

Governing Board Meeting

Agenda and Meeting Information

July 26, 2016

9:00 AM

Tampa Office

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

Southwest Florida
Water Management District

A stylized logo consisting of three wavy horizontal lines representing water.
WATERMATTERS.ORG • 1-800-423-1476



Southwest Florida Water Management District

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

An Equal
Opportunity
Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Bureau Chief at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Final Agenda

GOVERNING BOARD MEETING

JULY 26, 2016

9:00 AM

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 web site (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 web site: www.WaterMatters.org

MEETING NOTICE

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 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or 1-800-836-0797 (FL only)

9:00 A.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 to the Computer Renewal and Replacement Sinking Fund
7. Board Encumbrance to the Brooksville Data Center Reconfiguration Project
8. Budget Transfer Report

Resource Management Committee

9. Board Designated Encumbrance - Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)
10. Boyd Hill Nature Preserve FDOT Mitigation Site – FDOT Mitigation Plan Amendment (D028)

Regulation Committee

11. Approval of Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Southwest Florida Water Management District – State Programmatic General Permit V (SPGP-V)
12. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No 20001155.008 – Salamander Innisbrook, LLC / Innisbrook Golf Resort - Pinellas County

Operations, Lands and Resource Monitoring Committee

13. Approve Second Amendment to Lease Agreement for Little Manatee River Project and Second Amendment to Lease Agreement for Alafia River Project to Remove and Add Acres in Response to Executed Exchange Agreement Between Hillsborough County and the District for SWF Parcel Nos. 11-058-100X and 11-709-100X

General Counsel's Report

14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Initiation of Litigation – Unauthorized Construction – Trinity Christian Fellowship Center, Inc. – Manatee County
15. Rulemaking

Executive Director's Report

16. Approve Governing Board Meeting Minutes - June 28, 2016

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

17. Consent Item(s) Moved for Discussion
18. Investment Strategy Quarterly Update
19. FY2016-17 Budget Development

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

20. Treasurer's Report and Payment Register
21. Monthly Financial Statement
22. Monthly Cash Balances by Fiscal Year
23. Comprehensive Plan Amendment and Related Reviews Report
24. Development of Regional Impact Activity Report

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

25. Consent Item(s) Moved for Discussion
26. South Pass-A-Grille Way Water Quality & Flood Improvements (N712)

Submit & File Reports

27. Lower Hillsborough River Recovery Strategy Implementation – Annual Update

Routine Reports

- 28. Minimum Flows and Levels Status Report
- 29. Significant Water Resource and Development Projects

REGULATION COMMITTEE (TAB E)

Discussion

- 30. Consent Item(s) Moved for Discussion
- 31. Denials Referred to the Governing Board

Submit & File Reports - None

Routine Reports

- 32. Overpumpage Report
- 33. Individual Permits Issued by District Staff - July 2016

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB F)

Discussion

- 34. Consent Item(s) Moved for Discussion
- 35. Approve Sale of Surplus Lands – Lake Pretty House (PRTY-2), SWF Parcel No. 14-009-119S
- 36. Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S
- 37. Hydrologic Conditions Report

Submit & File Reports - None

Routine Reports

- 38. Structure Operations
- 39. Significant Activities

GENERAL COUNSEL'S REPORT (TAB G)

Discussion

- 40. Consent Item(s) Moved for Discussion

Submit & File Reports - None

Routine Reports

- 41. July 2016 - Litigation Report
- 42. July 2016 - Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

- 43. Well Drillers Advisory Committee
- 44. Environmental Advisory Committee
- 45. Other Committee/Liaison Report

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 46. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 47. Chair's Report
- 48. Other
- 49. Employee Milestones

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

ANNOUNCEMENTS

<http://www.swfwmd.state.fl.us/calendar>

• Governing Board Meetings Schedule:

Meeting - Tampa	August 30, 2016
Meeting - Tampa	September 27, 2016
Meeting - Brooksville	October 25, 2016
Meeting - TBD	TBD

- Governing Board Public Budget Hearings Schedule:
 - Tentative Budget - Tampa September 13, 2016
 - Final Budget - Tampa September 27, 2016
- Advisory Committee Meeting Schedule:
 - Industrial & Public Supply - Tampa August 9, 2016
 - Agricultural & Green Industry - Tampa September 8, 2016
 - Environmental - Tampa TBD
 - Well Drillers - Tampa TBD

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.

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective June 2016

OFFICERS	
Chair	Randall S. Maggard
Vice Chair	Jeffrey M. Adams
Secretary	Bryan K. Beswick
Treasurer	Ed Armstrong

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Bryan K. Beswick, Chair
George W. Mann, Vice Chair
Ed Armstrong
Kelly S. Rice

RESOURCE MANAGEMENT COMMITTEE
Michael A. Babb, Chair
H. Paul Senft, Vice Chair
George W. Mann
John Henslick

REGULATION COMMITTEE
H. Paul Senft, Chair
Michael A. Moran, Vice Chair
Wendy Griffin
John Henslick

FINANCE/OUTREACH AND PLANNING COMMITTEE
Ed Armstrong, Chair
Jeffrey M. Adams, Vice Chair
Michael A. Babb
Michael A. Moran

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

STANDING COMMITTEE LIAISONS	
Agricultural Advisory Committee	Kelly S. Rice
Environmental Advisory Committee	Wendy Griffin
Green Industry Advisory Committee	Kelly S. Rice
Industrial Advisory Committee	Thomas E. Bronson
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	George W. Mann

OTHER LIAISONS	
Central Florida Water Initiative	H. Paul Senft/Randall S. Maggard (alt)
Springs Coast Steering Committee	Kelly S. Rice
Charlotte Harbor National Estuary Program Policy Board	John Henslick
Sarasota Bay Estuary Program Policy Board	Michael A. Moran
Tampa Bay Estuary Program Policy Board	Wendy Griffin
Tampa Bay Regional Planning Council	Ed Armstrong

Executive Summary

GOVERNING BOARD MEETING

JULY 26, 2016
9:00 a.m.

If viewing this document electronically, links are now available from the Executive Summary to the item's information page. To return to the Executive Summary, click on the item number in the upper right-hand corner of the page.

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)

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.

Finance/Outreach & Planning Committee

6. Board Encumbrance to the Computer Renewal and Replacement Sinking Fund

Since its establishment in 1993, the Computer Renewal and Replacement Sinking Fund has provided the District with a predictable funding source for large information technology investments while maintaining a level annual technology budget.

At this time the primary planned significant investment is the incremental expansion, and eventual replacement, of the District's Storage Area Network (SAN). The SAN provides the data storage and backup infrastructure for all District systems supporting permitting, scientific data management and back-office business processes.

Governing Board approval is requested to encumber and re-appropriate FY2016 funds in the reserve account as part of the FY2017 budget. The anticipated encumbrance of \$182,000 in remaining FY2016 funds for use in a future year was included as part of ITB planning budget.

Staff recommends the Governing Board encumber \$182,000 of funds budgeted in FY2016 to procure computer hardware and software via the Computer Renewal and Replacement Sinking Fund reserve account.

7. Board Encumbrance – Brooksville Data Center Reconfiguration Project

The purpose of this item is to request the encumbrance of budgeted funds to support the procurement of goods and services necessary to complete the move of the remaining equipment in the Brooksville Data Center from Building 1 to Building 2. The project is on schedule for completion no later than January 2017 and this request ensures that budgeted Fiscal Year 2016 funds are available to complete the project.

The Information Technology Bureau has a total FY2016 budget for this project in the amount of \$339,000. Purchase Orders have been issued for a total of approximately \$233,000 as of this date, with more to come as the construction and move activities progress. At the present time, we are not planning to complete the move until after the end of the fiscal year. We are requesting an encumbrance in the amount of, but not to exceed, \$106,000 from the FY2016 budget for the project to ensure funds for any expenses incurred, if needed, in FY2017.

Staff recommends the Governing Board encumber the remaining funds, not to exceed \$106,100, from the FY 2016 budget for the project to ensure funds for any expenses incurred, if needed, in FY 2017.

8. Budget Transfer Report

In accordance with Board Policy No. 130-8, *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

Staff recommends the Board approve the Budget Transfer Report covering all budget transfers for June 2016.

Resource Management Committee**9. Board Designated Encumbrance - Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)**

This project explores the Lower Floridan aquifer (LFA) in Polk County to assess its viability as an alternative water supply (AWS) source by providing data on aquifer yield and water quality. This exploration is also part of the ongoing Central Florida Water Initiative (CFWI) Data, Monitoring and Investigation Team's effort to develop a single source of regional monitoring data to support technical and regulatory activities in the CFWI area. Available funding for the project will enable exploration at three sites: Crooked Lake, Frostproof, and Lake Wales. Selection of the three sites has been completed and design work is underway. Construction at two of the three sites is expected to commence in FY2017. The District funds will be further allocated once contractor agreements are finalized. In prior fiscal years, \$6 million was encumbered, of which \$1,338,970 has been contracted, and \$4,661,030.48 remains as board designated for this project.

Staff recommends the Board approve the encumbrance of \$2 million in current year funds, without a contract, to roll into FY2017 for the Hydrogeological Investigation of the Lower Floridan aquifer in Polk County (P280).

10. Boyd Hill Nature Preserve FDOT Mitigation Site – FDOT Mitigation Plan Amendment (D028)

This proposal is for the expansion of an existing 91 acre mitigation site located at the City of St. Petersburg's Boyd Hill Nature Preserve. Through annual mitigation monitoring efforts it was determined that the initial 91 acre site will require an additional 26 acres to satisfy the mitigation requirements. The additional mitigation is proposed to supplement mitigation already performed on this site through the District's FDOT Mitigation Program. The proposed addition is to enhance approximately 26 acres of forested wetland. The forested wetland mitigation proposed for this additional area is to provide additional forested wetland mitigation to offset wetland impacts associated with previously issued FDOT roadway permits.

The project will result in the removal of nuisance and exotic plant species from approximately 26 acres of forested wetlands at an estimated cost of less than \$10,000. This site will provide wetland mitigation for impacts to wetlands associated with all or part of seven (7) permitted roadway projects and no future roadway project wetland mitigation is expected. Treatment of this area will also benefit the existing adjacent mitigation area by removing a seed source of nuisance and exotic plant species in close proximity to the existing area.

Staff recommends approval to amend the District FDOT Mitigation Plan to add an additional 26 acres of nuisance and exotic species removal to the FDOT Mitigation Program project area at the Boyd Hill Nature Preserve.

Regulation Committee**11. Approval of Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Southwest Florida Water Management District – State Programmatic General Permit V (SPGP-V)**

In July 2011, the Corps' Jacksonville District issued SPGP IV-R1, which authorized the Florida Department of Environmental Protection (FDEP) or a designee, to administer Section 404 of the Clean Water Act (33 U.S.C. § 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) on behalf of the Corps. The purpose of the delegation was to reduce duplication of permitting efforts. That agreement, which is valid for 5 years, expires on July 25, 2016. Over the last few months, the Corps has been coordinating with the FDEP and state water management districts on a new SPGP V, which replaces the current SPGP IV-R1.

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

District staff have been working with the Corps on a new Coordination Agreement for implementation of SPGP V. The process will remain essentially unchanged from the current SPGP IV-R1 Coordination Agreement, with a few minor changes and the addition of a fifth activity category for transient activities (described below).

The categories of work authorized under this SPGP V are minor activities that are currently authorized by existing Corps' Nationwide and Regional General Permits. The SPGP V authorization eliminates the need for separate approval from the Corps for minor work located in waters of the United States, including navigable waters.

Staff recommends the Board delegate authority to the Executive Director to approve the Coordination Agreement between the U.S. Army Corps of Engineers Jacksonville District and the District regarding the Corps' State Programmatic General Permit (SPGP V).

12. Individual Water Use Permits Referred to the Governing Board**a. WUP No 20001155.008 – Salamander Innisbrook, LLC / Innisbrook Golf Resort – Pinellas County**

This is a new Water Use Permit for landscape/recreation use. The Permittee did not timely submit an application for renewal. The Permittee meets their irrigation demand exclusively through the use of reclaimed water. The estimated irrigation demand is 899,200 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The demand quantities are estimated using the District's irrigation allotment calculation program, AGMOD, for 300 acres of golf course and 38 acres of lawn and landscape. In the event that reclaimed water is temporarily unavailable, a standby groundwater quantity is authorized for 174,400 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The standby groundwater allocation assumes loss of the reclaimed water supply during the month of peak demand (May). This permit is located within the Northern Tampa Bay Water Use Caution Area (NTBWUCA) and relies exclusively on sources of alternative water supply.

Staff recommends the Board approve the proposed permit attached as an exhibit.

Operations, Lands and Resource Monitoring Committee – None**13. Approve Second Amendment to Lease Agreement for Little Manatee River Project and Second Amendment to Lease Agreement for Alafia River Project to Remove and Add Acres in Response to Executed Exchange Agreement Between Hillsborough County and the District for SWF Parcel Nos. 11-058-100X and 11-709-100X**

At the April 2016 Governing Board meeting, the Board approved an exchange agreement with Hillsborough County for lands within the Alafia River Corridor, Lower Hillsborough Wilderness Preserve and Little Manatee River Projects.

The executed Exchange Agreement requires the District convey 204.85 acres to the County and the County will convey 425.39 acres to the District that will be encumbered by a conservation easement.

The County and the District entered into lease agreements on June 19, 1991 for the Little Manatee River Project and on May 4, 1994 for the Alafia River Project. These agreements transferred management responsibilities for both projects to Hillsborough County. As a result of the April 2016 Exchange Agreement, the parties are now required to execute amendments for both lease agreements.

These amendments are consistent with the Governing Board action at the April 2016 meeting that approved the Exchange Agreement and the amendments will reduce the acreage of District landholdings that do not significantly contribute to core mission and will add acreage that significantly contributes to core mission.

Staff recommends the Board:

- Approve the Second Amendment to the Alafia River Project Lease Agreement - SWF Parcel Number 11-709-100X
- Approve the Second Amendment to the Little Manatee River Project Lease Agreement - SWF Parcel Number 11-058-100X
- Authorize the Governing Board to execute both amendments to lease agreements

General Counsel's Report

14. Administrative, Enforcement and Litigation Activities that Require Governing Board

Approval

a. Initiation of Litigation – Unauthorized Construction – Trinity Christian Fellowship Center, Inc. – Manatee County

Trinity Christian Fellowship Center, Inc. (Trinity) owns approximately 20 acres of real property located at 7220 Lockwood Ridge Road in Manatee County, Florida (the Property). Trinity acquired the Property in 2008. In July 2006, the District issued a Formal Determination of Wetlands and Other Surface Waters No. 42030345.000 (Formal Determination) for the Property to the previous property owners. The Formal Determination delineated approximately 15.01 acres of wetlands on the 20-acre parcel. The wetlands on the Property consisted of a medium to medium-high quality forested wetland system. The Formal Determination did not authorize any construction activities or constitute conceptual approval of any anticipated projects. The Formal Determination expired in July 2011, and, to date, no Environmental Resource Permit (ERP) has been issued to authorize any activities on the Property.

On August 12, 2013, the District received a complaint indicating unauthorized activities were occurring on the Property.

On August 19, 2013, the District issued a Notice of Unauthorized Activities (Notice) to Trinity, advising that the activities on the Property occurred without an ERP issued by the District.

On August 27, 2013, District staff conducted a site inspection of the Property with Trinity's consultant to verify the extent of the unauthorized activities. The unauthorized activities occurred on approximately 4 acres of the Property, impacting approximately 3.8 acres of wetlands.

On August 26, 2014, the District issued a Notice of Violation advising Trinity that the activities on the Property constitute the construction or alteration of a surface water management system, for which an ERP is required. On September 14, 2014, the District issued a proposed Consent Order, which provided for a penalty of \$45,600.00 and District enforcement costs of \$2,000.00, for a total payment of \$47,600.00

On February 18, 2015, Trinity submitted a letter to the District detailing its financial hardship and requesting that the District consider this information with regard to the proposed Consent Order. On October 13, 2015, in consideration of the financial hardship information provided by Trinity, the District issued a proposed Revised Consent Order, which provided for a penalty of \$30,390.00 and District enforcement costs of \$2,000.00, for a total payment of \$32,390.00. The Revised Consent Order again required Trinity to submit a proposed Restoration Plan; however, the Revised Consent Order provided that the \$30,390.00 in penalties would be waived by the District if Trinity submitted the Restoration Plan in a timely fashion and completed the restoration work within six months of District approval of the Restoration Plan.

After issuance of the Revised Consent Order, Trinity indicated it was interested in obtaining an ERP on the Property rather than restoring the Property. As a result, the proposed Revised Consent Order was altered and reissued to Trinity on February 29, 2016, wherein it provided that Trinity could either obtain an ERP or submit a proposed Restoration Plan. All of the other terms of the Revised Consent Order remained the same. Subsequent to the issuance of this updated Revised Consent Order, Trinity has requested multiple extensions of time in which to consider the Revised Consent Order for a variety of reasons.

Staff recommends the Board authorize the initiation of litigation against Trinity Christian Fellowship Center, Inc., and any other appropriate parties, to obtain compliance, to recover an administrative fine/civil penalty, and to recover District enforcement costs, litigation costs and attorney's fees.

15. Rulemaking – None**Executive Director's Report****16. Approve Governing Board Meeting Minutes – June 28, 2016****FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)*****Discussion*****17. Consent Item(s) Moved for Discussion****18. Investment Strategy Quarterly Update**

Board Policy 130-3 requires quarterly investment reports that shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period
2. Percentage of available funds represented by each investment type
3. Coupon, discount, or earning rate
4. Average life or duration and final maturity of all investments
5. Par value and market value
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager
7. A summary of District's investment strategy
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Staff recommends the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2016.

19. FY2016-17 Budget Development

On June 28, staff provided an overview of the RASB to the Governing Board including revenues and expenditures by category, program area, and area of responsibility. Following discussion of the budget, the Governing Board took action to authorize staff to (1) prepare the *Standard Format Tentative Budget Submission* for FY2016-17 based on the RASB as presented, adjusted for Governing Board actions at the meeting; (2) reflect the final estimated ad valorem revenue based on the July 1 certifications of taxable value and (3) add any additional funding provided by the state.

a. FY2016-17 Budget Update

Staff will review the budget changes presented at the June 28, 2016 meeting and the proposed changes that have occurred since June 28. The proposed budget for the August 1 tentative budget submission has increased \$11,943,380 to \$180,124,902, subject to approval by the Governing Board on July 26.

Changes made at the June 28 meeting:

- Hillsborough County Upper Town and Country Stormwater Improvement Project was increased \$200,000 from the original request of \$650,000 to \$850,000.
- Hillsborough County Tanglewood Lane Stormwater Improvement Project was increased \$350,000 from the original request of \$700,000 to \$1,050,000.
- Hillsborough County West Lambright Street Stormwater Improvement Project was increased \$150,000 from the original request of \$600,000 to \$750,000.
- City of Winter Haven Reclaimed Water Aquifer Recharge Feasibility Project was added to the budget in the amount of \$150,000.

- Pasco County Magnolia Valley Stormwater Improvement Project was added to the budget in the amount of \$950,000.
- Use of Hillsborough River Basin Restricted Reserves increased \$700,000 to fund the Hillsborough County projects.
- Use of Balance Forward from Prior Years increased \$1,100,000 to balance the budget.

Proposed changes for the July 26 meeting:

- The ad valorem tax revenue has been reduced \$371,439 due to adjustment of the millage rate to the rolled-back rate of 0.3317.
- Use of Balance Forward from Prior Years increased \$371,439 to balance the budget.
- DEP funding added for springs initiative projects in the amount of \$10,143,380.

b. Adoption of Proposed District Millage Rate for FY2016-17

Staff will present the certifications of taxable value and the proposed FY2016-17 District millage rate, in compliance with s. 373.503, Florida Statutes (F.S.), and s. 200.065, F.S. Overall taxable property values in the District increased by 7.09 percent. Of the increase, 5.12 percent is related to property values and 1.97 percent is related to new construction. The rolled-back millage rate based on s. 200.065, F.S., equates to 0.3317, which is less than the 0.3488 approved in FY2015-16. Based on the July 1 certifications of taxable value and the rolled-back millage rate, staff has reduced the ad valorem revenue by \$371,439 to \$105,954,256. Staff will recommend the Governing Board adopt Resolution No.16-09, *Adoption of Proposed Millage Rate for Fiscal Year 2016-17*. A copy of the draft resolution is attached as an exhibit to this Item.

c. Approval of August 1 Standard Format Tentative Budget Submission

Staff requests approval to submit the *Standard Format Tentative Budget Submission* to the EOG, DEP, Florida Legislature and other parties, as required by statute, for delivery by August 1, 2016. The report reflects the budget as presented to the Governing Board on June 28 and adjusted for the changes discussed in item a. above.

d. Assignment of Funds to District's Short-Term Projects Reserve

Staff requests the Governing Board assign \$8,151,145 in available funds to the District's Short-Term Projects Reserve as part of fund balance. These funds resulted from the use of the Hillsborough River Basin Restricted Reserves for projects approved within the Hillsborough River Basin. The use of \$8,769,937 in basin reserves will allow for the assignment of \$8,151,145 in unrestricted reserves to be used for projects within the 16-county area. This results in the use of \$618,792 of reserves for FY2016-17.

Staff recommends the Board:

- Approve the budget changes that have been made since the June 28, 2016 Governing Board meeting.
- Approve Resolution No. 16-09, *Adoption of Proposed Millage Rate for Fiscal Year 2016-17*.
- Approve the August 1 submittal of the *Standard Format Tentative Budget Submission* report, with the budget modifications approved by the Governing Board on July 26, 2016.
- Assign \$8,151,145 in available funds to the District's Short-Term Projects Reserve, established by Board Policy Number 130-9.

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

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

20. **Treasurer's Report and Payment Register**
21. **Monthly Financial Statement**
22. **Monthly Cash Balances by Fiscal Year**
23. **Comprehensive Plan Amendment and Related Reviews Report**
24. **Development of Regional Impact Activity Report**

RESOURCE MANAGEMENT COMMITTEE (TAB D)**Discussion****25. Consent Item(s) Moved for Discussion****26. South Pass-A-Grille Way Water Quality & Flood Improvements (N712)**

The South Pass-A-Grille Way project is located in St. Pete Beach on a barrier island in Pinellas County at the southern end of the island between 1st Avenue and 18th Avenue. Pass-A-Grille Way is the only evacuation route for the entire southern portion of the City. All runoff from the area currently discharges directly into Boca Ciega Bay without treatment. The project reduces the pollutant loading to Boca Ciega Bay and reduces street flooding in the area.

The Board approved funding for the project 30 percent design and Third Part Review (TPR) during the FY2016 Cooperative Funding Initiative (CFI) process. Funding for design and construction was approved during the FY2017 CFI process pending completion of the TPR and final Board consideration and approval. The budget for design and construction was conceptual and was to be revised, if needed, following the 30 percent design and TPR. The funding requested by the City and approved in the FY2017 process is shown below:

FY2017 CFI Request:

Funding Source	FY2016 30% Design and TPR	FY2017 Final Design & Start Construction	Future Complete Construction	Total
District	\$ 112,500	\$ 2,000,000	\$ 668,742	\$ 2,781,242
City	\$ 112,500	\$ 2,000,000	\$ 668,742	\$ 2,781,242
Total	\$ 225,000	\$ 4,000,000	\$ 1,337,484	\$ 5,562,484

The City completed the 30 percent design and a revised project cost estimate. District staff and the District's TPR consultant completed their review of the 30 percent design and the revised cost estimate in June 2016. Based on the 30 percent design and the TPR review, the total project cost is now estimated to be \$6,260,000, an increase of approximately \$697,000 or 12.5 percent of the conceptual estimate. The City is requesting approval of the new project costs with a 50 / 50 cost share with the District as shown in the table below:

Current Request:

Funding Source	FY2016 30% Design and TPR	FY2017 Final Design & Start Construction	Future Complete Construction	Total
District	\$ 112,500	\$ 2,000,000	\$ 1,017,500	\$ 3,130,000
City	\$ 112,500	\$ 2,000,000	\$ 1,017,500	\$ 3,130,000
Total	\$ 225,000	\$ 4,000,000	\$ 2,035,000	\$ 6,260,000

There is no change to FY2017 funding. The additional funds, based on the revised budget, are proposed to be included in the District's FY2018 budget. The City's schedule for the project is to start construction in December 2016. It is anticipated that the project will have an 18 month construction period.

Project benefits were re-evaluated based on the 30 percent design, the TPR, and the revised cost estimate. Project benefits have remained the same. The project will treat stormwater runoff from approximately 64 acres and reduce the pollutant loads to Boca Ciega Bay by an estimated 9 lbs/year TP, 59 lbs/year TN, and 7,733 lbs/year TSS. The project will also alleviate flooding up to the 25 year/24 hour storm event. The reduced flooding will also allow improved emergency evacuation during storm events. The project's Measurable Benefit is the construction of Low Impact Development and conveyance Best Management Practices to treat and reduce flooding from approximately 64 acres of high density residential stormwater runoff.

Based on the 30% design, the TPR, and the revised cost estimate, the project cost effectiveness was also re-evaluated. Originally, the project cost effectiveness was evaluated based only on water quality and treatment benefits. When also considering the flood reduction benefits of the project, the cost effectiveness can be ranked as medium. The overall project is ranked as medium and recommended for funding.

Total project cost to complete design and construction is estimated at \$6,260,000, of which \$3,130,000 in District funding is recommended, with \$112,500 approved in the FY2016 budget, \$2,000,000 included in FY2017 tentative budget, and \$1,017,500 anticipated in future funding requests. This is a net increase in District funding of \$348,758.

Staff recommends the Board:

1. Approve the City's request to move forward with final design and construction of the South Pass-A-Grille Way Water Quality & Flood Improvements Project (N712).
2. Authorize staff to enter into an amendment for the project with a total project budget of \$6,260,000 with the District funding a total of \$3,130,000.
3. Authorize the amendment to be effective as of the date of the Board's approval of this request.

Submit & File Reports

27. **Lower Hillsborough River Recovery Strategy Implementation – Annual Update**

Routine Reports

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

28. **Minimum Flows and Levels Status Report**
 29. **Significant Water Resource and Development Projects**

REGULATION COMMITTEE (TAB E)

Discussion

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

31. **Denials Referred to the Governing Board**

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.

32. **Overpumpage Report**
 33. **Individual Permits Issued by District Staff - July 2016**

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB F)***Discussion*****34. Consent Item(s) Moved for Discussion****35. Approve Sale of Surplus Lands – Lake Pretty House (PRTY-2), SWF Parcel No. 14-009-119S**

The District has received an offer to purchase surplus parcel PRTY-2 for \$481,000. The parcel consists of 2.46 gross acres, of which 0.66 acres comprise Lake Pretty Drive, a private roadway encumbered by ingress/egress easements, and an estimated 0.85 acres are net useable. The total price reflects the price for the improved lakefront lot, house and ownership of Lake Pretty Drive. The property was appraised for \$472,000.

The District acquired this property in 2011 for \$453,000. The parcel was purchased for the Lakes Horse, Raleigh, and Rogers Recovery Project (B027) located in northwest Hillsborough County. This was a cooperative project with Tampa Bay Water designed to provide partial recovery of water levels resulting from groundwater withdrawals in the area by diverting a portion of high flows from Lake Pretty into nearby Horse Lake and eventually into Lakes Raleigh and Rogers. In 2011, the District acquired two properties in order to locate an intake structure, pump and pipeline on Lake Pretty necessary to implement the proposed project. The properties include both the lot with 100 feet of water frontage on Lake Pretty and Lake Pretty Drive, a private road that connects with Cosme Road which travels west to Gunn Highway. However, at the July 31, 2012 Governing Board meeting, staff was directed to explore alternatives to the current project, including a no project alternative. At their respective board meetings on June 17, 2013 and June 25, 2013, both Tampa Bay Water and the District decided to terminate the Lakes Horse, Raleigh, and Rogers Recovery Project contract. Therefore, these properties are no longer necessary for District purposes and were declared surplus by the District at the September 24, 2013 Governing Board meeting.

Staff recommendation the Board:

- Accept the Offer
- Approve the Contract for Sale and Purchase
- Approve release of mineral interests
- Authorize execution of the instruments necessary to convey the property

36. Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S

The District has received an offer to purchase surplus parcel PO-2, for \$30,125. This reflects an offer price of \$4,782 per gross acre and \$5,063 per upland acre. The parcel consists of 6.3 gross acres of which approximately 0.35 are wetland and 5.95 are upland forest. The property was appraised at \$26,000.

The District acquired this property in 1989 as part of 521 gross acres that were purchased for \$1,049,999 or \$2,015 per gross acre. The property is irregularly shaped with approximately 1,150 feet of road frontage on CR 315. The land is 94 percent useable (six percent wetlands), currently zoned as General Agricultural with Conventional Housing (A10C) with a Future Land Use of Agriculture as shown on Exhibit 4. The Governing Board approved selling the parcel without restrictions to future use.

Staff Recommendation:

- Accept the Offer
- Approve the Contract for Sale and Purchase
- Approve the transfer of all mineral interests to the Buyer
- Authorize execution of the instruments necessary to convey the property

37. 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 current month to comparable data from the historical record.

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

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

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

38. Structure Operations**39. Significant Activities****GENERAL COUNSEL'S REPORT (TAB G)****Discussion****40. 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.

41. July 2016 – Litigation Report**42. July 2016 – Rulemaking Update****COMMITTEE/LIAISON REPORTS (TAB H)****43. Well Drillers Advisory Committee****44. Environmental Advisory Committee****45. Other Committee/Liaison Report****EXECUTIVE DIRECTOR'S REPORT (TAB I)****46. Executive Director's Report****CHAIR'S REPORT (TAB J)****47. Chair's Report****48. Other****49. Employee Milestones**

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

ANNOUNCEMENTS

<http://www.swfwmd.state.fl.us/calendar>

- Governing Board Meetings Schedule:
 Meeting – Tampa August 30, 2016
 Meeting – Tampa September 27, 2016
 Meeting – Brooksville October 25, 2016
 Meeting – TBD TBD
- Governing Board Public Budget Hearings Schedule:
 Tentative Budget – Tampa September 13, 2016
 Final Budget – Tampa September 27, 2016
- Advisory Committee Meeting Schedule:
 Industrial/Public Supply – Tampa..... August 9, 2016
 Agricultural/Green Industry – Tampa September 8, 2016
 Environmental - Tampa TBD
 Well Drillers – Tampa..... TBD

ADJOURNMENT

Days Without an At-Fault Accident **6**

Monthly Dashboard

Days Without a Lost-Time Injury **211**

as of June 30, 2016

Cash Balance: \$489 Million

Reserves	\$216M
Encumbrances	\$156M
Carry Forward FY16-17	\$33M
Remaining Cash	\$84M
Total	\$489M

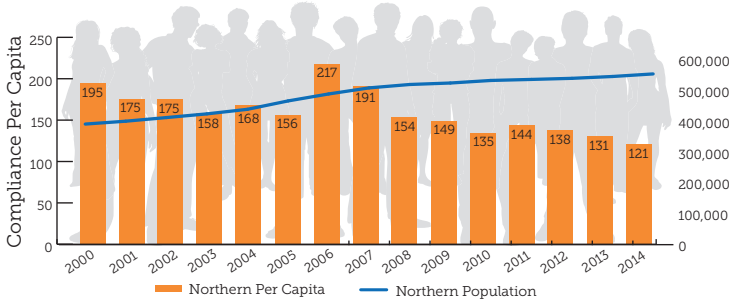


\$324.9 million (current budget)

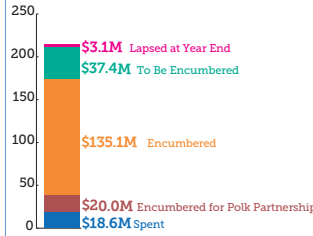
	FY15-16 Budget	Carry Forward Encumbrance	Total Current Budget
Regulation	\$11.6M	\$0.7M	\$12.3M
General Counsel	\$1.8M	\$0.6M	\$2.4M
Resource Mgmt.	\$105.1M	\$128.3M	\$233.4M
Chief of Staff	\$3.8M	\$0.7M	\$4.5M
Operations	\$33.4M	\$7.5M	\$40.9M
Mgmt. Services	\$27.1M	\$2.8M	\$29.9M
Executive	\$1.5M	\$0.0M	\$1.5M
Total	\$184.3M	\$140.6M	\$324.9M

Resource Management

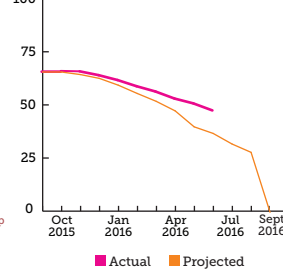
Northern Region Per Capita vs Population



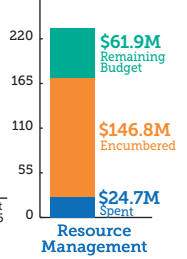
Total Number of Projects: 354
Long-Term Project Budget Spend Down: \$214.2M



FY15-16 Spend Plan

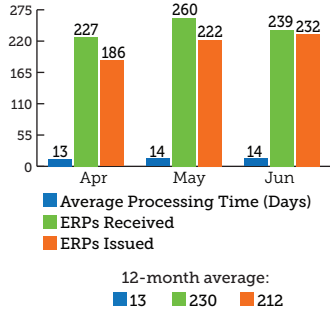


BUDGET \$233.4M

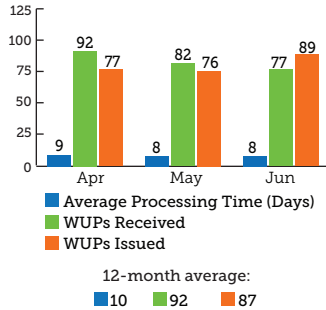


Regulation

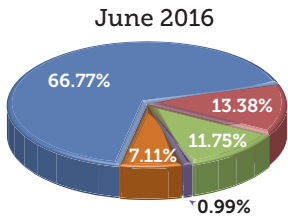
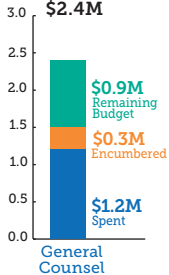
Total ERP Applications In-house: 589



Total WUP Applications In-house: 221

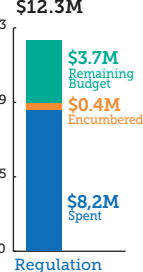


BUDGET \$2.4M



Number Active in Office of General Counsel: 56
Total Number of Compliance Activities: 5,651

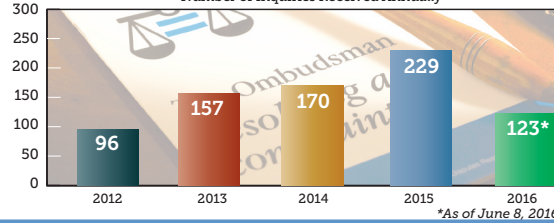
BUDGET \$12.3M



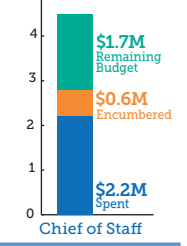
Chief of Staff

Ombudsman

Number of Inquiries Received Annually

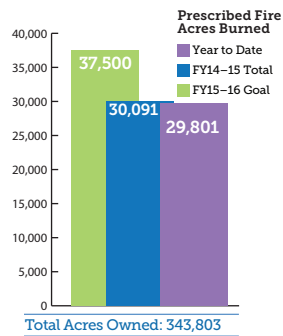
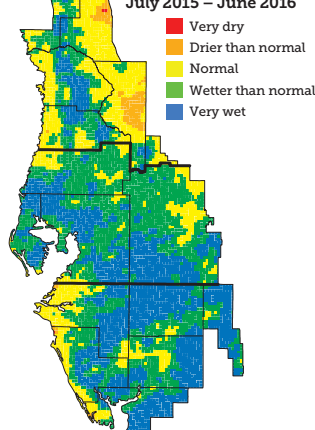


BUDGET \$4.5M

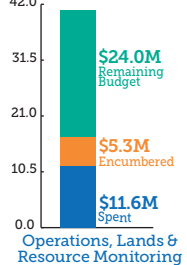


Operations, Lands & Resource Monitoring

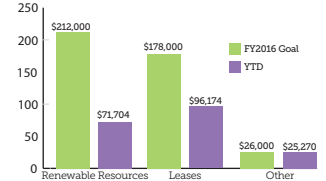
Rainfall Distribution July 2015 - June 2016



BUDGET \$40.9M

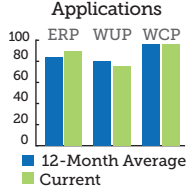


FY2016 Land Management Revenue Goals

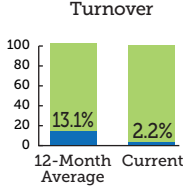


Management Services

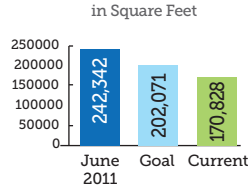
WMIS Online Applications



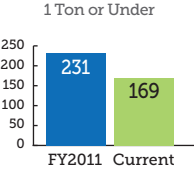
Employee Turnover



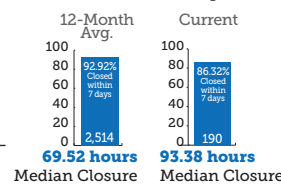
Office Space in Square Feet



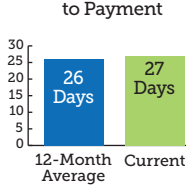
Fleet 1 Ton or Under



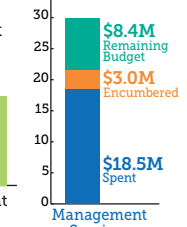
Public Records Requests



Invoice Receipt to Payment



BUDGET \$29.9M



Governing Board Meeting

July 26, 2016

9:00 a.m.

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

PUBLIC HEARING AND MEETING

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

Governing Board Meeting July 26, 2016

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.

- 20 years – Dave Testerman, Senior Field Technician
- 25 years – Robert Parker, Staff Field Technician
- 25 years – Jack Moore, Senior Professional Engineer
- 30 years – Steve Camp, Senior Professional Geologist/Engineer

Presenter: Randall S. Maggard, Chair

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: Randall S. Maggard, Chair

Governing Board Meeting

July 26, 2016

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.

Finance/Outreach & Planning Committee

- 6. Board Encumbrance to the Computer Renewal and Replacement Sinking Fund 6
- 7. Board Encumbrance to the Brooksville Data Center Reconfiguration Project 8
- 8. Budget Transfer Report..... 10

Resource Management Committee

- 9. Board Designated Encumbrance - Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)..... 13
- 10. Boyd Hill Nature Preserve FDOT Mitigation Site – FDOT Mitigation Plan Amendment (D028) 14

Regulation Committee

- 11. Approval of Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Southwest Florida Water Management District – State Programmatic General Permit V (SPGP-V)..... 16
- 12. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No 20001155.008 – Salamander Innisbrook, LLC / Innisbrook Golf Resort – Pinellas County 18

Operations, Lands and Resource Monitoring Committee – None

- 13. Approve Second Amendment to Lease Agreement for Little Manatee River Project and Second Amendment to Lease Agreement for Alafia River Project to Remove and Add Acres in Response to Executed Exchange Agreement Between Hillsborough County and the District for SWF Parcel Nos. 11-058-100X and 11-709-100X..... 29

General Counsel’s Report

- 14. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Initiation of Litigation – Unauthorized Construction – Trinity Christian Fellowship Center, Inc. – Manatee County 48
- 15. Rulemaking - None

Executive Director’s Report

- 16. Approve Governing Board Meeting Minutes – June 28, 2016..... 50

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Consent Agenda

Board Encumbrance to the Computer Renewal and Replacement Sinking Fund

Purpose

The purpose of this item is to request the encumbrance of budgeted funds to support future upgrades and eventual replacement of the Storage Area Network via the Computer Renewal and Replacement Sinking Fund.

Background/History

Since its establishment in 1993, the Computer Renewal and Replacement Sinking Fund has provided the District with a predictable funding source for large information technology investments while maintaining a level annual technology budget. The Computer Renewal and Replacement Fund operates as follows:

- Annually the Information Technology Bureau (ITB) identifies items to be included in the fund and establishes a multi-year (minimum of five) contribution and drawdown plan for the fund.
- The proposed computer replacement fund is approved by the Information Technology and Data Governance Committee and included in the Information Technology Plan.
- Contributions to the fund are included in the annual ITB budget.
- Governing Board approval is required to transfer money from the fund into the appropriate operating budget lines necessary to procure equipment in a given year. Money can be transferred to include all costs associated with replacing/upgrading equipment, including, but limited to hardware, system software, hardware and software maintenance, consulting services for implementation, travel (for the consultant) and training.

At this time the primary planned significant investment is the incremental expansion, and eventual replacement, of the District's Storage Area Network (SAN). The SAN provides the data storage and backup infrastructure for all District systems supporting permitting, scientific data management and back-office business processes.

Governing Board approval is requested to encumber and re-appropriate FY2016 funds in the reserve account as part of the FY2017 budget. The anticipated encumbrance of \$182,000 in remaining FY2016 funds for use in a future year was included as part of ITB planning budget.

Item 6

Benefits/Costs

The Sinking Fund provides a predictable funding source for large information technology infrastructure items such as the SAN. As technology equipment ages, the SAN must be replaced to ensure a recoverable and consistently available computing environment supported by the computer manufacturer. These large expenditures are budgeted over several years in the Computer Renewal and Replacement Sinking Fund. The current expenditure plan includes \$200,000 to upgrade the SAN in Fiscal Year (FY) 2017 and \$1,700,000 to replace the system in FY2020.

	FISCAL YEAR				
	FY2016	FY2017	FY2018	FY2019	FY2020
Accumulated from Prior Year	\$776,541	\$958,541	\$ 998,541	\$1,238,541	\$1,478,541
Annual Appropriation	\$182,000	\$240,000	\$ 240,000	\$ 240,000	\$ 240,000
Planned Expenditures		\$200,000			<u>\$1,700,000</u>
Balance	\$958,541	\$998,541	\$1,238,541	\$1,478,541	\$ 18,541

Staff Recommendation:

Staff recommends the Governing Board encumber \$182,000 of funds budgeted in FY2016 to procure computer hardware and software via the Computer Renewal and Replacement Sinking Fund reserve account.

Presenter: Steven E. Dicks, Ph.D., Bureau Chief, Information Technology

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Consent Agenda

Board Encumbrance to the Brooksville Data Center Reconfiguration Project

Purpose

The purpose of this item is to request the encumbrance of budgeted Fiscal Year (FY) 2016 funds to support the procurement of goods and services necessary to complete the relocation of the remaining equipment in the Brooksville Data Center from Building 1 to Building 2. The project is on schedule for completion no later than January 2017 and this request ensures that budgeted funds are available to complete the project.

Background/History

Building 1 on the Brooksville Campus was originally constructed in 1964, does not meet current code in multiple disciplines and is susceptible to a leaking roof in several areas. To eliminate risks associated with housing the District's computer servers in Building 1, a project was initiated in FY 2015 to do the following:

1. Relocate all computer servers located in the Tampa Data Center to the South Florida Water Management District's West Palm Beach Data Center. This was completed in November 2015.
2. Relocate all computer servers in the Brooksville Building 1 Data Center to the Tampa Data Center. This was completed in March 2016.
3. Relocate the remaining Brooksville computer equipment from Building 1 to Building 2. Scheduled for completion no later than January 2017.

Relocating the remaining Brooksville Data Center computer equipment requires the following:

- Reconfiguring telecommunications cables throughout the Brooksville campus.
- Refitting a room in Building 2 to house the remaining Brooksville computer equipment. This includes electrical rewiring, installation of air conditioning and fire suppression equipment, and modifications to the room.
- Relocating an existing generator on the Brooksville campus to support the new Building 2 computer room.

Benefits/Costs

The budget for relocating the remaining Brooksville Data Center equipment to Building 2 is \$245,000, of which \$138,900 has been encumbered or spent to date. It is anticipated that the remaining funds in the amount of \$106,100 will be expended through January 2017 to complete the project.

Item 7

Staff Recommendation:

Staff recommends the Governing Board encumber the remaining funds, not to exceed \$106,100, from the FY 2016 budget for the project to ensure funds for any expenses incurred, if needed, in FY 2017.

Presenter: Steven E. Dicks, PhD., Bureau Chief, Information Technology

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of June 2016.

Background

In accordance with Board Policy No. 130-8, *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 June 2016.

Presenter: Linda S. Howard, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
June 2016

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Executive Approved</u>				
1	Executive Promotions, Etc.	Executive Travel - Training	Transfer of funds originally budgeted for groundbreaking ceremonies, joint meetings and federal legislative services. Expenditures have been less than anticipated. The funds are needed for Executive staff Team Building training.	\$ 5,800.00
2	General Services Equipment - Vehicles	General Services Equipment - Vehicles	Transfer of budgeted funds to the appropriate project code for the replacement of a District assigned vehicle for Data Collection staff.	28,063.00
3	Finance Salaries	Finance Travel - Board Members & Other	Transfer of funds originally budgeted for Procurement Manager salary. Expenditures have been less than anticipated due to unexpected vacancy in this position. Funds are needed for travel expenses related to the recruitment of the Procurement Manager position.	2,300.00
4	Operations & Land Management Miscellaneous Permits & Fees	Operations & Land Management Rental of Buildings	Transfer of funds originally budgeted for permits and fees associated with the Surplus Lands Assessment program. Expenditures have been less than anticipated for rezoning or plan amendments associated with the disposition of surplus lands. The funds are needed for rental of a well drilling site used for data monitoring.	5,000.00
5	Information Technology Cloud Software Usage Fees	Human Resources & Risk Mgmt Various Expenditure Categories	Transfer of funds originally budgeted for implementation of an Onboarding and Performance Appraisal system. The implementation has been cancelled as an alternative integrated Human Resources software system is being pursued. The funds are needed for strengthening recruitment efforts through job fairs, college career services and other outreach programs.	25,966.00
Total Executive Approved				\$ 67,129.00
<u>Finance Bureau Chief Approved</u>				
1	Information Technology Training Costs for Materials & Facilities	Information Technology Contractual Services for Training	Transfer of budgeted funds to the appropriate expenditure category for SQL training provided by a contracted instructor.	\$ 1,350.00
2	Information Technology Other Contractual Services	Information Technology Equipment - Inside Maint/Repair of Equipment	Transfer of budgeted funds to the appropriate expenditure categories for the purchase and installation of an uninterruptable power supply (UPS) required for the computer server equipment room in Building 2 as a result of the Brooksville Building 1 Decommissioning.	32,151.00
3	Operations & Land Management Other Contractual Services	Operations & Land Management Other Contractual Services	Transfer of budgeted funds to the appropriate project code for cylinder refurbishment on Structure 155.	2,300.00
4	General Services Contracted Construction	General Services Contracted Construction	Transfer of budgeted funds to the appropriate project code for the replacement of four Sarasota Service Office skylights which have exceeded their useful life and no longer adhere to building code for wind sustainability.	140,000.00
5	Natural Systems & Restoration Consultant Services	Natural Systems & Restoration Contracted Construction	Transfer of budgeted funds to the appropriate expenditure category for the Three Sisters Springs treatment wetland maintenance.	7,930.00
6	Natural Systems & Restoration Contracted Services - District-led CFI	Natural Systems & Restoration Contracted Services - District-led CFI	Transfer of budgeted funds to the appropriate section for management of the construction of Lake June-In-Winter Stormwater Improvement project.	450,000.00
7	Natural Systems & Restoration Contracted Construction	Project Management Office Contracted Construction	Transfer of budgeted funds to the appropriate bureau for management of the construction of Myakka River/Deer Prairie Creek Preserve Wetland Restoration project.	250,000.00

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
June 2016

Item No.	--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		Reason For Transfer	Transfer Amount
	Bureau / Expenditure Category	Bureau / Expenditure Category	Bureau / Expenditure Category	Bureau / Expenditure Category		
8	Natural Systems & Restoration Maint/Repair of Equipment	Natural Systems & Restoration Travel - Staff Duties			Transfer of funds originally budgeted for maintenance or repair of SUNA and Cycle P water quality equipment. The funds are no longer needed due to equipment not requiring maintenance or repair this year. The funds are needed for travel associated with staff duties.	5,000.00
9	General Services Reproduction Supplies	General Services Equipment - Inside			Transfer of funds originally budgeted for Print Shop reproduction supplies. Expenditures have been less than anticipated. Funds are needed to replace a CD/DVD duplicator that unexpectedly stopped working.	3,759.00
Total Finance Bureau Chief Approved						<u>\$ 892,490.00</u>
Total Transfers for Governing Board Ratification						<u>\$ 959,619.00</u>

.....
This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director or designee or the Finance Bureau Chief consistent with 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

July 26, 2016

Consent Agenda

Board Designated Encumbrance - Hydrogeological Investigation of the Lower Floridan Aquifer in Polk County (P280)

Purpose

Request approval to encumber \$2 million in current year funds, without a contract, to roll into fiscal year (FY) 2017 for the hydrogeological investigation of the Lower Floridan Aquifer in Polk County (P280).

