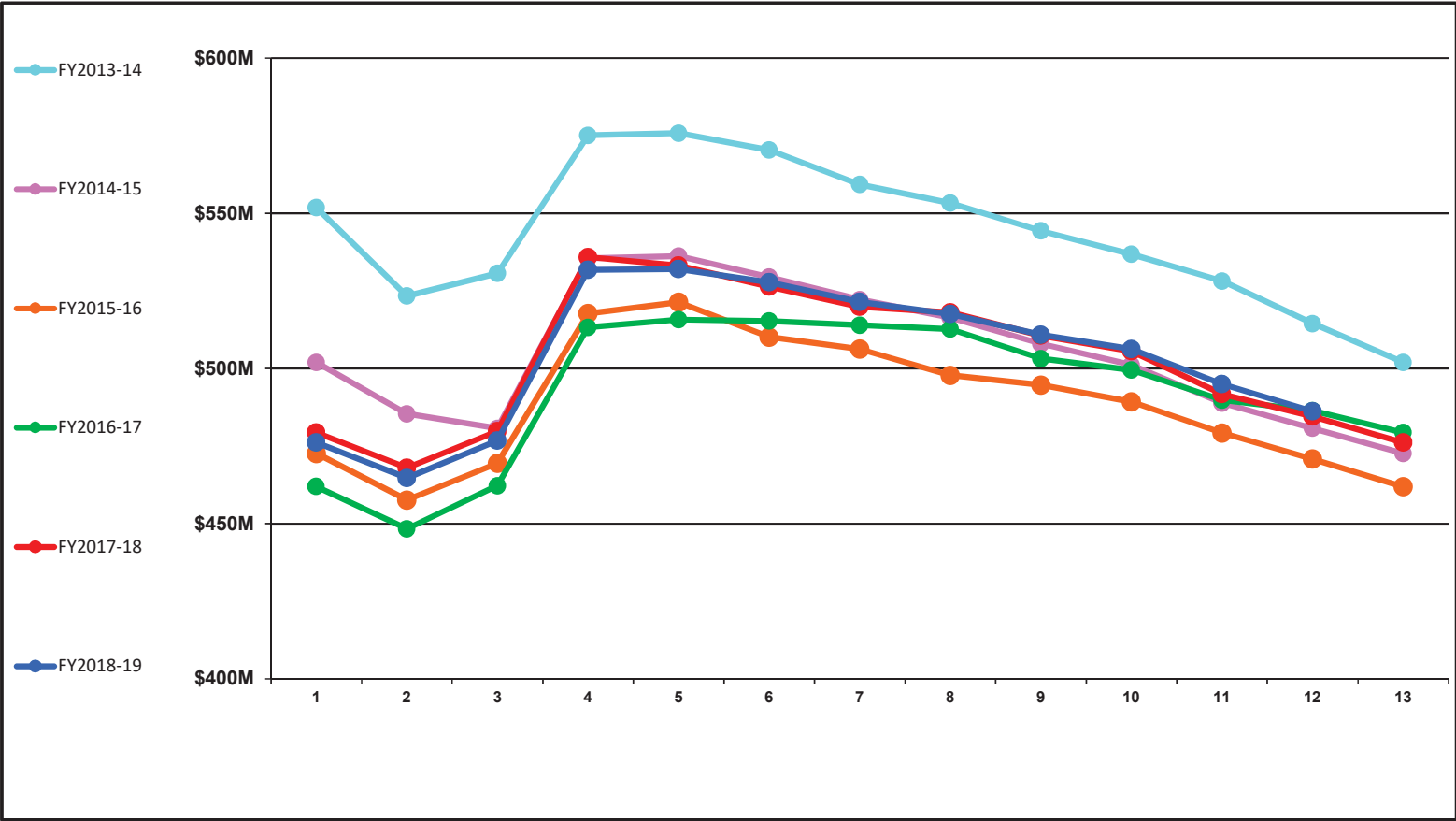
This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves are utilized for projects.

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Southwest Florida Water Management District  
Monthly Cash Balances by Fiscal Year  
(FY2013-14 - FY2017-18 and FY2018-19 To-Date)



## FINANCE/OUTREACH & PLANNING COMMITTEE

September 24, 2019

### *Routine Report*

#### **Comprehensive Plan Amendment and Related Reviews Report**

##### *Purpose*

This report is provided for the Committee's information and shows District activity in the review of Local Government Comprehensive Plans and Amendments. Staff updates the report monthly.

##### *Background/History*

The water management districts provide technical and policy information on water resources and water resource management to local governments as they prepare amendments to their local government comprehensive plans. This information encompasses various areas of water resource management, including water supply, flood protection and water quality, and is intended to support sound land use decisions. Statutory directives for this assistance include Section 373.711, Florida Statutes (F.S.), Technical Assistance to Local Governments, and Section 163.3184, F.S., Process for Adoption of Comprehensive Plan or Plan Amendments. Under Section 163, F.S., substantially revised in 2011, if important state resources and facilities are to be adversely impacted, the water management districts and other state reviewing agencies must state with specificity how the plan amendment will adversely impact the resource or facility and must include measures that the local government may take to eliminate, reduce, or mitigate the impacts. Any plan amendment comments provided by a water management district and/or other state agencies that are not resolved may be challenged by the Department of Economic Opportunity (DEO).

##### *Benefits/Costs*

The benefits of the District's local government technical assistance program are to ensure local government elected officials have sound water resource technical and policy information as they amend their local government comprehensive plans. This helps to ensure local plans are compatible with the District's plans, programs and statutory direction. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

##### **Staff Recommendation:**

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

**Presenter:** Cara Martin, Government and Community Affairs Office Chief

# Local Government Comprehensive Plan Amendment and Related Reviews Report

As of September 06, 2019

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Auburndale 19-3	ESR	7/19/2019	8/19/2019	No substantive comments.	<input type="checkbox"/>
Bradenton Beach 19-1ER	EAR-based	7/12/2019	8/2/2019	Advised that District staff is available to provide technical assistance for overdue 10-Year Water Supply Facilities Work Plan update.	<input type="checkbox"/>
Citrus 19-2	ESR	6/11/2019	7/12/2019	Comments addressed need for water supply availability analysis.	<input type="checkbox"/>
Citrus 19-3	ESR	7/16/2019	8/16/2019	No substantive comments.	<input type="checkbox"/>
Coleman 19-1	ESR	7/12/2019	8/9/2019	No substantive comments.	<input type="checkbox"/>
DeSoto 19-2	ESR	9/2/2019		Map amendment.	<input type="checkbox"/>
Eagle Lake 19-1	ESR	7/23/2019	8/19/2019	Comments advised 10-Year Water Supply Facilities Work Plan update is overdue and District staff is available to provide technical assistance.	<input type="checkbox"/>
Hillsborough 19-3	ESR	8/20/2019		Map amendment.	<input type="checkbox"/>
Lake 19-2	ESR	7/8/2019	8/2/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake 19-3ACSC	Regular	7/8/2019	8/2/2019	No substantive comments.	<input type="checkbox"/>
Lake 19-4ACSC	Regular	7/8/2019	8/2/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake 19-5	ESR	8/14/2019	9/6/2019	Advised amendment within SJRWMD.	<input type="checkbox"/>
Lake Hamilton 19-1	EAR-based	8/13/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Lake Hamilton 19-2	ESR	8/14/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Lake Hamilton 19-3	ESR	8/13/2019	9/6/2019	Comments addressed statutory requirements for water supply planning, reuse, conservation, existing water use permit/wells, existing District data collection site and encouraged scheduling a preapplication meeting with ERP staff.	<input type="checkbox"/>
Lakeland 19-1ACSC	ESR	7/26/2019	8/19/2019	No substantive comments.	<input type="checkbox"/>
Longboat Key 19-1	ESR	6/7/2019	7/8/2019	No substantive comments.	<input type="checkbox"/>
Pasco 19-12	ESR	6/11/2019	7/12/2019	No substantive comments.	<input type="checkbox"/>
Pasco 19-13	ESR	8/12/2019		Text amendments.	<input type="checkbox"/>

Attachment: CPARR (4632 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Pinellas 19-2	ESR	8/5/2019	9/6/2019	No substantive comments.	<input type="checkbox"/>
Plant City 19-2	ESR	7/26/2019	9/3/2019	Comments addressed water conservation, onsite wetlands and the proper abandonment of water wells.	<input type="checkbox"/>
Polk 19-8	ESR	8/7/2019	9/3/2019	No substantive comments.	<input type="checkbox"/>
Safety Harbor 19-1	ESR	8/19/2019	8/29/2019	No substantive comments.	<input type="checkbox"/>
St Pete 19-2	ESR	6/7/2019	7/9/2019	No substantive comments.	<input type="checkbox"/>
Venice 19-1	ESR	7/15/2019	8/8/2019	Comments addressed water supply availability, water conservation for SWUCA, avoidance of wetlands and encouraged coordination with regulatory on well abandonment and for ERP issuance.	<input type="checkbox"/>
Venice 19-2	ESR	7/15/2019	8/7/2019	No substantive comments.	<input type="checkbox"/>
Wildwood 19-4	ESR	8/12/2019		Map amendment.	<input type="checkbox"/>
Wildwood 19-5	ESR	8/12/2019		Map and text amendments.	<input type="checkbox"/>
Wildwood 19-6	ESR	8/12/2019		Map amendment.	<input type="checkbox"/>
Winter Haven 19-2	ESR	8/21/2019		Map amendment.	<input type="checkbox"/>

Abbreviations:

ACSC      Area of Critical State Concern  
 EAR      Evaluation and Appraisal Report  
 ESR      Expedited State Review





**Governing Board Meeting  
September 24, 2019**

<b>RESOURCE MANAGEMENT COMMITTEE</b>
--------------------------------------

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***Routine Reports***

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**RESOURCE MANAGEMENT COMMITTEE**

**September 24, 2019**

*Discussion Item*

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

Staff Recommendation:

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

**RESOURCE MANAGEMENT COMMITTEE**

**September 24, 2019**

***Discussion Item***

**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 (DEP) 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 DEP 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 24, 2019.

The fiscal year (FY) 2020 Work Program covers the period from FY2020 through FY2024 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 provides a Work Program guidance template for the water management districts to support statewide reporting consistency. Additionally, DEP also provides a spreadsheet template for reporting additional project details consistent with the FY2020 annual budget. The proposed Work Program (see Exhibit) utilizes the DEP template and spreadsheet.

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. The results of DEP's review and District responses will be brought to the Governing Board in early 2020. 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, PMP, Water Supply Manager, Water Resources Bureau



**PROPOSED**

2020 Five-Year **Water**  
**Resource**  
**Development**  
Work Program



Southwest Florida  
Water Management District

SWFWMD does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of SWFWMD'S functions, including access to and participation in SWFWMD's programs and activities. SWFWMD designates the Human Resources Office Chief as the Americans with Disabilities Act (ADA) Compliance Coordinator. Anyone requiring reasonable accommodation as provided for in the ADA should contact SWFWMD'S Human Resources Office Chief, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone 352-796-7211, ext. 4701 or 1-800-423-1476 (FL only), ext. 4701; TDD 1-800-231-6103 (FL only); or email to [ADACoordinator@WaterMatters.org](mailto:ADACoordinator@WaterMatters.org).



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# Introduction/Purpose

The Water Management Districts are required to prepare a Five-Year Water Resource Development Work Program (Work Program) as a part of its 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 water resource development 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 19<sup>th</sup> Work Program and covers the period from fiscal year (FY) 2020 through FY2024. In the summer of 2018, the DEP provided a guidance document and template spreadsheets to improve the consistency among the Water Management Districts' Work Program submittals. This Work Program utilizes the DEP guidance, and therefore several changes from prior year Work Programs will be apparent. This Work Program is consistent with the planning strategies of the District's 2015 Regional Water Supply Plan (RWSP) and the Central Florida Water Initiative 2015 Regional Water Supply Plan (CFWI Plan).

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 to improve water quality and stormwater storage and conveyance.
- WRD Projects that are undertaken by the District and/or partnering entities for the research of alternative water supplies, the Facilitating Agricultural Resource Management Systems (FARMS) projects to conserve and improve agricultural resources, and environmental restoration efforts including MFLs 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 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 \$40.8 million in FY2020 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, and implement best management practices (BMPs) for stormwater storage and conveyance. These activities are summarized in **Table 1**. Because budgets for the years beyond FY2020 have not yet been developed, future funding estimates for activities continuing through FY2024 are set equal to FY2020 funding.

Funding for these activities is primarily from the District's Governing Board; in some cases, additional funding is provided by water supply authorities, local governments, the Florida Fish and Wildlife Conservation Commission (FWC), 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 as rainfall, surface water and groundwater levels, water quality, and stream flows. The program includes data collected by District staff and permittees 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 compliance, the Surface Water Improvement and Management (SWIM) program, the Southern Water Use Caution Area (SWUCA) recovery strategy, the Northern Tampa Bay Water Use Caution Area (NTBWUCA), the Dover/Plant City Water Use Caution Area (DPCWUCA), water supply planning in the District and CFWI regions, modeling of surface water and groundwater systems, and many resource evaluations and reports.

The categories of hydrologic data that are collected and monitored by District staff are discussed below. The District also evaluates the hydrologic data submitted by Water Use Permit (WUP) holders to ensure compliance with permit conditions and to assist with monitoring and documenting hydrologic conditions.

- a) **Surface Water Flows and Levels.** Funding supports data collection at the District's 808 surface water level gauging sites, and cooperative funding with the USGS for discharge and water-level data collection at 129 river, stream, and canal sites. The USGS data are available to District staff and the public through the District's Water Management Information System (WMIS) and through the USGS Florida Water Science Center Web Portal.



**Table 1. FY2020 - FY2024 Water Resource Development Data Collection and Analysis Activities**

<b>WRD Data Collection and Analysis Activities</b>	<b>Budget Reference<sup>1</sup></b>	<b>FY2020 Costs (\$)</b>	<b>FY2021 Costs (\$)</b>	<b>FY2022 Costs (\$)</b>	<b>FY2023 Costs (\$)</b>	<b>FY2024 Costs (\$)</b>	<b>Total Costs (\$)</b>	<b>Funding Source<sup>2</sup></b>
1) Hydrologic Data Collection	1.2.1, p.65							District, other WMDs, USGS, DEP, FWC
a) Surface Water Flows & Levels		\$2,715,842	\$2,715,842	\$2,715,842	\$2,715,842	\$2,715,842	\$13,579,210	
b) Geologic (includes ROMP)		\$3,149,091	\$3,149,091	\$3,149,091	\$3,149,091	\$3,149,091	\$15,745,455	
c) Meteorologic Data		\$278,408	\$278,408	\$278,408	\$278,408	\$278,408	\$1,392,040	
d) Water Quality		\$1,003,524	\$1,003,524	\$1,003,524	\$1,003,524	\$1,003,524	\$5,017,620	
e) Groundwater Levels		\$891,391	\$891,391	\$891,391	\$891,391	\$891,391	\$4,456,955	
f) Biologic Data		\$1,502,627	\$1,502,627	\$1,502,627	\$1,502,627	\$1,502,627	\$7,513,135	
g) Data Support		\$3,776,719	\$3,776,719	\$3,776,719	\$3,776,719	\$3,776,719	\$18,883,595	
2) Minimum Flows and Levels Program	1.1.2, p.61							District, other WMDs, USGS, DEP, FWC
a) Technical Support		\$1,718,986	\$1,718,986	\$1,718,986	\$1,718,986	\$1,718,986	\$8,594,930	
b) MFL Establishment/Evaluation		\$678,495	\$678,495	\$678,495	\$678,495	\$678,495	\$3,392,475	
3) Watershed Management Planning	1.1.3, p.63	\$7,456,686	\$7,456,686	\$7,456,686	\$7,456,686	\$7,456,686	\$37,283,430	District, Local Cooperators
4) Quality of Water Improvement Program	2.2.3, p.87	\$743,025	\$743,025	\$743,025	\$743,025	\$743,025	\$3,715,125	District
5) Stormwater Improvements-Implementation of Storage and Conveyance BMPs	2.3.1, p.90	\$16,927,435	\$16,927,435	\$16,927,435	\$16,927,435	\$16,927,435	\$84,637,175	District, USGS
<b>Totals</b>		<b>\$40,842,229</b>	<b>\$40,842,229</b>	<b>\$40,842,229</b>	<b>\$40,842,229</b>	<b>\$40,842,229</b>	<b>\$204,211,145</b>	

Source: SWFWMD FY2020 Tentative Budget Submission.