Background/History

This project explores the Lower Floridan aquifer (LFA) in Polk County to assess its viability as an alternative water supply (AWS) source by providing data on aquifer yield and water quality. This exploration is also part of the ongoing Central Florida Water Initiative (CFWI) Data, Monitoring and Investigation Team's effort to develop a single source of regional monitoring data to support technical and regulatory activities in the CFWI area. Available funding for the project will enable exploration at three sites: Crooked Lake, Frostproof, and Lake Wales. Selection of the three sites has been completed and design work is underway. Construction at two of the three sites is expected to commence in FY2017. The District funds will be further allocated once contractor agreements are finalized. In prior fiscal years, \$6 million was encumbered, of which \$1,338,970 has been contracted, and \$4,661,030.48 remains as board designated for this project.

Staff Recommendation:

Approve the encumbrance of \$2 million in current year funds, without a contract, to roll into FY2017 for the Hydrogeological Investigation of the Lower Floridan aquifer in Polk County (P280).

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

RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

Consent Agenda

Boyd Hill Nature Preserve FDOT Mitigation Site – FDOT Mitigation Plan Amendment (D028)

Purpose

The purpose of this item is to request approval to amend the FDOT Mitigation Plan to add approximately 26 acres of forested wetland enhancement to the District’s existing FDOT Mitigation Program project at Boyd Hill Nature Preserve. Funding to conduct the work will be provided through existing FDOT Mitigation Program maintenance funds already budgeted for fiscal year 2016 and no new funding is being requested.

Background/History

This proposal is for the expansion of an existing 91 acre mitigation site located at the City of St. Petersburg’s Boyd Hill Nature Preserve. Through annual mitigation monitoring efforts it was determined that the initial 91 acre site will require an additional 26 acres to satisfy the mitigation requirements. The additional mitigation is proposed to supplement mitigation already performed on this site through the District’s FDOT Mitigation Program. The proposed addition is to enhance approximately 26 acres of forested wetland. The forested wetland mitigation proposed for this additional area is to provide additional forested wetland mitigation to offset wetland impacts associated with previously issued FDOT roadway permits.

Benefits/Costs

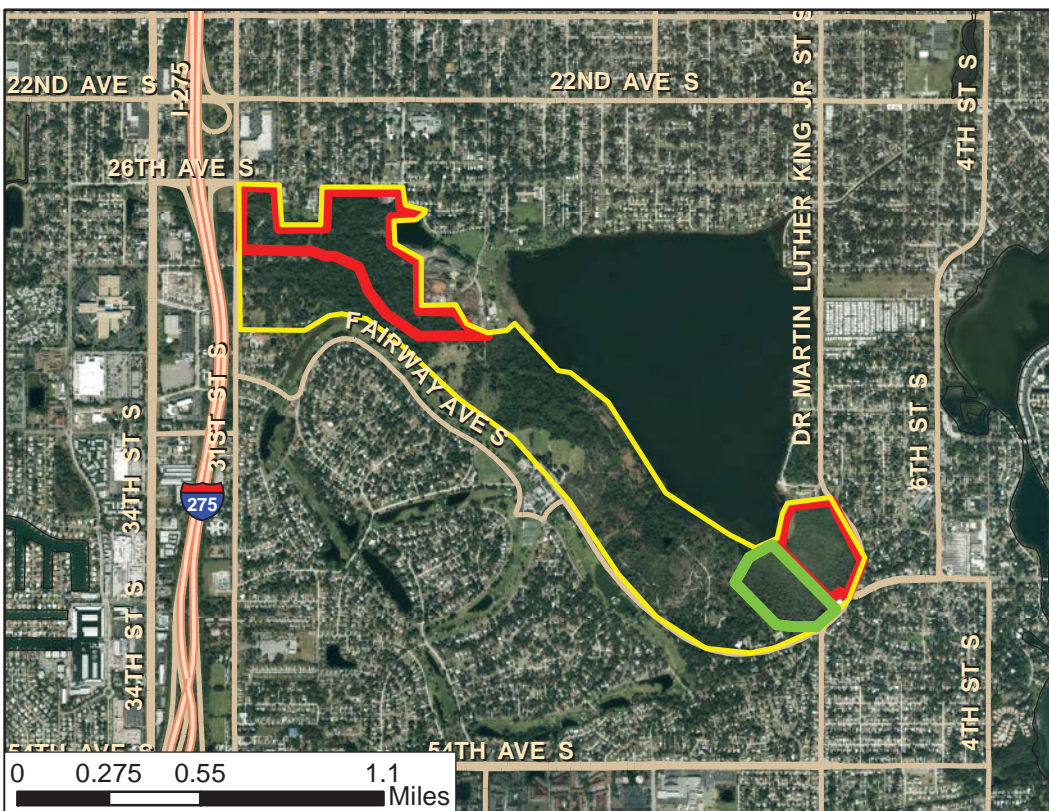
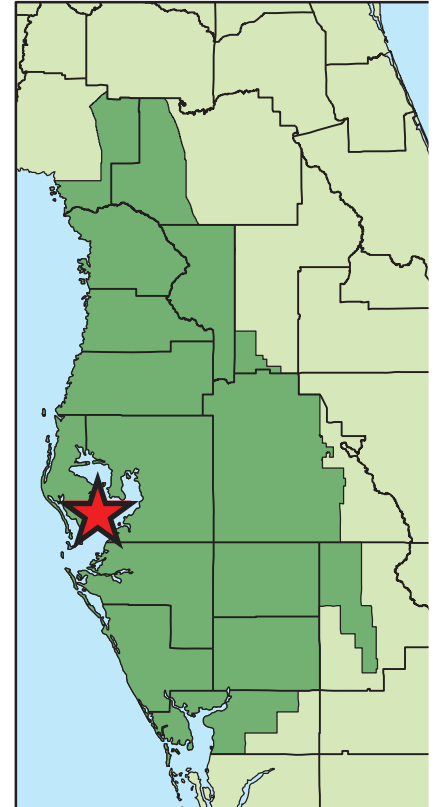
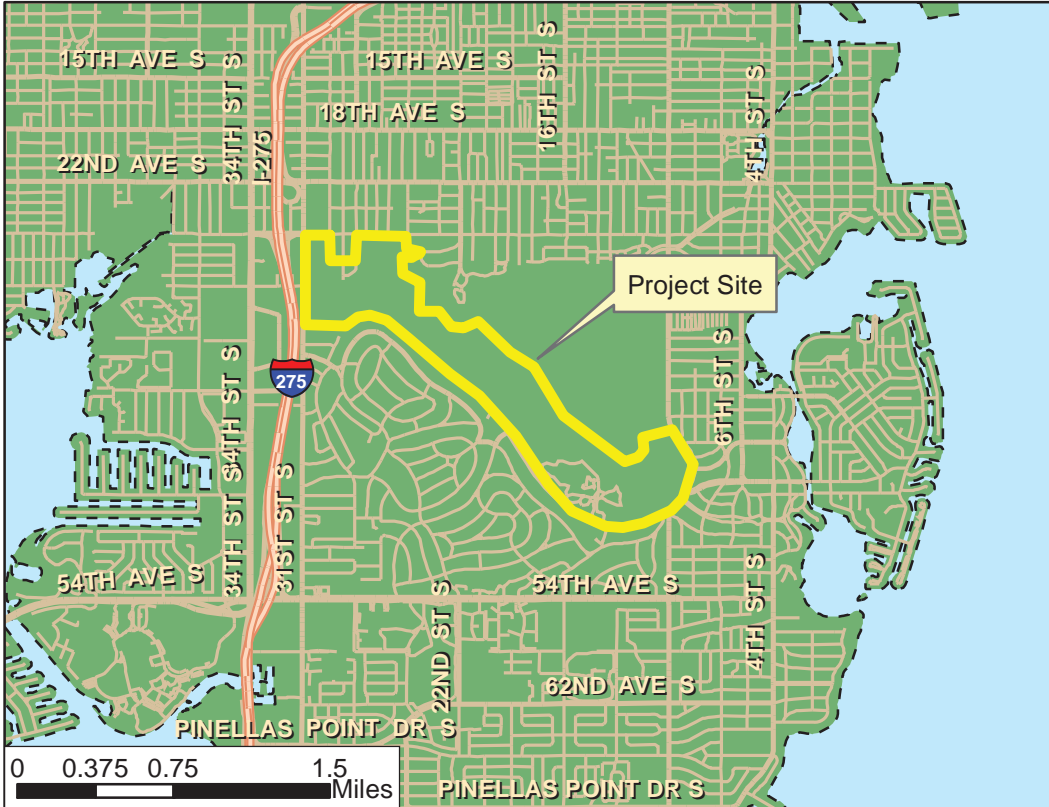
The project will result in the removal of nuisance and exotic plant species from approximately 26 acres of forested wetlands at an estimated cost of less than \$10,000. This site will provide wetland mitigation for impacts to wetlands associated with all or part of seven (7) permitted roadway projects and no future roadway project wetland mitigation is expected. Treatment of this area will also benefit the existing adjacent mitigation area by removing a seed source of nuisance and exotic plant species in close proximity to the existing area.

Staff Recommendation:

Staff recommends approval to amend the District FDOT Mitigation Plan to add an additional 26 acres of nuisance and exotic species removal to the FDOT Mitigation Program project area at the Boyd Hill Nature Preserve. See Exhibit

Presenter: Jennifer L. Brunty, Ph.D., PMP, Project Management Office

FDOT MITIGATION BOYD HILL NATURE PRESERVE PROJECT D028



Legend

- Project Site
- Existing Enhancement Area
- Proposed Enhancement

Pinellas County
Southwest Florida
Water Management District

2014 Aerial
2012 NAVTEQ

Attachment: Boyd Hill recap map - Exhibit D028 PMO (2579 : Boyd Hill Nature Preserve FDOT Mitigation Site - FDOT Mitigation Plan

REGULATION COMMITTEE

July 26, 2016

Consent Agenda

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

Purpose:

The purpose of this agenda item is to request that the Board approve the Coordination Agreement between the U.S. Army Corps of Engineers (Corps) Jacksonville District and the District implementing the Corps' State Programmatic General Permit (SPGP V). A copy of the SPGP V and Coordination Agreement are attached to the Agreement as Exhibits "A" and "B", respectively.

Background/History:

In July 2011, the Corps' Jacksonville District issued SPGP IV-R1, which authorized the Florida Department of Environmental Protection (FDEP) or a designee, to administer Section 404 of the Clean Water Act (33 U.S.C. § 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) on behalf of the Corps. The purpose of the delegation was to reduce duplication of permitting efforts. That agreement, which is valid for 5 years, expires on July 25, 2016. Over the last few months, the Corps has been coordinating with the FDEP and state water management districts on a new SPGP V, which replaces the current SPGP IV-R1.

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

District staff have been working with the Corps on a new Coordination Agreement for implementation of SPGP V. The process will remain essentially unchanged from the current SPGP IV-R1 Coordination Agreement, with a few minor changes and the addition of a fifth activity category for transient activities (described below).

The categories of work authorized under this SPGP V are minor activities that are currently authorized by existing Corps' Nationwide and Regional General Permits. The SPGP V authorization eliminates the need for separate approval from the Corps for minor work located in waters of the United States, including navigable waters.

The SPGP V delegates authority for five specific types of activities:

- (1) shoreline stabilization;
- (2) boat ramps and boat launch areas and structures associated with such ramps or launch areas;
- (3) docks, piers, associated facilities, and other minor piling-supported structures;
- (4) maintenance dredging of canals and channels (including removal of organic

Item 11

- (5) detrital material from freshwater lakes and rivers); and transient activities related to removal of derelict vessels; scientific sampling, measurement, and monitoring devices; utility lines and subaqueous utility crossings of artificial waterways; and geotechnical investigations.

Exhibits will be provided under separate cover.

Staff Recommendation:

Delegate authority to the Executive Director to approve the Coordination Agreement between the U.S. Army Corps of Engineers Jacksonville District and the District regarding the Corps' State Programmatic General Permit (SPGP V).

Presenter: Michelle Hopkins, P.E., Bureau Chief, Environmental Resource Permit Bureau;

Vivian Arenas-Battles, Senior Attorney

REGULATION COMMITTEE

July 26, 2016

Consent Agenda

WUP No 20001155.008 – Salamander Innisbrook, LLC / Innisbrook Golf Resort - Pinellas County

This is a new Water Use Permit for landscape/recreation use. The Permittee did not timely submit an application for renewal. The Permittee meets their irrigation demand exclusively through the use of reclaimed water. The estimated irrigation demand is 899,200 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The demand quantities are estimated using the District's irrigation allotment calculation program, AGMOD, for 300 acres of golf course and 38 acres of lawn and landscape. In the event that reclaimed water is temporarily unavailable, a standby groundwater quantity is authorized for 174,400 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The standby groundwater allocation assumes loss of the reclaimed water supply during the month of peak demand (May). This permit is located within the Northern Tampa Bay Water Use Caution Area (NTBWUCA) and relies exclusively on sources of alternative water supply.

Special Conditions include those that require the Permittee to report monthly meter readings; to submit meter accuracy checks every five years; to implement water conservation and best management practices; to comply with the authorized quantities and inch application rates; and to properly cap any withdrawals not in use.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 001155.008**

PERMIT ISSUE DATE: July 26, 2016

EXPIRATION DATE: July 26, 2036

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

TYPE OF APPLICATION: New (Expired)
GRANTED TO: Salamander Innisbrook, LLC
36750 U.S. Highway 19 North
Palm Harbor, FL 34684

PROJECT NAME: Innisbrook Golf Resort
WATER USE CAUTION AREA(S): Northern Tampa Bay
COUNTY: Pinellas

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	174,400 gpd
PEAK MONTH ¹	2,053,400 gpd

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

ABSTRACT:

This is a new Water Use Permit for landscape/recreation use. The Permittee did not timely submit an application for renewal. The Permittee meets their irrigation demand exclusively through the use of reclaimed water. The estimated irrigation demand is 899,200 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The demand quantities are estimated using the District's irrigation allotment calculation program, AGMOD, for 300 acres of golf course and 38 acres of lawn and landscape. In the event that reclaimed water is temporarily unavailable, a standby groundwater quantity is authorized for 174,400 gpd on an annual average basis, and 2,053,400 gpd on a peak month basis. The standby groundwater allocation assumes loss of the reclaimed water supply during the month of peak demand (May). This permit is located within the Northern Tampa Bay Water Use Caution Area (NTBWUCA) and relies exclusively on sources of alternative water supply.

Special Conditions include those that require the Permittee to report monthly meter readings; to submit meter accuracy checks every five years; to implement water conservation and best management practices; to comply with the authorized quantities and inch application rates; and to properly cap any withdrawals not in use.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Landscape/Recreation	899,200	2,053,400

Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>
Golf Course	300.00	Sprinkler Over Plant	36.30"/yr.
Lawn & Landscape	38.00	Sprinkler Over Plant	31.40"/yr.

WITHDRAWAL POINT QUANTITY TABLE

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

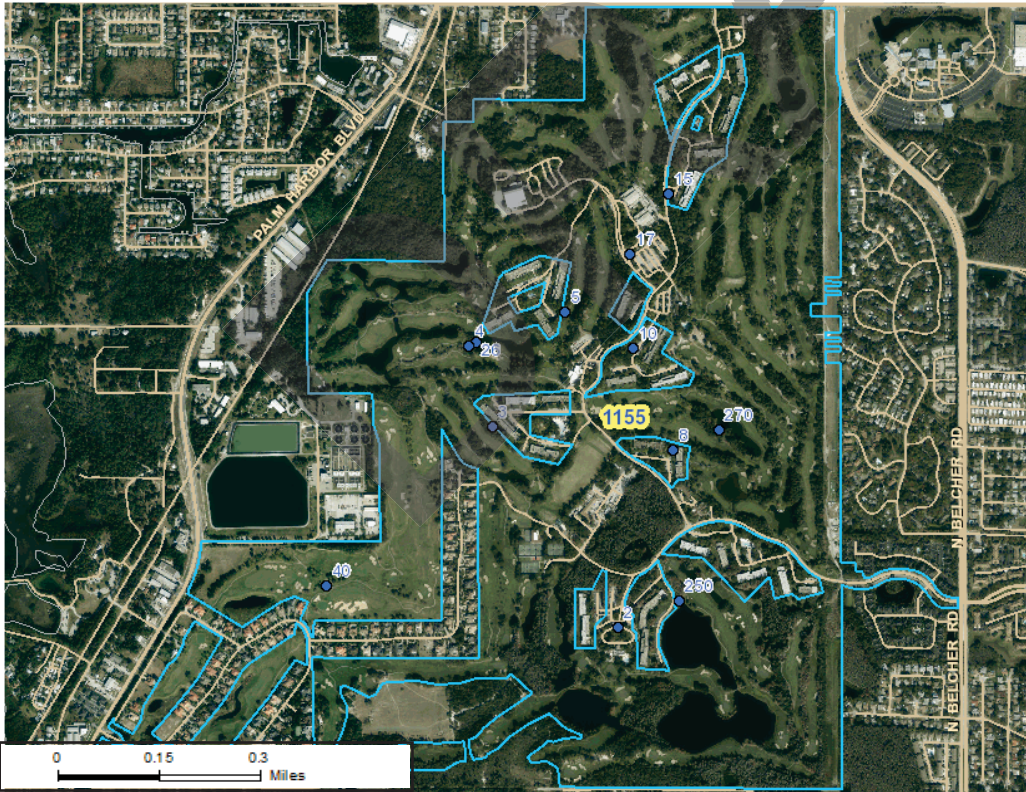
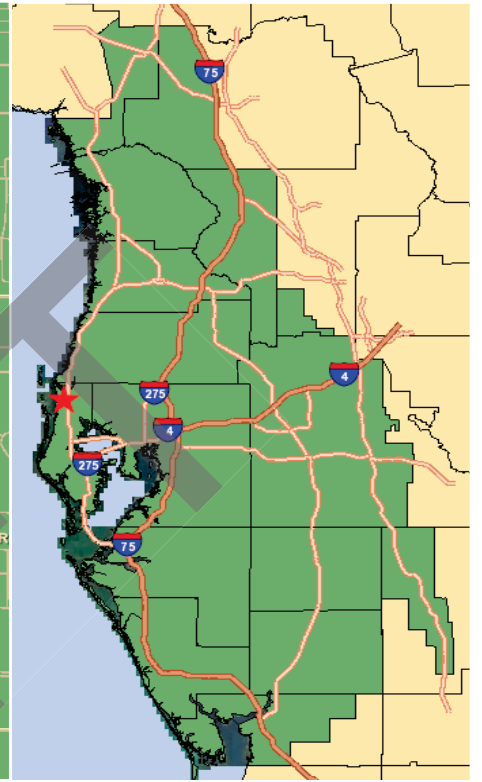
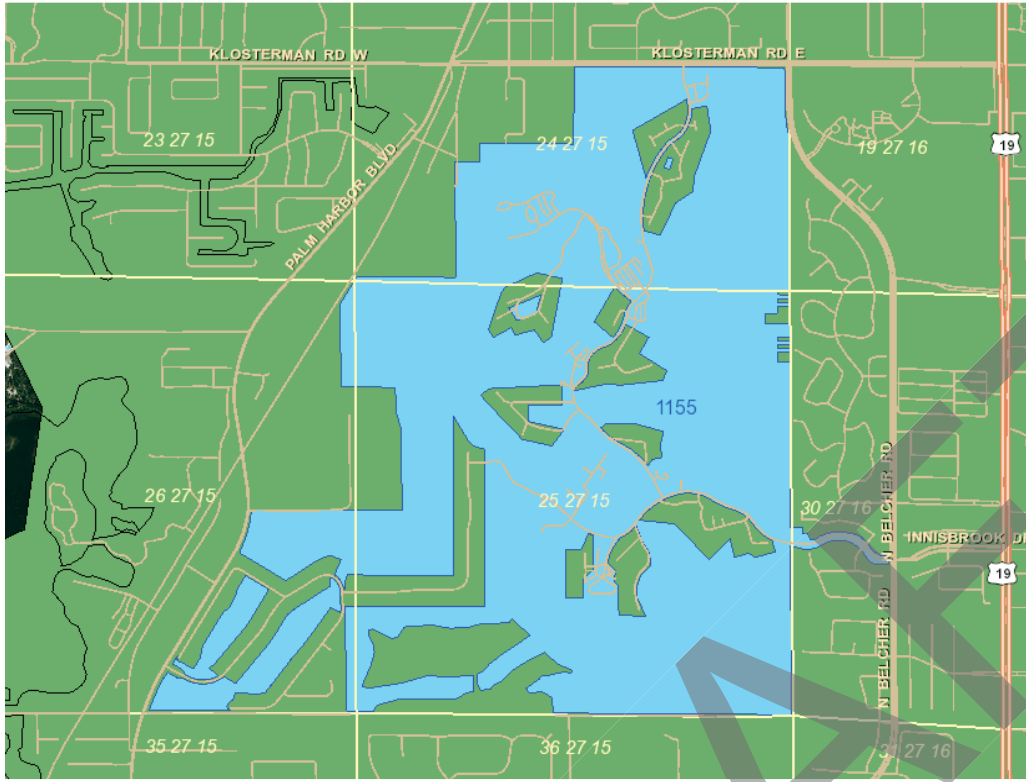
<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
6 / 4 Standby	8	85 / UNK	Augmentation	174,400	2,053,400
S-3 / 26	16	N/A / N/A	Re-Pump	337,200	770,000
40 / 40	12	N/A / N/A	Re-Use	112,400	256,700
S-2R / 250	24	N/A / N/A	Re-Pump	224,800	513,400
S-4R / 270	24	N/A / N/A	Re-Pump	224,800	513,400

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
4	28° 06' 48.01"/82° 45' 35.30"
26	28° 06' 48.38"/82° 45' 34.47"
40	28° 06' 23.80"/82° 45' 51.40"
250	28° 06' 22.50"/82° 45' 11.00"
270	28° 06' 39.70"/82° 45' 06.60"

Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

Location Map
Salamander Innisbrook, LLC
WUP No. 20 001155.008



Legend

- DIDs
- WUP Boundary
- 2014 Natural Color Imagery

PINELLAS COUNTY

Southwest Florida
Water Management District

Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

2. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
3. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
4. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
5. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices.
(331)
6. The Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated inches per irrigated acre per season for each crop type. An irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

Allocated inches per irrigated acre per season per crop for field preparation/crop establishment and supplemental irrigation (excluding nurseries, which are permitted on a case-by-case basis) are based on the minimum assigned efficiency standards listed below. These minimum standards shall remain in effect until modified by rule.

Crops existing as of March 1, 1991 in the original NTB WUCA and as of July 1, 2008 in the expanded NTB WUCA: citrus, strawberries or row crops (with drip or un-mulched, non-seepage irrigation) at 75% irrigation efficiency; other crops at 60% irrigation efficiency.

New crops since March 1, 1991 in the original NTB WUCA, and since July 1, 2008 in the expanded NTB WUCA: citrus, strawberries and row crops (with drip or un-mulched, non-seepage irrigation) at 80% irrigation efficiency; other crops at 70% irrigation efficiency.

Field preparation/crop establishment shall be applied at 60% efficiency in all cases.

Compliance with allocated quantities shall be determined by comparing actual use to the calculated quantities for each individual crop on a per season basis. Seasonal crops will be compared on a seasonal basis (e.g. spring tomato requirements based on the calculated inches per season), and perennial crops will be compared on an annual basis (e.g. citrus requirements based on the calculated inches per year).

(424)

7. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
8. The Permittee shall not irrigate golf course roughs with non-alternative water supplies unless such water supplies are derived from a portion of the quantities permitted for the tees, greens, and fairways. The amount of permitted ground or surface water plus alternative water supply applied to the entire golf course shall not exceed reasonable-beneficial quantities for tees, greens and fairways alone. Further, during any single month, alternative water supply sources shall not be used to irrigated the roughs if any non-alternative water supplies are withdrawn for the purpose of irrigation during the same month. However, with prior District approval, during wet weather, the permittee may use roughs as reclaimed water disposal sites. (594)
9. Groundwater augmentation for aesthetic purposes only is strictly prohibited.(648)
10. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
11. The following existing, reclaimed water inflow lines shall continue to be maintained and operated with non-resettable, totalizing flow meter or other flow measuring devices as approved by the Water Use Permit Bureau Chief: **District ID No. 40, Permittee ID No. 40**. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(701)
12. The following existing, reclaimed water re-pump facility shall continue to be maintained and operated with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Water Use Permit Bureau Chief: **District ID Nos. 26, 250 and 270, Permittee ID Nos. S-3, S-2R and S-4R**. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(704)
13. The following existing standby withdrawal facilities (those that provide back-up water for an alternative water supply in the event the alternative water supply becomes unavailable or unusable) shall continue to be metered: **District ID No. 4, Permittee ID No. 6**. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(724)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

DRAFT

Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies. For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data. The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

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

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is sub

by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

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

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

- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
- B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
- C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
- D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

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

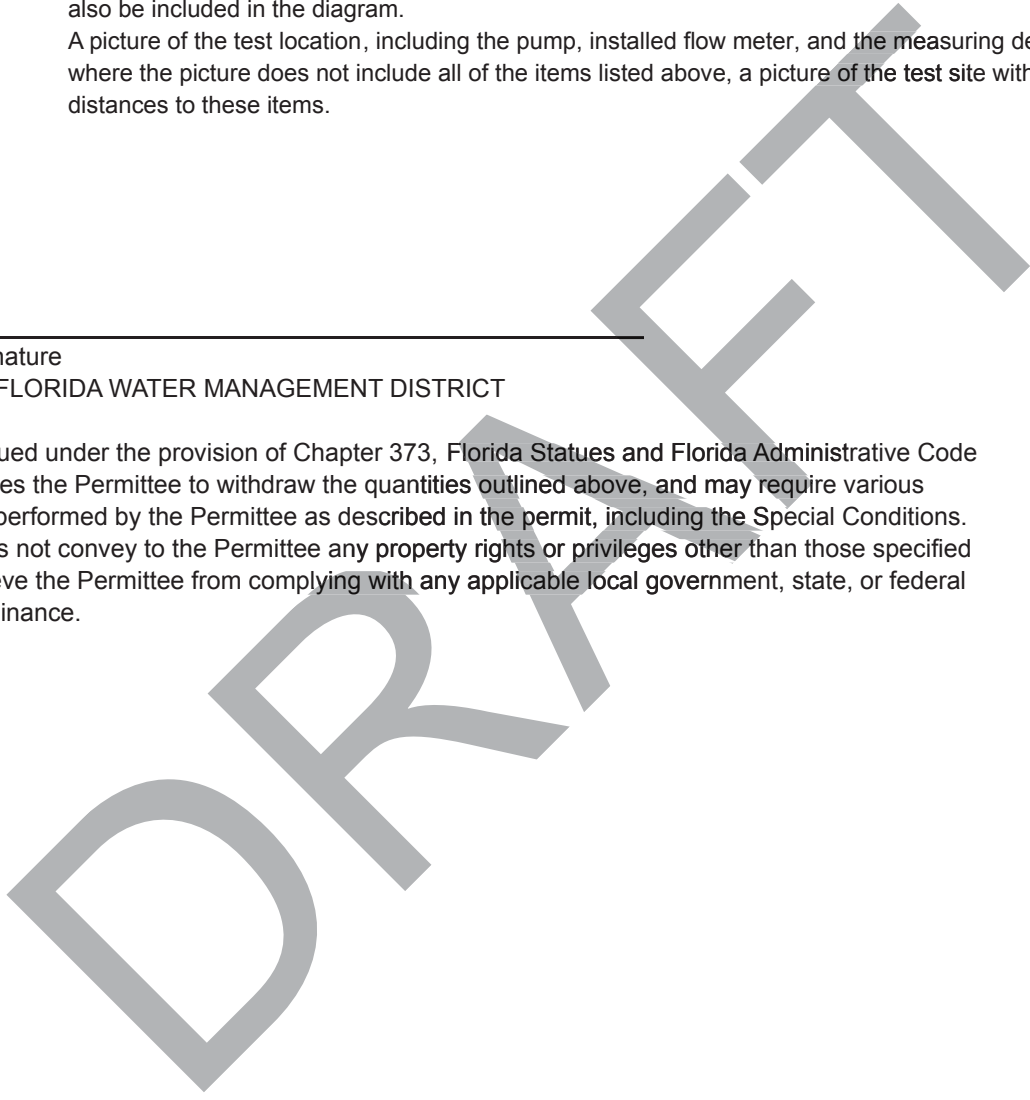
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

- B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
- C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
- D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
- E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
- F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

Authorized Signature
 SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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



Attachment: July16 WUP 1155.008 Recap Permit (2558 : WUP No 20001155.008)

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 26, 2016

Consent Agenda

Approve Second Amendment to Lease Agreement for Little Manatee River Project and Second Amendment to Lease Agreement for Alafia River Project to Remove and Add Acres in Response to Executed Exchange Agreement Between Hillsborough County and the District for SWF Parcel Nos. 11-058-100X and 11-709-100X

Purpose

The purpose of this item is to request Governing Board approval of amendments to lease agreements with Hillsborough County for the Alafia River and Little Manatee River Projects. A general location map of acreage to be addressed under the amendments is included in the Governing Board packet as exhibits to this item.

Background/History

At the April 2016 Governing Board meeting, the Board approved an exchange agreement with Hillsborough County for lands within the Alafia River Corridor, Lower Hillsborough Wilderness Preserve and Little Manatee River Projects. The following is a table of the parcels included in the exchange agreement:

Parcel Name	Parcel Number	Transferred to	Acres	Interest Conveyed
Alafia River ARC-1	11-709-150S	Hillsborough	57.26	Fee Simple
Alafia River ARC-4	11-709-151S	Hillsborough	95.50	Fee Simple
Alafia River ARC-5	11-709-152S	Hillsborough	14.40	Fee Simple
Lower Hillsborough LWH-2	13-300-791S	Hillsborough	1.42	Fee Simple
Lower Hillsborough LWH-3	13-300-792S	Hillsborough	36.27	Fee Simple
Little Manatee River LMR-Rood	11-058-120	District	425.39	Encumbered Fee

The executed Exchange Agreement requires the District convey 204.85 acres to the County and the County will convey 425.39 acres to the District that will be encumbered by a conservation easement.

The County and the District entered into lease agreements on June 19, 1991 for the Little Manatee River Project and on May 4, 1994 for the Alafia River Project. These agreements transferred management responsibilities for both projects to Hillsborough County. As a result of the April 2016 Exchange Agreement, the parties are now required to execute amendments for both lease agreements.

Item 13

The Second Amendment to the Alafia River Project Lease Agreement contains the following modifications:

- Approximately 204.85 acres conveyed to the County will be removed
- The County will not be eligible for reimbursement from the District for costs to manage the 204.85 acres
- Standard revisions to specific paragraphs dealing with firearms, hunting, and liability

The Second Amendment to the Little Manatee River Project Lease Agreement contains the following modifications:

- Approximately 425.39 acres conveyed to the District will be added to the lease agreement
- District staff or their consultant will restore approximately 450 acres consistent with a Habitat Restoration Plan approved by both parties that will include design and construction costs of up to \$1,500,000 to include a minimum of two years of maintenance to assure success of the project
- The County will be eligible to receive 50 percent reimbursement of expended management costs for 425.39 acres added to the lease agreement when the 450 acres have met success criteria and released to the County
- County will amend the Land Use and Management Plan to incorporate mutually agreeable monitoring and maintenance requirements for the 450 acres
- Standard revisions to specific paragraphs dealing with firearms, hunting, and liability

Benefits/Costs

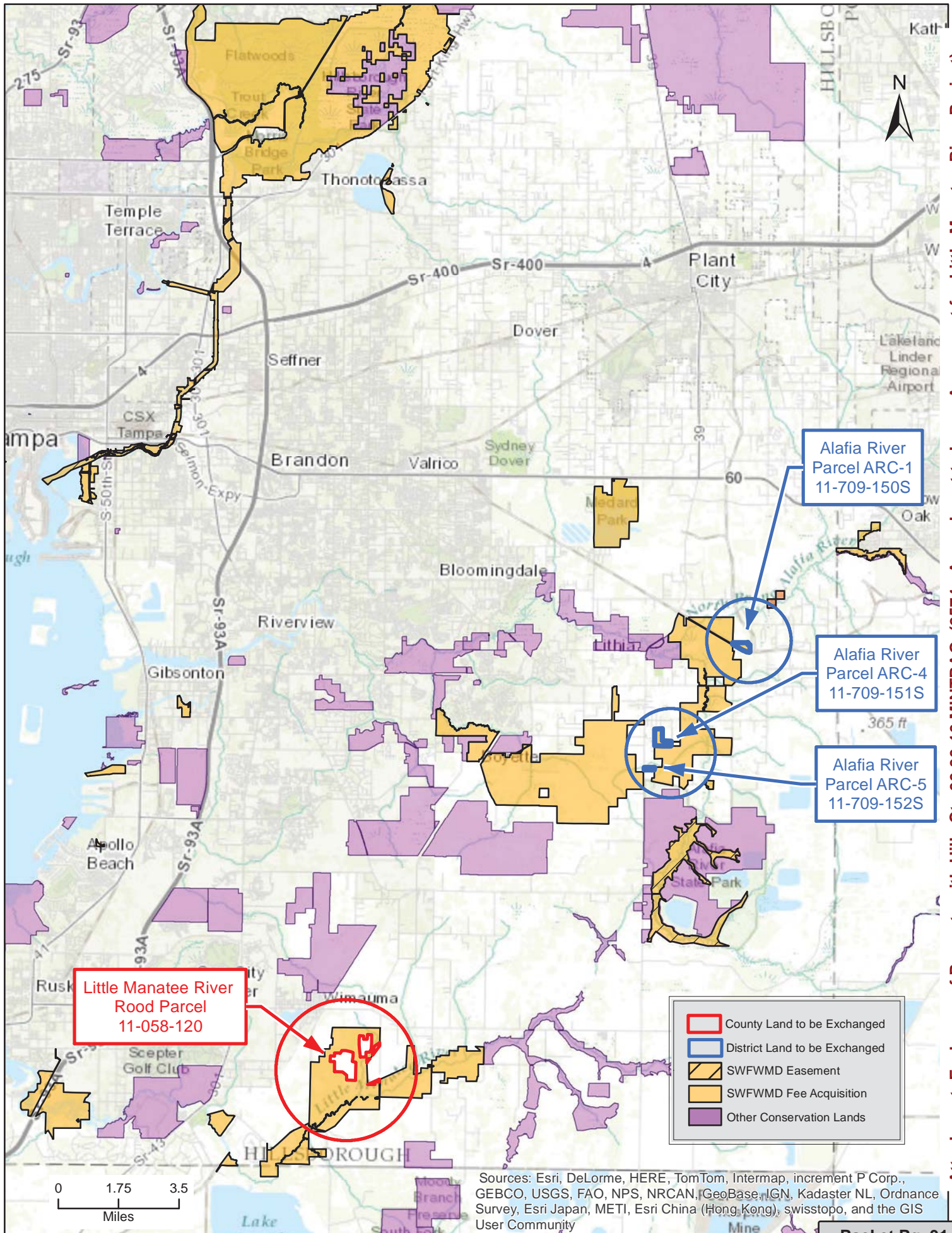
These amendments are consistent with the Governing Board action at the April 2016 meeting that approved the Exchange Agreement and the amendments will reduce the acreage of District landholdings that do not significantly contribute to core mission and will add acreage that significantly contributes to core mission.

Staff Recommendation:

- Approve the Second Amendment to the Alafia River Project Lease Agreement - SWF Parcel Number 11-709-100X
- Approve the Second Amendment to the Little Manatee River Project Lease Agreement - SWF Parcel Number 11-058-100X
- Authorize the Governing Board to execute both amendments to lease agreements

Presenter: Colleen Kruk, Lead Land Use Specialist, Land Resources

District/Hillsborough County Land Exchange



Attachment: Exchange of Property with Hills Cty 06-30-16 MINTRAQ (2574 : Amendment to Lease Agreement for Little Manatee River Project)

SECOND AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY AND SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR MANAGEMENT AND USE OF THE LITTLE MANATEE RIVER PROJECT

THIS SECOND AMENDMENT TO THE LEASE AGREEMENT (“Second Amendment”), is made and entered into this _____ day of _____, 2016, by and between Hillsborough County, a political subdivision of the State of Florida, hereinafter referred to as the **“County”**, and having an address of 601 East Kennedy Boulevard, Tampa, Florida, 33602, and the Southwest Florida Water Management District, a public corporation of the State of Florida, hereinafter referred to as the **“District”**, and having an address of 2379 Broad Street, Brooksville, Florida, 34604-6899.

WITNESSETH:

WHEREAS, the County and District entered into an Interlocal Agreement dated June 19, 1991 (**“Interlocal Agreement”**), which describes the terms and conditions by which the County and District would acquire and manage lands mutually identified for preservation along the Little Manatee River Corridor, located within Hillsborough and Manatee Counties, hereinafter referred to as the **“Little Manatee River Project”**, through the Save Our Rivers and Preservation 2000 programs, and the County’s Environmental Lands Acquisition Protection Program; and

WHEREAS, the terms and conditions of the Interlocal Agreement state that the County shall manage the acquired portions of the Little Manatee River Project under a Lease Agreement executed between the County and District on July 31, 1996 (**“Lease Agreement”**) and amended thereafter on May 28, 2010 (**“First Amendment”**); and

WHEREAS, the County and District entered into a Land Exchange and Restoration Agreement dated April 26, 2016, which set forth the terms and conditions by which the County would transfer ownership to the District of certain lands within the Little Manatee River Project (**“Land Exchange and Restoration Agreement”**); and

WHEREAS, the County conveyed title to certain lands within the Little Manatee River Project commonly referred to as the Rood Parcels (approximately 425.39 acres) to the District concurrently with the execution of this Second Amendment; and

WHEREAS, the District will complete a habitat enhancement and restoration project for certain sites located within the Little Manatee River Project including the Rood Parcels and adjacent lands held in fee title by the District; and

WHEREAS, the County and District wish to amend the Lease Agreement to include the additional property lying within the Little Manatee River Project for management by the County, and following completion of the District’s habitat enhancement and restoration project, to amend the County’s management plan and incorporate the specific management requirements relating to the project.

SWF Parcel No. 11-058-100X

NOW THEREFORE, the County and District, for and in consideration of the mutual covenants and conditions contained herein, do mutually agree to amend the Lease Agreement as follows:

1. **Additional Property.** The County and District, by way of this Second Amendment, agree to incorporate the additional property more particularly described in **Exhibit "A" ("Additional Property")**, attached hereto and incorporated herein by this reference, under the terms and conditions of the Lease Agreement and First Amendment, effective upon execution of this amendment.

2. **Restoration Project by the District.** In accordance with the Land Exchange and Restoration Agreement, the parties agree to the following:

a. **Restoration Project.** The District agrees to provide habitat enhancement and restoration for those certain sites depicted on **Exhibit "B"**, attached hereto and incorporated herein by this reference, which include the Rood Parcels and adjacent lands held in fee title by the District, a total of approximately 450 acres ("**Restoration Project**"). The District will perform the services necessary to complete the Restoration Project in substantial conformance with the preliminary **Project Plan** attached hereto as **Exhibit "C"**. The parties will finalize the Project Plan through the completion of the following: (i) a **Habitat Restoration Plan** that incorporates the District's habitat enhancement and restoration obligations set forth herein; and (ii) a **Monitoring and Maintenance Plan** that incorporates the County's modified management techniques and activities for the enhanced and restored sites.

b. **Funding.** The District agrees to fund the design and construction costs of the Restoration Project up to a minimum of One Million Five Hundred Thousand Dollars (\$1,500,000.00). The District will be the lead party for design, permitting, construction and management of the Restoration Project. All performance and financial obligations of the District are contingent upon funds being budgeted and appropriated by the District's Governing Board for commencement or continuation of the Restoration Project.

c. **District Obligations.** The District agrees to perform or engage the services of one or more qualified consultants to perform the following project-related design and construction services:

- i. development of the conceptual and final design for the Habitat Restoration Plan on the targeted sites utilizing ecosystem restoration methods and techniques mutually agreed upon by the District and County;
- ii. coordination with District regulation staff to assure that the project complies with all applicable District rules and regulations;
- iii. obtain all necessary permits;
- iv. project construction management;
- v. construction of the project as designed by the District and/or its consultants; and
- vi. maintenance of the enhanced and restored sites for a minimum of two (2) years to ensure compliance with certain success criteria.

3. **Management Plan.** The Additional Property will be managed in a manner consistent with the County's Little Manatee River Nature Preserve Land Management and Land Use Plan ("**Management Plan**"). The County agrees to assume responsibility for the protection and maintenance of the habitat enhancement and restoration sites. Upon completion of all phases

SWF Parcel No. 11-058-100X

of the Restoration Project and receipt of final success determinations by the District, the parties will amend the Management Plan in accordance with Paragraph 4 of the Lease Agreement to incorporate the Monitoring and Maintenance Plan as developed under Paragraph 3 above.

4. **Firearms.** Paragraph 10 of the Lease Agreement is deleted in its entirety.

5. **Hunting.** Paragraph 11 of the Lease Agreement is replaced in its entirety by the following:

Hunting and Nuisance Species Control: Hunting and trapping of wildlife on the Property shall be prohibited unless it is necessary in connection with the control of nuisance, exotic, and/or non-native animal species. Such activities shall be incorporated within the Management Plan or approved in writing by the District. The County will identify the type and level of nuisance, exotic, and/or non-native animal species on the Property. The County will document the level of infestation in an annual summary and provide a copy to the District on an annual basis. The County will conduct routine maintenance activities for the control of nuisance, exotic, and/or non-native animal species documented in the annual summary. When the County and District concur that the level of documented infestation warrants additional measures to control nuisance, exotic and/or non-native animal species, the District may implement measures and practices used on District-managed lands including but not limited to selecting qualified trappers or scheduling hunting opportunities. The District will coordinate with the County on any hunt opportunities to be considered for the Property prior to conducting any hunt event.

6. **Liability.** Paragraph 22 of the Lease Agreement is replaced in its entirety by the following:

Each party hereto agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, F.S., for all claims, loss, damage and expense, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of its officers, employees, contractors and agents related to the performance under this Lease Agreement. Should the County choose to charge a fee pursuant to Paragraph 18 of the Lease, the County will bear the sole responsibility for any and all claims for personal injuries or property damage arising from, or incidental to, the use, occupation, or possession of the Property and any improvements or structures located thereon. This provision does not constitute a waiver of either the County's or the District's sovereign immunity under or extend the limits of liability beyond the limits established in Section 768.28, F.S. This provision will survive the expiration or termination of this Lease Agreement.

7. The terms, covenants and conditions set forth in the Lease Agreement and First Amendment that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

8. **Electronic Signature** The parties agree that this Contract may be executed by Buyer by electronic signature in a manner that complies with Chapter 668, Florida Statutes, and as approved by the Hillsborough County Board of County Commissioners in Resolution R15-025 on February 4, 2015.

SWF Parcel No. 11-058-100X

9. **Effective Date** This Second Amendment shall be effective upon the conveyance of the real property described in Exhibit "A" from the County to the District.

IN WITNESS WHEREOF, this Second Amendment to the Lease Agreement for the Little Manatee River Project has been executed by and on behalf of the County by its Chairman of the Board of County Commissioners and the seal of the County affixed hereto and attested by the Clerk of the Board of County Commissioners, and the District has caused this Second Amendment to the Lease Agreement to be executed by its Chair and its corporate seal to be affixed hereto and attested by its Secretary as of the day and year set forth next to their signatures.

ATTEST: PAT FRANK,
Clerk of the Circuit Court

**HILLSBOROUGH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA**

By: _____
Deputy Clerk

By: _____
Chairman (or Vice Chairman)

BOCC Document No _____

Print Name: _____

Approved as to form and legal sufficiency

BOCC Approval Date: _____

By: _____
Chief Assistant County Attorney

[Signatures continue on following page.]

SWF Parcel No. 11-058-100X

Approved by the Governing Board of the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT** this _____ day of _____, 2016.

(DISTRICT SEAL)

By: _____
RANDALL S. MAGGARD, Chair

Attest: _____
BRYAN K. BESWICK, Secretary

APPROVED BY:	INITIALS	DATE
Attorney	_____	_____
Manager	_____	_____
Bureau Chief	_____	_____
Division Director	_____	_____

COPY

Exhibit "A"

Legal Description Parcel 11-058-120 (Rood)

PARCELS I, II, III, IV and V DESCRIBED AS FOLLOWS:

PARCEL I

A parcel of land lying in Section 14, Township 32 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 14, thence North 89°42'01" West along the North boundary of said Section 14, 50.00 feet to the West right-of-way line of Leonard Lee Road; thence along said right-of-way line, South 00°15'24" West, 1030.39 feet; thence departing said right-of-way line, North 89°44'36" West, 1264.43 feet to the POINT OF BEGINNING; thence the following courses and distances:

- South 00°56'24" West 1241.81 feet
 - South 01°40'40" West 960.83 feet
 - South 29°24'04" West 572.10 feet
 - North 89°46'16" West 515.80 feet
 - South 01°15'27" West 748.62 feet
 - North 89°23'57" West 839.62 feet
 - North 08°39'23" West 1131.16 feet
 - North 03°16'27" West 707.90 feet
 - North 00°51'52" East 874.96 feet
 - North 05°35'17" East 564.17 feet
 - South 87°14'32" East 600.50 feet
 - South 01°06'48" West 479.21 feet
 - South 88°09'58" East 588.96 feet
 - North 00°55'27" East 720.34 feet
 - South 88°32'00" East 653.15 feet
- to the POINT OF BEGINNING. Containing 116.94 Acres.

AND

PARCEL II

A parcel of land lying in Section 14, Township 32 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 14, thence North 89°42'01" West along the North boundary of said Section 14, 50.00 feet to the West right-of-way line of Leonard Lee Road; thence along said right-of-way line, South 00°15'24" West, 2710.84 feet to the POINT OF BEGINNING; thence departing said right-of-way line, South 37°01'21" West, 1775.76 feet; thence South 69°04'39" West, 32.11 feet; thence North 00°35'51" East, 332.13 feet; thence North 15°42'34" East, 1103.19 feet; thence North 56°09'56" East, 962.28 feet to the West right-of-way line of Leonard Lee Road, thence along said right-of-way line, South 00°15'24" West, 500.66 feet to the POINT OF BEGINNING. Containing 18.66 Acres.

AND

PARCEL III

A parcel of land lying in Sections 14 and 23, Township 32 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 14, thence North 89°42'01" West along the North boundary of said Section 14, 50.00 feet to the West right-of-way line of Leonard Lee Road; thence along

Exhibit "A"

said right-of-way line, South 00°15'24" West, 2710.84 feet; thence departing said right-of-way line, South 37°01'21" West, 2481.28 feet to the POINT OF BEGINNING; thence continuing South 37°01'21" West, 795.52 feet; thence North 01°25'12" West, 491.43 feet; thence North 50°47'47" East, 230.14 feet; thence South 89°42'24" East, 312.85 feet to the POINT OF BEGINNING. Containing 3.32 Acres.

AND

PARCEL IV

A parcel of land lying in Sections 14, 15, 22, 23, Township 32 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 14, thence along the South boundary of said Section 14, South 89°54'01" East, 1581.99 feet to the POINT OF BEGINNING; thence the following courses and distances:

- South 78°57'33" East 27.93 feet
- South 00°11'08" West 2793.58 feet
- North 87°37'20" West 1341.92 feet
- North 00°42'57" West 749.71 feet
- North 50°18'05" West 815.38 feet
- North 87°49'20" West 1242.50 feet
- North 00°13'14" West 1505.20 feet
- North 89°32'22" West 725.24 feet
- North 05°55'48" East 863.73 feet
- South 89°16'52" East 632.89 feet
- North 00°22'39" East 478.70 feet
- South 89°13'40" East 589.72 feet
- South 77°34'24" East 253.37 feet
- North 41°09'34" East 217.27 feet
- North 17°18'30" East 282.26 feet
- South 89°42'03" East 623.72 feet
- South 76°33'26" East 819.80 feet
- South 75°37'16" East 325.80 feet
- South 00°19'25" East 619.67 feet
- South 07°16'54" West 799.69 feet
- South 78°57'33" East 513.15 feet, to the POINT OF BEGINNING. Containing 267.91 Acres.

AND

PARCEL V

A parcel of land lying in Sections 23, Township 32 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 23, thence along the South boundary of said Section 23, South 89°54'36" West, 50.00 feet to the West right-of-way of Leonard Lee Road (100 foot right-of-way by O.R. Book 786, Page 55); thence along said right-of-way line, North 00°13'35" East, 2319.28 feet to the POINT OF BEGINNING; thence departing said right-of-way line, North 85°34'09" West, 710.79 feet; thence South 00°58'17" West, 454.93 feet; thence South 88°14'38" West, 1090.92 feet; thence North 65°31'51" East, 1986.77 feet to said West right of way line of Leonard Lee Road; thence along said right-of-way line, South 00°13'35" West, 389.56 feet to the POINT OF BEGINNING. Containing 18.56 Acres.

Total acreage Parcels I, II, III, IV & V is 425.39 Acres

Approved for use by the Survey Section 02-10-2016, W.O. 16-036.

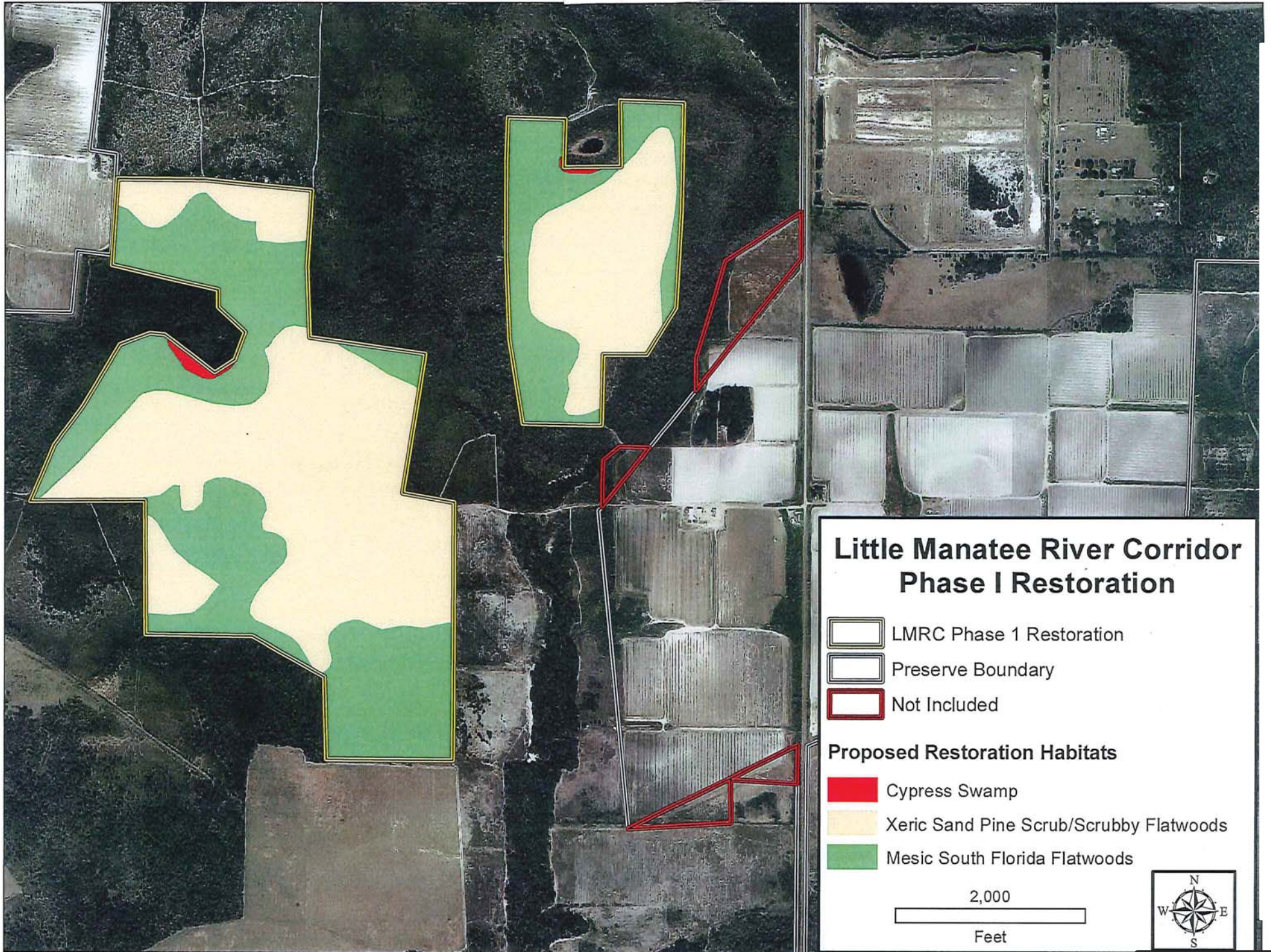


Exhibit "C"

ROOD PROPERTY PROJECT PLAN

PROJECT DESCRIPTION

The Rood Property is a 415.94 acre publicly owned parcel located in the southeastern reaches of Hillsborough County (Figure 1). The Rood Property is part of the 7166 acre Little Manatee River Nature Preserve (aka "Little Manatee River Corridor). Approximately 390 acres of historical dominant upland habitats of pine flatwoods/sand pine scrub have been cleared for agricultural uses, thereby compromising habitat values for wildlife utilization. With removal of the original native plant community and cessation of farming activities, the tract became dominated by non-native plants, with cogon grass becoming the dominant plant community. In addition, drainage ditching of the tract has altered original hydrological functions and distributions of freshwater. In spite of these impacts and other nearby habitat alterations, relic wetland and hardwood hammock habitats do exist nearby and abut the Rood tract.

Currently, Hillsborough County has performed preliminary efforts to eradicate cogon grass and other non-native plants throughout the tract. While moderately successful, cogon grass and other non-native plants are still scattered in various locations throughout the parcel. At the same time, non-native plant control measures have allowed native understory plant species to variously recruit and native plants are scattered throughout the tract.

Restoration of approximately 390 acres of uplands on the Rood Property and 54 acres of uplands on an adjacent tract will involve the enhancement, restoration, and creation of a mosaic of upland habitats. Habitat mapping and site evaluations will be performed to define and quantify specific habitat type acreages. Preliminary site evaluations propose that up to 444 acres be restored to pine flatwoods/sand pine scrub habitats.

Restoration activities shall be accomplished by the use of consultants, contractors and DISTRICT operations staff to maximize restoration benefits in accordance with the approved budget for the project.

Specific restoration techniques will be agreed upon in the Habitat Restoration Plan, including: Site Preparation, Harvesting and Seeding/Planting, Maintenance and Success Criteria.

PROJECT TASKS

Key tasks to be performed by the DISTRICT:

1. Attend site visits with the COUNTY to perform site investigations and habitat mapping which will provide the necessary data to complete a Habitat Restoration Plan that maximizes the existing features, while enhancing the overall natural upland habitats of the project area. The Habitat Restoration Plan must be mutually agreeable between the DISTRICT and the COUNTY; such agreement will not be unreasonably withheld.

2. Administer and supervise any consultants or contractors it engages under this Agreement.
3. Provide 100% of the costs, up to but not to exceed the budgeted amount, for any design, permitting and construction tasks.
4. Construct the PROJECT in conformance with the approved Habitat Restoration Plan mutually agreeable between the DISTRICT and the COUNTY; such agreement will not be unreasonably withheld.
5. Develop a monitoring and maintenance plan mutually agreeable between the DISTRICT and the COUNTY; such agreement will not be unreasonably withheld.
6. Ensure that the PROJECT footprint (Figure 1) will be protected under existing State regulations. It is the District's intent to protect and manage the entire PROJECT area as conservation lands in perpetuity and protect the habitats and functions of the PROJECT. In the future any proposed public amenities that may impact the PROJECT area must be discussed with the COUNTY and will meet with mutual agreement between the DISTRICT and the COUNTY; such agreement will not be unreasonably withheld.

**SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN
BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY AND
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
FOR MANAGEMENT AND USE OF THE ALAFIA RIVER PROJECT**

THIS SECOND AMENDMENT TO THE LEASE AGREEMENT (“Second Amendment”), is made and entered into this _____ day of _____, 2016, by and between Hillsborough County, a political subdivision of the State of Florida, hereinafter referred to as the **“County”**, and having an address of 601 East Kennedy Boulevard, Tampa, Florida, 33602, and the Southwest Florida Water Management District, a public corporation of the State of Florida, hereinafter referred to as the **“District”**, and having an address of 2379 Broad Street, Brooksville, Florida, 34604-6899.

WITNESSETH:

WHEREAS, the County and District entered into an Interlocal Agreement dated May 4, 1994 (**“Interlocal Agreement”**), which described the terms and conditions by which the District and County would acquire and manage lands mutually identified for preservation along the Alafia River corridor, located in Hillsborough County, hereinafter referred to as the **“Alafia River Project”**, through the Save Our Rivers and Preservation 2000 programs, and the County’s Environmental Lands Acquisition Protection Program; and

WHEREAS, the terms and conditions of the Interlocal Agreement state that the County shall manage the acquired portions of the Alafia River Corridor Project in Hillsborough County under a Lease Agreement and said Lease Agreement was executed between the County and District on July 31, 1996 (**“Lease Agreement”**) and amended thereafter on May 28, 2010 (**“First Amendment”**); and

WHEREAS, the District has expressed a desire to consolidate and reduce its inventory of lands held in fee title in order to focus on those lands which provide a significant benefit toward the District’s core missions of water supply, water quality, flood protection and natural systems; and

WHEREAS, the County and District entered into a Land Exchange and Restoration Agreement dated April 26, 2016, which set forth the terms and conditions by which the District would transfer fee title to the County of certain lands contained within the Alafia River Project (**“Land Exchange and Restoration Agreement”**); and

WHEREAS, the District conveyed title to surplus lands commonly referred to as Alafia River Parcels ARC-1, ARC-4 and ARC-5 (approximately 167.16 acres) to the County concurrently with the execution of this Second Amendment to the Lease Agreement; and

WHEREAS, the County and District wish to amend the Lease Agreement to exclude from its scope the lands subject to conveyance to the County.

NOW THEREFORE, the County and District, for and in consideration of the mutual covenants and conditions contained herein, do mutually agree to amend the Lease Agreement as follows:

1. **Property Excluded from Lease Agreement.** The County and District, by way of this Second Amendment, agree to exclude the real property described in **Exhibit "A"**, attached hereto and incorporated herein by this reference, from the scope of the property described and referenced in the Lease Agreement and First Amendment, effective upon execution of this amendment.

2. **Reimbursement Funding.** The County will not request, nor will the District approve, reimbursement of management funds from the District for the real property described in Exhibit "A" pursuant to Paragraph 1 of the First Amendment to the Lease Agreement.

3. **Firearms.** Paragraph 11 of the Lease Agreement is deleted in its entirety.

4. **Hunting.** Paragraph 12 of the Lease Agreement is replaced in its entirety by the following:

Hunting and Nuisance Species Control: Hunting and trapping of wildlife on the Property shall be prohibited unless it is necessary in connection with the control of nuisance, exotic, and/or non-native animal species. Such activities shall be incorporated within the Management Plan or approved in writing by the District. The County will identify the type and level of nuisance, exotic, and/or non-native animal species on the Property. The County will document the level of infestation in an annual summary and provide a copy to the District on an annual basis. The County will conduct routine maintenance activities for the control of nuisance, exotic, and/or non-native animal species documented in the annual summary. When the County and District concur that the level of documented infestation warrants additional measures to control nuisance, exotic and/or non-native animal species, the District may implement measures and practices used on District-managed lands including but not limited to selecting qualified trappers or scheduling hunting opportunities. The District will coordinate with the County on any hunt opportunities to be considered for the Property prior to conducting any hunt event.

5. **Liability.** Paragraph 23 of the Lease Agreement is replaced in its entirety by the following:

Each party hereto agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, F.S., for all claims, loss, damage and expense, including attorneys' fees and costs and attorneys' fees and costs on appeal, arising from the negligent acts or omissions of its officers, employees, contractors and agents related to the performance under this Lease Agreement. Should the County choose to charge a fee pursuant to Paragraph 18 of the Lease, the County will bear the sole responsibility for any and all claims for personal injuries or property damage arising from, or incidental to, the use, occupation, or possession of the Property and any improvements or structures located thereon. This provision does not constitute a waiver of either the County's or the District's sovereign immunity under or extend the limits of liability beyond the limits established in Section 768.28, F.S. This provision will survive the expiration or termination of this Lease Agreement.

6. The terms, covenants and conditions set forth in the Lease Agreement and First Amendment that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

7. **Electronic Signature.** The parties agree that this Contract may be executed by Buyer by electronic signature in a manner that complies with Chapter 668, Florida Statutes, and as approved by the Hillsborough County Board of County Commissioners in Resolution R15-025 on February 4, 2015.

8. **Effective Date.** This Second Amendment shall be effective upon the conveyance of the real property described in Exhibit "A" from the District to the County.

IN WITNESS WHEREOF, this Second Amendment to the Lease Agreement for the Alafia River Project has been executed by and on behalf of the County by its Chairman of the Board of County Commissioners and the seal of the County affixed hereto and attested by the Clerk of the Board of County Commissioners, and the District has caused this Second Amendment to the Lease Agreement to be executed by its Chair and its corporate seal to be affixed hereto and attested by its Secretary as of the day and year set forth next to their signatures.

ATTEST: PAT FRANK,
Clerk of the Circuit Court

**HILLSBOROUGH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA**

By: _____
Deputy Clerk

By: _____
Chairman (or Vice Chairman)

BOCC Document No _____

Print Name: _____

Approved as to form and legal sufficiency

BOCC Approval Date: _____

By: _____
Chief Assistant County Attorney

Approved by the Governing Board of the **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT** this _____ day of _____, 2016.

(DISTRICT SEAL)

By: _____
RANDALL S. MAGGARD, Chair

Attest: _____
BRYAN K. BESWICK, Secretary

APPROVED BY:	INITIALS	DATE
Attorney	_____	_____
Manager	_____	_____
Bureau Chief	_____	_____
Division Director	_____	_____

Exhibit "A"

Legal Description Parcel 11-709-150S (Alafia River ARC-1)

That part of the South 1/2 of the Southwest 1/4 of Section 15, Township 30 South, Range 22 East, Hillsborough County, Florida; lying Northerly of the CSX Railroad right-of-way, and West of the right-of-way for Keysville Road (as now existing, 60.0 feet wide); LESS the East 310.0 feet of the North 310.0 feet thereof. AND That part of the Northwest 1/4 of Section 22, Township 30 South, Range 22 East, Hillsborough County, Florida, lying North of CSX Railroad right-of-way, and West of the right-of-way for Keysville Road (as now existing, 60.0 feet wide), all being more particularly described as follows:

Commence at the Southwest corner of Section 15, Township 30 South, Range 22 East of Hillsborough County, Florida, thence run North 0°47'48" East, along the West line of said Section 15, a distance of 1015.15 feet to an intersection with the North right-of-way line of CSX Railroad for a POINT OF BEGINNING; thence continue along said West line North 0°47'48" East, a distance of 271.42 to the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of Section 15; thence North 89°39'33" East along the North line of said Southwest 1/4 of the Southwest 1/4 of Section 15, a distance of 1325.46 to the Northeast corner of said Southwest 1/4 of the Southwest 1/4 of Section 15; thence North 89°47'37" East, along the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 15, a distance of 998.88 to the Northeast corner of the aforesaid East 310.00 feet of the North 310.00 feet of South 1/2 of the Southwest 1/4 of said Section 15; thence along said East 310.00 feet of the North 310.00 feet of South 1/2 of the Southwest 1/4 of said Section 15 the following two (2) courses 1) South 0°49'37" West, a distance of 309.98 feet; 2) North 89°46'41" East, a distance of 309.78 to the Westerly right-of-way of Keysville Road (as now existing, 60.0 feet wide); thence South 0°42'34" West, a distance of 1144.85 feet to an intersection with the North right-of-way of the CSX Railroad the same also being a point of curvature of a curve to the right; thence along the Northerly right-of-way of the CSX Railroad the following four (4) courses: 1) thence 111.66 feet along the arc of said curve to the right, having a radius of 715.07 feet, a central angle of 08°56'48" and a chord bearing and distance of South 78°52'43" West, 111.55 feet to a point of curvature of a non-tangent curve to the right; 2) thence 957.90 feet along the arc of a said curve to the right, having a radius of 2530.67 feet a central angle of 21°41'15" and a chord bearing and distance of North 72°53'58" West, 952.20 feet to a point of compound curvature of a curve to the right; 3) thence 376.54 feet along the arc of said curve to the right, having a radius of 8060.90 feet, a central angle of 02°40'35" and a chord bearing and distance of North 60°43'04" West, 376.50 feet; 4) thence North 60°12'08" West, a distance of 1464.95 feet to the POINT OF BEGINNING.

The South fifty (50) feet thereof, running East-West adjacent to the CSX Railroad and containing an existing dirt trail, reserved as ingress and egress by the Southwest Florida Water Management District.

Containing 57.26 Acres more or less

Approved for use by the Survey Section 03-23-2016, W.O.16-026.

Remainder of this page intentionally left blank.

Legal Description Parcel 11-709-151S (Alafia River ARC-4)

A portion of the Southwest 1/4 of Section 32, Township 30 South, Range 22 East and a portion of the East 1/2 of Section 31, Township 30 South, Range 22 East, lying in Hillsborough County, Florida being more particularly described as follows:

Commence at a 5/8" iron rod with plastic cap "SWFWMD," representing the South 1/4 corner of said Section 32, thence South 89°45'21" West, along the Southerly line of the Southwest 1/4 of said Section 32, a distance of 2656.20 feet, to a 4"x4" concrete monument representing the Southwest corner of said Section 32, and the Southeast corner of said Section 31, thence South 89°45'13" West, along the Southerly line of said Southeast 1/4 of said Section 31, a distance of 1188.61 feet; thence North 00°09'05" East, parallel with and 1475 feet East of the Westerly line of said East 1/2 of said Section 31, a distance of 1312.67 feet to a 5/8" iron rod with plastic cap "SWFWMD," for a POINT OF BEGINNING, thence continue thence North 0°09'05" East, parallel with and 1475 feet East of the Westerly line of said East 1/2 of said Section 31 a distance of 2631.19 feet to the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31; thence North 89°03'20" East, along said North boundary, a distance of 1188.14 feet to a point on the East line said Section 31; thence South 00°08'25" West, along said East line of the Northeast 1/4 of said Section 31, a distance of 1311.92 feet to a 5/8" iron rod with plastic cap "SWFWMD" being the Southeast corner of said Northeast 1/4 of said Section 31, same also being the Northeast corner of the Southeast 1/4 of said Section 31; thence along the East line of the Southeast 1/4 of said Section 31 South 0°08'25"w, a distance of 548.64 feet; thence leaving said East line North 89°03'34" East, a distance of 24.42 feet; thence North 89°42'48" East, parallel with and 1860 feet South of the Northerly line of the South 1/2 of the Northwest 1/4 of said Section 32, a distance of 1306.20 feet to a point on the Westerly line of the Northeast 1/4 of the Southwest 1/4 of said Section 32; thence South 0°11'32" West, along said Westerly line of the Northeast 1/4 of the Southwest 1/4, a distance of 775.93 feet to a 4"x4" concrete monument representing the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 32; thence South 89°45'33" West, along the Southerly line of the Northwest 1/4 of said Southwest 1/4, a distance of 1329.97 feet to an intersection with the West line of said Section 32; thence South 89°14'44" West, a distance of 1188.52 feet to the POINT OF BEGINNING.

Containing 95.5 Acres more or less

Approved for use by the Survey Section 01-06-2015, W.O.16-026.

Remainder of this page intentionally left blank.

Legal Description Parcel 11-709-152S (Alafia River ARC-5)

A Portion of Section 6, Township 31 South, Range 22 East, Hillsborough County, Florida, same being a portion of the lands as described in Official Records Book 7575, Page 513 of the Public Records of Hillsborough County, Florida being more particularly described as follows:

Commence at a 4"x4" concrete monument representing the South 1/4 corner of Section 5, Township 31 South, Range 22 East, Hillsborough County, Florida; thence North 00°13'17" East, along the North-South centerline of said Section 5, a distance of 328.18 feet to a point on the apparent maintained right-of-way for Jameson Road; thence North 78°36'26" West, along said right-of-way, a distance of 2721.91 feet to a point on the Westerly line of said Section 5, thence North 00°24'23" East, along said Westerly line of said Section 5 and apparent maintained right-of-way for Jameson Road, a distance of 5.09 feet; thence North 78°36'26" West, along said right-of-way line, a distance of 1593.44 feet; thence North 00°26'04" East, parallel with and 1100 feet East of the Westerly line of the Southeast 1/4 of Section 6, Township 31 South, Range 22 East, Hillsborough County, Florida, a distance of 480.86 feet; thence North 88°55'24" East, parallel with and 1640 feet South of the Southerly line of the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 6, a distance of 400.00 feet; thence North 0°26'04" East, parallel with and 1500 feet East of the Westerly line of the Southeast 1/4 of said Section 6, a distance of 933.19 feet; thence North 0°24'57" East, parallel with and 1500 feet East of the Westerly line of the Northeast 1/4 of said Section 6, a distance of 307.24 feet for a POINT OF BEGINNING; thence South 88°55'24" West, parallel with and 400 feet South of the Southerly line of the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 6, a distance of 1565.72 feet to the Easterly right-of-way line of County Highway 39; thence North 00°22'49" West, along said Easterly right-of-way line, a distance of 400.03 feet to a point on the Westerly extension of the South line of the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 6; thence North 88°55'24" East, along the South line of the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 6 and its Westerly extension, a distance of 1571.28 feet; thence South 00°24'57" West, parallel with and 1500 feet East of the Westerly line of the Northeast 1/4 of said Section 6, a distance of 400.14 feet to the POINT OF BEGINNING.

Containing 14.40 Acres more or less

Approved for use by the Survey Section 01-06-2015, W.O.16-026.

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GENERAL COUNSEL'S REPORT

July 26, 2016

Consent Agenda

Initiation of Litigation – Unauthorized Construction – Trinity Christian Fellowship Center, Inc. – Manatee County

Trinity Christian Fellowship Center, Inc. (Trinity) owns approximately 20 acres of real property located at 7220 Lockwood Ridge Road in Manatee County, Florida (the Property). Trinity acquired the Property in 2008. In July 2006, the District issued a Formal Determination of Wetlands and Other Surface Waters No. 42030345.000 (Formal Determination) for the Property to the previous property owners. The Formal Determination delineated approximately 15.01 acres of wetlands on the 20-acre parcel. The wetlands on the Property consisted of a medium to medium-high quality forested wetland system. The Formal Determination did not authorize any construction activities or constitute conceptual approval of any anticipated projects. The Formal Determination expired in July 2011, and, to date, no Environmental Resource Permit (ERP) has been issued to authorize any activities on the Property.

On August 12, 2013, the District received a complaint indicating unauthorized activities were occurring on the Property. The next day District staff drove by the site and observed trees had been removed, clearing and dredging activities had occurred in the wetlands, and heavy equipment had been used in the wetlands on the Property.

On August 19, 2013, the District issued a Notice of Unauthorized Activities (Notice) to Trinity, advising that the activities on the Property occurred without an ERP issued by the District. The Notice further advised Trinity to cease all unauthorized activities immediately and to contact District staff to address the compliance issues.

On August 27, 2013, District staff conducted a site inspection of the Property with Trinity's consultant to verify the extent of the unauthorized activities. The site inspection and review of aerial photographs of the Property revealed that trees and vegetation had been cleared, tree and vegetation debris had been piled and deposited within the wetlands, tree stumps had been removed, some root masses had been grubbed out, and portions of the land had been re-graded. The unauthorized activities consisted of dredging and filling in, on, or over wetlands or other surface waters. The unauthorized activities occurred on approximately 4 acres of the Property, impacting approximately 3.8 acres of wetlands.

On August 26, 2014, the District issued a Notice of Violation advising Trinity that the activities on the Property constitute the construction or alteration of a surface water management system, for which an ERP is required. On September 14, 2014, the District issued a proposed Consent Order, which provided for a penalty of \$45,600.00 and District enforcement costs of \$2,000.00, for a total payment of \$47,600.00. The proposed Consent Order also required Trinity to submit a proposed Restoration Plan within sixty days of approval of the Consent Order by the District's Governing Board detailing how Trinity planned to restore the Property to its pre-impact condition.

On February 18, 2015, Trinity submitted a letter to the District detailing its financial hardship and requesting that the District consider this information with regard to the proposed Consent Order. On October 13, 2015, in consideration of the financial hardship information provided by Trinity,

Item 14a

the District issued a proposed Revised Consent Order, which provided for a penalty of \$30,390.00 and District enforcement costs of \$2,000.00, for a total payment of \$32,390.00. The Revised Consent Order again required Trinity to submit a proposed Restoration Plan; however, the Revised Consent Order provided that the \$30,390.00 in penalties would be waived by the District if Trinity submitted the Restoration Plan in a timely fashion and completed the restoration work within six months of District approval of the Restoration Plan.

After issuance of the Revised Consent Order, Trinity indicated it was interested in obtaining an ERP on the Property rather than restoring the Property. As a result, the proposed Revised Consent Order was altered and reissued to Trinity on February 29, 2016, wherein it provided that Trinity could either obtain an ERP or submit a proposed Restoration Plan. All of the other terms of the Revised Consent Order remained the same. Subsequent to the issuance of this updated Revised Consent Order, Trinity has requested multiple extensions of time in which to consider the Revised Consent Order for a variety of reasons, including a death in the family of Trinity's representative and the need to hire and consult with an attorney. To date, Trinity has not executed the updated Revised Consent Order. Accordingly, District staff is seeking authorization to initiate litigation against Trinity in order to achieve compliance through Trinity either obtaining an ERP or restoring the Property to its pre-impact condition.

Staff Recommendation:

Authorize the initiation of litigation against Trinity Christian Fellowship Center, Inc., and any other appropriate parties, to obtain compliance, to recover an administrative fine/civil penalty, and to recover District enforcement costs, litigation costs and attorney's fees.

Presenter: Adrienne E. Vining, Senior Attorney

EXECUTIVE DIRECTOR'S REPORT

July 26, 2016

Consent Agenda

Approve Governing Board Meeting Minutes - June 28, 2016

Staff Recommendation:

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

JUNE 28, 2016

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m. June 28, 2016, at the District's Brooksville Headquarters. The following persons were present:

Board Members Present

Randall S. Maggard, Chair
Jeff M. Adams, Vice Chair
Bryan K. Beswick, Secretary
Ed Armstrong, Treasurer
H. Paul Senft, Member
Michael A. Babb, Member
George W. Mann, Member
Wendy Griffin, Member
Thomas E. Bronson, Member*
Kelly S. Rice, Member
John Henslick, Member

*via Telephone

Board Members Absent

Michael A. Moran, Member

Staff Members

Robert R. Beltran, Executive Director
Brian J. Armstrong, Assistant Executive Director
David T. Rathke, Chief of Staff
Karen E. West, General Counsel
Kurt P. Fritsch, Inspector General
John J. Campbell, Division Director
Ken Frink, Division Director
Mark A. Hammond, Division Director
Alba E. Más, Division Director

Board's Administrative Support

Cara Martin, Board & Executive Services Manager
Lori Manuel, Administrative Assistant

A list of others present 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 Web site (www.WaterMatters.org).

PUBLIC HEARING (Audio – 00:00)

1. Call to Order

Chair Randall Maggard called the meeting to order and opened the public hearing. Secretary Bryan Beswick stated a quorum was present.

2. Invocation and Pledge of Allegiance

Board Member George Mann offered the invocation. Chair Maggard led the Pledge of Allegiance to the Flag of the United States of America.

Chair Maggard 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 Maggard 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 Maggard 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 Maggard recognized employees who have reached at least 20 years in service with the District and thanked them for their service. The following staff were recognized: Paul Hites and Michelle Hopkins.

This item was provided for the Board's information, and no action was required

4. Additions/Deletions to Agenda

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer.

Mr. Robert Beltran, Executive Director, stated the following item has been added to the agenda:

47. a. Discussion and Consideration of Process to Engage an Executive Director

A motion was made and seconded to approve the staff's recommendation. Motion carried unanimously. (Audio 00

Chair Maggard said there is good cause to amend the published agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, as amended, which was seconded. The motion carried unanimously. (Audio 00:10:35)

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

Chair Maggard noted at this time, the public is given an opportunity to comment on any topic not listed on the agenda. Chair Maggard stated he had no Request to Speak cards.

CONSENT AGENDA

Chair Maggard asked that before the Board considers action on the Consent Agenda whether there is anyone in the audience who wishes to address the Board regarding an item listed on the Consent Agenda.

Resource Management Committee

6. Palmetto Gateway LID Project - City of Palmetto - Scope Change (N724)

Staff recommended the Board:

- 1) Approve the revision to the drainage area treated by the project from 35 acres to 9 acres, which is the measurable benefit for the stormwater portion of the project.
- 2) Approve the revision to the resource benefit from 61 lbs/TN/yr to 20 lbs/TN/yr.
- 3) Approve reducing the District's share of the project in the cooperative agreement from \$872,250 to \$357,500. The City would be responsible for all costs beyond \$357,500 to complete the project.

7. Hudson Bayou In-Stream Restoration and Water Quality Improvement - Scope Change (W636)

Staff recommended the Board:

- 1) Approve the revision to the drainage area treated by the project from 837 acres to 976 acres, which is the measurable benefit in the cooperative agreement.
- 2) Approve the revision to the resource benefit from 304 lbs/TN/yr to 151 lbs/TN/yr and from 13,241 lbs/TSS/yr to 71,031 lbs/TSS/yr.

8. FARMS – M&V, LLC (H738), DeSoto County

Staff recommended the Board:

- 1) Approve the M&V, LLC project for a not-to-exceed project reimbursement of \$545,200 with \$545,200 provided by the Governing Board;
- 2) Authorize the transfer of \$545,200 from fund 010 H017 Governing Board FARMS Fund to the H738 M&V, LLC project fund;
- 2) Authorize the Assistant Executive Director to sign the agreement.

9. FARMS – Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints and Farmland Reserve, Inc. - Deseret Farms - Blanton Parcel (H741), Hillsborough County

Staff recommended the Board:

- 1) Approve the Deseret Farms - Blanton Parcel project for a not-to-exceed project reimbursement of \$646,330 provided by the Governing Board;
- 2) Authorize the transfer of \$646,330 from fund 010 H017 Governing Board FARMS Funds to the H741 project fund;
- 3) Authorize Executive to sign the agreement.

Finance/Outreach & Planning Committee

10. District Equipment Replacement

Staff recommended authorization of a budget transfer for \$192,619 from the Field Equipment Replacement Fund for a Boom Arm Mower and authorization to surplus existing equipment after purchase.

11. Board Encumbrance to Support the Fixed Records Management (FRM) System Replacement

Staff recommended the Board transfer and encumber \$100,000 originally budgeted for fuel and lubricants purchases in FY2015-16, and authorize the procurement and implementation of the replacement FRM system in FY2016-17.

12. Adopt Resolutions to Identify Slate of Officers for Financial Documents

Staff recommended the Board:

- (1) Authorize the new slate of officers to apply their signatures to the resolutions for financial documents.
- (2) Adopt Resolution No. 16-08 authorizing the signatures of the newly elected officers of the Governing Board of the District and the use of facsimile or manual signatures on all warrants or checks of the District.
- (3) Adopt the SunTrust Deposit Account Resolution and Authorization for Business Entities document to identify the new slate of officers and authorized signers on existing accounts.
- (4) Adopt the SunTrust Corporate Resolution document to give the new slate of officers the authority to give direction or confirmation to the Bank on all matters regarding the District's Custody Agreement and Account.

13. Budget Transfer Report

Staff recommended Board approval of the Budget Transfer Report covering all budget transfers for May 2016.

14. Governing Board Travel

Staff recommended approval of Board travel.

Regulation Committee

15. Individual Water Use Permits Referred to the Governing Board

- a. WUP No. 20002714.015 – Hillsborough County BOCC / Balm Farms (Hillsborough County)

- b. WUP No. 20020106.003 – Parish Road Duette, LLC and G & D Farms, Inc./ Bill Parish Road Farm (Manatee County)

Staff recommended the Board approve the proposed permits as exhibits.

Operations, Lands and Resource Monitoring Committee - None

General Counsel

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

- a. Consent Order – Permit Condition Violations – Palmetto Punta Gorda – US 41, LLC - Dollar General at 119 East McKenzie Street – ERP No. 46041213.001 – Charlotte County

Staff recommended approval of the proposed consent order and authorization of the initiation of litigation against Palmetto Punta Gorda - US 41, LLC and any other appropriate parties, if necessary, to obtain compliance, to recover an administrative fine/civil penalty for any violations, and to recover District enforcement costs, court costs, and attorneys' fees.

17. Rulemaking – None

Executive Director's Report

18. Approve Governing Board Meeting Minutes - May 24, 2016

A motion was made and seconded to approve the Consent Agenda as amended. Motion carried unanimously. (Audio 00:11:08)

Chair Maggard relinquished the gavel to the Resource Management Committee Chair Babb who called the Committee meeting to order. (Audio 00:11:25)

Resource Management Committee

Discussion

19. Consent Item(s) Moved for Discussion – None

20. Cooperative Funding Initiative (CFI) Project Changes and Updates

Mr. Eric DeHaven, Resource Management Division Assistant Director, provided a presentation regarding project changes and updates to the Cooperative Funding Initiative (CFI) that have occurred since the April Governing Board meeting. This presentation outlined cost refinement changes that have been made to the following projects: N761, Upper Town & Country; N763, Tanglewood Lane; and N765, W. Lambricht Street. These changes involve construction only project costs for Hillsborough County stormwater improvements and an increase of \$700,000 in the District budget. These changes are a result of submitted bids that reflect a higher cost than the initial design costs.

Mr. DeHaven provided information as follows: no change associated with project N793, Citrus County Road 491 regional stormwater facility; project N796, Winter Haven reclaimed southern basin aquifer recharge feasibility ranking changed from low to medium with an increase of \$150,000 in the District's budget; and there were no changes associated with project N786, Dona Bay surface water storage facility.

Mr. Mark Hammond, Resource Management Director, explained the District has been meeting with cooperators and based on those discussions it has been determined process changes will be made as to how to facilitate changes to cooperative funding projects after the initial request has been made. He stated the February and April CFI subcommittees will facilitate discussions on

project changes to determine if the changes will be presented at the June Governing Board meeting in the future.

Committee Chair Babb asked if the District has received requests from any municipalities to facilitate expediting any projects associated with flooding preparation related to storm water. Mr. Hammond responded in the affirmative. He stated District staff has been in contact with cooperators.

Staff recommended approval of project changes discussed and the associated total project cost change of an additional \$1,700,000 with the District's increased share not to exceed \$850,000 for the individual projects (as indicated in the recap). And approval of an additional \$850,000 the FY2017 Recommended Annual Service Budget.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 00:24:11)

21. Approval to Add \$950,000 to the FY2017 Recommended Annual Service Budget for the Magnolia Valley Stormwater Facility and Pump Station (N835)

Mr. JP Marchand, Resource Management Bureau Chief, provided a presentation that included: a map depicting the project area; historical flooding information; use of pump facility and emergency operation cooperation between the District and the Pasco County (County); breakdown of funding requests for the District and County share; and benefits associated with proposed project.

Mr. Marchand explained this is an out-of-cycle request for a cooperative funding project. It is being requested due to critical permitting issues and issues associated with Pasco County's (County) purchase of the property.

Mr. Marchand explained this project will involve the County purchasing land at the Magnolia Valley Golf Course and the associated pumping facilities. These facilities, which include the pumps, the pump house and the associated pipes, will be reconstructed.

Board Member Mann asked Ms. Karen West, General Counsel, what the District's liability would be in association with this property. Ms. West stated she would have to review the language associated with the contract prior to responding. Discussion ensued.

Staff recommended:

1. Approve the Magnolia Valley CFI project and the associated total project cost of \$1,900,000 with the District's share not to exceed \$950,000.
2. Approve eligible project expenditures beginning May 10, 2016.
3. Approve adding \$950,000 to the FY2017 Tentative Budget for the Magnolia Valley Stormwater Facility and Pump Station project.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 00:51:18)

Submit & File Reports - None

Routine Reports

22. Minimum Flows and Levels Status Report

23. Significant Water Resource and Development Projects

Committee Chair Babb adjourned the meeting and relinquished the gavel to the Finance/Outreach & Planning Committee Chair Armstrong who called the Committee meeting to order. (Audio 00:52:30)

Finance/Outreach & Planning Committee

Discussion

24. Consent Item(s) Moved for Discussion – None

25. Fiscal Year 2014-15 Comprehensive Annual Financial Report

Mr. Todd Webster, representing KPMG Auditing Services, provided a presentation that included: the independent auditors' report;

Mr. Webster explained that several reports are issued annually. These reports include: an audit opinion on the financial statements; an independent auditors' report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with government auditing standards; independent auditors' report on compliance with requirements that could have a direct and material effect on each major program and on internal control over compliance in accordance with Chapter 10.550, rules of the auditor general; management letter; an independent accountants' report; and a required communication with the Governing Board.

Mr. Webster explained Governing Accounting Standard Boards (GASB) 68. This is a significant pension standard that was adopted this year. The District is required to record the District's share of the net pension liability.

Mr. Webster provided an explanation of GASB 72, Fair Value Measurement and Application. This distinguishes between assets held for investment and assets held for operations. He explained this standard differentiates the acquisition/purchase price from the mark value price.

Staff recommended the Board accept and place on file the District's Comprehensive Annual Financial Report, including the Single Audits pursuant to OMB Circular A-133 and Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2015.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 01:12:05)

26. Fiscal Year 2017 Business Plan Update

Mr. Brian Armstrong, Assistant Executive Director, provided a presentation explaining the 2017 Business Plan. He stated the 2017 Business Plan will be implemented by staff.

Mr. Armstrong provided a recap of goals that occurred for Fiscal Year 2016. These goals included: investigating and implementing efficiencies by the use of CASE, Daptiv and DocuSign software; continuing to address the changing workforce by creating a human resource recruiter position; development of staff job rotation and knowledge management of staff retiring; utilization of social media and outreach methods; establishment of equipment and information technology replacement programs; enhancement to programs for springs; pursuit of emerging water technologies; and maintain focus on filling vacant positions. He also outlined goals associated with recurring expenditures, salaries and benefits, and non-recurring expenditures; strategic map outline areas of responsibilities; breakdown of general makeup; changing work force turnover by generation; prediction of staff changes in the next ten years and population growth; water resource challenges; legislation; potential resource needs and timeframes associated; Cooperative Funding Initiative (CFI) project trends; and outlined the next steps.

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

27. Presentation of Fiscal Year 2016-17 Recommended Annual Service Budget

Mr. John Campbell, Management Services Director, provided a presentation that included: expenditure goals and outcomes; expenditures by category, program, areas of responsibility; sources of revenue; long term funding plan, and budget development calendar.

Mr. Campbell stated the budget totals \$168.2 million dollars. This is a decrease of \$16.1 million dollars, or 9 percent from the Fiscal Year (FY) 2015-16 budget. He stated, of projected ad valorem revenue, 55 percent of the budget is in projects; operating expenses are 71 percent; and salaries and benefits are 46 percent.

Mr. Campbell indicated this does not include \$10.2 million dollars related to springs projects in cooperation with the Florida Department of Environmental Protection (FDEP) or the projects that were approved at today's Governing Board meeting.

Staff recommended the Board authorize staff to prepare the Standard Format Tentative Budget Submission for FY2016-17 based on the recommended annual service budget as presented, adjusted for any modifications made by the Governing Board on June 28, changes in estimated ad valorem revenue based on the July 1 certifications of taxable value and any additional funding provided by the state.

A motion was made and seconded to approve staff's recommendation. Motion carried unanimously. (Audio 1:45:04)

Submit & File Reports – None

Routine Reports

- 28. Treasurer's Report and Payment Register**
- 29. Monthly Financial Statement**
- 30. Monthly Cash Balances by Fiscal Year**
- 31. Comprehensive Plan Amendment and Related Reviews Report**
- 32. Development of Regional Impact Activity Report**
- 33. Significant Activities Report**

Committee Chair Armstrong adjourned the meeting and relinquished the gavel to the Regulation Committee Chair Senft who called the Committee meeting to order. (Audio 01:45:29)

Regulation Committee

Discussion

34. Consent Item(s) Moved for Discussion - None

35. Denials Referred to the Governing Board

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

- 36. Overpumpage Report**
- 37. Individual Permits Issued by District Staff**

Committee Chair Senft adjourned the meeting and relinquished the gavel to the Operations, Lands and Resource Monitoring Committee Chair Beswick who called the Committee meeting to order. (Audio 01:45:14)

Operations, Lands and Resource Monitoring Committee

Discussion

38. Consent Item(s) Moved for Discussion – None

39. Hydrologic Conditions Report

Mr. Granville Kinsman, Hydrologic Data Manager, presented the hydrologic conditions report. Most regions experienced normal to very wet rainfall, with the exception of the northern region which experienced some drier than normal conditions. But rainfall conditions are still normal to above normal. Groundwater levels are in the normal to above-normal range. Lake levels in the northern region are in the below normal, but Tampa Bay lakes, Polk Upland lakes, and Lake Wales Ridge lakes all remain in the normal range. Streamflow has shown improvement, and is in the normal range. Both the Bill Young Reservoir and the Peace River Reservoir have shown slight declines due to recent operational procedures, but available storage remains very high. The Climate Prediction Center is forecasting above normal rainfall conditions for August through October.

The tropical storm/hurricane season has had an active start, with a prediction of 14 named storms; 6 hurricanes and 2 major hurricanes.

This routine report provided information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. This item was presented for the Board's information, and no action was required.

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

40. Hurricane Preparedness

Mr. Jason Hopp, Operations and Land Management Bureau Chief, provided a presentation on hurricane preparedness. Mr. Hopp provided an overview of the District's Emergency Operation Organization (EOO). The EOO consists of 40 District staff that range from Executive to staff level. All emergency operations are coordinated through the EOO, which includes response efforts with the state and other emergency operations centers. The EOO is structured on the Federal Emergency Management Agency (FEMA) Incident Command system.

Mr. Hopp outlined District responsibilities during a flooding or hurricane event. This included: assisting with flood control of 81 structures; providing assistance to the public in regulatory matters; collecting flooding, water quality and rainfall data; and facilitating communication to internal and external stakeholders.

Mr. Hopp explained that as a participant of the Florida Division of Emergency Management, the District is a member of the State Emergency Response Team (SERT). SERT coordinates the response, recovery and mitigation of emergency events throughout the state.

Mr. Hopp outlined items the District has improved on. This included: the development of a District-wide Flood Event Protocol; a communications plan; update to Army Corp's Control Manual for the operation of the Tampa Bypass Canal; technology upgrades; and inspection of all remotely controlled structures and generators.

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

Submit & File Reports – None

Routine Reports

41. **Structure Operations**

42. **Significant Activities**

Committee Chair Beswick adjourned the meeting and relinquished the gavel. (Audio 02:06:57)

General Counsel's Report

Discussion

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

Ms. Karen West, General Counsel, provided the Board with an update on the issuance of Water Use Permit (WUP) to SWR Properties in Sumter Counties. The District has received nine petitions, but five petitions have been determined to be insufficient and dismissed to leave to amend.

Submit & File Reports – None

Routine Reports

44. **June 2016 - Litigation Report**

45. **June 2016 - Rulemaking Update**

Committee/Liaison Reports

46. **Other Committee/Liaison Report** - None

Executive Director's Report

47. **Executive Director's Report**

Mr. Robert Beltran, Executive Director, reminded the Board of the District accomplishments he has been privileged to be involved with. This included: Rock Pond Restoration; improvement to Tampa sea grass; permitting of the Morris Bridge/Lower Hillsborough River final source; adoption of land management policies; formation of the Polk Regional Water Cooperative (PRWC); programs related to springs; SWUCA recovery strategies; improvement to the Cooperative Funding Initiatives (CFI); coordination and outreach of regulatory teams; and adoption of a Business Plan.

Mr. Beltran discussed the submittal of his resignation and thanked the current and previous Board Members, District staff, the Governor and Florida Legislature during his tenure at the District.

Board Member Griffin stated concern regarding the urgency to fill the position without advertising.

Board Member Babb made a motion to immediately move Brian Armstrong, Assistant Executive Director, into the Executive Director position and move Robert Beltran into an Executive Advisor role and authorize the Governing Board Chair to negotiate both contracts without returning to the board. The motion was seconded. The motion carried unanimously. (Audio 02:15:16/02:24:40)

Chair's Report

48. **Chair's Report**

Chair Maggard thanked Mr. Beltran for his time at the District. He also expressed appreciation to his predecessor Board Member Babb, the Governing Board and District staff.