<sup>1</sup> 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.

<sup>2</sup> Acronyms: WMDs - Water Management Districts, USGS - United States Geological Survey, DEP - Florida Department of Environmental Protection, FWC - Florida Fish and Wildlife Conservation Commission, ROMP - District Regional Observation and Monitor-well Program, BMPs - Best Management Practices.

- b) Geohydrologic Data Well Network. The Geohydrologic Data Well Network is a monitor well network that supports various projects throughout the District including the CFWI, Water Resource Assessment Projects, recovery strategies, the Springs Team, sea level rise and other salt-water intrusion assessments, and development of alternative water supplies. The network includes the Regional Observation and Monitor-well Program (ROMP) which has been the District's primary means for hydrogeologic data collection since 1974. 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. Lithologic and hydrogeologic information is collected during construction of new well sites.
- c) Meteorologic Data. The meteorologic data monitoring program consists of measuring rainfall totals at 171 rain gauges, most 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 RADAR rainfall data for modeling purposes.
- d) Water Quality Data. The District's Water Quality Monitoring Program (WQMP) collects data from water quality monitoring networks for springs, streams, lakes, and coastal and inland rivers. The Coastal Groundwater Quality Monitoring network, which involves sample collection and analysis from approximately 380 wells across the District, is used to monitor the saltwater intrusion and/or the upwelling of mineralized waters into potable aquifers.
- e) Groundwater Levels. The funding provides for the maintenance and support of 1,618 monitor wells in the data collection network, including 856 wells that are instrumented with data loggers that record water levels once per hour, and 762 that are measured manually by field technicians once or twice per month.
- 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 and a five-year assessment of over 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 in Tampa Bay, Sarasota Bay, Charlotte Harbor, and the Springs Coast.
- g) Data Support. This item provides administrative and management support for the WQMP, hydrologic and geohydrologic staff support, support for the chemistry laboratory, and support for the District's LoggerNet data acquisition system.

### ***Minimum Flows and Levels Program (MFLs)***

Minimum Flow and water levels are ecologically based, hydrologic standards that are used for permitting and planning decisions concerning how much water may be withdrawn from or near a water body without causing significant harm to water resources or ecology of the area. Chapter 373.042, F.S., requires the state water management districts or the DEP to establish MFLs for aquifers, surface watercourses, and other surface water bodies to identify the limit or level at which further withdrawals would be significantly harmful. Rivers, streams, estuaries, and springs require minimum flows; while minimum levels are developed for lakes, wetlands, and aquifers. MFLs are adopted into District rules, Chapter 40D-8, Florida Administrative Code (F.A.C.), and are used in the District's WUP 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 Chapter 272.223, 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. An independent scientific peer review process is used for establishing MFLs for flowing water bodies, MFLs for all water body 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 2019, the District has preliminarily planned to monitor and assess the status of 210 adopted MFLs, including MFLs for 23 river segments, 10 springs or spring groups, 127 lakes, 41 wetlands, 7 wells in the NTBWUCA, and the Upper Floridan aquifer in the Most Impacted Area (MIA) of the SWUCA and in the DPCWUCA. The District is scheduling the establishment or reevaluation of 96 additional MFLs and one reservation through FY2029. The District's annual MFL 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. FY2020 funding includes new storage and conveyance projects in the Tampa Bay area, particularly in Hillsborough and Pasco County, as well as

several continuing Tampa Bay projects.

## WRD Projects

The District has budgeted for 35 WRD “projects” that have particular goals and schedules. At the start of FY2020 (October 1, 2019), the District has allocated approximately \$14 million in the budget for 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 \$151 million. It’s estimated that approximately 78.6 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 FY2020 budget. The WRD projects are organized into three groups:

### ***Alternative Water Supply Feasibility Research and Pilot Projects***

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 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 watersheds.

The FARMS Program operates under Rule 40D-26 F.A.C. 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 in the Shell, Prairie, and Joshua Creek watersheds;
2. Improve natural systems in Upper Myakka River Watershed and restore hydro-periods to Flatford Swamp;
3. Reduce groundwater use by 40 million gallons per day (mgd) in the SWUCA;
4. Reduce groundwater use for Frost/Freeze Protection within the DPCWUCA by 20 percent per freeze event;
5. Reduce Upper Floridan aquifer groundwater use and nutrient loading impacts in the Springs Coast.

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 upper Peace River, The lower Hillsborough River, Lake Jackson in Highlands County, and the Salt Water Intrusion Minimum Aquifer Level (SWMIAL) for the SWUCA Recovery Strategy. The SWMIAL 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. FY2020 - FY2024 District Funding and Total Project Cost for Water Resource Development Projects**

WRD Projects (WUCA, Project Number) <sup>1</sup>		Total Prior District Funding	FY2020 District Cost	FY2021 District Cost	FY2022 District Cost	FY2023 District Cost	FY2024 District Cost	Total Cost District + Cooperator	Funding Source <sup>1,2</sup>	Quantity developed/ conserved <sup>1</sup>
<b>1) Alternative Water Supply Feasibility Research and Pilot Projects (Programmatic Code 2.2.1.1)</b>										
a)	South Hillsborough Aquifer Recharge Program (SHARP) (N287)	\$1,382,500	\$0	\$0	\$0	\$0	\$0	\$2,765,000	District, Hillsborough County	2 mgd
b)	Bradenton Aquifer Protection Recharge Well (N842)	\$1,500,000	\$900,000	\$100,000	\$25,000	\$0	\$0	\$5,050,000	District, City of Bradenton	5 mgd
c)	PRMRWSA Partially Treated Water ASR (N854)	\$495,500	\$0	\$2,769,500	\$0	\$0	\$0	\$7,755,000	District, PRMRWSA	3 mgd
d)	Southern Hillsborough Aquifer Recharge Expansion (SHARE) Phase 1 (N855)	\$4,500,000	\$350,000	\$0	\$0	\$0	\$0	\$9,700,000	District, Hillsborough County	4 mgd
e)	Braden River Utilities ASR Feasibility (N912)	\$2,736,250	\$0	\$0	\$0	\$0	\$0	\$5,995,000	District, Braden River Utilities	TBD
f)	Hydrogeologic Investigation of LFA in Polk County (P280)	\$11,375,000	\$625,000	\$0	\$0	\$0	\$0	\$12,000,000	District	NA
g)	Optical Borehole Imaging Data Collection from LFA Wells (P925)	\$100,200	\$0	\$0	\$0	\$0	\$0	\$167,000	District, USGS	NA
h)	Sources/Ages of Groundwater in LFA Wells (P926)	\$368,300	\$0	\$0	\$0	\$0	\$0	\$555,800	District, USGS	NA
i)	City of Venice Reclaimed Water Aquifer Storage Recovery (Q050)	\$0	\$82,500	\$150,000	\$2,200,000	\$50,000	\$50,000	\$5,065,000	District, City of Venice	0.17 mgd
j)	Direct Aquifer Recharge-North Hillsborough Aquifer Recharge Program Phase 2 (Q064)	\$0	\$750,000	\$0	\$0	\$0	\$0	\$1,500,000	District, Hillsborough County	NA
k)	Direct Aquifer Recharge-South Hillsborough Aquifer Recharge Program Phase 3 (Q088)	\$0	\$3,250,000	\$812,500	\$812,500	\$812,500	\$812,500	\$13,000,000	District, Hillsborough County	6 mgd
<b>2) Facilitating Agricultural Resource Management Systems (FARMS) (Programmatic Code 2.2.1.2)</b>										
a)	FARMS Projects (H017) <sup>3</sup>	Annual Request	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$30,000,000	District, FDACS, State, private farms	40 mgd <sup>4</sup>
a.1)	FARMS - Tamiami Citrus-64 Grove (H730)	\$655,000	\$0	\$0	\$0	\$0	\$0	\$1,310,000	District, Tamiami Citrus, LLC	0.2 mgd
a.2)	FARMS - Brenner Groves (H747)	\$258,495	\$0	\$0	\$0	\$0	\$0	\$386,462	District, Brenner Groves	0.013 mgd
a.3)	FARMS - Marion County Equine Compost Facility Pilot (H751)	\$100,000	\$0	\$0	\$0	\$0	\$0	\$200,000	District, FDACS	NA
a.4)	FARMS - QC Prairie River Ranch (H756)	\$436,448	\$0	\$0	\$0	\$0	\$0	\$581,930	District, DeSoto Grove Ventures	0.1 mgd
a.5)	FARMS - KLM Farms (H757)	\$221,938	\$0	\$0	\$0	\$0	\$0	\$295,917	District, KLM Farms, LLC	0.069 mgd

a.6)	FARMS - Doe Hill Citrus Phase 2 (H758)	\$262,000	\$0	\$0	\$0	\$0	\$0	\$552,000	District, J.R. Paul Properties, Inc.	0.085 mgd
a.7)	FARMS - Farmland Reserve Inc - Sun City (H760)	\$196,300	\$0	\$0	\$0	\$0	\$0	\$266,300	District, Farmland Reserve Inc	0.055 mgd
a.8)	FARMS - Ocean Breeze Properties (H763)	\$79,030	\$0	\$0	\$0	\$0	\$0	\$105,372	District, Ocean Breeze Properties	0.017 mgd
a.9)	FARMS - Council Growers Inc (H764)	\$576,600	\$0	\$0	\$0	\$0	\$0	\$924,500	District, Council Growers Inc.	0.142 mgd
a.10)	FARMS - Reynolds Farms Inc - Anne's Block (H766)	\$99,749	\$0	\$0	\$0	\$0	\$0	\$133,379	District, Estate of Anne D Reynolds	0.033 mgd
a.11)	FARMS - Dixie Groves & Cattle Company (H767)	\$254,000	\$0	\$0	\$0	\$0	\$0	\$467,000	District, Dixie Groves & Cattle	0.12 mgd
a.12)	FARMS - Hi Hat Ranch (H769)	\$111,739	\$0	\$0	\$0	\$0	\$0	\$148,985	District, Hi Hat Ranch, LLLP	0.11 mgd
a.13)	FARMS - Bethel Farms - Hog Bay Farm (H770)	\$191,662	\$0	\$0	\$0	\$0	\$0	\$280,552	District, Bethel Farms, LLLP	0.06 mgd
a.14)	FARMS - 734 LMC Groves - Lily Grove (H771)	\$74,184	\$0	\$0	\$0	\$0	\$0	\$104,389	District, Alico, Inc.	0.027 mgd
b)	Mini-FARMS Program (H529) <sup>3</sup>	Annual Request	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000	District	2 mgd
c)	FARMS Well Back-Plugging Program (H015) <sup>3</sup>	Annual Request	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	District	NA
d)	FARMS Meter Accuracy Support (P429) <sup>3</sup>	Annual Request	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000	District	NA
<b>3) Environmental Restoration/Minimum Flows and Levels Recovery <sup>4</sup> (Programmatic Code 2.2.1.3)</b>										
a)	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 mgd
b)	MIA Recharge SWIMAL Recovery at Flatford Swamp (H089)	\$5,044,012	\$1,534,467	\$0	\$3,000,000	\$3,000,000	\$3,000,000	\$31,000,000	District	6.0 mgd
c)	Lower Hillsborough River Recovery Strategy (H400)	\$5,464,712	100,000	\$0	\$0	\$0	\$0	\$10,857,462	District, City of Tampa	3.1 mgd
d)	Pump Stations on Tampa Bypass Canal, Morris Bridge Sink (H404) <sup>3</sup>	Annual Request	\$100,000	\$150,000	\$150,000	\$150,000	\$150,000	\$700,000	District	3.9 mgd
e)	Lake Jackson Watershed Hydrology Investigation (N554)	\$260,000	\$0	\$0	\$0	\$0	\$0	\$400,000	District, Highlands County, Sebring	NA
f)	Haines City Reclaimed Water MFL Recharge & Advanced Treatment Feasibility Study (N888)	\$225,000	\$43,282	\$0	\$0	\$0	\$0	\$357,710	District, Haines City	0.7 mgd
<b>WRD Project Totals</b>		<b>\$43,850,859</b>	<b>\$13,940,249</b>	<b>\$10,187,000</b>	<b>\$12,392,500</b>	<b>\$10,217,500</b>	<b>\$10,217,500</b>	<b>\$151,531,998</b>		<b>78.6 mgd<sup>4</sup></b>

<sup>1</sup> Acronyms: TBD - to be determined, NA - not applicable, mgd - million gallons per day, FDACS - Florida Department of Agriculture and Consumer Services, IFAS - University of Florida Institute of Agricultural Sciences, MIA - Most Impacted Area of the SWUCA, SWIMAL - Salt Water Intrusion Minimum Aquifer Level, USGS - United States Geological Survey.

<sup>2</sup> Funding identified as the State of Florida is described in the *Funding Sources* section of this report.

<sup>3</sup> Future funding budget estimates for which specific time frames are not yet determined are distributed evenly over future years.

<sup>4</sup> 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 84 budgeted or ongoing water supply development projects in FY2020, including 6 water supply planning projects that support water supply development. As shown in **Table 3-h**, the District is funding approximately \$17.8 million in FY2020 for 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 a 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 similar to FY2020. 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 that may be proposed in the FY2021-24 timeframe for expansions of the PRMRWSA Regional Loop System, next phases of the Tampa Augmentation Project and the PRWC Southeast Wellfield, Tampa Bay Water's System Configuration 3 Projects, projects for septic to sewer conversion, and multiple new aquifer recharge projects.

The listed projects that have no FY2020 or future funding are ongoing with prior year funding. Projects are omitted from the Work Program when they are completed.