49. Other

The July 26, August 30, September 13 (Tentative Budget Hearing) and September 27 meetings are in the Tampa Office.

50. Employee Milestones

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

The meeting was adjourned at 11:27 a.m.

Chair

Attest:

Secretary

DRAFT

**Governing Board Meeting
July 26, 2016**

FINANCE/OUTREACH & PLANNING COMMITTEE
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Discussion Items

- 17. Consent Item(s) Moved for Discussion
- 18. Investment Strategy Quarterly Update.....(10 minutes) ...62
- 19. FY2016-17 Budget Development(15 minutes) ...63

Submit & File Reports - None

Routine Reports

- 20. Treasurer's Report and Payment Register68
- 21. Monthly Financial Statement.....82
- 22. Monthly Cash Balances by Fiscal Year87
- 23. Comprehensive Plan Amendment and Related Reviews Report89
- 24. Development of Regional Impact Activity Report93

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: David Rathke, Chief of Staff

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Discussion Item

Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

Board Policy 130-3 requires quarterly investment reports that shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period
2. Percentage of available funds represented by each investment type
3. Coupon, discount, or earning rate
4. Average life or duration and final maturity of all investments
5. Par value and market value
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager
7. A summary of District's investment strategy
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Exhibits will be provided under separate cover.

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2016.

Presenter: John J. Campbell, Division Director, Management Services
Linda S. Howard, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Discussion Item

FY2016-17 Budget Development

- a. **FY2016-17 Budget Update**
- b. **Adoption of Proposed District Millage Rate for FY2016-17**
- c. **Approval of August 1 *Standard Format Tentative Budget Submission***
- d. **Assignment of Funds to District's Short-Term Projects Reserve**

Purpose

- a. Provide an update on budget changes that have been made since the FY2016-17 Recommended Annual Service Budget (RASB) which was provided to the Governing Board on June 28, 2016.
- b. Report the results of the July 1 certifications of taxable value from the District's 16-county property appraisers and recommend adoption of a proposed FY2016-17 millage rate.
- c. Request approval to submit the District's tentative budget to the Executive Office of the Governor (EOG), Department of Environmental Protection (DEP), Florida Legislature and other parties, as required by statute, for delivery by August 1, 2016.
- d. Recommend assignment of available funds to the District's Short-Term Projects Reserve in fund balance.

Background

In June, staff submitted the FY2016-17 RASB to the Governing Board for consideration. The RASB document included underlying expenditure tables and detailed project descriptions for all District projects. On June 28, staff provided an overview of the RASB to the Governing Board including revenues and expenditures by category, program area, and area of responsibility. Following discussion of the budget, the Governing Board took action to authorize staff to (1) prepare the *Standard Format Tentative Budget Submission* for FY2016-17 based on the RASB as presented, adjusted for Governing Board actions at the meeting; (2) reflect the final estimated ad valorem revenue based on the July 1 certifications of taxable value and (3) add any additional funding provided by the state.

On July 26, staff will provide a budget update to the Governing Board. Staff will also present the certifications of taxable value and the proposed FY2016-17 millage rate for adoption, which must be certified to the county property appraisers by August 4. The proposed millage rate is the rate that will be used for Truth in Millage (TRIM) *Notices of Proposed Property Taxes*. Prior to the July 26 meeting, staff will provide the Board members with a draft of the August 1 *Standard Format Tentative Budget Submission* for FY2016-17, with a request to approve for submission by August 1.

Staff will present a budget briefing to the EOG and the DEP. The results of that meeting will be communicated to the Governing Board at the next regular scheduled Board meeting.

Item 19

The District's FY2016-17 budget will be adopted in September following two public TRIM hearings. The first hearing is scheduled for September 13, 2016 at 5:01 p.m. at the Tampa Service Office. 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 adoption hearing. The second and final hearing is scheduled for September 27, 2016 at 5:01 p.m., also at the Tampa Service Office.

Discussion

a. **FY2016-17 Budget Update**

Staff will review the budget changes presented at the June 28, 2016 meeting and the proposed changes that have occurred since June 28. The proposed budget for the August 1 tentative budget submission has increased \$11,943,380 to \$180,124,902, subject to approval by the Governing Board on July 26.

Changes made at the June 28 meeting:

- Hillsborough County Upper Town and Country Stormwater Improvement Project was increased \$200,000 from the original request of \$650,000 to \$850,000.
- Hillsborough County Tanglewood Lane Stormwater Improvement Project was increased \$350,000 from the original request of \$700,000 to \$1,050,000.
- Hillsborough County West Lambright Street Stormwater Improvement Project was increased \$150,000 from the original request of \$600,000 to \$750,000.
- City of Winter Haven Reclaimed Water Aquifer Recharge Feasibility Project was added to the budget in the amount of \$150,000.
- Pasco County Magnolia Valley Stormwater Improvement Project was added to the budget in the amount of \$950,000.
- Use of Hillsborough River Basin Restricted Reserves increased \$700,000 to fund the Hillsborough County projects.
- Use of Balance Forward from Prior Years increased \$1,100,000 to balance the budget.

Proposed changes for the July 26 meeting:

- The ad valorem tax revenue has been reduced \$371,439 due to adjustment of the millage rate to the rolled-back rate of 0.3317.
- Use of Balance Forward from Prior Years increased \$371,439 to balance the budget.
- DEP funding added for springs initiative projects in the amount of \$10,143,380.

b. **Adoption of Proposed District Millage Rate for FY2016-17**

Staff will present the certifications of taxable value and the proposed FY2016-17 District millage rate, in compliance with s. 373.503, Florida Statutes (F.S.), and s. 200.065, F.S. Overall taxable property values in the District increased by 7.09 percent. Of the increase, 5.12 percent is related to property values and 1.97 percent is related to new construction. The rolled-back millage rate based on s. 200.065, F.S., equates to 0.3317, which is less than the 0.3488 approved in FY2015-16. Based on the July 1 certifications of taxable value and the rolled-back millage rate, staff has reduced the ad valorem revenue by \$371,439 to \$105,954,256. Staff will recommend the Governing Board adopt Resolution No.16-09, *Adoption of Proposed Millage Rate for Fiscal Year 2016-17*. A copy of the draft resolution is attached as an exhibit to this Item.

Item 19

c. **Approval of August 1 Standard Format Tentative Budget Submission**

Staff requests approval to submit the *Standard Format Tentative Budget Submission* to the EOG, DEP, Florida Legislature and other parties, as required by statute, for delivery by August 1, 2016. The report reflects the budget as presented to the Governing Board on June 28 and adjusted for the changes discussed in item a. above.

d. **Assignment of Funds to District's Short-Term Projects Reserve**

Staff requests the Governing Board assign \$8,151,145 in available funds to the District's Short-Term Projects Reserve as part of fund balance. These funds resulted from the use of the Hillsborough River Basin Restricted Reserves for projects approved within the Hillsborough River Basin. The use of \$8,769,937 in basin reserves will allow for the assignment of \$8,151,145 in unrestricted reserves to be used for projects within the 16-county area. This results in the use of \$618,792 of reserves for FY2016-17.

Staff Recommendation:

- a. Approve the budget changes that have been made since the June 28, 2016 Governing Board meeting.
- b. Approve Resolution No. 16-09, *Adoption of Proposed Millage Rate for Fiscal Year 2016-17*.
- c. Approve the August 1 submittal of the *Standard Format Tentative Budget Submission* report, with the budget modifications approved by the Governing Board on July 26, 2016.
- d. Assign \$8,151,145 in available funds to the District's Short-Term Projects Reserve, established by Board Policy Number 130-9.

Presenter: John J. Campbell, Division Director, Management Services
Linda S. Howard, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 16-09

ADOPTION OF PROPOSED MILLAGE RATE FOR FISCAL YEAR 2016-17

WHEREAS, the Governing Board of the Southwest Florida Water Management District (District), by authority of Article VII, Section 9(b) of the Florida Constitution, and Chapters 200 and 373, Florida Statutes, is authorized to levy ad valorem taxes on taxable property within the District; and

WHEREAS, the Governing Board of the District must advise the county property appraisers of its proposed District millage rate to be levied upon all taxable property in the District subject to county taxes to be applied on the tax rolls for the year 2016, for the purpose of preparing the notice of proposed property taxes; and

WHEREAS, the Governing Board of the District must provide the county property appraisers preliminary disclosure of the maximum millage levy calculation and certify the appropriate vote was taken by the Governing Board for the proposed millage rate adopted in compliance with Section 200.065, Florida Statutes; and

THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District by a vote of _____ in favor, _____ against and _____ not present or not voting:

That there is adopted a proposed District millage rate, as provided for in Sections 373.503(3) and 373.536, Florida Statutes, and in compliance with the maximum millage rate established by Section 200.065, Florida Statutes, for fiscal year 2016-17, to be assessed on the tax rolls for the year 2016, for the purpose of levying a uniform ad valorem tax on all taxable property in the counties within the District as certified by the county property appraisers pursuant to Section 200.065, Florida Statutes, excluding lands held by the Trustees of the Internal Improvement Trust Fund to the extent specified in Section 373.543, Florida Statutes, as follows:

<u>District</u>	<u>Rolled-back Rate</u>	<u>Proposed Millage Rate</u>	<u>Percent Over Rolled-back Rate</u>	<u>Counties Applied To</u>
Districtwide	0.3317	0.3317	0.00%	Charlotte, Citrus, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, Sumter

APPROVED AND ADOPTED this twenty-sixth day of July 2016 by the Governing Board of the Southwest Florida Water Management District.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

Attest:

By: _____
Randall S. Maggard, Chair

Bryan Beswick, Secretary

CERTIFICATE AS TO RESOLUTION NO. 16-09

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

We, the undersigned, hereby certify that we are, Chair and Secretary, respectively, of the Southwest Florida Water Management District, organized and existing under and by virtue of the Laws of the State of Florida, and having its office and place of business at 2379 Broad Street, Brooksville, Hernando County, Florida, and that, on the twenty-sixth day of July 2016, at a duly called and properly held meeting of the Governing Board of the Southwest Florida Water Management District, at 7601 US Highway 301 North, Tampa, Hillsborough County, Florida, at which meeting a majority of the members of the Governing Board were present, the resolution, which is attached hereto and which this certificate is a part thereof, was adopted and incorporated in the minutes of that meeting.

Dated at Tampa, Florida, this twenty-sixth day of July 2016.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

By: _____
Randall S. Maggard, Chair

Attest:

Bryan Beswick, Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this twenty-sixth day of July 2016, by Randall S. Maggard, and Bryan Beswick, Chair and Secretary, respectively, of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation. They are personally known to me.

WITNESS my hand and official seal on this twenty-sixth day of July 2016.

Notary Public
State of Florida at Large
My Commission Expires:

Attachment: 07-16 FO&P-FIN Exhibit-FY2016-17 Budget - Millage Resolution (2564 : FY2017 Budget Development)

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy 130-3, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of June 30, 2016, reflects total cash and investments.

In accordance with Board Policy 130-1, *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: Linda S. Howard, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 TREASURER'S REPORT TO THE GOVERNING BOARD
 June 30, 2016

CUSTODIAN HELD INVESTMENTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	AMORTIZED COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
PFM ASSET MANAGEMENT						
<u>SWFWMD-Core Portfolio (82560010)</u> (see Attachment A)						
7951620	Investments	1.10	\$153,780,817	\$154,804,542	\$349,222	
7951620	Cash / Money Market Fund	0.22	505,301	505,301	0	
			<u>\$154,286,118</u>	<u>\$155,309,843</u>	<u>\$349,222</u>	
<u>SWFWMD- 1-5 Year Portfolio (82560020)</u> (see Attachment B)						
7951620	Investments	1.36	\$49,854,717	\$50,506,047	\$194,574	
			Total PFM	\$204,140,835	\$205,815,890	\$543,796
						41.99
PUBLIC TRUST ADVISORS (see Attachment C)						
7951619	Investments	0.83	\$203,912,249	\$204,450,783	\$511,528	
7951619	Cash / Money Market Fund	0.22	139,746	139,746	0	
			Subtotal PTA	\$204,051,995	\$204,590,529	\$511,528
7951619	Accounts Receivable-Trade date prior to 6/30/16, Settlement date after 6/30/16		71	71	0	
			Total PTA	\$204,052,066	\$204,590,600	\$511,528
						41.97
TOTAL CUSTODIAN HELD INVESTMENTS			\$408,192,901	\$410,406,490	\$1,055,324	83.96

STATE BOARD OF ADMINISTRATION (SBA) INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
STATE BOARD OF ADMINISTRATION						
<u>Florida PRIME (Formerly Local Government Investment Pool)</u>						
271413	SBA General Investments	0.67	\$57,392,530	\$57,392,530		
271414	SBA Land Resources	0.67	8,055,914	8,055,914		
271415	SBA Advanced State Funding (Eco System Trust Fund)	0.67	903,934	903,934		
271416	SBA Advanced State Funding (FDOT)	0.67	11,292,139	11,292,139		
271417	SBA Advanced State Funding (WRAP)	0.67	261,220	261,220		
271418	SBA Advanced State Funding (WPSTF AWS)	0.67	53,720	53,720		
	TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS		\$77,959,457	\$77,959,457		16.04

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 TREASURER'S REPORT TO THE GOVERNING BOARD
 June 30, 2016

<i>TOTAL INVESTMENTS</i>	<u>\$486,152,358</u>	<u>\$488,365,947</u>	100.00
<i>CASH, SUNTRUST DEMAND ACCOUNT</i>	3,108,379	3,108,379	
<i>TOTAL CASH AND INVESTMENTS</i>	<u>\$489,260,737</u>	<u>\$491,474,326</u>	

Weighted average yield on portfolio at June 30, 2016 is 0.94%.

EQUITY - CASH AND INVESTMENTS

DISTRICT AND BASINS

District General Fund	392,442,868	80.22%
Restricted for Alafia River Basin	2,645,998	0.54%
Restricted for Hillsborough River Basin	44,532,465	9.10%
Restricted for Coastal Rivers Basin	1,049,601	0.21%
Restricted for Pinellas-Anclote River Basin	18,379,309	3.76%
Restricted for Withlacoochee River Basin	3,717,693	0.76%
Restricted for Peace River Basin	3,775,410	0.77%
Restricted for Manasota Basin	6,668,546	1.36%
Total District General Fund	<u>\$473,211,890</u>	<u>96.72%</u>
FDOT Mitigation Program	10,924,340	2.23%
Florida Forever Program	5,124,507	1.05%
<i>TOTAL EQUITY IN CASH AND INVESTMENTS</i>	<u>\$489,260,737</u>	<u>100.00%</u>



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE PORTFOLIO - 82560010

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note												
US TREASURY NOTES DTD 11/30/2012 0.625% 11/30/2017		912828UA6	430,000.00	AA+	Aaa	12/01/14	12/03/14	426,875.78	0.87	227.63	428,512.08	430,352.60
US TREASURY NOTES DTD 04/01/2013 0.750% 03/31/2018		912828UU2	575,000.00	AA+	Aaa	02/26/15	02/27/15	569,789.06	1.05	1,084.02	572,029.49	576,572.05
US TREASURY NOTES DTD 04/01/2013 0.750% 03/31/2018		912828UU2	1,700,000.00	AA+	Aaa	03/26/15	03/27/15	1,687,250.00	1.00	3,204.92	1,692,550.21	1,704,647.80
US TREASURY NOTES DTD 07/31/2013 1.375% 07/31/2018		912828VQ0	1,600,000.00	AA+	Aaa	07/28/15	07/29/15	1,615,875.00	1.04	9,186.81	1,611,050.98	1,625,124.80
US TREASURY NOTES DTD 08/31/2011 1.500% 08/31/2018		912828RE2	4,200,000.00	AA+	Aaa	09/01/15	09/03/15	4,254,632.81	1.06	21,057.07	4,239,716.71	4,279,241.40
US TREASURY NOTES DTD 09/30/2011 1.375% 09/30/2018		912828RH5	7,000,000.00	AA+	Aaa	10/08/15	10/13/15	7,089,687.50	0.94	24,193.99	7,068,253.92	7,115,661.00
US TREASURY NOTES DTD 10/31/2013 1.250% 10/31/2018		912828WD8	10,800,000.00	AA+	Aaa	11/05/15	11/09/15	10,830,375.00	1.15	22,744.57	10,823,894.57	10,949,763.60
US TREASURY NOTES DTD 12/31/2013 1.500% 12/31/2018		912828A75	6,800,000.00	AA+	Aaa	12/28/15	12/30/15	6,830,281.25	1.35	277.17	6,825,269.96	6,940,250.00
US TREASURY NOTES DTD 12/31/2013 1.500% 12/31/2018		912828A75	8,100,000.00	AA+	Aaa	12/01/15	12/04/15	8,168,343.75	1.22	330.16	8,155,745.50	8,267,062.50
US TREASURY NOTES DTD 02/29/2012 1.375% 02/28/2019		912828SH4	4,500,000.00	AA+	Aaa	02/01/16	02/03/16	4,548,164.06	1.02	20,681.05	4,541,892.62	4,581,738.00
US TREASURY NOTES DTD 03/31/2014 1.625% 03/31/2019		912828C65	4,485,000.00	AA+	Aaa	03/02/16	03/04/16	4,563,487.50	1.04	18,319.88	4,555,306.19	4,597,474.83
US TREASURY NOTES DTD 06/02/2014 1.500% 05/31/2019		912828WL0	4,000,000.00	AA+	Aaa	03/30/16	03/31/16	4,063,125.00	0.99	5,081.97	4,058,198.00	4,090,312.00
US TREASURY NOTES DTD 06/02/2014 1.500% 05/31/2019		912828WL0	4,500,000.00	AA+	Aaa	05/03/16	05/06/16	4,579,453.13	0.92	5,717.21	4,575,548.12	4,601,601.00
US TREASURY NOTES DTD 07/31/2012 0.875% 07/31/2019		912828TH3	5,740,000.00	AA+	Aaa	06/27/16	06/28/16	5,767,130.47	0.72	20,973.08	5,767,059.51	5,763,545.48



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE PORTFOLIO - 82560010

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Security Type Sub-Total		64,430,000.00					64,994,470.31	1.06	153,079.53	64,915,027.86	65,523,347.06
Federal Agency Bond / Note											
FHLMC REFERENCE NOTE DTD 01/16/2015 0.500% 01/27/2017	3137EADU0	4,619,000.00	AA+	Aaa	01/15/15	01/16/15	4,610,916.75	0.59	9,879.53	4,616,712.44	4,618,759.81
FHLB GLOBAL NOTES DTD 05/15/2015 0.625% 05/30/2017	3130A5EP0	4,420,000.00	AA+	Aaa	05/14/15	05/15/15	4,416,331.40	0.67	2,378.82	4,418,351.12	4,422,042.04
FREDDIE MAC GLOBAL NOTES DTD 06/25/2012 1.000% 07/28/2017	3137EADJ5	2,140,000.00	AA+	Aaa	08/12/14	08/14/14	2,139,856.62	1.00	9,095.00	2,139,948.17	2,149,157.06
FREDDIE MAC GLOBAL NOTES DTD 06/25/2012 1.000% 07/28/2017	3137EADJ5	3,000,000.00	AA+	Aaa	03/19/15	03/20/15	3,010,200.00	0.85	12,750.00	3,004,682.79	3,012,837.00
FNMA NOTES DTD 08/25/2014 1.000% 09/27/2017	3135G0ZL0	1,290,000.00	AA+	Aaa	08/21/14	08/25/14	1,285,394.70	1.12	3,368.33	1,288,133.29	1,295,905.62
FEDERAL HOME LOAN BANKS AGCY DTD 05/27/2016 0.875% 06/29/2018	3130A8BD4	3,270,000.00	AA+	Aaa	05/26/16	05/27/16	3,262,119.30	0.99	158.96	3,262,467.23	3,283,089.81
FNMA BENCHMARK NOTE DTD 02/23/2016 1.000% 02/26/2019	3135G0J53	5,000,000.00	AA+	Aaa	05/26/16	05/31/16	4,990,150.00	1.07	17,361.11	4,990,457.80	5,024,600.00
FHLB GLOBAL NOTE DTD 06/03/2016 1.125% 06/21/2019	3130A8DB6	3,990,000.00	AA+	Aaa	06/02/16	06/03/16	3,988,324.20	1.14	1,246.88	3,988,360.67	4,027,015.23
Security Type Sub-Total		27,729,000.00					27,703,292.97	0.90	56,238.63	27,709,113.51	27,833,406.57
Corporate Note											
WELLS FARGO & COMPANY GLOBAL NOTES DTD 12/12/2011 2.625% 12/15/2016	94974BEZ9	5,000,000.00	A	A2	01/14/14	01/17/14	5,238,950.00	0.96	5,833.33	5,037,827.95	5,041,920.00
JPMORGAN CHASE & CO DTD 02/18/2014 1.350% 02/15/2017	46623EJY6	5,400,000.00	A-	A3	02/12/14	02/18/14	5,397,300.00	1.37	27,540.00	5,399,429.22	5,410,972.80
APPLE INC CORP NOTE DTD 05/06/2014 1.050% 05/05/2017	037833AM2	5,475,000.00	AA+	Aa1	04/29/14	05/06/14	5,472,098.25	1.07	8,782.81	5,474,173.49	5,487,899.10
PFIZER INC CORPORATE NOTE DTD 05/15/2014 1.100% 05/15/2017	717081DJ9	1,200,000.00	AA	A1	05/12/14	05/15/14	1,198,944.00	1.13	1,686.67	1,199,689.38	1,202,611.20



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE PORTFOLIO - 82560010

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note												
AMERICAN EXPRESS CREDIT CORP NOTES DTD 06/05/2014 1.125% 06/05/2017		0258MODM8	4,650,000.00	A-	A2	06/02/14	06/05/14	4,638,654.00	1.21	3,778.13	4,646,447.96	4,649,362.95
CATERPILLAR FINANCIAL SE DTD 08/20/2014 1.250% 08/18/2017		14912L6D8	2,405,000.00	A	A2	08/13/14	08/20/14	2,403,797.50	1.27	11,106.42	2,404,540.57	2,411,784.51
BOEING COMPANY (FLOATING) NOTE DTD 10/31/2014 0.763% 10/30/2017		097023BF1	2,500,000.00	A	A2	10/28/14	10/31/14	2,500,000.00	0.36	3,339.66	2,500,000.00	2,499,472.50
TOYOTA MOTOR CREDIT CORP NOTE DTD 01/12/2015 1.450% 01/12/2018		89236TCA1	1,300,000.00	AA-	Aa3	01/07/15	01/12/15	1,298,219.00	1.50	8,849.03	1,299,081.47	1,309,478.30
IBM CORP NOTES DTD 02/06/2015 1.125% 02/06/2018		459200HZ7	5,500,000.00	AA-	Aa3	02/03/15	02/06/15	5,483,225.00	1.23	24,921.88	5,490,993.48	5,523,672.00
AMERICAN HONDA FINANCE CORP NOTES DTD 03/13/2015 1.500% 03/13/2018		02665WAT8	1,800,000.00	A+	A1	04/20/15	04/23/15	1,812,204.00	1.26	8,100.00	1,807,237.91	1,817,625.60
AMERICAN HONDA FINANCE CORP NOTES DTD 03/13/2015 1.500% 03/13/2018		02665WAT8	3,740,000.00	A+	A1	03/10/15	03/13/15	3,734,988.40	1.55	16,830.00	3,737,132.47	3,776,622.08
BANK OF NEW YORK MELLON CORP (CALLABLE) DTD 05/29/2015 1.600% 05/22/2018		06406HDB2	5,500,000.00	A	A1	05/22/15	05/29/15	5,499,505.00	1.60	9,533.33	5,499,679.02	5,554,725.00
CISCO SYSTEMS INC CORP NOTE DTD 06/17/2015 1.650% 06/15/2018		17275RAU6	4,740,000.00	AA-	A1	06/10/15	06/17/15	4,739,194.20	1.66	3,476.00	4,739,468.17	4,801,629.48
CHEVRON CORP NOTES DTD 05/16/2016 1.561% 05/16/2019		166764BH2	3,140,000.00	AA-	Aa2	05/09/16	05/16/16	3,140,000.00	1.56	6,126.93	3,140,000.00	3,175,158.58
Security Type Sub-Total			52,350,000.00					52,557,079.35	1.29	139,904.19	52,375,701.09	52,662,934.10
Commercial Paper												
BANK OF TOKYO MITSUBISHI COMM PAPER -- 0.000% 07/18/2016		06538BGJ6	5,000,000.00	A-1	P-1	01/19/16	01/20/16	4,978,500.00	0.86	0.00	4,997,969.45	4,998,945.00
BNP PARIBAS NY BRANCH COMM PAPER -- 0.000% 12/09/2016		09659BM98	3,800,000.00	A-1	P-1	03/16/16	03/17/16	3,771,816.67	1.01	0.00	3,783,005.56	3,785,909.60



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE PORTFOLIO - 82560010

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Security Type Sub-Total		8,800,000.00					8,750,316.67	0.93	0.00	8,780,975.01	8,784,854.60
Managed Account Sub-Total		153,309,000.00					154,005,159.30	1.10	349,222.35	153,780,817.47	154,804,542.33
Securities Sub-Total		\$153,309,000.00					\$154,005,159.30	1.10%	\$349,222.35	\$153,780,817.47	\$154,804,542.33
Accrued Interest											\$349,222.35
Total Investments											\$155,153,764.68



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE 1-5 YEAR PORTFOLIO - 82560020

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note												
US TREASURY NOTES DTD 03/31/2012 1.000% 03/31/2017		912828SM3	1,795,000.00	AA+	Aaa	03/19/14	03/21/14	1,798,856.45	0.93	4,512.02	1,795,963.61	1,801,663.04
US TREASURY NOTES DTD 04/30/2012 0.875% 04/30/2017		912828SS0	5,000,000.00	AA+	Aaa	10/01/14	10/06/14	5,003,906.25	0.84	7,370.92	5,001,275.55	5,015,190.00
US TREASURY NOTES DTD 04/01/2013 0.750% 03/31/2018		912828UU2	8,690,000.00	AA+	Aaa	02/26/15	02/27/15	8,611,246.87	1.05	16,382.79	8,645,106.59	8,713,758.46
US TREASURY NOTES DTD 10/01/2012 1.000% 09/30/2019		912828TR1	2,000,000.00	AA+	Aaa	10/16/15	10/19/15	1,986,250.00	1.18	5,027.32	1,988,643.24	2,014,922.00
US TREASURY NOTES DTD 02/28/2013 1.250% 02/29/2020		912828UO1	1,700,000.00	AA+	Aaa	11/05/15	11/09/15	1,678,683.59	1.55	7,102.58	1,681,781.24	1,725,367.40
US TREASURY NOTES DTD 02/28/2013 1.250% 02/29/2020		912828UQ1	4,500,000.00	AA+	Aaa	10/16/15	10/19/15	4,498,417.97	1.26	18,800.95	4,498,680.47	4,567,149.00
US TREASURY NOTES DTD 07/31/2013 2.000% 07/31/2020		912828VP2	955,000.00	AA+	Aaa	02/01/16	02/03/16	983,911.13	1.30	7,975.82	981,344.75	996,669.52
US TREASURY NOTES DTD 07/31/2013 2.000% 07/31/2020		912828VP2	1,760,000.00	AA+	Aaa	12/01/15	12/04/15	1,792,862.50	1.58	14,698.90	1,788,944.84	1,836,794.08
US TREASURY NOTES DTD 07/31/2013 2.000% 07/31/2020		912828VP2	1,765,000.00	AA+	Aaa	12/28/15	12/30/15	1,787,269.34	1.71	14,740.66	1,784,912.54	1,842,012.25
US TREASURY NOTE DTD 12/02/2013 2.000% 11/30/2020		912828A42	900,000.00	AA+	Aaa	03/02/16	03/04/16	925,628.91	1.38	1,524.59	923,929.77	940,464.90
US TREASURY NOTE DTD 12/02/2013 2.000% 11/30/2020		912828A42	1,220,000.00	AA+	Aaa	05/03/16	05/06/16	1,262,271.09	1.22	2,066.67	1,260,895.24	1,274,852.42
US TREASURY NOTES DTD 02/28/2014 2.000% 02/28/2021		912828B90	330,000.00	AA+	Aaa	03/30/16	03/31/16	340,776.57	1.31	2,205.98	340,245.32	345,211.02
US TREASURY NOTES DTD 02/28/2014 2.000% 02/28/2021		912828B90	1,200,000.00	AA+	Aaa	05/26/16	05/31/16	1,235,812.50	1.35	8,021.74	1,235,199.64	1,255,312.80
Security Type Sub-Total			31,815,000.00					31,905,893.17	1.18	110,430.94	31,926,922.80	32,329,366.89



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE 1-5 YEAR PORTFOLIO - 82560020

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note												
FREDDIE MAC GLOBAL NOTES DTD 06/25/2012 1.000% 07/28/2017		3137EADJ5	1,035,000.00	AA+	Aaa	08/12/14	08/14/14	1,034,930.66	1.00	4,398.75	1,034,974.93	1,039,428.77
FREDDIE MAC GLOBAL NOTES DTD 06/25/2012 1.000% 07/28/2017		3137EADJ5	1,965,000.00	AA+	Aaa	08/12/14	08/14/14	1,964,756.34	1.00	8,351.25	1,964,911.28	1,973,408.24
FNMA NOTES DTD 08/25/2014 1.000% 09/27/2017		3135G0ZL0	1,500,000.00	AA+	Aaa	08/21/14	08/25/14	1,494,645.00	1.12	3,916.67	1,497,829.41	1,506,867.00
FHLB GLOBAL NOTE DTD 06/03/2016 1.125% 06/21/2019		3130A8DB6	1,300,000.00	AA+	Aaa	06/02/16	06/03/16	1,299,454.00	1.14	406.25	1,299,465.88	1,312,060.10
FNMA BENCHMARK NOTE DTD 05/16/2016 1.250% 05/06/2021		3135G0K69	1,000,000.00	AA+	Aaa	06/27/16	06/29/16	1,005,000.00	1.14	1,562.50	1,004,994.46	1,003,748.00
Security Type Sub-Total			6,800,000.00					6,798,786.00	1.08	18,635.42	6,802,175.96	6,835,512.11
Corporate Note												
AMERICAN EXPRESS CRD CRP NT (CALLABLE) DTD 07/31/2015 1.800% 07/31/2018		0258M0DV8	500,000.00	A-	A2	09/24/15	09/29/15	500,120.00	1.79	3,775.00	500,091.62	504,432.50
HSBC USA CORP NOTES DTD 08/07/2015 2.000% 08/07/2018		40428HPU0	1,250,000.00	A	A2	08/11/15	08/14/15	1,251,837.50	1.95	10,000.00	1,251,307.03	1,254,072.50
TOYOTA MOTOR CREDIT CORP GLOBAL NOTES DTD 10/24/2013 2.000% 10/24/2018		89236TAY1	900,000.00	AA-	Aa3	09/01/15	09/04/15	903,708.00	1.86	3,350.00	902,759.83	917,483.40
JP MORGAN CHASE & CO DTD 01/28/2014 2.350% 01/28/2019		46625HJR2	1,250,000.00	A-	A3	08/11/15	08/14/15	1,261,150.00	2.08	12,484.38	1,258,387.59	1,280,820.00
CISCO SYSTEMS INC GLOBAL NOTES DTD 03/03/2014 2.125% 03/01/2019		17275RAR3	1,250,000.00	AA-	A1	09/01/15	09/04/15	1,261,787.50	1.84	8,854.17	1,259,069.28	1,283,827.50
WELLS FARGO & COMPANY DTD 04/22/2014 2.125% 04/22/2019		94974BFU9	1,250,000.00	A	A2	08/11/15	08/14/15	1,255,287.50	2.01	5,091.15	1,254,071.61	1,276,913.75
GENERAL ELEC CAP CORP GLOBAL NOTES DTD 12/12/2012 2.100% 12/11/2019		36962G6P4	1,250,000.00	AA+	Aa3	09/01/15	09/04/15	1,257,737.50	1.95	1,458.33	1,256,304.28	1,289,572.50



Managed Account Detail of Securities Held

For the Month Ending **June 30, 2016**

SWFWMD-CORE 1-5 YEAR PORTFOLIO - 82560020

Security Type/Description	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
JOHN DEER CAPITAL CORP NOTE DTD 09/11/2015 2.450% 09/11/2020	24422ETB5	1,250,000.00	A	A2	10/01/15	10/06/15	1,263,112.50	2.22	9,357.64	1,261,251.49	1,291,022.50
AMERICAN HONDA FINANCE CB DTD 09/24/2015 2.450% 09/24/2020	02665WAZ4	1,250,000.00	A+	A1	10/01/15	10/06/15	1,250,812.50	2.44	8,251.74	1,250,702.99	1,298,228.75
AMERICAN EXPRESS CREDIT CORP NOTES DTD 05/05/2016 2.250% 05/05/2021	0258M0EB1	500,000.00	A-	A2	05/05/16	05/10/16	502,735.00	2.13	1,750.00	502,661.17	508,870.00
BRANCH BANKING & TRUST CORP NOTE DTD 05/10/2016 2.050% 05/10/2021	05531FAV5	250,000.00	A-	A2	05/11/16	05/16/16	249,670.00	2.08	726.04	249,678.00	253,662.25
STATE STREET CORP NOTES DTD 05/19/2016 1.950% 05/19/2021	857477AV5	180,000.00	A	A1	05/19/16	05/24/16	179,319.60	2.03	409.50	179,333.04	182,262.42
Security Type Sub-Total		11,080,000.00					11,137,277.60	2.04	65,507.95	11,125,617.93	11,341,168.07
Managed Account Sub-Total		49,695,000.00					49,841,956.77	1.36	194,574.31	49,854,716.69	50,506,047.07
Securities Sub-Total		\$49,695,000.00					\$49,841,956.77	1.36%	\$194,574.31	\$49,854,716.69	\$50,506,047.07
Accrued Interest											\$194,574.31
Total Investments											\$50,700,621.38

Security Type GASB 40 Trade Date

SWFWMD (37141)

As of 06/30/2016

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Dated: 07/06/2016

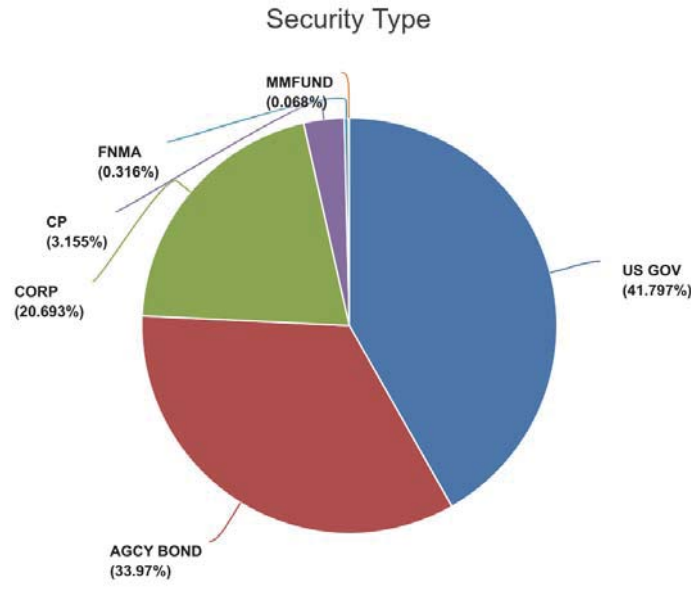


Chart calculated by: Market Value + Accrued

AGCY BOND

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
3137EADSS FREDDIE MAC AGCY BOND	Fixed	N	0.289	AA+ Aaa	7,000,000.00	10/14/2016 10/14/2016	0.572 0.434	13,100.69	7,006,070.73 7,019,171.42	7,008,890.00 7,021,990.69
3130A42K7 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	0.586	AA+ Aaa	8,750,000.00	02/02/2017 02/02/2017	0.601 0.431	22,634.55	8,751,217.29 8,773,851.84	8,759,975.00 8,782,609.55
3137EADX4 FEDERAL HOME LOAN MORTGAGE CORP AGCY BOND	Fixed	N	1.446	AA+ Aaa	5,000,000.00	12/15/2017 12/15/2017	1.05 0.633	2,222.22	4,996,370.23 4,998,592.45	5,026,600.00 5,028,822.22
3133EDXA5 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	Fixed	N	1.265	AA+ Aaa	2,000,000.00	10/10/2017 10/10/2017	0.999 0.598	5,175.00	2,003,816.57 2,008,991.57	2,014,040.00 2,019,215.00
3133EFEM5 FEDERAL FARM CREDIT BANKS FUNDING CORP AGCY BOND	Fixed	N	1.226	AA+ Aaa	2,750,000.00	09/25/2017 09/25/2017	0.775 0.625	6,600.00	2,754,219.22 2,760,819.22	2,759,295.00 2,765,895.00
3137EACA5 FREDDIE MAC AGCY BOND	Fixed	N	2.603	AA+ Aaa	5,000,000.00	03/27/2019 03/27/2019	1.201 0.805	48,958.33	5,342,358.30 5,391,316.63	5,398,400.00 5,447,358.33
3137EADV8 FREDDIE MAC AGCY BOND	Fixed	N	1.03	AA+ Aaa	5,000,000.00	07/14/2017 07/14/2017	0.743 0.606	17,395.83	5,000,348.40 5,017,744.23	5,007,450.00 5,024,845.83
3130A6SW8 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	1.457	AA+ Aaa	7,400,000.00	12/19/2017 12/19/2017	1.121 0.646	2,466.67	7,387,006.84 7,389,473.50	7,438,258.00 7,440,724.67
3130A6SW8 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	1.457	AA+ Aaa	3,000,000.00	12/19/2017 12/19/2017	1.00 0.646	1,000.00	3,000,000.00 3,001,000.00	3,015,510.00 3,016,510.00

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Dated: 07/06/2016

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
3130A6SW8 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	1.457	AA+ Aaa	1,500,000.00	12/19/2017 12/19/2017	1.074 0.646	500.00	1,498,388.10 1,498,888.10	1,507,755.00 1,508,255.00
313371PV2 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	0.441	AA+ Aaa	10,000,000.00	12/09/2016 12/09/2016	0.683 0.492	9,930.56	10,041,281.32 10,051,211.87	10,049,900.00 10,059,830.56
313380EC7 FEDERAL HOME LOAN BANKS AGCY BOND	Fixed	N	1.179	AA+ Aaa	1,500,000.00	09/08/2017 09/08/2017	0.803 0.648	3,531.25	1,499,067.27 1,502,598.52	1,501,800.00 1,505,331.25
3137EADN6 FREDDIE MAC AGCY BOND	Fixed	N	1.517	AA+ Aaa	7,000,000.00	01/12/2018 01/12/2018	0.971 0.638	24,645.83	6,976,601.20 7,001,247.03	7,011,970.00 7,036,615.83
3137EADN6 FREDDIE MAC AGCY BOND	Fixed	N	1.517	AA+ Aaa	3,000,000.00	01/12/2018 01/12/2018	0.968 0.638	10,562.50	2,990,106.99 3,000,669.49	3,005,130.00 3,015,692.50
--- --- AGCY BOND	Fixed	N	1.129	AA+ Aaa	68,900,000.00	08/23/2017 08/23/2017	0.859 0.581	168,723.44	69,246,852.45 69,415,575.89	69,504,973.00 69,673,696.44

CORP

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
89114QAQ1 TORONTO DOMINION BANK CORP	Fixed	N	0.832	AA- Aa1	2,000,000.00	05/02/2017 05/02/2017	1.236 1.024	3,687.50	1,998,157.45 2,001,844.95	2,001,680.00 2,005,367.50
084664BX8 BERKSHIRE HATHAWAY FINANCE CORP CORP	Fixed	N	0.125	AA Aa2	5,000,000.00	08/15/2016 08/15/2016	0.694 0.667	17,944.44	5,001,576.70 5,019,521.15	5,001,750.00 5,019,694.44
05253JAF8 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW CORP	Fixed	N	0.944	AA- Aa2	4,000,000.00	06/13/2017 06/13/2017	1.256 1.172	2,500.00	3,999,768.90 4,002,268.90	4,002,960.00 4,005,460.00
94988J5A1 WELLS FARGO BANK NA CORP	Fixed	N	1.529	AA- Aa2	2,000,000.00	01/22/2018 01/22/2018	1.665 1.099	13,933.33	1,999,540.61 2,013,473.94	2,017,020.00 2,030,953.33
166764BA7 CHEVRON CORP CORP	Fixed	N	2.32	AA- Aa2	5,000,000.00	11/16/2018 11/16/2018	1.26 1.217	11,187.50	5,061,808.36 5,072,995.86	5,066,900.00 5,078,087.50
084664CA7 BERKSHIRE HATHAWAY FINANCE CORP CORP	Floating	N	0.031	AA Aa2	4,000,000.00	01/10/2017 01/10/2017	0.796 0.81	7,009.20	4,000,000.00 4,007,009.20	3,999,520.00 4,006,529.20
78010UNX1 ROYAL BANK OF CANADA CORP	Fixed	N	0.558	AA- Aa3	5,000,000.00	01/23/2017 01/23/2017	1.067 0.925	26,333.33	5,003,691.98 5,030,025.32	5,007,700.00 5,034,033.33
89233P5E2 TOYOTA MOTOR CREDIT CORPORATION CORP	Fixed	N	0.208	AA- Aa3	10,000,000.00	09/15/2016 09/15/2016	0.769 0.827	58,888.89	10,025,332.74 10,084,221.63	10,024,300.00 10,083,188.89
064159EK8 BANK OF NOVA SCOTIA CORP	Fixed	N	0.773	A+ Aa3	2,000,000.00	04/11/2017 04/11/2017	1.277 1.059	5,555.56	1,999,584.28 2,005,139.84	2,002,960.00 2,008,515.56
36962G7J7 GENERAL ELECTRIC CAPITAL CORP CORP	Fixed	Y	0.69	AA+ A1	1,150,000.00	04/13/2017 05/15/2017	1.255 0.904	1,836.81	1,149,949.19 1,151,786.00	1,153,105.00 1,154,941.81
94974BGB0 WELLS FARGO & CO CORP	Fixed	N	1.172	A A2	2,000,000.00	09/08/2017 09/08/2017	1.434 1.138	8,788.89	1,999,205.53 2,007,994.42	2,006,160.00 2,014,948.89
--- --- CORP	---	---	0.723	AA- Aa3	42,150,000.00	04/13/2017 04/14/2017	1.036 0.947	157,665.45	42,238,615.75 42,396,281.20	42,284,055.00 42,441,720.45

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CP

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
21687AL27 Cooperatieve Rabobank U.A. CP	Zero Coupon	N	0.338	A-1 P-1	6,500,000.00	11/02/2016 11/02/2016	0.854 1.261	0.00	6,480,969.46 6,480,969.46	6,471,914.61 6,471,914.61
21687AL27 Cooperatieve Rabobank U.A. CP	Zero Coupon	N	0.338	A-1 P-1	6,500,000.00	11/02/2016 11/02/2016	0.854 1.261	0.00	6,480,969.46 6,480,969.46	6,471,914.61 6,471,914.61

FNMA

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
3136AJB21 FN 14M04A AQ2 FNMA	Fixed	N	0.396	AA+ Aaa	388,516.46	10/16/2016 01/25/2017	0.759 1.369	411.92	388,956.61 389,368.53	388,586.39 388,998.31
31398NXX7 FN 10M5 A2 FNMA	Fixed	N	0.508	AA+ Aaa	257,238.58	04/13/2017 07/25/2020	1.53 1.489	601.51	259,366.64 259,968.15	259,427.68 260,029.19
--- --- FNMA	Fixed	N	0.441	AA+ Aaa	645,755.04	12/27/2016 06/21/2018	1.067 1.417	1,013.43	648,323.26 649,336.69	648,014.07 649,027.50

MMFUND

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
60934N104 FEDR GOV OBLIGATIONS CL IS MMF MMFUND	Fixed	N	0.00	AAAm Aaa	139,746.07	06/30/2016 06/30/2016	0.22 0.22	0.00	139,746.07 139,746.07	139,746.07 139,746.07
60934N104 FEDR GOV OBLIGATIONS CL IS MMF MMFUND	Fixed	N	0.00	AAAm Aaa	139,746.07	06/30/2016 06/30/2016	0.22 0.22	0.00	139,746.07 139,746.07	139,746.07 139,746.07

US GOV

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
912828D23 UNITED STATES TREASURY US GOV	Fixed	N	2.766	AA+ Aaa	5,000,000.00	04/30/2019 04/30/2019	1.063 0.713	13,688.86	5,078,197.28 5,091,886.13	5,127,750.00 5,141,438.86
912828UR9 UNITED STATES TREASURY US GOV	Fixed	N	1.652	AA+ Aaa	2,250,000.00	02/28/2018 02/28/2018	0.754 0.585	5,640.29	2,249,853.43 2,255,493.72	2,256,142.50 2,261,782.79
912828J68 UNITED STATES TREASURY US GOV	Fixed	N	1.689	AA+ Aaa	7,000,000.00	03/15/2018 03/15/2018	0.976 0.595	20,543.48	7,002,803.27 7,023,346.75	7,048,160.00 7,068,703.48
912828WH9 UNITED STATES TREASURY US GOV	Fixed	N	0.871	AA+ Aaa	2,900,000.00	05/15/2017 05/15/2017	0.822 0.516	3,240.83	2,901,326.08 2,904,566.91	2,909,077.00 2,912,317.83
912828VL1 UNITED STATES TREASURY US GOV	Fixed	N	0.041	AA+ Aaa	7,500,000.00	07/15/2016 07/15/2016	0.432 0.212	21,634.62	7,500,556.83 7,522,191.45	7,501,275.00 7,522,909.62

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Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
912828F47 UNITED STATES TREASURY US GOV	Fixed	N	0.251	AA+ Aaa	10,225,000.00	09/30/2016 09/30/2016	0.457 0.352	12,851.09	10,226,081.60 10,238,932.69	10,228,783.25 10,241,634.34
912828VR8 UNITED STATES TREASURY US GOV	Fixed	N	0.126	AA+ Aaa	5,000,000.00	08/15/2016 08/15/2016	0.743 0.244	11,761.68	4,999,273.80 5,011,035.47	5,002,400.00 5,014,161.68
912828PF1 UNITED STATES TREASURY US GOV	Fixed	N	1.317	AA+ Aaa	9,850,000.00	10/31/2017 10/31/2017	0.831 0.583	31,115.83	9,985,821.95 10,016,937.78	10,018,927.50 10,050,043.33
912828XP0 UNITED STATES TREASURY US GOV	Fixed	N	1.078	AA+ Aaa	10,250,000.00	07/31/2017 07/31/2017	0.727 0.534	26,751.37	10,238,695.63 10,265,447.00	10,260,045.00 10,286,796.37
912828RP7 UNITED STATES TREASURY US GOV	Fixed	N	2.285	AA+ Aaa	2,800,000.00	10/31/2018 10/31/2018	0.919 0.649	8,255.43	2,853,561.36 2,861,816.79	2,871,316.00 2,879,571.43
912828SJ0 UNITED STATES TREASURY US GOV	Fixed	N	0.665	AA+ Aaa	4,250,000.00	02/28/2017 02/28/2017	0.486 0.488	12,429.52	4,260,960.26 4,273,389.78	4,260,965.00 4,273,394.52
912828F88 UNITED STATES TREASURY US GOV	Fixed	N	0.334	AA+ Aaa	10,500,000.00	10/31/2016 10/31/2016	0.316 0.354	6,633.83	10,502,034.11 10,508,667.94	10,500,735.00 10,507,368.83
912828XA3 UNITED STATES TREASURY US GOV	Fixed	N	1.855	AA+ Aaa	7,500,000.00	05/15/2018 05/15/2018	1.012 0.597	9,578.80	7,498,322.36 7,507,901.16	7,556,250.00 7,565,828.80
--- UNITED STATES TREASURY US GOV	Fixed	N	1.017	AA+ Aaa	85,025,000.00	07/11/2017 07/11/2017	0.696 0.474	184,125.63	85,297,487.96 85,481,613.58	85,541,826.25 85,725,951.88

Summary

Identifier, Description, Security Type	Coupon Type	Callable	Duration	S&P Rating, Moody's Rating	Current Units	Effective Maturity, Final Maturity	Book Yield, Yield	Accrued Balance	Book Value, Book Value + Accrued	Market Value, Market Value + Accrued
---	---	---	0.971	AA Aa1	203,360,501.10	06/29/2017 07/01/2017	0.828 0.636	511,527.94	204,051,994.95 204,563,522.89	204,590,529.00 205,102,056.94

* Grouped By: Security Type. * Groups Sorted By: Security Type. * Filtered By: Description ≠ "Payable" and Description ≠ "Receivable". * Weighted By: Market Value + Accrued.