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 waterbodies and planning regions supported. The District's proposed Work Program project spreadsheet is available online at:

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



**Table 3-a. Surface Water Projects**

Project Number	Water Supply Development Assistance - Surface Water Projects (Programmatic Budget 2.2.2.1)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Supply (mgd)
Q061	Tampa Bay Water Regional Surface Treatment Plant Expansion Feasibility Study	\$0	\$225,000	\$50,000	\$0	\$0	\$0	\$550,000	Study
Q063	Tampa Bay Water Desalination Facility Expansion Feasibility Study	\$0	\$550,000	\$950,000	\$0	\$0	\$0	\$3,000,000	Study
Q133	PRWC-Peace River Study <sup>1</sup>	\$480,550	\$0	\$0	\$0	\$0	\$0	\$961,100	Study
<b>Total Surface Water Projects</b>		<b>\$480,550</b>	<b>\$775,000</b>	<b>\$1,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,511,100</b>	<b>0.000</b>

**Table 3-b. Regional Potable Interconnects**

Project Number	Water Supply Development Assistance - Regional Potable Water Interconnects (Programmatic Budget 2.2.2.2)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Supply (mgd)
H094	Polk County Partnership <sup>2</sup>	\$33,500,000	\$5,000,000	\$0	\$0	\$0	\$0	\$65,000,000	NA
N416	PRMRWSA Regional Loop System Phase 1 DeSoto to Punta Gorda	\$6,000,000	\$0	\$0	\$0	\$0	\$0	\$12,000,000	NA
N823	PRMRWSA Regional Integrated Loop System Phase 3B	\$6,930,000	\$1,170,000	\$0	\$0	\$0	\$0	\$16,700,000	NA
N965	TBW Tampa Bypass Canal Gates Automation	\$210,700	\$216,800	\$88,500	\$0	\$0	\$0	\$1,032,000	NA
N998	TBW Regional Facility Site Pump Station Expansion	\$108,000	\$1,014,500	\$77,500	\$0	\$0	\$0	\$2,400,000	NA
<b>Total Regional Interconnect Projects</b>		<b>\$46,748,700</b>	<b>\$7,401,300</b>	<b>\$166,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$97,132,000</b>	<b>0.000</b>

**Table 3-c. Reclaimed Water Projects**

Project Number	Water Supply Development Assistance - Reclaimed Water Projects (Programmatic Budget 2.2.2.3)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 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
N536	Auburndale Polytechnic Reclaimed Water Storage and Transmission	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$3,000,000	1.500
N772	Polk County NERUSA Loughman/Ridgewood Reclaimed Water Transmission	\$1,252,500	\$0	\$0	\$0	\$0	\$0	\$2,505,000	0.345
N796	City of Winter Haven Reuse Interconnect and Aquifer Recharge	\$150,000	\$0	\$0	\$0	\$0	\$0	\$300,000	0.500
N862	Polk County Utilities NERUSA CR 547 Reclaimed Water Transmission Phase 1	\$50,000	\$0	\$0	\$0	\$0	\$0	\$869,500	0.377
N868	Polk County Utilities NERUSA Ernie Caldwell Blvd Reclaimed Water Transmission	\$1,056,500	\$0	\$0	\$0	\$0	\$0	\$2,113,000	0.414
N881	Arcadia Golf Course RW Storage Reservoir	\$225,000	\$0	\$0	\$0	\$0	\$0	\$300,000	0.100
N888	Haines City Rapid Infiltration Basin and Reuse Improvements	\$112,500	\$0	\$0	\$0	\$0	\$0	\$300,000	NA
N898	Haines City Reclaimed Water Tank and Pump Stations Project	\$1,350,000	\$1,635,000	\$1,635,000	\$0	\$0	\$0	\$6,160,000	NA



**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	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Benefit (mgd)
N899	Polk County Utilities Reclaimed Water Recharge Study in DPC WUCA & NW Polk	\$500,000	\$94,500	\$0	\$0	\$0	\$0	\$1,189,000	1.500
N918	Polk County Utilities NERUSA FDC Grove Road Reclaimed Water Transmission	\$848,000	\$0	\$0	\$0	\$0	\$0	\$1,696,000	0.142
N920	West Villages District Reclaimed Water transmission to South Sarasota County	\$356,000	\$0	\$0	\$0	\$0	\$0	\$712,000	0.250
N983	Hernando Co Airport Water Reclamation Facility RW Main and Pumping Station	\$375,000	\$0	\$0	\$0	\$0	\$0	\$16,000,000	2.000
P130	City of Crystal River/Duke Energy Reclaimed Water Interconnection	\$4,290,000	\$0	\$0	\$0	\$0	\$0	\$6,573,625	0.440
Q021	Pasco Co Cypress Preserve RW Transmission Main - Grand Live Oak Blvd	\$206,500	\$0	\$0	\$0	\$0	\$0	\$413,000	TBD
Q022	Bowling Green RW Transmission Line	\$833,250	\$0	\$0	\$0	\$0	\$0	\$1,111,000	0.140
Q028	Tampa Augmentation Project Feasibility/Testing Phase II	\$1,145,500	\$0	\$0	\$0	\$0	\$0	\$2,291,000	TBD
Q047	Hernando County Anderson Snow Park Reuse	\$0	\$200,000	\$0	\$0	\$0	\$0	\$400,000	0.200
Q057	Zephyrhills-Zephyr Lakes & Hospital Reuse	\$0	\$710,650	\$0	\$0	\$0	\$0	\$1,421,300	0.330
Q066	Polk County Utilities- NERUSA Lake Wilson Road Reuse	\$0	\$262,750	\$0	\$0	\$0	\$0	\$525,500	0.180
Q067	Polk County Utilities-NERUSA Southeast Reuse Loop	\$0	\$1,093,375	\$1,093,375	\$0	\$0	\$0	\$4,373,500	0.522
Q098	Pasco County Cypress Preserve Reuse Phase 3	\$0	\$239,000	\$0	\$0	\$0	\$0	\$478,000	0.230
Q105	Citrus County Sugarmill Woods Golf Course Reuse	\$0	\$459,000	\$1,500,000	\$0	\$0	\$0	\$3,918,000	0.500
Q113	City of Plant City McIntosh Park Indirect Potable Reuse Feasibility Study	\$0	\$300,000	\$0	\$0	\$0	\$0	\$600,000	Study
Q117	Hillsborough County Columbus Sports Park Reuse	\$0	\$400,000	\$0	\$0	\$0	\$0	\$800,000	0.090
<b>Total Reclaimed Water Projects</b>		<b>\$17,000,750</b>	<b>\$5,394,275</b>	<b>\$4,228,375</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$67,515,425</b>	<b>10.060</b>

**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	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Supply (mgd)
N600	Punta Gorda Reverse Osmosis Project - Brackish Wellfield Investigation	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$3,000,000	Study
N780	Punta Gorda Reverse Osmosis Project - Facility Construction	\$14,150,000	\$2,200,000	\$0	\$0	\$0	\$0	\$33,600,000	4.000
N882	PRWC West Polk County Lower Floridan Deep Wells <sup>3</sup>	\$4,470,367	\$0	\$0	\$0	\$0	\$0	\$8,940,734	5.000
N905	PRWC Southeast Wellfield Lower Floridan <sup>4</sup>	\$5,558,958	\$0	\$5,755,887	\$37,523,952	\$48,150,204	\$19,260,082	\$11,117,916	7.500
Q090	Belleair Brackish Feasibility Study & Testing	\$0	\$705,340	\$176,335	\$0	\$0	\$0	\$1,763,350	Study
<b>Total Brackish Groundwater Projects</b>		<b>\$25,679,325</b>	<b>\$2,905,340</b>	<b>\$5,932,222</b>	<b>\$37,523,952</b>	<b>\$48,150,204</b>	<b>\$19,260,082</b>	<b>\$58,422,000</b>	<b>16.500</b>

**Table 3-e. Aquifer Recharge and Aquifer Storage and Recovery Projects**

Project Number	Water Supply Development Assistance - Aquifer Recharge & ASR Projects (Programmatic Budget 2.2.2.5)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Supply (mgd)
N665	City of Clearwater Groundwater Replenishment Project Phase 3	\$12,185,600	\$0	\$0	\$0	\$0	\$0	\$32,716,000	2.400
<b>Total Aquifer Recharge/ASR Projects</b>		<b>\$12,185,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$32,716,000</b>	<b>2.400</b>

**Table 3-f. Water Conservation Projects**

Project Number	Water Supply Development Assistance - Conservation Rebates, Retrofits, Etc. Projects (Programmatic Budget 2.2.2.7)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Benefit (mgd)
B015	Water Incentives Supporting Efficient (WISE) Program	\$50,000	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	Annual Request	0.007
N820	Polk County Landscape & Irrigation Evaluation Program	\$41,400	\$0	\$0	\$0	\$0	\$0	\$82,800	0.042
N846	Polk County Landscape and Irrigation Evaluation	\$42,500	\$0	\$0	\$0	\$0	\$0	\$85,000	0.042
N860	Citrus County Water Sense Labeled Irrigation Controller Account Credit	\$16,875	\$0	\$0	\$0	\$0	\$0	\$33,750	0.017
N876	New Port Richey Toilet Rebate Program Phase 4	\$7,470	\$0	\$0	\$0	\$0	\$0	\$14,940	0.002
N890	St. Petersburg Residential Clothes Washer Rebate Pilot Project	\$12,350	\$0	\$0	\$0	\$0	\$0	\$24,700	0.002
N909	St. Petersburg Sensible Sprinkling Program Phase 8	\$50,000	\$0	\$0	\$0	\$0	\$0	\$100,000	0.056
N921	Bay Laurel Center CDD Irrigation Controller/ET Sensor Upgrade Project	\$43,760	\$0	\$0	\$0	\$0	\$0	\$87,520	0.023
N948	PRWC Indoor Water Conservation Incentives	\$78,000	\$0	\$0	\$0	\$0	\$0	\$156,000	0.092
N955	St. Petersburg Toilet Rebate Program Phase 17	\$25,000	\$0	\$0	\$0	\$0	\$0	\$50,000	0.007
N958	Citrus County Water Sense Labeled Irrigation Controller Installation Phase 2	\$16,875	\$0	\$0	\$0	\$0	\$0	\$33,750	0.011
N961	St. Petersburg Satellite Based Potable Water Leak Detection	\$60,000	\$0	\$0	\$0	\$0	\$0	\$120,000	0.110
N971	PRWC Outdoor Best Management Practices	\$96,250	\$0	\$0	\$0	\$0	\$0	\$192,500	0.113
N972	Tampa Water Use Information Portal Implementation	\$150,000	\$0	\$0	\$0	\$0	\$0	\$300,000	0.133
N973	Winter Haven Consumption/Conservation Programs Data Management Software	\$30,000	\$30,000	\$0	\$0	\$0	\$0	\$120,000	0.016
N979	North Port Water Distribution System Looping	\$352,000	\$0	\$0	\$0	\$0	\$0	\$704,000	0.036
N982	Manatee County Toilet Rebate Phase 12	\$75,500	\$0	\$0	\$0	\$0	\$0	\$151,000	0.264
N988	Hillsborough Soil Moisture Sensor Rain Shutoff Device Study and Education	\$25,000	\$0	\$0	\$0	\$0	\$0	\$50,000	0.013
N992	Venice Toilet Rebate and Retrofit Phase 6	\$29,450	\$0	\$0	\$0	\$0	\$0	\$58,900	0.005
N996	Lake Hamilton Distribution System Looping	\$124,610	\$0	\$0	\$0	\$0	\$0	\$521,000	0.020
N999	Marion County Toilet Rebate Program Phase 5	\$16,000	\$16,000	\$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
P921	Polk Regional Water Cooperative Indoor Conservation Incentives	\$121,275	\$0	\$0	\$0	\$0	\$0	\$242,550	0.087

**Table 3-f. Water Conservation Projects (continued)**

Project Number	Water Supply Development Assistance - Conservation Rebates, Retrofits, Etc. Projects (Programmatic Budget 2.2.2.7)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Benefit (mgd)
P922	Polk Regional Water Cooperative Florida Water Star Builder Rebate Program	\$350,000	\$0	\$0	\$0	\$0	\$0	\$700,000	0.066
Q014	Pasco County Toilet Rebate Phase 12	\$50,000	\$0	\$0	\$0	\$0	\$0	\$100,000	0.140
Q018	NSCUDD Rain Sensor Inspect/Replacement Program	\$20,000	\$0	\$0	\$0	\$0	\$0	\$40,000	0.010
Q020	Braden River Util. Soil Moisture Sensor Rebate Program Phase 2	\$154,000	\$0	\$0	\$0	\$0	\$0	\$308,000	0.055
Q040	WRWSA Regional Irrigation System Audit Program Phase 5	\$72,500	\$0	\$0	\$0	\$0	\$0	\$145,000	0.039
Q041	New Port Richey Toilet Rebate Phase 5	\$7,470	\$0	\$0	\$0	\$0	\$0	\$14,940	0.002
Q068	Tarpon Springs Toilet Rebate Phase 1	\$0	\$10,000	\$0	\$0	\$0	\$0	\$20,000	0.003
Q070	Citrus County Water Sense Irrigation Controller Phase 3	\$0	\$45,000	\$0	\$0	\$0	\$0	\$90,000	0.027
Q073	City of Palmetto Toilet Rebate	\$0	\$20,000	\$0	\$0	\$0	\$0	\$40,000	0.042
Q074	Temple Terrace GCC Advanced Irrigation System	\$0	\$255,000	\$0	\$0	\$0	\$0	\$510,000	0.048
Q078	Pasco County Toilet Rebate Phase 13	\$0	\$50,000	\$0	\$0	\$0	\$0	\$100,000	0.014
Q087	Tampa Bay Water Demand Management	\$0	\$549,775	\$0	\$0	\$0	\$0	\$1,099,550	0.280
Q089	St. Petersburg Sensible Sprinkling Project Phase 3	\$0	\$50,000	\$0	\$0	\$0	\$0	\$100,000	0.056
Q109	Pasco County Satellite Potable Leak Detection Study	\$0	\$30,000	\$0	\$0	\$0	\$0	\$60,000	0.100
Q111	Manatee County Toilet Rebate Phase 13	\$0	\$75,500	\$0	\$0	\$0	\$0	\$151,000	0.026
Q126	Venice Toilet Rebate and Retrofit Phase 7	\$0	\$29,450	\$0	\$0	\$0	\$0	\$58,900	0.005
<b>Total Conservation Rebates, Retrofits, Etc.</b>		<b>\$2,284,360</b>	<b>\$1,260,725</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$7,061,950</b>	<b>2.073</b>

**Table 3-g. Water Supply Planning Projects**

Project Number	Water Supply Development Assistance - Water Supply Planning (Programmatic Budget 1.1.1)	Prior District Funding	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Supply (mgd)
N945	WRWSA Regional Water Supply Plan Update	\$150,000	\$0	\$0	\$0	\$0	\$0	\$300,000	NA
N946	PRMRWSA Integrated Reg Water Supply Master Plan	\$225,000	\$0	\$0	\$0	\$0	\$0	\$450,000	NA
P179	Florida Framework for Potable Reuse	\$40,000	\$0	\$0	\$0	\$0	\$0	\$110,000	NA
P180	National Framework for Potable Reuse	\$10,000	\$0	\$0	\$0	\$0	\$0	\$70,000	NA
Q023	PRWC Water Demand Management Plan	\$85,000	\$85,000	\$0	\$0	\$0	\$0	\$340,000	NA
N928	PRWC Peace Creek Integrated Water Supply Plan <sup>5</sup>	\$990,125	\$0	\$0	\$0	\$0	\$0	\$1,980,250	TBD
<b>Total Planning Projects</b>		<b>\$1,500,125</b>	<b>\$85,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,250,250</b>	<b>0.000</b>