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Routine Report

Monthly Financial Statement

Purpose

Presentation of the June 30, 2016, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(12), 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 Nine Months Ended June 30, 2016."

Staff Recommendation:

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

Presenter: Linda S. Howard, Bureau Chief, Finance

Statement of Sources and Uses of Funds For the Nine Months Ended June 30, 2016

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 June 30, 2016, with 75 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District's FY2015-16 available budget of \$324.9 million. Encumbrances represent orders for goods and services which have not yet been received.

Revenues (Sources) Status:

- Overall, as of June 30, 2016, 87 percent of the District's budgeted revenues/balances have been recognized.
- As of June 30, 2016, the District has received \$104.5 million of ad valorem tax revenue representing 100 percent of the budgeted amount. This is in-line with the ninth month prior year collection rates of 100 percent for both FY2014-15 and FY2013-14. The budget represents 96 percent of 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 at the time related expenditures are incurred. For FY2015-16, \$3.7 million in revenues has been recognized, representing 7 percent of the budgeted amount. 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 FY2015-16 interest earnings budget was based on a 0.70 percent expected rate of return. The District's investment portfolio at June 30, 2016, is earning a weighted average yield of 0.94 percent. For the nine months ended June 30, 2016, the District has earned 0.90 percent yield on its investments. Interest earnings on invested funds in the amount of \$3.3 million, have been recognized representing 105 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 78 percent of the budgeted amount as of June 30, 2016.
- As of June 30, 2016, other revenue earned is 483 percent of budgeted amount. 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, legal settlements and the sale of fixed assets can vary significantly from year to year. The majority of the increase is due to a recent legal settlement of \$2 million along with consent order settlement fees of approximately \$156,000 and Florida Blue wellness incentive funds of \$125,000.

- 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 June 30, 2016, the District had obligated 69 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 \$41.7 million budgeted for this program, the District has obligated 73 percent of the budget (41 percent expended and 32 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 \$223.9 million budgeted for this program, the District has obligated 69 percent of the budget (8 percent expended and 61 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 \$21.4 million budgeted for this program, the District has obligated 58 percent of the budget (46 percent expended and 12 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 \$20.7 million budgeted for this program, the District has obligated 71 percent of the budget (59 percent expended and 12 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 \$2.5 million budgeted for this program, the District has obligated 61 percent of the budget (36 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 \$14.6 million budgeted for this program, the District has obligated 75 percent of the budget (67 percent expended and 8 percent encumbered).

Based on the financial activities for the nine months ended June 30, 2016, 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 Nine Months Ended June 30, 2016
(Unaudited)**

	Current Budget	Actuals Through 6/30/2016	Variance (under)/Over Budget	Actuals As A % of Budget (rounded)
Sources				
Ad Valorem Property Taxes	\$ 104,036,884	\$ 104,455,314	\$ 418,430	100%
Intergovernmental Revenues	49,685,684	3,723,933	(45,961,751)	7%
Interest on Invested Funds	3,100,000	3,261,070	161,070	105%
License and Permit Fees	1,500,000	1,169,547	(330,453)	78%
Other	560,700	2,709,725	2,149,025	483%
Fund Balance	166,050,481	166,050,481	-	100%
Total Sources	\$ 324,933,749	\$ 281,370,070	\$ (43,563,679)	87%

	Current Budget	Expenditures	Encumbrances ¹	Available Budget	% Expended (rounded)	% Obligated ² (rounded)
Uses						
Water Resource Planning and Monitoring	\$ 41,710,511	\$ 16,898,679	\$ 13,421,007	\$ 11,390,825	41%	73%
Land Acquisition, Restoration and Public Works	223,946,907	17,902,265	136,079,993	69,964,649	8%	69%
Operation and Maintenance of Works and Lands	21,443,095	9,871,374	2,567,071	9,004,650	46%	58%
Regulation	20,715,048	12,152,482	2,589,186	5,973,380	59%	71%
Outreach	2,547,866	918,673	639,127	990,066	36%	61%
Management and Administration	14,570,322	9,830,043	1,158,965	3,581,314	67%	75%
Total Uses	\$ 324,933,749	\$ 67,573,516	\$ 156,455,349	\$ 100,904,884	21%	69%

¹ Encumbrances represent unexpended balances of open purchase orders and contracts.

² Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited preliminary financial statement is prepared as of June 30, 2016, and covers the interim period since the most recent audited financial statements.

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

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 June 30, 2016.

Background

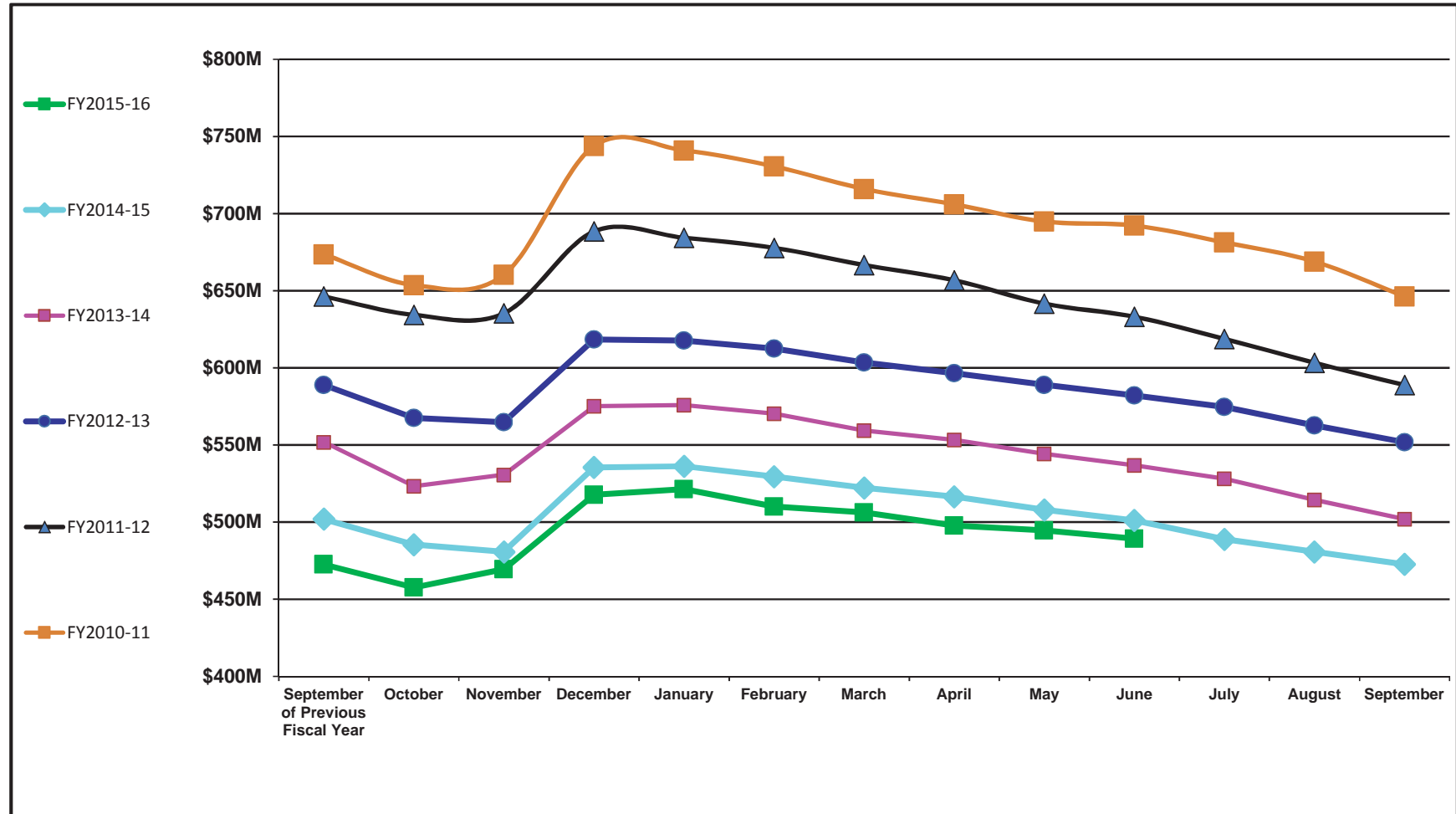
This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves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

Staff Recommendation:

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

Presenter: Linda S. Howard, Bureau Chief, Finance

Southwest Florida Water Management District
 Monthly Cash Balances by Fiscal Year
 (FY2010-11 - FY2014-15 and FY2015-16 To-Date)



FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

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, 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: Colleen Thayer, Bureau Chief, Public Affairs

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of July 8, 2016

Project	Amendment Type	Assigned	Completed	Description	10YWSFW
Auburndale 16-2	ESR	6/27/2016		Map amendments.	<input type="checkbox"/>
Avon Park 16-1	ESR	4/20/2016	5/9/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Charlotte 16-2	ESR	5/25/2016	6/13/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Citrus 16-2	ESR	4/18/2016	5/3/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Clearwater 16-2	ESR	5/2/2016	6/2/2016	Map amendment. Comments addressed need for potable water analysis and encouraged early regulatory coordination.	<input type="checkbox"/>
Dunnellon 16-1	EAR-based	4/4/2016	4/27/2016	Evaluation and Appraisal amendments. Comments addressed need for a potable water analysis and complimented City on its inclusion of a number of policies benefitting the Rainbow River system.	<input type="checkbox"/>
Hillsborough 16-2	ESR	5/1/2016	6/1/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Hillsborough 16-3	ESR	6/6/2016	7/5/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Hillsborough 16-4	ESR	6/27/2016		Map and text amendments.	<input type="checkbox"/>
Lake 16-2	ESR	4/25/2016	5/13/2016	Text amendment. No substantive comment.	<input type="checkbox"/>
Lake 16-3	ESR	4/25/2016	5/13/2016	Text amendment. Commented that plan amendment is within SJRWMD.	<input type="checkbox"/>
Lake 16-4	ESR	5/27/2016	6/20/2016	Map amendment. Advised not within SWFWMD.	<input type="checkbox"/>
Lake 16-5	ESR	5/27/2016	6/20/2016	Map amendment. Advised not within SWFWMD.	<input type="checkbox"/>
Lake Wales 16-2	ESR	4/20/2016	5/11/2016	Map amendment. Comments addressed floodplains and early regulatory coordination.	<input type="checkbox"/>
Manatee 16-3	ESR	5/17/2016	6/10/2016	Map and text amendments. Comments addressed reuse, conservation, floodplains, existing permits and early regulatory coordination.	<input type="checkbox"/>
Manatee 16-4	ESR	6/29/2016		Map and text amendments.	<input type="checkbox"/>
Manatee 16-5	ESR	6/30/2016		Map and text amendments.	<input type="checkbox"/>
Marion 16-2	ESR	5/25/2016	6/27/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Marion 16-3	ESR	5/25/2016	6/27/2016	Map amendment. No substantive comments.	<input type="checkbox"/>

Attachment: CPARR (2538 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Marion 16-4	ESR	5/25/2016	6/28/2016	Map amendment. Comments encouraged avoidance of floodplain areas and central sewer use in the Rainbow River springshed.	<input type="checkbox"/>
New Port Richey 16-1	ESR	4/19/2016	5/12/2016	Text amendment. No substantive comments.	<input type="checkbox"/>
Pasco 16-3	ESR	4/6/2016	4/29/2016	Map amendment. Comments addressed need for a potable water analysis and encouraged water conservation implementation.	<input type="checkbox"/>
Pasco 16-4	ESR	5/9/2016	6/7/2016	Map amendment. Comments encouraged low impact development strategies to limit encroachment into floodplain and wetland areas.	<input type="checkbox"/>
Pasco 16-5	ESR	5/13/2016	6/16/2016	Map and text amendments. No substantive comments.	<input type="checkbox"/>
Pasco 16-6	ESR	7/6/2016		Map and text amendments.	<input type="checkbox"/>
Plant City 16-1	ESR	5/17/2016	6/16/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Polk 16-4	ESR	6/14/2016	7/5/2016	Map and text amendments. Comments addressed lack of demonstration of potable water supply availability, existing permits and early regulatory coordination.	<input type="checkbox"/>
Polk 16-5	ESR	6/29/2016		Map amendment.	<input type="checkbox"/>
Safety Harbor 16-1	ESR	6/17/2016	7/8/2016	Text amendments. No substantive comments.	<input type="checkbox"/>
Sarasota 16-1	ESR	4/1/2016	4/27/2016	Map amendment. Comments addressed need for a potable water analysis and encouraged maximizing water conservation and early regulatory coordination.	<input type="checkbox"/>
Sarasota County 16-2	ESR	4/22/2016	5/12/2016	Map and text amendments. No substantive comments.	<input type="checkbox"/>
South Pasadena 16-1	ESR	7/8/2016		Text amendments.	<input type="checkbox"/>
St Petersburg Beach 16-1	ESR	4/26/2016	5/13/2016	Text amendments. No substantive comments.	<input type="checkbox"/>
Sumter 16-2	ESR	4/11/2016	5/5/2016	Map amendment. No substantive comments.	<input type="checkbox"/>
Sumter 16-3	ESR	4/27/2016	5/26/2016	Map amendment. Comments addressed need for potable water analysis and encouraged implementation of strategies (i.e., open space designation, etc.) for limited or no development in wetland and floodplain areas.	<input type="checkbox"/>
Tampa 16-2	ESR	7/5/2016		Text amendments.	<input type="checkbox"/>
Tarpon Springs	ESR	6/17/2016		Map amendments.	<input type="checkbox"/>
Treasure Island 16-1	ESR	4/11/2016	5/11/2016	Map amendment. No substantive comments.	<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Treasure Island 16-2	ESR	4/11/2016	5/11/2016	Map amendment. Comment addressed need for water supply availability analysis.	<input type="checkbox"/>
Winter Haven 16-1	ESR	5/11/2016	5/23/2016	Map amendments. Comments addressed existing water use permits and encouraged early regulatory coordination.	<input type="checkbox"/>
Zephyrhills 16-1	ESR	6/30/2016		Map amendment.	<input type="checkbox"/>

AR Alternative
ACSC Area of Critical State Concern
CIE Capital Improvement Element
DRI Development of Regional Impact
EAR Evaluation and Appraisal Report
ESR Expedited State Review
WSFWP Water Supply Facilities Work Plan

FINANCE/OUTREACH & PLANNING COMMITTEE

July 26, 2016

Routine Report

Development of Regional Impact Activity Report

Purpose

This report is provided for the Committee's information and shows District activity in the review of Developments of Regional Impact (DRIs). Staff updates the report monthly.

Background/History

The water management districts participate with other State agencies in the review of DRIs, pursuant to Section 380.06, Florida Statutes. A DRI is defined as any development which, because of its character, magnitude or location, would have a substantial effect upon the health, safety or welfare of citizens of more than one county. A set of statewide guidelines and standards (thresholds) has been adopted by rule that is used in determining whether particular developments must undergo DRI review. A form has been adopted by Rule that specifies the information that must be provided by the developer in the DRI Application for Development Approval (ADA).

The DRI review process is administered by the regional planning councils and oversight is provided by the Florida Department of Economic Opportunity (DEO). The District has also entered into memoranda of agreement with the Central Florida, Southwest Florida, Tampa Bay and Withlacoochee regional planning councils to more specifically outline the District's DRI review responsibilities. The District provides water resource management technical and policy information to the regional planning councils and local governments to assist them in making well-informed growth management decisions.

Benefits/Costs

The goals of the District's DRI review program are twofold: (1) To ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider approval of large scale development proposals; and (2) To reduce the number and magnitude of issues that will need to be addressed during the District's regulatory review processes. District participation in this program helps to ensure that these proposed large-scale developments are compatible with the District's plans, programs and statutory directives. 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: Colleen Thayer, Bureau Chief, Public Affairs

DRI Activity Report

As of July 8, 20

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
South Shore Corporate Park	Hillsborough County	NOPC	4/14/2016	5/6/2016	Notice of Proposed Change. Application proposes changes to the development scenario. No substantive comments.
Tern Bay	Charlotte County	NOPC	4/22/2016	5/3/2016	Notice of Proposed Change. Application proposes changes that would reduce development density and intensity, add flexibility to the master plan and extend build-out date. No substantive comments.

ADA Application for Development Approval
 DRI Development of Regional Impact
 NOPC Notice of Proposed Change
 Pre-App Pre-Application Meeting
 SD Substantial Deviation

Attachment: DRI Activity Report (2539 : Development of Regional Impact Activity Report)

**Governing Board Meeting
July 26, 2016**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

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RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Mark A. Hammond, P.E., Division Director, Resource Management

RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

Discussion Item

South Pass-A-Grille Way Water Quality & Flood Improvements (N712)

Purpose

The purpose of this item is to present the results of Third Party Review (TPR) for the City of St. Pete Beach (City) South Pass-A-Grille Way Water Quality & Flood Improvements Project and to request approval to revise the budget for the project and to move forward with final design, permitting, and construction for the project.

Background/History

The South Pass-A-Grille Way project is located in St. Pete Beach on a barrier island in Pinellas County at the southern end of the island between 1st Avenue and 18th Avenue. Pass-A-Grille Way is the only evacuation route for the entire southern portion of the City. All runoff from the area currently discharges directly into Boca Ciega Bay without treatment. The project reduces the pollutant loading to Boca Ciega Bay and reduces street flooding in the area.

The Board approved funding for the project 30 percent design and TPR during the FY2016 Cooperative Funding Initiative (CFI) process. Funding for design and construction was approved during the FY2017 CFI process pending completion of the TPR and final Board consideration and approval. The budget for design and construction was conceptual and was to be revised, if needed, following the 30 percent design and TPR. The funding requested by the City and approved in the FY2017 process is shown below:

FY2017 CFI Request:

Funding Source	FY2016 30% Design and TPR	FY2017 Final Design & Start Construction	Future Complete Construction	Total
District	\$ 112,500	\$ 2,000,000	\$ 668,742	\$ 2,781,242
City	\$ 112,500	\$ 2,000,000	\$ 668,742	\$ 2,781,242
Total	\$ 225,000	\$ 4,000,000	\$ 1,337,484	\$ 5,562,484

The City completed the 30 percent design and a revised project cost estimate. District staff and the District's TPR consultant completed their review of the 30 percent design and the revised cost estimate in June 2016. Based on the 30 percent design and the TPR review, the total project cost is now estimated to be \$6,260,000, an increase of approximately \$697,000 or 12.5 percent of the conceptual estimate. The City is requesting approval of the new project costs with a 50 / 50 cost share with the District as shown in the table below:

Current Request:

Funding	FY2016 30%	FY2017 Final	Future	Total

Item 26

Source	Design and TPR	Design & Start Construction	Complete Construction	
District	\$ 112,500	\$ 2,000,000	\$ 1,017,500	\$ 3,130,000
City	\$ 112,500	\$ 2,000,000	\$ 1,017,500	\$ 3,130,000
Total	\$ 225,000	\$ 4,000,000	\$ 2,035,000	\$ 6,260,000

There is no change to FY2017 funding. The additional funds, based on the revised budget, are proposed to be included in the District's FY2018 budget. The City's schedule for the project is to start construction in December 2016. It is anticipated that the project will have an 18 month construction period.

Benefits/Costs

The revised cost estimate is based on more detailed project information now available from the 30 percent design documents and the TPR. Additionally, recent bid prices from another similar project, which is currently under construction, have been used to develop the revised estimate.

Project benefits were re-evaluated based on the 30 percent design, the TPR, and the revised cost estimate. Project benefits have remained the same. The project will treat stormwater runoff from approximately 64 acres and reduce the pollutant loads to Boca Ciega Bay by an estimated 9 lbs/year TP, 59 lbs/year TN, and 7,733 lbs/year TSS. The project will also alleviate flooding up to the 25 year/24 hour storm event. The reduced flooding will also allow improved emergency evacuation during storm events. The project's Measurable Benefit is the construction of Low Impact Development and conveyance Best Management Practices to treat and reduce flooding from approximately 64 acres of high density residential stormwater runoff.

Based on the 30% design, the TPR, and the revised cost estimate, the project cost effectiveness was also re-evaluated. Originally, the project cost effectiveness was evaluated based only on water quality and treatment benefits. When also considering the flood reduction benefits of the project, the cost effectiveness can be ranked as medium. The overall project is ranked as medium and recommended for funding.

Total project cost to complete design and construction is estimated at \$6,260,000, of which \$3,130,000 in District funding is recommended, with \$112,500 approved in the FY2016 budget, \$2,000,000 included in FY2017 tentative budget, and \$1,017,500 anticipated in future funding requests. This is a net increase in District funding of \$348,758.

Staff Recommendation:

1. Approve the City's request to move forward with final design and construction of the South Pass-A-Grille Way Water Quality & Flood Improvements Project (N712).
2. Authorize staff to enter into an amendment for the project with a total project budget of \$6,260,000 with the District funding a total of \$3,130,000.
3. Authorize the amendment to be effective as of the date of the Board's approval of this request. See Exhibit

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

Project No. N712	SW IMP - Water Quality - South Pass-A-Grille Way Water Quality & Flood Improvements			
St. Petersburg Beach	FY2017			
Risk Level:	Type 3	Multi-Year Contract: Yes, Year 2 of 3		
Description				
Description:	Design, permitting, and construction of nutrient separating baffle boxes and stormwater conveyance improvements to provide stormwater treatment for an area that currently has no water quality infrastructure and to alleviate localized street flooding. Funding was approved in FY16 for 30% design and third party review (TPR). District funding is to complete design, permitting and construction.			
Benefits:	The project will improve water quality in Boca Ciega Bay and alleviate localized street flooding.			
Costs:	Total project cost \$6,260,000: (Based on 30% design and TPR) City of St. Petersburg Beach: \$3,130,000 District: \$3,130,000 with \$112,500 budgeted in prior years, \$2,000,000 requested in FY2017, and \$1,017,500 anticipated in future years			
Evaluation				
Application Quality:	High	Application included all of the required information identified in the CFI guidelines.		
Resource Benefit:	Medium	The Resource Benefit of the Water Quality project will be the reduction of pollutant loads to Boca Ciega Bay by an estimated 9 lbs/year TP, 59 lbs/year TN, and 7733 lbs/year TSS and reduction of flooding up to the 25 year/24 hour storm event. The Measurable Benefit, which will be the contractual requirement, is the construction of LID and conveyance BMP's to treat and reduce flooding from approximately 64 acres of high density residential stormwater runoff.		
Cost Effectiveness:	Medium	The estimated cost/lb of TN, TP and TSS, based on preliminary information, are above the historical average of \$646/lb, \$4,715/lb, and \$20/lb respectively, and cost/acre treated is above the historical average cost of \$46,947/acre treated for coastal/LID water quality projects. The cost effectiveness is solely an analysis of the estimated project cost as compared to the costs of similar projects. With consideration of flood protection benefits, the project cost effectiveness is ranked as Medium.		
Past Performance:	Medium	Based on an assessment of the schedule and budget for the 3 ongoing projects.		
Complementary Efforts:	High	Applicant has an active storm water utility that collects fees.		
Project Readiness:	High	Project is ready to begin on or before December 1, 2016.		
Strategic Goals				
Strategic Goals:	High	<p>Strategic Initiative - Water Quality Maintenance and Improvement: Develop and implement programs, projects and regulations to maintain and improve water quality.</p> <p>Tampa Bay Region Priority: Improve Lake Thonotosassa, Tampa Bay, Lake Tarpon and Lake Seminole.</p>		
Overall Ranking and Recommendation				
Fund as Medium Priority.	The project's 30% design and TPR were completed in June 2016. Contractually, the City will need Governing Board approval to proceed beyond 30% design and TPR. Information from the TPR was favorable, and staff is recommending FY17 funding for completion of design and start of construction. If constructed, this project will improve water quality discharging to Boca Ciega Bay and Tampa Bay, a SWIM priority water body, and will also provide some flood protection benefits for a City evacuation route.			
Funding				
Funding Source	Prior	FY2017	Future	Total
District	\$112,500	\$2,000,000	\$1,017,500	\$3,130,000
St. Petersburg Beach	\$112,500	\$2,000,000	\$1,017,500	\$3,130,000
Total	\$225,000	\$4,000,000	\$2,035,000	\$6,260,000

RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

Submit and File Report

Lower Hillsborough River Recovery Strategy Implementation – Annual Update

Purpose

To provide an annual update to the Governing Board regarding the implementation of projects outlined in the recovery strategy needed to meet the adopted minimum flows for the Lower Hillsborough River (LHR).

Background/History

As required by statute, if the actual flow of a water course is below the adopted minimum flow or is projected to fall below the minimum flow over the next 20 years, a "recovery strategy" is developed as part of the minimum flows establishment process. In the case of the LHR, a recovery strategy was needed. At its August 2007 meeting, the Governing Board approved rule amendments that incorporated a recovery strategy for the LHR into Rule 40D-80.073, Florida Administrative Code (F.A.C.) and which became effective on November 25, 2007. The Board also authorized a Joint Funding Agreement with the City of Tampa (COT) for implementation of recovery projects that was finalized in October 2007 and incorporated into the recovery strategy rule.

The LHR recovery strategy outlines a number of proposed projects and a timeline for their implementation. Four projects were or are to be jointly funded by the District and the COT and two are to be implemented by the District. Implementation of specific projects was/is subject to applicable diagnostic/feasibility studies and contingent on obtaining any required permits. As outlined in the recovery strategy, projects to be jointly funded by the District and the COT include:

- 1) Sulphur Springs Project (Lower Weir Modifications and Sulphur Springs Pool Upper Weir and Pump Station Modifications);
- 2) Blue Sink Analysis and Project;
- 3) Transmission Pipeline Evaluation and Project; and the
- 4) Investigation of Storage or Additional Supply Options.

In addition, the District was/is required to initiate or implement two projects:

- 5) Tampa Bypass Canal (TBC) and Hillsborough River Reservoir Diversions; and
- 6) Morris Bridge Sink Project.

The recovery strategy specifies District initiation of the TBC and Hillsborough River Reservoir diversions project and continued operation of pumping facilities on the TBC lower pool, with the COT eventually assuming operation of pumping facilities on the TBC middle pool for diversion of water to the reservoir, and at the Hillsborough River Dam for transfer of water to the lower river. The strategy specifies District initiation and implementation of the Morris Bridge Sink project, to include operation of pumping facilities for diversion of water from the sink to the TBC and through the reservoir to the LHR, with the COT eventually assuming responsibility for diversion of the water from the TBC through the reservoirs to the LHR.

The recovery strategy required that in 2013, and for each five-year period through 2023, the District shall evaluate the strategy with regard to its effects on the hydrology, dissolved oxygen, salinity, temperature, pH, and biological characteristics of the LHR that have been achieved from minimum flows implementation. The recovery strategy also requires annual reporting to the Governing Board on progress in the implementation of the strategy.

Discussion

Progress and status updates on the six projects specified in the LHR recovery strategy are summarized below in this annual review and report.

- 1) Sulphur Springs Project - Lower Weir Modifications - The COT began supplying 10 cubic feet per second (cfs) of flow from Sulphur Springs to the base of the dam when required to meet the minimum flows once the LHR minimum flow rule went into effect on November 2007. In addition, the COT and the District entered into a cooperative agreement in October 2008 to perform modifications to the lower weir on Sulphur Springs Run. This Lower Weir project, which was completed in October 2011, involved installation of an operable weir at the mouth of the spring run to prevent incursions of higher-salinity water from the river during low-flow periods, allow for full access to the run by manatees and other organisms during higher-flow periods when incursions of saline water were less of a concern, and enhance management flexibility for the COT regarding use of spring water to meet minimum flow requirements for the LHR and Sulphur Springs Run. Data collection in the spring run has confirmed that the project effectively reduces salinity incursions from the river; therefore allowing increased flexibility for using Sulphur Springs to provide minimum flows to both the spring run and the LHR.

Sulphur Springs Pool Upper Weir and Pump Station Modifications - In November 2008 the COT and the District entered into a joint funding agreement to design and construct improvements to the upper weir and pump station at Sulphur Springs Pool. The project, which was completed in March 2012, involved modification of the pump station at Sulphur Springs to increase reliability and efficiently provide for variable pumping rates; replacement or modification of the Sulphur Springs upper weir and gates that control flow between Sulphur Springs Pool and Sulphur Springs Run; installation of provisions to control Sulphur Springs Pool pumping rates based on the temperature and salinity of adjacent monitoring stations; and modification and/or replacement of the Sulphur Springs pump station intake to allow for the range of anticipated water levels in Sulphur Springs Pool.

The modified Sulphur Springs facilities are now fully operable and have proven to be effective for providing variable rates of flow to both the spring run and the LHR. Since the spring of 2012, the COT has been able to route as much as 21 cfs to the base of the Hillsborough River Dam to provide minimum flows to the LHR while preventing salinity incursions into the spring run.

The diversion of increased flows from Sulphur Springs to the base of the dam has been associated with reduced current velocities and the growth of filamentous algae in the spring run. In May 2016, the District initiated a project to assess the roles of current velocity, flows, water quality, and other factors (e.g., herbivory on macrophytes) on filamentous algae in Sulphur Springs Run and develop recommendations for managing algae within the spring run.

- 2) Blue Sink Analysis and Project - In October 2008 the COT and the District entered into a joint funding agreement to conduct a cost/benefit analysis for use of water from Blue Sink to assist the COT in meeting minimum flows for the LHR. In March-April 2009 the District completed a pump test that determined that a sustainable yield of 2 million gallons per day (mgd), equivalent to 3.1 cfs, could be pumped from Blue Sink to help supply minimum flows to the LHR. In October 2009 the COT completed a feasibility analysis for use of Blue Sink that recommended construction of a pump station and pipeline for moving 2 mgd of water from the sink to help meet the LHR minimum flows.

Based on these findings, the COT and the District entered into a cooperative funding agreement in October 2010 to fund the Blue Sink Project. The agreement addressed construction of a pump station at Blue Sink and a pipeline for transfer of water pumped from the sink to the existing pipeline used to transfer water from Sulphur Springs to the LHR.

The COT completed pipeline and pump station designs for the Blue Sink Project, issued plans and specifications for the two project elements in March 2015, executed an agreement for construction management and a well mitigation program for the project in June 2015, and issued notices to proceed with pump station and pipeline construction in July and August 2015, respectively. Construction and construction restoration for the Blue Sink pipeline were completed in April and May 2016. Pump station construction is ongoing and is expected to be completed in accordance with the current project agreement.

- 3) Transmission Pipeline Evaluation and Project - As part of the LHR recovery strategy, the construction of a pipeline from the TBC middle pool at District Structure S-161 to the base of the dam was considered to address potential water savings associated with use of a pipeline versus use of the reservoir for conveyance of water to be used for augmenting LHR flows. A peer review of this project was conducted and submitted to the District and COT on September 12, 2008. The peer review panel concluded the only water loss to the system is through evaporation of the increased volume of water pumped for augmentation and that this loss is minor. The panel also noted "the projected water saving by transporting the augmentation water in a pipeline rather than through the reservoir is relatively small." Staff from both the District and COT concurred with the findings of the peer review panel, and based on the review, the Transmission Pipeline project is no longer considered a viable project under the recovery plan.
- 4) Investigation of Storage or Additional Supply Options - Consistent with the recovery strategy, the COT and the District entered into a joint funding agreement in July 2010 to investigate other storage and supply options to meet recovery plan objectives for the LHR. The first components of the project, which involved review of the status of other recovery projects and identification of the need for additional storage or supply projects to meet the LHR minimum flow requirements, were completed in April 2011 and indicate that the identified sources of water in the recovery strategy may be sufficient for achieving minimum flow requirements in the LHR. To allow for any further assessments that may be needed pending the success of other elements of the recovery strategy that have yet to be implemented, the agreement expiration date has been extended to October 31, 2018. Pending completion and success of those projects, the District and the COT will continue to assess if any additional water is needed for minimum flows recovery in the LHR.

- 5) Tampa Bypass Canal and Hillsborough Reservoir Diversions - To implement minimum flows in the LHR as soon as practical, the recovery strategy required the District to divert up to 7.1 mgd (equivalent to 11 cfs) of water from the middle pool of the TBC at Structure S-161 to the reservoir, and then deliver seventy-five percent of this water to the LHR at the base of the dam. Using temporary pumping facilities, water has been supplied from the TBC to the LHR as needed since December 31, 2007. The Department of Environmental Protection (DEP) issued a water use permit for the diversions on December 17, 2015.

The COT was to assume operation of pumping facilities used to divert water from the TBC middle pool to the reservoir and from the reservoir to the LHR. The COT submitted a Cooperative Funding Initiative (CFI) application for FY2013 to the District to fund the construction of permanent pumping facilities for these diversions. The District ranked this CFI application as high, contingent upon the COT performing an assessment of whether existing pumps on the TBC operated by Tampa Bay Water that are used to augment potable water supplies in the reservoir can also be used to convey water from the TBC to the reservoir for delivery to the LHR. The COT completed this assessment in April 2013 and concluded that a new pump was necessary at Structure S-161 if water for both minimum flows and potable supply were to be reliably delivered at rates specified in the water use permit for reservoir augmentation and in the LHR minimum flows rule. In February 2014 the Governing Board accepted this finding and authorized execution of a cooperative funding agreement with the COT to construct facilities at Structure S-161 on the middle pool of the TBC and at the dam to divert minimum flows to the LHR. Preparation of this cooperative funding agreement is ongoing.

In support of the draft agreement, the COT completed a draft basis of design report for the replacement of the District's temporary pumping station at Structure S-161 and replacement of the District's temporary pumping facility at the dam with a siphon system (Project N492). The District accepted the COT's final basis of design report in August 2015. In January 2016, the COT requested transfer of ownership of District pumping facilities at S-161 and the dam to the COT and also requested continuance of the CFI request submitted for funding the construction of permanent pumping facilities at the sites.

The COT continues to evaluate options for proceeding with the LHR pumping facilities project (N492). District review of the COT's request for transfer of ownership or operation of District pumping facilities at the S-161 and dam sites, and execution of easements or licensing agreements necessary for operation and maintenance of the facilities is also ongoing.

Until the planned COT pumping facilities at Structure S-161 and the dam become operational, the District anticipates continued operation of its temporary facilities for diversion of water from the TBC and reservoir to the LHR when needed for minimum flows recovery. The District will continue to own and operate the facilities necessary for transfer of water from the TBC lower pool to the middle pool.

- 6) Morris Bridge Sink Project - The LHR recovery strategy specifies that by October 1, 2012, or earlier, and upon completion of the project, provided that any permit that may be required is approved, the District will divert up to 3.9 mgd of water on any given day from Morris Bridge

Sink to the TBC middle pool for transfer to the reservoir to achieve minimum flows in the LHR.

In April 2009, staff conducted a 30-day pump test of the sink to determine the potential of the sink to deliver 3.9 mgd (equivalent to 6 cfs) of flow to the TBC on a sustainable basis. The pump test indicated that the sink can hydraulically provide up to 4.0 mgd.

The District subsequently completed analyses to support a permit application for withdrawals from the sink, including calculation of the monthly quantities that will be needed from the sink for LHR recovery, modeling of drawdowns in the Upper Floridan and surficial aquifers associated with the withdrawals, and potential wetland impacts that could result from sink withdrawals. This information was included in the water use application that was submitted to the DEP in August 2015, following a pre-application meeting held in March 2015, during which DEP asked the District to delay submission of the water use permit application while they clarified their protocol for reviewing the permit and following a second pre-application meeting in June 2015.

The DEP held a public meeting in November 2015 concerning the water use permit application for withdrawals from the sink and in December 2015 released a notice of intent to issue a permit to the District for the withdrawals. District staff met with Hillsborough County Environmental Protection Commission staff, representatives of the Friends of the River, and other stakeholders in January 2016 to clarify permit conditions for the water use permit. In January 2016 the District also sent a letter to the Friends of the River, committing to provide several assurances in support of the Morris Bridge Sink Project. On January 15, 2016 the DEP issued a water use permit to the District for withdrawals from Morris Bridge Sink. The District is developing a Task Work Assignment to address reporting conditions associated with the water use permit for the planned withdrawals from the sink. Design of a pump station at Morris Bridge Sink and for a pipeline and a second pump station at Structure S-159 on the TBC for the proposed diversions from the sink is also ongoing under a separate Task Work Assignment, as are discussions with the U.S. Army Corp of Engineers and the Hillsborough County Environmental Protection Commission concerning the permitting of the pumping facilities.

In May 2015, the Governing Board authorized staff to initiate and complete rulemaking to repeal the reservation rule concerning use of water from Morris Bridge Sink for recovery of minimum flows in the LHR. Completion of this rulemaking is anticipated upon completion of the Morris Bridge Sink Project, i.e., when the pumping facilities necessary for the diversions are permitted, constructed, and operational.

The projects described in this annual report are intended to provide a sufficient flow of fresh and low salinity water below the Hillsborough River dam to restore a zone of low salinity habitat to the LHR. On average, water does not flow over the dam for 176 days each year (based on data from 1995 through 2013). Without this flow, salinity below the dam is high and no desirable low salinity habitat exists for much of the year. As summarized in the first five-year recovery strategy assessment report, which was provided to the Governing Board in March 2015, improvements in water quality and ecological conditions in the river below the dam have resulted from implementation of the minimum flows. Figure 1 shows salinities in the LHR near the dam in the vicinity of Rowlett Park in 2000, when no water was supplied to the base of the dam for minimum flow purposes. Also shown are salinities observed for selected years from 2007

through 2015, as increasing quantities of water were delivered to the base of the dam for minimum flows implementation. In 2007, up to 14 cfs of low salinity water from Sulphur Springs was routed to the base of the dam to meet the then existing minimum flows that were established for the LHR in 2000. Beginning in 2008, 11 cfs of low salinity water from the TBC was routed to the Hillsborough River Reservoir and 8.3 cfs was pumped over the dam to help meet revised minimum flows that were established for the river in late 2007. Starting in the spring of 2012, additional quantities of water were diverted from Sulphur Springs following completion of weir and pump station modifications at the spring, with the total quantity of minimum flow at the dam sometimes reaching 27 cfs. Salinities in recent years (e.g., 2014 and 2015) have been low as a result of continued recovery project implementation and rainfall conditions.

Per recommendations included in the first five-year recovery assessment report, the District has completed a hydrodynamic-modeling study (Hillsborough River LAMFE Post-Processing project) for assessing the effects of various flow regimes on salinity in the LHR. Results from 13-year model simulations illustrate the increase in low salinity volume, i.e., habitat, associated with the phased implementation of minimum flows that has occurred as recovery projects have become operational. Also based on findings from the five-year assessment, the District is initiating a project to assess dissolved oxygen (DO) levels in the LHR to further investigate potential DO concerns and identify and assess possible methods (e.g., mechanical aeration) to improve DO levels. Also, as noted above in the Sulphur Springs Project status update, the District has initiated an assessment of algal abundance and management in Sulphur Springs Run. Results from all recently completed, ongoing, and planned projects will be included as part of the next rule-required, five-year assessment of the LHR recovery strategy.

In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Table 1 summarizes funding status associated with the projects. Acquisition of necessary permits has delayed construction and full implementation of some recovery strategy projects, and variances to the recovery strategy may be needed to extend the timeline for the Blue Sink Project. However, important components of the recovery strategy are currently in operation, including the use of Sulphur Springs 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 even under drought conditions.

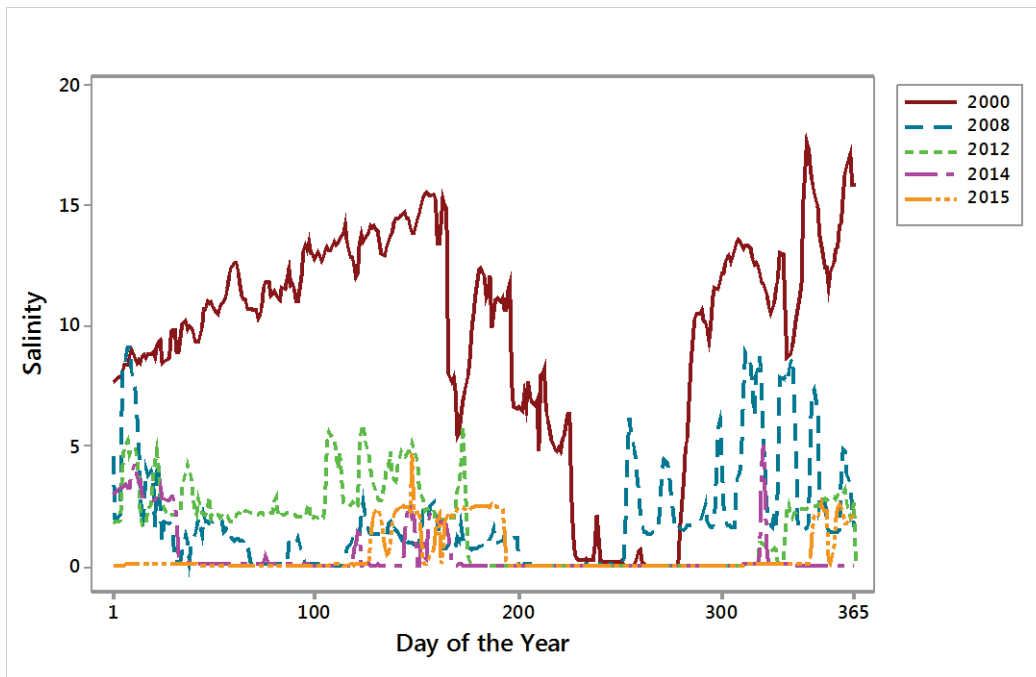


Figure 1. Comparison of near surface maximum daily salinity at Rowlett Park Drive on the Lower Hillsborough for five years. Year 2000, no MFL supplied. Year 2007, up to 14 cfs minimum flow supplied from Sulphur Springs. Years 2008 and 2010, up to 15 cfs from Sulphur Springs and 8.3 cfs from the Tampa Bypass Canal (TBC) for combined minimum flows up to 23 cfs. Years 2014 and 2015, up to 21 cfs Sulphur Springs flow with up to 8.3 cfs flow from the TBC for combined minimum flows up to 27 cfs.

Table 1. Budgeted and pending District agreements/task work assignments and cooperative funding agreements for projects with the City of Tampa for the Lower Hillsborough River minimum flows recovery strategy.

Budgeted or Pending Project Agreement/Task Work Assignment	Total Cost	District Share of Total Cost	District Funds Expended to Date	District Funds Remaining
Sulphur Springs Lower Weir Modifications (H401)	\$493,546	\$232,303	\$178,856	Project Completed
Sulphur Springs Upper Weir and Pump Station Modifications (H400)	\$5,276,759	\$2,627,729	\$2,604,675	Project Completed
Blue Sink Project (H400)	\$10,785,500	\$5,347,000	\$2,323,867	\$3,023,133
Investigation of Storage or Additional Supply Options (H400)	\$100,000	\$50,000	\$13,984	\$36,016
Morris Bride Sink Project (H404)	\$2,145,115	\$2,145,115	\$0	\$2,145,115
Pumping Facilities on TBC and	\$4,422,430	\$2,162,608	\$0	Project In

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Hillsborough Reservoir (N492)				Development
Sulphur Springs Run Algal Abundance Assessment	\$70,718	\$70,718	\$0	\$70,718
Hillsborough River LAMFE Post-Processing (H400)	\$29,960	\$29,960	\$29,960	Project Completed
Dissolved Oxygen Stratification Study in Lower Hillsborough River	To Be Determined	To Be Determined	\$0	Project In Development
Construction and Maintenance/Operation of Temporary Pumping Facilities at Structure S-162, Structure S-161 and Hillsborough River Dam (years 2008 through 2014)	\$740,000	\$740,000	\$740,000	Project Ongoing
First Five-Year Recovery Strategy Evaluation	\$54,862	\$54,862	\$54,862	\$0

Staff Recommendation:

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

Presenter: Doug Leeper, MFLs Program Lead, Springs and Environmental Flows

RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

Routine Report

Minimum Flows and Levels Status Report

Florida law (Section 373.042, Florida Statutes) requires the state water management districts or the Department of Environmental Protection (DEP) to establish minimum flows and levels (MFLs) for aquifers, surface watercourses, and other surface water bodies to identify the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. District staff continues to work on various phases of MFLs development for water bodies on the District's MFLs Priority List and Schedule. The following status reflects the work completed for MFLs scheduled for adoption or reevaluation during calendar years 2015 through 2024 as well as changes that have occurred since the last Governing Board meeting. This report is consistent with the 2016 Priority List approved by the Governing Board in October 2015 and the DEP in February 2016, and with the metric summaries submitted annually to the DEP.

Phase 1. (Data collection). No additional data collection activities were completed during the past month. Data collection is complete for forty of the seventy-four systems scheduled for adoption/reevaluation by 2024.

Phase 2. (Data analysis and draft MFLs report). Internal draft MFLs reports for Lake Dan, Lake Sunset and Rainbow River were completed during the past month. Phase 2 activities are complete for twenty of the seventy-four systems scheduled for adoption/reevaluation by through 2024.

Phase 3. (a. Presentation of draft MFLs to Governing Board, b. public meetings, peer review report and c. Governing Board acceptance of final report).

- a) No draft MFLs reports were presented to the Governing Board during the past month. Draft reports addressing six MFLs have been submitted to the Governing Board for the systems scheduled for adoption/reevaluation by 2024.
- b) No public workshops were held during the past month. Peer review and/or public meetings have been completed or deemed unnecessary for ten of the seventy-four systems scheduled for adoption/reevaluation by 2024.
- c) No final MFLs reports were submitted to the Board during the past month. A total of ten systems scheduled for adoption/reevaluation by 2024 have been completed and presented to the Governing Board.