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

<b>Water Supply Development Assistance Project Totals (Programmatic Budget 2.2.2)</b>	<b>Prior District Funding</b>	<b>FY2020 Funding</b>	<b>FY2021 Funding</b>	<b>FY2022 Funding</b>	<b>FY2023 Funding</b>	<b>FY2024 Funding</b>	<b>Total Project Cost</b>	<b>Supply (mgd)</b>
Surface Water Projects	\$480,550	\$775,000	\$1,000,000	\$0	\$0	\$0	\$4,511,100	0.000
Regional Potable Water Interconnects	\$46,748,700	\$7,401,300	\$166,000	\$0	\$0	\$0	\$97,132,000	0.000
Reclaimed Water Projects	\$17,000,750	\$5,394,275	\$4,228,375	\$0	\$0	\$0	\$67,515,425	10.060
Brackish Groundwater Development Projects	\$25,679,325	\$2,905,340	\$5,932,222	\$37,523,952	\$48,150,204	\$19,260,082	\$58,422,000	16.500
Aquifer Recharge and ASR Projects	\$12,185,600	\$0	\$0	\$0	\$0	\$0	\$32,716,000	2.400
Conservation Rebates, Retrofits, Etc. Projects	\$2,284,360	\$1,260,725	\$50,000	\$50,000	\$50,000	\$50,000	\$7,061,950	2.073
Water Supply Planning Projects	\$1,500,125	\$85,000	\$0	\$0	\$0	\$0	\$3,250,250	0.000
<b>Total Funding</b>	<b>\$105,879,410</b>	<b>\$17,821,640</b>	<b>\$11,376,597</b>	<b>\$37,573,952</b>	<b>\$48,200,204</b>	<b>\$19,310,082</b>	<b>\$270,608,725</b>	<b>31.033</b>

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

<sup>1</sup> Project Q133's current CFI agreement cost is shown in "Total Project Cost" but the cost of future options is estimated at approximately \$221M.

<sup>2</sup> The H094 Polk County Partnership provides \$65M in reserves for PRWC Projects. \$23M has been transferred to projects N882, N905, and N928; and balance was deducted from "Total Project Cost" to avoid double-counting.

<sup>3</sup> Project N882's current CFI agreement cost is shown in "Total Project Cost" but the total cost is estimated at approximately \$157M with future phases. The initial phase of construction will develop an estimated 5 mgd of alternative water supplies with future phases expanding to 15 mgd.

<sup>4</sup> Project N905's current CFI agreement cost is shown in "Total Project Cost" but the total cost is estimated at approximately \$446M with future phases. The initial phase of construction will develop an estimated 7.5 mgd of alternative water supplies with future phases expanding to 30 mgd.

<sup>5</sup> Project N928's current CFI agreement cost is shown in "Total Project Cost" but the cost of future options is estimated at approximately \$119M.

# 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 at the 30 percent design stage to confirm costs, schedules, and ability to meet its resource benefits. Results of the third-party review are presented to the Governing Board before the project can proceed. Any state and federal funds received for the projects are applied directly against the project costs, with both parties benefitting equally. Since 1988, this program has been highly successful resulting in a combined investment (District and its cooperators) of approximately \$3.3 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** - District Initiatives are projects of great importance or a regional priority, and in most cases the District provides total funding for the project. Examples of projects funded as District Initiatives include hydrologic investigations, MFL recovery in most-impacted areas, watershed management planning which may not have local cooperators, and the FARMS program which is a cost-share reimbursement program to implement agricultural best management practices.

## State Funding

**DEP Springs Initiative** - The DEP Springs Initiative is a special legislative appropriation that has provided revenue for protection and restoration of major springs systems. From FY2013 through FY2019, the District has allocated more than \$36 million of DEP Springs Initiative funding to projects that restore aquatic habitats and reduce groundwater withdrawals and nutrient loading within first-magnitude springsheds to improve the water quality and quantity of spring discharges. The District's FY2020 budget includes \$11.75 million of DEP Springs Initiative funds for four projects that will improve water quality by providing sewer connections to homes with septic tanks in priority focus areas. These projects are listed in the Work Program Appendix A - Projects for Implementing BMAPs.

**The Florida Forever Program** - The 1999 Florida Forever Act was a \$10 billion, 10-year statewide program. In 2008, the Legislature passed a bill to extend the Florida Forever program for 10 more years at \$300 million annually and reduced the water management districts' annual allocation from \$105 million to \$90 million, with \$22.5 million (25 percent) to be allocated to the District, subject to annual appropriation. The appropriations were limited during the economic recession, and the District hasn't received any new Florida Forever funding since FY2011. Eligible projects under the Florida Forever program include land acquisition, land and water body restoration, ASR facilities, surface water reservoirs, and other capital improvements.

The state's Florida Forever Trust Fund holds prior-year funds for this District and other water management districts that are available for release subject to approval by the DEP. The funds have been generated through the sale of easements to the U.S. Department of Agriculture/Natural Resources Conservation Services (NRCS) for the Wetland Reserve Program and the sale of land or easements for rights-of-way. The funds are available for potential land acquisitions consistent with the guidance provided by the DEP. The District's FY2020 budget includes \$3.65 million of prior-year funds held in the Trust Fund. In addition, \$11.8 million is budgeted with funds held in District investment accounts that were generated from the sale

of land or real estate originally acquired with Florida Forever funds. The District conducts a biennial Surplus Lands Assessment to identify and sell lands that do not meet the District's core mission. The proceeds from sold lands are used to purchase other lands that provide substantive environmental benefits.

**State Funding for the FARMS Program** - Operating under Chapter 40D-26, F.A.C., the FARMS Program, through the District, utilizes additional state funding when available. Since inception of the program in 2003, 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** - The state's Water Protection and Sustainability Program was created in the 2005 legislative session through Senate Bill 444. The program provides matching funds for the District's CFI and District Initiative programs for alternative water supply development assistance which are applied toward a maximum of 20 percent of eligible project construction costs. In addition, the Legislature has 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.

## 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 109.6 mgd of water upon completion, including reuse water and new potable supply. These benefits are associated with approximately \$72.6 million budgeted for FY2020. The proposed funding for the 5-year Work Program is approximately \$395.5 million through FY 2020-24. **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 (FY2020)	Sum of Five-Year District Funding (F2020-24)	Sum of Water Made Available (mgd)
Water Resource Development - Data Collection and Analysis Activities (Table 1)	\$40,842,229	\$204,211,145	NA
Water Resource Development - Projects (Table 2)	\$13,940,249	\$56,954,749	78.6
Water Supply Development - Projects (Table 3-h)	\$17,821,640	\$134,282,475	31.0
<b>Totals</b>	<b>\$72,604,118</b>	<b>\$395,448,369</b>	<b>109.6</b>

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. These projects represent 88.9 mgd of the 109.6 mgd above. 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 FY2020, the District has established and continues to monitor 210 adopted MFLs and has scheduled the establishment or reevaluation of 96 MFLs and one reservation through FY2029. 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 four BMAP projects, each benefitting the water quality of first-magnitude springs priority focus areas (PFAs) in the District's northern planning region.

### Kings Bay/Crystal River Priority Focus Area

- Crystal River - Indian Water Septic to Sewer Phase II (W430)
- Citrus County Cambridge Greens Septic to Sewer (W432)
- Crystal River Southern Septic to Sewer Project (W434)

### Chassahowitzka, Homosassa Springs Priority Focus Area

- Citrus County Old Homosassa West Septic to Sewer Project (WH04)

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**. Additional funding is anticipated from the DEP and local cooperator shares, including state appropriations. Consistent with the District's CFI policy, projects with construction costs exceeding \$5 million will undergo a third-party review at the 30 percent design stage to confirm costs, schedules, and resource benefits. Project details are available in the Work Program 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.**

Projects for Implementing BMAPs	FY2020 Funding	FY2021 Funding	FY2022 Funding	FY2023 Funding	FY2024 Funding	Total Project Cost	Funding Sources
Crystal River - Indian Water Septic to Sewer Phase II (W430)	\$1,125,000	\$0	\$0	\$0	\$0	\$4,500,000	District, DEP, City of Crystal River
Citrus County Cambridge Greens Septic to Sewer (W432)	\$1,450,500	\$0	\$0	\$0	\$0	\$6,500,000	District, DEP, Citrus County, State
Crystal River Southern Septic to Sewer Project (W434)	\$1,625,000	\$0	\$0	\$0	\$0	\$6,500,000	District, DEP, City of Crystal River
Citrus County Old Homosassa West Septic to Sewer Project (WH04)	\$1,382,200	\$0	\$0	\$0	\$0	\$6,000,000	District, DEP, Citrus County, State
<b>Totals</b>	<b>\$5,582,700</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$23,500,000</b>	



**RESOURCE MANAGEMENT COMMITTEE**

**September 24, 2019**

***Discussion Item***

**Fiscal Year 2021 Business Plan Update**

*Purpose*

To provide the Board with an update on the Fiscal Year 2021 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, business drivers and performance measures. The plan ensures continued efficiency gains, effective organizational improvements, and alignment with the District's Strategic Plan.

The 2021 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*

Preparation of the District's annual Business Plan enhances 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:** Kevin Wills, Senior Economist, Water Resources Bureau

## RESOURCE MANAGEMENT COMMITTEE

September 24, 2019

### *Discussion Item*

#### **Polk Regional Water Cooperative Southeast Wellfield - Conceptual Design Third-Party Review (N905)**

##### *Purpose*

The purpose of this item is to provide the results of the project's first third-party review (TPR) on the brackish well feasibility study and conceptual design of a reverse osmosis (RO) facility and regional transmission system, and to request Governing Board approval to continue executing the cooperative funding agreement (CFA) for preliminary design and a second TPR.

##### *Background/History*

Polk County and the municipal utilities within Polk County primarily utilize traditional groundwater supplies to meet their water supply demand. Polk County lies within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) where traditional water sources are nearing their sustainable limits and alternative water sources need to be developed to meet the projected demands. As a result, Polk County and the municipalities within Polk County, with the District's encouragement, have created a regional water supply entity, the Polk Regional Water Cooperative (PRWC), to develop future alternative water supplies (AWS). The Southeast Wellfield project is one of four PRWC projects that are utilizing funds from District Resolution 15-07 for the feasibility and design of new AWS sources.

The Southeast Wellfield Project is being designed to provide 7.5 million gallons per day (mgd) of AWS in its initial phase, with six incremental expansions up to a total of 30 mgd, and transmission systems to deliver AWS to multiple PRWC member utility systems. The District Governing Board discussed the project and approved initial funding at its April 2017 meeting. The current Cooperative Funding Agreement (CFA) project phase consists of the design, permitting, and construction of a Lower Floridan aquifer test/production well study; the conceptual design, pilot testing, and preliminary design of a water treatment facility; and conceptual and preliminary design of a regional transmission system. The CFA requires two District third-party reviews (TPRs) at the conceptual design (feasibility) and preliminary design (30 percent) stages, and Governing Board authorization is required to proceed with the project following each TPR. The conceptual design (feasibility) TPR was conducted in August 2019 and reviewed the PRWC's formal drafts of the Test Well Completion Report, Projected Water Quality Modeling Memo, Water Production Facility Conceptual Design Report, and Transmission Conceptual Routing Analysis. The documents and findings of the TPR are discussed below. The PRWC is incorporating TPR suggestions in the final copies of the reports.

The Southeast Wellfield Test Well Completion Report describes the drilling and testing study that was conducted at the northern end of the wellfield and was completed in April 2019. Objectives of the study were to determine productivity, groundwater quality, hydraulic properties, evaluate confinement between the Upper Floridan and Lower Floridan aquifers; and evaluate the potential injection zone below the production zone for RO concentrate disposal. The TPR found the testing study to be thorough and accomplished the stated goals.

The Projected Water Quality Modeling Memo describes the groundwater modeling tools and scenarios used to determine the raw water quality expected at startup and in the future from planned withdrawals at the Southeast Wellfield to support the design of the water treatment facility. The TPR reviewed both the report and the parameters of the groundwater simulation model. The TPR found the methods to be a reasonable approach for the current stage of the design process. The Modeling Memo summarized results of 22 modeling runs and predicted a raw water Total Dissolved Solids (TDS) of 6,000 mg/l after 30 years of full-capacity use. The TPR suggested four additional scenarios that the PRWC team expeditiously tested. The additional scenarios did not impact the report conclusions. The additional scenarios and other suggested edits will be included in the final Modeling Memo.

The Water Production Facility Conceptual Design Report was reviewed for its assumptions of brackish raw water chemistry, RO treatment system methods, finished water quality and post-treatment systems, and pipelines for raw water intake and concentrate disposal. The TPR evaluated the anticipated pH, corrosion control, and chloride and sulfate levels to predict compatibility with customer utility systems and provided recommendations for the future stages of design. The TPR found the methods of design to be appropriate for the conceptual stage. The PRWC concurred with multiple suggestions which will be incorporated during preliminary design.

The Transmission Conceptual Routing Analysis Report developed options for regional water delivery to PRWC member customers. Several transmission routes were evaluated with a nine-criteria ranking system. The recommended transmission system would provide direct supply from the Southeast Wellfield to the Cities of Bartow, Davenport, Dundee, Eagle Lake, Haines City, Lake Hamilton, Lake Wales, and Polk County's central, eastern, and northeastern utility service areas. The TPR suggested additional considerations regarding surge analysis, assurance of blending compatibility with local water systems, easement acquisitions, and variable land elevations at some locations. The PRWC concurred with suggestions and will consider them during preliminary design. The TPR found the techniques used were appropriate for the current level of design.

Detailed construction schedules were not required or included with the conceptual design reports for the water production facility or transmission systems; however, the reports stated a goal of having the AWS available by 2023. The TPR noted this goal was reasonable and provided additional considerations to help meet this goal.

The TPR evaluated the conceptual cost opinions provided for the Water Production Facility and Transmission System. Most direct cost items were determined to be reasonable assumptions or based on market prices. The conceptual cost estimations utilize multiple percentage markups for non-direct items like contingency, general conditions, site work, etc. The TPR recommended using conservatively higher percentages for some items, such as increasing contingency from 20 percent to 30 percent of direct costs at this conceptual stage of design. The PRWC has updated the conceptual cost opinions and the revised estimates are shown in Table 1 based on 2019 dollars. The cost opinions will continue to evolve and will become more focused in the preliminary and later design phases.

TABLE 1. Southeast Wellfield Water Production Facility and Regional Transmission System - Conceptual Cost Opinion at initial and full phases.