Phase 4. (Development of Recovery Plan). No new recovery plans were developed during the past month. Many of the lakes scheduled for reevaluation have existing recovery plans which will be assessed as part of the reevaluation process. For the seventy-four systems scheduled for adoption or reevaluation through 2024, two recovery strategies are in place that are applicable to four systems, nine systems do not need a recovery strategy, and it has not been determined if the remaining systems will be covered by an existing recovery strategy or require development of a new strategy.

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Phase 5. (Governing Board Approval of MFLs Rule). No MFLs rules were approved during the past month. MFLs rules have been adopted or reevaluated for ten of the systems scheduled for adoption by 2024.

Staff Recommendation:

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

Presenter: Yonas Ghile, Senior Environmental Scientist, Springs and Environmental Flows

RESOURCE MANAGEMENT COMMITTEE

July 26, 2016

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.

Watershed Management Program/Federal Emergency Management Agency Map Modernization

The District initiated a partnership with the Federal Emergency Management Agency (FEMA) to modernize flood insurance rate maps (FIRMs) as part of its Watershed Management Program (WMP). Flood protection and floodplain information have been a priority at the District since the inception of the organization. In addition to studies conducted by the District and others, information on floodplains (elevations) is available through the FEMA FIRMs. However, many of the existing maps do not accurately represent the flood-prone areas, either because the initial studies were technically limited or the maps are outdated due to significant land use changes. Accurate floodplain information is vital to local government planning and zoning, and to the District's regulatory program and the land owners. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local governments' understanding of their flood protection level of service. Additionally, the District and FEMA executed a Cooperating Technical Partners (CTP) Memorandum of Agreement on September 14, 2001, to formalize the relationship and to improve the existing FIRMs to better identify risks of flooding within the District. As a CTP, the District is eligible for federal funds to act as FEMA's partner in modernization of the FIRMs. Federal funds have allowed the District and local governments to accomplish significantly more than would have otherwise been possible. To date, the District has received \$12.1 million in federal funds from FEMA for countywide map modernization projects for Pasco, Sarasota, Hernando, Marion, Polk, Hardee, DeSoto, Citrus, Sumter, Levy, and Highlands counties. The District and an independent peer reviewer analyze the data, which is then provided to the public for their verification. Updates are made incorporating the input from the public and peer reviewer, and the information is presented to the Governing Board for approval. After the approval, data is forwarded to FEMA, mapping is initiated, and the digital flood insurance rate maps (DFIRMs) are produced. The following county maps have been modernized and are effective (effective date): Citrus (September 26, 2014), DeSoto (November 6, 2013), Hardee (November 6, 2013), Hernando (February 2, 2012), Hillsborough (August 28, 2008), Highlands (November 18, 2015), Levy (November 2, 2012), Manatee (March 17, 2014), Marion (August 28, 2008), Marion County is updating 54 FEMA FIRM panels through a Physical Map Revision using information from various watershed management plans funded through the Cooperative Funding Initiative. The appeal and protest period is nearing completion. Pasco (September 26, 2014), and Sumter (September 27, 2013). Sumter County is updating FEMA FIRM panels covering the Big Prairie and Gant Lake watersheds through a Physical Map Revision using information developed through watershed management plans funded through the Cooperative Funding Initiative. ***New Activities Since Last Meeting:*** Polk County: The Letter of Final Determination was issued on June 22, 2016. The FIRMS should become effective on December 22, 2016. Sarasota County: The Letter of Final Determination was issued on May 4, 2016. The FIRMS should become effective on November 4, 2016. *Project Manager: Scott Letasi*

Myakka River Watershed Initiative and Flatford Swamp Hydrologic Restoration

The Myakka River Watershed Initiative (MRWI) is a comprehensive project that will illustrate the effects of land use conversions and alterations and evaluate best management practices (BMPs) for environmental restoration alternatives. A primary focus of the MRWI is the Flatford Swamp area. The overall objective is to restore historic water quantity regimes, improve water quality, natural system, and reduce floodplain impacts in the watershed in ways that can also provide a benefit to water supplies in the Southern Water User Caution Area. In February 2006, the Governing Board allocated \$500,000 to hire a consultant team to perform elements of the WMP and for the collection of topographic information in eastern Manatee County using light detection and ranging (LiDAR) mapping technologies. Several outreach meetings were held to solicit stakeholder input and gather data. 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 and, as a result, a Memorandum of Understanding that outlines the development of a scope of work for a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp received Governing Board approval in November 2010. A subsequent revenue agreement with Mosaic was executed. The District acted as the lead party in the feasibility study, and a consultant services contract with Ardaman & Associates for the study was executed on September 20, 2011. Land Management staff indicated that more planning is needed to implement the pilot burn and herbicide treatment on portions of the Flatford property as part of the wetland restoration evaluation; therefore, it will be postponed until fiscal year (FY) 2015. Staff has identified several monitoring needs for the wetland restoration evaluation and are investigating several broad-scale vegetation monitoring and mapping techniques. The options under consideration are anticipated to provide improved ground level data, improved visualization of exotics and tree canopy height data. The Feasibility Study with Mosaic was finalized in March 2013. Singhofen and Associates, Inc. submitted the conceptual BMP analysis, completing the final deliverable for the Myakka River Watershed Initiative on December 20, 2013. Several of the conceptual BMPs explored identified properties that would be impacted if the restoration BMPs were implemented, such as Tatum Sawgrass rehydration, Blackburn Canal diversion, and Clay Gully diversion. Staff and Mosaic continue to look forward for a mutually agreeable partnership for the Flatford Restoration project. Staff is also researching an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on total dissolved solids in the Avon Park formation at the swamp. A pre-application meeting with FDEP was held on February 25, 2016. The consultant has completed the vegetation mapping to track exotics in the swamp. The consultant continues work on the feasibility study and the FDEP permit application for a Class V, Group 2 Injection Well. ***New Activities Since Last Meeting:*** No Change Since Last Meeting. *Project Managers: Lisann Morris/Kris Kaufman*

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 under the recovery strategy include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. Pursuant to the recovery strategy, since December 31, 2007, 75 percent of up to 11 cubic feet per second (cfs) (i.e., 8.2 cfs or 5.3 mgd) transferred to the reservoir from the TBC is being pumped to the base of the Hillsborough River Dam. This amount of fresh water, in combination with up to 21 cfs or 13.6 mgd supplied from Sulphur Springs to the base of the dam by the City of Tampa (COT), has been sufficient to meet minimum flow requirements on many days. A COT request for a variance to deadlines for completion of recovery strategy projects was approved at the June 2011 Governing Board meeting and the deadlines for project completion were extended as follows: Sulphur Springs Run Lower Weir - December 1, 2011; Sulphur Springs

Run Upper Weir and Pump House - October 1, 2012; and Blue Sink project - December 31, 2013. The District received notification from the COT on November 7, 2011, that the Sulphur Springs Run Lower Weir project was complete and the pumping facilities and Upper Weir modifications were completed in January 2012. The COT conducted a pump test in February 2013 to check the capacities of the existing pumps at Structure 161 (S-161) on the Harney Canal of the TBC. At its December 2013 meeting, the Governing Board approved the issuance of a water use permit to the COT to withdraw 2 mgd from the Blue Sink for minimum flows as specified in the recovery strategy. At its February 2014 meeting, the Governing Board approved the signing of a cooperative funding agreement (N492) with the COT to construct pumping facilities on the Harney Canal and the Hillsborough River Reservoir to divert minimum flows to the LHR. Updates on the LHR recovery strategy have been provided to the Governing Board on an annual basis and the first of three rule-required five-year recovery status assessments was presented to the Governing Board in March 2015. The COT issued plans and specs for the Blue Sink pump station and pipeline project in March 2015; executed an agreement for construction management and a well mitigation program for the project in June 2015; and issued notices to proceed with pump station construction and pipeline construction in July and August 2015, respectively. In May 2015, the Governing Board authorized staff to initiate and complete rulemaking to repeal the reservation rule concerning use of water from Morris Bridge Sink for recovery of minimum flows in the LHR. District staff participated in a pre-application meeting with DEP in June 2015 to discuss water use permit applications for pumping up to 3.9 mgd from Morris Bridge Sink and the ongoing transfer of water from the TBC to the LHR for minimum flow recovery. Water use applications for these withdrawals were submitted to the DEP by the District in August 2015. Repairs to the District pump station at the dam were completed in July 2015, with expectations that similar repair work would be completed at the District S-162 pump station, which is used to pump water from the lower to the middle pool of the TBC when needed for minimum flows recovery in the LHR. A modeling project addressing environmental benefits associated with various minimum flow implementation options was completed for the District in July 2015. In August 2015, the District accepted the COT's final basis of design report for the LHR pumping facilities project (N492) involving replacement of the existing S-161 pump station and installation of a siphon system at the Hillsborough River Dam. A no-cost time extension for the District/COT agreement for the Investigation of Storage and Supply Options project was completed in October 2015, extending the project completion date to October 1, 2017. In November 2015, the DEP released a notice of intent to issue a water use permit to the District for withdrawals from the TBC for LHR recovery and issued the permit on December 17, 2015. The DEP held a public meeting in November 2015 concerning the water use permit application submitted by the District for withdrawals from Morris Bridge Sink for LHR recovery and in December 2015 released a notice of intent to issue a water use permit to the District for the withdrawals. District staff met with Hillsborough County Environmental Protection Commission staff, representatives of the Friends of the River and other stakeholders in January 2016 to clarify permit conditions for the water use permit for withdrawals from Morris Bridge Sink for LHR recovery. In January 2016, the District also sent a letter to the Friends of the River, committing to provide several assurances in support of the Morris Bridge Sink Project. On January 15, 2016 the DEP issued a water use permit to the District for withdrawals from Morris Bridge Sink. In January 2016, the COT requested continuance of the CFI request submitted for funding the S-161 pump station replacement and Hillsborough River Dam siphon project (N492) and also requested transfer of ownership of District pumping facilities at S-161 and the dam to the COT. In February 2016, the District: initiated a project (H404) for consultant services addressing design of a pump station, transfer station and pipeline for the proposed diversion of water from Morris Bridge Sink; initiated development of a scope of work for consultant services addressing permit reporting conditions for the proposed withdrawals from the sink; and amended an agreement with the COT for completion of the Blue Sink Project to extend the project completion date to January 4, 2017. District staff met with representatives of the Friends of the River in March 2016 to discuss a draft scope of work for consultant services addressing

permit reporting conditions for planned withdrawals from Morris Bridge Sink. The COT completed construction for the Blue Sink pipeline in April 2016 and construction restoration was completed in May 2016. A TWA for consultant services addressing factors contributing to algal abundance in the Sulphur Springs Run was also initiated in May 2016. ***New Activities Since Last Meeting:*** An annual update on implementation of the LHR recovery strategy was submitted to the Governing Board in July 2016. Pump station construction by the COT for the Blue Sink project is ongoing. District development of a TWA for consultant services addressing permit reporting conditions for planned withdrawals from Morris Bridge Sink is also ongoing. District review of consultant submitted 60 percent design drawings for a pump station at Morris Bridge Sink, and for a pipeline and a second pump station at S-159 for the proposed diversion of water from Morris Bridge Sink to the TBC is also ongoing. Permitting discussions with the USACOA and the Hillsborough County Environmental Planning Council for the pipeline and pump station at S-159 are also ongoing. The COT continues to evaluate options for proceeding with the LHR pumping facilities project (N492) and District review of the COT's request for transfer of ownership of District pumping facilities at the S-161 and dam sites, and execution of easements or licensing agreements necessary to operate and maintain the facilities is also ongoing. *Project Managers: Stacy Day/Diana Koontz/Tom Burke/Barbara Nordheim-Shelt*

TECO's Polk Power Station Reclaimed Water Interconnects to Lakeland/Polk County/Mulberry

- **Reuse Project:** This regional project, consisting of transmission pipelines, pump stations, storage tank, advanced treatment and deep injection well, will provide up to 10 mgd of reclaimed water from several domestic wastewater treatment facilities to Tampa Electric Company's (TECO) power facility in southwest (SW) Polk County (Polk Power Station). The reclaimed water is necessary as TECO is expanding the Polk Power Station generation capacity. The cooperatively funded reclaimed water project (H076-Phase I) was originally anticipated to provide 5.2 mgd (expandable up to 6.7 mgd) of reclaimed water from the City of Lakeland; however, the supply and benefits were expanded to up to 7 mgd by including approximately 0.75 mgd of reclaimed water from the Southwest Polk County Water Reclamation Facility and 0.30 mgd of reclaimed water from the City of Mulberry. Based upon updated treatment requirement specifications and construction bids received by TECO in 2010 and 2012, the project cost estimates increased from \$65,686,800 to \$72,686,800 in FY2012 and to \$79,529,977 in FY2014. In FY2012 through FY2014, TECO received funding increases in the Governing Board budget to complete the estimated \$79 million 7 mgd project. TECO submitted a formal amendment request in July 2014 (after all bids and estimates were received) to upsize the project by 43 percent from 7 mgd to 10 mgd (expandable to 17 mgd) and increase total costs by 22 percent to \$96,960,725. In January 2015, the Governing Board approved the expansion to 10 mgd and approved increasing the total project cost to \$94,810,725; and increasing the total District share to \$44,601,957 ad valorem and \$3,526,063 in Water Resource and Protection (WRAP) funds. The expanded project agreement to 10 mgd was executed in mid-July 2015. The increase improves cost-effectiveness (from \$2.74/1,000 gallons to an eventual estimated \$2.34/1,000 gallons) and will utilize 100 percent of all available reclaimed water from Lakeland, Mulberry and SW Polk beyond 2040. The final remaining \$2,150,000 (\$1,075,000 District share) in project cost increase related to the Polk SW transmission line was approved through the in-cycle FY2016 Cooperative Funding Initiative (CFI) process (resulting in a final \$96,960,725 total project cost). Phase I of the project was originally anticipated to utilize all 7 mgd of available reclaimed water by 2013; however, due to the economic downturn and reduced power demands, TECO delayed the expansion of power generation capacity (Unit 6) until 2017. The delay and planned expansion required an extension of the District funding agreement to complete the project in 2017. TECO is replacing, to the greatest extent possible, 3 to 5 mgd of existing groundwater uses in 2015-2016 with reclaimed water before the full project expansion is complete in 2017.

Additional Information: In order to utilize the reclaimed water, the project includes advanced treatment (filtration and membranes) which is necessary to reduce dissolved solids to an acceptable level. The membrane reject water (concentrate by-product) is mixed with other Polk Power Station discharge water and pumped to two new deep injection wells for final disposal. While two disposal wells were drilled by TECO, only injection well number one (IW-1) was eligible for District cooperative funding. The IW-1 and IW-2 wells were completed in March 2013. TECO's pipeline contractor (Westra) started in March 2013, routing and design of the Polk SW is ongoing construction of the Mulberry segments is ongoing, the Lakeland segment is completed, construction of the reclaimed water treatment system (except for one final RO skid) and construction of the related storage tank (Precon) at the TECO facility is completed and on-line since December of 2015. To date, the District has budgeted \$45,676,957 in ad valorem and an additional \$3,526,063 in WRAP funds (totaling \$49,203,020 in District funding), of which a total of \$41,272,885 has been reimbursed. The project continues to utilize Lakeland's effluent to supply 3 to 5 mgd, thereby reducing groundwater pumping at the TECO Polk Power Facility. Construction of the Mulberry portion is underway. Design and permitting of the Polk SW portions continues. Full commissioning and testing to the 10 mgd capacity is anticipated in 2017. **New Activities Since Last Meeting:** Amendment adding final District funding was fully executed June 28, 2016. *Project Manager: Anthony Andrade*

- **Aquifer Recharge Projects:** In 2009, the District funded a recharge study (H076) as part of the Regional Reclaimed Water Partnership Initiative to assess the feasibility of using highly treated reclaimed water to recharge the Upper Floridan aquifer (UFA) in the southern Hillsborough and Polk county areas. Findings from the study indicate that it is possible to develop direct and indirect aquifer recharge projects to improve UFA water levels and provide opportunities for additional groundwater withdrawals. MWH Americas, Inc., completed the Feasibility of Using Reclaimed Water for Direct and Indirect Aquifer Recharge in the Tampa Bay Area Study and a total of \$481,149 in District FY2008 funding was reimbursed. The costs associated with developing these projects were found to be comparable to costs of other planned alternative water supply projects. Since completing the study, several local governments have expressed interest in assessing the applicability of aquifer recharge in their areas. District staff is working with these entities to develop and implement project plans to assess the site specific feasibilities of implementing aquifer recharge projects to address their individual needs. Prior to initiating work, District staff also reviews project tasks to avoid as much duplicative efforts as possible between cooperators. The District project managers are researching active recharge projects to identify positive results or issues requiring further investigation.

- **Currently-Funded Aquifer Recharge Projects - FY2015-FY2016 Cooperative Funding**
 - **City of Clearwater - Groundwater Replenishment Project - Phase 3**

This is an ongoing project which previously completed work on a pilot test of Clearwater's reclaimed water purification treatment system and one groundwater recharge injection site. Results from the water purification plant 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, improving groundwater levels in the NTBWUCA, and increasing the City's future water supply potential from their existing wellfields. Phase 3 of this project is for the design, third party review, permitting and construction for the full-scale water purification plant and the injection and monitor well systems to recharge 2.4 mgd annual average of purified reclaimed water at Clearwater Northeast Water Reclamation Facility. Public outreach will be a critical function throughout the design and construction. The total project cost for the project is \$28,680,000 (based on conceptual level cost estimate until the 30 percent design and third party review is completed). The City of Clearwater's contribution is \$14,340,000 and the District contribution will also be \$14,340,000. Of the District's contribution, \$1,544,000 was approved in FY2015, and an additional \$2,131,600 was approved in FY2016. FY2017 budget request is for \$5,654,400 and future funding will

need to be \$5,000,000. The District previously contributed \$1,751,548 for desktop feasibility and pilot treatment test phases of this project. The project is anticipated to begin in January 2016 and will proceed in accordance with a detailed project plan and work schedule. Completion of construction and beginning of facility operations -is currently scheduled for April, 2021. Contract executed in January, 2016. ***New Activities Since Last Meeting:*** Preliminary Design is complete and Third Party Review of the Preliminary Design Report, including a review of the Preliminary Opinion of Probable Cost is underway. Results of the Third Party Review will be presented at either the August or September Board depending upon preparation of the Board item. *Project Manager: Robert Peterson*

- **Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project**
A desktop feasibility study to assess using of highly treated reclaimed water to indirectly recharge the UFA via constructed wetlands and/or rapid infiltration basins (RIB) in central Pasco County areas was completed in January 2011. The study showed that indirect aquifer recharge is a viable option for Pasco County. A Phase II feasibility study and report was completed in February 2012 and included a screening analysis for potential RIB locations, as well as cost analyses refinements for potential future phases. Phase III includes field testing and modeling on the 4G Ranch in Pasco County. The final draft of the Phase III project report was received by the District on December 12, 2014; and a teleconference was held on December 16, 2014 to discuss preliminary comments. District staff sent report comments on December 23, 2014. Multiple meetings have been held to further discuss the District's comments. A request to extend the deadlines of Tasks 2 and 3, as well as the project end date, to June 30, 2015 was received on February 26, 2015. A request to use the contingency funds in the Agreement (\$10,000) was also received. Meetings were held to discuss 30 percent design on March 25, March 30, and April 9, 2015. Pre-application meetings with DEP occurred on March 31, 2015, to discuss the ERP for the project, and on April 7, 2015, to discuss the NPDES permit. A field visit with DEP was held on April 23, 2015. Meetings to discuss the modeling work occurred on April 22 and May 5, 2015. The District received the final 30 percent design package on May 5, 2015, A draft Agreement, Project Plan, Easement, and Lease were developed, and the Governing Board gave staff authorization to proceed with third party review of the 30 percent design package at the July Board meeting. The results of the third party review were received on August 24, 2015. The review concluded that the project scope and budget were reasonable and would meet the project objectives. The review also concluded that the methods used to determine the measurable benefit of at least 2.2 mgd of reclaimed water on a ten-year annual average were reasonable. On August 27, the project team met with FDEP to discuss the submittal of the application to modify the County's NPDES permit. Both the ERP and NPDES permits have been submitted to the FDEP. The Governing Board approved the County's and staff's request to move forward with final design and permitting of the project at their September meeting. The Board also directed staff to enter into an agreement for fifty percent of the total project cost identified in the 30 percent design (\$14,300,966), allowing reimbursement of the District's share for the design, permitting, and construction of this facility. The completed N666 Agreement was sent to Pasco County for their signature on October 5, 2015 and is awaiting approval at an upcoming County Commission meeting. The 60 percent costs were received on October 29, 2015. The 90 percent design was received on December 18, 2015 and is currently being reviewed by District staff. The draft NPDES and ERP permits have been received as of December 18, 2015. The 90 percent cost estimates from CH2M Hill (Pasco County consultant) and P&J (land owner/contractor) were completed. All permits are also issued as of January 2016. A meeting was held with the project team on February 11, 2016 to review the estimates, and some revisions and clarification will be made on both estimates. The 100 percent design drawings were received on March 10, 2016. The Pasco County Commission approved the Agreement at their May 10, 2016 meeting, and the District received the Agreement on May 25, 2016. The 100 percent costs were received March 25, 2016. ***New Activities Since Last Meeting:*** The

Agreement was sent to Executive for signature on July 1, 2016. Construction began as of mid-June 2016. *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 County's Big Bend facility near Apollo Beach in southern Hillsborough County. The goal of the project is to improve water levels within the Most Impacted Area of the SWUCA and possible 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 and monitoring activities are ongoing. *Project Manager: Mark Barcelo*

Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program

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 is estimated that 626 flow meters and 961 AMR devices will need to be installed within the 256-square mile DPCWUCA. 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. The contract was executed on November 14, 2013. Letters with flow meter reimbursement information were sent on September 17, 2015 to the remaining permittees who have not yet installed a flow meter. ***New Activities Since Last Meeting:*** As of June 30, 2016, a total of 414 flow meters have been installed (66 percent complete) and 475 AMR units have been installed (49 percent complete). *Project Manager: Patricia Robertshaw*

Staff Recommendation:

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

Presenter: Mark A. Hammond, P.E., Division Director, Resource Management

**Governing Board Meeting
July 26, 2016**

REGULATION COMMITTEE

Discussion Items

30. Consent Item(s) Moved for Discussion

31. Denials Referred to the Governing Board..... 117

Submit & File Reports - None

Routine Reports

32. Overpumpage Report 118

33. Individual Permits Issued by District Staff - July 2016..... 120

REGULATION COMMITTEE

July 26, 2016

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

July 26, 2016

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: Alba Más, P.E., Division Director, Regulation

REGULATION COMMITTEE

July 26, 2016

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 May 2016

Under Review ⁽¹⁾ Citrus Greening ⁽²⁾

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
<i>Continuing From Previous Report</i>						
10392.006	Milmack, Inc. (Oakwood Golf Club) ¹	Recreational – Golf Course	265,700 gpd	01/01/2016 343,643 gpd 29.33%	05/01/2016 284,908 gpd 7.23%	Bartow
9211.004	Russel Grove North, Inc./Attn. Gillie Russell ^{1 & 2}	Agricultural – Citrus	122,700 gpd	01/01/2016 160,170 gpd 30.54%	05/01/2016 144,397 gpd 17.68%	Bartow
11161.002	Ridge Investments, LLC ^{1 & 2}	Agricultural – Citrus	95,800 gpd	01/01/2016 140,772 gpd 46.94%	05/01/2016 114,172 gpd 19.18%	Bartow
819.005	Gain Inc./Attn. Peter Washington ^{1 & 2}	Agricultural – Citrus	79,200 gpd	11/01/2015 129,614 gpd 63.65%	05/01/2016 124,301 gpd 56.95%	Bartow
1995.004	Victoria Goodson ¹	Agriculture – Strawberries/Row Crops	79,600 gpd	09/01/2015 88,386 gpd 11.04%	05/01/2016 162,942 gpd 104.70%	Tampa
910.006	Jack M. Berry, Inc. ^{1 & 2}	Agricultural – Citrus	207,700 gpd	07/01/2015 320,279 gpd 54.20%	05/01/2016 390,672 gpd 88.09%	Bartow
7002.004	MHC FR Utility Systems LLC ¹	Public Supply	97,100 gpd	04/01/2015 104,929 gpd 8.06%	05/01/2016 153,648 gpd 58.24%	Tampa
11031.004	Growers Investment Group LLC ^{1 & 2}	Agriculture – Citrus	125,400 gpd	06/01/2012 282,492 gpd 125.27%	05/01/2016 181,743 gpd 44.93%	Bartow

REGULATION COMMITTEE

July 26, 2016

Routine Report

Individual Permits Issued by District Staff - July 2016

Please see the attached report.

Staff Recommendation:

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

Presenter: Alba Más, P.E., Division Director, Regulation

INDIVIDUAL PERMITS ISSUED: ERPS – JUNE 2016

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43013055.007	Mitchell 54 West Mass Grading	Pasco	Mass grading project that is proposed in anticipation of a future mixed-use development located in the southwest quadrant of State Road 54 and Little Road.	534.59	127.57	47.36	48.51
49035475.001	Chapel Crossings	Pasco	Conceptual approval of stormwater management system and wetland mitigation to serve future mixed use residential and commercial development.	449.94	116.76	4.11	6.34
43020580.059	SR93 (I-75)/SR64 Interchange Improvements	Manatee	Interstate widening and re-configured ramps as I-75 and SR 64.	143.80	9.52	9.11	0.00
43042323.002	Villages of Lakewood Ranch Parcels 6 & 7	Sarasota	Single-family residential subdivision.	321.48	175.28	2.08	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 – JUNE 2016

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
2000742.014	City of Tarpon Springs	Pinellas / Pasco	Renewal with reduction in quantities based on population projection and per capita rate.	Public Supply	4,200,000	4,020,000	20
2001693.009	Clear Springs Sod Farm	Polk	Renewal for sod farm. There will be a correction in the permit boundary, however the quantities will remain the same as on the previous revision.	Agricultural	1,049,000	1,049,000	20
2011427.006	Watercress Farms Inc	Manatee	Renewal with modification	Agricultural	1,276,000	1,239,700	20

**Governing Board Meeting
July 26, 2016**

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

Discussion Items

- 34. Consent Item(s) Moved for Discussion
- 35. Approve Sale of Surplus Lands – Lake Pretty House (PRTY-2), SWF Parcel No.
14-009-119S(10 minutes)124
- 36. Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No.
19-441-111S.....(10 minutes)138
- 37. Hydrologic Conditions Report(10 minutes)152

Submit & File Reports - None

Routine Reports

- 38. Structure Operations 156
- 39. Significant Activities 158

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

July 26, 2016

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Ken Frink, P.E., Division Director, operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 26, 2016

Discussion Item

Approve Sale of Surplus Lands – Lake Pretty House (PRTY-2), SWF Parcel No. 14-009-119S

Staff Recommendation:

- Accept the Offer
- Approve the Contract for Sale and Purchase
- Approve release of mineral interests
- Authorize execution of the instruments necessary to convey the property

Presenter: Carmen Sanders, Land Resources Manager

Approve Sale of Surplus Lands – Lake Pretty House (PRTY-2), SWF Parcel No. 14-009-119S

Introduction

The District has received an offer to purchase surplus parcel PRTY-2 for \$481,000. The Contract for Sale and Purchase is attached as Exhibit 1. The parcel consists of 2.46 gross acres, of which 0.66 acres comprise Lake Pretty Drive, a private roadway encumbered by ingress/egress easements, and an estimated 0.85 acres are net useable. The total price reflects the price for the improved lakefront lot, house and ownership of Lake Pretty Drive. The property was appraised for \$472,000.

The District acquired this property in 2011 for \$453,000. The parcel was purchased for the Lakes Horse, Raleigh, and Rogers Recovery Project (B027) located in northwest Hillsborough County. This was a cooperative project with Tampa Bay Water designed to provide partial recovery of water levels resulting from groundwater withdrawals in the area by diverting a portion of high flows from Lake Pretty into nearby Horse Lake and eventually into Lakes Raleigh and Rogers. In 2011, the District acquired two properties in order to locate an intake structure, pump and pipeline on Lake Pretty necessary to implement the proposed project. The properties include both the lot with 100 feet of water frontage on Lake Pretty and Lake Pretty Drive, a private road that connects with Cosme Road which travels west to Gunn Highway. However, at the July 31, 2012 Governing Board meeting, staff was directed to explore alternatives to the current project, including a no project alternative. At their respective board meetings on June 17, 2013 and June 25, 2013, both Tampa Bay Water and the District decided to terminate the Lakes Horse, Raleigh, and Rogers Recovery Project contract. Therefore, these properties are no longer necessary for District purposes and were declared surplus by the District at the September 24, 2013 Governing Board meeting.

The property was posted with an Invitation to Submit offers (ITS) on January 31, 2014 and bids were opened March 4, 2014. No bids were received at that time. The property has been on the market continuously since January 31, 2014 and advertised in the newspaper, by signs, and on internet sites Zillow, Trulia, and Loopnet.

The Hillsborough County Property Appraiser values the parcel at \$401,307 (2016 assessment) for the lakefront lot, house, and roadway.

The lakefront residence was built in 1981 on the 1.8-acre lot (0.85 acres upland) with concrete boat launch and dock. Residence has a total of 3,828 square feet under roof including screened porch and two-car garage with 2,898 square feet gross living area (heated area) in a 3-bedroom, 3-bath, split plan.

The lot is rectangular shaped with approximately 100 feet of frontage on Lake Pretty and 100 feet on Lake Pretty Drive, a privately maintained lime rock road which is included in the property. Lake Pretty Drive is encumbered by ingress/egress easements for adjacent residences. For reference, a general location map and aerial map have been attached as Exhibit 2 and Exhibit 3. The lot is currently zoned ASC-1 with a future land use designation of R-1 as shown on Exhibit

4, which allows for development with one residential unit. The property is to be sold in fee simple, without restriction. This parcel was appraised in June of 2016 for \$472,000 and identified four comparable sales as follows:

	Total Price/Value	\$/Sq. ft. Gross Living Area
Offer	\$481,000 for 2,898 sq. ft. gross living area	\$165.98
Basis (2011)	\$453,000 for 2,898 sq. ft. gross living area	\$156.32
Just Value	\$401,307 for 2,898 sq. ft. gross living area	\$138.48
Appraisal	\$472,000 for 2,898 sq. ft. gross living area	\$162.87
Comp. Sale #1	\$521,000 for 3,383 sq. ft. gross living area	\$154.00
Comp. Sale #2	\$350,000 for 2,228 sq. ft. gross living area	\$157.09
Comp. Sale #3	\$505,500 for 2,212 sq. ft. gross living area	\$228.53
Comp Sale #4	\$460,000 for 2,079 sq. ft. gross living area	\$221.26

Management / Maintenance Costs

The property is isolated from other existing District lands. The District has paid an average of \$819 per year for building repair and maintenance, and \$595 per year for road maintenance related to the parcel since acquisition.

Surrounding Land Uses

The area surrounding the property is comprised mostly of homesites with site-built single family homes and lots.

Zoning and Future Land Use

The property is zoned ASC -1 Agricultural – Single Family Conventional and has R-1 land use designation by Hillsborough County. Permitted uses include one conventional dwelling unit per acre.

Utilities/Public Services

The parcel is served by electric and telephone service. The site utilizes a private well and septic system.

Flood Data

Based on FEMA mapping, the appraiser reports the property to be in flood zones “AE” and “X”.

Appraisal

The sale of surplus property begins by obtaining an appraisal. The statutory requirements may necessitate obtaining additional appraisals in order to confirm the final price for a contract approved by the Governing Board. The appraisal date of valuation must not be greater than 360 days before the closing of the sale. The most recent appraisal for this property is dated June 21, 2016 and was performed by Frank A. Catlett, MAI, SRA and Kyle A. Catlett with Trigg, Catlett & Associates. The appraisal was determined to meet the necessary legal or District requirements and contains sufficient factual data to support the value conclusion. The highest and best use determined by

the appraisers was based on the physically possible, legally permissible and financially feasible uses for this property. The highest and best use was determined to be for single family residential. The appraisers considered the property's location, zoning, legally permissible uses, and physical characteristics.

The appraisers applied the Cost Approach and the Sales Comparison Approach (Market Approach) to determine the value of the property. Four comparable sales of improved properties are referenced in the appraisal. The comparable properties are located in Hillsborough County. The comparable sales ranged in size from 2,079 to 3,383 square feet gross living area. The transactions occurred between September 2015 and May 2016. The appraisers developed a value by applying quantitative adjustments to the comparable sales considering the differences in physical characteristics including feet on lake, gross living area, garage, porch and dock. Following are the sales description and adjustment grids from the appraisal.

COMPARABLE NUMBER	1			2		
Address	11004 Nest Court Odessa, FL 33556			8815 Osceola Acres Trail Odessa, FL 33556		
Folio Number	001441-4512			000231-0000		
Grantor	William Kemp Morris			Luke Meerson & Joy Emerson		
Grantee	Matthew W. Peaire & Jennifer A. Peaire			Michael A. Leist & Lisabeth D. Leist		
OR Book/Page	24126/736			23914/413		
Days on Market/Asking Price	406		\$550,000	224		\$380,000
Sale Price			\$521,000			\$350,000
Sale Price/Gross Liv. Area	\$154.01			\$157.09		
Data Source(s)	MLS, County Tax Roll			MLS, County Tax Roll		
VALUE ADJUSTMENTS	DESCRIPTION	COMPARISON	ADJUSTMENT	DESCRIPTION	COMPARISON	ADJUSTMENT
Property Rights	Fee Simple	Similar	\$0	Fee Simple	Similar	\$0
Sale or Financing Concessions	Cash to seller	Similar	\$0	Cash to seller	Similar	\$0
Conditions of Sale	Arm's length	Similar	\$0	Arm's length	Similar	\$0
Date of Sale/Time	May 31, 2016	Similar	\$0	February 24, 2016	Similar	\$0
Location(Lake Name)	Lake Taylor	Similar	\$0	Lake Osceola	Similar	\$0
Design (Style)	1-Story Ranch	Similar	\$0	1-Story Ranch	Similar	\$0
Quality of Construction	Brick	Similar	\$0	CB/ Vinyl Siding	Similar	\$0
Year Built	1984	Slightly Superior	(\$4,000)	1963	Inferior	\$16,200
Condition	Avg to Abv. Avg	Superior	(\$10,000)	Avg to Abv. Avg	Superior	(\$10,000)
Front Feet	149'	Superior	(\$127,400)	100'	Similar	\$0
Site Size (Gross Square Feet)	87,120 sq. ft.	Inferior	\$127,400	24,000 sq. ft.	Inferior	\$83,157
Heated Square Feet	3,383 sq. ft.	Superior	(\$24,250)	2,228 sq. ft.	Inferior	\$33,500
Number of Bedrooms	4	Superior	(\$5,000)	5	Superior	(\$10,000)
Number of Bathrooms	2	Inferior	\$5,000	2.5	Slightly Inferior	\$2,500
Heating/Cooling	Central	Similar	\$0	Central	Similar	\$0
Deck/ Dock	Yes	Similar	\$0	Yes	Similar	\$0
Pool	No	Similar	\$0	No	Similar	\$0
Fireplace	Yes	Similar	\$0	Yes	Similar	\$0
Garage/Carport	2 Car Garage	Similar	\$0	None	Inferior	\$10,000
HOA Fee	None	Similar	\$0	None	Similar	\$0
Overall Comparison	Superior			Inferior		
Adjusted Sales Price	\$482,750			\$475,357		
Sales History	No sales within previous three years			Previous sold in April 2014 for \$350,000		

COMPARABLE NUMBER	3			4		
Address	18520 Wayne Road Odessa, FL 33556			18126 Gunn Highway Odessa, FL 33556		
Folio Number	000626-2000			000923-0000		
Grantor	Steven J. Morris & Sarah J. Morris			Jo Ann Littrell		
Grantee	Steven D. Taylor & Janet R. Taylor			Earle W. Keith, IV & Laura A. Keith		
OR Book/Page	23660/1668			23593/1904		
Days on Market/Asking Price	509	\$625,000		72	\$600,000	
Sale Price		\$505,500			\$460,000	
Sale Price/Gross Liv. Area	\$228.53			\$221.26		
Data Source(s)	MLS, County Tax Roll			MLS, County Tax Roll		
VALUE ADJUSTMENTS	DESCRIPTION	COMPARISON	ADJUSTMENT	DESCRIPTION	COMPARISON	ADJUSTMENT
Property Rights	Fee Simple	Similar	\$0	Fee Simple	Similar	\$0
Sale or Financing Concessions	Cash to seller	Similar	\$0	Cash to seller	Similar	\$0
Conditions of Sale	Arm's length	Similar	\$0	Arm's length	Similar	\$0
Date of Sale/Time	October 26, 2015	Similar	\$0	September 28, 2015	Similar	\$0
Location(Lake Name)	Lake Keystone	Superior	(\$200,000)	Lake Calm	Slightly Superior	(\$125,000)
Design (Style)	1-Story Ranch	Similar	\$0	1-Story Ranch	Similar	\$0
Quality of Construction	CB/Stucco	Similar	\$0	CB/ Brick	Similar	\$0
Year Built	1978	Slightly Inferior	\$8,610	1966	Inferior	\$30,000
Condition	Avg.	Similar	\$0	Avg.	Similar	\$0
Front Feet	84'	Inferior	\$41,600	100'	Similar	\$0
Site Size (Gross Square Feet)	23,334 sq. ft.	Inferior	\$83,823	60,075 sq. ft.	Inferior	\$47,082
Heated Square Feet	2,212 sq. ft.	Inferior	\$34,300	2,079 sq. ft.	Inferior	\$40,950
Number of Bedrooms	3	Similar	\$0	3	Similar	\$0
Number of Bathrooms	2	Inferior	\$5,000	2	Inferior	\$5,000
Heating/Cooling	Central	Similar	\$0	Central	Similar	\$0
Deck/ Dock	Yes	Similar	\$0	No	Inferior	\$7,500
Pool	No	Similar	\$0	No	Similar	\$0
Fireplace	No	Inferior	\$3,500	Yes	Similar	\$0
Garage/Carport	2 Car Garage	Similar	\$0	2 Car Garage	Similar	\$0
HOA Fee	None	Similar	\$0	None	Similar	\$0
Overall Comparison	Superior			Inferior		
Adjusted Sales Price	\$482,333			\$465,532		
Sales History	No sales within previous three years			No sales within previous three years		

Summary of Values

	Purchase Basis 2011	Appraisal 7/2016	Offer 6/2016
Total	\$453,000	\$472,000	\$481,000
Zoning/LU	ASC-1/R-1	ASC-1/R-1	ASC-1/R-1
\$ Gross LA.– 2,898	\$156.32	\$162.87	\$165.98

Purchase Terms

- The District agrees to deliver marketable title free of all encumbrances objectionable to the Buyer.
- There is to be no adjustment for actual acreage as determined by survey.
- The Buyer will bear all expenses of the transaction with the exception of the appraisal (new appraisal required by statute within 360 days of closing) and initial advertising costs.
- Contract includes a provision to adjust price based on obtaining an updated appraisal before closing.

Benefits/Costs

The sale of this property will offer at most only a nominal savings to the District's annual land management costs. Funds derived from the sale may only be used for the purchase of other lands meeting the criteria in Section 373.139, F.S. resulting in more effectively meeting the District's core mission.

CONTRACT FOR SALE AND PURCHASE

THIS Contract for Sale and Purchase ("Contract") is made this 24 day of June, 2016, by and between the Southwest Florida Water Management District, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604 ("District"), and Lisa Warren and Carlos Fidalgo, h/w, having an address of 9825 Tree Tops Lake Road, Tampa, FL 33626 ("Buyer"), as follows:

1. **AGREEMENT TO SELL**: The District hereby agrees to sell and Buyer hereby agrees to buy, in accordance with this Contract, the real property that is more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference ("Property").
2. **EFFECTIVE DATE**: Upon execution of this Contract by Buyer, Buyer's offer shall be binding for one hundred eighty (180) days after such execution by Buyer. If this Contract is not executed by the District on or before one hundred eighty (180) days after execution of this Contract by Buyer, Buyer's offer contained in this Contract is withdrawn and this Contract shall terminate.
3. **APPROVAL**: This Contract is subject to approval by the District's Governing Board. If the District's Governing Board does not approve this Contract and all the terms and conditions hereof, the District will notify the Buyer in writing and this Agreement shall terminate.
4. **PURCHASE PRICE**: The total purchase price for the Property shall be \$ 481,000⁰⁰ dollars, which shall be paid in the following manner:
 - a. **Deposit**: Concurrent with the execution by Buyer of this Contract, Buyer shall deposit five percent (5%) of the purchase price in the form of a certified or cashier's check from a financial institution as defined in Section 655.005, Florida Statutes ("F.S."), made payable to the closing agent designated by the District, as earnest money ("Deposit"). In the event this Contract is terminated under Paragraphs 2, 3, 5, 9, and 11 of this Contract, the District shall return the Deposit to Buyer.
 - b. **Balance**: The balance of the purchase price shall be paid at the time of closing, by wire transfer from a financial institution as defined in Section 655.005, F.S., to the closing agent designated by the District.
5. **APPRAISAL**: Upon receipt of the Deposit, the District, at the District's expense, will request a written appraisal from a licensed Florida appraiser as required by Section 373.089(1), F.S. If the value stated in the written appraisal is more than the purchase price listed in Paragraph 4 above, the District will deliver a copy of the written appraisal to Buyer and Buyer may either (a) increase the purchase price to no less than the value stated in the written appraisal or (b) terminate this Contract. This contract shall not be binding on the District if the purchase price listed in Paragraph 4 above is less than value stated in the written appraisal.
6. **CLOSING, EXPENSE AND POSSESSION**: This Contract shall be closed no later than 120 days from the date of the appraisal referenced in Paragraph 5, unless this Contract is terminated pursuant to Paragraphs 2, 3, 5, 9, 11 or 12. The following are additional details of closing:
 - a. **Time and Place**: The date, time and place of closing shall be set by the District.

- b. **Conveyance:** At closing, the District will deliver to Buyer a fully executed quit claim deed, conveying the Property and improvements in “AS IS, WHERE IS CONDITION,” without warranties or representations.
 - c. **Expenses:** Buyer shall be responsible for paying all closing costs associated with the Property including, but not limited to, advertising costs, appraisal costs except for those referenced in Paragraph 5, survey costs, documentary stamp tax on the deed, recording fees, abstract or title insurance fees, and attorneys’ fees. Buyer shall reimburse the District at closing for any closing costs that are initially paid by the District. Any costs of sale incurred by the District or by other parties on behalf of the District shall be paid by separate certified or cashier’s check made payable to the Southwest Florida Water Management District or wire transfer to an escrow agent designated by the District at the time of closing. The District may require that the closing be processed by and through a title insurance company or other closing agent, designated by the District, and Buyer shall pay any costs charged by such company or agent for this closing service. If Buyer obtains a survey of the Property, nothing contained therein shall affect the purchase price or terms of this Contract.
7. **REAL ESTATE TAXES, EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES:** Buyer agrees to take title to the Property subject to any outstanding taxes, special liens or assessments including real estate taxes, if any; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; restrictions, qualifications and matters appearing on the plat or otherwise common to the subdivision, restrictive covenants, public utility easements and all outstanding easements, reservations and other interests.
8. **CONDITION OF THE PROPERTY:** Buyer agrees to accept the Property in “AS IS, WHERE IS CONDITION.” The District makes no warranties or representations whatsoever as to the condition of the Property or the improvements located thereon, or the fitness of either for any particular use or purpose.
9. **DUE DILIGENCE PERIOD:** Buyer will, at Buyer’s expense, determine whether the Property is suitable for the Buyer’s intended use and development of the Property within 105 days from the date of this Contract (“Due Diligence Period”). During the Due Diligence Period, Buyer may conduct any tests, analyses, surveys, inspections, and investigations which Buyer deems necessary to determine to Buyer’s satisfaction the suitability of the Property for Buyer’s intended use and development. Buyer will deliver written notice to the District prior to the expiration of the Due Diligence Period of Buyer’s determination of whether the Property is acceptable. If Buyer fails to comply with this notice requirement, Buyer will be deemed to have waived any objection to the suitability of the Property for the Buyer’s intended use and development and to have accepted the Property in its present “as is” condition. If Buyer determines that the Property is not acceptable, Buyer must include the specific reasons therefore in its notice to the District. The District shall have thirty (30) days from receipt of Buyer’s notice to cure the specified deficiencies. If the specified deficiencies are identified by a survey, the survey must meet the requirements outlined in Exhibit “B”, attached hereto, and must be provided to the District for review. If the District fails to cure the deficiencies to the reasonable satisfaction of the Buyer, its attorney or the Buyer’s title insurance company within the 30-day cure period, Buyer may either terminate this Contract or proceed to closing in the same manner as if no deficiencies had been found. If the District cures the deficiencies within the 30-day cure period, Buyer may not terminate this Contract. Buyer may contact the District to arrange access to the Property for Buyer, its agents, contractors and assigns for the purpose of conducting such tests, analyses, surveys, inspections, and investigations. Buyer will indemnify and hold the District harmless from losses, damages, costs, claims and expenses of any nature, including attorneys’ fees at

all levels, and from liability to any person, arising from the conduct of any and all inspections or any work authorized by Buyer. Buyer will not engage in any activity that could result in a mechanic's lien being filed against the Property.

- 10. **OPERATION OF PROPERTY DURING CONTRACT PERIOD:** Prior to closing, the District will continue to operate the Property and any business conducted on the Property in the manner operated prior to the date of the Contract and will take no action that would adversely impact the Property.
- 11. **RISK OF LOSS:** In the event of any substantial damage to the Property (in excess of \$5,000) between the date of this Contract and the date of closing, the District shall have the option of restoring the damaged Property to its condition immediately prior to the occurrence causing the damage, in which event, Buyer shall complete the transaction as originally planned. If these repairs are not completed prior to the closing date, closing will be extended until such time as the repairs are completed. If the District elects not to restore the damaged Property, Buyer's sole remedy shall be the right to terminate this Contract by giving written notice to the District or, alternatively, to proceed to closing on the Property, as damaged, without adjustment in the purchase price. In the event of any lesser damage (\$5,000 or less), the parties shall proceed to closing as though no damage had occurred.
- 12. **DEFAULT:** If Buyer fails to close within 120 days from the date of the appraisal referenced in Paragraph 5, the District shall retain the Deposit, this Contract shall terminate, and the District and Buyer shall be relieved of all rights and obligations under this Contract. If the District fails to deliver the quit claim deed to Buyer within 120 days from the date of the appraisal referenced in Paragraph 5, the District shall return the Deposit to Buyer, this Contract shall terminate, and Buyer and the District shall be relieved of all rights and obligations under this Contract. Notwithstanding the above, neither party shall be liable under this provision if the closing date is extended pursuant to Paragraph 11, Risk of Loss.
- 13. **ATTORNEYS' FEES AND COSTS:** Except as provided in Paragraph 9, Due Diligence Period, in any claim or controversy arising out of or relating to this Contract, each party agrees to bear its own attorney fees and costs.
- 14. **NOTICES:** All notices will be in writing and may be delivered by mail, overnight courier, or personal delivery. The parties agree to send all notices to the addresses specified in the introductory clause; and as to the District, such notice will be sent to the attention of its Office of General Counsel. Notice is effective upon receipt.
- 15. **SUCCESSORS:** Upon execution of this Contract by Buyer, this Contract shall be binding upon and inure to the benefit of Buyer, Buyer's heirs, successors, or assigns.
- 16. **RECORDING:** Neither this Contract nor any notice of it may be recorded in any county by any person.
- 17. **ASSIGNMENT:** This Contract shall not be assigned by Buyer without the prior written consent of the District.
- 18. **TIME OF ESSENCE:** Time is of the essence in the performance of this Contract.
- 19. **AMENDMENTS:** This Contract contains the entire agreement and all representations of the parties. No amendment will be effective except when reduced to writing signed by all parties.