Project Component	Initial 7.5 mgd capacity (excludes land costs)	Future 30.0 mgd capacity (cumulative total)
Water Production Facility	\$143,860,000	\$281,790,000
Regional Transmission System	\$106,088,300	\$164,527,100
Combined Capital Cost	\$249,948,300	\$446,317,100

*Benefits/Costs*

The TPR engineering team reviewed the project design for consistency with industry standards and feasibility to meet its intended purpose. The TPR report concludes that the conceptual design is feasible and consistent with the parameters of similar systems. The continuation of the project will provide the PRWC with preliminary design reports for the water production facility and regional transmission system including more refined opinions of cost, a second TPR to support future cooperative funding applications for final design and construction phases, as well as a preliminary water rate analysis for PRWC member customers. The current CFA total cost is \$11,117,916, with the District share \$5,558,958. The District share was fully budgeted in FY2018 through a transfer of Resolution 15-07 funds.

Staff Recommendation:

Authorize staff to continue with the project preliminary design phase and a second third-party review in accordance with the cooperative funding agreement.

Presenter: JP Marchand, P.E., Water Resources Bureau Chief

## RESOURCE MANAGEMENT COMMITTEE

September 24, 2019

### *Routine Report*

#### **Minimum Flows and Levels Status Report**

Section 373.042 of the Florida Statutes requires the state water management districts or Department of Environmental Protection (DEP) to establish minimum flows and minimum water levels (MFLs) for aquifers, surface watercourses and other surface water bodies. MFLs are the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area and are used in District permitting programs and for water-supply planning.

Summary information concerning the status of five major tasks for water bodies scheduled for MFLs adoption by December 2019 is summarized below. Data collection and analyses for priority water bodies scheduled for MFLs adoption in 2020 through 2027 is also ongoing, but is not summarized in this current status report.

#### ***MFLs Development Tasks***

- Draft MFLs reports are completed for stakeholder review, and in some cases are subjected to independent scientific peer review.
- Independent, scientific peer review is voluntarily initiated and completed for draft reports addressing river, spring and aquifer MFLs. Draft reports for lake and wetland MFLs are not typically subjected to voluntary peer review. The methods used to establish lake and wetland MFLs were, however, peer reviewed prior to those methods being adopted in rule. Voluntary peer review for individual lakes and wetlands may be conducted based on requests from affected stakeholders or by District decision.
- Public workshops are completed to provide opportunities for stakeholders to learn about and provide input on proposed MFLs.
- Final MFLs reports that incorporate peer review findings and stakeholder input are prepared for Governing Board approval.
- Rulemaking for proposed MFLs and any necessary MFLs prevention or recovery strategies is approved by the Governing Board, initiated through legal noticing of proposed rules, and completed with adoption and incorporation of effective MFLs and necessary strategies into District rules.

**Status for Water Bodies Scheduled for MFLs Establishment by December 2019 (Recent Status Changes Highlighted)**

<b>Water Body</b>	<b>Draft MFLs Report</b>	<b>Independent , Scientific Peer Review</b>	<b>Public Workshop</b>	<b>Final MFLs Report</b>	<b>Rulemaking</b>
Allen, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Brant Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Dosson, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Harvey, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
<b>Water Body</b>	<b>Draft MFLs Report</b>	<b>Independent , Scientific Peer Review</b>	<b>Public Workshop</b>	<b>Final MFLs Report</b>	<b>Rulemaking</b>
Sunshine, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Virginia, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Pierce, Lake <sup>a</sup>	Completed	Completed <sup>b</sup>	Completed	Approved	Completed
Calm Lake	Completed	Completed <sup>b</sup>	Completed		
Charles, Lake	Completed	Completed <sup>b</sup>	Completed		
Church Lake	Completed	Completed <sup>b</sup>	Completed		
Echo Lake	Completed	Completed <sup>b</sup>	Completed		
Linda, Lake	Completed	Completed <sup>b</sup>	Completed		
Pasco Lake		Completed <sup>b</sup>			
Sapphire, Lake	Completed	Completed <sup>b</sup>	Completed		
20 Northern Tampa Bay Wetlands		Completed <sup>b</sup>			
Chassahowitzka River	Completed	Completed	Completed		
Chassahowitzka Spring Group	Completed	Completed	Completed		
Blind Spring	Completed	Completed	Completed		

## Item 33

Homosassa River	Completed	Completed	Completed		
Homosassa Spring Group	Completed	Completed	Completed		
Rainbow River	Completed	Completed	Completed	Approved	Initiated
Rainbow Spring Group	Completed	Completed	Completed	Approved	Initiated

<sup>a</sup> Scheduled for completion in 2018.

<sup>b</sup> Peer review completed for lake and wetland MFLs methods.

Staff Recommendation:

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

Presenter: Doug Leeper, MFLs Program Lead, Environmental Flows and Assessments Section

**RESOURCE MANAGEMENT COMMITTEE****September 24, 2019*****Routine Report*****Significant Water Resource and Development Projects**

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

**SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration**

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013 but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates (JEA) team. The successful bidder for the drilling RFB was Rowe Drilling. Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. Rowe Drilling requested and was approved to drill on a 24-hour, five days a week schedule to bring the drilling back on schedule. Rowe had to drill deeper than originally estimated to fully characterized the Upper Floridan Aquifer. The permit submittal for final recharge well casing depths has been approved by FDEP based on information from the completed Phase 1 tasks. The recharge well and monitor wells are complete. Rowe Drilling is demobilizing the site. Jones Edmunds and Associates (JEA) continues work on the design and permitting of the diversion infrastructure. Rowe has demobilized from the site. The drilling is complete. ***New Activities Since Last Meeting:*** The project received it's FDEP Environmental Resource Permit and is waiting on the US Army Corps of Engineers on permit review for the diversion infrastructure. Procurement is working on draft request for bid for construction of the diversion infrastructure. The Project Team continues to develop the recharge testing project plan. *Project Manager: Lisann Morris*

**Lower Hillsborough River MFLs Recovery Strategy - Implementation**

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned or completed under the recovery strategy, funded through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water



from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. All projects are constructed and are operating except for the Morris Bridge Sink project. In October 2017, the District completed design for the Morris Bridge Pumping facility, but construction has not begun pending the outcome of analysis the COT is performing associated with the Tampa Augmentation Project (TAP). In addition, the COT, with District co-funding, has completed the LHR Dam Control Gate Facilities (N492) project which constructed a new sluice gate in the dam to allow the city to pass the full quantity of water needed to meet minimum flows. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. The COT has received Water Use Permit (WUP) No. 20020802 from the District for the operation of these pump stations. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, LHR Dam Control Gate Facilities, and the TBC as recovery flow sources, and results from recent years suggest that the desired goal of creating low salinity habitat below the dam can be sustained through minimum flows implementation. The District and the COT continue to work cooperatively to determine how the MFL will be impacted through the proposed COT TAP. The COT has met with District staff and is pursuing additional coordination regarding minimum flow requirements to support the updating of their minimum flow operating procedures. The biological and water quality sampling data collected in association with WUP No. 20020574 for MBS were submitted in June 2019. Vegetation and wildlife monitoring required for WUP No. 20020574 was conducted in June 2019, and the report was submitted to the District in July 2019. The City of Tampa submitted the final quarterly status report in July 2019. ***New Activities Since Last Meeting:*** The annual LHR recovery strategy update was provided to the Governing Board in August 2019. District staff are coordinating with stakeholders for the draft five-year assessment report required by rule. *Project Managers: Danielle Rogers*

### **Aquifer Recharge Projects**

#### **City of Clearwater - Groundwater Replenishment Project - Phase 3**

This ongoing project is temporarily on hold. Work was previously completed on an advanced water purification pilot plant test and one groundwater recharge injection site. Results from the water purification plant pilot tests and injection well testing demonstrated that this project would be successful in allowing the City to increase their reclaimed water utilization, reducing surface discharges; and improving groundwater levels in the Northern Tampa Bay Water Use Caution Area. Phase 3 of this project is the design, third-party review, permitting and construction of the full-scale water purification plant and the injection and monitor well systems to recharge the Upper Floridan aquifer with 2.4 mgd annual average of purified recycled water at Clearwater's Northeast Water Reclamation Facility. Public outreach is also a critical function throughout the design and construction of this project. The original CFI contract with the City for this project was executed in January 2016. An increase in the total project cost from \$28,680,000 to \$32,716,000, was requested at the District's September 27, 2016 Governing Board Meeting based on results of a 30 percent design and third-party review. The Board approved the City's request to move forward with final design and construction and authorized a contract amendment for the project (current budget of \$32,716,000 with the District funding a total of \$16,358,000). This contract amendment was executed on March 6, 2017. Of the District's contribution, \$1,554,000 was approved in FY2015, \$2,131,600 was approved in FY2016, and \$8,000,000 was approved in FY2018. The remaining \$4,672,400 is to be requested in future funding applications. The final design is complete. Three public meetings were conducted by the City between November 2016 and May 2017. The Florida Department of Environmental Protection (FDEP) permits for the advanced water purification plant and recharge and concentrate injection wells were issued on March 30, 2018 and August 17, 2018, respectively.

Site development permits, including the FDEP Environmental Resource Permit, Florida Department of Transportation permit, City and County permits are also complete and issued except for naming the chosen general construction contract engineer. This process can only be completed following completion of the project bidding procedures. The City requested a delay to complete a master water plan to assess their existing and potential future water system and supply. This analysis will provide options for improving treatment efficiencies and cost-effective measures to maintain future drinking-water supplies. To release the budgeted construction funds and to allow the City the necessary time to complete their master water plan evaluation, it was decided that the current CFI Agreement would need to be amended. On May 21, 2019, the Governing Board approved the District staff recommendation of reducing the project scope to only include 30 percent design, third-party review, final design, permitting and public outreach at a total project cost of \$2,989,819 and a District share of \$1,494,909 by deleting construction related tasks and associated funds. District staff are currently developing and executing the contract amendment. **New Activities Since Last Meeting:** No changes since last meeting. *Project Manager: Robert Peterson*

### **Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project**

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

A follow-up three-year project (N943), began in 2018 to compile and review available applicable operational data to evaluate impacts to the local groundwater system, optimize system performance, and estimate future operational trends. The total cost of this project is \$280,000, split equally between the County and the District. As part of this project, an operational groundwater model of the site will be developed using the information from the consultant combined with the data that County staff is currently collecting. This operational groundwater model will be used to estimate potential future system infiltration rates, impacts and benefits to the Upper Floridan aquifer, and future operational conditions. Consultant scientists will perform biannual vegetation surveys of the 15 cells constructed on the 4G Ranch to assess the performance of the wetlands against the setpoints. The surveys will be completed through photo-interpretation of low-altitude, high resolution photography obtained by the County to determine wetland vegetation cover of each cell. A technical memorandum that includes the results of both the hydrogeologic review and the vegetation hydroperiod review will be provided. This technical memorandum will include recommendations for changes to the monthly water elevation setpoints that will both maximize groundwater recharge while maintaining healthy wetland vegetative communities. The optimization effort (N943) is on schedule and moving forward. The annual progress technical memo for one year has been completed and received by the District. The completion letter for N666 was received by the District and the final payment was made. The optimization effort (N943) is ongoing in its second year. **New Activities Since Last Meeting:** No changes since last meeting. *Project Manager: Mike Hancock*

## **South Hillsborough County Aquifer Recharge Program (SHARP)**

This is a direct aquifer recharge pilot project to evaluate directly recharging the non-potable zone of the UFA with up to 2 mgd of highly treated reclaimed water at the Hillsborough County's Big Bend facility near Apollo Beach in southern Hillsborough County (County). The goal of the project is to improve water levels within the Most Impacted Area of the Southern Water Use Caution Area and possibly slow the rate of inland movement of saltwater intrusion in the area. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, assessing aquifer characteristics, performing recharge testing, evaluating water level improvements, migration of the recharge water and metals mobilization, and conducting public outreach. The County's consultant submitted the well construction permit application for authorization to install the test recharge well and monitoring wells on December 20, 2011. Design and preparation of bid documents were completed in early July 2012; a request for bids was released the week of July 16, 2012, with responses received in August 2012. Construction contract with the contractor (A.C. Schultes of Florida, Inc.) was approved by the County on April 3, 2013. The recharge well was completed in December 2013 with an open-hole diameter of 14.75 inches, 780 feet of casing, and a total depth of 1,100 feet. The County received a letter from FDEP on July 13, 2015 authorizing recharge operations to begin. ***New Activities Since Last Meeting:*** Recharge testing and monitoring continued during the months of July and August. The total injected volume for July was approximately 65 MG for the month. Estimated injection volume for August was not available at the time (August 16th) this update was prepared. Total recharge volume through July is approximately 2.99 billion gallons since the beginning of the project. *Project Manager: Don Ellison*

## **City of Tampa, Tampa Augmentation Project (TAP)**

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant (HFCAWTP). The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. No Cost Time Extension was executed extending the contract completion date to the end of August 2018. The City withdrew their underground injection control permit for the entire TAP project and will continue discussions with FDEP on permitting aspects of the overall project. In the interim, the City plans to move forward and develop a permit application for the Rome Avenue site for testing with potable water. The City decided to fund 30 percent design activities for some of the TAP infrastructure. The Phase I Feasibility Study is complete and closed. Phase 2 Feasibility Study kick-off meeting was held on January 30, 2019. The Memorandum of Understanding with Tampa Bay Water was tabled until June 2020 when the Phase 2 TAP Feasibility Study is anticipated to have additional answers. Meanwhile, the City initiated recovery at the TAP-1 well collecting water quality samples. The City is working through the Rome Avenue Underground Injection Control permit with Florida Department of Environmental Protection that will use potable water in the test. A kick-off meeting was held on the Rome Avenue test well site on July 17, 2019. Testing will be done with potable water with data

inputting into the SEAWAT model to predict disposition of the reclaimed water injection. ***New Activities Since Last Meeting:*** The City's consultant continues to work on the test well and the source reduction plans. *Project Manager: Lisann Morris*

### **Water Incentives Supporting Efficiency (WISE) Program**

This is a cost-share program that supports and promotes water conservation with non-agricultural water users. It will provide a streamlined project implementation/application process and reach cooperators that might not otherwise implement smaller conservation projects. The program was presented to the Governing Board on November 13, 2018 and officially launched December 1, 2018. Funds budgeted for FY2019 total \$50,000 and will allow for a minimum of three projects to receive funding. A communications plan has been developed to help promote the new program. Funds are still available and outreach is ongoing. ***New Activities Since Last Meeting:*** To date, a total of four projects have been funded. Of the \$50,000 budgeted, \$45,114 have been committed to conservation projects and \$4,886 are currently available for additional projects for the remainder of FY2019. There are an additional four applications under review that are awaiting additional information and inspection. The proposed budget for WISE in FY2020 is \$100,000. *Project Manager: Josh Madden*

### **Staff Recommendation:**

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

**Presenter:** Jennette M. Seachrist, P.E., Division Director, Resource Management



**Governing Board Meeting  
September 24, 2019**

<b>OPERATIONS, LANDS &amp; RESOURCE MONITORING COMMITTEE</b>
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**OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE**

**September 24, 2019**

***Discussion Item***

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

Staff Recommendation:

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

**OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE****September 24, 2019*****Discussion Item*****Hydrologic Conditions Report**

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the month under review, which is August, with comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data.

The information presented below is a summary of data presented in more detail in the monthly Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at <https://www.swfwmd.state.fl.us/resources/weather-hydrology/hydrologic-conditions-reports>

**Rainfall**

Provisional rainfall totals, as of August 31<sup>st</sup>, were above-normal in all three regions of the District. The normal range is defined as rainfall totals that fall on or between the 25<sup>th</sup> to 75<sup>th</sup> percentiles derived from the historical data for each month.

- Northern region rainfall averaged 10.67 inches, equivalent to the 87<sup>th</sup> percentile
- Central region rainfall averaged 10.28 inches, equivalent to the 81<sup>st</sup> percentile.
- Southern region rainfall averaged 9.55 inches, equivalent to the 80<sup>th</sup> percentile.
- District-wide, average rainfall was 10.13 inches, equivalent to the 83<sup>rd</sup> percentile.

**Streamflow**

Streamflow data for August indicate that flow increased in all three regions of the District, compared to the previous month. Based on the three regional index rivers indicated below, streamflow conditions ended the month at above-normal flows in all three regions of the District. Normal streamflow is defined as flow that falls on or between the 25<sup>th</sup> and 75<sup>th</sup> percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 87<sup>th</sup> percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 98<sup>th</sup> percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 97<sup>th</sup> percentile.

**Groundwater Levels**

Groundwater data for August indicates that levels in the Floridan/Intermediate aquifer increased in all three regions of the District, compared to last month. Groundwater levels ended the month at above-normal levels in the northern and central regions, while levels were at the upper-end of the normal range in the southern region. Normal groundwater levels are defined as those falling on or between the 25<sup>th</sup> and 75<sup>th</sup> percentiles.



- The average groundwater level in the northern region was at the 93<sup>rd</sup> percentile.
- The average groundwater level in the central region was at the 86<sup>th</sup> percentile.
- The average groundwater level in the southern region was at the 73<sup>rd</sup> percentile.

### Lake Levels

Water level data for August indicates that regional lake levels increased in all four lake regions within the District, compared to the previous month. The northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions ended the month with levels above the base of the annual normal range. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the northern region increased 0.61 foot and were 0.93 foot above the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.26 foot and were 1.81 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.52 foot and were 2.49 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 1.25 feet and were 0.71 foot above the base of the annual normal range.

### Issues of Significance

August was the third month of the four-month annual wet season (June through September) and rainfall totals for the month saw accumulations well above normal in all three regions of the District. Rainfall throughout the District during August was scattered, regionally variable, and associated with several different weather systems that included typical summertime sea breeze/convective (afternoon/evening) rain showers and a periodic “reverse summer wind flow pattern” wherein Gulf moisture moved across the District in a west to east flow direction resulting in abundant rain storms. August rainfall contributed to localized flooding in some low-lying areas within the District. The provisional District-wide 12- and 24-month cumulative rainfall totals saw improvements, ending the month with a surplus of approximately 5.0 and 12.6 inches, respectively, above their long-term historical averages.

All major hydrologic indicators saw increases in August. Regional groundwater levels remained at normal to above-normal levels in all regions. Lake levels saw improvements in all regions, with levels in the northern, Tampa Bay, Polk Uplands and Lake Wales Ridge regions ending the month within their annual normal ranges. Regional streamflow conditions saw continued improvements that enhanced their use as public supply sources.

NOAA climate forecasts indicate “above-normal” chances for rainfall throughout the District from October through December 2019, while long-term forecasts indicate equal chances for below-normal, normal or above-normal rainfall from January through November 2020.

Updated weather forecasts will be available in mid-September. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

### Staff Recommendation:

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

Presenter: Granville Kinsman, Hydrologic Data Manager

## OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

September 24, 2019

### *Discussion Item*

#### **Surplus Lands Assessment**

##### *Purpose*

To inform the Governing Board of staff efforts to assess District landholdings for surplus opportunities. There are no landholdings being recommended for surplus.

##### *Background/History*

The current Governing Board Policy Sale, Exchange or Conveyance of Interest in Land by the District states that the Governing Board will review the District's landholdings to identify lands appropriate to surplus. To date, staff have undertaken three assessments, including this one, of District landholdings to identify lands that are no longer needed for conservation or other District purposes. The first assessment, conducted in 2011, declared approximately 492 acres of land surplus. The second assessment, conducted in 2015, declared approximately 3,350 acres of land surplus with most of the land coming from the District's Annutteliga Hammock and Green Swamp projects. This assessment is the third assessment and resulted in no additional lands being recommended for surplus.

In addition to landholdings being assessed on a regular basis, assessments are conducted during the acquisition process. If an acquisition includes land that does not meet the conservation or other needs of the District, staff will recommend it be declared surplus at the time of acquisition. In general, staff work to ensure that the District's landholdings are limited to lands that significantly meet the District's Areas of Responsibility.

##### *Benefits/Costs*

Evaluating the District's landholdings contribution to the District's core missions is responsible and is a fiscally sound assessment.

##### **Staff Recommendation:**

No District landholdings are being recommended for surplus, no action is required.

**Presenter:** Jerry Mallams, P.G., Operations and Land Management Bureau Chief

## OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

September 24, 2019

### *Discussion Item*

#### **Knowledge Management: Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy**

##### *Purpose*

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

##### *Background/History*

The District's Knowledge Management initiative was launched in Fiscal Year (FY) 2016 and is now a Core Business Process in the District's Strategic Plan. Knowledge Management is the practice of systematically and actively collecting, managing, sharing and leveraging the organization's data, information and processes. The focus in FY2019 is on improving the organization of governing documents to facilitate knowledge sharing, ensure the alignment of division and bureau practices with Governing Board Policies and Executive Director Procedures, and allow for timely retrieval and review of existing governing documents.

Staff performed a review of the Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy (Policy) and deemed it necessary to update the Policy. The revised Policy has been provided as an exhibit. The primary modification increases the time period between surplus evaluations from every two years to every five years. The District evaluates land for surplus opportunities at the time of acquisition and has conducted three major reviews of District land holdings since 2011.

##### *Benefits*

Updating existing Governing Board Policies ensures efficient use of staff resources.

##### **Staff Recommendation:**

This item is presented for the Governing Board's information and no action is requested. The attached revised Sale, Exchange or Conveyance of Interest in Land by the District Governing Board Policy will be included as a consent item in the October 2019 Board packet and approval will be requested at that time.

**Presenter:** Jerry Mallams, P.G., Operations and Land Management Bureau Chief

## GOVERNING BOARD POLICY

Southwest Florida Water Management District

**Title:** Sale, Exchange or Conveyance of Interest in Land by the District

**Document Owner:** Jerry Mallams P.G., Operations and  
Land Management Bureau Chief

**Approved By:** Mark Taylor, Chair

**Effective Date:**

**Supersedes:** 08/30/2016

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### PURPOSE

To establish guidance for the purchase, sale, exchange or conveyance of interests in lands where the District holds an interest or right.

### SCOPE

This policy applies to purchase, sale, exchange or conveyance of interests in lands where the District holds an interest or right.

### AUTHORITY

Sections 373.056, 373.089, 373.093, 373.096, 373.099 and 373.139, Florida Statutes (F.S.)  
Florida Forever Act (Section 259.105, F.S.)  
Preservation 2000 Act (Section 259.101, F.S.)  
Chapter 259, F.S.

### DEFINITIONS

N/A.

## GOVERNING BOARD POLICY

### Title: Sale, Exchange or Conveyance of Interest in Land by the District

Effective Date:

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#### STANDARDS

1. Lands not necessary to meet statutory requirements or to benefit one of the District's areas of responsibility may be considered surplus by the Governing Board at any time. ~~On a biennial basis~~ At five year intervals, the Governing Board will review the District's land holdings to identify lands that may be appropriate for surplus. Consideration may also be given to retaining a less-than-fee interest in conservation lands that are inherently inefficient for the District to manage due to circumstances such as, but not limited to, size, location or lack of access and upon a determination that continued fee ownership is no longer necessary to satisfy the conservation purposes for which the land was originally acquired.
2. For those lands designated as acquired for conservation purposes, the Governing Board must determine that the lands are no longer needed for conservation purposes, by a two-thirds vote. All lands acquired prior to July 1, 1999, for the purposes of 373.089, F.S., are deemed to have been acquired for conservation purposes. For those lands not designated as acquired for conservation purposes, the Governing Board must determine that the District no longer needs the lands, by majority vote. Lands, or interests or rights in lands, determined by the Governing Board to be surplus must be sold for the highest price obtainable, in accordance with Section 373.089, F.S.
3. No disposition of land shall be made if it would have the effect of causing all or any portion of the interest on any revenue bonds issued pursuant to Sections 259.101, or 259.105, F.S. to lose the exclusion from gross income for purposes of federal income taxation. All sales of land, or interests or rights in land, shall be for cash or upon terms and security to be approved by the Governing Board, but a deed may not be executed and delivered until full payment is made. A notice of the District's intention to sell any surplus lands, or interests or rights in lands, must be published in accordance with Section 373.089, F.S. The notice must set forth a description of the lands, or interests or rights in lands, to be offered for sale.
4. Any instruments of sale, lease, release or conveyance must be executed in the name of the District by the Governing Board through its Chair or Vice Chair and attested by the Secretary with the corporate seal affixed. Such instruments must not warrant title to any property sold, leased, released or conveyed.
5. The Governing Board may elect to establish a minimum price for any property designated as surplus. The Governing Board may also impose conditions on any minimum price that it deems appropriate, e.g. expiration dates of any minimum price, automatic escalators, or more frequent appraisal updates. If the Governing Board establishes a minimum price, the Governing Board Chair is authorized to execute a Purchase and Sale Agreement on behalf of the Governing Board and to execute any deeds or other conveyance instruments, attested by the Secretary, necessary to effectuate the sale of surplus property without the need for further action from the Governing Board.
6. Any sale of surplus property for which a minimum price has not been established by the Governing Board or any sale in which all conditions imposed by the Governing Board have not been met will require an affirmative vote by the Governing Board.
7. Documents related to the closing that do not require Governing Board approval may be executed by the ~~District's Real Estate Services Land Resources Manager~~ Operations and Land Management Bureau Chief or other District staff as designated by the ~~Executive Director~~ Bureau Chief.

## GOVERNING BOARD POLICY

### Title: Sale, Exchange or Conveyance of Interest in Land by the District

Effective Date:

Page 3 of 5

8. Revenues derived from the sale or exchange of any District lands, or interests or rights in lands, acquired pursuant to the authority of Chapter 373 F.S., may not be used for any purpose except for the purchase of other lands, or interests in lands, for flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resource and water supply development, and preservation of wetlands, streams and lakes, or payment of debt service on revenue bonds or notes issued under Section 373.584, F.S.

## POLICY

The Governing Board is authorized to hold interests in land to assist the District in achieving its mission within its four areas of responsibility: water supply, flood protection, water quality, and natural systems. Interests in land can be leased, exchanged for interests in other land, conveyed to governmental entities, sold to ~~third parties~~ non-governmental entities or, in some cases, simply released by the District. Each type of transfer is separately addressed below.

1. Release of Easements, Reservations and Right-of-Way Interests

The Governing Board may release an easement, reservation or right-of-way interest for which the District has no present or apparent future use under such terms and conditions as it may determine. As used in this paragraph, the term "easement" includes the right to use the property of another for access, ingress and egress, or operation, maintenance or construction purposes but specifically does not include less-than-fee interests purchased or otherwise acquired by the District for conservation purposes.

2. Granting Conveyance of Easements or Leases to Public Utilities

The Governing Board may convey easement rights or authorize use agreements to providers of public utilities authorized through federal or state law. The terms and conditions of the easement will be established and approved by the Governing Board.

3. Conveyance or Lease to Governmental Entities

The Governing Board may convey or lease lands, or interests or rights in lands, not required for its purposes to any governmental entity under such terms and conditions as the Governing Board may determine.

4. Exchange of District Lands or Interests in Land

The Governing Board may exchange lands, or interests or rights in lands, for which title is vested in the District, for other lands, or interests or rights in lands, within the state owned by any person or entity. The Governing Board will fix the terms and conditions of any such exchange and may pay or receive any sum of money that it considers necessary to equalize the values of exchanged properties. Lands, or interests or rights in lands, acquired with monies from dedicated funding sources, such as the Water Management Lands Trust Fund, the Florida Preservation 2000 Trust Fund and the Florida Forever Trust Fund, may be exchanged only for lands, or interests or rights in lands, which meet the statutory requirements of the funding source for those programs.

5. Leases to Non-governmental Entities

The Governing Board may lease any lands ~~to which the District has acquired title~~, so long as the lease is consistent with the purposes for which the lands were acquired, and where the Board determines that the lease is for the best price and terms obtainable. The District may solicit "offer to lease," or utilize other suitable methods approved by the Governing Board, as means of determining the best price and terms obtainable. Leases to

## GOVERNING BOARD POLICY

Title: Sale, Exchange or Conveyance of Interest in Land by the District

Effective Date:

Page 4 of 5

non-governmental entities shall be in accordance with Section 373.093, F.S.

### 6. Sale of District Lands, or Interests in Land, to Non-governmental Entities

Lands that have been declared surplus by the Governing Board shall be sold ~~or exchanged in compliance with Section 373.089, F.S.,~~ for the highest price obtainable. This may be accomplished by offering the property for sale at public auction, ~~through the use of~~ using a licensed real estate broker, or other ~~methods approved by the Board~~ appropriate methods. If the property is to be exchanged, an attempt to sell the property at public auction, using a licensed real estate broker, or other appropriate methods will not be necessary.

## DISTRIBUTION

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

## REFERENCES

N/A

## REVIEW PERIOD

This policy will be reviewed every five years.

## GOVERNING BOARD POLICY

Title: Sale, Exchange or Conveyance of Interest in Land by the District

Effective Date:

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### DOCUMENT DETAILS

Document Name	Sale, Exchange or Conveyance of Interest in Land by the District
Formerly Known As	N/A
Document Type	Policy
Author(s)	Jerry Mallams, P.G.
Reviewing Stakeholder(s)	Executive and Senior Staff
Document Owner Name	Jerry Mallams, P.G.,
Document Owner Title	Bureau Chief
Review Period (in days)	1,825
Span of Control	Governing Board
Supersedes Date	08/30/2016
Effective Date	

### APPROVAL

\_\_\_\_\_  
Mark Taylor  
Chair

\_\_\_\_\_  
Date



**OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**

**September 24, 2019**

***Routine Report***

**Surplus Lands Update**

**Staff Recommendation:**

**Presenter:** Jerry Mallams, P.G., Operations and Land Management Bureau Chief

## **Surplus Lands Update**

### *Purpose*

This report provides a status on the District's surplus lands program. Information is through September 10, 2019.

### *Background*

In 2011, at the direction of the Governing Board, the District began a regular surplus lands assessment and sales of surplus lands program. The table below shows the status of the parcels identified through the previous surplus lands assessments along with the surplus lands status.