Notwithstanding the foregoing, the parties acknowledge that the description of the Property is without the benefit of a current survey. The parties agree that if, in the opinion of the District, it becomes necessary to amend the description to correct errors, to more properly describe the Property, or to otherwise revise the description of the Property, the description to be used in the survey (if any) and in the closing instruments required by this Contract for the Property shall be revised by or at the direction of the District, and shall be subject to the final approval of the District. Anything to the contrary hereinabove notwithstanding, such a revision of the description of the Property shall not require a written amendment to this Contract. In such event, the District's execution and delivery of the closing instruments containing the revised description and the Buyer's acceptance of said instruments and of the final survey (if any) containing the revised description shall constitute a full and complete ratification and acceptance of the revised description of the Property by the parties.

20. **SURVIVAL:** Subparagraph 6.c. and Paragraphs 7, 8, 9 and 13 of this Contract will survive delivery and recording of deed and possession of the Property.

The parties have caused this Contract to be executed on the day and year set forth below.

DISTRICT:
**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT, a public
corporation of the State of Florida**

By: _____
Name: _____
Title: _____
Date: _____

Witness _____
Printed Name _____

Witness _____
Printed Name _____

BUYER:

Witness
PABLO SCHACHT
Printed Name

Witness
Kristen Murphy
Printed Name

Print Name: **Lisa J. Warren**

Print Name: **Carlos Hidalgo**

EXHIBIT "A"

Legal Description Parcel 14-009-119S

That part of the S 1/2 of the Northeast 1/4 of Section 26, Township 27 South, Range 17 East, Hillsborough County, Florida being more particularly described as follows:

Beginning at the intersection of the South boundary of the North 495 feet of the South 1/2 of the Northeast 1/4 of Section 26, Township 27 South, Range 17 East, with the Easterly right-of-way line of the S.A.L. R.R., (30 feet from the centerline), and run thence East, 32.27 feet along the South boundary of said North 495 feet; thence South 39°13' West 425.94 feet parallel with said Easterly right-of-way line of the S.A.L.R.R. to a point on the South boundary of the North 825 feet; of said South 1/2 of Northeast 1/4; thence East 873.58 feet along the South boundary of said North 825 feet; thence South 0°05' East 317 feet; thence West 15 feet; thence North 0°05' West 302 feet; thence West 903.09 feet parallel with said South boundary of North 825 feet of South 1/2 of Northeast 1/4 to a point on the said Easterly right-of-way of the S.A.L.R.R.; thence with said Easterly right-of-way of S.A.L.R.R. North 39°13' East 445.30 feet to the Point of Beginning, all lying and being in Hillsborough County, Florida. Subject to an Easement for Ingress and Egress over all of the foregoing described property.

AND

From the intersection of the South Boundary of the North 825 feet of the South 1/2 of the NE 1/4 of Section 26, Township 27 South, Range 17 East, with the Easterly R/W line of S.A.L. R.R., (30 feet from centerline), run East, 935.47 feet, along the South boundary of said North 825 feet, for a Point of Beginning; thence South 100 feet; thence East 720 feet, more or less, to a point lying 495 feet West of the East boundary of said NE 1/4; thence North 100 ft. parallel with the East boundary of said NE 1/4; thence West 720 feet, more or less, to the Point of Beginning, ALSO

With ingress and egress, rights and privileges, as stipulated and conveyed in deed dated July 11, 1957 from W.A. Bartholomew and Susie M. Bartholomew, his wife, as grantors, to Harry B. Whittington and Kathryn L. Whittington, his wife, as grantees, and recorded in Deed Book 2051 at pages 288 and 289 of the Public Records of Hillsborough County, Florida.

Subject to easement granted to Tampa Electric Company for erecting and maintaining power line and poles.

AND

From the intersection of the South boundary of the North 495 feet of the South One-Half of the N.E. 1/4 of Section 26, Township 27 South, Range 17 East, with the Easterly Right of Way line of the S.A.L. Railroad (30 ft. from the center line) and run thence East 32.27 feet along the South boundary of said North 495 feet; thence South 39°13' West 425.94 feet parallel with said Easterly Right of Way line of the S.A.L. Railroad to a point on the South boundary of the North 825 feet of said South one-half of N.E. 1/4; thence East 873.58 feet along the South boundary of said North 825 feet for a Point of Beginning; thence South 0°5' East 100 feet; thence East 30 feet; thence North 0°5' West 100 feet; thence West 30 feet to the Point of Beginning. All being in Hillsborough County, Florida.

The above described lands containing 2.46 acres.

Approved for use by the Survey Section 04-24-2014, W.O. 14-125

EXHIBIT "B"

**Southwest Florida Water Management District
Requirements for Surplus Boundary Surveys**

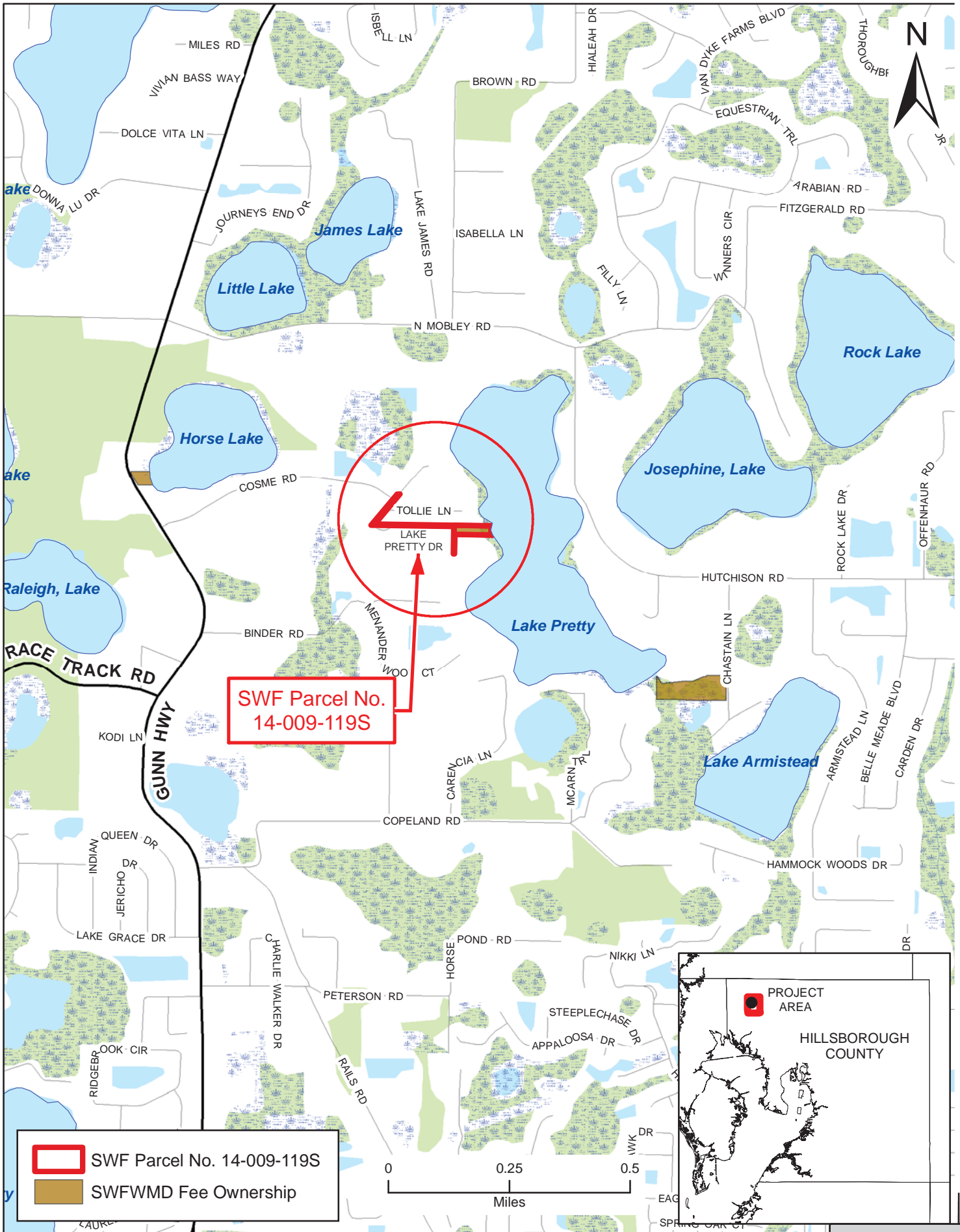
- All improvements within 10 feet of the boundary lines must be shown (including, but not limited to: wells, septic tanks, fencing, gates, and utilities). Visible evidence of underground installations or apparent cross rights uses will be located and noted.
- The survey will be certified to the Southwest Florida Water Management District
- The following certification will appear on the survey map:

THIS _____ SURVEY IS CERTIFIED TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AS MEETING OR EXCEEDING, IN QUALITY AND PRECISION, THE STANDARDS APPLICABLE FOR THIS WORK, AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

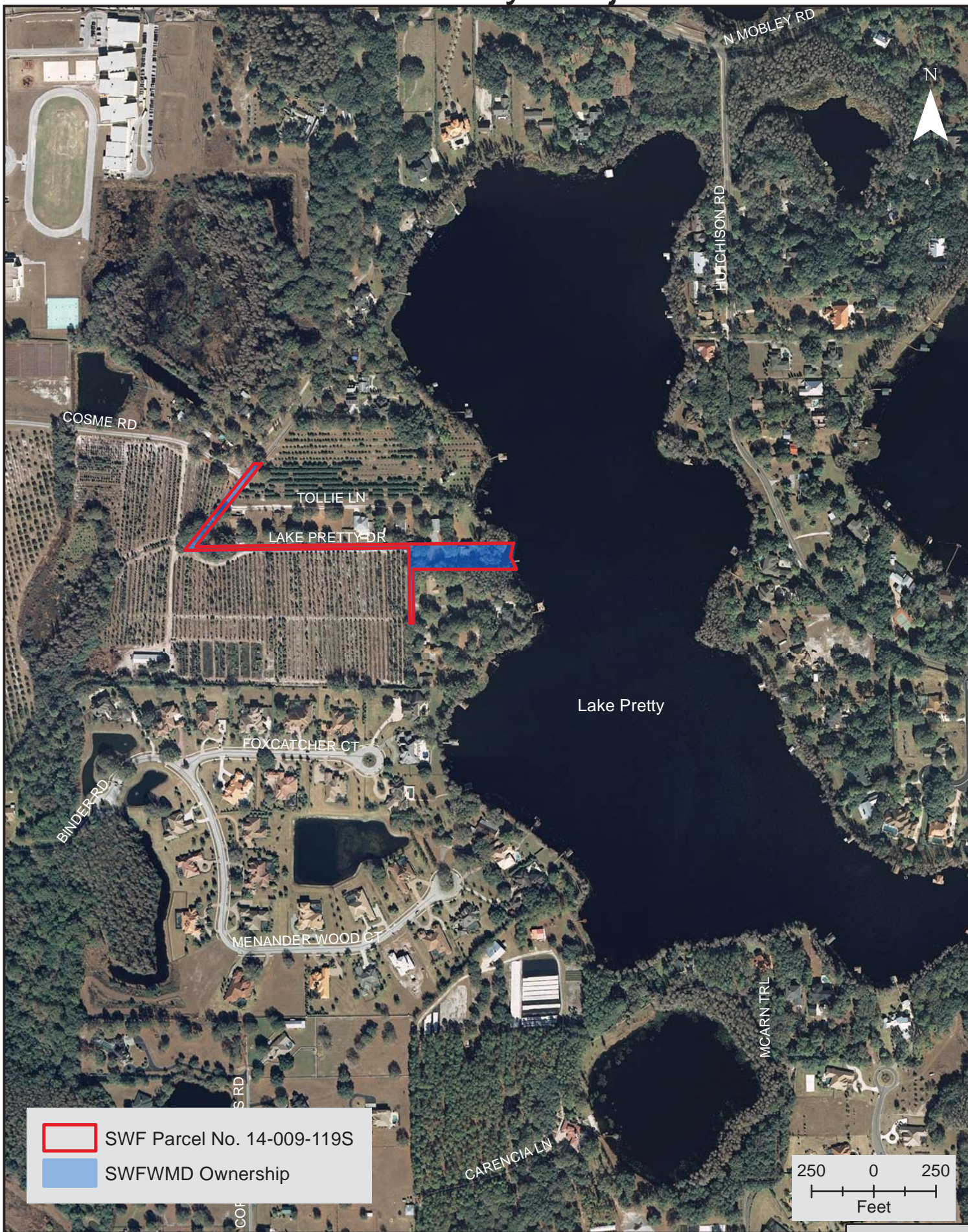
- Title Commitment exceptions must be addressed on the survey.
- When applicable, the existence of Sovereign Boundaries will be determined by coordinating with the Bureau of Survey and Mapping, Florida Department of Environmental Protection. The demarcation will be a part of this scope.
- When the question or establishment of mean high water, safe upland elevation or ordinary high water lines is required, a scanned copy of the signed letter from DEP will be provided in PDF format (filename: DEP Sovereign Letter.pdf)
- All monumentation recovered outside the boundaries of the subject survey that was included in the analysis and resolution of the survey will be shown and dimensioned on the map of survey.
- The legal description of the parcel being surveyed will be shown on the map of survey.



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Lake Pretty Project



E IBIT Lake Pretty Project



 SWF Parcel No. 14-009-119S
 SWFWMD Ownership

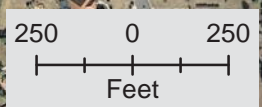


EXHIBIT 4

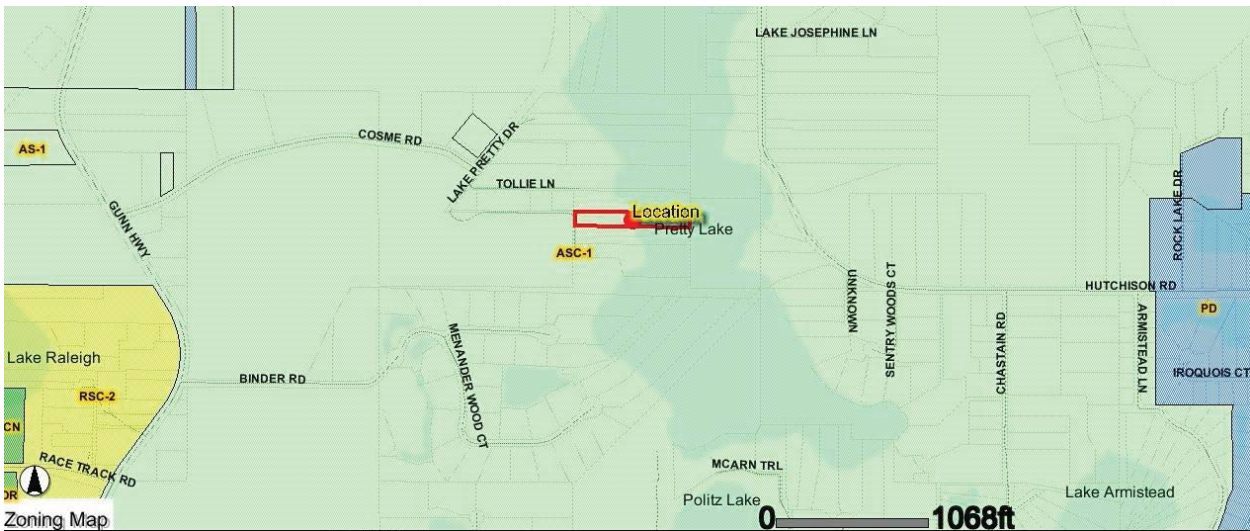
Future Land Use

PARCEL QUERY RESULT

Owner Name:	SOUTHWEST FLORIDA WATER MANAGEMENT	Folio:	2473.0000
Location Address:	12025 LAKE PRETTY DR	Pin Number:	U-26-27-17-ZZZ-000000-19410.0
Landuse Group:	8700:GOVERNMENT	Area (acres):	1.85
Tax Value:	\$0.00	Market Value:	\$401997.00
Section-Township-Range:	26-27-17		
Owners Address:	2379 BROAD ST BROOKSVILLE, FL 34604-6899		



Zoning



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 26, 2016

Discussion Item

Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S

Staff Recommendation:

- Accept the Offer
- Approve the Contract for Sale and Purchase
- Approve the transfer of all mineral interests to the Buyer
- Authorize execution of the instruments necessary to convey the property

Presenter: Carmen Sanders, Land Resources Manager

Approve Sale of Surplus Lands - Panasoffkee Outlet (PO-2), SWF Parcel No. 19-441-111S

Introduction

The District has received an offer to purchase surplus parcel PO-2, for \$30,125, the Contract for Sale and Purchase is attached as Exhibit 1. This reflects an offer price of \$4,782 per gross acre and \$5,063 per upland acre. The parcel consists of 6.3 gross acres of which approximately 0.35 are wetland and 5.95 are upland forest. The property was appraised at \$26,000.

The District acquired this property in 1989 as part of 521 gross acres that were purchased for \$1,049,999 or \$2,015 per gross acre. The property is irregularly shaped with approximately 1,150 feet of road frontage on CR 315. A general location map and aerial map have been attached as Exhibit 2 and Exhibit 3. The land is 94 percent useable (six percent wetlands), currently zoned as General Agricultural with Conventional Housing (A10C) with a Future Land Use of Agriculture as shown on Exhibit 4. The Governing Board approved selling the parcel without restrictions to future use.

The Sumter County Property Appraiser is valuing the parcel at \$6,628 for 6.3 acres.

	TOTAL PRICE / VALUE	\$ GROSS AC.	\$ NET ACRE
Offer	\$30,125 for 6.3 ac or	\$4,782 /ac or	\$5,063/ac for 5.95 ac - 94% Uplands
Basis (1989)	\$12,695 for 6.3 ac or	\$2,015/ac or	\$2,134/ac for 5.95 ac - 94% Uplands
Just Value	\$6,628 for 6.3 ac or	\$1,052/ac or	\$1,114/ac for 5.95 ac - 94% Uplands
Appraisal	\$26,000 for 6.3 ac or	\$4,127/ac or	\$4,370/ac for 5.95 ac - 94% Uplands

Management / Maintenance Costs

The property is across the road from existing District lands and there are currently no costs for maintaining the tract.

Surrounding Land Uses

The area surrounding the property is comprised of large agricultural lands with smaller tracts and rural residences.

Zoning and Future Land Use

The property is zoned General Agricultural with Conventional Housing (A10C) with a Future Land Use of Agriculture. The zoning allows one conventional or mobile home dwelling unit as a permitted use as this is considered a buildable lot of record.

Utilities/Public Services

The property is served by electric and telephone located along the public right of way. The site would utilize a private well and septic system.

Flood Data

Based on FEMA mapping, the appraiser estimated 11 percent of the property to be in flood zone "A" and 89 percent in flood zone "X".

District Surplus

This property was identified and recommended for surplus based on its low resource value.

Information about this property was made available for public comment through the District's Surplus Lands Assessment webpage, four public input meetings held throughout the District, and presented for input to the District's Environmental Advisory Committee. The Governing Board declared this property surplus at its meeting on May 19, 2015. Upon declaration as surplus, the necessary due diligence was performed and the property was subsequently advertised to the public for offers through an Invitation to Submit Offers process. The ITS was posted on February 5, 2016 and bids were opened March 9, 2016. Two bids were received at that time, neither of which met the minimum appraised value threshold. Subsequently, both bidders in the ITS process have increased their offers resulting in the current high offer.

Appraisal

The sale of surplus property first involves setting a minimum price which is supported by obtaining an appraisal of the property. The statutory requirements necessitate obtaining additional appraisals in order to confirm the final price for a contract approved by the Governing Board. The appraisal date of valuation must not be greater than 120 days before the closing of the sale. The appraisal, dated May 19, 2016, was performed by Bradley C. Page, MAI with Valuation Advisors, with the review by Robert M. Morris, ARA, of the District's Operations and Land Management Bureau. The appraisal was determined to meet the necessary legal or District requirements and contain sufficient factual data to support the value conclusion.

The highest and best use determined by the appraiser was based on the physically possible, legally permissible and financially feasible uses for this property. The highest and best use was determined to be for one residential site. The appraiser considered the property's location, zoning, legally permissible uses, and physical characteristics.

The appraiser applied the Sales Comparison Approach (Market Approach) to determine the value of the property. Four comparable sales are referenced in the appraisal. The comparable properties are located in Sumter County. The comparable sales ranged in size from 5 to 10.09 gross acres and were 55 percent to 100 percent useable. The transactions occurred between March and December 2015. Sales were chosen to reflect the best comparisons based on their physical characteristics and development potential. The appraisal developed a value by applying quantitative adjustments to the comparable sales considering the differences in conditions of sale, location, size, uplands and flood plain. The appraisal developed a value based on the gross acres. Following is the sales summary and adjustment grid from the appraisal.

Summary and Adjustment Table

Comp No.	1	2	3	4
Date of Sale	Dec-15	Sep-15	Apr-15	Mar-15
Sale Price	\$21,000	\$15,000	\$36,000	\$35,000
Adjustment to Normalize	\$0	\$0	\$0	<u>-13,000</u>
Normalized Price	\$21,000	\$15,000	\$36,000	\$22,000
Size AC	5.04	5	10.09	5.45
Price/AC	\$4,167	\$3,000	\$3,568	\$4,037
Location	+0	+1,000	+0	+0
Size	+0	+0	+500	+0
Upland/Wetland	+0	+0	+0	+0
Flood Plain	<u>+0</u>	<u>+0</u>	<u>+0</u>	<u>+0</u>
Adjusted \$/AC	\$4,167	\$4,000	\$4,068	\$4,037

Summary of Values

	Purchase Basis 1989	Appraisal 5/2016	Offer 5/2016
Total	\$1,049,999	\$26,000	\$30,125
Zoning/LU	A10C/Agriculture	A10C/Agriculture	A10C/Agriculture
\$ Gross/Ac. – 6.3	\$2,015	\$4,127	\$4,782
\$ Net/Ac. – 5.95	\$2,134	\$4,370	\$5,063

Purchase Agreement

- The District agreed to deliver marketable title free of all encumbrances objectionable to the Buyer.
- There is to be no adjustment for actual acreage as determined by survey.
- The Buyer will bear all expenses of the transaction with the exception of the appraisal and initial advertising costs.

Benefits/Costs

Funds derived from the sale may only be used for the purchase of other lands meeting the criteria in Section 373.139, F.S. resulting in more effectively meeting the District's core mission.

CONTRACT FOR SALE AND PURCHASE

THIS Contract for Sale and Purchase ("Contract") is made this 12th day of June, 2016, by and between the Southwest Florida Water Management District, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604 ("District"), and

James W. Veal Jr., having an address of 2717 CR 412 Lake Panasoffkee, Florida 33538 ("Buyer"), as follows:

1. **AGREEMENT TO SELL**: The District hereby agrees to sell and Buyer hereby agrees to buy, in accordance with this Contract, the real property that is more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference ("Property").
2. **EFFECTIVE DATE**: Upon execution of this Contract by Buyer, Buyer's offer shall be binding for one hundred eighty (180) days after such execution by Buyer. If this Contract is not executed by the District on or before one hundred eighty (180) days after execution of this Contract by Buyer, Buyer's offer contained in this Contract is withdrawn and this Contract shall terminate.
3. **APPROVAL**: This Contract is subject to approval by the District's Governing Board. If the District's Governing Board does not approve this Contract and all the terms and conditions hereof, the District will notify the Buyer in writing and this Agreement shall terminate.
4. **PURCHASE PRICE**: The total purchase price for the Property shall be \$ 30,125⁰⁰ dollars, which shall be paid in the following manner:
 - a. **Deposit**: Concurrent with the execution by Buyer of this Contract, Buyer shall deposit five percent (5%) of the purchase price in the form of a certified or cashier's check from a financial institution as defined in Section 655.005, Florida Statutes ("F.S."), made payable to the closing agent designated by the District, as earnest money ("Deposit"). In the event this Contract is terminated under Paragraphs 2, 3, 5, 9, and 11 of this Contract, the District shall return the Deposit to Buyer.
 - b. **Balance**: The balance of the purchase price shall be paid at the time of closing, by wire transfer from a financial institution as defined in Section 655.005, F.S., to the closing agent designated by the District.
5. **APPRAISAL**: Upon receipt of the Deposit, the District, at the District's expense, will request a written appraisal from a licensed Florida appraiser as required by Section 373.089(1), F.S. If the value stated in the written appraisal is more than the purchase price listed in Paragraph 4 above, the District will deliver a copy of the written appraisal to Buyer and Buyer may either (a) increase the purchase price to no less than the value stated in the written appraisal or (b) terminate this Contract. This contract shall not be binding on the District if the purchase price listed in Paragraph 4 above is less than value stated in the written appraisal.
6. **CLOSING, EXPENSE AND POSSESSION**: This Contract shall be closed no later than 120 days from the date of the appraisal referenced in Paragraph 5, unless this Contract is terminated pursuant to Paragraphs 2, 3, 5, 9, 11 or 12. The following are additional details of closing:
 - a. **Time and Place**: The date, time and place of closing shall be set by the District.

- b. **Conveyance:** At closing, the District will deliver to Buyer a fully executed quit claim deed, conveying the Property and improvements in "AS IS, WHERE IS CONDITION," without warranties or representations.
- c. **Expenses:** Buyer shall be responsible for paying all closing costs associated with the Property including, but not limited to, advertising costs, appraisal costs except for those referenced in Paragraph 5, survey costs, documentary stamp tax on the deed, recording fees, abstract or title insurance fees, and attorneys' fees. Buyer shall reimburse the District at closing for any closing costs that are initially paid by the District. Any costs of sale incurred by the District or by other parties on behalf of the District shall be paid by separate certified or cashier's check made payable to the Southwest Florida Water Management District or wire transfer to an escrow agent designated by the District at the time of closing. The District may require that the closing be processed by and through a title insurance company or other closing agent, designated by the District, and Buyer shall pay any costs charged by such company or agent for this closing service. If Buyer obtains a survey of the Property, nothing contained therein shall affect the purchase price or terms of this Contract.

7. **REAL ESTATE TAXES, EASEMENTS, RESTRICTIONS, AND ENCUMBRANCES:** Buyer agrees to take title to the Property subject to any outstanding taxes, special liens or assessments including real estate taxes, if any; comprehensive land use plans, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; restrictions, qualifications and matters appearing on the plat or otherwise common to the subdivision, restrictive covenants, public utility easements and all outstanding easements, reservations and other interests.

8. **CONDITION OF THE PROPERTY:** Buyer agrees to accept the Property in "AS IS, WHERE IS CONDITION." The District makes no warranties or representations whatsoever as to the condition of the Property or the improvements located thereon, or the fitness of either for any particular use or purpose.

9. **DUE DILIGENCE PERIOD:** Buyer will, at Buyer's expense, determine whether the Property is suitable for the Buyer's intended use and development of the Property within 105 days from the date of this Contract ("Due Diligence Period"). During the Due Diligence Period, Buyer may conduct any tests, analyses, surveys, inspections, and investigations which Buyer deems necessary to determine to Buyer's satisfaction the suitability of the Property for Buyer's intended use and development. Buyer will deliver written notice to the District prior to the expiration of the Due Diligence Period of Buyer's determination of whether the Property is acceptable. If Buyer fails to comply with this notice requirement, Buyer will be deemed to have waived any objection to the suitability of the Property for the Buyer's intended use and development and to have accepted the Property in its present "as is" condition. If Buyer determines that the Property is not acceptable, Buyer must include the specific reasons therefore in its notice to the District. The District shall have thirty (30) days from receipt of Buyer's notice to cure the specified deficiencies. If the specified deficiencies are identified by a survey, the survey must meet the requirements outlined in Exhibit "B", attached hereto, and must be provided to the District for review. If the District fails to cure the deficiencies to the reasonable satisfaction of the Buyer, its attorney or the Buyer's title insurance company within the 30-day cure period, Buyer may either terminate this Contract or proceed to closing in the same manner as if no deficiencies had been found. If the District cures the deficiencies within the 30-day cure period, Buyer may not terminate this Contract. Buyer may contact the District to arrange access to the Property for Buyer, its agents, contractors and assigns for the purpose of conducting such tests, analyses, surveys, inspections, and investigations. Buyer will indemnify and hold the District harmless from losses, damages, costs, claims and expenses of any nature, including attorneys' fees at all levels, and from liability to any person, arising from the conduct of any and all inspections or any

work authorized by Buyer. Buyer will not engage in any activity that could result in a mechanic's lien being filed against the Property.

- 10. **OPERATION OF PROPERTY DURING CONTRACT PERIOD:** Prior to closing, the District will continue to operate the Property and any business conducted on the Property in the manner operated prior to the date of the Contract and will take no action that would adversely impact the Property.

- 11. **RISK OF LOSS:** In the event of any substantial damage to the Property (in excess of \$5,000) between the date of this Contract and the date of closing, the District shall have the option of restoring the damaged Property to its condition immediately prior to the occurrence causing the damage, in which event, Buyer shall complete the transaction as originally planned. If these repairs are not completed prior to the closing date, closing will be extended until such time as the repairs are completed. If the District elects not to restore the damaged Property, Buyer's sole remedy shall be the right to terminate this Contract by giving written notice to the District or, alternatively, to proceed to closing on the Property, as damaged, without adjustment in the purchase price. In the event of any lesser damage (\$5,000 or less), the parties shall proceed to closing as though no damage had occurred.

- 12. **DEFAULT:** If Buyer fails to close within 120 days from the date of the appraisal referenced in Paragraph 5, the District shall retain the Deposit, this Contract shall terminate, and the District and Buyer shall be relieved of all rights and obligations under this Contract. If the District fails to deliver the quit claim deed to Buyer within 120 days from the date of the appraisal referenced in Paragraph 5, the District shall return the Deposit to Buyer, this Contract shall terminate, and Buyer and the District shall be relieved of all rights and obligations under this Contract. Notwithstanding the above, neither party shall be liable under this provision if the closing date is extended pursuant to Paragraph 11, Risk of Loss.

- 13. **ATTORNEYS' FEES AND COSTS:** Except as provided in Paragraph 9, Due Diligence Period, in any claim or controversy arising out of or relating to this Contract, each party agrees to bear its own attorney fees and costs.

- 14. **NOTICES:** All notices will be in writing and may be delivered by mail, overnight courier, or personal delivery. The parties agree to send all notices to the addresses specified in the introductory clause; and as to the District, such notice will be sent to the attention of its Office of General Counsel. Notice is effective upon receipt.

- 15. **SUCCESSORS:** Upon execution of this Contract by Buyer, this Contract shall be binding upon and inure to the benefit of Buyer, Buyer's heirs, successors, or assigns.

- 16. **RECORDING:** Neither this Contract nor any notice of it may be recorded in any county by any person.

- 17. **ASSIGNMENT:** This Contract shall not be assigned by Buyer without the prior written consent of the District.

- 18. **TIME OF ESSENCE:** Time is of the essence in the performance of this Contract.

- 19. **AMENDMENTS:** This Contract contains the entire agreement and all representations of the parties. No amendment will be effective except when reduced to writing signed by all parties. Notwithstanding the foregoing, the parties acknowledge that the description of the Property is without the benefit of a current survey. The parties agree that if, in the opinion of the District, it becomes necessary to amend

the description to correct errors, to more properly describe the Property, or to otherwise revise the description of the Property, the description to be used in the survey (if any) and in the closing instruments required by this Contract for the Property shall be revised by or at the direction of the District, and shall be subject to the final approval of the District. Anything to the contrary hereinabove notwithstanding, such a revision of the description of the Property shall not require a written amendment to this Contract. In such event, the District's execution and delivery of the closing instruments containing the revised description and the Buyer's acceptance of said instruments and of the final survey (if any) containing the revised description shall constitute a full and complete ratification and acceptance of the revised description of the Property by the parties.

20. **SURVIVAL:** Subparagraph 6.c. and Paragraphs 7, 8, 9 and 13 of this Contract will survive delivery and recording of deed and possession of the Property.

The parties have caused this Contract to be executed on the day and year set forth below.

DISTRICT:
SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT, a public
corporation of the State of Florida

Witness

Printed Name

Witness

Printed Name

By: _____
Name: _____
Title: _____
Date: _____

BUYERS: *James W Veal Jr*
Printed Name: James W Veal Jr

Printed Name: _____

Printed Name: _____

Evand Merritt

Witness
Evand Merritt

Printed Name

Tonya Merritt

Witness
Tonya Merritt

Printed Name

Printed Name:

Printed Name:

Printed Name:

Date: _____

EXHIBIT A

LEGAL DESCRIPTION
Parcel No. 19-441-111S

A portion of the parcel of land as described in the Official Records Book 383 Page 278 of the Public Records of Sumter County, Florida, lying within Section 26, Township 19 South, Range 21 East, Sumter County, Florida being more particularly described as follows:

Commence at the Northeast corner of Section 26, Township 19 South, Range 21 East, thence run along the North line of said section, North 87°41'40" West a distance of 727.30 feet, to an intersection with the Northerly right-of-way of County Road 315, for a POINT OF BEGINNING; thence continue along said North line of Section 26, North 87°41'40" West a distance of 708.20 feet to the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 26; thence leaving the North line of said section, South 02°46'01" West along the West line of the Northeast 1/4 of the Northeast 1/4 of said section, a distance of 1109.82 feet to an intersection with the Westerly right-of-way of County Road 315; thence leaving the West line of the Northeast 1/4 of the Northeast 1/4 of said section and running along the Westerly right-of-way of County Road 315 the following 10 courses: 1) run North 27°34'40" East a distance of 277.92 feet to a tangent curve to the right; 2) thence run Northeasterly a distance of 255.63 along the arc of said curve, having a radius of 2745.23 feet, a central angle of 05°20'07", and a chord bearing and distance of North 30°14'43" East, 255.54 feet; 3) thence run North 32°54'47" East a distance of 114.25 feet to a tangent curve to the left; 4) thence run Northerly a distance of 204.91 feet along the arc of said curve, having a radius of 331.14 feet, a central angle of 35°27'15", and a chord bearing and distance of North 15°11'09" East, 201.65 feet; 5) thence run North 02°32'28" West a distance of 102.54 feet to a tangent curve to the right; 6) thence run Northerly a distance of 85.64 feet along the arc of said curve, having a radius of 117.18 feet, a central angle of 41°52'19", and a chord bearing and distance of North 18°23'41" East, 83.74 feet to a point of compound curvature; 7) thence run Northeasterly a distance of 240.05 along the arc of said compound curve, having a radius of 352.15 feet, a central angle of 39°03'22", and a chord bearing and distance of North 58°51'32" East, 235.43 feet; 8) thence run North 11°36'47" West a distance of 10.00 feet to a non-tangent curve to the right; 9) thence run Easterly a distance of 67.66 feet along the arc of said curve, having a radius of 362.15 feet, a central angle of 10°42'17", and a chord bearing and distance of North 83°44'21" East, 67.56 feet; 10) thence run North 89°05'30" East a distance of 100.41 feet to the POINT OF BEGINNING.

Approved for use by the Survey Section 01-06-2015, W.O. 16-031.

THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY.

EXHIBIT B

**Southwest Florida Water Management District
Requirements for Surplus Boundary Surveys**

- All improvements within 10 feet of the boundary lines must be shown (including, but not limited to: wells, septic tanks, fencing, gates, and utilities). Visible evidence of underground installations or apparent cross rights uses will be located and noted.
- The survey will be certified to the Southwest Florida Water Management District
- The following certification will appear on the survey map:

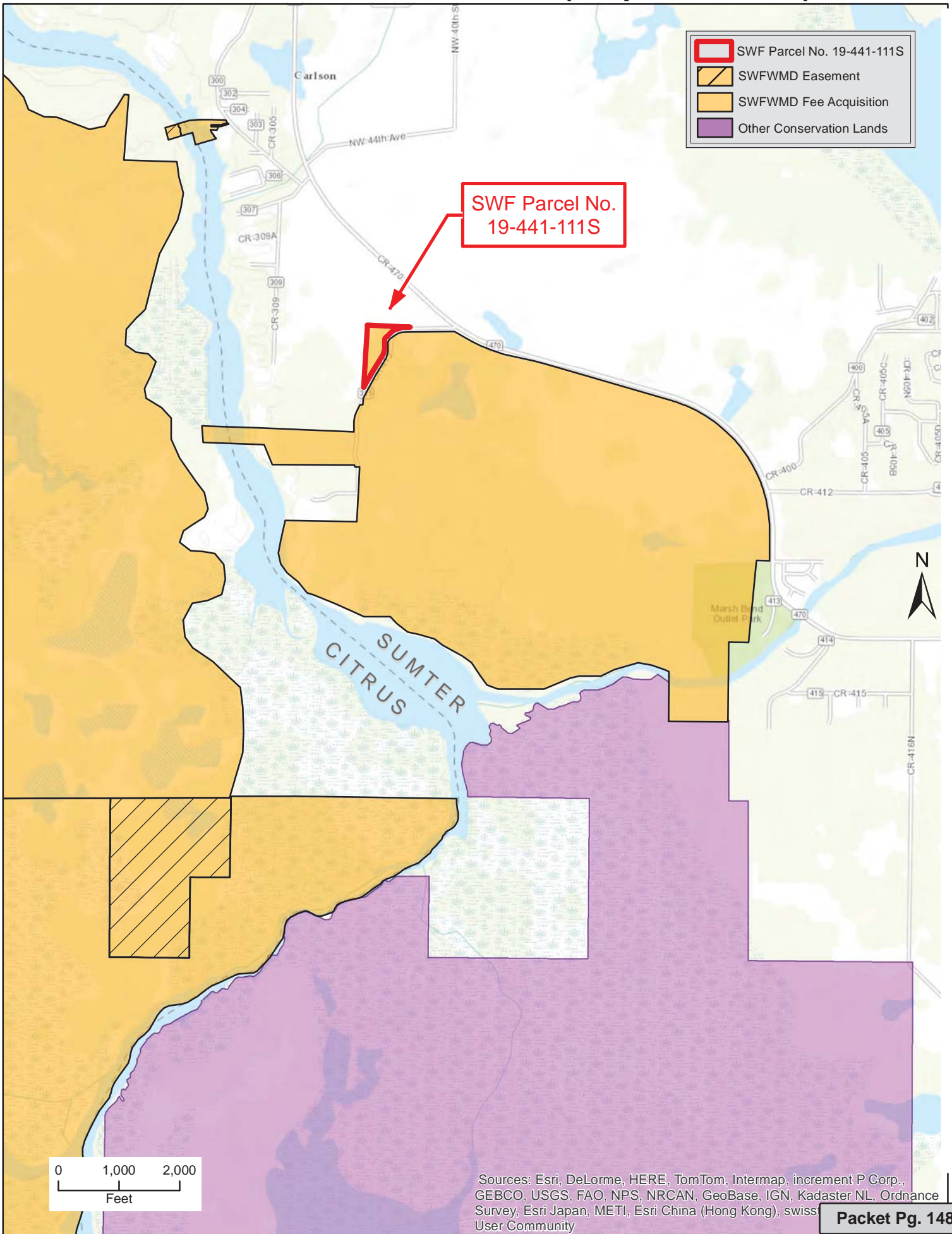
THIS _____ SURVEY IS CERTIFIED TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AS MEETING OR EXCEEDING, IN QUALITY AND PRECISION, THE STANDARDS APPLICABLE FOR THIS WORK, AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

- Title Commitment exceptions must be addressed on the survey.
- When applicable, the existence of Sovereign Boundaries will be determined by coordinating with the Bureau of Survey and Mapping, Florida Department of Environmental Protection. The demarcation will be a part of this scope.
- When the question or establishment of mean high water, safe upland elevation or ordinary high water lines is required, a scanned copy of the signed letter from DEP will be provided in PDF format (filename: DEP Sovereign Letter.pdf)
- All monumentation recovered outside the boundaries of the subject survey that was included in the analysis and resolution of the survey will be shown and dimensioned on the map of survey.
- The legal description of the parcel being surveyed will be shown on the map of survey.

THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY.



Panasoffkee/Outlet Tract Exhibit 2

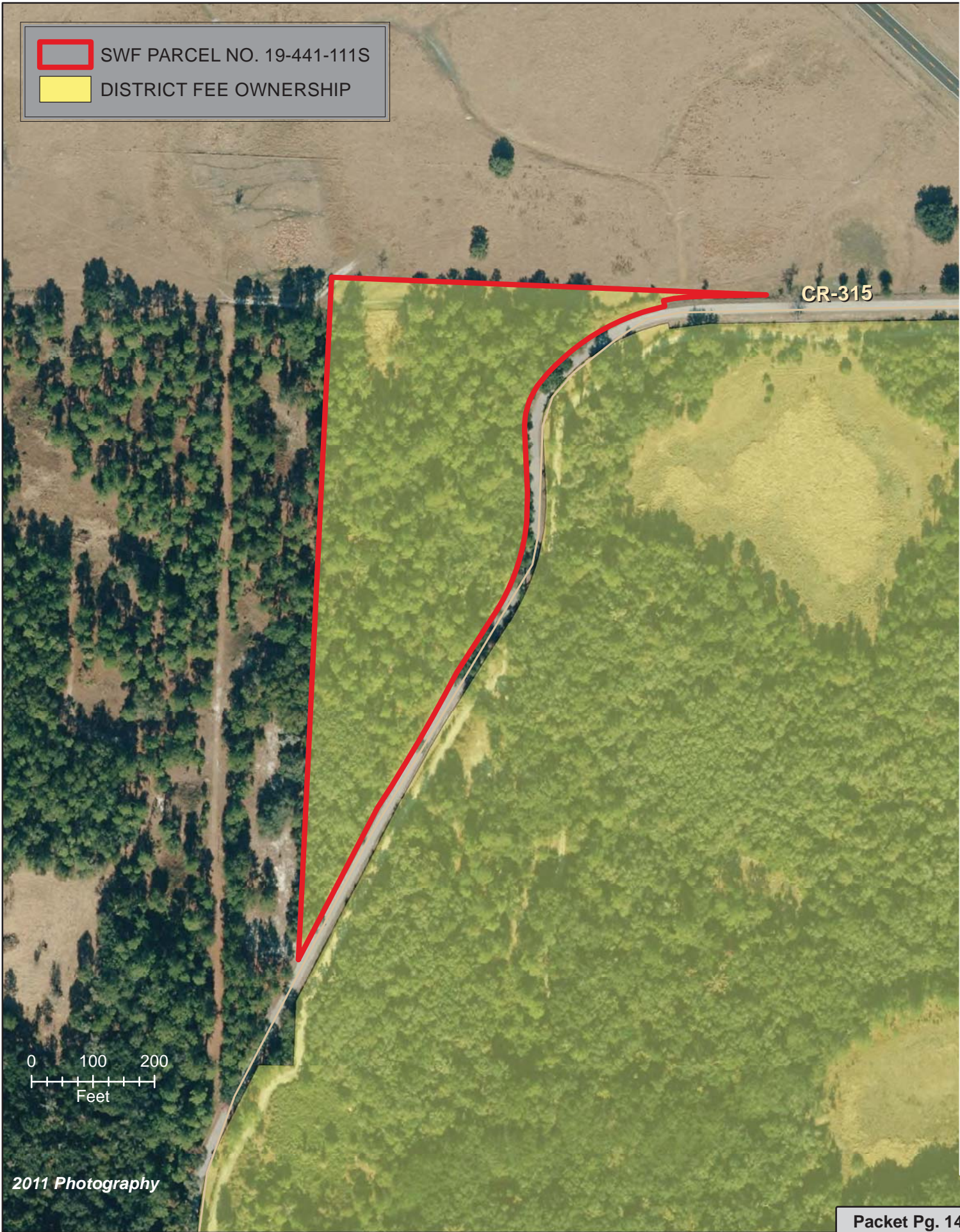
SWF Parcel No. 19-441-111S (Surplus ID PO-2)



Sources: Esri, DeLorme, HERE, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swiss User Community

PANASOFFKEE/OUTLET TRACT Exhibit 3 SWF PARCEL NO. 19-441-111S (SURPLUS ID PO-2)

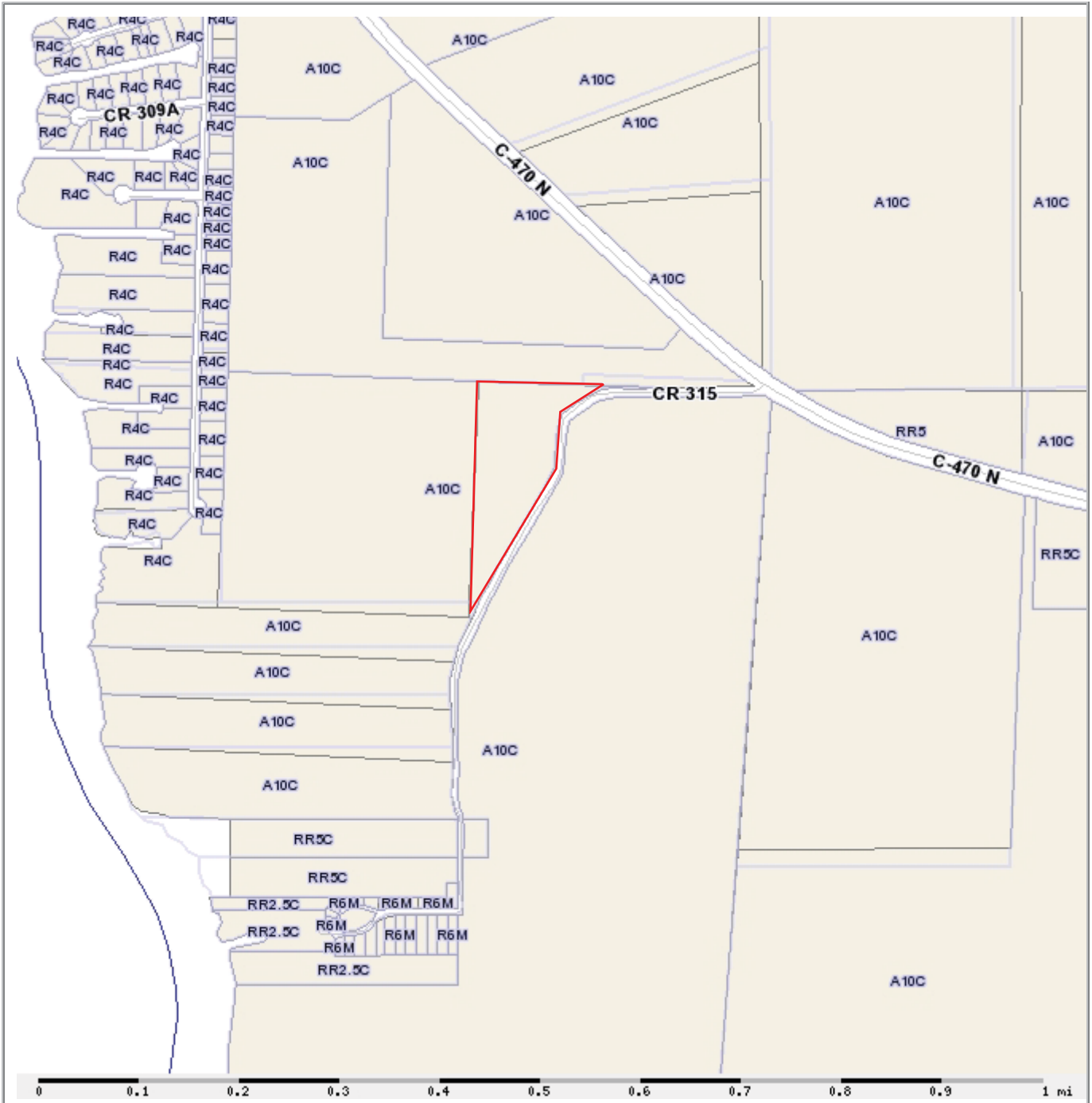
 SWF PARCEL NO. 19-441-111S
 DISTRICT FEE OWNERSHIP



Attachment: Lk Pan Ex MinTraq (2571 : Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S)

2011 Photography

EXHIBIT 4 Zoning



Sumter County BOCC - GIS

BOCC - Bushnell, FL 33513 | 352-689-4400

Parcel ID: **E26=001**

SWFWMD

2379 BROAD ST BROOKSVILLE, FL 34604

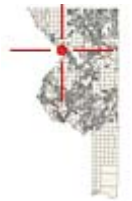
Street: NOT ON FILE

S/T/R:26/19/21 E1/2 OF NE1/4 & NE1/4 OF SE1/4 & SW1/4 OF NE1/4 LESS S 198 FT & S1/2 OF NW1/4 OF SE1/4 & SW1/4 OF SE1/4 LESS THAT PART OF

Sales

3/1/1989	383/278	Vacant	\$1,049,999.00
3/1/1989	383/274	Vacant	\$1,050,000.00

NOTES:



This information was derived from data which was compiled by the Sumter County BOCC - GIS. This information should not be relied upon by anyone as a determination of the ownership of property, legal boundary representation, or market value. The map image is not a survey and shall not be used in any Title Search or any official capacity. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. This information was last updated: 11/18/2015 and may not reflect the data currently on file at our office.

powered by:
GrizzlyLogic.com

Attachment: Lk Pan Ex Min Traq (2571 : Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S)

EXHIBIT 4 Future Land Use



Sumter County BOCC - GIS

BOCC - Bushnell, FL 33513 | 352-689-4400

Parcel ID: **E26=001**

SWFWMD

2379 BROAD ST BROOKSVILLE, FL 34604

Street: NOT ON FILE

S/T/R:26/19/21 E1/2 OF NE1/4 & NE1/4 OF SE1/4 & SW1/4 OF NE1/4 LESS S 198 FT & S1/2 OF NW1/4 OF SE1/4 & SW1/4 OF SE1/4 LESS THAT PART OF

Sales

3/1/1989	383/278	Vacant	\$1,049,999.00
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powered by:
GrizzlyLogic.com

Attachment: Lk Pan Ex Min Traq (2571 : Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract (PO-2), SWF Parcel No. 19-441-111S)

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 26, 2016

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 June, 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 much greater 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 <http://www.swfwmd.state.fl.us/waterres/hydro/>.