<b>Surplus Lands Status</b>	<b>Acres</b>	<b>Compensation</b>
Sold, Exchanged or Transferred	1,755	\$8,684,208
Closing Pending	2	\$19,010
Marketed by District (Annutteliga Hammock lots)	15	
Marketed by Broker	968	
Not Marketed	2,273	
<b>Total</b>	<b>5,013</b>	<b>\$8,703,218</b>

<b>Sold from 7/9/19 to 9/10/19</b>				
<b>SWF Parcel No.</b>	<b>Date Closed</b>	<b>Acres</b>	<b>Contract Price</b>	<b>Appraised Value</b>
Annutteliga Hammock (15-228-1374S)	8/14/19	0.99	\$8,800	\$8,600
Annutteliga Hammock (15-228-1388S)	8/19/19	0.46	\$5,681	\$4,000
Annutteliga Hammock (15-228-1457S)	8/06/19	0.46	\$4,500	\$3,200
Annutteliga Hammock (15-228-1704S)	8/12/19	0.57	\$4,200	\$4,000
Annutteliga Hammock (15-228-2076S)	8/07/19	0.46	\$4,000	\$3,200
Flying Eagle (19-334-150S)	7/15/19	33.55	\$36,000	\$35,000
<b>Total</b>		<b>36.49</b>	<b>\$63,181</b>	<b>\$58,000</b>

### Staff Recommendation:

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

# OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

September 24, 2019

## *Routine Report*

### Structure Operations

Summary of gate status and water levels for select water control structures on August 28, 2019. Refer to Exhibit A for District Structure Sites Location Map.

#### **Tampa Bypass Canal**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Hillsborough River	S-155	25.47	38.0	21.0	Open
Upper Pool	S-159	25.12	38.0	21.0	Open
Middle Pool	S-161	13.82	15.0	12.0	Open
Lower Pool	S-160	9.80	11.0	9.0	Open

\*Elevations above referenced to NGVD29 datum

#### **Hillsborough River Watershed**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Thonotosassa	Flint Creek	35.35	36.1	33.6	Open

#### **Lake June-in-Winter**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
June-in-Winter	G-90	73.42	74.4	72.1	Closed

#### **North Winter Haven Chain of Lakes**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Smart	P-6	127.66	127.75	123.50	Open
Lake Henry	P-5	125.02	125.50	123.00	Closed
Lake Fannie	P-7	124.48	124.75	122.50	Open
Lake Hamilton	P-8	119.91	120.50	118.00	Open

#### **Peace River Watershed**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Hancock	P-11	98.96	102.1	96.6	Open

**Alafia River Watershed**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Medard Reservoir	Medard	58.28	58.2	56.6	Open

**Rocky Creek System**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Pretty	Pretty	42.84	43.50	41.00	Open
Lake Armistead	Armistead	40.91	43.20	39.70	Open

**Brooker Creek System**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Tarpon	S-155	2.39	3.10	1.50	Open

**Sawgrass Lake**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Sawgrass Lake	Sawgrass	3.01	3.20	3.00	Open

**Withlacoochee River Watershed**

Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Lake Rousseau	Inglis Main	26.26	27.10	25.60	Open
Lake Rousseau	Inglis Bypass	26.26	27.10	25.60	Open

**Tsala-Apopka Chain of Lakes**

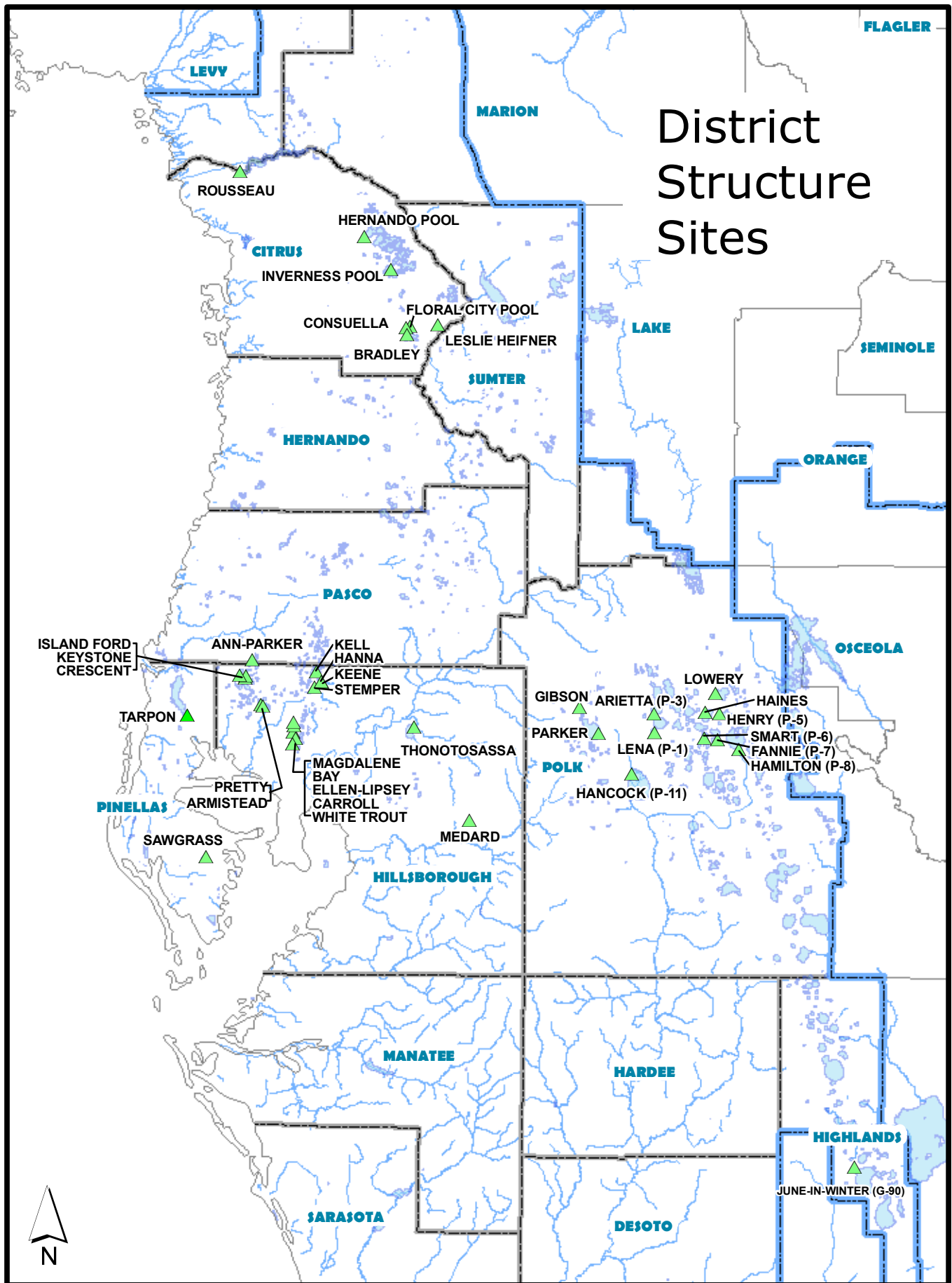
Water Body Name	Structure Name	Water Elevation	Operational Range		Gate Status
			High	Low	
Hernando Pool	S-353	37.86	38.10	36.40	Open

\*Elevations above referenced to NAVD88 datum

Staff Recommendation:

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

Presenter: Jerry Mallams, P.G., Operations and Land Management Bureau Chief



**OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**

**September 24, 2019**

***Routine Report***

**Significant Activities**

**Staff Recommendation:**

**Presenter:** Jerry Mallams, P.G., Operations and Land Management Bureau Chief

## Operations, Lands and Resource Monitoring Committee

### Significant Activities

This report provides monthly information through August 27, 2019 on significant Operations and Land Management projects and programs. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

#### Land Management

- Staff have applied prescribed fire to 17,045 acres of conservation lands during FY2019.
- Staff continue to trap and conduct phased feral hog management hunts on District lands. There have been 876 feral hogs removed from District lands during FY2019.
- Vegetation Management staff have treated invasive exotic vegetation on 24,506 acres on District lands during FY2019.
- Land resource-based revenue to date this fiscal year is \$155,200.

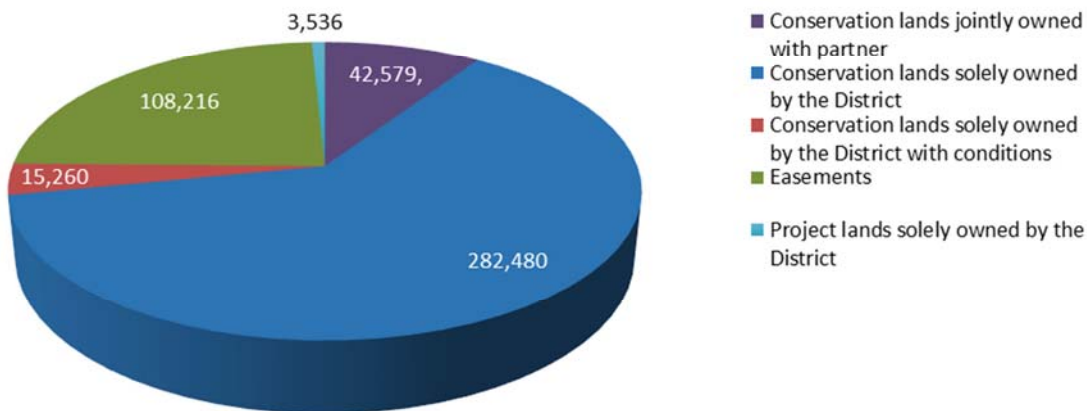
#### Land Resources/Land Use and Protection

Issued Special Use Authorization to the following:

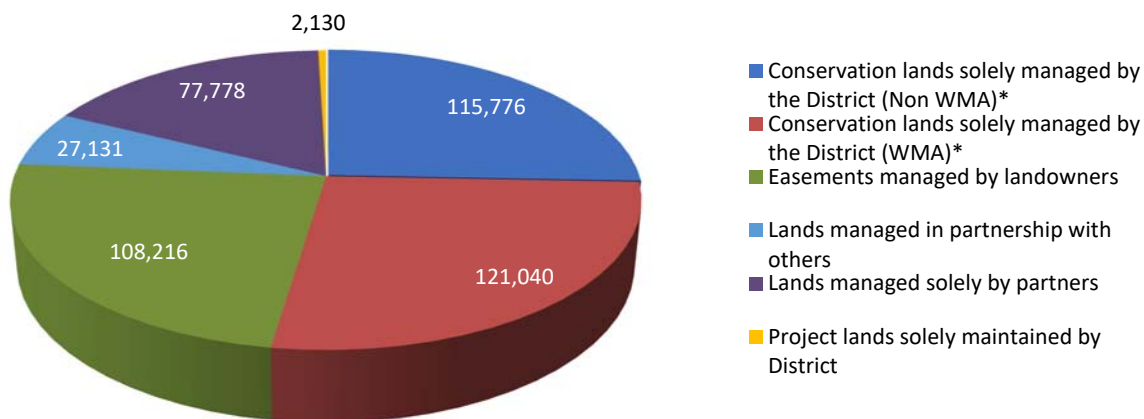
- City of North Port Utilities and Andrew Sitework LLC for vehicle access to the District's Myakka River – Schewe Tract to temporarily store construction materials associated with a water main upgrade construction project in the area.
- Quest Ecology, Inc. for vehicle access for up to six participants to Gilley Creek, Coker Prairie and Southfork Tract to conduct scrub-jay surveys and leg-banding.
- Weeki Wachee High School for vehicle access to Weekiwachee Preserve for up to 150 spectators and participants to conduct two cross-country race events.
- Volunteers provided 100 hours of service at a value of approximately \$2,356.00 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.
- Processed 95 requests and provided 379 camping opportunities on District lands.

The following is a breakdown of District land interests:

### District Land Ownership - Acres Acquired Total Acres: 452,071



### Land Management and Maintenance (Acres) Total Acres: 452,071



#### Staff Recommendation:

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





**Governing Board Meeting  
September 24, 2019**

<b>REGULATION COMMITTEE</b>
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***Discussion Items***

42. Consent Item(s) Moved for Discussion.....136
43. Denials Referred to the Governing Board .....137

***Submit & File Reports – None***

***Routine Reports***

44. Dover/Plant City Water Use Caution Area Flow Water Meter and Automatic Meter Reading  
Equipment Implementation.....138
45. Overpumpage Report .....139
46. Individual Permits Issued by District Staff .....143

**REGULATION COMMITTEE**

**September 24, 2019**

***Discussion Item***

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

Staff Recommendation:

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

**REGULATION COMMITTEE**

**September 24, 2019**

***Discussion Item***

**Denials Referred to the Governing Board**

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action.

Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

**Staff Recommendation:**

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

**Presenter:** Michelle Hopkins, P.E., Division Director, Regulation

**REGULATION COMMITTEE****September 24, 2019*****Routine Report*****Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading Equipment Implementation**

At their December 2010 meeting, the Governing Board adopted a minimum aquifer level in the Dover/Plant City Water Use Caution Area (DPCWUCA); Rule 40D-8.626, Florida Administrative Code (F.A.C.), as well as a recovery strategy (Rule 40D-80.075, F.A.C.) that incorporated flow meters and automatic meter reading (AMR) equipment installations to monitor and reduce resource impacts from future frost/freeze pumping events. Meter information in the Dover/Plant City area will be used by the District to: (1) improve the allocation of well mitigation responsibilities among permit holders, (2) allow District staff to better identify permit compliance issues resulting from pumping during frost/freeze events, (3) improve the modeling of impacts resulting from pumping during frost/freeze events, (4) allow the monitoring of performance and track the progress of management actions implemented, and (5) provide for the overall assessment of the recovery strategy goal of reducing frost/freeze protection quantities by 20 percent in ten years. It was originally estimated as of June 16, 2011 that there were 626 flow meters and 961 AMR devices needing installation within the 256-square mile DPCWUCA. As of December 1, 2016 it was estimated that 573 flow meters and 954 AMR devices will need to be installed, currently, a revised assessment completed of May 1, 2019 estimated a program total of 540 flow meters and 870 AMR devices. This revised assessment is due to expired permits, use change, deletion of withdrawals not required to be metered and have AMR devices and the completion of the Flow Meter Reimbursement Program. Total costs of the program were estimated to be \$5.5 million for flow meter and AMR equipment installation with approximately \$316,000 required annually to support the program. On August 7, 2013, the AMR equipment installation and operation component of this project under RFP 004-13 was awarded to Locher Environmental Technology, LLC, partnered with AMEC Environmental and Infrastructure, Inc., and Hydrogage, Inc. The current contract was executed on November 14, 2013 and will be completed September 30, 2019. An extension was made to the current contract to include replacement of 495 modems that will no longer be supported by Verizon by December 31, 2019. The modem replacements are to be completed by September 30, 2019. The second phase of work for ongoing maintenance and limited AMR installations will begin on October 1, 2019.

***New Activities Since Last Meeting:*** As of September 1, 2019, a total of 538 flow meters have been installed (100 percent complete and ending the meter reimbursement program) and 849 AMR units have been installed (97 percent complete). As of June 1, 2019, a total of 456 modems are required to be replaced by September 30, 2019. As of September 1, 2019, 386 modems have been replaced (85 percent complete). *Project Manager: Talia M. Paolillo*

**Staff Recommendation:**

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

**Presenter:** Darrin Herbst, P.G., Bureau Chief, Water Use Permit Bureau

**REGULATION COMMITTEE**

**September 24, 2019**

***Routine Report***

**Overpumpage Report**

Please see the attached report.

Staff Recommendation:

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

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

# Overpumpage Report

July 2019

Under Review <sup>(1)</sup> Permit Application In-House <sup>(2)</sup> Forwarded to OGC <sup>(3)</sup>

Permit No.	Permit Holder	Use Type	Permitted Quantity (gpd)	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<b><i>New From Previous Report</i></b>						
6217.008	Palma Ceia Golf & Country Club\Attn. Matt Eichmann <sup>1</sup>	Recreation – Golf Course	210,600	5/1/2019 235,163 gpd 11.66%	07/01/2019 233,185 gpd 10.72%	Tampa
12993.004	Summerglen Owners' Association, Inc./Peter Southwick <sup>1</sup>	Landscape / Recreation - Golf Course & Irrigation of Common Areas	353,800	5/1/2019 385,896 gpd 9.07%	07/01/2019 388,043 gpd 9.68%	Brooksville
4708.011	Sun'N Lake of Sebring Improvement District/ Attn: Rob Dingle <sup>1,2</sup>	Recreation - Golf Course	542,500	5/1/2019 643,362 gpd 18.59%	07/01/2019 610,266 gpd 14.49%	Bartow
12800.007	Polk County Utilities/Attn: Krystal Azzarella <sup>1</sup>	Public Supply	158,100	5/1/2019 190,120 gpd 20.25%	07/01/2019 211,558 gpd 33.81%	Bartow

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Attachment: Sep19 Routine Reports - July 2019 Overpumpage Report (4633 : Overpumpage Report)

# Overpumpage Report

July 2019

Under Review <sup>(1)</sup> Permit Application In-House <sup>(2)</sup> Forwarded to OGC <sup>(3)</sup>

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<b>Continuing From Previous Report</b>						
10646.003	Olympia Invest. Group, LLC and SHS Resort, LLC <sup>1</sup>	Industrial/Commercial - Boiler Feed & Miscellaneous	40,000	04/01/2018 44,016 gpd 10.04%	07/01/2019 54,743 gpd 36.86%	Tampa
3654.005	Imperial Polk Properties, Inc. <sup>1,2</sup>	Agriculture – Citrus	39,300	4/1/2019 50,348 gpd 28.11%	07/01/2019 54,282 gpd 38.12%	Bartow
10923.001	Spruce Creek Golf, LLC. <sup>1</sup>	Recreation – Golf Course	163,600	4/1/2019 513,085 gpd 213.62%	07/01/2019 545,077 gpd 233.18%	Brooksville
1854.008	Panther Trails CDD / Attn: Carrie Macsuga <sup>1</sup>	Recreation - Lawn/Landscaping	4,600	01/01/2019 387,893 gpd 8,332.46%	07/01/2019 11,569 gpd 151.50%	Tampa
12900.002	Minto Bradenton LLC. (Perico Island Development) <sup>1</sup>	Recreation - Lawn/Landscaping	130,500	11/01/2017 196,759 gpd 50.77%	07/01/2019 155,312 gpd 19.01%	Sarasota
3219.007	Gardinier Florida Citrus, Inc. / Attn: Stephane Gardinier. <sup>1,2</sup>	Agriculture – Citrus	322,600	11/01/2018 387,893 gpd 20.24%	07/01/2019 435,912 gpd 35.12%	Bartow
1156.012	Bay Laurel Center Public Water Supply System <sup>3</sup>	Public Supply	2,555,000	09/01/2016 2,696,799 gpd 5.55%	07/01/2019 3,314,074 gpd 29.71%	Brooksville
2588.010	Kelly Family Holdings, LLC. (Kelly Farms) <sup>3</sup>	Agriculture – Potatoes and Pasture	1,043,600	11/01/2016 851,054 gpd 20.79%	07/01/2019 1,298,525 gpd 24.43%	Sarasota

Attachment: Sep19 Routine Reports - July 2019 Overpumpage Report (4633 : Overpumpage Report)



## Overpumpage Report July 2019

7002.004	MHC FR Utility Systems, LLC. <sup>3</sup>	Public Supply	97,100	04/01/2015 104,929 gpd 8.06%	07/01/2019 159,443 gpd 64.20%	Tampa
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- (1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.  
 (2) A permit application is in-house for review.  
 (3) The non-compliance matter has been referred to the Office of General Counsel (OGC)

**REGULATION COMMITTEE**

**September 24, 2019**

***Routine Report***

**Individual Permits Issued by District Staff**

Please see attached report.

**Staff Recommendation:**

This item is for the Committee's information and no action is required. Presenter: Michelle Hopkins, P.E., Division Director, Regulation

## INDIVIDUAL PERMITS ISSUED: ERPS – AUGUST 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43042998.088	VOSO – Phase 5 Stormwater Earthworks	Sumter	Mass grading and construction of a stormwater management system for future residential development	399.84	43.03	1.39	0.00
43018565.004	Hidden Creek Phases 1 & 2	Pasco	Construction of a 347-lot single-family residential subdivision	116.54	21.17	2.68	0.00
43043364.001	Siena Cove	Pasco	Construction of a 375-lot single-family residential subdivision	173.08	45.54	13.18	1.75
490004851.03	Bonnet Springs Park	Polk	Convert approximately 168 acres of abandoned railyard, former citrus grove and portions of surrounding forests and wetlands into a recreational park	167.99	50.97	7.29	0.00
43042284.005	Cypress Preserve Phase 3	Pasco	Construction of a residential subdivision and eight wet detention ponds	177.00	67.49	4.47	0.87
43043530.003	Palmer Ranch 6A	Sarasota	Construction of multi-phased project; earthwork and stormwater management system for all phases to be completed in first phase	282.00	73.10	5.16	29.38
43012290.019	Toscana Isles Phases 5 & 6	Sarasota	Residential subdivision for 484 single-family lots	132.44	37.03	2.35	0.00
43035032.007	Summerwoods	Manatee	562-unit residential subdivision with flood compensation areas	268.14	32.27	1.24	0.00
43043286.003	Lakewood Ranch NE Parcel D	Manatee	Construction of 475-unit single-family subdivision	230.77	45.57	3.70	0.00
43043843.001	Nucor Steel Florida Inc. Phase II	Polk	Phase for future Steel Rebar Micro Mill manufacturing facility; modification of previously authorized stormwater pond system	183.00	0.00	0.00	0.00

***Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.***

## INDIVIDUAL PERMITS ISSUED: WUPs – JULY 2019

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
2010096.009	Lake L Grove	Polk	Proposed addition of 65 acres of citrus to be irrigated with surface water	Agricultural	625,800	673,200	20
2011019.009	Smokey Tract	Manatee	Permit Renewal	Mining/Dewatering Agricultural	1,539,200	1,539,200	20
2011732.005	TBW – Brandon Urban Dispersed Wells	Hillsborough	Permit Renewal	Public Supply	6,000,000	6,000,000	20



**Governing Board Meeting  
September 24, 2019**

<b>GENERAL COUNSEL'S REPORT</b>
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***Discussion Items***

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***Submit & File Reports – None***

***Routine Reports***

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49. September 2019 Rulemaking Update .....	150

**GENERAL COUNSEL'S REPORT**

**September 24, 2019**

*Discussion Item*

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

**GENERAL COUNSEL'S REPORT**

**September 24, 2019**

***Routine Report***

**September 2019 Litigation Report**

Staff Recommendation:

Presenter: Karen E. West, General Counsel



**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT**  
September 2019

**OPEN ENFORCEMENT CASES**  
62 Cases as of September 1, 2019

Case Style	Court/Case No.	Attorney	Description	Date Opened	Date Closed
<b>Enforcement Cases in Active Litigation</b>					
SWFWMD v. Fufluns Holdings, LLC	DOAH 19-2812	J. Fussell M. Bray	Challenge to Administrative Complaint and Order	05/10/19	
<b>Permit/Agency Action Challenges</b>					
Long Bar Pointe, LLLP v. Lake Flores I, LLC, & SWFWMD	DOAH 17-005609	C. Tumminia J. Fussell	Administrative Challenge – ERP	09/29/2017	
Rainbow River Conservation, Inc., et al. v. SWFWMD	DOAH 19-2517RP	A. Vining C. Tumminia M. Bray	Rule Challenge	05/17/19	
Denlinger v. Summit View, LLC, and SWFWMD	N/A	J. Fussell A. Witherup	Administrative Challenge – ERP	08/20/19	
<b>Circuit Court Litigation</b>					
Uranowski v. SWFWMD	Hernando County Case No. 16-CA-976	T. Gonzalez (outside counsel)	Employment Discrimination	09/30/16	
Thomas v. North Port Gateway Ass'n & SWFWMD	Charlotte County Case No. 16-1505-CA	G. Mackinnon (outside counsel)	Negligence (automobile accident)	08/18/16	
Denlinger v. SWFWMD	Pasco County Case No. 18-CA-1241	J. Fussell C. Tumminia	Inverse Condemnation Negligence (ERP)	05/18/18	Awaiting Order – Action Partially Dismissed
Heritage Lake Park CDD v. SWFWMD, et al.	Charlotte County Case NO. 18-CA-1191	C. Tumminia	Foreclosure (delinquent ad valorem taxes)	12/21/18	
Valdez v. SWFWMD	Pasco County Case No. 18-CA-1241	J. Fussell C. Tumminia	Inverse Condemnation Negligence (ERP)	01/30/19	Awaiting Order- Action Partially Dismissed

<b>Gilberti v. Daughtrey, United States, SWFWMD, et al.</b>	<b>U.S. Bankruptcy 9:19-ap-00104</b>	<b>S. Stichter (outside counsel) C. Tumminia</b>	<b>Adversary Complaint in Bankruptcy</b>	<b>02/28/19</b>	<b>07/08/19 – Action Dismissed</b>
<b>Cow Hammock, LLC v. Suggs &amp; SWFWMD</b>	<b>Sumter County Case No. 19-CA-142</b>	<b>C. Tumminia</b>	<b>Quiet Title</b>	<b>04/22/19</b>	
<b>Gilberti v. DeSantis, SWFWMD, et al.</b>	<b>U.S. Middle Dist. Fl. 2:19-282-FtM</b>	<b>E. Fernandez C. Tumminia</b>	<b>R.I.C.O.</b>	<b>05/28/19</b>	
<b>Appeals</b>					
<b>Gilberti v. Federal Reserve, SWFWMD, et al.</b>	<b>U.S. Federal Cir.</b>	<b>E. Fernandez C. Tumminia</b>	<b>R.I.C.O.</b>	<b>06/18/19</b>	
<b>Delegated Consent Orders</b>					
<b>NONE</b>					

**GENERAL COUNSEL'S REPORT**

**September 24, 2019**

***Routine Report***

**September 2019 Rulemaking Update**

Staff Recommendation:

Presenter: Karen E. West, General Counsel

**RULEMAKING UPDATE**  
**SEPTEMBER 2019**  
**PROPOSED RULES & AMENDMENTS**

<b>RULE</b>	<b>INITIATION DATE</b>	<b>NEXT SCHEDULED ACTION</b>	<b>BOARD PROJECTED/ APPROVED DATE</b>
1. Initiation and Approval of Rulemaking to Amend Rule 40D-2.302(1), F.A.C. to Repeal Reservations from Use of Morris Bridge Sink	May 2015	TBD	May 2015
2. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	Effective Approx. October 2019	June 2017
3. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lakes Church and Echo in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
4. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Charles in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
5. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Calm in Hillsborough County	September 2019	Effective Approx. December 2019	September 2019
6. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Lake Linda in Pasco County	August 2019	Effective Approx. November 2019	August 2019
7. Initiation and Approval of Rulemaking to Amend Rule 8.624, F.A.C. to Adopt revised Minimum and Guidance Levels for Sapphire Lake in Hillsborough County	September 2019	Effective Approx. December 2020	September 2019



**COMMITTEE/LIAISON REPORTS**

**September 24, 2019**

***Discussion Item***

**Agricultural and Green Industry Advisory Committee**

Staff Recommendation:

Presenter: Michelle Williamson, Board Member

**COMMITTEE/LIAISON REPORTS**

**September 24, 2019**

*Discussion Item*

Other Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members





**EXECUTIVE DIRECTOR'S REPORT**

**September 24, 2019**

*Discussion Item*

**Executive Director's Report**

Staff Recommendation:

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



## CHAIR'S REPORT

September 24, 2019

### *Discussion Item*

#### **Executive Director's and Inspector General's Annual Reports**

In accordance with Board Policy 710-2, the executive director and inspector general shall each present to the Governing Board a statement of accomplishments and each employee's goals for the current fiscal year. Through the statements, the employees summarize many of the District's achievements for the fiscal year and provide information on which the Governing Board can evaluate performance.

After the September Governing Board meeting, each board member will have an opportunity to complete a separate performance input form for the executive director and the inspector general reflecting that Governing Board member's assessment of the employee's performance for the year. Those forms should be provided to Human Resources Office Chief Kelley Rexroad by Oct. 8. In accordance with Board Policy 710-2, the Human Resources Office shall compile and distribute a *Performance Evaluation Summary* from the forms submitted by the individual members.

Following distribution of the *Performance Evaluation Summary*, the Governing Board Chair shall draft the performance employee evaluation for the executive director and the Treasurer shall draft the employee evaluation for the inspector general. It is anticipated that the Governing Board will review, edit as appropriate, and approve the evaluations at the regularly scheduled October Board meeting.

#### **Staff Recommendation:**

This item is for information only and no action is required.

**Presenter:** Mark Taylor, Chair

**CHAIR'S REPORT**

**September 24, 2019**

*Discussion Item*

**Chair's Report**

Staff Recommendation:

Presenter: Mark Taylor, Chair

**CHAIR'S REPORT**

**September 24, 2019**

*Discussion Item*

Other

Staff Recommendation:

Presenter: Mark Taylor, Chair

**CHAIR'S REPORT**

**September 24, 2019**

*Routine Report*

**Employee Milestones**

Staff Recommendation:

Presenter: Mark Taylor, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Bureau	Office Location
5	09/15/2014	Erica Richards	Senior Attorney	Office of General Counsel	Tampa
5	09/22/2014	Bill Streit	Regulatory Field Technician III	Regulatory Support	Sarasota
5	09/29/2014	Dalan Eye	Regulatory Field Technician III	Regulatory Support	Tampa
10	09/14/2009	Al Gagne	Regulation Environmental Coordinator	Environmental Resource Permit	Tampa
15	09/07/2004	Julie McClung	Accounting Manager	Finance	Brooksville
25	09/19/1994	Donald Kaskie	Senior Vegetation Management Speciali	Operations and Land Management	Brooksville
30	09/05/1989	Vaughn Boyer	Senior Business Application Developer	Information Technology	Tampa