Rainfall

Rainfall totals for June indicate rainfall amounts were in the middle of the normal range in the northern region of the District, above-normal in the central region and at the upper-end of the normal range in the southern region. 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 7.19 inches, equivalent to the 50th percentile
- Central region rainfall averaged 9.16 inches, equivalent to the 84th percentile.
- Southern region rainfall averaged 9.06 inches, equivalent to the 73rd percentile.
- District-wide, average rainfall was 8.58 inches, equivalent to the 73rd percentile.

Streamflow

Streamflow data indicate that flow decreased in the northern region of the District, while it increased in the central and southern regions, compared to the previous month. Based on flow measurements in regional index rivers, streamflow conditions were within the normal range in the northern region, while they were above-normal in the central and southern regions. 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 41st percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 90th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 87th percentile.

Groundwater Levels

Groundwater data for June indicate that levels in the Floridan/Intermediate aquifer increased slightly in the northern region, while it decreased in the central and southern regions, compared

Item 37

to last month. Groundwater levels ended the month near the middle of the normal range in the northern region, above-normal in the central region and 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 in the 53rd percentile.
- The average groundwater level in the central region was in the 78th percentile.
- The average groundwater level in the southern region was in the 75th percentile.

Lake Levels

Regional lake levels for June decreased in the Northern region, while levels increased in the Tampa Bay, Polk Uplands and Lake Wales Ridge regions, compared to the previous month. Regional lake levels ended the month below the annual normal range in the Northern region, while they were within the annual normal range in the Tampa Bay, Polk Uplands and Lake Wales Ridge regions. 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 decreased 0.13 foot and were 0.92 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.54 foot and were 1.33 feet above the base of the annual normal range.
- Average lake levels in the Polk Uplands region increased 0.01 foot and were 1.85 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region increased 0.29 foot and were 0.80 foot above the base of the annual normal range.

Issues of Significance

June marked the start of the official four-month wet-season (June through September), and this year's season began on-time with Tropical Storm Colin bringing gusty winds, localized flooding in some areas and about 3.3 inches of rainfall District-wide (with local accumulations of almost 10 inches reported) during the first week of June. Rainfall during the remainder of the month was scattered, regionally variable and consisted of a minor cold front and typical summertime sea-breeze/convective thunderstorm activity. The District-wide 12- and 24-month cumulative rainfall totals increased in June, ending the month at a surplus of approximately 8.9 and 8.5 inches, respectively, above their long-term historic averages.

The regionally inconsistent and scattered character of June rainfall resulted in locally different responses in hydrologic indicators. Streamflow conditions saw minor declines in the northern region, while they saw increases in the central and southern regions. Groundwater levels remained steady in the northern region, while they showed moderate declines in the central and southern regions. Average lake levels for the Tampa Bay, Polk Uplands and Lake Wales Ridge regions remained within their respective annual normal ranges, while the average level for the Northern region remained below-normal.

Current NOAA forecasts for July rainfall indicate normal conditions for the northern region and above-normal rainfall for the central and southern regions. NOAA's composite 3-month rainfall forecast for August through October indicates above-normal rainfall for the entire District. They also indicate that conditions in the Pacific Ocean have transitioned from El Niño to ENSO-neutral conditions, with La Niña conditions favored to develop sometime during the 2016 summer, fall or winter seasons, which could mean a more active tropical-storm/hurricane season and a drier-than-normal fall and winter.

Updated weather forecasts will be available in mid-July. 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:

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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

July 26, 2016

Routine Report

Structure Operations

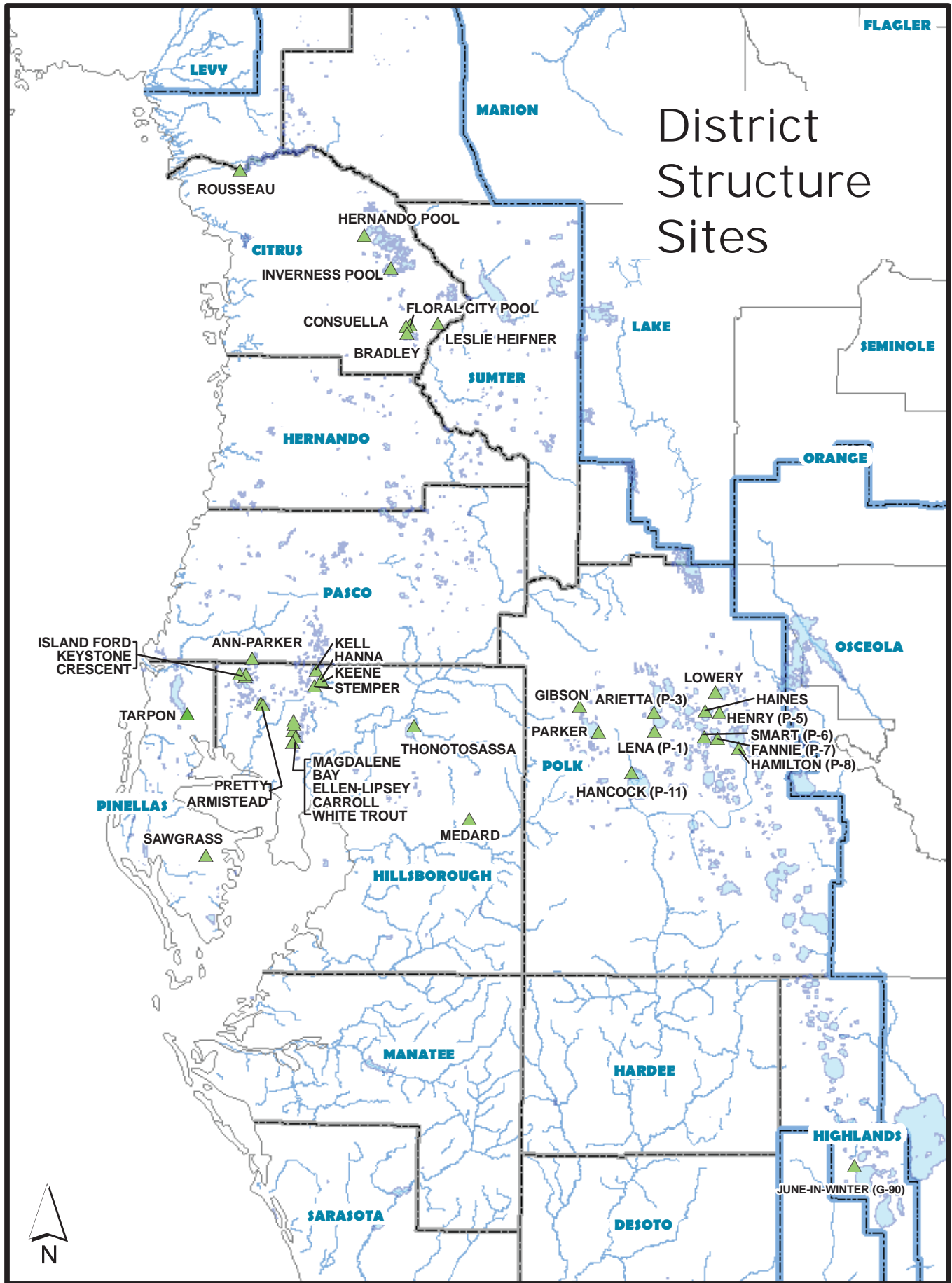
Summary of the operations made for the month of June.

- Inglis Water Control Structures: The Inglis Bypass Spillway and Inglis Main Dam were operated to maintain water levels in Lake Rousseau and provide flow to the lower Withlacoochee River. The average monthly water level for Lake Rousseau was 27.56' National Geodetic Vertical Datum (NGVD) compared to the recommended maintenance level for the reservoir of 27.50' NGVD.
- Withlacoochee River Watershed: Water control structures in the Tsala Apopka Chain of Lakes are being operated to conserve water. The Wysong-Coogler Water Conservation main dam and the low flow gate are inflated. Both the main dam and the low flow gate were operated to aid in the regulation of the Lake Panasoffkee water level and to provide flow to the Withlacoochee River downstream of the structure. The average water level for Lake Panasoffkee was 38.58' NGVD.
- Alafia River Watershed: The Medard Reservoir structure was operated to maintain normal operating levels. The average water level for the Medard Reservoir was 58.44' NGVD compared to the recommended maintenance level of 59.00' NGVD.
- Hillsborough River Watershed: Thirteen Mile Run system and Flint Creek structures were operated to maintain normal operating levels. The average monthly water level for Lake Thonotosassa was 36.13' NGVD, compared to the recommended maintenance level of 36.50' NGVD.
- Tampa Bay/Anclote Watershed: The Rocky Creek system, Brooker Creek system, and Sawgrass structures were operated in order to maintain normal operation levels. The average monthly water level for Lake Tarpon was 3.15' NGVD, compared to the recommended maintenance level of 3.20' NGVD.
- Peace River Watershed: The North Winter Haven Chain of Lakes, Lake Parker, and the Lake Hancock structures were operated to maintain water levels. The average monthly water level for Lake Hancock was 100.17' NGVD, compared to the recommended maintenance level of 100.00' NGVD.
- Lake Wales Ridge Watershed: Structure G-90 was operated in order to reach the target water normal operating level. The average monthly water level for Lake June-in-Winter was 74.56' NGVD, compared to the recommended level of 74.50' NGVD.

Staff Recommendation:

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

Presenter: Ken Frink, P.E., Operations, Lands and Resource Monitoring Division Director



District Structure Sites

Attachment: Str Operations exhibit (2568 : Structure Operations)

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

July 26, 2016

Routine Report

Significant Activities

Staff Recommendation:

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

Presenter: Ken Frink, P.E., Operations, Lands and Resource Monitoring Division Director

Significant Activities

This report provides monthly information through June 24, 2016 on significant Operations and Land Management projects and programs in which the Governing Board is participating in funding and otherwise may be of interest to the Board. 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

- The prescribed fire team has applied fire management to 29,500 acres of District conservation lands during FY2016.
- There were four wildfires reported on District lands during this reporting period in Halpata Tastanaki Preserve (25 acres); Cypress Creek (15 acres); Edward Chance Reserve-Gilley Creek Tract (70 acres); and Starkey (12 acres).
- Timber crews working in Cypress Creek have removed 160 loads of timber. The District has received payment for 130 loads, 3,252 tons for a total of \$52,197.33.
- All bids have been received on the Green Swamp West – WRB timber solicitation. The bid recommendation memorandum is awaiting Executive approval.
- The Green Swamp Wilderness Preserve – West Tract hardwood reduction herbicide restoration has been completed.
- Staff continue to trap on District land as well as hosting ongoing Phase 3 Hog Removal Events. During FY16, 1,090 feral hogs have been removed from District lands.
- Florida Fish and Wildlife Conservation Commission through a National Wild Turkey Federation Grant has roller chopped the upland portions of 1,116 acres and mowed over 150 miles of roads in Green Swamp East.
- A Land Management Review was conducted on Flying Eagle Preserve. Seven external individuals participated in the review including 4 agency representatives, 1 county representative, 1 private not-for-profit organization, and 1 private land owner. In addition, there were 4 District staff members that participated including 2 Land Management Staff, 1 Land Use Staff, and a member of Project Management that had previously been involved with projects involving modifications to the property.

Land Resources/Land Use and Protection

- Attended the Office of Greenways and Trail Council meeting to discuss the ranking, eligibility of trails and additional funding opportunities. Statewide and local trail development is receiving considerable funding as they provide economic opportunities.
- Attended DIVE Project meetings to determine the appropriate procedure to store agreements and track expiration dates for license agreements issued to the District. Land Resources will be responsible for training and implementation of the procedure.

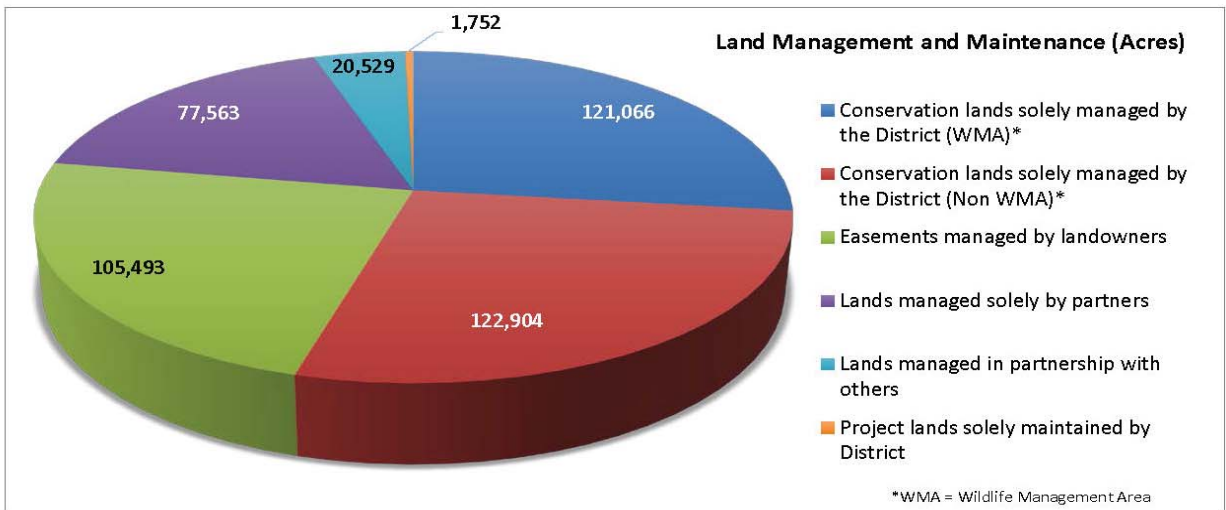
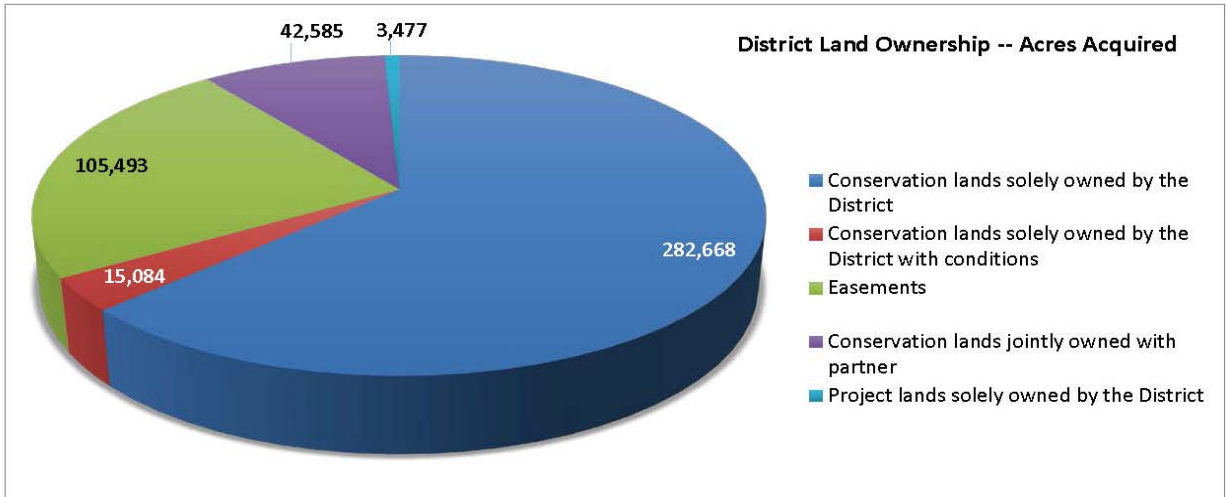
- Renewed two apiary license agreements with Fruitwood Orchards Honey, SWF Parcel Numbers 21-598-112X & 113X within Myakka River – Flatford Swamp Preserve.
- Issued Special Use Authorization to Tom Palmer, North American Butterfly Association (NABA), for vehicle access to Green Swamp East – Hampton Tract to conduct the annual butterfly count.
- Issued Special Use Authorization to Marianne Korosy, Audubon of Florida, for vehicle access to Potts Preserve, Edward W. Chance Reserve – Gilley Creek Tract, Little Manatee River – Southfork Tract, Prairie/Shell Creek and Hálpata Tastanaki Preserve to conduct Florida Scrub Jay surveys.
- Issued Special Use Authorization to Greg Wiley, Marion County Board of County Commissioners, for one vehicle and up to four participants to tour the Camp Izard Battlefield Preserve within Hálpata Tastanaki Preserve and compare it to the Fort King Site in Ocala, Florida.
- Issued Special Use Authorization to Dr. Susan C. Walls, United States Geological Survey, Wetland and Aquatic Research Center, for vehicle access to conduct the Amphibian Research and Monitoring Initiative within the District’s Flying Eagle Preserve, Weekiwachee Preserve, Lower Hillsborough Wilderness Preserve, Green Swamp Wilderness Preserve, Starkey Wilderness Preserve and Lake Panasoffkee Tract.
- Issued Special Use Authorization to Thomas Crain to traverse, via vehicle, a portion of Burnt Bridge Road within the District’s ownership at Chassahowitzka to access private property.
- Issued Special Use Authorization to Mark Rachal, Audubon Florida, for kayak access into the Tampa Bay Estuarine Ecosystem - Rock Ponds to conduct a follow-up survey to check for the late arrival of any nesting birds.
- Issued email authorization to Tracy Howell, FWC, for use of management boat ramp and access to Lake Hancock to conduct an alligator night-light survey.
- Conducted annual conservation easement monitoring inspections of Horton Tract (21-199-108C), Hullinger Tract (21-199-110C), Chapman Tract (21-199-107C) and Carithers Tract (21-199-106C) in Manatee County. The easements were purchased as part of the Myakkahatchee Creek Project under the Farm and Ranch Lands Protection Program (FRPP) in conjunction with the Natural Resources Conservation Service (NRCS). All easements were in compliance with the provisions of the agreements except for the Horton Tract, in which there was an unauthorized subdivision. The matter has been referred to the Office of General Counsel.
- Volunteers provided 247 hours of service, a value of approximately \$5,337.67 to District conservation/recreation lands.
- Processed 124 requests and provided 653 camping opportunities on District lands.

Land Resources/Real Estate Services

- Rainbow River Ranch – Western 57 acres have been sold. Met with purchaser who is negotiating a purchase price for the remaining property. Owner has inquired about the District’s interest in acquisition of a portion as part of his decision process about whether to enter into a contract.
- Upper Myakka River Watershed (Triangle Ranch, Manatee County) – Governing Board authorized staff to continue negotiations at May meeting. Staff is negotiating the purchase of the conservation easement from the Carlton Family with the Conservation Foundation of the Gulf Coast and the eventual fee buyer.
- Surplus Property – In 2011, at the direction of the Governing Board, the District began a regular surplus lands assessment. Since that time 48 parcels consisting of approximately 4,647 acres have been declared surplus. The properties have been marketed with signage, identified on a District webpage together with being exposed and listed for sale on internet through Zillow, Trulia and Loop Net. The following is the status of these parcels:
 - Five parcels consisting of approximately 12 acres have been sold within the Flying Eagle Preserve in Citrus County, Lake Tarpon Outfall Canal in Pinellas County, Green Swamp Wilderness Preserve in Polk County, the Panasoffkee-Outlet Tract in Sumter County and the Tampa Bypass Canal in Hillsborough County.
 - Two parcels consisting of approximately 124 acres within the Green Swamp Wilderness Preserve in Polk County and the Chito Branch Reserve in Hillsborough County have been approved for sale by the Governing Board. Staff is working towards closings.
 - Two parcels consisting of eight acres within the Panasoffkee-Outlet Tract in Sumter County and Lake Pretty house in Hillsborough County have received offers to purchase for \$30,125 and \$481,000, respectively and are scheduled for the July Governing Board.
 - Three parcels consisting of approximately 148 acres have been through the public bid process and remain posted on the District’s website and Trulia, Zillow and Loop Net, remain available for purchase (Frog Creek in Manatee County, Lake Hancock in Polk County and Upper Hillsborough Preserve in Pasco County).
 - Eight parcels consisting of 781 acres are being prepared to be offered for public sale (Flying Eagle Preserve and Two-Mile Prairie/Tsala Apopka Connector in Citrus County, Cypress Creek in Hillsborough County, Green Swamp West in Pasco County, Tampa Bypass Canal in Hillsborough County, and Weekiwachee Preserve in Hernando County).
 - Twenty-two parcels consisting of 2,489 acres are being evaluated for surplus. The parcels range in size from less than one acre to 1,012 acres and are located in DeSoto, Hillsborough, Lake, Pasco, Polk and Sumter Counties.
 - Three parcels along the Tampa Bypass Canal in Hillsborough County consisting of approximately seven acres are nonsalable in their existing state.
 - The Annutteliga Hammock project properties declared surplus in Hernando County comprise approximately 1,040 acres and consist of 626 separate parcels continues to

be evaluated, together with the development of a marketing plan. Parcels range in size from less than one acre to 164 acres. 623 of the surplus parcels consist of less than 40 acres, of which 606 parcels are less than three acres. Staff is coordinating with Hernando County to address lot consolidation, development restriction requirements, partial plat vacations and/or variances.

- The following is a breakdown of District land interests:



**Governing Board Meeting
July 26, 2016**

GENERAL COUNSEL'S REPORT

Discussion Items

40. Consent Item(s) Moved for Discussion

Submit & File Report - None

Routine Reports

41. July 2016 - Litigation Report.....	164
42. July 2016 - Rulemaking Update	171

GENERAL COUNSEL'S REPORT

July 26, 2016

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

July 26, 2016

Routine Report

July 2016 - Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT
JULY 2016**

(Most recent activity in each case is in **boldface** type)

DELEGATED ADMINISTRATIVE HEARING MATTERS

0 as of July 6, 2016

OPEN ENFORCEMENT CASES

52 Cases as of June 8, 2016

52 Cases as of July 6, 2016

ENFORCEMENT CASES IN ACTIVE LITIGATION

0 Cases as of July 6, 2016

(Including Administrative Complaints)

PERMIT/AGENCY ACTION CHALLENGES

1 Case as of July 6, 2016

STYLE: Joseph McClash v. Land Trust #97-12 and SWFWMD;
Manasota-88, Inc. v. SWFWMD, et. al.; and
Florida Institute for Saltwater Heritage, Inc. v. SWFWMD, et. al.

COURT/CASE NO.: Division of Administrative Hearings Case Nos. 14-4735, 14-5038, and 14-5135 – Consolidated

ATTORNEY: K. West/A. Brennan

ACTION: Administrative Hearing Challenging Environmental Resource Permit (Single Family Homes at Harbor Sound)

DESCRIPTION/STATUS: On August 21, 2014, the District issued a Notice of Intended Agency Action for approval of an ERP issued to Land Trust #97-12 for the construction of a stormwater management system to serve a 3.46-acre single family residential project. The District received timely and sufficient Petitions for Administrative Hearing filed by Joseph McClash, Manasota-88, Inc. (Manasota-88), and the Florida Institute for Saltwater Heritage, Inc. (FISH) (collectively, Petitioners). The petitions were referred to DOAH to conduct a final hearing. Sierra Club, Inc. (Sierra Club) and Suncoast Waterkeeper, Inc. (Suncoast) (collectively, Intervenors) were later granted intervention into the proceedings.

A final hearing in the matter was held on February 17 through 19, 2015, in Tampa, Florida. On June 25, 2015, the ALJ issued a recommended order recommending the District deny the ERP based upon a failure to provide reasonable assurance of compliance with the applicable criteria. Specifically, the ALJ found that the proposed project: 1) did not implement practicable design modifications to eliminate or reduce adverse impacts; 2) provided insufficient mitigation for secondary impacts; 3) resulted in significant adverse impacts to the functions of wetlands in the basin from cumulative impacts; and 4) was not clearly in the public interest.

The Governing Board entered a Final Order issuing the ERP on August 25, 2015. The Final Order was rendered and a Notice of Entry of Final Order was served on the parties on August 28, 2015.

On September 24, 2015, the Final Order was appealed by Petitioners and Intervenors to the Fifth District Court of Appeal. See, Appeals, below.

MISCELLANEOUS
6 Cases as of July 6, 2016

STYLE: Tamela Ingerick v. SWFWMD
COURT/CASE NO.: Twelfth Judicial Circuit/Sarasota County; Case No. 2012 CA 9825 NC
ATTORNEY: V. Arenas-Battles
ACTION: Complaint alleging negligence against the District regarding a motor vehicle accident allegedly caused by smoke from a prescribed burn

DESCRIPTION/STATUS: The District was served with a Summons and Complaint on December 19, 2012 filed by Tamela Ingerick (Plaintiff) alleging negligence on behalf of the District and the Florida Highway Patrol (FHP) regarding a motor vehicle accident allegedly caused by smoke from a prescribed burn. Risk Management was notified and the case was referred to the District's insurance carrier. FHP was subsequently dismissed from the lawsuit, which is currently in the discovery phase. Several settlement offers have been made by each of the parties and were rejected. Mediation was also unsuccessful. The District filed a motion to include four parties – FHP, the Florida Forestry Service, Christopher Slowick, and Corey Hicks – to the jury verdict form as it believes those parties were negligent in causing the accident and Plaintiff's injuries. The Court granted the Motion which allows the jury to name those parties on the verdict form and assign fault and damages, even though they are not named parties to the lawsuit. A four-day jury trial is currently scheduled for September 19-22, 2016. In response to the Court's order, the Plaintiff has filed a motion to strike the added Fabre defendants. The matter is expected to be referred to the Magistrate Court (hearing officer) to resolve prior to trial.

Discovery is ongoing with production of documents, answering of interrogatories, and further depositions being scheduled throughout the summer. The District has filed a motion for partial summary judgment as to sovereign immunity with respect to its policies and procedures on burn plans for prescribed fire events. On June 3, 2016, the District was served with a Proposal for Settlement. On June 14, 2016, two depositions were taken.

On June 22, 2016, the parties in this case agreed to a settlement in the amount of \$23,000.

STYLE: In re: Danny J. Suggs
COURT/CASE NO.: United States Bankruptcy Court, Middle District of Florida, Jacksonville Division/Case No. 3:12-bk-06997-PMG
ATTORNEY: A. Vining
ACTION: Chapter 7 Bankruptcy and subsequent Adversary Proceeding

DESCRIPTION/STATUS: On October 25, 2012, Danny J. Suggs (Suggs) filed for Chapter 7 Bankruptcy, listing the District as his largest priority creditor due to a 2009 judgment and resulting lien on real property the District had obtained against Suggs and other members of his family (Suggs Family Defendants) in an enforcement action for unauthorized construction activities on the property. On June 19, 2013, the District filed an adversary complaint within the main bankruptcy case based on the District's 2009 judgment and objecting to Suggs' discharge of debts in bankruptcy. The District argued that Suggs could not discharge the civil penalties awarded to the District in the amount of \$1,518,450 and requested a declaratory judgment that the mandatory injunction requiring Suggs and the Suggs Family Defendants to restore the subject property and its wetlands, with estimated restoration costs of \$3,371,986, was not a "claim" subject to discharge in bankruptcy. Suggs attempted to dismiss the District's adversary complaint but was unsuccessful.

In August 2013, the District sought a stay of the bankruptcy proceedings on four grounds related to Suggs' attempts to declare the property exempt, which would have left the District with no way of collecting its judgment. During this period, unsuccessful settlement negotiations occurred between the parties. At the same time, the Court allowed the District the opportunity to return to state circuit

court to correct an error on the face of the District's judgment. The District was successful in obtaining a corrected judgment which negated Suggs' arguments relating to the property's exemption from the bankruptcy.

Thereafter, Suggs contacted the District to reinstitute settlement negotiations, and ultimately accepted the District's settlement offer it had made in October 2014. All necessary parties had executed the settlement agreement by February 24, 2015. On March 12, 2015, the Court approved the settlement agreement via order, which is now final and non-appealable. Accordingly, the bankruptcy court has entered a final judgment in the adversary case, finding the \$1.5 million in civil penalties non-dischargeable and declaring that the \$3.3 million in restoration costs did not constitute a "claim" in bankruptcy and therefore not subject to the discharge. District staff is now working to carry out the terms of the settlement agreement. Due to pending counts within the adversary complaint, the Court will not discharge Suggs' debts until the terms of the settlement agreement are completed.

In order to effectuate the Settlement Agreement, the parties have agreed to dismiss the adversary proceeding which will allow the bankruptcy court to enter the order discharging the debtor's debts in the main bankruptcy case. The parties are in the process of amending the Settlement Agreement to incorporate this modification to the settlement process and thereafter will file the appropriate motions with the bankruptcy court. Once the amendment is approved by the court, the parties will schedule closing on the land exchange as contemplated by the Settlement Agreement. **On May 25, 2016, the Court filed an order approving the amendment to the Settlement Agreement, which resulted in the dismissal of the adversary proceeding on June 17, 2016. The same day, the Court granted Suggs a discharge in the bankruptcy proceeding.**

STYLE: Clint Galentine v. SWFWMD and Florida Fish and Wildlife Conservation Commission (FWC)
COURT/CASE NO.: Fifth Judicial Circuit/Hernando County; Case NO. 15-CA-711
ATTORNEY: V. Arenas-Battles
ACTION: Complaint alleging negligence against the District and FWC due to a gunshot wound that was sustained during a managed hunt and that resulted in serious bodily injury

DESCRIPTION/STATUS: On April 7, 2015, the District was served with a Summons, Complaint, Initial Request to Produce, Request for Admissions, Interrogatories filed by Clint A. Galentine (Plaintiff) regarding injuries he sustained during a managed hunt on District property. Risk Management and the District's insurance carrier have been notified of the lawsuit, and whose in-house counsel is representing the District. Settlement offers have been made by each of the parties but have since expired (District proposed to settle in the amount of \$1,000; Plaintiff proposed to settle in the amount of \$200,000). The parties are currently engaged in discovery. In October 2015, the District filed a Motion for Summary Judgment, the substance of which will be scheduled for a hearing by the Court. The Court has not ruled on the District's pending Motion to Compel Plaintiff's production of documents related to his \$300,000 settlement with the shooter's homeowners insurance carrier. Discovery is ongoing; Plaintiff has requested to schedule the depositions of key District personnel. The deposition of Carmen Sanders, Land Resources Manager, is scheduled for June 14, 2016. The depositions of James Beasley, Raymond Garcia and Alan Saxton are scheduled for June 21, 2016.

The depositions of District staff scheduled for June 14, 2016 and June 21, 2016 have taken place.

STYLE: Sabal Trail Transmission, LLC v. +/- 75.178 Acres of Land (+/- 42.057 Acres of Land in Marion County, Florida, +/- 20.411 Acres of Land in Citrus County, Florida, and +/- 12.710 Acres of Land in Lake County, Florida), Southwest Florida Water Management District, a Public Corporation, The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, and Unknown Owners, if any
COURT/CASE NO.: 5:16-cv-00243-BJD-PRL
ATTORNEY: M. Bray

ACTION: Complaint to condemn easement interests necessary for construction of interstate natural gas pipeline project
TRACT NO.: FL-MA-041.000, CCL-FL-CI-009.000, FL-LA-057.009-CE, FL-LA-058.000-CE, FL-LA-059.000-CE, FL-LA-060.000-CE

DESCRIPTION: This is an action for condemnation by Sabal Trail Transmission, LLC (Sabal Trail), exercising the federal power of eminent domain under the Natural Gas Act, 15 U.S.C. 717, et. seq., pursuant to a Certificate of Public Convenience and Necessity issued by the Federal Energy Regulatory Commission on February 2, 2016 in Docket No. CP15-17-000 for the Sabal Trail Project. On March 25, 2016, Sabal Trail filed a complaint to condemn the easement interests necessary for the interstate natural gas pipeline project to cross through District-owned lands in Marion County (Halapata Tastanaki Preserve), Citrus County (Two-Mile Prairie State Forest), and Lake County (proprietary conservation easements). On April 7, 2016, Sabal Trail served the notice of condemnation and complaint on the District pursuant to Rule 71.1, Federal Rules of Civil Procedure, which governs judicial procedure for eminent domain actions. Contemporaneously with the complaint, Sabal Trail filed a motion for partial summary judgment determining the right to condemn easements and a motion for preliminary injunction for immediate possession of the underlying properties pending further judicial proceedings.

The court scheduled a hearing for May 13, 2016, on Sabal Trail's pending motion for partial summary judgment determining the right to condemn easements and its motion for preliminary injunction for immediate possession. At the April 26, 2016 meeting, the Governing Board consented to immediate possession of District-owned lands and entry by Sabal Trail to commence construction of the pipeline project. Accordingly, the parties will stipulate to an agreed order that will resolve Sabal Trail's two pending motions, subject to certain conditions for possession and entry as required by the District's land managers, and thereby cancel the necessity for a hearing. In addition, the District will file a Notice of Appearance in order to preserve any issue that may arise with respect to full compensation for Sabal Trail's condemnation of the District's fee simple ownership interests in the Halpata and Two Mile Prairie properties and its conservation easement over the Bronson Property. The parties are negotiating a stipulated final judgment to conclude and settle this condemnation action, which will include the amount of full compensation and the terms of conditions of the relative easement agreements and the District's consent to encroachment of its conservation easement interests. The final documents will be presented to the Governing Board for approval.

STYLE: Sabal Trail Transmission, LLC v. +/- 13.386 Acres of Land in Lake County, Florida, Rex M. Smith, Kellie Laine Smith Noles, Southwest Florida Water Management District and Unknown Owners, if any

COURT/CASE NO.: 5:16-cv-00147-CEM-PRL

ATTORNEY: M. Bray

ACTION: Complaint to condemn easement interests necessary for construction of interstate natural gas pipeline project.

TRACT NO.: FL-LA-061.000, FL-LA-062.000, FL-LA-063.000

DESCRIPTION: This is an action for condemnation by Sabal Trail Transmission, LLC (Sabal Trail), exercising the federal power of eminent domain under the Natural Gas Act, 15 U.S.C. 717, et. seq., pursuant to a Certificate of Public Convenience and Necessity issued by the Federal Energy Regulatory Commission on February 2, 2016 in Docket No. CP15-17-000 for the Sabal Trail Project. On March 18, 2016, Sabal Trail filed a complaint to condemn the easement interests necessary for the interstate natural gas pipeline project to cross through properties owned in fee simple by Kellie Smith Noles and Rex Smith, upon which the District holds a conservation easement on one of the relative parcels (Tract FL-LA-061.000). Contemporaneously with the complaint, Sabal Trail filed a motion for partial summary judgment determining the right to condemn easements and a motion for preliminary injunction for immediate possession of the underlying properties pending further judicial proceedings. This case is related to docket 5:16-cv-00243-BJD-PRL, above; the parties intend to consolidate the cases.

The court scheduled a hearing for May 13, 2016, on Sabal Trail's pending motion for partial summary judgment determining the right to condemn easements and its motion for preliminary injunction for immediate possession. At the April 26, 2016 meeting, the Governing Board consented to immediate possession of District-owned lands and entry by Sabal Trail to commence construction of the pipeline project. Accordingly, the parties will stipulate to an agreed order that will resolve Sabal Trail's two pending motions, subject to certain conditions for possession and entry as required by the District's land managers, and thereby cancel the necessity for a hearing. In addition, the District will file a Notice of Appearance in order to preserve any issue that may arise with respect to full compensation for Sabal Trail's condemnation of the District's conservation easement over the Smith Property. Thereafter, the parties will negotiate a stipulated final judgment to conclude and settle this condemnation action, which will include the amount of full compensation and the terms of conditions of the District's consent to encroachment of its conservation easement interests to the property.

STYLE: Stokes, Jacqueline v. SWFWMD
COURT/CASE NO.: Fifth Judicial Circuit/Sumter County; Case No. 2016-CA-000078
ATTORNEY: T. Beecher/V. Arenas-Battles
ACTION: Complaint alleging negligence against the District regarding a motor vehicle accident

DESCRIPTION: On April 11, 2016, the District was served with a complaint for negligence involving a motor vehicle accident. On April 22, 2016, the District's insurance counsel (Troy Beecher) filed a motion to dismiss the complaint for failure to comply with the pre-suit requirements in Section 768.28(6)(b), F.S. On April 26, 2016, Mr. Beecher informed us that he and Plaintiff's counsel have agreed to file a stipulated motion to abate the proceeding so that Plaintiff can either file a notice of claim with the District or verify that a notice of claim was served on the District, as required by Section 768(6)(b), F.S. On May 9, 2016, the District received a copy of the summary report sent by Mr. Beecher to the insurance company. On May 31, 2016, the District received the Joint Stipulation to Abatement.

APPEALS
1 Case as of July 6, 2016

STYLE: McClash, et. al. v. Land Trust #97-12 and SWFWMD
COURT/CASE NO.: Fifth District Court of Appeal/Case No. 5D15-3424
ATTORNEY: K. West/A. Brennan/A. Vining
ACTION: Appeal of SWFWMD Final Order No. 15-021 granting an Environmental Resource Permit to Land Trust #97-12

DESCRIPTION/STATUS: On September 29, 2015, Joseph McClash, Manasota-88, FISH, Sierra Club, and Suncoast (collectively, Appellants) filed with the Fifth District Court of Appeal a Notice of Appeal of SWFWMD Final Order No. 15-021, entered on August 28, 2015, granting an Environmental Resource Permit ("ERP") to Land Trust. Land Trust unsuccessfully tried to have the case transferred to the Second District Court of Appeal. Appellate mediation took place on December 9, 2015 but was unsuccessful. The District filed the Index to the Record on February 24, 2016. On April 25, 2016, the District filed the Record with the Fifth District Court of Appeal. The Appellants filed their Initial Brief on May 2, 2016. **The District and Land Trust filed their respective Answer Briefs on June 22, 2016. Contemporaneously, Land Trust filed a Request for Oral Argument and Joinder in the District's Answer Brief. On June 23, 2016, the District served a Motion for Attorney's Fees on the Appellants.**

CONSENT ORDERS
0 as of July 6, 2016

GENERAL COUNSEL'S REPORT

July 26, 2016

Routine Report

July 2016 - Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

**RULEMAKING UPDATE
JULY 2016
PROPOSED RULES & AMENDMENTS**

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. Initiation and Approval of Rulemaking to Amend Rule 40D-1.002, F.A.C. to incorporate the Well Construction Permitting Agreements with Sarasota, Manatee and Marion Counties	May 2016	Notice of Proposed Rule, July 2016	May 2016
2. Initiation and Approval of Rulemaking to Amend Rule 40D-1.659, F.A.C., to Adopt Revised Forms and Instructions	August 2015	Submittal of Cert pack, July 2016	August 2015
3. Initiation and Approval of Rulemaking to Amend Rule 40D-1.659, F.A.C. and the ERP Applicant's Handbook Volume II, as part of SWERP Rule Amendments	March 2016	Notice of Rule Development, August 2016 Request Board approval of rule language, August 2016	August 2016
4. 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	TBD
5. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt Minimum Levels for Moon Lake in Pasco County, Florida	August 2015	TBD	August 2015
6. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt Minimum Levels for Eagle Lake and Lake McLeod in Polk County	October 2015	TBD	October 2015
7. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt Minimum Levels for Lake Hancock in Polk County	October 2015	TBD	October 2015
8. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt Minimum Levels for Lake Starr and Lake Wales in Polk County	December 2015	TBD	December 2015
9. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt Minimum Levels for Lake Buddy and Lake Pasadena in Polk County	December 2015	TBD	December 2015

Attachment: 07-2016 General Counsel - Rulemaking Update (for July 2016 GB Meeting) (2556 : July 2016 - Rulemaking Update)

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
10. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Clinch in Polk County	December 2015	TBD	December 2015
11. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Crews Lake in Pasco County	December 2015	TBD	December 2015
12. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to establish minimum flows for Gum Slough Spring Run located within Sumter and Marion Counties	March 2016	Rule effective June 20, 2016	March 2016
13. Initiation and Approval of Rulemaking to Amend Rules 40D-26.021(5), 40D-26.091, and 40D-26.101(2)(a), to incorporate the updated FARMS Program Model Farms Economic Study	TBD	TBD	TBD

COMMITTEE/LIAISON REPORTS

July 26, 2016

Discussion Item

Well Drillers Advisory Committee

Staff Recommendation:

Presenter: George W. Mann, Board Member

WELL DRILLERS ADVISORY COMMITTEE

LIAISON REPORT – GEORGE W. MANN

MEETING DATE – JULY 6, 2016

Summary of May 2016 DEP/WMD/DOH/FGWA Workgroup Meeting

Mr. David Arnold, P.G., summarized agenda items that were discussed at the May 2016 DEP/WMD/DOH/FGWA workgroup meeting. These items included: FGWA legislative update; CEU update; workgroup meeting and location; well inspections; proposed revisions to Ch 62-531, F.A.C.; historical removal of well sanitary setbacks for treated slabs; authority to implement a well program; permits and completion reports to well owners; sanitary hazard setbacks; DEP's Water Well Contractor Violations Clearinghouse; FLUWID program; and Licensing Standard Operating Procedure Manual.

WDAC Add-On

Mr. David Arnold, P.G., stated that the District has been receiving questions from water well contractors regarding their responsibilities if they submit a permit application for another contractor or driller to construct a well. Mr. Arnold stated that the water well contractor submitting the permit application is responsible for all activities approved on the permit and that his/her license must be on equipment used to construct the water well under that permit.

SWFWMD Compliance Update

Mr. David Arnold, P.G., stated that the District currently has greater than 20 percent random well inspections. Mr. Arnold also stated that other WMDs may adopt similar random well inspections.

Hydrologic Conditions Update

Ms. Lois Sorensen discussed current hydrologic conditions within the District and presented long-term climatological temperature and precipitation forecasts for the upcoming year.

ERP Permitting Process

Mr. Buddy Wood, P.E., provided an overview of the Environmental Resource Permitting process (ERP) as it relates to the District's core responsibilities. Mr. Wood also discussed types of stormwater ponds, how stormwater ponds function, and common issues with the construction of ERP projects in relation to existing water wells.

Flood Protection Planning: Examining the Flood of 2015

Ms. Terese Power, P.E., provided a presentation describing how the District responded to the July/August 2015 flood event in portions of Hillsborough, Pinellas, and Pasco Counties. Ms. Power also provided flood data for numerous watersheds and proposed/active solutions to mitigate flooding in these areas.

Florida Highway Patrol – Laws and Regulations for Commercial Vehicles

Florida Highway Patrol Troopers M. Jones and J. Rivera provided rules and regulations for commercial vehicles and answered many questions from the audience.

WDAC Request:

WDAC Board Member Ted Dyer stated that he is aware of a swimming pool company reportedly burying existing water wells when they construct pools. Mr. Dyer requested that the District perform outreach to provide requirements for proper abandonment of water wells to agencies overseeing swimming pool construction.

COMMITTEE/LIAISON REPORTS

July 26, 2016

Discussion Item

Environmental Advisory Committee

Staff Recommendation:

Presenter: Wendy Griffin, Board Member

COMMITTEE/LIAISON REPORTS

July 26, 2016

Discussion Item

Other Committee/Liaison Report

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

July 26, 2016

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

July 26, 2016

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

July 26, 2016

Discussion Item

Other

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

July 26, 2016

Routine Report

Employee Milestones

Staff Recommendation:

This item is for information only and no action is required.

Presenter: Randall S. Maggard, Chair

Years of Service	Adjusted Hire Date	Preferred Full Name	Job Title	Location	Bureau
10	7/31/2006	Terri Behling	External Affairs Manager	Sarasota	Public Affairs Bureau
10	7/3/2006	Mark Fulkerson	Senior Professional Engineer	Brooksville	Water Resources
10	7/17/2006	Owen Thornberry	Senior Professional Geologist/Engineer	Tampa	Water Use Permit
15	7/23/2001	David Rathke	Chief of Staff	Brooksville	Office of Executive
20	7/22/1996	Dave Testerman	Senior Field Technician	Bartow	Natural Systems and Restoration
25	7/13/1991	Robert Parker	Staff Field Technician	Sarasota	Data Collection
25	7/22/1991	Jack Moore	Senior Professional Engineer	Tampa	Environmental Resource Permit
30	7/21/1986	Steve Camp	Senior Professional Geologist/Engineer	Tampa	Water Use Permit